

Operation Compliance Report

Lindfield Learning Village
SSD 8114

January 2022



Education

Document Control

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03				
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1 Introduction

This Operation Compliance Report has been prepared by Savills Project Management on behalf of the NSW Department of Education (DoE) for Lindfield Learning Village (LLV) Stage 2. This report has been prepared in accordance with the Compliance Reporting Post Approval Requirements (DPIE,2020).

1.1 Project Overview

The Lindfield Learning Village (LLV) is located at 100 Eton Road, Lindfield and legally known as Lot 2 DP1151638. LLV is developed as a flagship school to enable application of a New Education Model (NEM).

Stage 1 of the LLV opened for Term 1 2019 with a capacity of 350 students, spread across Kindergarten to Year 10. Stage 1 Development approval was dated 24 October 2018. All construction activities have been completed and the relevant compliance activities were monitored via a separate approved reporting program. This document is in relation to stage 2 only, being a separate development consent.

Stage 2 of the LLV redevelopment project aims to increase the current schools capacity to that of a 2,000 students by providing new permanent teaching spaces, Aurora College and will enable the NEM to be applied at a whole-of-school level thereby, provide sufficient opportunity to prove its success and potential applicability across other NSW public schools.

The Stage 2 development of the school is completed for staged Operation. The current staging is as approved by the Planning Secretary and listed in the projects Staging Report. These durations are noted in Table 1.

Table 1 Staging schedule

Area and activity (scope)	Duration	Relevant Stage			
		2A1 (Completed)	2A2 & 2B (Completed)	2B2 (Completed)	2C (Completed)
<u>Construction</u> Commencement of all Stage 2 work as nominated under the SSD	26 November 2020 to July 2021	ALL	ALL	ALL	ALL
<u>Operation</u> Learning Spaces, administration, public domain works and amenities	January/ February 2021	2A1			
<u>Operation</u> Learning Spaces, administration, landscaping and amenities	April 2021		2A2 & 2B		
<u>Operation</u> Landscaping, kiss and drop and loop roads	Late May- June 2021			2B2	
<u>Operation</u> Learning Spaces, administration, landscaping and amenities	July 2021				2C

Note 1: Stage 2C excludes the Pacific Highway Upgrade, per condition B28. This work will be completed as an independent construction item and will not impact the proposed operational staging other than the pre-identified limitation on student capacity noted in condition A39. The student population must not exceed 1050 until evidence has been provided to the Certifier that the upgrade to the intersection of Pacific Highway and Grosvenor Road required under condition B28 has been completed to the satisfaction of TfNSW.

Note 2: The overall project construction duration and Stage 2C commencement of operation were delayed due to Covid-19 restrictions and electrical outage being postponed. These items effected the final commission/ go-live. Actual commencement of operation for stage 2C was 28 January 2022.

1.1.1 Date of Commencement of Construction and Operation

Construction of Stage 2 commenced on 26th November 2020. Sections of the school were handed over for staged Operation as per the approved Staging Report submitted under Conditions of Consent (CoC) A9 and subsequent updates submitted under CoC A13.

Operation of the first Stage 2A1 commenced in January, Day 1, Term 1, 2021.

1.1.2 Submission to Planning Secretary.

The Compliance Reporting Post Approval Requirements (PAR), originally released in 2018, has been revised as part of the Department's continual improvement process. The revised Compliance Reporting PAR (2020) includes removal of the pre-construction, construction and pre-operation reporting requirement however the proponent's internal process requires a report to be generated in order to communicate the status of the projects performance in relation to compliance with the conditions of consent. Four pre-operation compliance reports have been completed throughout the duration of the project prior to each stage of operation.

The Operation Compliance Report is required to be completed at intervals, no greater than 52 weeks from the date of commencement of operation and submitted to the Department in accordance with CoC A34.

1.2 Key Personnel

The Key personnel responsible for the environmental management of the development are listed in Table 2.

Table 2 Key Personnel

Name	Role	Organisation	Contact Details
Jim Lewis	Project Director	SINSW	0418 200 067
Penny Blunden	Project Manager (PAP)	Savills	0417 861 967
David Last	Construction Manager	Hindmarsh	0414 248 021
Andrew Barkby	Site Manager	Hindmarsh	0414 899 334

1.3 Compliance Period

This compliance report covers the operational period between **January 2021 and January 2022**.

During this period the following activities were undertaken:

- Construction activities associated with the development of Stage 2.
- Operation of Stage 1, 2A1, 2A2, 2B, 2B2 and 2C.

1.4 Compliance Status Descriptors

The status of each compliance requirement for the project were assessed using the following descriptors in Table 3.

Table 3 Compliance Status Descriptors

Status	Description
Compliant	The proponent has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with
Non-Compliant	The proponent has identified a non-compliance with one or more elements of the requirement.
Not Triggered	A requirement has an activation or timing trigger that has not been met at the phase of the development when the compliance assessment is undertaken, therefore an assessment of compliance is not relevant.

2 Previous Report Actions

The following were noted as actions to satisfy compliance of the non-compliant conditions noted in the previous reporting period:

Table 4 Non-compliance Summary - Previous Reporting Period

Condition	Compliance Requirement	Evidence	Action for Compliance	Status
-	-	-	-	-

Nil non-compliance previously identified as this is the first Operation Compliance Report.

3 Compliance Status Summary

The compliance performance for the reporting period is summarised in this section.

Table 5 Compliance Summary

Status	Number
Compliant	47
Non-Compliant	2
Not Triggered	10
Total	59

All non-compliance (based on the details provided in the Compliance Table, see **Appendix B**) that occurred during this reporting period are listed in Table 6 including action for closing out compliance accordingly.

Table 6 Non-compliance Summary – Current Reporting Period

Condition	Compliance Requirement	Evidence	Action for Compliance	Status
A2 – Terms of Consent	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.	Not all Terms of Consent have been complied with. Condition A2 required that the development may only be carried out: (a) in compliance with the conditions of this consent.	Technical non-compliance due to non-compliance with other conditions. No further action required	Closed
A38 – Modification of Phase 1 Consent	Within one month of the commencement of Phase 2 operations, in accordance with section 4.17(1)(b) of the EP&A Act, conditions E1 to E18 of the Phase 1 Partial Development Consent are to be deleted	24 December 2020, Modifications issued to DPIE for assessment and determination. 27 January 2021, Phase 2A1 operation commenced. 4 February 2021, Lincoln Lawler followed up the modification approval process with DPIE. 5 March 2021, Lincoln Lawler responded to DPIE RFI Noncompliance identified with this item as the modification has not been approved within the required timeframe in order to delete conditions E1 to E18 of the Phase 1 Partial Development Consent.	SINSW to work with DPIE in order to meet project timelines to ensure compliance. Consent has been surrendered as part of modification 3 determination dated 19 March 2021.	Closed

4 Incidents

Two (2) notifiable incident has occurred during this reporting period and is listed in Table 6 including action for closing out compliance accordingly.

Table 7 Incident Summary

Incident	Description	Notification to DPIE	Action for Compliance	Final Incident Report Submission and close out
Electric shock in cafe	Worker received an electric shock from a wall mounted metallic shelf when working in the café space.	2 March 2021	All metallic surfaces were tested by the on site electrician for a potential current Fixing through damaged cable relocated and cable repaired	2 March 2021. Same day as notification
Cut leg on saw cutter	Worker was cutting pit riser horizontally approx.. 375mm off the ground with a petrol powered concrete cutting saw. Saw blade has come in contact with his right leg/ shin area	30 April 2021	Construction works were re trained in the Safe Operating Procedure (SOP)_ dated 11.05.2021	19 May 2021

5 Complaints

Seventeen (17) complaints have been noted in this reporting period and are listed in Table 8 including action for closing out compliance accordingly. The majority of the complaints are in relation to the Construction phase and not relevant to Operation.



Table 8 Complaints Summary

No#	Date of complaint	Date of response	Method of complaint	Nature of complaint	SINSW response	Complaint status
1	03/01/2021	03/01/2020	Verbal	Noise	Construction team acknowledged the complaint and immediately halted work.	Closed.
2	14/01/2021	18/01/2020	Email	Parking	Construction workers parking illegally on private property were reported and vehicles removed. Additional signage installed at Tubbs View and Shout Ridge as well as SMS reminder to workers about parking protocols.	Closed.
3	14/01/2021	18/01/2020	Email	Parking	* As above.	Closed.
4	15/01/2021	18/01/2020	Email	Light amenity	Light timers set in rooms facing residential properties to ensure no light spill.	Closed.
5	27/01/2021	28/01/2021	Email	Visual amenity	As previous mitigation measures were not effective in addressing light spill, on-site security will ensure lights are switched of at the end of each day.	Closed
6	02/02/2021	03/02/2021	Phone	Visual amenity	Advice provided of new mitigation measures in place to reduce light spill and provided an update on review of the plant installation, including timeframes required to undertake this review process.	Closed
7	04/02/2021	05/02/2021	Email	Noise	All workers reminded of noise protocols when working near neighboring residential areas.	Closed
8	17/02/2021	26/02/2021	Email	Asbestos works	Advice provided that upcoming removal of bonded asbestos will be from the southern section of the site (in a non-operational part of the school). Further to this, SINSW advised that the removal of asbestos containing material is monitored by independent occupational hygienist, in strict accordance with all applicable legislation, regulations, policies and guidelines.	Closed
9	22/02/2021	26/02/2021	Email	Noise	Worker using power tools prior to 7:00am reminded of approved work hours. Further to this, a whole of site reminder was issued to all workers regarding correct start times.	Closed

10	26/02/2021	02/03/2021	Email	Traffic management	Site team spoke to workers responsible for transporting machinery to reiterate traffic management protocols. SINSW confirmed with stakeholder that a traffic controller would be present at all times when carrying out this work along Dunstan Grove.	Closed
11	08/03/2021	23/03/2021	Email	Catchment area	Stakeholder expressed concern about the catchment area for Lindfield Learning Village and nearby Lindfield Public School. A response was provided to the stakeholder by the Director Educational Learning.	Closed.
12	11/03/2021	22/03/2021	Email	Noise and visual amenity	Ongoing matter of light spill from site and noise from plant operation. Project team committed to investigating why this matter was occurring, and to see if timers could be re-set to operate for a shorter period of time.	Closed.
13	29/03/2021	30/03/2021	Phone & email	Noise	The stakeholder indicated the school air conditioning had been running 24/7, for six days straight. The issue was investigated as a matter of priority. Upon investigation an error was identified in the system causing the plant to run non-stop. The issue was rectified.	Closed.
14	01/04/2021	06/04/2021	Email	Construction vehicles and waste	Stakeholder requested builders to clear the mud along Dunstan Grove caused by cement trucks existing the site. Site team instructed street sweepers to clear mud from road.	Closed.
15	26/04/2021	28/04/2021	Email	Visual amenity	Stakeholder noted an issue with the emergency light operating 24/7. In response, the team disconnected the light sensor to mitigate the issue. The team will investigate a long-term solution to avoid this issue in the future.	Closed
16	26/05/2021	03/06/2021	Phone call/ Email	Construction vehicles and waste	Stakeholder expressed frustration at the state of the road due to dirt on the road near a site entry/ exit point on Dunstan Grove. Site team implemented a number of mitigations to improve conditions, including use of a street sweeper.	Closed
17	23/08/2021	25/08/2021	Email	Visual amenity	Stakeholder noted the top floor lights had been on continuously for a week and requested they be turned off. The contractor was informed and the lights were turned off.	Closed

* Information extracted from the Lindfield Learning Village Stage 2 Complaints Register Last updated January 2022.

Appendix A – Compliance Report Declaration Form

Project Name	Lindfield Learning Village Phase 2 and 3
Project Application Number	SSD 8114
Description of Project	Adaptive reuse of existing buildings to cater for up to 2000 students and associated infrastructure works
Project Address	Lot 2 and 4 DP 1151638, 100 Eton Road, Lindfield
Proponent	Department of Education
Title of Compliance Report	Operation Compliance Report
Date	27 th January 2021
<p>I declare that I have reviewed the contents of the attached Compliance Report and to the best of my knowledge:</p> <ol style="list-style-type: none"> i. the Compliance Report has been prepared in accordance with all relevant conditions of consent; ii. the Compliance Report has been prepared in accordance with the Compliance Reporting Requirements; iii. the findings of the Compliance Report are reported truthfully, accurately and completely; iv. due diligence and professional judgement have been exercised in preparing the Compliance Report; and v. the Compliance Report is an accurate summary of the compliance status of the development. <p>Notes:</p> <ul style="list-style-type: none"> • Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and • The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years' imprisonment or 200 penalty units, or both). 	
Name of Authorised Reporting Officer	Jim Lewis
Title	Project Director, Delivery, School Infrastructure NSW
Signature	 27/1/2022
Qualification	Bachelor of Building (Hons), UNSW
Company	School Infrastructure NSW
Company Address	Level 8, 259 George Street, Sydney 2000
Endorsed: Executive Director, Projects NSW Department of Education	David Tonge
Signature	

Appendix B – Operation Compliance Table

Lindfield Learning Village SSD 8114

Schedule 1

Part A – Administrative Condition

#	Consent heading	Consent Condition	Stage	Phase	Status	Evidence	Comment
A1	Obligation to minimise harm to environment	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.	All	Throughout	Compliant	-	No incidents or complaints received during reporting period relating to environmental harm. All conditions aiming to minimise environmental harm have been complied with.
A2	Terms of Consent	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 Response to Submissions, Supplementary Response to Submissions and Further Supplementary Response to Submissions; d) in accordance with the approved plans in the table below:	All	Throughout	Non-Compliant	-	Administrative non-compliance. Refer to Appendix C for additional details associated with any non-compliance identified during the Independent Environmental Audits and Pre-Operation Compliance Reports. No directions have been received from secretary. Development undertaken in accordance with Response to Submissions, Supplementary Response to Submissions Further Supplementary Response to Submissions Development undertaken in accordance with the approved plans.
A3	Terms of Consent	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) any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and (c) the implementation of any actions or measures contained in any such document referred to in (a) above.	All	Throughout	Compliant	-	No directions, reports or actions by Secretary.

A4	Terms of Consent	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). 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.	All	Throughout	Compliant	-	No inconsistencies, ambiguity or conflict during this reporting period.
A5	Limits of Consent	This consent lapses five years after the date of consent unless the works associated with the development have physically commenced.	All	Pre-commencement	Compliant	Notification of commencement 26 November 2020. Submission to DPIE 18 November 2020	Refer B1 for notification of commencement
A6	Prescribed Conditions	The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.	All	Throughout	Compliant	Crown Certificate number 20000325/2 issued by Modern Building Certifiers dated 24 November 2020	Independent Environmental Audit undertaken 10 February 2020 as per PAR requirements.
A7	Planning Secretary as Moderator	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.	All	Throughout	Compliant	-	No disputes during this reporting period.
A8	Evidence of Consultation	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document for information; 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.	All	Throughout	Compliant	Consultation reports submitted to demonstrate compliance	All conditions which require consultation have been complied with.
A9	Staging	The project may be constructed and operated in stages. Where compliance with conditions is required to be staged due to staged construction or operation, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the satisfaction of the Planning Secretary. The Staging Report must be submitted to the Planning	All	Throughout	Compliant	Original Staging Report, Rev 5, issued to DPIE 11/12/2020. DPIE approval letter dated 22/12/2020 for the entire development.	Staged Operation only.

		Secretary no later than one month before the commencement of construction (unless otherwise agreed to in writing by the Planning Secretary) of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation).				Update to the staging plan issued to DPIE 18/01/2021 under CoC A13 and approved 18/01/2021 Update to the Staging Report, Rev 6, issued to DPIE 31/03/2021 under CoC A13 and approved 26/04/2021	
A10	Staging	A Staging Report prepared in accordance with condition A9 must: (a) if staged construction is proposed, set out how the construction of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish; (b) if staged operation is proposed, set out how the operation of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant); (c) specify how compliance with conditions will be achieved across and between each of the stages of the project; and (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.	All	Throughout	Compliant	-	Refer A9
A11	Staging	Where a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.	All	Throughout	Compliant	-	Development has been undertaken in accordance with Original Staging Report approved by DPIE on 22 December 2020 and subsequent updated plans approved on 18 January 2021 and 26 April 2021.
A12	Staging	Where construction or operation is being staged in accordance with a Staging Report, the terms of this consent that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage as identified in the Staging Report.	All	Throughout	Compliant	-	Development has been undertaken in accordance with Original Staging Report approved by DPIE on 22 December 2020 and subsequent updated plans approved on 18 January 2021 and 26 April 2021.
A13	Staging, Combining and Updating Strategies, Plans or Programs	The Applicant may: (a) prepare and submit any strategy, plan (including management plan, architectural or design plan) or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan (including management plan, architectural or design plan) or program applies, the relationship of the stage to any future stages and the trigger for updating the	All	Throughout	Compliant	Update to the Staging Plan prepared under A9 approved by DPIE 18 March 2021. Update to the Staging Report prepared under A9 approved by DPIE 26 April 2021 Update to the Construction Noise and Vibration Management Sub	Strategy, plan or program has not been combined. No other Strategy, plan or program have been updated.

		strategy, plan (including management plan, architectural or design plan) or program); (b) combine any strategy, plan (including management plan, architectural or design plan), or program required by this consent (if a clear relationship is demonstrated between the strategies, plans (including management plan, architectural or design plan) or programs that are proposed to be combined); and (c) update any strategy, plan (including management plan, architectural or design plan), or program required by this consent (to ensure the strategies, plans (including management plan, architectural or design plan), or programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).				Plan prepared under B14 issued to DPIE 9 April 2021	
A14	Staging, Combining and Updating Strategies, Plans or Programs	Any strategy, plan or program prepared in accordance with condition A13, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary.	All	Throughout	Compliant	-	Refer A13 No other strategy, plan or program have been updated.
A15	Staging, Combining and Updating Strategies, Plans or Programs	If the Planning Secretary agrees, a strategy, plan (including management plan, architectural or design plan), or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	All	Throughout	Not Triggered	-	Planning Secretary has not agreed to alter consultation.
A16	Staging, Combining and Updating Strategies, Plans or Programs	Updated strategies, plans (including management plan, architectural or design plan), or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.	All	Throughout	Compliant	-	Refer A13 No other strategy, plan or program have been updated.
A17	Structural Adequacy	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.	All	Throughout	Compliant	Crown Certificate number 20000325/2 issued by Modern Building Certifiers dated 24 November 2020 Structural Installation Certificate prepared by Birzulis Associates dated 18 May 2021.	Refer B3 design and D10 for construction.
A18	External Walls and Cladding	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	All	Throughout	Compliant	Crown Certificate number 20000325/2 issued by Modern Building Certifiers dated 24 November 2020 relevant for entire development. Document evidence provided in	Refer B4 design and D2 and D3 construction

						the form of contractor schedules and installation certificates noted within MBC Completion Certificate Number 20000325/11	
A19	Design and Construction for Bush Fire	New construction must comply with the recommendations and specifications as outlined in the, Bushfire Design Fire Engineering Report prepared by Stephen Grubits & Associates, dated 30mSeptember 2020 .	All	Throughout	Compliant	Bushfire Compliance Report prepared by Stephen Grubits & Associates updated to include stage 2A2 and 2B, dated 16 April 2021. Fire Engineering Conformance Report prepared by Stephen Grubits & Associates, dated 26 January 2021 Erbas, Design and construction for Bushfire (statement) dated 17 November 2020 NBRS Architecture Design statement dated 20 October 2020	-
A20	Design and Construction for Bush Fire	Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of Planning for Bush Fire Protection 2019.	All	Throughout	Compliant	Erbas, Design and construction for Bushfire (statement) dated 17 November 2020 NBRS Architecture Design statement dated 20 October 2020	-
A21	Applicability of Guidelines	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.	All	Throughout	Compliant	-	All standards guidelines, protocols are consistent with date of consent
A22	Applicability of Guidelines	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.	All	Throughout	Not Triggered	-	No such Directions issued by the Planning Secretary during this reporting period.
A23	Monitoring and Environmental Audits	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, Site audit report and independent auditing.	All	Throughout	Compliant	Refer A26-A30 for incident and non-compliance notification, Refer C40 for Audit reporting	All conditions requiring carrying out of monitoring or environmental audit has been complied with. All conditions requiring incident notification and non-compliance notification has been complied with. Audit required within the 12 weeks of the commencement .

		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.					and was undertaken 10/02/21 with project approved IEA. Second audit undertaken 19/07/21 with project approved IEA.
A24	Access to Information	At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (i) the documents referred to in condition A2 of this consent; (ii) all current statutory approvals for the development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent; (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; (vi) a summary of the current stage and progress of the development; (vii) contact details to enquire about the development or to make a complaint; (viii) a complaints register, updated monthly; (ix) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report; (x) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.	All	Throughout	Compliant	https://www.schoolinfrastructure.nsw.gov.au/projects/l/Lindfield-learning-village-stage-2.html#about-project-tab	All required documents have been uploaded to the project website for the development.
A25	Compliance	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.	All	Throughout	Compliant	Hindmarsh induction Part 2	located within Hindmarsh induction Part 2, second last slide for entire development

A26	Incident Notification, Reporting and Response	The Planning Secretary must be notified through the major projects portal immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.	All	Throughout	Compliant	-	DPIE notified of all applicable incidents.
A27	Incident Notification, Reporting and Response	Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix 1.	All	Throughout	Compliant	-	Subsequent notification issued to DPIE 19/05/2021
A28	Non-Compliance Notification	The Planning Secretary must be notified through the major projects portal within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Planning Secretary in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.	All	Throughout	Compliant	-	Non-compliances issued to the planning secretary.
A29	Non-Compliance Notification	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.	All	Throughout	Compliant	-	Refer A28
A30	Non-Compliance Notification	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	All	Throughout	Not Triggered	-	There are no non-compliance reported during this reporting period that are classified as an incident.
A31	Revision of Strategies, Plans and Programs	Within three months of: (a) the submission of a compliance report under condition B33; (b) the submission of an incident report under condition A27; (c) the submission of an Independent Audit under condition C37 ; (d) the approval of any modification of the conditions of this consent; or (e) the issue of a direction of the Planning Secretary under condition A2 which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifying Authority must be notified in writing that a review is being carried out.	All	Throughout	Compliant	A review has been undertaken within this reporting period.	Review undertaken during this reporting period. Planning Secretary and the Certifying Authority notified. No Directions received during this reporting period.
A32	Revision of Strategies, Plans and Programs	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	All	Throughout	Compliant	-	Nil documents requiring updating following review noted in A31 No Directions received during this reporting period.

		Planning Secretary or Certifying (where previously approved by the Certifier). Where revisions are required, the revised document must be submitted to the Planning Secretary and/ or Certifier for approval and/ or information (where relevant) within six weeks of the review.					
A33	Compliance reporting	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements	All	Throughout	Compliant	-	Operational Compliance Report completed within 52 weeks from the date of commencement of operation of Stage 2A1.
A34	Compliance reporting	Compliance Reports of the development must be submitted to the Department in accordance with timing outlined in the Compliance Monitoring and Reporting Program, unless otherwise agreed by the Planning Secretary	All	Throughout	Compliant	-	Operational Compliance Report submitted January 2022 within 52 weeks from the date of commencement of operation of Stage 2A1.
A35	Compliance reporting	The Applicant must make each Compliance Report publicly available a minimum 60 days and maximum of 90 days after submitting it to the Planning Secretary	All	Throughout	Not Triggered	-	Operation Compliance Report to be made publicly unavailable at appropriate timeframe.
A36	Compliance reporting	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements, 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.	All	Operation	Not Triggered	-	No requests made to the Planning Secretary.
A37	Signage	Building identification signage is not approved as part of this consent.	All	Throughout	Not Triggered	-	All approved signage to be installed under exempt development
A38	Modification of Phase 1 Consent	Within one month of the commencement of Phase 2 operations, in accordance with section 4.17(1)(b) of the EP&A Act, conditions E1 to E18 of the Phase 1 Partial Development Consent are to be deleted	2A1	Within one month of Operation	Non-Compliant	Consent has been surrendered as part of modification 3 determination dated 19 March 2021.	Administrative non-compliance as DPIE did not approved the modification until 19 March 2021 which is more than 1 month following the commencement of Phase 2 operations.
A39	School Capacity	The student population must not exceed 1050 until evidence has been provided to the Certifier that the upgrade to the intersection of Pacific Highway and Grosvenor Road required under condition B29 has been completed to the satisfaction of TfNSW.	All	Throughout	Compliant	-	Current enrolment for 2021 has not exceeded 1050 students

The following schedules are not relevant to Operation and therefore have been excluded from this Operation Compliance Report.

Schedule 2 Part B - Prior to Commencement of Construction

Schedule 3 Part C – During Construction

Schedule 4 Part D – Prior to commencement of operation

Lindfield Learning Village SSD 8114										
Schedule 5 Part E – Post Occupation										
#	Consent heading	Consent Condition	Stage 2A1	Stage 2A2 & 2B	Stage 2B2		Phase	Status	Evidence	Comment
E1	Out of Hours Event Management Plan	Prior to the commencement of the first out of hours events (school use) run by the school that involve 100 or more people (excluding out of school hours care), the Applicant is to prepare an Out of Hours Event Management Plan (school use) and submit it to the Council and Planning Secretary in consultation with Council. 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 theatre, auditorium, gymnasium or squash courts, 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..	2A1	2A2 & 2B	2B2	2C	Occupation	Compliant	Original OOHEMP submitted to the Planning Secretary 2/08/2021. An updated revision was subsequently issued following the response to an RFI in September 2021. The original plan was submitted to council 13 June 2019 and the updated final revision issued 14 September 2021. Council acknowledge receipt of all documents.	An Out of Hours Event Management Plan has been developed as part of stage 1 consent In Consultation with Council and submitted to the Planning Secretary. This document is to be reviewed by the school occupants and resubmitted post occupation of the first stage if applicable. This plan submitted in stage 1 applies to all stage 2 substages. OOHEMP Author: Deb Smithers, LLV Business Manager created 13 June 2019
E2	Out of Hours Event Management Plan	The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified events or use.	2A1	2A2 & 2B	2B2	2C	Occupation	Compliant		OOHEMP currently being implemented by LLV school.
E3	Out of Hours Event Management Plan	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	2A1	2A2 & 2B	2B2	2C	Occupation	Not Triggered	.	No out of hours events have occurred for community use that involved 100 or more people

		consultation with Council and submit it to the Council and Planning Secretary. 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 theatre, auditorium, gymnasium or squash courts, 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.								
E4	Out of Hours Event Management Plan	The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified community event or use.	2A1	2A2 & 2B	2B2	2C	Occupation	Not Triggered		No out of hours events have occurred for community use that involved 100 or more people
E5	Operation of Plant and Equipment	All plant and equipment used on site must be maintained in a proper and efficient condition operated in a proper and efficient manner.	2A1	2A2 & 2B	2B2	2C	Occupation	Compliant	JEC records of Maintenance issued by Principal Contractor.	Plant and equipment maintained by project team during construction and 12 month post completion period. School Infrastructure Asset Management Unit (AMU) for perpetuity.
E6	Warm Water Systems and Cooling Systems	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.	2A1	2A2 & 2B	2B2	2C	Occupation	Compliant	Refer D5, warm, cooled, chilled or condenser water is not used in the air condition systems as the Lindfield Learning Village.	No additional systems have been installed in the time of operation.
E7	Community Communication Strategy	The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction	-	-	-	2C	Occupation	Compliant		Community Communication Strategy (CCS) is being implemented for a minimum of 12 months.

E8	School Transport Plan (STP)	The STP(s) approved under condition D24 as (revised from time to time) must be implemented by the Applicant for the life of the development and reviewed annually unless otherwise agreed in writing by the Planning Secretary. Details and outcomes of the review(s) must be submitted to the Planning Secretary for information.	2A1	2A2 & 2B	2B2	2C	Occupation	Compliant	School Transport Plan prepared by ARUP version 2.1 dated 13 January 2021 and being implemented by the applicant.	Amy Gregg appointed as LLV Travel Coordinator to Assist students in day-to-day travel including working with staged construction. Shape delivery of transport for live projects and document travel behavior. Assist Principal with transport information and communications. Implement and monitor travel plan and collate data to support changes. Annual review undertaken in January 2022 by Amy Gregg, results anticipated 31/01/22.
E9	Operational Noise Limits	The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in the Revised Noise Impact Assessment prepared by White Noise Acoustics dated 18 August 2020.	2A1	2A2 & 2B	2B2	2C	Occupation	Compliant	External Plant Noise Compliance Testing completed by White Noise Acoustics 13 September 2021. The monitoring report was submitted to the Planning Secretary January 2022 within 2 months of the commencement of use of stage 2C.	No noise complaints received in regards to school operation.
E10	Operational Noise Limits	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 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 (or other timeframe agreed by the Planning Secretary) within two months of commencement use of each stage of the of the development to verify that operational noise levels of the proposal do not exceed the recommended noise levels for mechanical plant identified in the Revised Noise Impact	-	-	-	2C	Occupation	Compliant	External Plant Noise Compliance Testing completed by White Noise Acoustics 13 September 2021. The monitoring report was submitted to the Planning Secretary January 2022 within 2 months of the commencement of use of stage 2C.	Results of the noise level testing undertaken on the site confirm that the operation of the mechanical plant and equipment is complaint with the projects conditions of consent.

		Assessment prepared by White Noise Acoustics dated 18 August 2020. Should the noise monitoring program identify any exceedance of the recommended noise levels referred to above, the Applicant must 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.								
E11	Unobstructed Driveways and Parking Areas	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.	2A1	2A2 & 2B	2B2	2C	Occupation	Compliant	No issue reported during this reporting period.	All operational driveways, footways and parking areas remain unobstructed
E12	Dunstan Grove Fire Trail Access	The fire trail access to Dunstan Grove must not be used for vehicular access except in the event of an emergency	2A1	2A2 & 2B	2B2	2C	Occupation	Compliant	No issue reported during this reporting period.	The fire trail access to Dunstan Grove has not been used for vehicular access. This will only be used by FRNSW if and when required in the event of an emergency.
E13	Ecologically Sustainable Development	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 B8, evidence of compliance of implementation must be provided to the Planning Secretary and Certifier.	-	-	-	2C	Occupation	Not-triggered		Single ESD submission for overall development to be completed within 6 months of commencement of operation of the final stage, as approved under the agreed alternate pathway. This is to ensure the completeness of documentation, noting that the ESD requirement is intended for the whole development. All building works and ESD measures will be finalized within 6 months of completion of stage 2C.
E14	Outdoor Lighting	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.	2A1	2A2 & 2B	2B2	2C	Occupation	Compliant		No complaints received in regards to residual impacts associated with outdoor lighting.

E15	Landscaping	The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Operational Landscape Management Plan required for the duration of occupation of the development.	2A1	2A2 & 2B	2B2	2C	Occupation	Compliant	Site photos demonstrate landscaping being maintained in an appropriate manner as per the approved plan.	landscaping and vegetation on the site is being maintained in accordance with the approved Operational Landscape Management Plan
E16	Heritage	The Applicant must ensure that the heritage characteristics of the site are managed and protected in accordance with the Conservation Management Plan (including appended documents) prepared by Urbis, dated 14 April 2020.	2A1	2A2 & 2B	2B2	2C	Occupation	Compliant	Site photos demonstrate Heritage items being maintained in an appropriate manner as per the approved plan.	Heritage characteristics of the site are being managed and protected in accordance with the Conservation Management Plan.
E17	Asset Protection Zones	The asset protection zones required by condition D32 shall be maintained for the duration of occupation of the development.	2A1	2A2 & 2B	2B2	2C	Occupation	Compliant	<p>APZ Compliance Certification Lindfield Learning Village - Stage 2, prepared by Blackash dated 22 January 2021.</p> <p>APZ Compliance Certification Lindfield Learning Village - Stage 2A2 and 2B, prepared by Blackash dated 12 April 2021</p> <p>APZ Compliance Certification Lindfield Learning Village - Stage 2B2, prepared by Blackash dated 20 May 2021.</p> <p>APZ Compliance Certification Lindfield Learning Village - Stage 2C, prepared by Blackash dated 8 July 2021.</p>	<p>Hindmarsh to undertake maintenance of the APZ prior to the next fire season in 2022.</p> <p>AMU to undertake maintenance in accordance with the operational management plans for perpetuity including obtaining certification of the APZ for all zones impacting this development.</p>
E18	Vegetation Management Plan	The vegetation management plan approved under condition D33 must be maintained for the duration of operation of the development and reviewed annually unless otherwise agreed by the Planning Secretary. Details and outcomes of the review(s) are to must be submitted to the Planning Secretary for information.	2A1	2A2 & 2B	2B2	2C	Occupation	Compliant	Vegetation Management Plan (VMP) revisions 1.2 prepared by Blackash January 2021	Annual review undertaken January 2022 by Deb Smithers, LLV Business Manager. No updates to the plan identified.

E19	Fire Safety Certificate	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.	2A1	2A2 & 2B	2B2	2C	Occupation	Compliant	Fire Safety certificate, Prepared by Hindmarsh, dated 07/09/2021 and submitted to Council 07/09/2021. This is the most current certificate.	Annual Fire Safety certificates will be obtained by the AMU post completion for perpetuity.
E20	Road Safety Audit	Within three months of the student population reaching 1050 students and again within three months of the school population reaching 2000 students, an independent Road Safety Audit (RSA), prepared by a suitably qualified consultant, must be undertaken of the local road network surrounding the school and generally centred on Eton Road and intersecting roads south of Austral Road. The RSA must be prepared in consultation with TfNSW and Council and any recommendations must be implemented within three months of the RSA being completed. The RSA and evidence of implementation of recommendations must be submitted to the Certifier and a copy provided to Council and the Planning Secretary for information.	-	-	-	2C	Occupation	Not-triggered		Actual enrolments confirmed by the school to not exceed 1050 until the completion of the final stage in line with Pacific Highway works and as noted in A39.