

# Development Consent

## *Section 4.38 of the Environmental Planning and Assessment Act 1979*

The Independent Planning Commission (the Commission), as the declared consent authority under section 2.7 of the State Environmental Planning Policy (Planning Systems) 2021 and section 4.5(a) of the *Environmental Planning and Assessment Act 1979*, approves the development application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

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

[Name]	[Name]	[Name]
Member of Commission	Member of Commission	Member of Commission

Sydney

2025

### SCHEDULE 1

<b>Application Number:</b>	SSD-30759158
<b>Applicant:</b>	Green Valley Islamic College Ltd
<b>Consent Authority:</b>	Independent Planning Commission
<b>Site:</b>	268-278 Catherine Fields Road, Catherine Field (Lot 11 in DP 833983 and Lot 12 in DP 833784)
<b>Development:</b>	Construction and operation of a new school, Minarah College for Kindergarten to Year 12 in four stages comprising: <ul style="list-style-type: none"><li>• site preparation, site remediation, dam dewatering, bulk earthworks, staged tree removal and demolition of existing dwellings and structures,</li><li>• staged construction and operation of a two-storey school building to accommodate:<ul style="list-style-type: none"><li>○ a High School,</li><li>○ a Primary School,</li><li>○ a School for Specific Purposes,</li><li>○ Out of School Hours (OOSH) care facilities,</li><li>○ an Early Learning Centre (ELC),</li><li>○ multi-functional learning spaces,</li><li>○ library, breakout spaces and school canteen,</li><li>○ integrated school hall,</li><li>○ staff rooms, offices and meeting rooms,</li></ul></li></ul>

- storage areas and student and staff amenities,
- construction of a freestanding multipurpose high school hall,
- landscaping works including a sports field and separate outdoor play areas for school student and ELC children,
- on-site wastewater management including an on-site sewage treatment plant and staged wastewater management areas,
- staged delivery of on-site car parking spaces, drop-off and pick-up spaces and bicycle spaces,
- staged upgrades to Catherine Fields Road including road widening, turning lane and bus bay; and
- staged increase in school and ELC population, including associated staff.

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## DEFINITIONS

<b>Aboriginal object</b>	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
<b>Aboriginal place</b>	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
<b>Accredited Certifier</b>	Means the holder of accreditation as an accredited certifier under the <i>Building Professionals Act 2005</i> acting in relation to matters to which the accreditation applies.
<b>Advisory Notes</b>	Advisory information relating to the consent but do not form a part of this consent
<b>Amendment Report</b>	The Amendment Report titled <i>Minarah College Catherine Field, Amendment Report (Revised Environmental Impact Statement)</i> , V07 – RTS2 TOA, prepared by Urbis Pty Ltd and dated 9 May 2025, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
<b>Applicant</b>	Green Valley Islamic College Ltd or any other person carrying out any development to which this consent applies
<b>Approved disturbance area</b>	The area identified as such on the development layout
<b>APZ</b>	Asset Protection Zone
<b>AQF</b>	Australian Qualifications Framework
<b>ARI</b>	Average Recurrence Interval
<b>BCA</b>	Building Code of Australia
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016</i>
<b>CEMP</b>	Construction Environmental Management Plan
<b>Certified Contaminated Land Consultant</b>	A person certified in accordance with the requirements of the Contaminated Land Consultant Certification Policy Version 2 (EPA November 2017) or any subsequent policies as in force from time to time
<b>Certifier</b>	Means a council or accredited certifier
<b>Conditions of this consent</b>	The conditions contained in Schedule 2 of this document
<b>Construction</b>	<p>All physical work to enable operation including but not limited to the demolition and removal of buildings, the carrying out of works for the purposes of the development, including bulk earthworks, erection of buildings and other infrastructure permitted by this consent, but excluding the following:</p> <ul style="list-style-type: none"> <li>• building and road dilapidation surveys;</li> <li>• investigative drilling or investigative excavation;</li> <li>• archaeological salvage;</li> <li>• installation of environmental impact mitigation measures, fencing, enabling works; and</li> <li>• minor adjustments to services or utilities.</li> </ul> <p>However, where heritage items, or threatened species or threatened ecological communities (within the meaning of the <i>Biodiversity Conservation Act</i></p>

	2016 or Environment Protection and Biodiversity Conservation Act 1999) are affected or potentially affected by any physical work, that work is construction, unless otherwise determined by the Planning Secretary in consultation with EHG or DPE Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation)
<b>Council</b>	Camden Council
<b>Day</b>	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
<b>Demolition</b>	<b>THE DECONSTRUCTION AND REMOVAL OF BUILDINGS, SHEDS AND OTHER STRUCTURES ON THE SITE</b>
<b>Department</b>	NSW Department of Planning, Housing and Infrastructure
<b>Development</b>	The development described in the Environmental Impact Statement and Response to Submissions, unless otherwise amended by the Amendment Report and Response to Submissions for the Amended Proposal, including the works and activities comprising demolition, dam dewatering, site remediation, earthworks, landscaping, construction and operation, as modified by the conditions of this consent
<b>Earthworks</b>	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services
<b>EHG</b>	Environment and Heritage Group of the Department of Climate Change, Energy, the Environment and Water
<b>ELC</b>	Early Learning Centre, as defined in Chapter 3 of the State Environmental Planning Policy (Transport and Infrastructure) 2021.
<b>Environmental Impact Statement</b>	The Environmental Impact Statement titled <i>Minarah College Catherine Field, Environmental Impact Statement</i> , V06 – Final, prepared by Urbis Pty Ltd and dated 02 June 2022, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
<b>ENM</b>	Excavated Natural Material
<b>Environment</b>	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2021
<b>EPA</b>	Environment Protection Authority
<b>Evening</b>	The period from 6pm to 10pm
<b>Feasible</b>	Means what is possible and practical in the circumstances
<b>Heritage</b>	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement

<b>Heritage NSW</b>	Heritage NSW, the Department of Climate Change, Energy, the Environment and Water
<b>Heritage Item</b>	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
<b>Incident</b>	An occurrence or set of circumstances that causes or threatens to cause material harm to the environment, and as a consequence of that environmental harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance.
<b>Independent Audit Post Approval Requirements</b>	Independent Audit Post Approval Requirements 2020 (or other updated version as available on the Department's website)
<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
<b>Management and mitigation measures</b>	The management and mitigation measures set out in Appendix C of the Response to Submissions for the amended proposal
<b>Material harm</b>	<p>Is harm that:</p> <ul style="list-style-type: none"> <li>a) involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or</li> <li>b) results in actual loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment).</li> </ul> <p><b>Note:</b> This definition excludes "harm" that is either authorised under this consent or any other statutory approval.</p> <p><b>Note:</b> For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements.</p>
<b>Minister</b>	NSW Minister for Planning and Public Spaces (or delegate)
<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
<b>Monitoring</b>	Any monitoring required under this consent must be undertaken in accordance with section 9.39 of the EP&A Act

<b>Night</b>	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
<b>Non-compliance</b>	An occurrence, set of circumstances or development that is a breach of this consent
<b>NSW RFS</b>	NSW Rural Fire Service
<b>Operation</b>	The carrying out of the approved purpose of the development upon completion of construction.
<b>PA</b>	Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act
<b>Planning Secretary</b>	Planning Secretary under the EP&A Act, or nominee
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>RAP</b>	Registered Aboriginal Party
<b>Reasonable</b>	Means applying judgement in arriving at a decision, taking into account: mitigation, benefits, costs of mitigation versus benefits provided, community views and the nature and extent of potential improvements
<b>Registered Aboriginal Parties</b>	Means the Aboriginal persons identified in accordance with the document entitled " <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> " (DECCW)
<b>Response to Submissions</b>	The Applicant's response to issues raised in submissions received during the exhibition of the Environmental Impact Statement in relation to the application for consent for the development under the EP&A Act, titled <i>Minarah College - Catherine Field, Response to Submissions</i> , Final – V6, prepared by Urbis Pty Ltd and dated 20 March 2023
<b>Response to Submissions for the amended proposal</b>	The Applicant's response to issues raised in submissions received during the exhibition of the Amendment Report in relation to the application for consent for the development under the EP&A Act, titled <i>Minarah College Catherine Field, Response to Submissions</i> , V02 – ToA, prepared by Urbis Pty Ltd and dated 16 May 2025
<b>Sensitive receivers</b>	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area.
<b>Site</b>	The land defined in Schedule 1
<b>Site Auditor</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>Site Audit Report</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>Site Audit Statement</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>TfNSW</b>	Transport for New South Wales
<b>Upgrading</b>	The carrying out of works (including replacing plant, equipment, or machinery or updating relevant technology) to improve the efficiency of the development or to enable or enhance its continued operation, and the carrying out of the following maintenance works:

	<ul style="list-style-type: none"> <li>• public domain works</li> <li>• road infrastructure works</li> <li>• stormwater infrastructure works</li> </ul>
<b>VENM</b>	Virgin Excavated Natural Material
<b>Waste</b>	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
<b>Year</b>	A period of 12 consecutive months

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## SCHEDULE 2

### PART A ADMINISTRATIVE CONDITIONS

#### Obligation to Minimise Harm to the Environment

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

#### Terms of Consent

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
  - (b) in accordance with all written directions of the Planning Secretary;
  - (c) generally in accordance with the Environmental Impact Statement and Response to Submissions, unless otherwise amended by the Amendment Report and Response to Submissions for the Amended Proposal; and
  - (d) in accordance with the approved plans in the table below:

<b>Architectural Plans prepared by Tonkin Zulaikha Greer Architects Pty Ltd</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
A 002	B	Demolition Plan	19.03.2024
A 003	D	Site Plan	26.02.2025
A 004	C	Staging Plan	24.06.2024
A 005	D	Site Plan Ground	26.02.2025
A 101	D	Ground Floor Plan	26.02.2025
A 102	C	First Floor Plan	24.06.2024
A 103	D	Roof Plan	26.02.2025
A 111	D	Stage 1 Ground Floor Plan	26.02.2025
A 112	C	Stage 1 First Floor Plan	24.06.2024
A 113	A	Stage 1 Roof Plan	20.03.2025
A 114	D	Stage 2 Ground Floor Plan	26.02.2025
A 115	C	Stage 2 First Floor Plan	24.06.2024
A 116	A	Stage 2 Roof Plan	20.03.2025
A 117	D	Stage 3 Ground Floor Plan	26.02.2025
A 118	C	Stage 3 First Floor Plan	24.06.2024
A 119	A	Stage 3 Roof Plan	20.03.2025
A 120	D	Stage 4 Ground Floor Plan	26.02.2025
A 121	C	Stage 4 First Floor Plan	24.06.2024
A 122	A	Stage 4 Roof Plan	20.03.2025
A 123	A	Detail Plans	26.02.2025
A 201	D	Elevations (Complete 4 Stages) – South and West	26.02.2025
A 202	A	Elevations (Complete 4 Stages) – North and East	26.02.2025
A 211	C	Stage 1 Elevations	26.02.2025
A 212	C	Stage 2 Elevations	26.02.2025
A 213	C	Stage 3 Elevations	26.02.2025
A 301	C	Sections	26.02.2025
A 302	C	Sections	26.02.2025

A 303	C	Sections	26.02.2025
A 304	B	Typical Wall Sections	19.03.2024
<b>Landscape Plans prepared by Taylor Brammer Landscape Architects Pty Ltd</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
LA01	06	Masterplan	18.03.2025
LA01-a	06	Masterplan - Coloured	18.03.2025
LA01-b	07	Tree Removal and Retention Plan	18.03.2025
LA02	06	Central Courtyard Detail Plan	18.03.2025
LA03	05	Junior School Play Area Detail Plan	18.03.2025
LA04	05	ELC + Senior Breakout Spaces Detail Plan	18.03.2025
LA05	05	Study + Staff Outdoor Area Detail Plan	18.03.2025
LA06	05	Sportsfield, Outdoor Learning + Country Education Area	18.03.2025
LA07	06	Planting Plan	18.03.2025
LA08	03	Indicative Planting Schedule	05.04.2024
LA09	03	Sections	05.04.2024
LA10	04	Typical Details	18.04.2024
LS00-a	05	Staging Plan	27.06.2024
LS01	05	Staging Plan - Stage 1	21.06.2024
LS02	04	Staging Plan - Stage 2	21.06.2024
LS03	05	Staging Plan - Stage 3	28.06.2024
LS04	04	Staging Plan - Stage 4	28.06.2024
LS07	4	Detail Plan -Central Plaza	28.06.2024

- A3. The Applicant must comply with all written requirements or directions of the Planning Secretary, including in relation to:
- (a) the environmental performance of the approved development;
  - (b) any document or correspondence in relation to the approved development;
  - (c) any notification given to the Planning Secretary under the terms of this approval;
  - (d) any audit of the construction or operation of the construction or operation of the approved development;
  - (e) the terms of this approval and compliance with the terms of the approval (including anything required to be done under the approval);
  - (f) the carrying out of any additional monitoring and management measures; and
  - (g) in respect of ongoing monitoring and management obligations, compliance with an updated or revised version of a guideline, protocol, Australian Standard or policy required to be complied with under this approval.
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

#### Limits of Consent

- A5. This consent lapses five years after the date of consent unless work is physically commenced.

## Student Numbers

- A6. A maximum of 980 students (including ELC children) may be enrolled on the site at any one time subject to compliance with related staging conditions.
- A7. The student/child population and associated full time equivalent staff numbers must not exceed the numbers below:

Stage	Student/Children Population (including ELC)	Full-Time Equivalent Staff (including ELC)
Stage 1	318	15
Stage 2	652	33
Stage 3 and thereafter	980	51

- A8. The numbers of children in the Early Learning Centre (ELC) must not exceed the numbers in the table below:

Stage	Number of Children in ELC
Stage 1	18
Stage 2	42
Stage 3 and thereafter	60

## Prescribed Conditions

- A9. The Applicant must comply with all relevant prescribed conditions of development consent under Part 4, Division 2 of the EP&A Regulation.

## Planning Secretary as Moderator

- A10. 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.

## Evidence of Consultation

- A11. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for information or approval; and
  - (b) provide details of the consultation undertaken including:
    - (i) the outcome of that consultation, matters resolved and unresolved; and
    - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

## Staging

- A12. The project may be constructed and operated in stages in accordance with the terms and conditions of this consent and the details set out in the *Minarah College Staging Report SSD-30759158, V07 RTS#2, prepared by Urbis Pty Ltd, dated 9 May 2025*, unless otherwise amended by the conditions of this consent.
- A13. Staging of the proposed development may be varied for construction in accordance with a revised Staging Report submitted to and approved by the Planning Secretary.
- A14. Any revised Staging Report prepared in accordance with condition A13 must:
- (a) set out how the construction of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;
  - (b) specify how compliance with conditions will be achieved across and between each of the stages of the project;

- (c) specify how compliance with independent auditing requirements will be achieved across and between each of the construction stages of the project that will lead to school operation; and
  - (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.
- A15. The project must be staged in accordance with the details approved under condition A12 unless a revised Staging Report has been approved under condition A13 in which case the project must be staged in accordance with the approved revised Staging Report.
- A16. The terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage set out in the details as approved under condition A12 or a revised Staging Report approved under condition A13, must be complied with at the relevant time for that stage including independent auditing requirements.

### **Staging, Combining and Updating Strategies, Plans or Programs**

- A17. The Applicant may:
- (a) prepare and submit any strategy, management 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, management plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, management plan or program);
  - (b) combine any strategy, management plan or program required by this consent (if a clear relationship is demonstrated between the strategies, management plans or programs that are proposed to be combined); and
  - (c) update any strategy, management plan or program required by this consent (to ensure the strategies, management or programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A18. Any strategy, management plan or program prepared in accordance with condition A17, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary.
- A19. If the Planning Secretary agrees, a strategy, management 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.
- A20. Updated strategies, management plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.

### **Structural Adequacy**

- A21. 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 Building Code of Australia (BCA).
- Note: Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.*
- A22. All new structures that interact with floodwaters in a Probable Maximum Flood Event as identified in *Preliminary Overland Flow Assessment and Flood Emergency Response Plan*, P2108320JR09V05, Revision 5, prepared by Martens and Associates Pty Ltd and dated 27 June 2025, must be constructed from flood compatible components that can withstand the flow velocities, flow depths and associated debris and buoyancy loads of a Probable Maximum Flood event.

### **External Walls and Cladding**

- A23. The external walls of all buildings must comply with the relevant requirements of the BCA.

## External Materials

- A24. The external colours, materials and finishes of the buildings must be consistent with the approved plans referenced in Condition A2. Any minor changes to the colour and finish of approved external materials may be approved by the Certifier provided:
- (a) the alternative colour/material is of a similar tone/shade and finish to the approved external colours/building materials;
  - (b) the quality and durability of any alternative material is the same standard as the approved external building materials; and
  - (c) a copy of any approved changes to the external colours and/or building materials is provided to the Planning Secretary for information.
- A25. Notwithstanding the requirements of conditions A24, the boundary walls must be of a neutral and recessive colour and design that is sympathetic with the natural environment.

## Design and Construction for Bush Fire

- A26. New construction must comply with Sections 3 and 6 (BAL 19) Australian Standard *AS3959:2018 Construction of buildings in bushfire-prone areas* or the relevant BAL 19 requirements of the NASH Standard - National Standard Steel Framed Construction in Bushfire Areas 2021 and Section 7.5 of Planning for Bush Fire Protection 2019.
- A27. All new fencing and gates must comply with Section 7.6 of Planning for Bush Fire Protection 2019.
- A28. The fire trail to the rear of the site must comply with the relevant requirements for a Category 1 Fire Trail as specified in NSW RFS Fire Trail Standards and NSW Rural Fire Service Fire Trail Design, Construction and Maintenance Manual.
- A29. All stages of the project must comply with the relevant sections of Planning for Bush Fire Protection (2019) including, but not limited to:
- (a) Chapter 6 – Special Fire Protection Purpose Developments (where relevant);
  - (b) Asset Protection Zones (APZs) and building construction (Table 6.8a);
  - (c) Safe operational access for emergency services personnel (Table 6.8b); and
  - (d) Water, electricity and gas (Table 6.8c).

## Applicability of Guidelines

- A30. 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.
- A31. Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

## Monitoring and Environmental Audits

- A32. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, Site audit report and independent auditing.

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

## Access to Information

- A33. At least 48 hours before the commencement of construction until the completion of all works within all stages under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:

- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
  - (i) the documents referred to in condition A2 of this consent;
  - (ii) all current statutory approvals for the development;
  - (iii) all approved strategies, plans and programs required under the conditions of this consent;
  - (iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;
  - (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
  - (vi) a summary of the current stage and progress of the development;
  - (vii) contact details to enquire about the development or to make a complaint;
  - (viii) a complaints register, updated monthly;
  - (ix) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;
  - (x) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary, and publicly available for 12 months after the commencement of operations of the final stage of operation (where relevant).

### **Compliance**

- A34. 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.

### **Incident Notification, Reporting and Response**

- A35. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:
- (a) date, time and location;
  - (b) a brief description of what occurred and why it has been classified as an incident;
  - (c) a description of what immediate steps were taken in relation to the incident; and
  - (d) identifying a contact person for further communication regarding the incident.
- A36. The Applicant must provide the Department with a subsequent incident report in accordance with **Appendix 2**.

### **Non-Compliance Notification**

- A37. Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing and must be submitted via the NSW planning portal (Major Projects). The notification must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance

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

### **Revision of Strategies, Plans and Programs**

- A38. Within three months of:
- (a) the submission of an incident report under condition A36;
  - (b) the submission of an Independent Audit under condition D42;
  - (c) the approval of any modification of the conditions of this consent; or

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

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

- A39. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary or Certifier (where previously approved by the Certifier). Where revisions are required, the revised document must be submitted to the Planning Secretary and/or Certifier for approval and/or information (where relevant) within six weeks of the review.

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

### **Aboriginal Heritage**

- A40. All reasonable steps must be taken to avoid harm, modification of or impact to Aboriginal objects except as authorised by this approval.
- A41. The Registered Aboriginal Parties (RAPs) must be kept informed about the development. The RAPs must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage requirements of the development.
- A42. If regionally significant and/or highly culturally significant (e.g. burial, ceremonial grounds) finds are identified during the archaeological excavations, consultation must be undertaken with the RAPs, Heritage NSW and Planning Secretary for consideration of the project redesign to avoid further impacts to the Aboriginal cultural heritage.

## **PART B PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

### **Childcare Centre Planning Guideline**

- B1. Prior to the issue of any relevant construction certificate for the ELC, detailed plans and documentation must be prepared, demonstrating full compliance with all applicable controls and requirements of the Department's 'Child Care Planning Guidelines' dated September 2021 as they apply to the ELC. The detailed plans must include the following details:

- (a) delineation of functional areas;
- (b) provision of the required minimum unencumbered indoor and outdoor play area; and
- (c) provision of administrative areas, cot rooms and nappy change areas.

The plans and documentation must be prepared by a suitably qualified expert and submitted to the satisfaction of the Certifier. A copy of the plans and documentation must be submitted to the Planning Secretary for information.

### **External Walls and Cladding**

- B2. Prior to the issue of any relevant construction certificate, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or 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. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

### **Wastewater Management System**

- B3. Prior to the issue of any construction certificate for each stage, the Applicant must design an on-site operational wastewater management system for the development in accordance with Council's On-Site Sewage Management Policy and obtain approval from Council under Section 68 of the Local Government Act 1993. Evidence of the approval must be provided to the Certifier for the construction certificate application. The operational wastewater management system for each stage must:

- (a) be designed by a suitably qualified and experienced person(s);
- (b) be generally in accordance with the details and recommendations for Stages 1 and 2 of the *Wastewater Management Assessment*, P2108320JR05V10, Revision 10, prepared by Martens and Associates Pty Ltd and dated 14 March 2025;
- (c) be designed generally in accordance with the Office of Local Government of the Department's Onsite Wastewater Management Guidelines (the Department, April 2025);
- (d) incorporate trade waste pre-treatment provisions and trade waste agreement for the on-site food handling facilities, if required;
- (e) include installation of flow meters with regular monitoring and collection of hydraulic flow data to validate the accuracy of the Wastewater Management Assessment estimates early on, and incorporate additional measures to enhance system performance, if required install pressure-compensating subsurface irrigation lines;
- (f) include evidence to verify that the proposed waste management measures, including tank capacity system is suitable to cater for the proposed number of students and staff in each construction stage (or any stage when student / staff numbers are proposed);
- (g) verify that the land application areas are located above the 1 in 20-year flood contour and the treatment system is above the 1 in 100-year flood contour, including all electrical components, vents and inspection openings;
- (h) the system is not designed or constructed such that wastewater can be directly discharged into flood water either through inundation of the system or seepage through the irrigation system; and
- (i) be in accordance with applicable Australian Standards.

- B4. Prior to the issue of any construction certificate for Stages 3 and 4, documentation must be prepared by a suitably qualified and experienced person(s) and submitted for the Planning Secretary's for approval that confirms that the wastewater management system installed in

accordance with *Wastewater Management Assessment*, P2108320JR05V10, Revision 10, prepared by Martens and Associates Pty Ltd, and:

- (a) include monitoring data results (including dates) and any rectification undertaken in response to monitoring;
  - (b) include evidence to verify that the proposed waste management measures, including tank capacity system is suitable to cater for the proposed number of students and staff in each construction stage (or any stage when student / staff numbers are proposed);
  - (c) verify that the land application areas are adequate to facilitate the increase in use associated with Stages 3 and 4;
  - (d) include odour monitoring to demonstrate that odour emissions because of the development are below the applicable criterion as outlined in the *Odour Impact Assessment Minarah College* prepared by Todoroski Air Sciences Pty Ltd and dated 30 April 2024;
  - (e) include evidence of consultation with Council; and
  - (f) be in accordance with applicable Australian Standards.
- B5. Prior to the issue of any construction certificate for any development relying on a Sydney Water sewer connection, the Applicant must provide evidence from Sydney Water to the Certifier that demonstrates that sewer connection will be available for the development once it is operational.
- B6. Prior to the issue of any construction certificate for Stage 4, an assessment must be undertaken by a suitably qualified professional confirming the performance of the Wastewater Management Scheme and provide confirmation the Operational Wastewater Management scheme can be altered by the reduction in the Effluent Management Area to accommodate the Stage 3 development.
- B7. The assessment must be accompanied by the results of monitoring of the on-site Operational Wastewater System during the proceeding period and approval must be obtained from Council to operate the altered on-site sewage management system under Section 68 of the Local Government Act 1993 and in accordance with Council's On-Site Sewage Management Policy.
- B8. Evidence of the approval, and that the approved system is operating for the development, must be submitted to the Certifier.

### Stormwater Management System

- B9. Prior to the issue of any construction certificate associated with the onsite detention tank and stormwater connection to Catherine Fields Road, or the relevant construction certificate for elements of the stormwater management system not involving connection to Catherine Fields Road, the Applicant must design an operational stormwater management system for the development generally in accordance with Council's requirements, and submit it to the Certifier. The system must:
- (a) be designed by a suitably qualified and experienced person(s);
  - (b) be generally in accordance with the conceptual stormwater drainage plans and details included in Appendix Q of the Amendment Report, as listed in the following:

<b>Civil Works Plans prepared by <i>Martens and Associates Pty Ltd</i></b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
PS02-B100	A	Construction Staging Plan	12/06/2024
PS02-B300	B	Soil and Water Management Plan	14/04/2022
PS02-B310	B	Soil and Water Management Details Sheet 1	14/04/2022
PS02-B311	A	Soil and Water Management Details Sheet 2	14/04/2022
PS02-B320	A	Soil and Water Management Details Russle Calculation	14/04/2022
PS02-E101	A	Drainage Plan (Stage 1)	12/06/2024
PS02-E102	A	Drainage Plan (Stage 2)	12/06/2024
PS02-E103	A	Drainage Plan (Stage 3)	12/06/2024

PS02-E104	A	Drainage Plan (Stage 4)	12/06/2024
PS02-E200	B	Drainage Details (Sheet 1)	14/04/2022
PS02-E201	B	Drainage Details (Sheet 2)	14/04/2022
PS02-E600	C	On Site Detention Catchment Plan, Models & Results (Ultimate Development)	11/04/2024
PS02-E700	C	Water Quality Catchment Plan, Models & Results (Ultimate Development)	11/04/2024
<b>Civil Works Plans for off-site roadworks prepared by Martens and Associates Pty Ltd</b>			
PS01-B300	B	Sediment and Erosion Control Plan	14/04/2022
PS01-B310	B	Sediment and Erosion Control Details	14/04/2022
PS01-E100	B	Drainage Plan	14/04/2022

- (c) be in accordance with applicable Australian Standards; and
- (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* (Environment Protection Authority (EPA), 1997) guidelines.

B10. Prior to the issue of the relevant construction certificate, the Applicant must:

- (a) submit the following to Council:
  - (i) a detailed survey along the site frontage on Catherine Fields Road;
  - (ii) the stormwater management documentation required by condition B9; and
  - (iii) all details of public infrastructure work that are required to be completed as part of the development; and
- (b) obtain a separate approval from Council under *Roads Act 1993*, for any proposed civil and stormwater works within Council's stormwater easement within the site, and other public infrastructure works as relevant.

#### **Operational Noise – Design of Mechanical Plant and other Equipment**

B11. Prior to the issue of any relevant construction certificate for the mechanical plant and equipment:

- (a) a detailed assessment of mechanical plant and equipment with compliance with the relevant project noise trigger levels as recommended in the *Environmental Noise Impact Assessment, New Education Campus – Minarah College, 268 – 278 Catherine Fields Road, Catherine Field, NSW, 7280-1.2R Rev G*, prepared by Day Design Pty Ltd and dated 8 May 2025 must be undertaken by a suitably qualified person; and
- (b) evidence must be submitted to the Certifier that any noise mitigation recommendations identified in the assessment carried out under (a) have been incorporated into the design to ensure the development will not exceed the project noise trigger levels identified in the *Environmental Noise Impact Assessment, New Education Campus – Minarah College, 268 – 278 Catherine Fields Road, Catherine Field, NSW, 7280-1.2R Rev G*, prepared by Day Design Pty Ltd and dated 8 May 2025.

B12. Before any construction certificate is issued, a supplementary environmental noise impact assessment shall be undertaken by an appropriately qualified consultant having regard to the proposed operation of the on-site wastewater management system (OWMS) including but not limited to treatment plant operations and effluent management area irrigation activities, as well as noise impacts associated with pump out operations. The supplementary Noise Assessment shall:

- (a) include recommendations regarding appropriate management and/or migration requirements;
- (b) be submitted to the Planning Secretary for approval; and
- (c) include any mitigations and/or management arrangements that form party of the approved assessment and demonstrate how they will be installed to the operation of the OWMS.

### **Operational Waste Storage and Processing**

- B13. Prior to the issue of any relevant construction certificate for waste storage and processing areas, the Applicant must obtain agreement from Council for the design of the operational waste storage area (where waste removal will be undertaken by Council). Where waste removal will be undertaken by a third party, evidence must be provided to the Certifier that the design of the operational waste storage area:
- (a) can accommodate the operational waste requirements of the relevant stage specified in the *Minarah College Waste Management Plan*, prepared by the Waste Audit and Consultancy Services (Aust) Pty Ltd and dated May 2024;
  - (b) is constructed using solid non-combustible materials and finished to a smooth even surface;
  - (c) is designed with floors that are to be impervious, coved, graded and drained to an approved wastewater connection or management system;
  - (d) is designed to ensure the door/gate to the waste storage area is vermin proof and can be openable from both inside and outside the storage area at all times;
  - (e) includes enclosed waste bin storage and washing facilities, including a hot and cold water supply with a hose through a centralised mixing valve;
  - (f) is naturally ventilated or an air handling exhaust system must be in place; and
  - (g) includes signage to clearly describe the types of materials that can be deposited into recycling bins and general garbage bins.

### **Odour Mitigation**

- B14. Prior to the issue of any relevant construction certificate, the Applicant must submit evidence to the Certifier that odour mitigation measures have been incorporated into the project design, consistent with the mitigation and management measures recommended in the *Odour Impact Assessment Minarah College* prepared by Todoroski Air Sciences Pty Ltd and dated 30 April 2024.

### **Operational Car Parking, Access, Drop-off/Pick-up and Service Vehicle Layout**

- B15. Prior to the issue of any relevant construction certificate, evidence must be submitted to the Certifier that the operational parking, access, drop-off/pick-up and servicing arrangements comply with the following requirements:
- (a) all vehicles can enter and leave the site in a forward direction;
  - (b) adequate on-site car parking spaces, drop-off/pick-up facilities, access, servicing arrangements and other road infrastructure works are included for use during operation of the development and designed in accordance with the latest versions of AS 2890.1 and AS 2890.6; and
  - (c) the swept path of the longest vehicle entering and exiting the site in association with the new work, as well as manoeuvrability through the site, are in accordance with the latest version of AS 2890.2.
  - (d) the minimum number of on-site car parking spaces (including accessible spaces) and drop-off/pick-up spaces for use during the operation of the development are provided in accordance with the Staging Report in line with the details approved under condition 00.

### **Bicycle Parking and End-of-Trip Facilities**

- B16. Prior to the issue of the construction certificate for Stage 1 works, the following design details in relation to the secure bicycle parking and end-of-trip facilities must be submitted to and approval obtained from the Certifier, demonstrating that:
- a) the provision of a minimum 30 bicycle parking spaces outlined in plans listed in condition A2(d);
  - b) compliance of the layout, design and security of bicycle facilities with the minimum requirements of the latest version of AS 2890.3:2015 *Parking facilities - Bicycle parking*; and
  - c) the provision of end-of-trip facilities for staff.

## Landscaping

- B17. Prior to the issue of any construction certificate, the Applicant must prepare revised landscape plans (including the individual staged plans) to manage the revegetation and landscaping works on-site. The plan must:
- (a) be in accordance with the landscape plans and landscape staging plans listed in condition A2(d), unless otherwise amended by the requirements of this condition;
  - (b) provide for the planting of 253 new trees;
  - (c) demonstrate sufficient space is provided to allow the replacement trees to grow to maturity;
  - (d) confirm early commencement of the sourcing of replacement planting as soon as feasible (staged procurement prior to the beginning of each stage is acceptable);
  - (e) detail that seeds from endemic plants to be removed are collected and used in the landscape area;
  - (f) detail the location, species, maturity and height at maturity of plants to be planted on-site;
  - (g) provide at least one large canopy tree (meeting the replacement tree stock requirement in condition B17(l), with a mature height of more than 10 metres) every six car parking spaces within the landscape strip to the south of the southern carpark;
  - (h) detail the installation of sediment fencing around the effluent management area before its operation to limit nutrient runoff into adjacent vegetation;
  - (i) include the provision of any artificial nest boxes or reused habitat features as required by condition C35;
  - (j) include the provisions of the reuse of removed native trees required by condition C38 and C39;
  - (k) include species (trees, shrubs and groundcovers) indigenous to the local area;
  - (l) include details to confirm that all new trees to be planted on site will be advanced tree stocks that:
    - (i) complies with *AS 2303:2018 – Tree stock for landscape use*;
    - (ii) avoids the planting of trees with intrusive roots near vehicular parking and circulating areas; and
    - (iii) are located in suitable areas that promote appropriate tree growth; and
  - (m) comply with the standards in Appendix 4 of Planning for Bush Fire Protection (2019).
  - (n) Include a commitment to replacing any trees that do not survive within a two-year period of each construction stage.
- B18. The updated landscape plans (including the individual staged plans), required by condition B17 must be submitted to the Planning Secretary for approval.

## Public Domain Works

- B19. Prior to the issue of any relevant construction certificate for the footpath, bus bay or any public domain works, the Applicant must consult with Council and demonstrate to the Certifier that the streetscape design and treatment is consistent with Council's requirements, including requirements to address road and pedestrian management and safety. The Applicant must submit documentation for approval for each relevant stage from Council to the Certifier.

*Note:*

- *Separate construction certificate applications under the Roads Act 1993 are required to be submitted and approved by the relevant roads authority for roadworks or works within the public domain, including new vehicular crossings.*

## Roadworks and Design Requirements

- B20. Prior to the issue of any relevant construction certificate for roadworks, the Applicant must submit detailed design plans for any new or upgraded roadworks to the satisfaction of the relevant roads authority within their land or public reserve (including new vehicular crossings) and provide a copy of the approved documents to the Certifier for information. The design plans must:

- (a) include in Stage 1 works, the 1.8m wide footpath along the entire site frontage ;
- (b) include in Stage 2 works, the roadworks (drainage included) within Catherine Fields Road reserve, as shown on the Stage 3 architecture plans listed in Condition A2(d);
- (c) include a compliant ground clearance template for an appropriate vehicle to confirm suitable vertical clearance to prevent undercarriage scraping, in accordance with the relevant Australian Standards.
- (d) include a revised roadworks design of Catherine Fields Road to ensure that:
  - (i) the longitudinal road profile achieves a minimum 1% grade;
  - (ii) all kerb returns achieve a preferred grade of 1%, with a minimum grade of 0.7%; and
  - (iii) kerb and guttering, including drainage pits and crosslines, are implemented along both sides of Catherine Fields Road along the extent of road upgrade works.
- (e) include detailed design for any retaining wall works and incorporate road safety features before, along and after any retaining wall within the road reserve in accordance with the requirements of applicable Australian Standards and Austroads guidelines;
- (f) be generally in accordance with the roadworks design plans and details included in Appendix S of the Amendment Report, unless otherwise amended by condition B20(a); and
- (g) demonstrate that the proposed access points to the development are designed to accommodate the turning path of a 12.5m heavy rigid vehicle.

*Note:*

- Approval must be obtained for roadworks under section 138 of the Roads Act 1993 and all costs associated with the proposed road upgrade works must be borne by the Applicant.
- In accordance with Section 4.42 of the Environmental Planning and Assessment Act 1979, an approval under Section of the 138 Roads Act 1993 cannot be refused if it is necessary for carrying out State significant development that is authorised by a development consent and is substantially consistent with the consent.

- B21. Prior to the issue of any construction certificate, the Applicant must submit design plans to the satisfaction of the Certifier at each stage which demonstrate that the proposed internal roads comply with Table 6.8b of Planning for Bush Fire Protection 2019 to service that Stage of operation including any Stage of operation that is undertaken while future Stage of construction is occurring.

### **Security Gates**

- B22. Before the issue of any relevant construction certificate, revised plans must demonstrate that security gates along the front boundary must:
- a) Be installed so that the entrance gate is setback at least 6m from the front boundary to ensure vehicles seeking entry do not obstruct the adjoining road reserve;
  - b) Be left open during peak arrival and departure periods for the school, ELC and OOSH to ensure no delays occur as part of drop of and pick up;
  - c) Be left open during out of hours use of the school facilities by the school and local community to ensure no delays occur as part of drop off and pick up; and
  - d) Be left open during weekend use of the school facilities by the school and local community to ensure no delays occur as part of drop off and pick up.

### **Performance and Damages Bond**

- B23. Before the issue of any relevant construction certificate, a performance bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the Certifier.
- B24. Before the issue of any relevant construction certificate, a damages bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the Certifier.

## Geotechnical report

- B25. Prior to the issue of any relevant construction certificate, evidence must be provided to and approved by the Certifier, demonstrating that the construction certificate plans include the geotechnical recommendations of '*Geotechnical Assessment: Minarah College – 268 & 278 Catherine Fields Road, Catherine Field, NSW*', P2108320JR04V04, Revision 4, prepared by Martens and Associates Pty Ltd and dated 2 May 2024.

## Civil Engineering Plans and Information

- B26. Prior to the issue of any relevant construction certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer and demonstrate, to the satisfaction of the Certifier, that the development has been designed to comply with Council's engineering specifications, the approved plans and documents and the conditions of this development consent. The plans and information must include, but not be limited to, the following elements:
- (a) erosion and sediment control measures, including compliance with the publication *Managing Urban Stormwater: Soils and Construction* (4<sup>th</sup> edition, Landcom 2004) commonly referred to as the 'Blue Book';
  - (b) earthworks;
  - (c) water quantity and quality facilities, including:
    - (i) a detailed on-site detention and water quality report.
    - (ii) an electronic stormwater model
    - (iii) a validated Camden Council MUSIC-link report with electronic model;
  - (d) details of any required augmentation of existing drainage systems to accommodate drainage from the development;
  - (e) pavement design, traffic management devices and line marking for roads and carparks;
  - (f) diagrams that clearly delineate the extent and location of the 5% annual exceedance probability (AEP), the 1% AEP, the probable maximum flood and the flood planning level (FPL) lines and clearly label them as such, in accordance with Council's Flood Risk Management Policy; and
  - (g) accompanying certifications from a suitably qualified civil engineer certifying that the details and designs of the development comply with Council's engineering specifications.

## Finished Floor Level

- B27. Prior to the commencement of any construction, the Certifier must be satisfied that all floor levels and accessible footpaths linking classrooms be no lower than the Probable Maximum Flood level and any structures below the Probable Maximum Flood level be constructed from flood compatible building components.

## Desilting and Dewatering plan

- B28. Before the issue of any construction certificate, a desilting and dewatering plan for the site's waterbodies that are approved to be removed must be prepared by a suitably qualified person to the satisfaction of the Certifier, demonstrating works required to desilt and dewater the site's waterbodies (that are approved to be removed) are being undertaken in accordance with the recommendations of the *Dam Dewatering Assessment Minarah College*, P2108320JR03V01, Revision 2, prepared by Martens and Associates Pty Ltd and dated 6 April 2022.

## Water supply

- B29. Before the issue of any relevant construction certificate, details and plans for the proposed measures to provide adequate potable water supply, including a new authority water meter, potable water break tank and potable cold-water pump-set, must be prepared by a suitably qualified person, and endorsed by Sydney Water, demonstrating works required to ensure adequate water supply are in place to support the relevant operational stage of development, being undertaken generally in accordance with the recommendations of the *Response to Submissions: Services Infrastructure Report Minarah College Catherine Field – Hydraulic and Electrical Services*, Revision G, prepared by JHA Consulting Engineers and dated 2 May 2024. Evidence of the Sydney Water endorsement must be submitted to the satisfaction of the Certifier.

## Environmental Health

B30. Prior to the issue of any relevant construction certificate, information must be prepared by a suitably qualified person(s) and demonstrate, to the Certifier's satisfaction, that the design and construction of food handling facilities will satisfy the relevant statutory requirements and industry standards and comply with:

- (a) The *Food Act 2003*;
- (b) The Food Regulation 2015;
- (c) Food Standards Australia and New Zealand's Food Standards Code 2003; and
- (d) *AS 4674 Design, construction and fit-out of food premises*.

## Development Contributions

B31. Prior to the issue of any relevant construction certificate, a payment of a levy of 1% of the proposed cost of carrying out of the development of each relevant stage, must be paid to Council under section 7.12 of the EP&A Act.

*Note:*

- *In accordance with the provisions of the Camden Council Section 7.12 Development Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the consumer price index.*
- *The amount of contribution payable under this condition per stage will be confirmed by Council. Council may request the submission of a cost report from a suitably qualified quantity surveyor to confirm the development cost of each stage.*

## Sportsfield Lighting

B32. Prior to the relevant construction certificate, a Sportsfield Lighting Strategy shall be prepared by an appropriately qualified consultant and shall:

- (a) Include a Light Spill/Obtrusive Light Assessment of the impact of lighting from the sports field and associated carparking areas and address obtrusive impacts of the lighting on sensitive receivers, the surrounding land uses, local fauna habitats and night sky light pollution. The assessment must include appropriate management and mitigation measures to ensure obtrusive lighting does not occur. The lighting for the development must comply with glare and spill light control provisions of AS/NZS 4282:2023: Control of the obtrusive effects of outdoor lighting;
- (b) Restrict use of the main sport field lighting to operate only between 5:00pm and 9:00pm; and
- (c) Include provision for automatic extinguishment of the main sport field lighting at 9:00 pm, with low level lighting to facilitate safe lighting exit of the field, the car park area and the school site;
- (d) Include provision for compliance testing of the illuminance, glare and spill of main sport field lighting to occur prior to the use of the lighting for recreation purposes.
- (e) be submitted to the Planning Secretary for approval.

B33. The installation of light to facilitate use of the Sports field outside day light hours shall be installed in accordance with the approved Sportsfield Lighting Strategy.

B34. If the compliance testing referred to in condition B32(d) identifies a non-compliance, the external lighting must be adjusted so that is compliant prior to recreational use. The Compliance results shall be provided to the Planning Secretary.

## Site consolidation

B35. Prior to the issue of any construction certificate, Lot 11 in DP 833983 and Lot 12 in DP 833784 must be consolidated into one single allotment. A plan of subdivision for consolidation must be prepared by a registered surveyor, lodged and registered with the NSW Land Registry Services.

## **PART C PRIOR TO COMMENCEMENT OF CONSTRUCTION**

### **Notification of Commencement**

- C1. The Applicant must notify the Planning Secretary in writing of the dates of the intended commencement of construction and operation at least 48 hours before those dates.
- C2. If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

### **Certified Drawings**

- C3. Prior to the commencement of any construction, 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 this development consent.

### **Pre-Construction Dilapidation Report – Protection of Public Infrastructure**

- C4. Prior to the commencement of any construction, the Applicant must:
  - (a) consult with the relevant owner and provider of services and infrastructure that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
  - (b) prepare a Pre-Construction Dilapidation Report identifying the condition of all public (non-residential) infrastructure and assets in the vicinity of the site (including roads, kerb and guttering, footpaths and any stormwater drainage assets) that have potential to be affected;
  - (c) submit a copy of the Pre-Construction Dilapidation Report to the asset owner, Certifier and Council; and
  - (d) provide a copy of the Pre-Construction Dilapidation Report to the Planning Secretary when requested.

### **Pre-Construction Survey – Adjoining Properties**

- C5. Prior to the commencement of any construction, the Applicant must offer a pre-construction survey to owners of residential buildings that are likely to be impacted by construction impact associated with the development.
- C6. Where the offer for a pre-construction survey is accepted (as required by condition C5), the Applicant must arrange for a survey to be undertaken by a suitably qualified and experienced expert prior to the commencement of vibration generating works that could impact on the identified buildings.
- C7. Prior to the commencement of any vibration generating works that could impact on the buildings surveyed as required by condition C6, the Applicant must:
  - (a) provide a copy of the relevant survey to the owner of each residential building surveyed in the form of a Pre-Construction Survey Report;
  - (b) submit a copy of the Pre-Construction Survey Report to the Certifier; and
  - (c) provide a copy of the Pre-Construction Survey Report to the Planning Secretary when requested.

### **Community Communication Strategy**

- C8. No later than two weeks before the commencement of any construction, a Community Communication Strategy must be prepared and approved by the Planning Secretary prior to the commencement of any construction or within another timeframe agreed with the Planning Secretary. The Community Communication Strategy must provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the construction and operation of the development), during the design and construction of the development and for a minimum of 24 months following the completion of the final stage of construction.
- C9. The Community Communication Strategy must:

- (a) identify people to be consulted during the design and construction phases;
- (b) identify people to be consulted during operation;
- (c) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;
- (d) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development;
- (e) set out procedures and mechanisms:
  - (i) through which the community can discuss or provide feedback to the Applicant;
  - (ii) through which the Applicant will respond to enquiries or feedback from the community; and
  - (iii) to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development.
- (f) include any specific requirements around traffic, noise and vibration, amenity, flora and fauna, soil and water, contamination.

C10. The Community Communication Strategy must operate during the design and construction of the development and for a minimum of 24 months following the completion of the final stage of construction. The plan must be updated during transition between each stage of construction and operation so that it addresses matters relevant to each stage of construction and operation and the updated Strategy must be prepared and approved by the Planning Secretary prior to the commencement of any new stage.

### **Demolition**

C11. Prior to the commencement of any construction, demolition work plans required by AS 2601-2001 *The demolition of structures* (Standards Australia, 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 Certifier and Planning Secretary.

### **Ecologically Sustainable Development (ESD)**

C12. Prior to the commencement of any construction, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate that ESD is being achieved by either:

- (a) registering for a minimum 4-star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifier; or
- (b) seeking approval from the Planning Secretary for an alternative certification process.

### **Outdoor Lighting**

C13. Prior to the installation of outdoor lighting:

- a) evidence must be submitted to the Certifier that all outdoor lighting within the site has been designed to comply with AS/NZS 1158.3.1:2020 *Lighting for roads and public spaces, Part 3.1: Pedestrian area (Category P) lighting - Performance and design requirements* and AS/NZS 4282:2023 *Control of the obtrusive effects of outdoor lighting*; and
- b) Has been designed in accordance with the requirements of B32 for sportsfield lighting

### **Environmental Management Plan Requirements**

C14. Management plans required under this consent must be prepared having regard to relevant guidelines, including but not limited to the *Environmental Management Plan Guideline: Guideline for Infrastructure Projects* (DPIE April 2020).

*Note:*

- The *Environmental Management Plan Guideline* is available on the Planning Portal at: <https://www.planningportal.nsw.gov.au/major-projects/assessment/post-approval>
- The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.

## Construction Environmental Management Plan

- C15. Prior to the commencement of any construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier and provide a copy to the Planning Secretary for information. The CEMP must include, but not be limited to, the following:
- (a) Details of:
    - (i) hours of work;
    - (ii) 24-hour contact details of site manager;
    - (iii) management of dust and odour to protect the amenity of the neighbourhood;
    - (iv) groundwater management plan including measures to prevent groundwater contamination;
    - (v) external lighting in compliance with *AS/NZS 4282:2023 Control of the obtrusive effects of outdoor lighting*; and
    - (vi) community consultation and complaints handling as set out in the Community Communication Strategy required by condition C8.
  - (b) Construction Traffic and Pedestrian Management Sub-Plan (see condition C17);
  - (c) Construction Noise and Vibration Management Sub-Plan (see condition C18);
  - (d) Construction Waste Management Sub-Plan (see condition C19);
  - (e) Construction Soil and Water Management Sub-Plan (see condition C20);
  - (f) Aboriginal Cultural Heritage Management Sub-Plan (see condition C21);
  - (g) Construction Flood Emergency Management Sub-Plan (see condition C22);
  - (h) Construction Biosecurity Management Sub-Plan (see condition C23);
  - (i) an unexpected finds protocol for contamination and associated communications procedure; and
  - (j) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure.
- C16. The Applicant must not commence construction of the relevant development stage until the CEMP and relevant Sub-Plans required by conditions C17, C18, C19, C20, C21, C22 and C23 are updated and is relevant to the stage and is approved by the Certifier and a copy submitted to the Planning Secretary.
- C17. A Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must be prepared to achieve the objective of ensuring safety and efficiency of the road network and 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 TfNSW;
  - (c) include the measures outlined in the Preliminary Construction Traffic Management Plan in the *Minarah College, Catherine Field Campus Transport and Accessibility Impact Assessment*, Ref:P1769, Revision 09, prepared by Ason Group and dated 9 May 2025;
  - (d) 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; and
  - (e) detail heavy vehicle routes, access and parking arrangements.
- Note: For consultation with TfNSW regarding the CTPMSP, contact [development.ctmp.cjp@transport.nsw.gov.au](mailto:development.ctmp.cjp@transport.nsw.gov.au).*
- C18. The Construction Noise and Vibration Management Sub-Plan (CNVMSP) must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced noise expert;
  - (b) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009);
  - (c) describe the measures to be implemented to manage high noise and vibration generating works such as piling, in close proximity to sensitive receivers;

- (d) include noise control measures outlined in the *Construction Noise and Vibration Management Plan New Education Campus – Minarah College*, Report No. 7280-1.3R, Rev G, prepared by Day Design Pty Ltd and dated 5 September 2025;
  - (e) include strategies that have been developed with the community for managing high noise and vibration generating works;
  - (f) describe the community consultation undertaken to develop the strategies in condition C18(e);
  - (g) include a complaints management system that would be implemented for the duration of the construction; and
  - (h) include a program to monitor and report on the impacts and environmental performance of the construction of the development and the effectiveness of the management measures in accordance with condition C14.
- C19. The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the procedures for the management of waste comprising:
- (a) the recording of quantities, classification (for materials to be removed) and validation (for materials to remain) of each type of waste generated during construction and proposed use for materials to remain;
  - (b) information regarding the recycling and disposal locations;
  - (c) be consistent with the construction waste recommendations specified in the *Minarah College Waste Management Plan*, prepared by the Waste Audit and Consultancy Services (Aust) Pty Ltd and dated May 2024;
  - (d) details showing the storage location for waste refuse areas and safe storage areas for reusable and recyclables construction materials; and
  - (e) confirmation of the contamination status of the development areas of the site based on the validation results.
- C20. The Construction Soil and Water Management Sub-Plan (CSWMSP) must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified expert, in consultation with Council;
  - (b) measures to ensure that sediment and other materials being transported:
    - (i) are not tracked onto the roadway by vehicles leaving the site; and
    - (ii) are covered to minimise sediment transfer.
  - (c) describe all erosion and sediment controls to be implemented during construction, as a minimum, in accordance with the publication *Managing Urban Stormwater: Soils and Construction* (4<sup>th</sup> edition, Landcom 2004) commonly referred to as the 'Blue Book';
  - (d) 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);
  - (e) detail all off-Site flows from the Site; and
  - (f) 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 5-year Average Recurrence Interval (ARI) and 1 in 100-year ARI.
- C21. The Aboriginal Cultural Heritage Management Sub-Plan detailing Aboriginal heritage management procedures must be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties and must:
- (a) be prepared in accordance with the recommendations in the *Aboriginal Cultural Heritage Assessment Report, Proposed Development at Minarah College 268 to 278 Catherine Fields Road, Catherine Field* prepared by Tocomwall Pty Ltd and dated 2 May 2024;
  - (b) be submitted to the satisfaction of the Planning Secretary prior to any construction;
  - (c) describe the specific requirements and management measures to protect Aboriginal objects on the site for the duration of construction, including objects identified in the *Aboriginal Cultural Heritage Assessment Report, Proposed Development at Minarah*

*College 268 to 278 Catherine Fields Road, Catherine Field* prepared by Tocomwall Pty Ltd and dated 2 May 2024; and

- (d) ensure workers on site receive suitable heritage inductions prior to the carrying out of any development on site, and that records are kept of these instructions.
- C22. The Construction Flood Emergency Management Sub-Plan (FEMSP) must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) address the provisions of the Environment and Heritage Group (EHG) of the Department of Climate Change, Energy, the Environment and Water's *Floodplain Risk Management Guidelines* and *Floodplain Risk Management Toolkit*;
  - (c) include details of:
    - (i) the flood emergency responses for both construction and operation phases of the development;
    - (ii) details of flood risk environment, including expected flood levels for different frequency events;
    - (iii) flood warning time and flood notification;
    - (iv) assembly points and evacuation routes;
    - (v) work cancellation and evacuation and refuge protocols; and
    - (vi) awareness training for employees and contractors, visitors and students.
- C23. The Construction Biosecurity Management Sub-Plan (CBMP) must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) be consistent with the recommendations of the *Biosecurity and Agricultural Land Use Conflict Risk Assessment Prepared for Minarah College – Catherine Fields*, prepared by PeritusAg Advisory and dated 7 March 2025;
  - (c) include details of:
    - (i) movement of soil on and near the site;
    - (ii) source of soil or bulk organic materials;
    - (iii) creation of dust;
    - (iv) offsite movement of water and sediment;
    - (v) containment of potential contaminants (fuel, building materials etc.);
    - (vi) ongoing engagement with relevant stakeholders; and
    - (vii) clear requirements that the Plan be regularly reviewed and updated to identify new biosecurity risks and implement appropriate measures to mitigate new risks.
- C24. A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following:
- (a) include measures outlined in the Driver Code of Conduct in the *Minarah College, Catherine Field Campus Transport and Accessibility Impact Assessment*, Ref:P1769, Revision 09, prepared by Ason Group and dated 9 May 2025;
  - (b) minimise the impacts of earthworks and construction on the local and regional road network;
  - (c) minimise conflicts with other road users;
  - (d) minimise road traffic noise; and
  - (e) ensure truck drivers use specified routes.
- C25. Prior to the commencement of any construction that involves the requirement of work zones on any of the streets fronting the site, the Applicant must obtain permits for the 'work zone' from the relevant roads' authority and install appropriate signage.

## **Flood Management**

- C26. Prior to the commencement of any construction, the Applicant must prepare and implement for the duration of construction:
- (a) flood warning and notification procedures for construction workers on site; and
  - (b) evacuation and refuge protocols.

## **Construction Parking**

- C27. Prior to the commencement of any construction, the Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and site personnel, to ensure that construction traffic associated with the development does not utilise public and residential streets or public parking facilities.

## **Site Contamination**

- C28. Prior to the commencement of any construction, the Applicant must engage a NSW EPA accredited Site Auditor to provide advice throughout the duration of works to ensure that any work required in relation to soil or groundwater contamination is appropriately managed.
- C29. Prior to the commencement of construction involving ground disturbance (excluding demolition) Applicant must conduct site investigations to confirm the full nature and extent of the contamination at the project area and comply with the following requirements:
- (a) the site investigations must be undertaken, and the subsequent report(s), must be prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997*;
  - (b) the reports must be prepared, or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme; and
  - (c) the recommendations of the *Remedial Action Plan, Minarah College: 268 – 278 Catherine Fields Road, Catherine Field, NSW, P2108320JR07V01*, Revision 1, prepared by Martens and Associates Pty Ltd and dated 5 April 2022 and the unexpected finds procedure must be updated following results of further site investigations and implemented throughout duration of project work.

## **Hazardous Materials Removal**

- C30. Prior to the commencement of any construction of the relevant stage, an appropriately qualified and experienced person is to be engaged to assess the nature and extent of any hazardous materials contamination, including Asbestos, on the premises and prepare a detailed methodology and plan, in accordance with the recommendations of the *Hazardous Materials Survey*, Revision 0, prepared by EI Australia and dated 6 April 2022, for the lawful removal of any asbestos from the premises. The plan must be submitted to the Certifier and Planning Secretary for information.

## **Engagement of a Project Arborist**

- C31. Prior to the commencement of any construction of the relevant stage, a project arborist (minimum the Australian Qualifications Framework (AQF) Level 5) is to be appointed and must be on site to supervise any works near or within the Tree Protection Zone of any trees required to be retained on or near the site.
- C32. The project arborist must certify the supervision of works, and a copy must be submitted to the Certifier within 14 days of the completion of the works. If the project arborist is replaced, the Applicant must notify the Certifier in writing within 7 days of the reason for the change and the details of the new project arborist.

## **Retention of Trees**

- C33. All trees not specifically identified in the *Arboricultural Impacts Assessment and Tree Protection Plan*, Version 2, prepared by Tree Survey and dated 18 April 2024 for removal are to be retained and protected throughout the life of the development. Retained trees are to be

protected in accordance with the recommendations of the *Arboricultural Impacts Assessment and Tree Protection Plan*, Version 2, prepared by Tree Survey and dated 18 April 2024 and Australian Standard AS 4970:2025 *Protection of trees on development sites*. Tree protection zone fencing and all other tree protection measure are to be in place prior any works (including demolition) commencing on site. A diploma qualified arborist (minimum AQF Level 5) must be on site to supervise any works within the Tree Protection Zone of any trees to be retained.

#### **Pre-clearance fauna surveys and relocation of native fauna**

- C34. Prior to removing any vegetation or any works commencing, the Applicant must engage a qualified and experienced ecologist to prepare a pre-clearance fauna survey plan, to the satisfaction of the Certifier, to delineate, map, tag and mark habitat-bearing trees and shrubs and any other fauna habitat features present within the development footprint including human made structures and exotic trees. Habitat features may include but are not limited to hollows, nests, dreys, dead wood, logs, caves, karsts, crevices etc. Where the presence of any resident native fauna is identified, the project ecologist must arrange to relocate any native fauna that will be impacted by the works to other appropriate areas within the site or to an appropriate nearby location or take fauna into care where appropriate (i.e. juvenile or nocturnal fauna).
- C35. If habitat features, including tree hollows and active nests, are identified in the pre-clearance fauna survey plan, a nest box installation and active nest relocation plan must be prepared to the satisfaction of the Certifier to:
- (a) provide fauna with short-term habitat during approved vegetation clearance and restoration works;
  - (b) retain and reuse any trees on-site approved for removal that have hollows in part as ground fauna habitat or as replacement hollows and attached to trees within the site. If it is not feasible to use salvaged hollows as replacement tree hollows, an artificial nest box must be installed to replace the loss of each tree hollow at a minimum ratio of 1:1. Details of the artificial nest box(es) for targeted species must be approved in writing by a suitably qualified ecologist and included in the Landscape Plans required under condition B17.
  - (c) detail measures to ensure that fauna inhabiting tree hollows or active nests are treated humanely and relocated before development activities commence, in line with the *National Parks and Wildlife Act 1974*.

#### **Tree maintenance**

- C36. A tree maintenance schedule is to be prepared and implemented to ensure all replacement trees are maintained for a minimum period of two years following planting. Any replacement tree that does not survive is to be replaced by a tree from the species list within the approved landscape plan. Local native species must only be replaced by local native species.
- C37. Any threatened ecological communities on and adjacent to the site must be monitored regularly for signs of dieback, weed invasion, increased soil moisture, increased nutrition, rubbish accumulation and sedimentation, and mitigation measures must be implemented to protect and preserve the affected threatened ecological communities.

#### **Reuse of removed trees**

- C38. The Applicant must reuse, where practical, any of the native trees that are to be removed as part of the proposal, including tree trunks (greater than 25 centimetres in diameter and 2 metres in length), tree hollows and root balls, to enhance habitat within the site.
- C39. If native trees cannot be entirely reused within the site, the Applicant must consult with local community restoration/rehabilitation groups, Landcare groups and relevant public authorities, including local councils and Greater Sydney Local Land Services, to determine if the removed trees can be reused in habitat enhancement and rehabilitation work prior to pursuing other disposal options. Evidence including consultation with the community groups and their responses must be documented and submitted to the Planning Secretary for approval.

#### **LPG storage**

- C40. One month prior to the commencement of construction of the developments that relates to the LPG storage and handling (including the concrete footings of the LPG storage sheds/areas), or within such further period as the Planning secretary may agree, the Applicant must prepare and

submit a report to demonstrate the designs and separation distances of the LPG storage areas complies with the most recent Australian Standard 1596 - The Storage and handling of LP Gas. This report must be prepared by a qualified dangerous goods consultant.

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## PART D DURING CONSTRUCTION

### Site Notice

- D1. A site notice(s) must be prominently displayed at the boundaries of the site during construction for the purposes of informing the public of project details and must satisfy the following requirements:
- (a) minimum dimensions of the site notice(s) must measure 841 mm x 594 mm (A1) with any text on the site notice(s) to be a minimum of 30-point type size;
  - (b) the site notice(s) must be durable and weatherproof and must be displayed throughout the works period;
  - (c) the approved hours of work, the name of the builder, Certifier, structural engineer, 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
  - (d) the site notice(s) must be mounted at eye level on the perimeter hoardings/fencing and must state that unauthorised entry to the site is not permitted.

### Operation of Plant and Equipment

- D2. All construction plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.

### Demolition

- D3. Demolition work must comply with the demolition work plans required by Australian Standard *AS 2601-2001 The demolition of structures* (Standards Australia, 2001) and endorsed by a suitably qualified person as required by condition C11.

### Construction Hours

- D4. 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.
- D5. Construction activities may be undertaken outside of the hours in condition D4 if required:
- (a) by the Police or a public authority for the delivery of vehicles, plant or materials; or
  - (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or
  - (c) where the works are inaudible at the nearest sensitive receivers; or
  - (d) where a variation is approved in advance in writing by the Planning Secretary or his nominee if appropriate justification is provided for the works.
- D6. Notification of such construction activities as referenced in condition D5 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- D7. 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.

### Implementation of Management Plans

- D8. The Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP (including Sub-Plans) required in condition C15.

### **Construction Traffic**

- D9. All construction vehicles are to be contained wholly within the site, except if located in an approved on-street work zone.
- D10. All construction vehicles must enter the site or an approved on-street work zone before stopping.

### **Hoarding Requirements**

- D11. The following hoarding requirements must be complied with:
- (a) no third-party advertising is permitted to be displayed on the subject hoarding/fencing; and
  - (b) the construction site manager must be responsible for the removal of all graffiti from any relevant construction hoardings or the like within the construction area within 48 hours of its application.

### **No Obstruction of Public Way**

- D12. The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.

### **Construction Noise Limits**

- D13. 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 Sub-Plan required under condition C18.
- D14. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precinct outside of the construction hours of work outlined under condition D4.
- D15. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use of 'quackers' to ensure noise impacts on surrounding noise sensitive receivers are minimised.

### **Vibration Criteria**

- D16. 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).
- D17. 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 D16.
- D18. The limits in conditions D16 and D17 apply unless otherwise outlined in a Construction Noise and Vibration Management Sub-Plan, approved as part of the CEMP required by condition C18 of this consent.

### **Tree Protection**

- D19. For the duration of the construction works:
- (a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;
  - (b) all street trees immediately adjacent to the approved disturbance area must be protected at all times during construction in accordance with Council's tree protection requirements.

- Any street tree, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council;
- (c) the boundaries of any bushland or waterfront land areas adjacent to the site must be fenced by minimum 1.8m high chain link or welded mesh fencing. The fencing must include signage advising that the vegetation behind it is protected and be maintained until the works have been completed;
  - (d) all tree pruning must be carried out in accordance with *AS 4373-2007 Pruning of amenity trees*;
  - (e) all trees on the site that are not approved for removal must be suitably protected during construction as per the recommendations of the *Arboricultural Impacts Assessment and Tree Protection Plan*, Version 2, prepared by Tree Survey and dated 18 April 2024, Council's tree protection requirements and the Australian Standard *AS 4970:2025 Protection of trees on development sites*; and
  - (f) 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.

#### **Tree removal works and fauna protection**

- D20. Trees approved for removal must be lopped to minimise the risk of injury or mortality to fauna, such as top-down lopping, with lopped sections gently lowered to the ground, and/or by lowering whole trees to the ground with the "grab" attachment of a machine. During tree removal, an experienced wildlife handler is to be present to re-locate any displaced fauna that may be disturbed during this activity. Any injured fauna is to be appropriately cared for and released on site or an appropriate nearby location when rehabilitated. Any tree hollows identified are to be salvaged and placed within the bushland areas of the site. This is to be done by a qualified and experienced arborist, under the direction of the project ecologist.

#### **Air Quality**

- D21. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- D22. During construction, the Applicant must ensure that:
- (a) activities are carried out in a manner that minimises dust including emission of windblown or traffic generated dust;
  - (b) all trucks entering or leaving the site with loads have their loads covered;
  - (c) trucks associated with the development do not track dirt onto the public road network;
  - (d) public roads used by these trucks are kept clean; and
  - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

#### **Erosion and Sediment Control**

- D23. All erosion and sediment control measures must be effectively implemented and maintained in accordance with the Construction Soil and Water Management Sub-Plan required by condition C20.

#### **Biosecurity Risk Management**

- D24. All biosecurity risk management measures must be effectively implemented and maintained in accordance with the CBMP required by condition C23.

#### **Imported Fill**

- D25. The Applicant must:

- (a) ensure that only Virgin Excavated Natural Material, Excavated Natural Material, or other material that meets the requirements of a relevant order and exemption issued by the EPA, is brought onto the site;
- (b) keep accurate records of the volume and type of fill to be used;
- (c) maintain a fill delivery register including the date, time, truck registration number and fill quantity, origin and type; and
- (d) make these records available to the Certifier and Council upon request.

### **Pavement Layer**

D26. At the completion of each pavement layer, a site survey plan must be prepared by a registered surveyor and demonstrate, to the satisfaction of the Certifier, the following information:

- (a) the reduced level of the finished surface layer after trimming and before the next course material is laid;
- (b) survey readings at the lip of gutter (two sides) and the centre line of the road at least every 50m of road chainage or part thereof, with a minimum of two chainage locations per continuous length of pavement design profile along a single road;
- (c) the variation from the design level and whether the points are within Council's acceptable tolerances. The tolerances for each layer are specified in the table below:

Layer	Tolerance
Subgrade (surface level)	-30mm / +10mm
Subbase Course (thickness)	-10mm / +20mm
Base Course (thickness)	-0mm / +20mm
Finished Surface Level	-15mm / +12mm

The construction of the next pavement layer must not commence until written approval is given by the principal certifier.

### **Disposal of Seepage and Stormwater**

D27. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the building to the satisfaction of the Certifier. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.

### **Emergency Management**

D28. The Applicant must prepare and implement awareness training for employees and contractors, including locations of the assembly points and evacuation routes, for the duration of construction.

### **Unexpected Finds Protocol – Aboriginal Heritage**

D29. In the event that surface disturbance identifies a new Aboriginal object:

- (a) all works must halt in the immediate area to prevent any further impacts to the object(s);
- (b) a suitably qualified archaeologist, the Registered Aboriginal Parties and Heritage NSW must be contacted to determine the significance of the objects;
- (c) the site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by Heritage NSW within the Department of Planning and Environment and the management outcome for the site included in the information provided to AHIMS;
- (d) the Applicant must consult with the Aboriginal community representatives, the archaeologists and Heritage NSW to develop and implement management strategies for all objects/sites; and
- (e) works may only recommence with the written approval of Heritage NSW.

### **Unexpected Finds Protocol – Historic Heritage**

- D30. If any unexpected archaeological relics are uncovered during the work, then:
- (a) all works must cease immediately in that area and notice is to be given to Heritage NSW and the Planning Secretary;
  - (b) 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 as determined in consultation with Heritage NSW; and
  - (c) works may only recommence with the written approval of the Planning Secretary.

### **Unexpected Finds Protocol – Burials**

- D31. In the event that a burial or skeletal remains are uncovered during work, then:
- (a) all works must cease immediately in that area and the NSW Police and Heritage NSW contacted;
  - (b) a suitably qualified archaeologist must be contacted to determine the specific nature and significance of the skeletal remains;
  - (c) the Applicant must consult with relevant stakeholders, the archaeologists and Heritage NSW to develop and implement appropriate management strategies for the skeletal remains; and
  - (d) works may only recommence with the written approval of Heritage NSW.

### **Construction Waste Storage and Processing**

- D32. All waste generated during construction 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.
- D33. All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- D34. 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.
- D35. The Applicant must record the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations for the duration of construction.
- D36. The Applicant must ensure that the 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 is in accordance with the requirements of the relevant legislation, codes, standards and guidelines.

### **Outdoor Lighting – Operational**

- D37. The Applicant must ensure that all external lighting is constructed and maintained in accordance with Australian Standard *AS/NZS 4282:2023 Control of the obtrusive effects of outdoor lighting*.

### **Site Contamination**

- D38. Remediation of the whole site must be carried out in accordance with the *Remedial Action Plan, Minarah College: 268 – 278 Catherine Fields Road, Catherine Field, NSW, P2108320JR07V01*, Revision 1, prepared by Martens and Associates Pty Ltd and dated 5 April 2022 and any variations to the document approved by a NSW EPA accredited Site Auditor.
- D39. Remediation of the entire site must be completed as part of the Stage 1 works.
- D40. The Applicant must ensure the proposed development does not result in a change of risk in relation to any pre-existing contamination on the site that would result in significant contamination.

### **Independent Environmental Audit**

- D41. Independent Environmental Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020) and as updated from time to time and published on the Department's website.

- D42. 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.
- D43. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in the Independent Audit Post Approval Requirements (2020), upon giving at least 4 week's notice (or timing) to the applicant of the date or timing upon which the audit must be commenced.
- D44. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Applicant must:
- (a) review and respond to each Independent Audit Report prepared under condition D41 of this consent;
  - (b) submit the response to the Planning Secretary and the Certifier; and
  - (c) make each Independent Audit Report and response to it publicly available within 60 days of submission to the Planning Secretary, unless otherwise agreed by the Planning Secretary.
- D45. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements (2020), unless otherwise agreed by the Planning Secretary.
- D46. Notwithstanding the requirements of the Independent Audit Post Approval Requirements (2020), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.

#### **Water Access Licence**

- D47. Should groundwater be intercepted, a water access licence must be obtained under *the Water Management Act 2000* prior to any groundwater take occurring, unless an exemption applies under the Water Management (General) Regulation 2018.
- D48. If required, a water supply work approval under the Water Management Act 2000 shall be obtained.

## **PART E PRIOR TO THE ISSUE OF OCCUPATION CERTIFICATE/ COMMENCEMENT OF OPERATION**

### **Notification of Occupation**

- E1. At least one month before the issue of any relevant occupation certificate, the date of commencement of the operation of the development must be notified to the Planning Secretary in writing. If the operation of the development is to be staged, the Planning Secretary must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

### **External Walls and Cladding**

- E2. Prior to the issue of any relevant occupation certificate, the Applicant must provide the Certifier with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.
- E3. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

### **Decommissioning of existing Wastewater Management System**

- E4. Prior to the issue of the occupation certificate of Stage 1 development, the site's existing on-site sewage management system(s) must be decommissioned in accordance with the NSW Health guidelines and to the satisfaction of the Certifier. Council is to be notified within seven days of satisfactory decommissioning.

### **Post-Construction Dilapidation Report – Protection of Public Infrastructure**

- E5. Prior to the issue of any relevant occupation certificate, the Applicant must engage a suitably qualified and experienced expert to prepare a Post-Construction Dilapidation Report. This Report must:
- (a) ascertain whether the construction works created any structural damage to public infrastructure by comparing the results of the Post-Construction Dilapidation Report with the Pre-Construction Dilapidation Report required by condition C4 of this consent;
  - (b) have, if it is decided that there is no structural damage to public infrastructure, the written confirmation from the relevant public authority that there is no adverse structural damage to their infrastructure (including roads).
  - (c) be submitted to the Certifier;
  - (d) be forwarded to Council for information; and
  - (e) be provided to the Planning Secretary when requested.

### **Repair of Public Infrastructure**

- E6. Unless the Applicant and the relevant public authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the construction works; and/or
  - (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development; and/or
  - (c) pay compensation for the damage as agreed with the owner of the public infrastructure.

*Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions of this consent.*

- E7. Prior to the issue of any relevant occupation certificate, evidence of the lodgement of a defects and liability bond with Council in accordance with Council's Development Infrastructure Bonds Policy must be provided to the Certifier.

### **Road Damage**

- E8. Prior to the issue of any relevant occupation certificate, the cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the site as a result of

construction works associated with the approved development must be met in full by the Applicant.

### **Compaction Report**

- E9. Prior to the issue of any relevant occupation certificate, a compaction report must be prepared by a suitably qualified person and demonstrate, to the Certifier's satisfaction, the results of field testing and that all roads and the sites construction areas have been compacted in accordance with Council's engineering specifications.

### **Post-Construction Survey – Adjoining Properties**

- E10. Where a pre-construction survey has been undertaken in accordance with condition C5, prior to the issue of any relevant occupation certificate the Applicant must engage a suitably qualified and experienced expert to undertake a post-construction survey and prepare a Post-Construction Survey Report. This Report must:
- (a) document the results of the post-construction survey and compare it with the pre-construction survey to ascertain whether the construction works caused any damage to buildings surveyed in accordance with condition C5;
  - (b) be provided to the owner of the relevant buildings surveyed;
  - (c) be provided to the Certifier; and
  - (d) be provided to the Planning Secretary when requested.
- E11. Where the Post-Construction Survey Report determines that damage to the identified property occurred as a result of the construction works, the Applicant must repair, or pay the full costs associated with repairing the damaged buildings, within an agreed timeline between the owner of the identified property and the Planning Secretary. Alternatively, the Applicant may pay compensation for the damage as agreed with the property owner.

### **Utilities and Services**

- E12. Prior to the issue of any relevant occupation certificate, the Applicant must obtain a Compliance Certificate for water infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.
- E13. Should reticulated sewerage servicing becomes available to the site, prior to the issue of the relevant occupation certificate for any development relying on a Sydney Water sewer connection, the Applicant must obtain a Compliance Certificate for sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

### **Positive Covenant - Water Management Facilities**

- E14. Prior to the issue of any relevant occupation certificate, the Applicant must provide evidence to the Certifier's satisfaction, demonstrating that a positive covenant has been registered with NSW Land Registry Services on title of Lot 11 in DP 833983 and Lot 12 in DP 833784. The positive covenant must be created under section 88E of the *Conveyancing Act 1919* naming Council as the prescribed authority, which can only be revoked, varied or modified with the consent of Council, and burden the property owner with the responsibility to maintain any on-site water quantity and water quality facilities. The terms of the positive covenant must include the following:
- (a) the property owner is responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures;
  - (b) the property owner will have the facilities inspected by a competent person on a schedule mandated by the facilities' design specifications;
  - (c) Council will have the right to enter the site at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order the facilities;
  - (d) Council will have the right to recover, as a liquidated debt, the cost of any remedial work from the property owner upon demand; and
  - (e) the property owner will indemnify Council and all adjoining property owners against damage to their properties arising from the failure of any component of the water management facilities or the failure to clean, maintain and repair the facilities.

## Roadworks and Access

- E15. Prior to the issue of the relevant occupation certificate, the Applicant must complete the construction of Catherine Fields Road upgrades as required in condition B20 and as relevant to the stage, and in accordance with Council's requirements. The Applicant must obtain approvals from Council or the relevant road authority for the works under section 138 of the *Roads Act 1993*. A copy of the approval must be provided to the Certifier for information.

## Works as Executed Plans

- E16. Prior to the issue of the relevant occupation certificate, 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 satisfaction of the Certifier and include the plans and information outlined in condition B26.

## Green Travel Plan

- E17. Prior to the commencement of operation, a Green Travel Plan (GTP), must be submitted to and approval obtained from the Planning Secretary to promote the use of active and sustainable transport modes. The plan must:
- (a) be prepared by a suitably qualified traffic consultant in consultation with Council and TfNSW, and be endorsed by TfNSW;
  - (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;
  - (c) include a Parking Management Plan to prioritise spaces for car-poolers and include electric vehicle charging stations;
  - (d) include actions to prioritise integration with surrounding public pathways and cycling routes when they become available;
  - (e) include measures to address bus ridership demand the need for electric vehicle charging stations if necessary;
  - (f) include specific tools and actions to help achieve the objectives and mode share targets for staff and students in Appendix A – Preliminary School Transport Plan of the *Minarah College, Catherine Field Campus Transport and Accessibility Impact Assessment*, Ref:P1769, Revision 09, prepared by Ason Group and dated 9 May 2025;
  - (g) 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
  - (h) 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 users of the development.

## Operational Transport and Access Management Plan

- E18. Prior to the commencement of operation, an Operational Transport and Access Management Plan (OTAMP) is to be prepared by a suitably qualified person, in consultation with Council and TfNSW, and submitted to the satisfaction of the Planning Secretary. The OTAMP must address the following:
- (a) be generally consistent with the recommendations outlined in the *Minarah College, Catherine Field Campus Transport and Accessibility Impact Assessment*, Ref:P1769, Revision 09, prepared by Ason Group and dated 9 May 2025;
  - (b) start and finish times for the year groups and cohorts, including all details of staggered start and finish times;
  - (c) detailed traffic impact analysis to identify the need for any additional traffic management measures to ensure the safe and efficient movement of vehicles during school start and finish times, including an analysis of queuing impacts along Catherine Fields Road during

- peak school periods (associated with vehicles accessing and exiting the drop-off and pick-up area);
- (d) 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;
  - (e) the location of all car parking spaces on the school campus and their allocation (i.e. staff, visitor, accessible, emergency, etc.);
  - (f) the location and operational management procedures of the pick-up and drop-off parking located within the site, including staff management/traffic controller arrangements;
  - (g) the location and operational management procedures for the pick-up and drop-off of students by buses and coaches for excursions and sporting activities along Catherine Fields Road, including staff management/traffic controller arrangements;
  - (h) access and management arrangements of the private chartered bus service during morning and afternoon peak periods;
  - (i) delivery and services vehicle and bus access and management arrangements;
  - (j) management of approved access arrangements;
  - (k) potential traffic impacts on surrounding road networks and mitigation measures to minimise impacts, including measures to mitigate queuing impacts associated with vehicles accessing pick-up and drop-off parking from Catherine Fields Road;
  - (l) car parking arrangements and management associated with the proposed use of school facilities by community members; and
  - (m) a monitoring and review program.

### **Operational Wastewater Management**

- E19. Prior to the commencement of any operation for any development relying on an on-site wastewater management system, an Operational Wastewater Management Plan is to be prepared by a suitably qualified person, in consultation with Council and submitted to the satisfaction of Council. The Operational Wastewater Management Plan must address the following:
- (a) the sizing, design and ongoing environmental and flow monitoring of collection, emergency storage and flow balancing of the system;
  - (b) be in accordance with the details and recommendations of the *Wastewater Management Assessment*, P2108320JR05V10, Revision 10, prepared by Martens and Associates Pty Ltd and dated 14 March 2025;
  - (c) detail maintenance procedures for proposed pre-treatment storage, post-treatment and disposal system for the wastewater from the food handling facilities, if required;
  - (d) incorporate the 'return to play' process to restrict sports field use following rainfall and irrigation events. The withholding period will be determined based on the intensity and duration of the rainfall and irrigation events;
  - (e) confirm that the sewerage treatment plant (STP), the holding device and the irrigation area is located above the PMF;
  - (f) include details of the scheduling of installer inspections;
  - (g) include inspection, maintenance and repair procedures to maintain vegetation cover as far as practicable within the effluent management area and sports field;
  - (h) provide details of on-going Environmental and System Monitoring of the performance of the system, including a monitoring and review program to assess the need for effluent management area expansion; and
  - (i) the maintenance of records identifying pump out activities, occurrences and amounts; as well as the maintenance of vegetation management issue.

- E20. Prior to the issue of any relevant occupation certificate, the Applicant must complete the construction of on-site wastewater management system as required in condition B3. A copy of the approval must be provided to the Certifier for information.
- E21. Prior to the issue of any relevant occupation certificate for any development stage relying on an on-site wastewater management system, approval must be obtained from Council to operate the on-site sewage management system under Section 68 of the Local Government Act 1993 and in accordance with Council's On-Site Sewage Management Policy. Evidence of the approval, and that the approved system is operating for the development, must be submitted to the Certifier.

#### **Liquid/Hazardous waste (science labs/art studios)**

- E22. Liquid/hazardous waste generated from visual art studios and science labs should be managed in dedicated bunded hazardous waste storage cabinets, science prep/chemical storerooms for the safe storage of any paints, solvents or liquid chemicals associated with class/science lab activities. These wastes should then be collected by a specialist contractor directly for appropriate disposal.

#### **Evacuation and Emergency Planning**

- E23. Prior to the issue of any relevant occupation certificate, a Bush Fire Emergency Management and Evacuation Plan must be prepared consistent with NSW Rural Fire Service's (RFS') *Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan* December 2014.

#### **School Zones**

- E24. Prior to the commencement of operation, all required School Zone signage, speed management signage and associated pavement markings along Catherine Fields Road must be installed in accordance with TfNSW guidelines and specifications and inspected by and handed over to TfNSW.

*Note: Any required approvals for altering public road speed limits, design and signage are required to be obtained from the relevant consent authority.*

- E25. The Applicant must maintain records of all dates in relation to installing, altering and removing traffic control devices related to speed.

#### **Mechanical Ventilation**

- E26. Prior to the issue of any relevant occupation certificate, the Applicant must provide evidence to the satisfaction of the Certifier that the installation and performance of the mechanical ventilation systems complies with:

- (a) Australian Standard AS1668.1-2015 *The use of ventilation and air conditioning in buildings, Part 1: Fire and smoke control in buildings* and other relevant codes;
- (b) Australian Standard AS 1668.2-2012 *The use of ventilation and air conditioning in buildings, Part 2: Mechanical ventilation in buildings* and other relevant codes; and
- (c) any dispensation granted by Fire and Rescue NSW.

#### **Operational Noise – Design of Mechanical Plant and other Equipment**

- E27. Prior to the issue of any relevant occupation certificate, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations in the assessment undertaken under condition B11 and B12 have been incorporated into the design of mechanical plant and equipment to ensure the development will not exceed the recommended project noise trigger levels identified in the *Environmental Noise Impact Assessment, New Education Campus – Minarah College, 268 – 278 Catherine Fields Road, Catherine Field, NSW, 7280-1.2R Rev G*, prepared by Day Design Pty Ltd and dated 8 May 2025.

#### **Operational Noise Management**

- E28. Prior to the issue of any relevant occupation certificate, an Operational Noise Management Plan must be prepared by a suitably qualified and experienced noise expert and submitted to the Certifier for approval and to the Planning Secretary for information. The Operational Noise Management Plan must address the following:

- (a) be consistent with the management and mitigation measures of the *Environmental Noise Impact Assessment, New Education Campus – Minarah College, 268 – 278 Catherine Fields Road, Catherine Field, NSW, 7280-1.2R Rev G*, prepared by Day Design Pty Ltd and dated 8 May 2025 and recommendations and mitigation measures identified in supplementary acoustic report required by condition B12;
- (b) include targeted noise monitoring for any public address systems and school bells, accounting for the estimated frequency, duration and directional effects;
- (c) restrict noisy activities (e.g., live performances, large sporting events) before 8:20am;
- (d) install controlled gate closers at school entrances to minimise early morning noise from gate closures;
- (e) details of the staggered primary and high school student outdoor play times throughout the day.; and
- (f) a monitoring and review program to, if required, introduce additional controls to ensure compliance with the project noise trigger levels as recommended in the *Environmental Noise Impact Assessment, New Education Campus – Minarah College, 268 – 278 Catherine Fields Road, Catherine Field, NSW, 7280-1.2R Rev G*, prepared by Day Design Pty Ltd and dated 8 May 2025 must be undertaken by a suitably qualified person.

E29. The Operational Noise Management plan required by condition E28 must be reviewed by a suitably qualified person prior to the commencement of operation of each stage and be updated to reflect any additional mitigation measures recommended during the review.

#### **Road Safety Audit**

- E30. Prior to the commencement of operation, an independent Road Safety Audit must be conducted on the school drop-off/pick-up facilities and parking areas, pedestrian crossings and access and vehicular access to the school, encompassing the local road network generally along the site's frontage. The Road Safety Audit must be undertaken in accordance with Austroads *Guide to Road Safety Part 6: Managing Road Safety Audits* and Austroads *Guide to Road Safety Part 6A: Implementing Road Safety Audits*.
- E31. The results of the Road Safety Audit must be submitted to the Certifier for information within one month of undertaking the audit and prior to operation.
- E32. Based on the results of the Road Safety Audit, appropriate road safety and/or traffic management measures must be implemented, in consultation with Council and TfNSW, within three months of the Road Safety Audit and evidence be submitted to the satisfaction of the Planning Secretary.

#### **Car Parking, Access, Drop-off/Pick-up, Service Vehicles and Bicycle Parking Arrangements**

- E33. Prior to the issue of any relevant occupation certificate or other timeframe agreed in writing by the Planning Secretary, evidence must be submitted to the satisfaction of the Certifier that demonstrates that:
  - (a) the car parking, access, drop-off/pick-up, service vehicle areas, bicycle parking facilities comply with conditions B15 and B16;
  - (b) appropriate pedestrian and cyclist advisory signs are to be provided;
  - (c) all works/regulatory signposting associated with the proposed developments have been undertaken at no cost to the relevant roads authority;
  - (d) the bicycle parking spaces are located in easy to access, well-lit areas that incorporate passive surveillance; and
  - (e) end-of-trip facilities for staff are provided.

#### **Fire Safety Certification**

- E34. Prior to the issue of any relevant occupation certificate, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.

### **Structural Inspection Certificate**

- E35. Prior to the issue of any relevant occupation certificate of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifier. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after:
- (a) the site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and
  - (b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

### **Compliance with Food Code**

- E36. Prior to the issue of any relevant occupation certificate, the Applicant must 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 4674 Design, construction and fit-out of food premises* and provide evidence of receipt of the certificate to the Certifier.

### **Stormwater Operation and Maintenance Plan**

- E37. Prior to the issue of any relevant occupation certificate, a Stormwater Operation and Maintenance Plan (SOMP) is to be submitted to the satisfaction of the Certifier along with evidence of compliance with the SOMP. The SOMP must ensure the proposed stormwater quality and quantity measures remain effective and contain the following:
- (a) inspection and maintenance schedule (including frequency) of all stormwater quality and quantity treatment devices;
  - (b) design and operational parameters of the stormwater treatment devices, including design levels, hydrology and hydraulics;
  - (c) record and reporting details;
  - (d) relevant contact information; and
  - (e) Work Health and Safety requirements.

### **Closed Circuit Television (CCTV) Inspection of Stormwater Drainage Structures**

- E38. Prior to the commencement of operation, all road stormwater drainage structures (pipelines and pits) must be inspected via CCTV after completion of road pavement construction works and the provision of all public utility services in accordance with Council's specifications.
- E39. CCTV reports must be submitted to Council in the form of video footage of the inspections, a copy of the SEWRAT (or equivalent) report, and a certified CCTV statement in accordance with Council's specifications indicating that any defects identified by this inspection have been rectified.

### **Warm Water Systems and Cooling Systems**

- E40. The installation of warm water systems and water cooling systems (as defined under the *Public Health Act 2010*) must comply with the *Public Health Act 2010*, Public Health Regulation 2012 and Part 1 (or Part 3 if a Performance-based water cooling system) of *AS/NZS 3666.2-2011 Air-handling and water systems of buildings – Microbial control, Part 2: Operation and maintenance* and the NSW Health Code of Practice for the Control of Legionnaires' Disease.

### **Outdoor Lighting – Operational**

- E41. Prior to the issue of any relevant occupation certificate, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and:
- (a) complies with the latest version of *AS/NZS 4282:2023 Control of the obtrusive effects of outdoor lighting*; and
  - (b) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

## Odour Mitigation

- E42. Prior to the issue of any relevant occupation certificate, the Applicant must submit evidence to the Certifier that odour mitigation measures have been incorporated into the constructed development, consistent with the mitigation and management measures recommended in the *Odour Impact Assessment Minarah College* prepared by Todoroski Air Sciences Pty Ltd and dated 30 April 2024.

## Wayfinding Signage

- E43. Prior to the issue of any relevant occupation certificate, wayfinding signage and signage identifying the location of staff car parking must be installed.
- E44. Prior to the issue of any relevant occupation certificate, bicycle wayfinding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.

## Illuminated Signage

- E45. Prior to the issue of any relevant occupation certificate for the relevant stage, the Applicant must provide evidence to the certifier demonstrating that any illuminated signage at the site will not result in unacceptable glare, impact on residential amenity of surrounding residents or affect the safe operation of vehicles.

## Operational Waste Management Plan

- E46. Prior to the issue of the occupation certificate for each stage, the Applicant must prepare an Operational Waste Management Plan (OWMP) for the development to the satisfaction of the Certifier. The OWMP must:
- (a) be consistent with the operational waste requirements of the relevant stage specified in the *Minarah College Waste Management Plan*, prepared by the Waste Audit and Consultancy Services (Aust) Pty Ltd and dated May 2024;
  - (b) detail the type and quantity of waste to be generated during operation of the development;
  - (c) 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);
  - (d) detail the materials to be reused or recycled, either on or off site;
  - (e) include the management and mitigation measures included in Appendix C of the Response to Submissions for the amended proposal;
  - (f) shall address the acoustic impact of the operational waste components as identified by condition B12; and
  - (g) be submitted to the Planning Secretary.

## Site Contamination

- E47. Prior to the issue of the occupation certificate for Stage 1, the Applicant must submit a Section A1 Site Audit Statement or a Section A2 Site Audit Statement accompanied by an Environmental Management Plan prepared by a NSW EPA accredited Site Auditor. The Section A1 or A2 Site Audit Statement must verify the whole site is suitable for the intended land use and be provided, along with any Environmental Management Plan to the Planning Secretary and the Certifier.

## Landscaping

- E48. Prior to the issue of any relevant occupation certificate, landscaping of the site must be completed in accordance with landscape plan(s) approved under condition B17. The project arborist(s) must submit to the Certifier a certificate that confirms:
- (a) all tree protection requirements were complied with for the duration of the construction works in accordance with the *Arboricultural Impacts Assessment and Tree Protection Plan*, Version 2, prepared by Tree Survey and dated 18 April 2024 and Australian Standard AS 4970:2025 *Protection of trees on development sites*.

- (b) all completed works relating to tree protection and maintenance have been carried out in compliance with the conditions of consent and approved plans (as amended by conditions of this consent);
  - (c) dates, times and reasons for all site attendance by the project arborist(s); and
  - (d) all works undertaken to maintain the health of retained trees.
- E49. Prior to the issue of any relevant occupation certificate, the Applicant must prepare and implement an Operational Landscape Management Plan to manage the revegetation and landscaping on-site, to the satisfaction of the Certifier. The plan must:
- (a) include the tree maintenance schedule prepared as required by condition C34;
  - (b) describe the ongoing monitoring and maintenance measures to manage revegetation and landscaping; and
  - (c) be consistent with the Applicant's management and mitigation measures as set out in Appendix C of the Response to Submissions for the amended proposal.
- E50. The Applicant must not commence operation until the Operational Landscape Management Plan is submitted to the Planning Secretary within seven days upon request.

### **Asset Protection Zones**

- E51. Prior to the issue of an occupation certificate the entire property must be managed as an inner protection area in accordance with the requirements set out in Appendix 4 of Planning for Bush Fire Protection 2019. When establishing and maintaining an inner protection area the following requirements apply:
- (a) tree canopy cover should be less than 15% at maturity;
  - (b) trees at maturity should not touch or overhang the building;
  - (c) lower limbs should be removed up to a height of 2m above the ground;
  - (d) tree canopies should be separated by 2 to 5m;
  - (e) preference should be given to smooth barked and evergreen trees;
  - (f) large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
  - (g) shrubs should not be located under trees;
  - (h) shrubs should not form more than 10% ground cover;
  - (i) clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
  - (j) grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
  - (k) leaves and vegetation debris should be removed.
- E52. Prior to the issue of an occupation certificate, the fire trail to the rear of the site must be completed in accordance with the requirements in condition A28.

### **Evacuation and Emergency Planning**

- E53. Prior to the issue of any relevant occupation certificate, a Bush Fire Emergency Management and Evacuation Plan must be prepared consistent with *Development Planning – A guide to developing a Bush Fire Emergency Management and Evacuation Plan* (NSW RFS, 2014).

*Note: A copy of the Bush Fire Emergency Management and Evacuation Plan should be provided to the Local Emergency Management Committee for its information prior to occupation of the development.*

### **Flood Emergency Management Plan**

- E54. Prior the commencement of the operation of the relevant development stage, a Flood Emergency Management Plan must be finalised and submitted to the Certifier that:
- (a) has been prepared by a suitably qualified and experienced person(s);

- (b) has been prepared in consultation with NSW State Emergency Service (NSW SES) noting the limitations described in the NSW Floodplain Development Manual Appendix N, section N7;
  - (c) be consistent with the Flood Emergency Response Plan in the *Preliminary Overland Flow Assessment and Flood Emergency Response Plan*, P2108320JR09V05, Revision 5, prepared by Martens and Associates Pty Ltd and dated 27 June 2025;
  - (d) incorporates and complies with any advice provided by NSW SES required by condition E54(b);
  - (e) addresses the provisions of the Environment and Heritage Group (EHG) of the Department of Climate Change, Energy, the Environment and Water's *Floodplain Risk Management Guidelines*;
  - (f) has regard to the findings of the Supplementary Flood Assessment required by Condition E56;
  - (g) incorporates the following:
    - (i) the flood emergency management protocols for operational phase of the development;
    - (ii) predicted flood levels within the site and within the adjoining road system and other public land expected to be used by students and visitors;
    - (iii) details strategies such as early or pre-emptive school closure, and other management requirements where relevant and where consistent with SES advice;
    - (iv) provides clear emergency management triggers and responses;
    - (v) details of flood warning time and flood notification;
    - (vi) details assembly points and flood free routes where required;
    - (vii) identifies clear roles and responsibilities for emergency flood management within the school;
    - (viii) recognise that the NSW SES is the lead combat agency for floods and states that any flood response directive issued by the NSW SES must be followed;
    - (ix) provide clear messaging and communication protocols;
    - (x) includes clear requirements that the Plan be regularly reviewed; and
  - (h) include details of awareness training for employees, contractors, visitors, students and caregivers and induction of new staff members.
- E55. Prior to finalisation of the Flood Emergency Management Plan required by Condition E54 a suitably qualified and experienced person must prepare a Supplementary Flood Assessment that identifies what the trigger is, the timeline that is necessary to commence evacuation and the timeline that evacuation of the entire school is to be completed, to ensure no person, child or student is required to cross flood waters greater than H1 or H2, either within the development site or within the evacuation path identified in the *Flood Emergency Response Plan in the Preliminary Overland Flow Assessment and Flood Emergency Response Plan*, P2108320JR09V05, Revision 5, prepared by Martens and Associates Pty Ltd and dated 27 June 2025.
- E56. The Supplementary Flood Assessment must include and consider the worst-case rate of rise of flood waters within the development site and within the evacuation path having regard to estimated timelines for commencing excavation of the school, leaving the school site, through to arrival of the students and children at the nominated evacuation centre to confirm the level of risk of the school evacuation proposal.
- E57. A copy of the Flood Emergency Management Plan required by condition E54 must be provided to the Planning Secretary upon request within seven days.

### **Biosecurity Risk Management**

- E58. Prior the commencement of the operation of the relevant development stage, an Operational Biosecurity Management Plan must be submitted to the satisfaction of the Certifier that:
- (a) has been prepared by a suitably qualified and experienced person(s);

- (b) be consistent with the recommendations of the *Biosecurity and Agricultural Land Use Conflict Risk Assessment Prepared for Minarah College – Catherine Fields*, prepared by PeritusAg Advisory and dated 7 March 2025;
- (c) include details of:
  - (i) movement of soil on and near the site;
  - (ii) source of soil or bulk organic materials;
  - (iii) offsite movement of water and sediment;
  - (iv) ongoing engagement with relevant stakeholders;
  - (v) monitoring of long term regional agricultural trends; and
  - (vi) clear requirements that the Plan be regularly reviewed and updated to identify new biosecurity risks and implement appropriate measures to mitigate new risks.

## **PART F POST OCCUPATION**

### **Use and Hours of School and ELC Operation**

- F1. The hours of operation for the approved school development is restricted as follows:
- (a) school core hours: 8:20am to 3:20pm, Monday to Friday;
  - (b) out of school hours care: 7am to 6:30pm, Monday to Friday;
  - (c) multi-purpose high school hall: 8:20am to 9pm, Monday to Friday, and 9am to 9.30pm, Saturday to Sunday;
  - (d) primary school hall: 7am to 6.30pm, Monday to Friday; and
  - (e) sports field: 8:20am to 9pm, Monday to Friday, and 9am to 9pm, Saturday and Sunday.
- F2. The primary school hall must not be used during the hours between 7am and 8:20am, other than for the operation of the out of school hours care.
- F3. The hours of operation for the approved ELC development are restricted to the hours between 7am to 6pm, Monday to Friday.

### **Out of Hours Event Management Plan (School Use)**

- F4. Prior to the commencement of the first out of hours events (school use) run by the school that involve 100 or more people, the Applicant is to prepare an Out of Hours Event Management Plan (School Use) and submit it to the Council for information. The plan must be made publicly available on the school's website at least one week prior to the event and include the following:
- (a) the number of attendees, time and duration;
  - (b) arrival and departure times and modes of transport;
  - (c) where relevant, a schedule of all annual events;
  - (d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);
  - (e) details of the use of the sports field, where applicable, restricting use before 8:20am and after 9pm on weekdays and before 9am and after 9pm on weekends, as well as ensuring that attendees of events have left the school site before 10pm;
  - (f) details of the use of the multi-purpose high school hall, where applicable, restricting use 8:20am and after 9pm on weekdays and before 9am and after 9.30pm on weekends, as well as ensuring that attendees of events have left the school site before 10pm;
  - (g) measures to minimise localised traffic and parking impacts; and
  - (h) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan to ensure compliance with Noise Policy for Industry (2017) or any latest version.
- F5. The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified events or use and shall be updated before each new stage of operation.

### **Out of Hours Event Management Plan (Community Use)**

- F6. Prior to the commencement of out of hours events (community use) run by the external parties that involve 100 or more people, the Applicant is to prepare an Out of Hours Event Management Plan (Community Use) in consultation with Council and submit it to Council for information. The plan must be made publicly available on the school's website at least one week prior to the event and include the following:
- (a) the number of attendees, time and duration;
  - (b) arrival and departure times and modes of transport;
  - (c) where relevant, a schedule of all annual events;
  - (d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);

- (e) details of the use of the sports field, where applicable, restricting use before 8:20am and after 9pm on weekdays and before 9am and after 9pm on weekends, as well as ensuring that attendees of events have left the school site before 10pm;
- (f) details of the use of the multi-purpose high school hall, where applicable, restricting use 8:20am and after 9pm on weekdays and before 9am and after 9:30pm on weekends, as well as ensuring that attendees of events have left the school site before 10pm;
- (g) measures to minimise localised traffic and parking impacts; and
- (h) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.

F7. The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified community event or use to ensure compliance with *Noise Policy for Industry* (2017) or any latest version. The Out of Hours Event Management Plan shall be reviewed and updated where required before each new stage of operation commences.

### **Operation of Plant and Equipment**

F8. All plant and equipment used on site must be maintained in a proper and efficient condition operated in a proper and efficient manner.

### **Warm Water Systems and Cooling Systems**

F9. The operation and maintenance of warm water systems and water cooling systems (as defined under the Public Health Act 2010) must comply with the Public Health Act 2010, Public Health Regulation 2012 and Part 2 (or Part 3 if a Performance-based water cooling system) of AS/NZS 3666.2-2011 *Air-handling and water systems of buildings – Microbial control, Part 2: Operation and maintenance* and the NSW Health Code of Practice for the Control of Legionnaires' Disease.

### **Community Communication Strategy**

F10. The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 24 months following the completion of final stage of construction.

### **Operational Transport and Access Management Plan (OTAMP)**

F11. The OTAMP approved under condition E18 (as revised from time to time) must be implemented by the Applicant for the life of the development.

### **Operational Biosecurity Management Plan**

F12. The Operational Biosecurity Management Plan required under condition E59 (as updated from time to time) must be implemented by the Applicant for the life of the development.

### **Operational Wastewater Management Plan**

F13. The Operational Wastewater Management Plan required under condition E19 (as updated from time to time) must be implemented by the Applicant for the life of any development relying on an on-site wastewater management system.

### **Flood Emergency Management Plan**

F14. The Flood Emergency Management Plan required under condition E54 (as updated from time to time) must be implemented by the Applicant for the life of any development.

### **Stormwater Management Plan**

F15. The SOMP required under condition E37 (as updated from time to time) must be implemented by the Applicant for the life of the development.

### **Operational Noise Limits and Management**

F16. The Operational Noise Management Plan required under condition E28 (as updated from time to time) must be implemented by the Applicant for the life of the development.

F17. During the life of the development, the use and occupation of the premises, including all plant and equipment, must not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997*.

- F18. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in the *Environmental Noise Impact Assessment, New Education Campus – Minarah College, 268 – 278 Catherine Fields Road, Catherine Field, NSW, 7280-1.2R Rev G*, prepared by Day Design Pty Ltd and dated 8 May 2025.
- F19. Short term operational noise monitoring must be:
- (a) carried out within 4 months of commencement of use of the proposed buildings, associated open spaces and wastewater treatment plant in the relevant stage approved by this development consent;
  - (b) carried during school term during operational hours on a typical school day(s); and
  - (c) undertaken by an appropriately qualified person in accordance with the NSW EPA's 'Approved methods for the measurement and analysis of environmental noise in NSW' where valid data is collected.
- F20. The resultant monitoring report prepared by the appropriately qualified person must be submitted to the Planning Secretary within 5 months of commencement of use of each stage of development including associated open spaces and wastewater treatment plant to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified in the *Environmental Noise Impact Assessment, New Education Campus – Minarah College, 268 – 278 Catherine Fields Road, Catherine Field, NSW, 7280-1.2R Rev G*, prepared by Day Design Pty Ltd and dated 8 May 2025.
- F21. Should the noise monitoring program required by condition F18 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 when measured at the affected noise sensitive receivers, or provide attenuation measures at the affected noise sensitive receivers.

#### **Unobstructed Driveways and Parking Areas**

- F22. 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.

#### **Green Travel Plan**

- F23. The Green Travel Plan required by condition E17 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary. An initial audit of the Green Travel Plan must be undertaken by a suitably qualified and experienced person(s) within six months after the school first become operational to establish baseline mode share.

#### **Ecologically Sustainable Development**

- F24. Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 4 star Green Star Design & As Built rating. Evidence of the certification must be provided to the Certifier and the Planning Secretary.
- F25. If an alternative certification process to that required by condition F23 has been agreed to by the Planning Secretary (under condition C12), evidence of compliance of implementation must be provided to the Planning Secretary and Certifier.

#### **Outdoor Lighting**

- F26. Notwithstanding condition D37, 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.

#### **Landscaping**

- F27. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B17 for the duration of the development.

### **Bush Fire Asset Protection Zones**

F28. The asset protection zones required by condition E51 shall be maintained for the duration of occupation of the development.

### **Bush Fire Emergency Management and Evacuation Plan**

F29. The site must be managed and operated in accordance with the Bush Fire Emergency Management and Evacuation Plan required by condition E53 for the duration of the development.

### **Signage**

F30. All signage approved under this consent must be continuously maintained in a structurally sound and tidy manner by the Applicant for the duration of the development.

### **Decommissioning of Wastewater Management System**

F31. The development must establish a connection to a reticulated sewerage service within 12 months of a viable connection becoming available within 75m of the site boundary, or within another timeline agreed to by the relevant reticulated sewerage authority. Evidence of connection must be submitted to Council for information. Evidence of a different timeline being agreed to by the authority must be provided to the Planning Secretary within 12 months of the viable connection becoming available.

F32. Upon a connection to the reticulated sewerage service (when available), the site's on-site sewage management system(s) must be decommissioned in accordance with the NSW Health guidelines and to the satisfaction of the Certifier. The Applicant must notify Council within seven days of satisfactory decommissioning.

### **Water Supply**

F33. The filling of the 35 kilolitres potable water break tank (as required by condition B29) as a temporary measure until upgraded reticulated water connection with adequate capacity becomes available, must be restricted to off-peak hours between 9pm and 5am, unless another timeframe is agreed to by Sydney Water.

## **APPENDIX 1 ADVISORY NOTES**

### **General**

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

### **Long Service Levy**

AN2. For work costing \$250,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Corporation on 131 441.

### **Legal Notices**

AN3. Any advice or notice to the consent authority must be served on the Planning Secretary.

### **Access for People with Disabilities**

AN4. The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of construction, the Certifier 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.

### **Utilities and Services**

AN5. Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

AN6. 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.

### **Road Design and Traffic Facilities**

AN7. All roads and traffic facilities must be designed to meet the requirements of Council or TfNSW (whichever is applicable). The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road or pavement construction works.

### **Road Occupancy Licence**

AN8. A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.

### **SafeWork Requirements**

AN9. To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.

### **Hoarding Requirements**

AN10. The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

### **Handling of Asbestos**

AN11. The Applicant must 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.

### **Speed limit authorisation**

AN12. At least eight weeks prior to the commencement of operation, the Applicant must submit the following details to TfNSW and obtain authorisation to install School Zone signs and associated pavement markings, and / or removal / relocation of any existing Speed Limit signs:

- (a) a copy of the conditions of consent;

- (b) the proposed school commencement/opening date;
- (c) two sets of detailed design plans showing the following:
  - (i) accurate Site boundaries;
  - (ii) details of all road reserves, adjacent to the Site boundaries;
  - (iii) all proposed access points from the Site to the public road network and any additional conditions imposed/proposed on their use;
  - (iv) all existing and proposed pedestrian crossing facilities on the adjacent road network;
  - (v) all existing and proposed traffic control devices and pavement markings on the adjacent road network (including School Zone signs and pavement markings); and
  - (vi) all existing and proposed street furniture and street trees.

#### **Fire Safety Certificate**

AN13. 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.

## APPENDIX 2 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

### Incident Notification Requirements

1. All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under condition A35 or, having given such notification, subsequently forms the view that an incident has not occurred.
3. Within **seven days** (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with condition A35), the Applicant is required to submit a subsequent incident report that:
  - a. identifies how the incident was detected;
  - b. identifies when the Applicant became aware of the incident;
  - c. identifies any actual or potential non-compliance with conditions of consent;
  - d. identifies further action(s) that will be taken in relation to the incident; and
  - e. a summary of the incident;
  - f. outcomes of an incident investigation, including identification of the cause of the incident;
  - g. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
  - h. details of any communication with other stakeholders regarding the incident.
4. The Applicant must submit any further reports as directed by the Planning Secretary.