

PART 1 - DEFERRED COMMENCEMENT CONDITIONS

To enable the submission of further information to clarify or resolve specific aspects of the proposed development this Development Consent is issued as a "Deferred Commencement" Consent under the provisions of Section 4.16(3) of the Environmental Planning and Assessment Act as amended. The Consent does not operate until the applicant satisfies the Council as to the following matters.

The deferred commencement condition must be satisfied within 24 months of the date of issue of this development consent.

Note- Under the provisions of Clause 76(4) of the Environmental Planning and Assessment Regulation 2021 upon submission of the required information, Council must advise in writing whether or not it is satisfied as to the relevant matters.

1. Design to Comply with Requirements of Sydney Water

Approval / agreement must be obtained from Sydney Water for the 'Out of Scope' building plan application. The approval of the building plan application with Sydney Water must endorse the basement car park design in its current form.

It must be demonstrated that any approval conditions do not conflict with the agreed access requirements of AUSGRID.

Details listed above must be included in documentation submitted to satisfy the Deferred Commencement Development consent.

Upon satisfaction of the details required above, Council shall issue an approval consistent with the Conditions in Part 2, and any conditions reasonably arising from consideration of the details submitted to satisfy the deferred commencement.

PART 2 - CONDITIONS OF CONSENT

2. Approved Plans and Documents (UNI2005)

The development must be undertaken substantially in accordance with the BASIX certificate, details and specifications set out on the following approved plans:

Plan number	Reference	Prepared by	Date
DA0001, D	Cover Sheet	AJC	09.06.23
DA1001, D	Existing Site Plan	AJC	09.06.23
DA1003, D	Site Plan	AJC	09.06.23
DA1101, D	Demolition Plan	AJC	09.06.23
DA2101, D	Carpark Plan	AJC	09.06.23
DA2102, D	Roof Plan	AJC	09.06.23
DA3101, D	Elevations and Sections Sheet 1	AJC	09.06.23
DA3102, D	Elevations and Sections Sheet 2	AJC	09.06.23
DA3400, B	Photomontage / Fencing Materials	AJC	09.06.23
1	Proposed Car Schedule	PTC	1 May 2023
2	Proposed Car Parking Plan	PTC	1 May 2023
-	Ausgrid Service Access Diagram	AJC	1/05/2023
Job:211797, SK230811.01	Tanked Basement Concept Design - Ground Floor Outline Plan	TTW	11/08/2023
Job:211797, SK230811.02	Tanked Basement Concept Design - Roof Plan	TTW	11/08/2023
Job:211797, SK230811.03	Footing Details	TTW	11/08/2023
Job:211797, C002, P3	Erosion and Sediment Control Plan	TTW	11/08/2023
Job:211797, C003, P4	Siteworks and Stormwater Plan - Carpark Level	TTW	11/08/2023
Job:211797, C004, P3	Siteworks and Stormwater Plan - Roof Level	TTW	11/08/2023
Job:211797, C006, P4	Catchment Plan	TTW	11/08/2023

Job:211797, C007, P2	Pipe Long Sections	TTW	11/08/2023
Job:211797, C021, P5	Details Sheet	TTW	11/08/2023
3807-LD-G02, Issue 3	Tree Removal and Protection Plan	Environmental Partnership	01/08/22
3807-LD-GA01, Issue 3	General Arrangement	Environmental Partnership	01/08/22
3807-LD-PL01, Issue 3	Planting Plan	Environmental Partnership	01/08/22
3807-LD-SE01, Issue 3	Cross Sections	Environmental Partnership	01/08/22
3807-LD-DE01, Issue 3	Hardscape Detail	Environmental Partnership	01/08/22
3807-LD-DE02, Issue 3	Softscape Detail	Environmental Partnership	01/08/22
Documents			
-	Operational Plan of Management - Shire Christian School	Prepared for: Shire Christian School	May 2023
Ref: 341118PD3let	Geotechnical Opinion	JK Environments	11 August 2023
E34118PW rpt3- RAP	Remedial Action Plan	JK Environments	8 September 2023

and any details on the application form and on any supporting information received with the application except as amended by the following conditions.

Note: The following must be submitted to Sutherland Shire Council prior to the commencement of any building. (ROFF to delete if no subdivision)

- i) A Construction Certificate. (### delete and renumber if subdivision only)
- ii) Notification of the appointment of a Principal Certifier and a letter of acceptance from that Principal Certifier. (### delete and renumber if subdivision only)
- iii) Notification of the commencement of building works with a minimum of 2 days' notice of such commencement.

(### delete below if no subdivision applicable)

3. Design Changes Required (UNI2020)

A. Design and Construction

The following design changes must be implemented:

- i) To ensure the tree protection zones are adequately managed and

maintained, any excavation for the southern fire stairs/mechanical ventilation shaft must not extend more than 200mm beyond the edge of wall (shown on Roof Plan, DA2102 D), or in accordance with the instruction of the projects consulting arborist.

- ii) Where the requirements/conditions issued by Sydney Water result in design changes within the water easement area, minor adjustment to elements such as transition slab (over water easement), minor landscape adjustments/relocation of plants and/or adjacent stairs design are acceptable provided there is no change to the carpark floor or roof/sports field levels or the footprint of the basement car park area. There must also be no impact on the approved access arrangements with Ausgrid as a result of Sydney Water conditions.
- iii) The Plan of Management must be amended to allocate 20 of the 36 surplus spaces car parking spaces onsite to the non-teaching staff/tutors referenced in the application. Appropriate signage is to be installed to reflect this.

Details of these design changes must be included in documentation submitted with the application for a Construction Certificate.

4. Integrated Development Approval - Requirements of Water NSW

A. General Terms of Approval from WaterNSW

The development must be undertaken in accordance with all General Terms of Approval (GTA) from WaterNSW issued under Section 4.46 of the Environmental Planning and Assessment Act 1979:

A copy of the GTA and any further requirements are attached to this development consent. These requirements must be incorporated in the application for a Construction Certificate and where required by the GTAs, relevant approvals must be obtained prior to the release of the Construction Certificate.

5. Requirements from Other Authorities (UNI2030)

A. Requirements from Other Authorities

The development must be undertaken in accordance with the requirements of Ausgrid, Transport for NSW and Sydney Water (*name the Authority/ies*) as follows:

- Ausgrid - conditions dated 18/09/23 and approved 'Ausgrid Access Plan' (prepared by AJC, dated 1/5/2023) *list the requirements referral authority and date of letter/s*
- Transport for NSW - response and recommendations dated 29 May 2023
- Sydney Water - conditions

A copy of the Requirements of the Approval Authority(s) are attached to this development consent of form part of requirements for deferred commencement condition. These requirements must be incorporated in the application for a

Construction Certificate and where required, relevant approvals must be obtained prior to the release of the Construction Certificate.

6. Operational Plan of Management (UNI9001)

Operation of Premises

To minimise the impact of the development on the surrounding environment:

The premises must always be operated / managed in accordance with the 'Operational Plan of Management' prepared for Shire Christian School (dated May 2023) except where modified as follows;

- a) The Operational Plan of Management must be amended to allocate 20 of the 36 surplus spaces car parking spaces onsite to the non-teaching staff/tutors referenced in the application. Appropriate signage is to be installed to reflect this.
- b) Any changes required by Green Travel Plan, Signposting, and Parking Management conditions of this consent.

7. Public Place Environmental, Damage & Performance Security Bond (FIN1015)

A. Before Issuing of any Construction Certificate

Prior to the issue of a Construction Certificate or the commencement of any works on site, whichever occurs first, the person acting on this consent must provide security to Sutherland Shire Council against damage that may be caused to any Council property and/or the environment as a consequence of the implementation of this consent. The security may be provided by way of a deposit with Council or a bank guarantee. A non-refundable inspection/administration fee is included in the bond value.

It is the responsibility of the person acting on this consent to notify Sutherland Shire Council of any existing damage to public areas in the vicinity of the development site by the submission of a current dilapidation report supported by photographs. This information must be submitted to Council at least 2 days prior to the commencement of works.

In the event that the dilapidation report is not submitted 2 days prior to commencement and the public area sustains damage the person acting on this consent may be held liable.

Should any public property and/or the environment sustain damage as a result of the works associated with this consent, or if the works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage and/or remove the risk. The costs incurred must be deducted from the bond.

The value of the bond is \$20,000.

Note: Bond amount includes a non-refundable administration fee, specified in Council's Schedule of Fees and Charges, which must be paid separately if security is provided by way of a deposit with Council or a bank guarantee.

Use of Bank Guarantee: As bond releases may occur under different timeframes only one bond amount/bond purpose is permitted on a Bank Guarantee. Multiple bonds will require multiple bank guarantees to be lodged.

A Bank Guarantee may only be used where the minimum bond amount is \$50,000.

The Bank Guarantee must also:

- Note Council as the interested party
- Have NO expiry date
- Describe the type of development using the description on the consent
- Include both the address of the development site and the application number
- NOT include the non-refundable administration fee; this must be paid separately.

B. After Occupation

A request for release of the bond may be made to Sutherland Shire Council after all works relating to this consent have been completed. Such a request must be submitted to Council on the 'Bond Release Request Form' signed by the owner or any person entitled to act on the consent and must be accompanied by a current dilapidation report including photographs.

8. Section 7.12 Levy - Section 7.12 Development Contribution Plan 2016 (FIN3005)

A. Before Construction

Pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, and Sutherland Shire Council Section 7.12 Development Contribution Plan 2016, a levy of \$63,701.00 must be paid to Sutherland Shire Council. The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of the Section 7.12 Development Contribution Plan.

The rate used to index the contribution rate and outstanding contributions is the Consumer Price Index (All Groups Index) for Sydney. Outstanding levies will be adjusted on the first of July each year in accordance with the following formula:

The formula to review a contribution rate is:

$$\text{Adjusted Contribution} = \text{Current Contribution} \times \frac{\text{Current CPI}}{\text{Previous year's CPI}}$$

Payment must be made before whichever is the first to occur:

- the issue of a Construction Certificate, or
- the release of the Subdivision Certificate/ linen plan, or
- the commencement of the use/occupation of the premises.

9. Approvals Required under Roads Act or Local Government Act (ENG1005)

A. Before Construction

No occupation or works are to be carried out on public land (including a road or footpath) or access provided over a public reserve adjacent to the development site without approval being obtained from Sutherland Shire Council and the necessary fee paid under the Roads Act 1993 and/or the Local Government Act 1993. These approvals must be to the satisfaction of Council for the required development works and may include but are not limited to the following:

- Frontage works including construction of a driveway, footpath, etc.
- Road openings and restoration to provide services to the development.
- Work Zones and hoardings.
- Skip bins.
- Shoring / anchoring.
- Standing of cranes, concrete pumps, etc.

Note: All Plans and Permits are required to be on site, at all times and may be requested by Council officers at any time.

Note: Approval under the Roads Act or Local Government Act cannot be granted by a Principal Certifier or by a Private Certifier. Failure to obtain approval may result in fines or prosecution.

B. During Works

There must be no occupation or works on public land (including a road or footpath) or access provided over a public reserve adjacent to the development site without approval being obtained from Sutherland Shire Council. Any work on public land must be undertaken strictly in accordance with the relevant approval issued under the Roads Act 1993 and/or the Local Government Act 1993 by Sutherland Shire Council.

10. Site Management Plan (ENG2010)

A. Before Commencement of Works including Demolition

An Environmental Site Management Plan must accompany the Construction Certificate. If demolition is to commence prior to the issue of a Construction Certificate the applicant must submit to Sutherland Shire Council a separate Demolition Site Management Plan. These plans must satisfy the Objectives and Controls of Sutherland Shire Development Control Plan 2015 relating to

environmental site management and must incorporate the following throughout demolition and construction:

- i) Safe access to and from the site during construction and demolition.
- ii) Safety and security of the site, road and footpath area including details of proposed fencing, hoarding and lighting.
- iii) Method of loading and unloading excavation machines, building materials.
- iv) How and where, construction materials, excavated and waste materials will be stored.
- v) Methods to prevent material being tracked off the site onto surrounding roadways.
- vi) Erosion and sediment control measures.
- vii) All trees and their protection zones on and around the site identified for retention are to be protected according to Australian Standard AS 4970 - 2009 Protection of Trees on Development Sites using the methods outlined in that Standard.

B. During Works

The site management measures set out in the above plan must remain in place and be maintained throughout the period of works and until the site has been stabilised and landscaped.

C. Before Occupation

Before the issue of any Occupation Certificate, all foundations / materials associated with construction works (that do not form part of the approved works) must be removed. This includes but is not limited to foundations for tower cranes, vehicle access ways, stockpiles, building waste etc.

11. Supervising Engineer (ENG4005)

A. Before Construction

The applicant must engage an Accredited Certifier in civil engineering works or a Chartered Civil Engineer to supervise construction of any:

- i) Road frontage works.
- ii) Construction / installation of stormwater drainage.
- iii) Rainwater harvesting and reuse.
- iv) All other works that form part of a subdivision.

The Principal Certifier must be informed of the supervising engineer's name and contact details, in writing, prior to the commencement of any construction works.

B. During Construction

The engineer must supervise the works as listed above to ensure compliance

with:

- i) All relevant conditions of development consent.
- ii) Any Consent issued under the Roads Act for this development.

C. Before Occupation

The supervising engineer must certify the works required in A. above were undertaken and completed in accordance with the requirements of this Development Consent and to their satisfaction.

12. Works Required in the Road Reserve (ENG4010)

A. Design

A Driveway Application must be made to Council to obtain footpath crossing and boundary alignment levels before commencing the final design of internal driveways, paths and car park area. The proposal must comply with the levels issued by Council and a copy of the issued levels must accompany the Construction Certificate. The design of works within the road reserve must include the following:

- i) The crossing must be 7.5m wide.
- ii) All redundant crossings and associated laybacks must be removed and replaced with an integral kerb and gutter.

B. Construction

All works within the Road Reserve must be undertaken in accordance with the requirements of the Roads Act approval issued by Council.

C. Prior to Occupation

Prior to the occupation of the development or the issue of any Occupation Certificate the works required by the Roads Act approval must be completed to the satisfaction of Council or the supervising engineer (where one is required to be appointed by a condition of this development consent).

13. Internal Driveway, Parking and Manoeuvring (ENG4015)

A. Design

The internal driveway profile, parking and manoeuvring areas must be designed in accordance with the approved architectural plans except where modified by the following:

- i) Align with Access and Alignment levels issued by Council's Public Domain Unit.
- ii) All "one way" traffic aisles in the car parking area must be clearly identified by signposting and pavement marking.
- iii) The ingress and egress crossing must be clearly identified by signage.
- iv) The proposed loading and delivery area must be clearly defined with

suitable signposting and pavement markings.

- v) The car park must be line marked to accommodate 130 vehicles.
- vi) The internal driveway and car parking area must be paved or concreted and must be finished in materials other than plain or exposed aggregate concrete.
- vii) Provide adequate sight distance for the safety of pedestrians using the footpath area.
- viii) Comply with AS2890.1(2004) in relation to the design of vehicular access, parking and general manoeuvring for the B85 vehicle.
- ix) Existing car park must be upgraded (including two accessible parking spaces) in accordance with AS2890.1:2004, AS2890.6:2009 and Chapter 36 of SSDCP2015.
- x) The maximum longitudinal grade of the driveway ramp must not exceed 12.5%.

B. Construction

Certification from an appropriately qualified engineer to the effect that the design requirements of A. above have been met must accompany the Construction Certificate.

C. Occupation

Prior to the occupation of the development or the issue of any occupation certificate a suitably qualified engineer must certify that the works required in A. above were undertaken and completed to their satisfaction and in accordance with the requirements of this Development Consent. This certification must be provided to the Principal Certifier and a copy also provided to Council.

D. On-going

The approved parking must be used exclusively for car parking as approved for the life of the development.

14. Basement Car Park Design and Construction (ENG4025)

A. Design

The basement car park must be designed in accordance with the approved architectural drawings, subject to the following modifications:

- i) A minimum headroom of 2.2m measured from the parking floor to the underside of any beam, ventilation duct or service conduit, or to the underside of any door including a security door and fittings when those doors are in an open position in accordance with clause 5.3 of AS2890.1.
- ii) Roller Doors clear for basement car park must be widened to 6.1m.
- ii) Parking bays must not be enclosed, caged or a door provided.
- iii) All parking bays must provide a minimum clear parking envelop in

accordance with figure 5.2 of AS2890.1.

- iv) The security door fitted to the car parking area entrance must be independently mounted on rubber pads to prevent vibration noise transmission through the concrete walls and / or columns.

B. Prior to Construction

Certification from a Chartered Civil Engineer or a Registered Surveyor, to the effect that the car park layout and vehicle access-way design has been prepared in accordance with A above must accompany the Construction Certificate.

C. Occupation

Prior to the occupation of the development or the issue of any Occupation Certificate a Chartered Civil Engineer or a Registered Surveyor must certify that the works required in "A" above have been completed to their satisfaction and in accordance with the requirements of this Development Consent. This certification must be provided to the Principal Certifier and a copy provided to Council.

D. On-going

The approved parking must be used exclusively for car parking for the life of the development.

15. Stormwater Drainage (ENG5015)

A. Design

The stormwater drainage system must be designed in accordance with the approved stormwater drainage design drawing; Australian Standard AS3500.3:2015; the BASIX Certificate issued for this development; Sutherland Shire Environmental Specification - Stormwater Management. Except where modified by the following:

- i) The OSD volume must have a minimum capacity of 1.1m³
- ii) All levels reduced to Australian Height Datum.
- iii) The pipeline within the footpath verge must be a hot dipped galvanised steel hollow section with a minimum wall thickness of 4.0 millimetres, maximum section width of 125mm and a maximum section height of 75mm.
- iv) Where pipelines are located within the "tree protection zone" of significant vegetation to be retained, the lines shall be excavated by hand or by directional underboring techniques to reduce any adverse impact on the root zone of the trees.

B. Before Construction

Certification from an Accredited Certifier in Civil Engineering or a Chartered Civil Engineer, to the effect that the drainage design is to their satisfaction and satisfies the design requirements in A. above must accompany the

application for a Construction Certificate.

C. Before Occupation

Prior to the issue of an Occupation Certificate:

- i) A Works-As-Executed drawing (WAED) of the stormwater drainage system must be prepared by a Registered Surveyor. This drawing must detail the alignment of pipelines, pits, the rainwater tanks and the detention facilities. An original or a colour copy must be submitted to Sutherland Shire Council.
- ii) The supervising engineer must certify the WAED of the stormwater drainage system that the stormwater drainage works, rainwater harvesting facility and rainwater reuse systems were constructed to their satisfaction and in accordance with the Development Consent, and Public Domain Technical Manual. Prior to the occupation or use of the building the Applicant / Owner must submit to Council a copy of the aforementioned letter of certification.

D. Ongoing

- i) The operation of all devices or appliances installed within the development approved by this consent as required by conditions pertinent to rainwater harvesting and rainwater reuse must be maintained in good operating order at all times.
- ii) The stormwater detention must be:
 - Kept clean and free from silt, rubbish and debris.
 - Be maintained so that it functions in a safe and efficient manner.
 - Not be altered without prior consent in writing of the Council.

Note 1: Upon submission of the Works-As-Executed drawing for the stormwater drainage system a notation will be added to the Section 10.7 certificate advising future owners that their property is burdened by a stormwater retention facility, installed to fully / partly off-set provision of a detention facility.

Note 2: Upon submission of the Certified Works-As-Executed drawing for the stormwater drainage system a notation will be added to the Section 10.7 certificate advising future owners that their property is burdened by a stormwater treatment device that must be maintained, serviced and cleaned.

16. Stormwater Treatment (ENG5025)

A. Before Construction

Appropriate stormwater treatment measures, selected and designed in accordance with Engineers Australia (2006) Australian Runoff Quality - A guide to Water Sensitive Urban Design, Argue J R (2013) WSUD: Basic Procedures for 'Source Control' of Stormwater - A Handbook for Australian practice, or other relevant industry design guidelines, must be provided as part of the permanent site stormwater quality management system. Details of the design,

construction and maintenance must accompany the Construction Certificate.

B. Before Occupation

The work required by A. above must be completed to the satisfaction of the supervising engineer before occupation of the site or the issue of any Occupation Certificate.

C. Ongoing

The stormwater treatment measure must be maintained in accordance with the manufacturers' or designer's specification for the life of the development.

Note: Upon approval of the stormwater management designs a notation will be added to the Section 10.7 certificate in relation to any required stormwater treatment device.

17. Damage to Adjoining Properties (ENG6015)

A. Before Works

To minimise vibration damage and loss of support to buildings / structures and properties in close proximity to the development site, a Geotechnical Engineer's Report must be prepared detailing constraints to be placed on earth moving and building plant and equipment and the method of excavation, shoring, underpinning and support. This report must be provided to the person undertaking the excavation and the Principal Certifier.

B. During Works

The constraints and recommendations of the Geotechnical Engineers Report must be implemented.

18. Demolition & Bulk Earthworks Security Bond

A Before Construction

At least two days prior to the commencement of demolition works the applicant shall provide security to Council to the value of \$100,000 against damage consequential to demolition and / or bulk excavation works. The security provided by way of a deposit or bank guarantee with the Council. Should property sustain damage due to demolition and / or bulk excavation works Council may carry out any works necessary to stabilise the damage. The cost of these works deducted from the security bond.

Bond released upon satisfactory completion of the demolition, the bulk excavation and construction of the basement levels sufficient to ensure stability of the surrounding ground. Such request shall be submitted to Council on the 'Bond Release Request Form' signed by the owner or any person entitled to act on the consent, together with Certification from an Accredited Certifier or a Chartered Structural Engineer, to the effect that the aforementioned works were completed to their satisfaction.

19. Green Travel Plan

A Green Travel Plan (GTP) must be prepared to encourage the use of sustainable modes of transport including targets and actions to promote walking, cycling and the use of public transport.

A. Design

The GTP must be prepared, and the Operational Plan of Management updated in consultation with The Traffic and Transport Unit and Environmental Science Unit of Sutherland Shire Council.

The GTP shall be prepared by a suitably qualified traffic/ transport planning consultant and should include, but not be limited to the following:

- i. objectives and mode 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;
- ii. align with the general principles and objectives of all relevant Sutherland Shire Council Strategies and Plans such as the Sutherland Shire Integrated Transport Strategy demonstrate consideration of a staff travel survey and workforce data analysis to inform likely staff travel patterns and resultant travel plan strategies to / from the site;
- iii. an implementation strategy that commits to specific actions (including operational procedures to be implemented along with timeframes) to encourage the use of sustainable transport and discourage the use of single occupant car travel to access the site;
- iv. details of bicycle parking and dedicated end of trip facilities including but not limited to lockers, showers and change rooms and e-bike charging station(s) for staff and students to support an increase in the non-car mode share for travel to and from the site;
- v. a Transport Access Guide for staff, students and visitors providing information about the range of travel modes, access arrangements and supporting facilities that service the site;
- vi. a communication strategy for engaging with staff, students and visitors regarding public and active transport use to the site and the promotion of the health and wellbeing benefits of active and non-car travel to the site;
- vii. a mechanism to monitor the effectiveness of the measures of the GTP;
- viii. the appointment of a Travel Plan Coordinator responsible for implementing the GTP and its ongoing monitoring and review, including the delivery of actions and associated mode share targets; and
- ix. How the GTP (and any updates to the plan), shall be implemented and adhered to at all times following the issue of the first occupation certificate.

B. Before Occupation

A copy of the final GTP shall be submitted to Sutherland Shire Council c/o Air quality and Sustainable Transport, Environmental Science Unit for endorsement prior to the issue of the first occupation certificate.

C. Ongoing

- i) The GTP shall be reviewed annually and involve surveys, evaluation and review.
- ii) The GTP (and any updates to the plan), shall be implemented and adhered to at all times following the issue of any occupation certificate

20. Signposting

A. Before Construction

Alterations to signposting in Allies Road shall be undertaken to the satisfaction of Council including provision of a No Parking set down and pick up area between Elliston Place and the existing school entry.

The Plan of Management shall be updated to reflect these changes.

21. Parking Management

A. Before Construction

The design of the proposed boom gate control on entry to the carpark shall be amended. The boom gate shall be located to allow queuing for a minimum 2 vehicles within the property boundary. (note this condition can be reviewed subject to provision of supporting queuing analysis in accordance with the relevant Australian Standard.

Modification of landscaping and retaining walls to provide clear vision to pedestrians when exiting the car park in accordance with AS/NZS 2890.1 2004.

B. Prior to Occupation

An updated parking and traffic management plan (Plan of Management) shall be submitted to Council which includes the following:

- Set down and pick up arrangements for students at start and finish bell times.
- Measures to minimise vehicle and pedestrian conflicts including restrictions on staff entry and exit to the proposed and existing carparks before and after school start and finish bell times.
- special event management including the proposed and existing carparks to be made available to visitors for special events to minimise impact on the surrounding streets

22. EV Charging

A. Design

Provide conduits within the masonry structure that will enable electrical power to be provided adjacent to every car parking bay located along the southern and northern basement walls. The EDB (for future EV charging) shall be of sufficient capacity to accommodate the charging needs parking bays (1-19, 69 and 52 - 68)

23. Landscaping Works (ENV2005)

A. Design

The landscaping works must be designed in accordance with the approved Landscape Plan except where modified by the following:

- i) Update planting design to include *Eucalyptus haemastoma* instead of *E. racemosa*.
- ii) Amend the landscape plan in accordance with the approved architectural plans.
- iii) Clearly show on plan existing trees to be removed /retained including tree numbering in accordance with the arborist report OR provide a separate existing tree plan and schedule.
- iv) Tree Protection Zones (TPZ) / the location of tree protective fencing must be shown on plan for all existing trees and/or natural site features to be retained and protected.
- v) Provide minimum soil depths in planter boxes or for planting above podium slabs as follows:
 - 1200mm for large trees.
 - 900mm for small trees and tall shrubs.
 - 600mm low shrubs.
 - 450mm grass and ground covers.
- vii) All landscape retaining walls and planter boxes must be constructed in masonry, stone or gabions. Timber is not acceptable.
- xiii) To improve coverage and reduce weeds and maintenance, planting densities in all planting areas including planter boxes must achieve a minimum of 4 plants per square metre.
- xiv) To reduce long term maintenance of planting beds turf species must be native grass such as *Zoysia macrantha* 'Nara' or Buffalo grass varieties.

The applicant must engage a suitably qualified Landscape Designer or Landscape Architect to oversee any design changes to the approved Landscape Plan and amendments required above. Details of these design changes must be included in the documentation submitted with the application for a Construction Certificate.

Notes:

A Landscape Designer is a person eligible for membership of the Australian Landscape Designers and Managers and a Landscape Architect is a person eligible for membership of the Australian Institute of Landscape Architects as a Registered Landscape Architect.

If demolition works are to occur prior to the Construction Certificate being issued, tree protection measures must be installed prior to commencement of demolition.

B. Prior to Occupation/Occupation Certificate

The landscape works must be completed in accordance with the approved Landscape Plan and amendments required by 'A' above by persons with a minimum AQF Level III certification in Horticulture or Landscape Construction.

A Final Landscape Inspection must be carried out and a certificate issued by Council's landscape officer prior to occupation or the issue of an Occupation Certificate. This certificate is required to ensure that all tree protection measures, landscaping works, replacement tree planting and the deep soil percentage requirements have been carried out in accordance with 'A' above and other conditions within this consent, that all new indigenous plants on the site and within the road reserve are the correct species and that all trees planted within the road reserve are in accordance with the detailed road frontage design where it forms part of the Roads Act Consent.

To arrange a Final Landscape Inspection please phone 9710-0333 a minimum of 48 hours prior to the required inspection date. An inspection fee will be charged in accordance with the current schedule of rates listed on Council's website. Any secondary inspections will incur a reinspection fee.

C. Ongoing

All landscaping works required by 'A' above must be maintained for 12 months following the final landscape inspection date. Trees required by this condition must be maintained and protected until they are covered by Council's Controls for Preservation of Trees and Bushland Vegetation (SSCDP 2015 Chapter 38).

Any plants found faulty, damaged, diseased or dead shall be replaced with the same species in the same sized container within one month with all costs borne by the owner.

Note: If difficulty is experienced sourcing suitable indigenous plants from other suppliers, plants grown from locally provenance seed may be available from:

Sutherland Shire Council Nursery
345 The Boulevarde, Gympie
Ph: 02 9524 5672

24. Tree Removal on Private and Council Land (Projects Dual Occupancies and Larger) (ENV2030)

The removal of the following trees is approved:

- i) Trees identified in the arborist report and indicated on *Tree Removal and*

Protection Plan prepared by Environmental partnership 3807 - LD- G02, Issue 3.

- ii) Any declared noxious plant. The applicant is to ensure that all noxious plants are properly identified and controlled/removed.
- iii) Any tree species exempted by the Sutherland Shire Local Environmental Plan 2015.

All other vegetation that would require approval to be removed must be protected.

A. Tree Replacement

- i) 7 trees are approved for removal as part of this consent. Where trees are proposed to be removed Sutherland Shire Council requires indigenous replacement canopy tree planting at a ratio of 8:1 on private land.
- ii) 56 replacement trees are required to be planted.
- iii) A minimum number of 25 indigenous trees must be planted on the site and/or the street. Replacement trees within the site must be planted within 3m of the front or rear setback of the subject property and not within 4m of an existing or approved building or swimming pool.
- iv) Trees must have a minimum container size of 5 litres.

Note: For any remaining replacement trees required by “A ii)” above, Council offers offsite planting under a ‘Deed of Agreement’ as an alternative to on site planting, at a cost specified in Council’s Schedule of Fees and Charges. Offsite planting will be undertaken as part of Council’s Green Street Program. ‘Deed of Agreement’ forms can be downloaded from Council’s website at www.sutherlandshire.nsw.gov.au/Development/Development-Applications/Off-Site-Tree-Replacement-and-Deed-of-Agreement. A completed form and payment must be submitted to Council prior to the release of the Construction Certificate.

B. Tree Removal on Council Land

Council has preferred supplier agreements in place with arborists who are approved to carry out arbor works on Council land. Removal / pruning of the tree/s listed below must only be undertaken using Council’s preferred supplier at the applicant’s expense. The applicant is responsible for contract management and payment of the arborist prior to works being undertaken.

Alternatively, if Council’s Contractor is unavailable, the applicant may engage their own contractor with appropriate qualifications, licences and insurances and forward their name and details to Council prior to the commencement of work. This information will be kept on record in the event of any reportable incidents. The applicant is responsible for contract management and payment of the Arborist. Any contractor used must undertake all work according to the

Australian Standard for Amenity Pruning (AS4373).

Select from Council's list of preferred suppliers listed on Council's website: <http://www.sutherlandshire.nsw.gov.au/Residents/Trees/Trees-on-Council-or-Public-Land>. Payment of the quoted amount must be made prior to any works commencing on site.

C. Prior to Occupation/Occupation Certificate

The replacement tree planting must be completed in accordance with the approved Landscape Plan/ required street tree planting. Certification will be provided as part of the Final Landscape Inspection by Council's landscape officer

D. Ongoing

Trees required by this condition must be maintained and protected until they are covered by Council's Controls for Preservation of Trees and Bushland Vegetation (SSCDCP 2015 Chapter 39). Any replacement trees found damaged, dying or dead must be replaced with the same species in the same container size within one month with all costs to be borne by the owner.

Note: If you have difficulty sourcing suitable indigenous plants from other suppliers, plants grown from local provenance seed may be available from:

Sutherland Shire Council Nursery

345 The Boulevard, Gymea

Ph: 02 9524 5672

Opening hours - Monday to Friday 7.00am-3.00pm (excluding public holidays).

25. Tree Retention and Protection (ENV2042)

The following condition applies to all trees on the subject site, trees on the adjoining sites (which are potentially affected by the development works), as well as trees on the adjoining Council land that are not approved for removal.

A. Before Works

Prior to the commencement of any demolition, excavation or construction works on site the applicant must engage a suitably qualified and experienced Supervising Consulting Arborist to oversee the measures for the protection of existing trees as listed below.

Note: A Consulting Arborist is a person with a current membership of the Institute of Australian Consulting Arboriculturalists (IACA) or alternatively a person who has obtained an Australian Qualifications Framework AQF Level 5 in Arboriculture.

All trees not approved for removal must be protected by the following measures:

- ii) Protective fencing constructed of 1.8m high chain wire mesh supported by robust posts must be installed in accordance with the approved

Landscape Plan / Arborist report. Signage must be erected on the fence with the following words clearly displayed "TREE PROTECTION ZONE, DO NOT ENTER".

- iii) The tree protection zone within the protective fencing must be mulched with a maximum depth 75mm of suitable organic mulch (woodchips or composted leaf chip mulch) and kept regularly watered for the duration of the works subject to this consent.
- iv) No development or associated activity is permitted within the fenced tree protection zone for the duration of works subject to this consent. This includes vehicular or pedestrian access, sheds, washout areas, excavations, backfilling, installation of services (including stormwater), removal of top soil, stockpiling of soil or building materials.
- v) Where site access/egress is required over the roots of trees identified for retention and protection, provide hardwood rumble boards over a 200mm thick layer of wood chip.
- vi) Where it is impossible to install protection fencing to the full extent of the specified Tree Protection Zone- install trunk and branch boarding protection as shown in Figure 4 of the Australian Standards AS4970- Protection of Trees on Development Sites (Page 17).

B. During Works

- i) The tree protection measures detailed in 'A' above must be maintained during construction.
- ii) The supervising Consulting Arborist must be present during any approved hand excavation or under boring works within the Tree Protection Zone (TPZ) of any tree identified for retention and protection and have the authority to direct works to ensure the trees long term preservation.
- iii) The supervising Consulting Arborist must strictly supervise that there is no disturbance or severing of roots greater than 50mm diameter and to cleanly cut those roots between 10-50mm in diameter.
- iv) If the tree/s identified for retention in 'A' above are damaged or destabilised during construction then works must cease and Council's Tree Assessment Officer (ph. 9710 0333) must be contacted to assess the tree/s and recommend action to be taken.
- v) Ensure each hold point outlined below within the Tree Protection Schedule is signed off and dated progressively by the Consulting Arborist throughout the various development stages, including preconstruction, construction and post construction. Photographic evidence must also be provided.

Hold Point	Task	Responsibility	Certification	Timing of Inspection	Sign/ Date
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1.	Indicate clearly with spray paint trees approval for removal only	Principal Contractor	Supervising Arborist	Prior to demolition and site establishment	
2.	Establishment of tree protection fencing	Principal Contractor	Supervising Arborist	Prior to demolition and site establishment	
3.	Supervise all excavation works proposed within the TPZ	Principal Contractor	Supervising Arborist	As required prior to the works proceeding adjacent to the tree	
4.	Inspection of trees by Project Arborist	Principal Contractor	Supervising Arborist	Bi-monthly during construction period	
5.	Final inspection of trees by project Arborist	Principal Contractor	Supervising Arborist	Prior to issue of interim/final Occupation Certificate	

C. Before Occupation

Prior to the issue of an Occupation Certificate the Supervising Arborist's signed and dated checkpoint list and photographic evidence must be provided to both the Principal Certifier and Council's Landscape Officer at the time of the final landscape inspection.

26. Management of Site Soil / Fill Material (ENV3011)

A. During Works

i) Disposal of site soils

Any soils to be excavated and disposed of from the site must be analysed and classified by an appropriately qualified, skilled and experienced environmental consultant, in accordance with relevant NSW EPA guidelines including the "Waste Classification Guidelines" 2014, prior to off-site disposal.

Excavated material is to be transported to an appropriately licensed waste facility by an EPA licensed waste contractor in accordance with relevant NSW EPA guidelines.

Note: With respect to fill material classified as special waste (asbestos); the waste facility must be licensed to accept asbestos waste.

ii) Reused soils

Any existing soils excavated to be reused on the site must be assessed by an appropriately qualified, skilled and experienced environmental consultant in accordance with the National Environment Protection (Assessment of Site Contamination) Measure 1999 (amended 2013) and any relevant guidelines approved under *the Contaminated Land Management Act 1997*; to verify that the material is suitable for the intended land use, prior to reuse.

Any soils not suitable for the intended land use must be removed from site and disposed of in accordance with i) above.

iii) Importation of fill material

Any fill material that is imported onto the site must comprise Virgin Excavated Natural Material (VENM), Excavated Natural Material (ENM) or other suitable material in accordance with the relevant Resource Recovery Exemption issued under the *Protection of the Environment Operations (Waste) Regulation 2014*.

Prior to placing any fill material on the site, appropriate waste classification/ certification documentation that verifies the material is VENM or complies with the requirements of the relevant Resource Recovery Exemption, including ENM, must be provided to the satisfaction of the Sutherland Shire Council, Environmental Science Assessment Officer.

Note: An appropriately qualified and experienced environmental consultant must be certified by one of the following certification schemes:

- EIANZ 'Certified Environmental Practitioner' (CEnvP).
- Soil Science Australia 'Certified Professional Soil Scientist' (SSA CPSS).

27. Protection for a Potential Item of Aboriginal Heritage (ENV4050)

A. During Construction

Development consent from Council does not imply consent to destroy an Aboriginal site or Aboriginal object as defined under the National Parks and Wildlife Act.

Should any Aboriginal objects be unearthed/exposed during the project, works must temporarily cease within the immediate vicinity and Heritage NSW be contacted to advise on the appropriate course of action.

Requirements of National Parks and Wildlife Act 1974

The National Parks and Wildlife Act is the primary legislation for the protection of Aboriginal cultural heritage in NSW. Under the National Parks and Wildlife Act 1974 it is an offence to desecrate or harm an Aboriginal object without having obtained an Aboriginal Heritage Impact Permit (AHIP) under section 90 or without having exercised due diligence in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (NSW Department of Environment, Climate Change & Water (DECCW)).

28. Supervising Environmental Consultant (ENV6005)

A. Before Commencement

The applicant must engage an appropriately qualified, experienced and certified environmental consultant to supervise all aspects of site remediation, validation, and other environmental site management issues.

The environmental consultant must be certified by one of the following certification schemes:

- EIANZ 'Certified Environmental Practitioner - Site Contamination' (CEnvP - SC).
- Soil Science Australia 'Certified Professional Soil Scientist - Contaminated Site Assessment & Management' (SSA CPSS CSAM).

B. Before Works and issue of any Construction Certificate

The applicant must provide clear evidence of the appointment of the appropriately qualified, experienced and certified environmental consultant to the satisfaction of Sutherland Shire Council, Environmental Science Assessment Officer, prior to the commencement of any works or the issue of any Construction Certificate, whichever occurs first.

C. During Works

The certified environmental consultant must supervise all aspects of site remediation and validation and onsite environmental management to ensure compliance with the approved plans including, but not limited to, the Remedial Action Plan, JK Environments Pty Ltd, *Remediation Action Plan, 16A Allies Road, Barden Ridge, NSW*, report ref: E34118PW rpt3-RAP, dated 08/09/2023.

29. Potential Contaminated Land - Unexpected Finds (ENV6010)

A. During Works

If unexpected soil and/or groundwater contamination is encountered during any works; all work must cease and the situation must be promptly evaluated by an appropriately qualified and experienced environmental consultant. The contaminated soil and/or groundwater must then be managed under the supervision of the environmental consultant, in accordance with relevant NSW Environment Protection Authority (EPA) guidelines.

Note: The environmental consultant must be certified by one of the following certification schemes:

- EIANZ 'Certified Environmental Practitioner - Site Contamination' (CEnvP - SC).
- Soil Science Australia 'Certified Professional Soil Scientist - Contaminated Site Assessment & Management' (SSA CPSS CSAM).

B. Prior to recommencement of works

If unexpected contaminated soil or groundwater is treated and/or managed onsite; the supervising environmental consultant must verify that the situation was appropriately managed in accordance with relevant NSW EPA guidelines.

The verification documentation must be provided to the satisfaction of the Principal Certifier and Sutherland Shire Council, Environmental Science Assessment Officer, prior to the recommencement of any works.

30. Site Remediation and Validation (ENV6015)

A. During Works - Site Remediation

The site must be remediated in accordance with 'preferred remedial option no. 4 provided in the Remedial Action Plan, JK Environments Pty Ltd, *Remediation Action Plan, 16A Allies Road, Barden Ridge, NSW*, report ref: E34118PW rpt3-RAP, dated 08/09/2023, under the supervision of the appropriately qualified, experienced and certified environmental consultant.

Note: A NSW EPA Accredited Site Auditor must be notified of and endorse any variations to the Remedial Action Plan (RAP), prior to the variations being implemented.

B. On Completion of Remediation - Site Validation

On completion of remedial works, a Validation Report must be prepared by an appropriately qualified, experienced and certified environmental consultant verifying that the site has been remediated in accordance with the approved Remedial Action Plan. The Validation Report must also verify that the site is suitable for the proposed educational land use.

The Validation Report must be prepared in accordance with relevant NSW EPA guidelines including, but not limited to, the NSW EPA 'Guidelines for Consultants Reporting on Contaminated Sites' 2011

C. Prior to Occupation - Site Audit Statement

Prior to the occupation of the development or the issue of any Occupation Certificate the Validation Report must be reviewed by a NSW EPA accredited site auditor and a Site Audit Statement and Report must be issued. The Site Audit Statement must indicate that the site has been remediated in accordance with the approved Remedial Action Plan and is suitable for the proposed educational land use.

The Site Audit Statement and Report must be submitted to the satisfaction of the Sutherland Shire Council, Environmental Science Assessment Officer, prior to occupation and the issue of any Occupation Certificate.

31. Asbestos Management Plan (ENV9001)

A. Before Commencement

The applicant must engage an appropriately qualified, experienced and certified environmental consultant to prepare an Asbestos Management Plan to address all management and removal controls of asbestos and asbestos-impacted soil during the implementation of the Remedial Action Plan, JK Environments Pty Ltd, *Remediation Action Plan, 16A Allies Road, Barden Ridge, NSW*, report ref: E34118PW rpt3-RAP, dated 08/09/2023.

The Asbestos Management Plan must be submitted to the satisfaction of Sutherland Shire Council, Environmental Science Assessment Officer, prior to the commencement of works.

The environmental consultant must be certified by one of the following certification schemes:

- EIANZ 'Certified Environmental Practitioner - Site Contamination' (CEnvP - SC).
- Soil Science Australia 'Certified Professional Soil Scientist - Contaminated Site Assessment & Management' (SSA CPSS CSAM).

B. During Works

The site must be remediated in accordance with both the Remedial Action Plan and the Asbestos Management Plan, under the supervision of an appropriately qualified, experienced and certified Environmental Scientist.

C. Prior to Occupation - Asbestos Clearance Certificate

Prior to the occupation of the asbestos removal area, an asbestos clearance certificate must be prepared as per the requirements of the SafeWork NSW Code of Practice: *How to Safety Remove Asbestos* (2022).

The Asbestos Clearance Certificate must be submitted to the satisfaction of the Sutherland Shire Council, Environmental Science Assessment Officer, prior to reoccupation of the identified asbestos exclusion zone.

32. External Lighting - (Amenity) (HLT3025)

To ensure that any lighting on the site does not cause a nuisance to neighbours or motorists on nearby roads:

A. Design

All lighting must be designed in accordance with Australian Standard AS4282 - Control of the Obtrusive Effects of Outdoor Lighting.

B. Ongoing

All lighting must be operated and maintained in accordance with the Standard above.

33. Noise Control - Design and Operation (General Use) (HLT4010)

To minimise the impact of noise from the development, the use of the premises and all sound producing plant, equipment, machinery, mechanical ventilation system or refrigeration systems:

A. Design

The use of the premises and all plant and equipment must be designed and / or located so that the noise emitted does not exceed an LAeq sound pressure level of 5dB above the ambient background level when measured at the most affected point on or within any residential property boundary.

Note: The method of measurement of sound must be carried out

in accordance with Australian Standard 1055.1.

B. Before Occupation

Prior to the occupation of the development or the issue of any Occupation Certificate certification must be provided by a qualified acoustic engineer that all work associated with the installation of the acoustic measures has been carried out in accordance with 'A' above.

C. Ongoing

All plant and equipment must be operated and maintained in accordance with 'A' above.

34. Noise Control - Design of Plant and Equipment (Continual Operation) (HLT4020)

To minimise the impact of noise from the development, all sound producing plant, equipment, machinery, mechanical ventilation systems and / or refrigeration systems:

A. Design

All plant and equipment must be designed and / or located so that the noise emitted does not exceed the Project Specific Noise level when measured at the most affected point on or within any residential property boundary.

The Project Specific Noise level must be the most stringent noise level of the Intrusive and Amenity criteria and be calculated in accordance with the provisions of the NSW Environmental Protection Authority Noise Policy for Industry 2017.

Note: The method of measurement of sound must be carried out in accordance with Australian Standard 1055.1.

B. Before Construction

Details of the acoustic attenuation treatment required to comply with 'A' above, must be prepared by a qualified acoustic engineer. These details must accompany the application for a Construction Certificate.

C. Before Occupation

Prior to the occupation of the development or the issue of any Occupation Certificate certification must be provided by a qualified acoustic engineer that all work associated with the installation of the acoustic measures has been carried out in accordance with 'A' above.

D. Ongoing

All plant and equipment must be operated and maintained in accordance with the 'A' above.

35. Car Park Ventilation - Alternate System (HLT5010)

To ensure adequate ventilation for the car park:

A. Design

As the basement car-park does not appear to comply with the natural ventilation requirements of Section 4 of Australian Standards AS1668.2 -2012, the car-park must be either mechanically ventilated by a system complying with AS1668.2 -2012 or alternatively, the natural ventilation system must be certified by a qualified mechanical ventilation engineer to the effect that the system is adequate. The certification shall confirm that the system will protect the health of occupants of the car park at any time it is used and satisfies the atmospheric contaminate exposure rates specified in the Worksafe Australia document: Workplace Exposure Standards for Airborne Contaminants.

B. Before Construction

Details of compliance with 'A' above must form part of the application for a Construction Certificate.

C. Before Occupation

Prior to the occupation of the building or the issue of any Occupation Certificate certification must be provided by a qualified mechanical ventilation engineer that the installation of the ventilation system has been carried out in accordance with 'A' above.

D. Ongoing

The ventilation system must be operated and maintained in accordance with 'A' above.

36. Demolition Work (HLT5015)

To ensure that demolition of structures is carried out in an environmentally acceptable and safe manner:

A. Before Commencement

If works involve the removal of more than 10 square metres of asbestos material, a bonded asbestos licence is required. A friable asbestos licence is required to remove, repair or disturb any amount of friable asbestos. For further information contact SafeWork NSW.

B. During Works

- i) The demolition of the existing building must be carried out strictly in accordance with Australian Standard 2601 - The Demolition of Structures.
- ii) The applicant must ensure that the demolition contractor has a current public risk insurance coverage for a minimum of \$5 million. A copy of the Policy must be submitted to the Council prior to demolition.

To ensure that the removal and transportation of any asbestos material, regardless of the quantity, is carried out in an environmentally acceptable and safe manner, all work must comply with the following:

- a) Work Health and Safety Act 2011;
- b) Work Health and Safety Regulation 2017;
- c) Safe Work Australia Code of Practice - How to Manage and Control Asbestos in the Workplace;
- d) Safe Work Australia Code of Practice - How to Safely Remove Asbestos;
- e) Protection of the Environment Operations Act 1997; and
- f) Protection of the Environment Operations (Waste) Regulation 2014.

Asbestos waste in any form must be disposed of at a waste facility licensed by the NSW EPA to accept asbestos waste. Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m² or more of asbestos sheeting must be registered with the EPA on-line reporting tool WasteLocate. More information can be found at <https://wastelocate.epa.nsw.gov.au>.

37. Dilapidation Report - Adjoining Properties (ORD1005)

To assist in the resolution of any future disputes about damage to properties adjoining the development site.

A. Before Works

Prior to commencement of any work on site the Applicant or principal contractor must provide dilapidation reports on the adjacent buildings at 18 Allies Road, 4 & 6 Fawkner Place and Council's Road Reserve, including any basements and ancillary structures. The reports must be provided to the Principal Certifier and to the owners of the properties that are the subject of the report.

The reports must be prepared by a suitably qualified and experienced person, such as a structural engineer.

38. Certification Requirement of Levels (ORD4035)

A. During Construction

At the following stages of construction:

- i) Prior to the pouring of the ground floor and roof slab,
- ii) Upon installation of the final sport fields treatments

A registered surveyor must provide the Principal Certifier with Certification that the stage of structure complies with the development consent in respect of levels.

B. Before Occupation

The certification referred to above must form part of the application for an Occupation Certificate.

39. Sydney Water Requirements (ORD4045)

A. Before Any Works

Prior to the commencement of any works on site, including demolition or excavation, the plans approved as part of the Construction Certificate must also be approved by Sydney Water. .

Sydney Water will determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Customers will receive an approval receipt which must be included in the Construction Certificate documentation.

Please refer to the web site www.sydneywater.com.au.

40. Dial Before You Dig (ORD4050)

A. Before Construction

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW).

It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

41. Noise Control and Permitted Hours for Building and Demolition Work (ORD5005)

A. General

To manage noise impacts upon the surrounding properties and occupants, demolition, excavation, or construction activities must be managed in accordance with the NSW Department of Environment and Climate Change (now Environment Protection Authority). Interim Construction Noise Guideline (ICNG) 2009, EPA Draft Construction Noise Guideline and Australian Standard 2436 - 2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites.

B. Before Excavation

Prior to any excavation works involving rock breakers and similar earthmoving equipment, the builder must notify in writing all property owners/tenants within a minimum of 20m of all boundaries of the development site of the works being undertaken, a minimum of 7 days prior to the commencement of such works. The notification must provide details of the type of work being carried out, the time of day, its anticipated duration and a contact number to log any complaints or to make enquiries.

C. During Works

To minimise the noise impact on the surrounding environment, all building and demolition work must be carried out only between the hours of 7.00am and 6.00pm Monday to Friday inclusive, 8.00am and 3.00pm Saturdays. No work is

permitted on Sundays and Public Holidays.

42. Toilet Facilities (ORD5010)

A. During Works

Toilet facilities must be available or provided at the work site at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site before works begin and must be maintained until the works are completed.

Each toilet must:

- i) be a standard flushing toilet connected to a public sewer, or
- ii) have an on-site effluent disposal system approved under the Local Government Act 1993, or
- iii) be a temporary chemical closet approved under the Local Government Act 1993.

43. Car parking Areas (ORD7015)

A. Ongoing

To ensure that the car parking area satisfies the demands of the development:

- i) it must be made available on an unrestricted basis and free of charge at all times for employees' and visitors' vehicles
- ii) any parking nominated as visitor parking or non-teaching staff parking must be continually available to satisfy that parking demand

44. Loading and Unloading (ORD7035)

To preserve the amenity and ensure the safety of the public:

A. Ongoing

All loading and unloading of vehicles must be carried out within the site and not from the public roadway. All service/delivery vehicles must enter and leave the site in a forward direction.

45. Maximum Number of Students

A. On-Going

A maximum enrolment of 970 is permitted for the school.

The enrolment level must not be exceeded. Evidence of enrolment level must be presented to Council's Compliance Unit Officers in the event of such request.

46. (ORD9002)Safety and Security

A. Design & On-Going

- i) All security and access control devices installed should meet or exceed Australian Standard 4806.
- ii) Security systems and CCTV cameras must be installed by a licensed security professional, and suitable sign posting shall be placed to deter

- potential offenders. The security gate fitted to the basement entry must be closed with secure access for employee vehicles.
- iii) All areas of the car park, pedestrian routes, and entry and exit points must be adequately lit to meet Australian Standard 1158.3.1.
 - iv) Lighting must be compatible with the CCTV system.
 - v) Exterior fixtures and fittings must be made from robust and vandal resistant materials.
 - vi) All graffiti is to be removed within 7 days.
 - vii) Emergency evacuation plans shall be implemented and maintained to assist students, employees, visitors and emergency services in the event of an emergency. This plan shall be prominently displayed.

PRESCRIBED CONDITIONS

The prescribed conditions in accordance with Part 4, Division 2 of the *Environmental Planning and Assessment Regulation 2021* apply:

- Clause 69 Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989
- Clause 70 Erection of signs
- Clause 71 Notification of Home Building Act 1989 requirements
- Clause 72 Entertainment venues
- Clause 73 Maximum capacity signage
- Clause 74 Shoring and adequacy of adjoining property

Refer to the NSW Legislation website for the full text of the above clauses under the *Environmental Planning and Assessment Regulation 2021*. The website can be accessed at: <https://legislation.nsw.gov.au>

NOTES

1. The cutting down, lopping, injury and destruction of trees is regulated by Sutherland Shire Local Environmental Plan 2015 and Sutherland Shire Development Control Plan 2015. A person who contravenes, causes or permits the controls in relation to trees to be contravened is guilty of an offence. Trees designated to be removed on the approved plans under this consent may be removed unless specified otherwise in the conditions in this consent. All other trees on the site covered by Council's controls referred to above must be retained.
2. Division 8.2 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of the application the right to lodge an application with Council for a review of such determination. Any such review must however be completed within 6 months from this determination. Should a review be contemplated sufficient time should be allowed for Council to undertake public notification and other processes involved in the review of the determination.

Note: Review provisions do not apply to Complying Development, Designated Development, State Significant Development Integrated Development or any applications determined by the Sydney South Planning Panel or the Land and Environment Court.

3. Part 8 (Appeals and Related Matters) of the Environmental Planning and Assessment Act 1979 confers on an applicant who is dissatisfied with the determination of the application a right of appeal to the Land and Environment Court of New South Wales.
4. This consent will lapse unless the development is physically commenced within 5 years from the Date of Operation of this consent (i.e. the date on which the Deferred Commencement condition is deemed to have been satisfied by Council), in accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979 as amended.