

# Compliance Report

Version: 1  
Construction Compliance Report

Project: Penshurst Public School, Penshurst  
Development Consent Application Number: SSD 8365

Grindley Construction Pty Ltd  
55 Grandview Street, Pymble, NSW 2073  
Phone: +61 2 9988 3811 Fax: +61 2 9988 3875  
Email: [mail@grindley.com.au](mailto:mail@grindley.com.au) Web: [grindley.com.au](http://grindley.com.au)

School Infrastructure NSW  
Level 8, 259 George Street, Sydney, NSW 2000

[Prepared by Grindley Construction Pty Ltd and Schools Infrastructure NSW](#)

# Document Control

Version	Date Authorised	Reason	Authorised By	
1	14/02/20	Construction Compliance Report		

This document is uncontrolled when printed.

# 1. Executive Summary

The purpose of this Compliance Report is to comply with the requirements of condition B34 of the project's Development Consent Application Number SSD 8365. This report accurately summarizes the compliance status of the development against the conditions of the project's development consent and has been prepared in accordance with the Compliance Reporting Post Approval Requirements.

The report includes an introduction and details about the project and a summary on the status of compliance with the applicable consent conditions. The report confirms there have been seven non-compliances, zero incidents, six complaints to date and that there are no actions from a previous report as there were no non-compliances identified in the previous report. Appendix A includes the Compliance Report Declaration.

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## 2. Introduction

Condition B34 of the project's development consent requires Compliance Reports to be carried for the project. The Compliance Reports are to be in accordance with the Compliance Reporting Post Approval Requirements and the project's Compliance Monitoring and Reporting Program.

### 2.1. Project Name and Application Number

Project Name: Peshurst Public School, Peshurst  
Development Consent Application Number: SSD 8365

### 2.2. Project Address

Project Address: 510 Forest Road, Peshurst, NSW 2222

### 2.3. Project Phase

Current Phase: During construction

Project Phases

Prior to commencement of construction
Prior to commencement of building works
During construction
Prior to occupation or commencement of use
Post occupation

### 2.4. Compliance Reporting Period

Reporting Period: Construction Compliance Report  
Reporting Period Dates: 02/04/19 – 14/2/20

**Table 1: Compliance Monitoring and Reporting Schedule**

REPORT	PHASE	SUBMISSION TIMING	SUBMISSION FREQUENCY	SUBMISSION DATE
Pre-Construction Compliance Report	Pre-Construction	Prior to construction commencement	Single	April 2019
Construction Compliance Report	Construction	During construction (within 26 weeks of commencement)	Single	October 2019
Pre-Operational Compliance Report	Pre-Operation	Prior to operation	Single	February 2021
Annual Operational Report	Operation	During operation	Annual	February 2022

## 2.5. Project Activity Summary

Grindley was awarded the design and construct building contract on 14/02/19.

The State Significant Development Application Notice of Determination for the project was issued on 21/02/19.

Grindley was advised by Root Partnerships and School Infrastructure NSW (SINSW) that SINSW's Gateway 3 approval of design has been achieved. As part of the contract, Grindley has commenced design meetings, with detailed design due for completion late April 2019, along with progressing the design for SINSW's Gateway 4 submission in May 2019.

Grindley has submitted all documentation relating to Crown Building Certificate #1 (early works / demolition), and Crown Building Certificate #2 (balance of works) to the PCA for review. Subsequently Crown Building Certificate #1 was received 02/04/19, and Crown Building Certificate #2 was received 11/07/19.

The following provides a summary of the key construction activities that have been completed and are underway:

- Demolition complete;
- Remediation of site approx. 80% complete;
- Bulk excavation complete complete;
- Structure approx. 60% complete: and
- Inground services installation approx. 75% complete.

## 2.6. Key Project Personnel

Project Manager: Root Partnership  
Phone Number: +61 2 8272 9332

Project Manager: David Wood  
Email: [wood.d@rootpartnerships.com.au](mailto:wood.d@rootpartnerships.com.au)

Builder: Grindley Construction  
Phone Number: +61 2 9988 3811

Project Manager: Rodney Peachey  
Email: [RPeachey@grindley.com.au](mailto:RPeachey@grindley.com.au)

Site Manager: Steve McInerney  
Email: [SMcInerney@grindley.com.au](mailto:SMcInerney@grindley.com.au)

### 3. Compliance Status Summary

The following Compliance Status Table identifies the requirements in all conditions of the consent that must be complied with during each phase of the project, it details the Unique Identification Number, the Compliance Requirement, the status of each Compliance Requirement using descriptors as required by the compliance Reporting Post Approval Requirements June 2018 and if applicable a comment.

#### 3.1. Compliance Status Table

PART	Total No. Conditions	No. Conditions		
		Compliant	Non-Compliant	Not Triggered
PART A – Administrative Conditions	22	12	2	8
PART B – Prior to Construction	37	32	0	5
PART C - Construction	45	34	5	6
PART D – Prior to Occupation or Use	36	0	0	36
PART E – Post Occupation	11	0	0	11
Total	151	78	7	66

## 4. Non-compliances

This Construction Compliance Report identified 7 non-compliances during this reporting period.

These non-compliances are summarised in the table below:

Condition Number	Condition Heading	Consent Condition	Project Phase	Compliance status	Evidence collected	Comments /Actions Taken
A2	<b>Terms of Consent</b>	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) generally in accordance with the EIS and Response to Submissions; (d) in accordance with the approved plans in the table below: (refer to Development Consent for table details)	Throughout	Non-compliant	As built to match SSDA submitted docs. PCA receipt of design statement.	Non-compliant due to non-compliance with other conditions in this consent. No action required.
A21	<b>Access to Information</b>	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	Pre-construction	Non-compliant	Receipt email from SINSW. Refer to website below.  <a href="https://www.planningportal.nsw.gov.au/major-projects/project/14331">https://www.planningportal.nsw.gov.au/major-projects/project/14331</a>	The following documents were not provided on the website:  IEA program and RTS/EIS.  Non-compliance notification sent to DPIE 06.02.20  These documents were uploaded onto SINSW website on 05.02.20



		<p>enquire about the development or to make a complaint;</p> <p>(viii) a complaints register, updated monthly;</p> <p>(ix) audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report;</p> <p>(x) any other matter required by the Planning Secretary; and</p> <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>				
C37	<b>Independent Environmental Audit</b>	<p>No later than four weeks after the date notified for the commencement of construction, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.</p>	Construction	Non-compliant	<p>Commencement 02.04.2019</p> <p>Audit Program prepared by Best Practice submitted to DPIE on 18.07.2019 which is over 4 weeks</p>	<p>SINSW submitted a notification letter to the DPE advising that we missed this date. The project was non compliant in that we missed the date but we have satisfied the condition by submitting the Audit Program. Unable to find evidence of submission to PCA, reissued on to PCA on 12.02.20</p>
C38	<b>Independent Environmental Audit</b>	<p>Table 1 of the Independent Audit Post Approval Requirements (Department 2018) is amended so that the frequency of audits required in the construction phase is:</p> <p>(a) an initial construction Independent Audit must be undertaken within eight weeks of the notified commencement date of construction; and</p> <p>(b) a subsequent Independent Audit of construction must be undertaken no later than six months from the date of the initial construction Independent Audit.</p>	Construction	Non-compliant	<p>Independent Audit Report dated 26/08/19 submitted to DPIE 27.08.19</p> <p>Date submitted to PCA 14.10.19</p>	<p>Part A - Audit has been carried out but it was not within 8 weeks. Part B - The next audit must be undertaken by 30/01/20 which is 6 months from the 30/07/19.</p>

C39	<b>Independent Environmental Audit</b>	Independent Audits of the development must be carried out in accordance with: (a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition C35 of this consent; and (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).	Construction	Non-compliant	Independent Audit Report dated 26/08/19 submitted to DPIE 27.08.19  Date submitted to PCA 14.10.19	Audit was not submitted within require timeframe. Timing non-compliance only. No further action required.
C40	<b>Independent Environmental Audit</b>	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must: (a) review and respond to each Independent Audit Report prepared under condition C38 of this consent; (b) submit the response to the Department and the Certifying Authority; and (c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.	Construction	Non-compliant	Response to Audit submitted to DPIE 11.10.19  Submitted to the PCA 14.10.19  Did not make IEA publically available within 60 days of submission	Response was not sent with the IEA audit report and was not made publicly available within 60 days of submission to DPIE.  Response was sent to DPIE 11.10.19  Notification submitted to DPIE 06.02.20 to make IEA publicly available on SINSW Website.  IEA and response uploaded.
C44	<b>Revision of Strategies, Plans and Programs</b>	Within three months of: (a) the submission of a compliance report under condition B34; (b) the submission of an incident report under condition C42; (c) the submission of an Independent Audit under condition C39; (d) the issue of a direction of the Planning Secretary under condition A3 which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Department and the Certifying Authority must be notified in writing that a review is being carried out.	Construction	Non-compliant	PCCR submitted April 2019.	A review was not undertaken within 3 months of the submission of the PCCR.  Notification to DPIE and certifier that a review was undertaken in response to the IEA and PCCR and the CEMP was revised.

						Notification of review undertaken and revised CEMP submitted to DPIE 13.02.20
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## 5. Previous Report Actions

There were no previous report actions as the previous compliance report did not identify any non-compliances, complaints or incidents.

## 6. Incidents

There were no incidents during this reporting period.

## 7. Complaints

Number of Complaints: 6

### Complaints

A summary of complaints recorded for this reporting period are provided below:

Table 5: Summary of Complaints

Date of Complaint (dd/mm/yy)	Date of Response (dd/mm/yy)	Method of Complaint (Email/Phone/Letter)	Nature of Complaint (Traffic/Noise/Dust)	Response	Complaint Status (Open / Closed)
18/09/2019	20/09/2019	Email	Potential property damage	Response via email, project manager investigation and repair of property arranged.	Closed
18/09/2019	19/09/2019	Email	Potential building impacts	Investigated with site manager.	Closed
18/09/2019	19/09/2019	Email	Dust from construction site	Investigated with site manager, notified residents of dust monitoring results and existing mitigation measures.	Closed
29/08/2019	29/08/2019	Email	Potential building impacts	Responded via phone and conducted site inspection.	Closed
10/04/2019	11/04/2019	Phone	Dust from excavation	Investigated with site manager, notified resident of dust mitigation measures	Closed
29/03/2019	29/03/2019	Phone	Traffic concerns once project is complete	Discussed traffic management plan and increased kiss and drop area included in project	Closed

# Appendixes

## Appendix A: SSD Conditions of Consent - Compliance Matrix

SSD Conditions of Consent - Compliance Matrix

SSDA 8365 - Penshurst Public School

Date Last updated: 10.02.20 GC  
 Date of construction commencement: 02.04.2019  
 Date of operation commencement: Early 2021

Part A - Administrative Conditions						
Condition Number	Condition Heading	Consent Condition	Project Phase	Compliance status	Evidence collected	Comments
A1	<b>Obligation to minimise harm to environment</b>	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.	Throughout	Compliant	Environmental management plan, Independent Environmental Audit, photographic evidence of measures, incident/complaints register.	All measures required in the CEMP and sub-plans have been incorporated. Photographic evidence of tree protection zones, dust suppression measures and sediment erosion control implemented. No environmental incidents or complaints regarding environmental hard received during reporting period.

A2	<b>Terms of Consent</b>	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) generally in accordance with the EIS and Response to Submissions; (d) in accordance with the approved plans in the table below: (refer to Development Consent for table details)	Throughout	Non-compliant	As built to match SSDA submitted docs. PCA receipt of design statement, compliance with all other conditions of consent.	Non-compliant due to non-compliance with other conditions in this consent.
A3	<b>Terms of Consent</b>	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in (a) above.	Throughout	Not triggered		No written directions from the Secretary.



A4	<b>Terms of Consent</b>	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	Throughout	Not triggered		No inconsistencies or ambiguity.
A5	<b>Design Amendments</b>	The proposed Chinese Tallowood (Sapium sebiferum) Arcadia Street trees (11) must be replaced with either Fiddlewood (Citharexylum spinosum), Jacaranda (Jacaranda mimosifolia) or Pear Tree (Pyrus calleryana) to minimise potential off-site environmental impacts to existing nature vegetation areas.	Construction	Compliant	Landscape plan 02 Rev 1 dated 10/05/19.	
A6	<b>Design Amendments</b>	Details demonstrating compliance with condition A5 must be provided to the satisfaction of the Certifying Authority prior to the commencement of building works.	Construction	Compliant	CC1/ CC2 provided by certifier references amended plans.	
A7	<b>Limits of Consent</b>	This consent lapses five years after the date of consent unless the works associated with the development have physically commenced.	Construction	Compliant	Works associated with the development commenced in 2019	

A8	<b>Prescribed Conditions</b>	The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.	Throughout	Compliant	Civil design documentation. Design and install certificates.	Section 98 and 98E are believed to be the only applicable part of Part 6, Division 8A of the EP&A Regulation.
A9	<b>Planning Secretary as Moderator</b>	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.	Throughout	Not triggered		Nil disputes to report as at 16/09/19.
A10	<b>Long service levy</b>	For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 441.	Throughout	Compliant	LSL Receipt emailed to SINSW.	
A11	<b>Legal Notices</b>	Any advice or notice to the consent authority must be served on the Planning Secretary.	Throughout	Compliant	Nil notices to report as yet.	
A12	<b>Evidence of Consultation</b>	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document for information or approval; and (b) provide details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement	Throughout	Compliant	RP Consultation Report Rev 2 dated 13/04/18. Various consultation required by other conditions have been undertaken. Community Consultation Strategy Jan 2020.	

		remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.				
A13	<b>Staging, Combining and Updating Strategies, Plans or Programs</b>	<p>With the approval of the Planning Secretary, the Applicant may:</p> <p>(a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);</p> <p>(b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and</p> <p>(c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional</p>	Throughout	Not triggered		The development does not anticipate being staged as at 16/09/19

		measures or amendments to improve the environmental performance of the development).				
A14	<b>Staging, Combining and Updating Strategies, Plans or Programs</b>	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	Throughout	Not triggered		The development does not anticipate being staged as at 16/09/19
A15	<b>Staging, Combining and Updating Strategies, Plans or Programs</b>	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	Throughout	Not triggered		The development does not anticipate being staged as at 16/09/19

A16	<b>Demolition</b>	Demolition work must comply with Australian Standard AS 2601-2001 The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifying Authority before the commencement of works.	Pre-construction	Compliant	Page 3, 8 and 9 Chalouhi Demolition Management Plan dated 15/03/19.  CC1 issued by certifier.	
A17	<b>Structural Adequacy</b>	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.  <i>Notes:</i> - Part 8 of the EP&A Regulation sets out the requirements for the certification of the development. - Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of Subsidence Advisory NSW's approval before carrying out certain development in a Mine Subsidence District.	Construction	Compliant	Structural design certificate from Woolacotts Consulting Engineers	

A18	<b>External Walls and Cladding</b>	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Construction	Compliant	Façade Design certificate stating compliance. (CC2)	
A19	<b>Applicability of Guidelines</b>	<p>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.</p> <p>However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.</p>	Throughout	Not triggered		All applicable standards, guidelines etc are current.

A20	<b>Monitoring and Environmental Audits</b>	<p>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&amp;A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.</p> <p><i>Note: For the purposes of this condition, as set out in the EP&amp;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.</i></p>	Throughout	Not triggered	This is only a note.	Respective conditions and plans/strategies requiring monitoring complied with.
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A21	<b>Access to Information</b>	<p>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:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <p>(i) the documents referred to in condition A2 of this consent;</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(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;</p> <p>(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;</p> <p>(vi) a summary of the current stage and progress of the development;</p> <p>(vii) contact details to enquire about the development or to make a complaint;</p> <p>(viii) a complaints register, updated</p>	Pre-construction	Non-compliant	<p>Receipt email from SINSW. Refer to website below.</p> <p><a href="https://www.planninportal.nsw.gov.au/major-projects/project/14331">https://www.planninportal.nsw.gov.au/major-projects/project/14331</a></p>	<p>The following documents were not provided on the website:</p> <p>IEA program and RTS/EIS, CEMP.</p>
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		<p>monthly;</p> <p>(ix) audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report;</p> <p>(x) any other matter required by the Planning Secretary; and</p> <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>				
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A22	<b>Compliance</b>	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.	Throughout	Compliant	Subcontracts include this. Worker site induction. Independent Environmental Audit	
AN1	<b>Advisory notes</b>	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	Throughout	Compliant		All necessary licenses, permits and approvals have been obtained.

Part B - Prior to Commencement of Construction						
Condition Number	Condition Heading	Consent Condition	Project Phase	Compliance status	Evidence collected	Comments
B1	<b>Notification of commencement</b>	The Department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates. If the construction or operation of the development is to be staged, the Department must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	Pre-construction	Compliant	Submitted by SINSW to DPE 20.03.19 Submitted to Certifying Authority 22.3.19	
B2	<b>Certified drawings</b>	Prior to the commencement of building works, the Applicant must submit to the satisfaction of the Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with: (a) the relevant clauses of the BCA; and (b) this development consent.	Construction	Compliant	B2_Structural drawings	
B3	<b>External walls &amp; cladding</b>	Prior to the commencement of building works, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA. The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.	Construction	Compliant	PPA design statement dated 03/06/19. Submitted to DPE in CC2 pack.	

B4	<b>Protection of public infrastructure</b>	<p>Before the commencement of construction, the Applicant must:</p> <p>(a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;</p> <p>(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and</p> <p>(c) submit a copy of the dilapidation report to the Certifying Authority and Council.</p>	Pre-construction	Compliant	<p>(a) ongoing</p> <p>(b) Webber Design Dilapidation Report dated 13/03/19</p> <p>(c) Grindley Submitted to Council &amp; Certifier 21/03/19 and council confirmed receipt.</p>	
B5	<b>Site contamination</b>	<p>Following the completion of demolition works and prior to the commencement of any construction, additional site investigations of previously untested in inaccessible areas of the site must be undertaken in accordance with:</p> <p>(a) NSW EPA Sampling Design Guidelines;</p> <p>(b) Guidelines for the NSW Site Auditor Scheme (3rd edition) 2017;</p> <p>(c) <a href="https://www.epa.nsw.gov.au/publications/contaminatedland/17p0269-guidelines-for-the-nsw-site-auditor-scheme-third-edition">https://www.epa.nsw.gov.au/publications/contaminatedland/17p0269-guidelines-for-the-nsw-site-auditor-scheme-third-edition</a>;</p> <p>(d) Guidelines for Consultants Reporting on Contaminated Sites, 2011 <a href="http://www.epa.nsw.gov.au/resources/clm.20110650consultantsguidelines.pdf">www.epa.nsw.gov.au/resources/clm.20110650consultantsguidelines.pdf</a>;</p> <p>(e) The National Environment Protection (assessment of contamination) Measures 2013 as amended Testing must include assessment of both the soil and groundwater profile.</p>	Pre-operation	Compliant	<p>Final RAP &amp; DGI. Approved by Senversa. Email confirmation from certifier.</p>	

B6	<b>Site contamination</b>	The Remediation Action Plan, titled Preliminary Stage 2 Site Investigation and Remediation Action Plan, prepared by Environmental Investigation Services and dated 25 September 2018, must be updated to reflect the findings of the additional site investigations required by condition B8. The updated Remediation Action Plan must be approved by a NSW EPA Accredited Site Auditor and submitted to the Planning Secretary prior to commencement of remediation works.	Construction	Compliant	Senversa Interim Audit Advice #4 received 09/07/19	
B7	<b>Site contamination</b>	Prior to the commencement of remediation works, an asbestos works management plan must be prepared and submitted for review by a NSW EPA accredited Site Auditor. The asbestos works management plan must be implemented following the receipt of confirmation from the NSW EPA accredited Site Auditor that the asbestos works management plan is considered appropriate.	Construction	Compliant	Senversa Interim Audit Advice #4 received 09/07/19	
B8	<b>Site contamination</b>	Remediation works approved as part of this development consent must be carried out in accordance with the report titled, as required to be updated by condition B9, Preliminary Stage 2 Site Investigation and Remediation Action Plan, prepared by Environmental Investigation Services and dated 25 September 2018.	Pre-operation	Not triggered		To be satisfied prior to occupation.
B9	<b>Site contamination</b>	Upon completion of remedial works, the Applicant must submit a Site Audit Report and Section A Site Audit Statement for the relevant part of the site prepared by a NSW EPA accredited Site Auditor. The Site Audit Report and Section A Site Audit Statement must verify the relevant part of the site is suitable for the hospital land use and be provided to the satisfaction of the Certifying Authority.	Pre-operation	Not triggered		To be satisfied prior to occupation.

B10	<b>Unexpected Contamination Procedure</b>	Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition B17 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.	Construction	Compliant	Part 6.1 Page 25 Grindley CEMP Rev 1 dated 21.03.19	
B11	<b>Utilities &amp; services</b>	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Construction	Not triggered	Constructio n of any utilities has not commence d.	
B12	<b>Utilities &amp; services</b>	Prior to the commencement of above ground works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.	Construction	Compliant	AusGrid letter dated 15.02.19 New developme nt application submitted to NBN.	JHA: Refer to attached documents associated with power supply to the site. Telecommunication is generally initiated by the client. We have launched and initial request for services which is pending client confirmation. (Refer attached" NBN New Developments Application- 160444.PDF")

B13	<b>Community communication strategy</b>	<p>A Community Communication Strategy must be prepared to provide mechanisms to facilitate communication between the Applicant, Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction. The Community Communication Strategy must:</p> <p>(a) identify people to be consulted during the design and construction phases;</p> <p>(b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;</p> <p>(c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development;</p> <p>(d) set out procedures and mechanisms:</p> <p>(i) through which the community can discuss or provide feedback to the Applicant;</p> <p>(ii) through which the Applicant will respond to enquiries or feedback from the community; and</p> <p>(iii) to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development, including disputes regarding rectification or compensation. The Community Communication Strategy must be submitted to the Planning Secretary for approval no later than two weeks before the commencement of any work. Work for the purposes of the development must not commence until the Community Communication Strategy has been approved by the Planning Secretary, or within another timeframe agreed with the Planning Secretary.</p>	Pre-construction	Compliant	Submitted by SINSW to DPE 20.03.19. Refer to Jane Hagan email.	Letter approved by DPE obtained. PO to confirm with comms team if this was published as per requested by Jane H
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B14	<b>Ecologically sustainable development</b>	Prior to the commencement of construction, the Applicant must register for a minimum 4 star Green Star rating with the Green Building Council Australia, unless otherwise agreed by the Planning Secretary and submit evidence of registration to the Certifying Authority.	Pre-construction	Compliant	Registered by SINSW 8.03.19 Evidence submitted to PCA 01.04.19	SINSW applied for Green Star on 08.03.19. Final payment and documentation to be provided to Grindley
B15	<b>Outdoor lighting</b>	Prior to commencement of building works, all outdoor lighting within the site must comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-1997 Control of the obtrusive effects of outdoor lighting. Details demonstrating compliance with these requirements must be submitted to the satisfaction of the Certifying Authority.	Construction	Compliant	JHA certificate of design dated 21/05/19.	
B16	<b>Access for people with disabilities</b>	The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of building works, the Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.	Construction	Compliant	du Chateau chun Statement of Compliance dated 05/06/19	Grindley to provide evidence of submission



B17	<b>Construction environmental management plan</b>	<p>Prior to commencement of construction, the Applicant must prepare a Construction Environmental Management Plan (CEMP) and it must include, but not be limited to, the following:</p> <p>(a) Details of:</p> <p>(i) hours of work;</p> <p>(ii) 24-hour contact details of site manager;</p> <p>(iii) management of dust and odour to protect the amenity of the neighbourhood;</p> <p>(iv) stormwater control and discharge;</p> <p>(v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;</p> <p>(vi) groundwater management plan including measures to prevent groundwater contamination;</p> <p>(vii) external lighting in compliance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting;</p> <p>(viii) community consultation and complaints handling;</p> <p>(b) Construction Traffic and Pedestrian Management Sub-Plan (see condition B19);</p> <p>(c) Construction Noise and Vibration Management Sub-Plan (see condition B20);</p> <p>(d) Construction Waste Management Sub-Plan (see condition B21);</p> <p>(e) Construction Soil and Water Management Sub-Plan (see condition B22);</p> <p>(f) an unexpected finds protocol for contamination and associated communications procedure;</p> <p>(g) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure; and</p> <p>(h) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site.</p>	Pre-construction	Compliant	CEMP prepared by Grindley and submitted to PCA & SINSW 22.03.19 Complete 22.03.19	
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B18	<b>Construction environmental management plan</b>	The Applicant must not commence construction of the development until the CEMP is approved by the Certifying Authority and a copy submitted to the Planning Secretary.	Pre-construction	Compliant	Group DLA approval in CC1.	
B19	<b>Construction environmental management plan</b>	The Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must address, but not be limited to, the following: (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with Council and RMS; (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services; (d) detail heavy vehicle routes, access and parking arrangements; (e) include a Driver Code of Conduct to: (i) minimise the impacts of earthworks and construction on the local and regional road network; (ii) minimise conflicts with other road users; (iii) minimise road traffic noise; and (iv) ensure truck drivers use specified routes; (f) include a program to monitor the effectiveness of these measures; and (g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.	Pre-construction	Compliant	CEMP prepared by Grindley and submitted to PCA & SINSW 22.03.19 Complete 22.03.19	

B20	<b>Construction environmental management plan</b>	<p>The Construction Noise and Vibration Management Sub-Plan must address, but not be limited to, the following:</p> <p>(a) be prepared by a suitably qualified and experienced noise expert;</p> <p>(b) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009);</p> <p>(c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;</p> <p>(d) include strategies that have been developed with the community for managing high noisegenerating works;</p> <p>(e) describe the community consultation undertaken to develop the strategies in condition B20(d); and</p> <p>(f) include a complaints management system that would be implemented for the duration of the construction.</p>	Pre-construction	Compliant	CEMP prepared by Grindley and submitted to PCA & SINSW 22.03.19 Complete 22.03.19	
B21	<b>Construction environmental management plan</b>	<p>The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the following:</p> <p>(a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations;</p> <p>(b) removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.</p>	Pre-construction	Compliant	CEMP prepared by Grindley and submitted to PCA & SINSW 22.03.19 Complete 22.03.19	

B22	<b>Construction environmental management plan</b>	The Applicant must prepare a Construction Soil and Water Management Plan (CSWMSP) and the plan must address, but not be limited to the following: (a) be prepared by a suitably qualified expert, in consultation with Council; (b) describe all erosion and sediment controls to be implemented during construction; (c) provide a plan of how all construction works will be managed in a wet-weather events (i.e. storage of equipment, stabilisation of the Site); (d) detail all off-Site flows from the Site; and (e) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI).	Pre-construction	Compliant	Revised CSWMSP updated and distributed via Procore on 02/10/19 & subsequently uploaded to SINSW Project website	
B23	<b>Construction parking</b>	The Applicant must provide sufficient construction vehicle parking facilities on-site, including for heavy vehicles and workers, to ensure that construction traffic associated with the development does not utilise on-street parking or public parking facilities	Pre-construction	Compliant	Contractor Site induction.	
B24	<b>Stormwater management system</b>	Prior to the commencement of building works, the Applicant must design an operational stormwater management system for the development and submit it to the satisfaction of the Certifying Authority. The system must: (a) be designed by a suitably qualified and experienced person(s); (b) be generally in accordance with the conceptual design in the EIS; (c) be in accordance with applicable Australian Standards; (d) ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) guidelines;	Construction	Compliant	Woolacotts civil design certificate dated 24/05/19.	

B25	<b>Operational Noise - Design of Mechanical Plant and Equipment</b>	Prior to commencement of building works, the Applicant must incorporate the noise mitigation recommendations in the report titled Acoustic Assessment Report, Penhurst Public School Arcadia Street, Penhurst, Report No. 6320-1.1R Rev E, prepared by Day Design Pty Ltd and dated 11 October 2018, into the detailed design drawings. The Certifying Authority must verify that all reasonable and feasible noise mitigation measures have been incorporated into the design to ensure the development will not exceed the project noise trigger levels established based on the more conservative Rating Background Noise levels identified in the report titled Acoustic Assessment Report, Penhurst Public School Arcadia Street, Penhurst, Report No. 6320-1.1R Rev E, prepared by Day Design Pty Ltd and dated 11 October 2018.	Construction	Compliant	Day Design Acoustic Assessment Report dated 11/10/18.  PPA design statement dated 03/06/19.	
B26	<b>Construction and demolition waste management</b>	The Applicant must notify the RMS Traffic Management Centre of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.	Construction	Compliant	Submitted to Council 25.03.19	
B27	<b>Operational Waste Storage and Processing</b>	Prior to the commencement of building works, the Applicant must obtain agreement from Council for the design of the operational waste storage area where waste removal is undertaken by Council.	Construction	Compliant	Email from Jeff Lie dated 23.05.19	Waste is not removed by council. Waste is removed privately by the school.
B28	<b>Mechanical ventilation</b>	All mechanical ventilation systems must be designed in accordance with Part F4.5 of the BCA and must comply with the AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings and AS.NZS 3666.1:2011 Air handling and water systems of buildings– Microbial control to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details must be submitted to the satisfaction of the Certifying Authority prior to the commencement of building works.	Construction	Compliant	JHA mechanical services certificate of design dated 31/05/19.	

B29	<b>Rainwater harvesting</b>	Prior to the commencement of building works, the Applicant must ensure that a rainwater reuse.harvesting system for the development is developed for the site. A rainwater re-use plan must be prepared and certified by an experienced hydraulic engineer.	Construction	Compliant	Woolacotts Hydraulic & Fire Design Certificate dated 31/05/19 and Hydraulic & Civil plans	
B30	<b>Car Parking and service vehicle layout</b>	Compliance with the following requirements must be submitted to the satisfaction of the Certifying Authority prior to the commencement of building works: (a) all vehicles must enter and leave the Site in a forward direction; (b) minimum of 20 on-site car parking spaces for use during operation of the development and designed in accordance with the latest version of AS2890.1; (c) the swept path of the longest vehicle entering and exiting the Site in association with thenew work, as well as manoeuvrability through the Site, must be in accordance with AUSTRROADS; and (d) the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, is to be addressed.	Construction	Compliant	PPA design statement dated 03/06/19. Submitted to DPE in CC2 pack.	

B31	<b>Bicycle Parking and End-of-Trip Facilities</b>	<p>Compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the satisfaction of the Certifying Authority prior to the commencement of building works:</p> <p>a) the provision of a minimum 32 bicycle parking spaces, comprising a minimum 20 staff, 12 primary school student bicycle parking spaces;</p> <p>b) the provision details of demonstrating suitable weather protection of student bicycle parking spaces;</p> <p>c) the layout, design and security of bicycle facilities must comply with the minimum requirements of AS 2890.3:2015 Parking facilities - Bicycle parking, and be located in easy to access, well-lit areas that incorporate passive surveillance;</p> <p>d) the provision of end-of-trip facilities for staff in accordance with the ESD Design &amp; As Built rating tool;</p> <p>e) appropriate pedestrian and cyclist advisory signs are to be provided; and</p> <p>f) all works.regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority.</p>	Construction	Compliant	PPA design statement dated 03/06/19. Submitted to DPE in CC2 pack.	
B32	<b>Public domain works</b>	<p>Prior to the commencement of any footpath or public domain works, the Applicant must consult with Council and demonstrate to the Certifying Authority that the streetscape design and treatment meets the requirements of Council, including addressing pedestrian management. The Applicant must submit documentation of approval for each stage from Council to the Certifying Authority.</p>	Construction	Not triggered	Email from Michael Francis dated 04/06/19	

B33	<b>Archival Recording</b>	Prior to the commencement of demolition works on-site, a photographic archival record of the external and internal areas of buildings and structures to be demolished must be prepared in accordance with the recommendations in the report titled Statement of Heritage Impact, Penshurst Public School, prepared by Perumal Murphy Alessi and dated January 2018 and supplementary advice prepared by Perumal Murphy Alessi and dated September 2018; and the NSW Heritage Branch guidelines titled Photographic Recording of Heritage Items using Film or Digital Capture. A hardcopy and digital copy must be submitted to Council, the Heritage Division and the Planning Secretary prior to demolition works commencing.	Pre-construction	Compliant	Submitted to Council by Grindley 13.03.19 Submitted by SINSW to DPE 15.03.19	
B34	<b>Compliance reporting</b>	No later than two weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.	Pre-construction	Compliant	Submitted by SINSW to DPE 20.03.19 SINSW issued to DPE on 20.03.19	
		Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	Throughout	Compliant	Submitted PCCR was in accordance with the PAR	



		The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.	Throughout	Compliant	Prepared by Grindley Issued to SINSW 01.04.19 SINSW issued to DPE 01.04.19	
B35	<b>Compliance reporting</b>	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance	Operation	Not triggered		
B36	<b>Reuse of Heritage Fabric</b>	Under the guidance of a suitably qualified heritage consultant, significant and original heritage fabric including but not limited to timber floors, windows, doors, brickwork and any other notable features is to be salvaged and reused during the construction phase for buildings and landscaping purposes. Where reuse is not possible on site, these items must be stored in perpetuity on site or donated to a reputable recycling facility or centre specialising in building materials.	Construction	Compliant	Independent Environmental Audit #2 findings.	

B37	<b>Landscaping</b>	<p>Prior to the commencement of building works, the Applicant must prepare a Landscape Management Plan to manage the approved landscaping works on-site, to the satisfaction of the Certifying Authority. The plan must:</p> <p>(a) be generally in accordance with the approved landscape plan outlined in condition A2 prepared by Lorna Harrison Landscape Architects and amended as required by condition A5;</p> <p>(b) ensure that no more than 30 trees are removed from the site and identifies all other existing trees to be retained;</p> <p>(c) detail the species to be planted on-site, including the seven advanced Lophostemon confertus screen tree plantings, a minimum 400L in pot size along the northern boundary;</p> <p>(d) describe the monitoring and maintenance measures to manage revegetation and landscaping works;</p> <p>(e) be consistent with the Applicant's Management and Mitigation Measures in the EIS;</p> <p>(f) provide for the planting of trees and vegetation to soften the visual impact of the approval built form from the public domain and provide shade;</p> <p>(g) include details to ensure native trees removed from the site are salvaged (eg tree trunks greater than 25-30cm in diameter and 3m in length) and used to enhance habitat on site; and</p> <p>(h) include details of nest boxes suitable for native fauna likely to utilise the site such as birds, bats and arboreal fauna</p> <p>(i) detail where on the site, salvaged and reused heritage fabric has been used.</p>	Pre-construction	Compliant	Landscape Management Plan prepared by Lorna Harrison and dated 25/02/19.	
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**Part C - During Construction**

Condition Number	Condition Heading	Consent Condition	Project Phase	Compliance status	Evidence collected	Comments
C1	<b>Approved Plans to be On-Site</b>	A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on the Site at all times and must be readily available for perusal by any officer of the Department, Council or the Certifying Authority.	Construction	Compliant	Refer photograph of SSDA stamped approved drawings on site	
C2	<b>Site Notice</b>	A site notice(s): (a) must be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer. (b) is to satisfy all but not be limited to, the following requirements: (i) minimum dimensions of the notice must measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30-point type size; (ii) the notice is to be durable and weatherproof and is to be displayed throughout the works period; (iii) the approved hours of work, the name of the site. project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction. noise complaint must be displayed on the site notice; and (iv) the notice(s) is to be mounted at eye level on the perimeter hoardings.fencing and is to state that unauthorised entry to the site is not permitted.	Construction	Compliant	Refer photograph of site signage covering items a & b (i to iv)	

C3	<b>Operation of Plant and Equipment</b>	All plant and equipment used on site, or to monitor the performance of the development must be: a) maintained in a proper and efficient condition; and b) operated in a proper and efficient manner.	Construction	Compliant	Grindley Equipment Inspection - Concrete Placing Unit dated 16/01/20 (Brijo - Antonelli Powercrete 40m) - via Procure
C4	<b>Demolition</b>	Demolition work must comply with Australian Standard AS 2601-2001 The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifying Authority before the commencement of works.	Pre-construction	Compliant	Page 3, 8 and 9 of DMP Issued to PCA 22/03/19 - Chalouhi Demolition and Waste Management Plan Issue No. 1.1 dated 15/03/19.
C5	<b>Construction Hours</b>	Construction, including the delivery of materials to and from the site, may only be carried out between the following hours: (a) between 7am and 6pm, Mondays to Fridays inclusive; and (b) between 8am and 1pm, Saturdays. No work may be carried out on Sundays or public holidays.	Construction	Compliant	Project CEMP (page 12) states hours of operation. Nil complaints regarding hours of work received as at 10/02/20.

C6	<b>Construction Hours</b>	<p>Activities may be undertaken outside of the hours in condition C6 if required:</p> <p>(a) by the Police or a public authority for the delivery of vehicles, plant or materials; or</p> <p>(b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or</p> <p>(c) where the works are inaudible at the nearest sensitive receivers; or</p> <p>(d) where a variation is approved in advance in writing by the Planning Secretary or her nominee if appropriate justification is provided for the works. Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.</p>	Construction	Not triggered	<p>Nil works required out of hours as at 10/02/20.</p>	
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C7	<b>Construction Hours</b>	Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours: (a) 9am to 12pm, Monday to Friday; (b) 2pm to 5pm Monday to Friday; and (c) 9am to 12pm, Saturday.	Construction	Compliant	Hammering was only required during demolition - for breaking up of slabs. Included in Chalouhi Subcontract - attachment 14 (email from M Thorburn dated 4/03/19). Not required for other trades. These hours were retained for such activities. No complaints received during this reporting period regarding such activities outside of the specified hours.	
C8	<b>Implementation of Management Plans</b>	The Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP (including Sub-Plans).	Construction	Compliant	All measures of CEMP and sub plans are implemented. No complaints or environmental incidents have occurred during this reporting period	

C9	<b>Construction Traffic</b>	All construction vehicles (excluding worker vehicles) are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site before stopping.	Construction	Compliant	Refer photograph of construction vehicles within site. No complaints regarding off site construction vehicles received as at 10/02/20.	
C10	<b>Road Occupancy Licence</b>	A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.	Construction	Not triggered	Nil work required to warrant an ROL as at 10/02/20.	
C11	<b>SafeWork Requirements</b>	To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.	Construction	Compliant	Refer photograph of site fencing	
C12	<b>Hoarding Requirements</b>	The following hoarding requirements must be complied with: (a) no third-party advertising is permitted to be displayed on the subject hoarding. fencing; (b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application; and (c) the Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.	Construction	Compliant	Refer photograph of site fencing indicating NO advertising or graffiti.	

C13	<b>No Obstruction of Public Way</b>	The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under and circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all works on site.	Construction	Compliant	Refer photograph of site fencing indicating NO obstruction of public way/s.	
C14	<b>Construction Noise Limits</b>	The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan.	Construction	Compliant	All reasonable noise mitigation measures implemented where possible, Nil complaints received regarding noise as at 10/02/20.	
C15	<b>Construction Noise Limits</b>	The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition C5.	Construction	Compliant	Nil complaints received regarding vehicles arriving outside of stipulated hours as at 10/02/20.	
C16	<b>Construction Noise Limits</b>	The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use audible movement alarms of a type that would minimise noise impacts on surrounding noise sensitive receivers.	Construction	Compliant	All construction vehicles and equipment utilise audible alarms that minimise noise impacts on surrounding neighbours.	



C17	<b>Construction Noise Limits</b>	Any noise generated during construction of the development must not be offensive noise within the meaning of the Protection of the Environment Operations Act 1997 or exceed approved noise limits for the site.	Construction	Compliant	Nil complaints received regarding offensive noise as at 10/02/20.	
C18	<b>Vibration Criteria</b>	Vibration caused by construction at any residence or structure outside the site must be limited to: (a) for structural damage, the latest version of DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures (German Institute for Standardisation, 1999); and (b) for human exposure, the acceptable vibration values set out in the Environmental Noise Management Assessing Vibration: a technical guideline (DEC, 2006) (as may be updated or replaced from time to time).	Construction	Compliant	Nil monitors required as vibration criteria has been met in accordance with C18 below. No complaint received to date regarding vibration.	
C19	<b>Vibration Criteria</b>	Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition C18.	Construction	Not triggered	Nil vibrating machinery has been used within 30m of adjoining residential buildings.	
C20	<b>Vibration Criteria</b>	The limits in conditions C18 and C19 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B17 of this consent.	Construction	Compliant	C18 C19 currently satisfied	

C21	<b>Tree Protection</b>	<p>For the duration of the construction works:</p> <p>(a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;</p> <p>(b) all street trees must be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council;</p> <p>(c) all trees on the site must be suitably protected during construction as per recommendations of the report titled Arboricultural Impact Assessment Report, prepared by Glenyss Laws Consulting Arborist and dated September 2018 (Revision C); and</p> <p>(d) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a qualified arborist. Alternative tree protection measures must be installed, as required. The removal of tree protection measures, following completion of the works, must be carried out under the supervision of a qualified arborist and must avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater.</p>	Construction	Compliant	Refer photographs of site fencing / tree protection zones in place.	
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C22	<b>Dust Minimisation</b>	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	Construction	Compliant	Refer photographs of dust monitor, and dust suppression measures. Dust Monitoring Report prepared by AIRSAFE dated 13.12.19	
C23	<b>Dust Minimisation</b>	During construction, the Applicant must ensure that: (a) exposed surfaces and stockpiles are suppressed by regular watering; (b) all trucks entering or leaving the site with loads have their loads covered; (c) trucks associated with the development do not track dirt onto the public road network; (d) public roads used by these trucks are kept clean; and (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.	Construction	Compliant	Refer photographs of dust monitor, and dust suppression measures. Dust Monitoring Report prepared by AIRSAFE dated 13.12.19	
C24	<b>Air Quality Discharges</b>	The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria, air emission limits and air quality monitoring requirements as specified in the EPL applicable to the site.	Construction	Compliant	Grindley Equipment Inspection - Concrete Placing Unit dated 16/01/20 (Brijo - Antonelli Powercrete 40m) - via Procure. Nil complaints received regarding emissions from	

					equipment as at 10/02/20.	
C25	<b>Erosion and Sediment Control</b>	All erosion and sediment control measures, must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment.	Pre-operation	Compliant	Refer photographs of site fencing / sediment control in place. Nil complaints received regarding sediment or erosion as at 10/02/20.	

C26	<b>Imported Soil</b>	<p>The Applicant must:</p> <p>(a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;</p> <p>(b) keep accurate records of the volume and type of fill to be used; and</p> <p>(c) make these records available to the [Department.Certifying Authority] upon request.</p>	Construction	Compliant	<p>Refer emails from JK Environmental - Brendan Page (dates 05/12/19, 08/11/19, 01/10/19, 20/09/19) approving importation of selected materials. Test results and docket available.</p>	
C27	<b>Disposal of Seepage and Stormwater</b>	<p>Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by the EPA in accordance with the Protection of the Environment Operations Act 1997.</p>	Construction	Compliant	<p>Refer photographs of site fencing / sediment control in place. Nil complaints received regarding sediment or erosion as at 10/02/20.</p>	

C28	<b>Unexpected Finds Protocol - Aboriginal Heritage</b>	In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and OEH to develop and implement management strategies for all objects.sites. Works shall only recommence with the written approval of OEH.	Construction	Compliant	Grindley Unexpected Finds Protocol displayed on site. Nil Aboriginal Heritage finds have occurred as at 10/02/20.	
C29	<b>Unexpected Finds Protocol - Historic Heritage</b>	If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the OEH Heritage Division contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of Heritage Division of the OEH.	Construction	Compliant	Grindley Unexpected Finds Protocol displayed on site. Nil historical heritage finds have occurred as at 10/02/20.	
C30	<b>Waste Storage and Processing</b>	Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.	Construction	Compliant	Refer photographs of waste storage measures. Nil complaints regarding waste have been received as at 10/02/20.	

C31	<b>Waste Storage and Processing</b>	All waste generated during construction must be assessed, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).	Construction	Compliant	Refer waste classification report Buildgroup Aus Services dated Oct 2019, November 2019, December 2019, January 2020.	
C32	<b>Waste Storage and Processing</b>	The body of any vehicle or trailer used to transport waste or excavation spoil must be covered before leaving the premises to prevent any spillage or escape of any dust, waste of spoil. Mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the site must be removed before leaving the premises.	Construction	Compliant	Refer photographs of waste storage measures. Nil complaints regarding waste have been received as at 10/02/20.	
C33	<b>Waste Storage and Processing</b>	The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural or artificial watercourse.	Construction	Compliant	Refer photographs of waste storage - concrete waste trays. Once concrete has cured it is placed in recycling concrete bin which is transported to recycling.	

C34	<b>Handling of Asbestos</b>	The Applicant is to consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.	Construction	Compliant	Refer Chalouhi email dated 05/07/19 - quoting reference number 940R-00248584-01 for Safework notification and methodology regarding handling of asbestos waste.	
C35	<b>Community engagement</b>	The Applicant must consult with the community regularly throughout construction, including consultation with the nearby sensitive receivers identified in the EIS, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.	Construction	Compliant	Comms register March 19 - Jan 20 detailed various community consultation undertaken during reporting period.	
C36	<b>Independent Environmental Audit</b>	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the preparation of an Independent Audit Program or commencement of an Independent Audit.	Construction	Compliant	Approval letter from DPE dated 20/12/19.	
C37	<b>Independent Environmental Audit</b>	No later than four weeks after the date notified for the commencement of construction, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.	Construction	Non-compliant	Commencement 02.04.2019 Audit Program prepared by Best Practice submitted to DPIE on 18.07.2019 which is over 4 weeks	SINSW submitted a notification letter to the DPE advising that we missed this date. The project was non-compliant in that we missed the date but we have satisfied the condition by submitting the



						Audit Program. Unable to find evidence of submission to PCA, reissued on to PCA on 12.02.20
C38	<b>Independent Environmental Audit</b>	Table 1 of the Independent Audit Post Approval Requirements (Department 2018) is amended so that the frequency of audits required in the construction phase is: (a) an initial construction Independent Audit must be undertaken within eight weeks of the notified commencement date of construction; and (b) a subsequent Independent Audit of construction must be undertaken no later than six months from the date of the initial construction Independent Audit.	Construction	Non-compliant	Independent Audit Report dated 26/08/19 submitted to DPIE 27.08.19  Date submitted to PCA 14.10.19	Part A - Audit has been carried out but it was not within 8 weeks. Part B - The next audit must be undertaken by 30/01/20 which is 6 months from the 30/07/19.
C39	<b>Independent Environmental Audit</b>	Independent Audits of the development must be carried out in accordance with: (a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition C35 of this consent; and (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).	Construction	Non-compliant	Independent Audit Report dated 26/08/19 submitted to DPIE 27.08.19  Date submitted to PCA 14.10.19	Part A - Audit has been carried out but it was not within 8 weeks. Part B - The next audit must be undertaken by 30/01/20 which is 6 months from the 30/07/19.

C40	<b>Independent Environmental Audit</b>	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must: (a) review and respond to each Independent Audit Report prepared under condition C38 of this consent; (b) submit the response to the Department and the Certifying Authority; and (c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.	Construction	Non-compliant	Response was not sent with the IEA audit report and was not made publicly available within 60 days of submission to DPIE.	Response was not sent with the IEA and audit report was not made publicly available within 60 days of submission to DPIE.
C41	<b>Independent Environmental Audit</b>	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational audits to cease, where it has been demonstrated to the Planning Secretary's satisfaction that ongoing operational audits are no longer required.	Operation	Not triggered		Development is not yet at operation stage.
C42	<b>Incident Notification, Reporting and Response</b>	The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident. Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 1.	Throughout	Not triggered	S	No incidents reported to date

C43	<b>Non-Compliance Notification</b>	<p>The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Department in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> within seven days after they identify any non-compliance. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.</p> <p>A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.</p>	Throughout	Compliant	<p>B37 and B38 non-compliance notification sent 18.07.19</p> <p>A21 - 06.02.20 B18 - 10.02.20 B34 - 05.02.20 C40 - 05.02.20</p>	
C44	<b>Revision of Strategies, Plans and Programs</b>	<p>Within three months of:</p> <p>(a) the submission of a compliance report under condition B34;</p> <p>(b) the submission of an incident report under condition C42;</p> <p>(c) the submission of an Independent Audit under condition C39;</p> <p>(d) the issue of a direction of the Planning Secretary under condition A3 which requires a review,</p> <p>the strategies, plans and programs required under this consent must be reviewed, and the Department and the Certifying Authority must be notified in writing that a review is being carried out.</p>	Construction	Non-compliant	PCCR submitted April 2019.	A review was not undertaken within 3 months of this submission.

C45	<b>Revision of Strategies, Plans and Programs</b>	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 Certifying Authority. Where revisions are required, the revised document must be submitted to the Certifying Authority for approval within six weeks of the review.	Construction	Not triggered		Not yet necessary to review any strategy, plan or program.
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**Part D - Prior to Occupation or Commencement of use**

Condition Number	Condition Heading	Consent Condition	Project Phase	Compliance status	Evidence collected	Comments
D1	<b>Notification of Occupation</b>	The date of commencement of the occupation of the development must be notified to the Department in writing, at least one month before occupation. If the operation of the development is to be staged, the Department must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	Pre-operation	Not triggered		
D2	<b>External Walls and Cladding</b>	Prior to the occupation of the building, the Applicant must provide the Certifying Authority with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.	Pre-operation	Not triggered		
D3	<b>External Walls and Cladding</b>	The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.	Pre-operation	Not triggered		

D4	<b>Post-construction Dilapidation Report</b>	<p>Prior to occupation of the building, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is:</p> <p>a) to ascertain whether the construction created any structural damage to adjoining buildings or infrastructure.</p> <p>b) to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifying Authority must:</p> <p>i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and</p> <p>ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.</p> <p>c) to be forwarded to Council.</p>	Pre-operation	Not triggered		
D5	<b>Protection of Public Infrastructure</b>	<p>Unless the Applicant and the applicable authority agree otherwise, the Applicant must:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and</p> <p>(b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.</p> <p>Note: This condition does not apply to any damage to roads caused as a result of general road usage.</p>	Pre-operation	Not triggered		

D6	<b>Utilities and Services</b>	Prior to occupation of the building, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the Sydney Water Act 1994.	Pre-operation	Not triggered		
D7	<b>Works as Executed Plans</b>	Prior to occupation of the building, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Certifying Authority.	Pre-operation	Not triggered		

D8	<b>Operational Transport and Access Management Plan</b>	<p>An OTAMP is to be prepared for the school (or separately for each school) by a suitably qualified person, in consultation with Council, Transport for NSW and RMS, to the satisfaction of the Secretary, and must address the following:</p> <p>(a) Detailed pedestrian analysis including the identification of safe route options - to identify the need for management measures such as staggered school start and finish times to ensure students and staff are able to access and leave the Site in a safe and efficient manner during school start and finish;</p> <p>(b) the location of all car parking spaces on the school campuses and their allocation (i.e. staff, visitor, accessible, emergency, etc.);</p> <p>(c) the location and operational management procedures of the pick-up and drop-off parking, including staff management.traffic controller arrangements;</p> <p>(d) the location and operational management procedures for the pick-up and drop-off of students by buses and coaches for excursions and sporting activities during the hours of bus lane operations, including staff management.traffic controller arrangements;</p> <p>(e) delivery and services vehicle and bus access and management arrangements;</p> <p>(f) management of approved access arrangements;</p> <p>(g) potential traffic impacts on surrounding road networks and mitigation measures to minimise impacts, including measures to</p>	Pre-operation	Not triggered		
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		<p>mitigate queuing impacts associated with vehicles accessing pick-up and drop-off parking;</p> <p>(h) car parking arrangements and management associated with the proposed use of school facilities by community members; and</p> <p>(i) a monitoring and review program.</p> <p>The OTAMP(s) must be submitted to the Secretary for approval prior to operation of the development.</p> <p>The OTAMP(s) (as revised from time to time) must be implemented by the Applicant for the life of the development.</p>				
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D9	<b>Green Travel Plan</b>	<p>Prior to the commencement of operation, a Green Travel Plan (GTP), must be prepared and be submitted to the Secretary to promote the use of active and sustainable transport modes. The plan must:</p> <p>(a) be prepared by a suitably qualified traffic consultant in consultation with Council and Transport for NSW;</p> <p>(b) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;</p> <p>(c) include specific tools and actions to help achieve the objectives and mode share targets;</p> <p>(d) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; and</p> <p>(e) include details regarding the methodology and monitoring.review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of students and staff to and from both schools at appropriate times throughout the academic year.</p>	Pre-operation	Not triggered		
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D10	<b>Parking Restrictions</b>	<p>Prior to the commencement of operations, the Applicant must submit to Council, for approval from Council's Traffic Committee, documentation for the installation of the recommended 13 '5P Parking' spaces and associated signage on the eastern and western sides of Penshurst Public School's Arcadia Street frontage in accordance with the report titled Traffic Impact Assessment; Penshurst Public School, prepared by ptc. and dated 10 October 2018. The restrictions are to apply on a part-time basis on School Days only between 8:00 am to 9.30 am and 2.30 pm – 4:00 pm. Any fees associated with reporting to the Traffic Committee must be paid by the Applicant prior to processing the application. The installation of the signs must be at no cost to Council. Evidence of approval and installation of relevant signage must be submitted to the Planning Secretary prior to the commencement of operations.</p>	Pre-operation	Not triggered		
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D11	<b>Parking Restrictions</b>	The 13 5P parking spaces must be monitored during the AM and PM peak drop-off.pick-up periods twice weekly for the first school term of operation and one day per week during the AM and PM peak drop-off.pick-up period for the second school term of operation unless otherwise agreed by the Planning Secretary. A monthly report over a six-month period must be prepared by a suitable qualified person including a discussion of the results of the monitoring including: (a) time period monitored (date, time); (b) number of vehicles using the drop-off.pick-up; (c) length of time each vehicle loads.unloads students; (d) an assessment of how the drop-off.pick-up zone is operating, and whether there is any observed road safety and efficiency impacts on Arcadia Street; and (e) any other relevant information as required.	Pre-operation	Not triggered		
D12	<b>Parking Restrictions</b>	If after six months of operation, the results of the monitoring indicate road safety and efficiency issues of the drop-off.pick-up zone, alternative arrangements must be made in consultation with Council to address these issues. Alternative arrangements are to be incorporated into an updated OTAMP and submitted to the Planning Secretary for approval.	Pre-operation	Not triggered		

D13	<b>Heritage Interpretation Plan</b>	<p>The Applicant must prepare a Heritage Interpretation Plan to acknowledge the historic heritage of the site. The plan must:</p> <p>(a) be prepared by a suitably qualified and experienced expert in consultation with the OEH NSW Heritage Division and Council and generally in accordance with the recommendations of the report titled Statement of Heritage Impact, Penshurst Public School, prepared by Perumal Murphy Alessi and dated January 2018 and supplementary advice prepared by Perumal Murphy Alessi and dated September 2018;</p> <p>(b) be submitted to by the Certifying Authority prior to the commencement of operation;</p> <p>(c) include provision for naming elements of the new school, displaying interpretative material and physical building fabric of the heritage significant 1925 school building in new school buildings and on the site that acknowledges the site's heritage; and</p> <p>(d) incorporates interpretive information in to the landscape design for the site, such as signs and plaques.</p>	Pre-operation	Not triggered		
D14	<b>Heritage Interpretation Plan</b>	<p>The Applicant must:</p> <p>(a) not commence operation until the Heritage Interpretation Plan is submitted to the Certifying Authority; and</p> <p>(b) implement the most recent version of the Heritage Interpretation Plan submitted to the Certifying Authority.</p>	Pre-operation	Not triggered		

D15	<b>Mechanical Ventilation</b>	Following completion, installation and testing of all mechanical ventilation systems, the Applicant must provide evidence to the satisfaction of the Certifying Authority, prior to the final occupation, that the installation and performance of the mechanical systems complies with: (a) the BCA; (b) AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings and other relevant codes; (c) the development consent and any relevant modifications; and (d) any dispensation granted by the NSW Fire Brigade.	Pre-operation	Not triggered		
D16	<b>Road Damage</b>	The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development is to be met in full by the Applicant prior to commencement of use of any stage of the development.	Pre-operation	Not triggered		
D17	<b>Fire Safety Certification</b>	Prior to the final occupation, a Fire Safety Certification 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 Certification must be prominently displayed in the building.	Pre-operation	Not triggered		

D18	<b>Structural Inspection Certificate</b>	<p>A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to the occupation of the relevant parts of any new or refurbished buildings. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after:</p> <p>(a) the site has been periodically inspected and the Certifying Authority is satisfied that the structural works is deemed to comply with the final design drawings; and</p> <p>(b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate.s.</p> <p>(c) person.s authorised to, for the life of the development.</p>	Pre-operation	Not triggered		
D19	<b>Compliance with Food Code</b>	<p>The Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the AS 467 4 Design, construction and fit-out of food premises. The Applicant must provide evidence of receipt of the certificate to the satisfaction of the Certifying Authority prior to occupation.</p>	Pre-operation	Not triggered		

D20	<b>Stormwater Quality Management Plan</b>	Prior to occupation of the building, an Operation and Maintenance Plan (OMP) is to be prepared to ensure proposed stormwater quality measures remain effective. The OMP must contain the following: (a) maintenance schedule of all stormwater quality treatment devices; (b) record and reporting details; (c) relevant contact information; and (d) Work Health and Safety requirements.	Pre-operation	Not triggered		
D21	<b>Stormwater Quality Management Plan</b>	Details demonstrating compliance must be submitted to the Certifying Authority prior to occupation.	Pre-operation	Not triggered		
D22	<b>Rainwater Harvesting</b>	A signed works-as-executed Rainwater Re-use Plan must be provided to the Certifying Authority prior to occupation of the building.	Pre-operation	Not triggered		
D23	<b>Outdoor Lighting</b>	The Applicant must ensure the installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers. Outdoor lighting must: (a) comply with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and (b) be mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network. Upon installation of outdoor lighting, but before it is finally commissioned, the Applicant must submit to the Certifier evidence from a qualified practitioner demonstrating compliance in accordance with this condition.	Construction	Not triggered		



D24	<b>Warm Water Systems and Cooling Systems</b>	The installation, 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 Parts 1 and 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.	Operation	Not triggered		
D25	<b>Signage</b>	Way-finding signage and signage identifying the location of staff car parking must be installed prior to occupation.	Pre-operation	Not triggered		
D26	<b>Signage</b>	Bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas prior to occupation.	Pre-operation	Not triggered		
D27	<b>Signage</b>	'Do not drink' signage on non-potable water used for toilet flushing and to new hose taps and irrigation systems for landscaped areas must be installed with the site prior to occupation.	Pre-operation	Not triggered		

D28	<b>Operational Waste Management Plan</b>	<p>Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifying Authority. The Waste Management Plan must:</p> <p>(a) detail the type and quantity of waste to be generated during operation of the development;</p> <p>(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);</p> <p>(c) detail the materials to be reused or recycled, either on or off site; and</p> <p>(d) include the Management and Mitigation Measures included in RtS.</p>	Pre-operation	Not triggered		
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D29	<b>Validation Report</b>	<p>The Applicant must prepare a Validation Report for the development. The Validation Report must:</p> <ul style="list-style-type: none"> <li>(a) be prepared by an appropriately qualified environmental consultant and reviewed by an EPA accredited Site Auditor;</li> <li>(b) be submitted to EPA, the Planning Secretary and the Certifying Authority for information one month after the completion of remediation works;</li> <li>(c) be prepared in accordance with the Remediation Action Plan, as required to be updated in accordance with condition B7, and the Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites (OEH, 2011);</li> <li>(d) include, but not be limited to: <ul style="list-style-type: none"> <li>(i) comment on the extent and nature of the remediation undertaken;</li> <li>(ii) describe the location, nature and extent of any remaining contamination on site;</li> <li>(iii) sampling and analysis plan and sampling methodology;</li> <li>(iv) results of sampling of treated material, compared with the treatment criteria in the report titled Preliminary Stage 2 Site Investigation and Remediation Action Plan, prepared by Environmental Investigation Services and dated 25 September 2018;</li> <li>(v) details of the volume of treated material emplaced within the containment cell and its location (if relevant);</li> <li>(vi) results of any validation sampling, compared to relevant guidelines criteria;</li> <li>(vii) discussion of the suitability the remediated areas for the intended land</li> </ul> </li> </ul>	Pre-operation	Not triggered		
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		use; and (viii) any other requirement relevant to the project.				
D30	<b>Site Audit Report and Site Audit Statement</b>	Prior to occupation of the building, the Applicant must obtain from an EPA accredited Site Auditor, a Site Audit Statement and a Site Audit Report which demonstrates that the site is suitable for its intended use(s).	Pre-operation	Not triggered		

D31	<b>Site Audit Report and Site Audit Statement</b>	Within three months of submission of the Validation Report required by condition D29, the Applicant must demonstrate to the satisfaction of the Certifying Authority that the Site Auditor has submitted a Site Audit Report and Site Audit Statement to EPA in accordance with the requirements of EPA's Guidelines for the NSW Site Auditor Scheme (DEC, 2006).	Pre-operation	Not triggered		
D32	<b>Landscaping</b>	Following completion of all demolition work, the Applicant must undertake all landscape works detailed in the Landscape Management Plan required by condition B37 to the satisfaction of the Certifying Authority.	Pre-operation	Not triggered		
D33	<b>Ecologically Sustainable Development</b>	Within 6 months of commencement of operation, Green Star certification must be obtained unless otherwise agreed to by the Planning Secretary, demonstrating the development achieves a minimum 4 star Green Star As Built rating. Evidence of the certification must be provided to the Certifying Authority and the Planning Secretary.	Operation	Not triggered		
D34	<b>Operational Management Plan (Rooftop)</b>	An operational management plan is to be prepared, managed and implemented by the school outlining supervision, mitigation and management practices to be implemented by the school to ensure that the use of the rooftop areas do not result in excessive noise or detrimental amenity impacts to noise sensitive receivers. The completed operational management plan must be provided to the Certifying Authority and the Planning Secretary prior to operation.	Pre-operation	Not triggered		

D35	<b>Road Safety Evaluation</b>	Prior to operation, a Road Safety Evaluation (RSE) on all relevant sections of road utilised for bus and private vehicle pick-up and drop-off is to be conducted.	Pre-operation	Not triggered		
D36	<b>Road Safety Evaluation</b>	Appropriate road safety measures and/or traffic management measures based on the findings of the RSE, must be implemented in consultation with Council and RMS.	Pre-operation			

Part E - Post Occupation						
Condition Number	Condition Heading	Consent Condition	Project Phase	Compliance status	Evidence collected	Comments
E1	<b>Operation of Plant and Equipment</b>	All plant and equipment used on site, or to monitor the performance of the development must be: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Operation	Not triggered		
E2	<b>Community Communication Strategy</b>	The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.	Operation	Not triggered		
E3	<b>Out of Hours Event Management Plan</b>	The Applicant is to prepare an Out of Hours Event Management Plan for out of hours events run by the school that involve 100 or more people. The plan must be prepared in consultation with Council, and include the following: (a) the number of attendees, time and duration; (b) arrival and departure times and modes of transport; (c) where relevant, a schedule of all annual events; (d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport); (e) measures to minimise localised traffic and parking impacts; and (f) include measures to minimise noise impacts on any sensitive residential receivers,	Operation	Not triggered		

		<p>including the preparation of acoustic management plan. The Applicant must submit a copy of the Out of Hours Event Management Plan to the Department and to the Council, prior to commencement of the first event. The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified events or use.</p>				
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E4	<b>Out of Hours Event Management Plan</b>	<p>The Applicant is to prepare an Out of Hours Event Management Plan for out of hours events run by external parties that involve 100 or more people. The plan must be prepared prior to each relevant event, in consultation with Council, and include the following:</p> <ul style="list-style-type: none"> <li>(a) the number of attendees, time and duration;</li> <li>(b) arrival and departure times and modes of transport;</li> <li>(c) where relevant, a schedule of all annual events;</li> <li>(d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);</li> <li>(e) measures to minimise localised traffic and parking impacts; and</li> <li>(f) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.</li> </ul> <p>The Applicant must submit a copy of the Out of Hours Event Management Plan to the Department and to the Council, prior to commencement of each relevant event. The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified community event or use.</p>	Operation	Not triggered		
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E5	<b>Operational Noise Limits</b>	The Applicant must ensure that noise generated by operation of the development does not exceed the project noise trigger levels established based on the more conservative Rating Background Noise levels as detailed in the report titled Acoustic Assessment Report, Penshurst Public School Arcadia Street, Penshurst, Report No. 6320-1.1R Rev E, prepared by Day Design Pty Ltd and dated 11 October 2018.	Operation	Not triggered		
E6	<b>Operational Noise Limits</b>	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 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 to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified in the report titled Acoustic Assessment Report, Penshurst Public School Arcadia Street, Penshurst, Report No. 6320-1.1R Rev E, prepared by Day Design Pty Ltd and dated 11 October 2018. 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.	Operation	Not triggered		

E7	<b>Unobstructed Driveways and Parking Areas</b>	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.	Operation	Not triggered		
E8	<b>Green Travel Plan</b>	The Green Travel Plan required by condition D9 of this consent must be updated annually and implemented.	Operation	Not triggered		
E9	<b>Outdoor Lighting</b>	Notwithstanding Condition D23, 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.	Operation	Not triggered		
E10	<b>Fire Safety Certificate</b>	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.	Operation	Not triggered		
E11	<b>Landscaping</b>	The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B37 for the duration of occupation of the development.	Operation	Not triggered		

## Appendix B: Compliance Report Declaration Form

## Compliance Report Declaration Form

Project Name	Penshurst Public School
Application Number	SSD 8365
Description of Project	Development of Penshurst Public School including new 3 storey building compressing 47 new permanent classrooms including 3 hearing impaired support classes plus a rooftop play space, refurbishment of fencing, landscaping and infrastructure works.
Project Address	Lot 3 to 15 DP 8173, 510 Forest Road, Penshurst, NSW, 2222
Proponent	NSW Department of Education
Title of Compliance Report	Penshurst Public School –Construction Compliance Report Rev A (SSD-8365), prepared by Grindley Construction dated 14/02/2020.
Date	14 February 2020

I declare that I have reviewed the attached Compliance Report and to the best of my knowledge:

- the Compliance Report has been prepared in accordance with all relevant conditions of consent;
- the Compliance Report has been prepared in accordance with the Compliance Reporting Post Approval Requirements;
- the findings of the Compliance Report are reported truthfully, accurately and completely;
- due diligence and professional judgement have been exercised in preparing the Compliance Report; and
- the Compliance Report is an accurate summary of the compliance status of the development.

Notes:

- 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	Pete Krause
Title:	Project Director, SINSW
Signature	
Qualification	Bachelor of Applied Science (Construction Management and Economics) — BAppSc CME
Company	Department of Education – School Infrastructure NSW
Company Address	Level 8, 259 George Street Sydney NSW 2000
Endorsed: Executive Director, Delivery. NSW Department of Education	 David Tonge 17/02/2020