



Operation Compliance Report

Loreto Normanhurst
Redevelopment of the Loreto Normanhurst School
Normanhurst, NSW
SAA230002.01
7 March 2024

Application Number	SSD 8996
Reporting Period	September 2022 – January 2024
Proponent	Loreto Normanhurst
Compliance Report Version	V1.0
Preparation Date	29/01/2024
Declaration	Name: Danielle Dwyer Title: Director of Business Services

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1 INTRODUCTION

The Loreto Normanhurst school (Loreto) has identified a need for excellent schools in Sydney's north and have developed a 30 year master plan to guide the planning of the campus to update the school's space and surroundings to address this need.

Loreto submitted a State Significant Development application for the 30 year concept plan and Stage 1 of the redevelopment of the school (the project) which was approved in 2021.

This Operational Compliance Report has been developed to satisfy condition A38 of SSD 8996:

Compliance Report for the project must be prepared and submitted in accordance with the Compliance Reporting Post Approval Requirements (2020).

The project is located at 91-93 Pennant Hills Road, Normanhurst NSW 2076 in the Hornsby Shire Council LGA. Refer to **Figure 1**.



Figure 1 Loreto Normanhurst Campus (source Operational Transport and Access Management Plan)

1.1 Project Description and Activities

As per SSD 8996, Stage 1 of the development is comprised of the following substages:

- **Sub-stage 1:** Reconfiguration and landscaping of P3A Osborn Road Carpark
- **Sub-stage 2:** Construct through site road including 3 pick-up/drop-off spaces and landscaping
- **Sub-stage 3:** Including:
 - Reconfigure P2 Admin/Chapel and Pennant Hills carparks
 - Demolish existing tennis courts and sheds
 - Construct P1A Tennis Court carpark including two new tennis courts.
 - Surrounding landscaping
- **Sub-stage 4:** Including:
 - Relocate uniform shop
 - Demolish Loreto. Community House and associated buildings
 - Construct boarding accommodation building
 - Reconfigure P4 Primary carpark
 - Surrounding landscaping
- **Sub-stage 5:** Including:
 - Demolish 3 multi-purpose courts/structures
 - Construct P4A Multipurpose carpark including three new multi-purpose courts
- **Sub-stage 6:** No physical works (except for provision of 10 bicycle parking spaces)

Sub-stages 1-3 construction works were completed in 2022 and have been operational since the 29 September 2022. No further construction activities have been undertaken during the reporting period. Construction works of Sub-stage 4 - 6 are expected to commence in 2024.

Figure 2 illustrates the project footprint for Substages 1 -5 (note: substage 6 does not result in additional disturbance).



Figure 2. Project Footprint (source Loreto Normanhurst Concept Proposal)

1.2 Compliance Background

Epic was previously engaged by CTPG on behalf of Loreto Normanhurst to undertake Independent Environmental Audits (IEA) for Stage 1 of the construction works (comprising of sub-stages 1, 2 and 3 post construction and substage 4 preconstruction) for the Loreto Normanhurst School redevelopment. The IEAs were required by the State Significant Development (SSD) 8996 consent. Two IEAs were undertaken between 16 June 2022 and 29 July 2022 and 26 March 2023 and 28 April 2023.

1.3 Compliance Reporting Period

This Operational Compliance Report covers the period of operations of the Project from September 2022 until January 2024.

1.4 Key Personnel

Key personnel who are responsible for the environmental management of the development during the operation are outlined in **Table 1**.

Table 1. Key Personnel

Name	Organisation	Position
Danielle Dwyer	Loreto	Director of Business Services
Michael Foulstone	Loreto	Campus Manager

2 PREVIOUS REPORT ACTIONS

Table 2 summarises the actions identified in previous IEAs and the proponent’s response that have been, or are proposed to be, undertaken to address the action.

Table 2. Action status table

Source	Condition	Action Proposed	Proposed Completion Date	Status	Action Completed
2023 IEA	A19, C16(b), C18(a)	Sub-stages 1 - 3 have been completed. Prior to the commencement of sub-stages 4 - 6: <ul style="list-style-type: none"> The Construction Pedestrian and Traffic Management Plan (CPTMP) will be provided to Council and TfNSW for comment The Construction Soil and Water Management Plan (CSWMP) will be provided to Council for comment The updated CPTMP and CSWMP will be provided to the Planning Secretary including records of completed consultation 	March 2023	Open	The requirements of these conditions will be addressed prior to construction commencing for the relevant substage March 2024 update: Construction of Substage 4 is scheduled to commence in June 2024
2023 IEA	A36	All relevant strategies, plans and programs required under this consent to be reviewed (where relevant) and the Planning Secretary and the Certifier to be notified in writing in accordance with the requirements of this condition	Upon commencement of construction activities for future substages	Open	The requirements of this condition will be addressed prior to construction commencing for the relevant substage March 2024 update: Construction of Substage 4 is scheduled to commence in June 2024
2023 IEA	A38, A39	All future IEA’s to be undertaken in accordance with the Compliance Reporting Post Approval Requirements (2020) and IEA reports to be submitted to the planning Secretary within the specified timeframe.	Upon commencement of construction activities for future substages	Open	The requirements of these conditions will be addressed as required upon the commencement of construction for the relevant substage March 2024 update: Construction of Substage 4 is scheduled to commence in June 2024
2023 IEA	C4	Provide archival recordings to Council for information as required by this condition. Prior to sub-stages 4 - 6 the archival recordings will be provided to Council for information as required by Condition C4.	Upon commencement of construction activities for future substages	Closed	The Occupational Certificate issued by Blackett Maguire and Goldsmith on 20 October 2022. It states, "We have also submitted a copy of the documentation relied upon as indicated on the Occupation Certificate via the ePlanning Portal for Council’s record".
2023 IEA	C13	The CEMP, and relevant sub-plans for substages 4 - 6 to address the requirements of the <i>Environmental Management Plan Guideline: Guideline for Infrastructure Projects</i> .	Upon commencement of construction	Open	The requirements of this condition will be addressed prior to construction commencing for the relevant substage

Source	Condition	Action Proposed	Proposed Completion Date	Status	Action Completed
			activities for future substages		March 2024 update: Construction of Substage 4 is scheduled to commence in June 2024
2022 IEA	C25	The non-compliance related to an event in the past there is no action that could be applied that would address the matter retrospectively. Therefore the Applicant should notify the Planning Secretary of the non-compliance via submission of the IEA report.	October 2022	Closed	The non-conformance was notified to the Planning Secretary through the submission of the initial 2022 IEA.
2023 IEA	D9, D32	Ensure the management measures implemented onsite are in accordance with the commitments made in the CEMP and sub-plans: The Contractor's waste register is to identify the fate (i.e. reused, recycled, stockpiled or disposed) of the waste material leaving site for substages 4 – 6.	Prior to commencement of construction activities for future substages	Open	The requirements of these conditions will be addressed prior to construction commencing for the relevant substage March 2024 update: Construction of Substage 4 is scheduled to commence in June 2024
2023 IEA	D38, D40	All future IEAs are to be undertaken in accordance with the <i>Independent Audit Post Approval Requirements (2020)</i> .	Upon commencement of construction activities for future substages	Open	The requirements of these conditions will be addressed prior to construction commencing for the relevant substage March 2024 update: Construction of Substage 4 is scheduled to commence in June 2024
2023 IEA	D41	Submit all future IEA Reports in accordance with the schedule outlined in Table 1 of the <i>Independent Audit Post Approval Requirements (2020)</i> .	Upon commencement of construction activities for future substages	Closed	The 2023 IEA Report was submitted to the Planning Secretary within the required timeframe prescribed in the Independent Audit Post Approval Requirements (2020).

3 COMPLIANCE STATUS SUMMARY

The descriptions in **Table 3** were used to identify the compliance status of each condition of consent. Refer to **Appendix A** for the complete compliance assessment table.

Table 3. Compliance status descriptors

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

3.1 Non Compliances

No non-compliances against the conditions of the consent (SSD 8996) for the operational phase on Substages 1-3 were identified for the reporting period.

Table 4. Non -compliances

Condition	Compliance Status	Requirement	Detail of Non-Compliance	Agency Non-Compliance was reported too	Proponents Response

4 INCIDENTS

There were no environmental incidents related to the operation of the of Substages 1-3 during the reporting period.

5 COMPLAINTS

There were no complaints received related to the operation of the of Substages 1-3 during the reporting period.

6 ACRONYMS

C	Compliant
CEMP	Construction Management Plan
CNVMP	Construction Noise and Vibration Management Plan
CPTMP	Construction Pedestrian and Traffic Management Plan
CSWMP	Construction Soil and Water Management Plan
CTPG	Carmichael Tompkins Property Group
DCCEEW	Department of Climate Change, Energy, the Environment and Water
DPE	Department of Planning and Environment (Now split into two departments, DCCEEW and DPHI)
DPHI	Department of Planning, Housing and Infrastructure
IEA	Independent Environmental Audit
NC	Non-compliant
OPI	Opportunity for Improvement
SSD	State Significant Development
TfNSW	Transport for NSW

7 LIMITATIONS AND DISCLAIMER

Epic Environmental Pty Ltd (Epic) has prepared the following report for the exclusive benefit of Loreto Normanhurst (Client) and for the singular purpose of developing a compliance report under SSD 8996 at Normanhurst, NSW. All interpretations, finding or recommendations outlined in this report should be read and relied upon only in the context of the report as a whole.

The following report cannot be relied upon for any other purpose, at any other location or for the benefit of any other person, without the prior written consent of Epic. Except with Epic's prior written consent, this report may not be:

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- b. used or relied upon by any other party
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APPENDIX A COMPLIANCE TABLE





APPENDIX B COMPLAINE REPORT DECLARATION FORM





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**Loreto Normanhurst School Redevelopment
Operations Compliance Report**

Determination of a Development Application for State Significant, Development Consent (8996)

Condition Ref	SSD 8996 Requirement (exact wording)	Development Phase	Evidence and Comment	Recommendations	Assessment Compliant (C) Non-Compliant (NC) Not Triggered (NT)
SCHEDULE 3 - CONDITIONS OF CONSENT FOR STAGE 1 WORKS					
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.	At all times	<p>IEA finding: Construction for substages 1-3 were complete at the time of the site inspection, and construction works for substage 4 had not commenced at the time of this compliance report.</p> <p>Observations made during the site inspection confirmed that the site had been left in a stable condition:</p> <ul style="list-style-type: none"> - Landscaping was complete and was well maintained - There was no evidence of sediment build up in gutters or stormwater drains - There was no evidence of construction waste left on site <p>Stage 4 works area:</p> <ul style="list-style-type: none"> - Observations made during the site inspection for the 2023 Compliance Report confirmed that reasonable and feasible performance measures had been implemented to prevent material harm to the environment by: - implementing erosion and sediment controls in accordance with the soil and water management plan and removing all waste offsite. 		C
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 EIS, RtS and Sorts; and (d) in accordance with the approved plans in the table below (as may be amended by the conditions in Schedule 3 Part A)	At all times	There was no evidence of non-compliance with requirements (a) to (d) observed during the 2023 IEA, although it should be noted that construction for substage 1-3 was complete at the time of the audit and substage 4 constructing works had not commenced at the time of this Compliance Report.		C
A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; (b) any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and (c) the implementation of any actions or measures contained in any such document referred to in (a) above.	At all times	The Department reviewed the 2022 IEA undertaken in June/July 2022 and provided a request for additional information. All comments have been addressed by the Auditor and CTPG and accepted by the Department (24/03/2023).		C
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 Schedule 3 condition A2(c) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in Schedule 3 condition A2(c) and A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	At all times	This condition is provided for clarification		NT
Limits of Consent					

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Condition Ref	SSD 8996 Requirement (exact wording)	Development Phase	Evidence and Comment	Recommendations	Assessment Compliant (C) Non-Compliant (NC) Not Triggered (NT)
A5	This consent lapses five years after the date of consent unless work is physically commenced within the meaning of section 4.53(4) of the EP&A Act.	At all times	The construction works for sub-stages 1 - 3 (as detailed under condition B1) were observed to have been completed during the site inspection. Sub-stage 4 had not commenced at the time of this Compliance Report.		C
Student and Staff Numbers					
A6	A maximum school population of 1650 students (500 additional students) and 290 (36 additional) staff are permitted at the school at any one time as part of Stage 1 works.	Operations during construction	Loreto confirmed that the number of students and staff did not exceed 1650 and 290 respectively during the reporting period		C
A7	A maximum of 216 students (enrolled at the school) are permitted as boarders within the Boarding Accommodation at any one time as part of the Stage 1 works.	Operations during construction	Loreto confirmed that the number of students and staff did not exceed 1650 and 290 respectively during the reporting period		C
A8	Notwithstanding Schedule 2 condition A6: (a) the increase in student and staff population must be staged in accordance with the specified maximum population listed for each substage in the amended staging plan required by Schedule 3 condition 81; (b) no increase in student numbers is permitted unless the five additional drop-off/pick-up spaces, the through site road and two additional bus bays are constructed and operational on the site; and (c) the sequential increase in the student and staff population for the relevant substage must only occur once evidence is provided to the satisfaction of the Certifier demonstrating that the specified transport infrastructure for the relevant substage has been completed in accordance with the amended staging plan required by Schedule 3 condition 81.	Operations during construction	Substages 1 - 3 were completed in October 2022 and compliance with this condition for these stages was confirmed during the 2022 IEA via detail included in the Staging Report Rev03. The amended Staging Report Rev 04 also confirmed compliance with this condition: - Section 1.2.1 Stage 1 Works Substages: table includes maximum permitted student and staff numbers per substage. Substage 4 construction has not yet commenced.		C
Staging					
A9	The project may be constructed and operated in stages. Where compliance with conditions is required to be staged due to staged construction or operation, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the satisfaction of the Planning Secretary. The Staging Report must be submitted to the Planning Secretary no later than one month before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation).	Construction and operations	IEA finding: A copy of the amended Staging Report Rev 04 was received as evidence. A copy of the letter received from the secretary (dated 16/12/2022) indicating that the requirements of condition A9 of SSD8669 have been satisfied and stated: - was originally approved under condition A9 by the Department on 10 December 2021 (revision 3 dated 7 December 2021) - was reviewed by the applicant - no issues raised - contains information required by conditions A10 of the consent - number of substages remains unchanged with the exception of timelines for substages 4 - 5 and demolition and hard and soft landscaping form substage 4 and 5 - Satisfied that the Staging Report Revision 4 had been prepared in accordance with conditions A13c) and A14 of SSD-8996		C

**Loreto Normanhurst School Redevelopment
Operations Compliance Report**

Determination of a Development Application for State Significant, Development Consent (8996)

Condition Ref	SSD 8996 Requirement (exact wording)	Development Phase	Evidence and Comment	Recommendations	Assessment Compliant (C) Non-Compliant (NC) Not Triggered (NT)
A10	<p>A Staging Report prepared in accordance with Schedule 3 condition A9 must:</p> <p>(a) be generally consistent with the construction staging plan detailed in 'Loreto Normanhurst School Redevelopment (Concept and Stage 1 DA) - SSD 8996 Staging Plan', prepared by Ethos Urban and dated 19 May 2021 as amended by Schedule 3 condition B1;</p> <p>(b) demonstrate that the student/ staff number increase, car parking numbers, pick-up/ drop-off facilities would be provided in accordance with the approved staging plan, as amended by Schedule 3 condition B 1;</p> <p>(c) demonstrate the four existing pick-up/drop-off spaces next to the Gonzaga Barry building and accessed from Osborn Road would not be removed and would remain in operation until the five new pick-up/drop-off spaces and associated infrastructure have been constructed and are operational;</p> <p>(d) set out how the construction of the whole of Stage 1 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;</p> <p>(e) set out how the operation of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);</p> <p>(f) specify how compliance with conditions will be achieved across and between each of the stages of the project; and</p> <p>(g) set out mechanisms for managing any cumulative impacts arising from the proposed staging.</p>	<p>Construction and operations</p>	<p>IEA finding: The Staging Report Rev 04, dated 19/11/2022 was approved by DPE (letter dated 16/12/2022).</p> <p>Detail included in the Staging Report demonstrating compliance with this condition included:</p> <p>a) The table in Section 1.2.1 Stage 1 Works Substages is consistent with the detail outlined in condition B1</p> <p>b) Section 1.2.1 Stage 1 Works Substages outlines:</p> <ul style="list-style-type: none"> - details of the substage, maximum permitted student and staff numbers and transport infrastructure to be provided. <p>c) Section 1.3 Staging Schedule: includes detail outlining that the 5 new spaces will become operational at completion of substages 1 and 2, and the existing 4 spaces next to the Gonzaga Barry Building will be reallocated to bus use (4 bus bay). A statement is also included that access to the spaces will not be removed during construction of substages 1 and 2.</p> <p>d) and e) Section 1.3 Staging Schedule, Table 2: Staging Schedule: identifies the area and activity, duration and relevant substage for stage 1.</p> <p>e) Section 1.3.1 Operation Table 3: Indicative Operation Dates identifies the substage, description and indicative operation date.</p> <p>f) Appendix A includes details of the Development consent conditions for compliance against SSD8996 and identifies:</p> <ul style="list-style-type: none"> - the condition number and wording (detail) - relevant stages - relevant development phases - relevant authority - responsibility for implementing /ensuring compliance <p>g) Section 3 Management of Cumulative Impacts includes a statement that the project will be developed and staged in accordance with the EIS and staging will minimise environmental impacts. No cumulative impacts have been identified. The following subsections outline separation mitigation measures:</p> <ul style="list-style-type: none"> - 3.1.1 fencing and hoarding - 3.1.2 traffic management - 3.1.3 pedestrian protection - 3.1.4 substage mitigation measures. 		C
A11	<p>Where a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.</p>	<p>Construction and operations</p>	<p>IEA finding: At the time of the 2023 Compliance Report, the site inspection confirmed the site works for substages 1 - 3 were compliant with the staging schedule provided in Table 2 of the Staging Report Rev 04. Substage 4 is yet to commence.</p>		C
A12	<p>Where construction or operation is being staged in accordance with a Staging Report, the terms of this consent that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage as identified in the Staging Report.</p>	<p>Construction and operations</p>	<p>IEA finding: At the time of the 2023 Compliance Report, the site inspection confirmed the site works for substages 1 - 3 were compliant with the staging schedule provided in Table 2 of the Staging Report Rev 04. At the time of the 2023 Compliance Report, Substage 4 is yet to commence.</p>		C

Staging, Combining and Updating Strategies, Plans or Programs

**Loreto Normanhurst School Redevelopment
Operations Compliance Report**

Determination of a Development Application for State Significant, Development Consent (8996)

Condition Ref	SSD 8996 Requirement (exact wording)	Development Phase	Evidence and Comment	Recommendations	Assessment Compliant (C) Non-Compliant (NC) Not Triggered (NT)
A13	The Applicant may: (a) prepare and submit any strategy, plan (including management plan, architectural or design plan) or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan (including management plan, architectural or design plan) or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan (including management plan, architectural or design plan) or program); (b) combine any strategy, plan (including management plan, architectural or design plan), or program required by this consent (if a clear relationship is demonstrated between the strategies, plans (including management plan, architectural or design plan) or programs that are proposed to be combined); and (c) update any strategy, plan (including management plan, architectural or design plan), or program required by this consent (to ensure the strategies, plans (including management plan, architectural or design plan), or programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).	Construction and operations	IEA finding: Evidence provided demonstrated that an updated Staging Report (Rev 4, 19/11/2022) and the revised Community Communication Strategy was submitted to and approved by DPE 16/12/2022.		C
A14	Any strategy, plan or program prepared in accordance with condition A 13, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary.	Construction and operations	IEA finding: Evidence provided demonstrated that all the latest approved strategy, plan or program were approved and uploaded to the Planning Portal for substage 1 - 3 (which are now complete). The letter dated 16/12/2022 from DPE confirmed tat the requirements of this condition has been met for the revised Community Communication Strategy. The Proponent confirmed that new site specific management plans will be developed by the awarded contractor for submission and approval prior to the commencement of Substage 4.		C
A15	If the Planning Secretary agrees, a strategy, plan (including management plan, architectural or design plan), or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	Construction and operations	This condition provides permissions to the applicant and is not auditable.		NT
A16	Updated strategies, plans (including management plan, architectural or design plan), or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.	Construction and operations	IEA finding: All documentation provided as evidence for the 2022 IEA for substages 1 -3 were confirmed as being current and up to date. Substage 4 is yet to commence, however the Proponent confirmed that strategies, plans, or programs will be implemented in accordance with the condition that requires the strategy, plan, program or drawing		C
Prescribed Conditions					
A17	The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.	At all times	No prescribed conditions have been applied under the EP&A Regulation.		NT
Planning Secretary as Moderator					

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Determination of a Development Application for State Significant, Development Consent (8996)

Condition Ref	SSD 8996 Requirement (exact wording)	Development Phase	Evidence and Comment	Recommendations	Assessment Compliant (C) Non-Compliant (NC) Not Triggered (NT)
A18	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, to the extent to which the Planning Secretary has power under the EP&A Act.	At all times	The condition is provided for clarification		NT
Evidence of Consultation					
A19	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document for information or approval; and (b) provide details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	Construction of stage 1 substage 4 - 6	This condition requires for consultation triggered by the consent to be undertaken prior to submission of the document for approval. Such consultation is required under sub-clauses C5(a) (Pre-Construction Dilapidation Survey Report), C16(b) (Construction Pedestrian and Traffic Management Plan) and C18(a) (Construction Soil and Water Management Plan). Whilst the consultation required under C5(a), the consultation required under C16(b) and C18(a) was not confirmed during the initial 2022 Compliance Report. Substage 1 - 3 were complete at the time of this Compliance Report and evidence had not been sought retrospectively. The Proponent confirmed that prior to the commencement of substages 4 -6, the relevant management plans will be submitted to the TfNSW and Council.		NT
Structural Adequacy					
A20	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA. Note: Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.	Construction	Construction and occupation certificates sighted demonstrated compliance with the requirements of this condition: - Construction Certificate #1 approved for one way link road between Osborn Road and Mount Pleasant Avenues cross site connection with revised PUDO arrangements (only associated with the redevelopment of the Loreto Normanhurst School) - Construction Certificate #2 approved for increased parking at Osborn Road Carpark and removal of one existing tennis court and replacement of one part underground carpark, with a new sports court constructed on the roof. - Occupation Certificate OC22169 - for remedial works to heritage listed entry gate on Pennant Hills Road - Occupation Certificate OC22128 for the completed redevelopment of Loreto Normanhurst School Substages 1, 2 and 3.		C
External Walls and Cladding					
A21	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Construction - Completion of stage 1 sub-stage 4	This condition is not applicable to substages 1-3 (completed) and will be triggered once the structures are completed for substage 4 and will form part of the building certifications.		NT
Design and Construction for Bush Fire and Emergency Vehicle Access					
A22	Water, electricity and gas must comply with sections 4.1.3 and 4.2.7 of Planning for Bush Fire Protection 2006 (or any other updated version).	Construction	The email from Eco Logical confirmed that bushfire protection measures for construction standards, access, gas, and multi-storey development require no bushfire response to be addressed given the proposed development is greater than 100 m from the bushfire hazard.		C

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Determination of a Development Application for State Significant, Development Consent (8996)

Condition Ref	SSD 8996 Requirement (exact wording)	Development Phase	Evidence and Comment	Recommendations	Assessment Compliant (C) Non-Compliant (NC) Not Triggered (NT)
A23	Landscaping to the site must comply with the principles of Appendix 5 of Planning for Bush Fire Protection 2006 (or any other updated version) and must ensure that the compliance with this provision does not result in removal of additional trees apart from that permitted by this development consent.	Construction	No non-conformances with the landscape designs (section 3, 6 and Appendix A of the Bushfire Protection Assessment) were identified during the reporting period. Email from Eco Logical to the certifier (dated 7/12/21) confirmed compliance with the condition has been satisfied as a result of the findings of the Bushfire Protection Assessment.		C

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Determination of a Development Application for State Significant, Development Consent (8996)

Condition Ref	SSD 8996 Requirement (exact wording)	Development Phase	Evidence and Comment	Recommendations	Assessment Compliant (C) Non-Compliant (NC) Not Triggered (NT)
A24	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 December 2014'.	Construction	Email from Eco Logical to the certifier (dated 7/12/21) confirmed compliance with the condition has been satisfied as a result of the findings of the Bushfire Protection Assessment.		C
A25	Emergency vehicle access must continue to be provided onto the sports fields from Mount Pleasant Avenue and/or Osborn Road.	Construction	Substages 1 - 3 were complete at the time of this Compliance Report, however observations made during the site inspection and confirmation from the Proponent confirmed that emergency access from Mount Pleasant Osbourne Roads had been maintained for the duration of substages 1 - 3 and that emergency vehicle access from Mount Pleasant / Osbourne Roads would be continued during substage 4 construction. The Proponent confirmed that this plan will be reviewed and updated as required for substage 4 and will be submitted to the certifier for approval if required.		C
Applicability of Guidelines					
A26	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.	At all times	The condition is provided for clarification		NT
A27	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.	At all times	The condition is provided for clarification		NT
Monitoring and Environmental Audits					
A28	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, noncompliance 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.	At all times	The condition is provided for clarification		NT
Access to Information					

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A29	At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (i) the documents referred to in Schedule 3 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.	Construction	The 2022 IEA Report was submitted to the Planning Secretary and is available on the Loreto website: https://www.loretonh.nsw.edu.au/about/master-plan/chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.loretonh.nsw.edu.au/documents/26/Loreto_Normanhurst_IEA_Report.pdf		C
Compliance					
A30	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.	Construction and operations	IEA finding: The contractor (Cowyn) was aware of and provided evidence of being provided all conditions of consent as part of the project engagement for Substages 1 - 3. The Proponent confirmed that all employees, contractors (and their sub-contractors) will be made aware of, and will be instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development for substage 4 which is yet to commence.		C
Incident Notification, Reporting and Response					
A31	The Planning Secretary must be notified through the major projects portal immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.	Construction	No incidents causing environmental harm were identified during the Compliance Report.		NT
A32	Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 2.	Construction	No incidents causing environmental harm were identified during the Compliance Report.		NT
Non-Compliance Notification					

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A33	The Planning Secretary must be notified through the major projects portal within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary through the major projects portal within seven days after they identify any non-compliance.	Construction	Non-compliances were identified through the previous audit and the Planning Secretary was notified via submission of the audit report. All RFI items were addressed and the final audit report was submitted via the portal. The letter from DPE confirms that the Compliance Report generally satisfies the reporting requirements of the consent.		C
A34	The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	Construction	Non-compliances were identified through the previous audit and the Planning Secretary was notified via submission of the audit report which identified . All RFI items were addressed and the final audit report was submitted via the portal. The letter from DPE confirms that the Compliance Report generally satisfies the reporting requirements of the consent.		C
A35	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Construction	No incidents causing environmental harm were identified during the Compliance Report.		NT
Revision of Strategies, Plans and Programs					
A36	<p>Within three months of:</p> <p>(a) the submission of a compliance report under Schedule 3 condition A38; (b) the submission of an incident report under Schedule 3 condition A32; (c) the submission of an Independent Audit under Schedule 3 condition D37; (d) the approval of any modification of the conditions of this consent; or (e) the issue of a direction of the Planning Secretary under Schedule 3 condition A2 which requires a review</p> <p>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.</p>	Construction of stage 1 sub-stage 4 - 6	<p>The 2022 IEA was undertaken between June and July 2022, with the IEA report submitted to the Planning Secretary in October 2022. Subsequently the Planning Secretary requested additional information be provided in relation to the IEA (dated 17/02/2023 and 21/03/2023). All items were addressed, and a final report was submitted and accepted by the Department in March 2023.</p> <p>The requirement to undertake a review of the strategies, plans and programs required under this consent within 3 months of (c) the submission of an Independent Audit under Schedule 3 condition D37 did not occur as works for substage 1 - 3 as works were complete prior to the submission of the 2022 IEA.</p> <p>The Proponent confirmed that all strategies, plans and programs will be updated as required for future stages of the project (substages 4 – 6).</p>		NT
A37	<p>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.</p> <p>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.</p>	Construction of stage 1 sub-stage 4	The Proponent confirmed that new strategies, plans and programs relevant to Substage 4 will be developed and submitted to the Planning Secretary and the Certifier for review and approval. They will also be published as required.		C
Compliance Reporting					

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A38	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (2020).	Operations	Correspondence received from CTPG indicates that DPPI were informed operations phase of Substages commenced March 2023 - The CR is therefore due March 2024		C
A39	Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements (2020), unless otherwise agreed by the Planning Secretary.	Operations	Correspondence received from CTPG indicates that DPPI were informed operations phase of Substages commenced March 2023 - The CR is therefore due March 2024		C
A40	The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary.	Operations	Action: Ensure Operations Compliance Report is made publicly available 60 after submission to Planning Secretary		NT
A41	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (2020), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.	Operations	Compliance reports are triggered during operations pursuant to <i>Compliance Reporting Post Approval Requirements (2020)</i> .		NT
PART B PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE					
Amendments to staging of student and staff increases and transport infrastructure facilities					
B1	Prior to the issue of any construction certificate in relation to Stage 1, a revised staging plan must be prepared and submitted to the satisfaction of the Planning Secretary. The revised staging plan must incorporate all substages, associated maximum permitted student and staff numbers and the required transport infrastructure as listed in the table below:	Construction	IEA finding: An amended staging plan was approved Substage 4 was approved by the DPE dated 16/12/2023. Construction certificates have been obtained for substages 1 - 3.		C
Design Amendments					

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B2	<p>Prior to the issue of any construction certificate for Stage 1, the approved architectural and landscape plans listed in Schedule 3 condition A2 relating to the boarding accommodation building must be amended to incorporate the following changes to the design of the boarding accommodation building to the satisfaction of the Planning Secretary:</p> <p>(a) the at-grade waste collection area including associated hard stand areas and separate driveway must be deleted and the existing trees in this location (Tree Nos. 227, 321, 323, 324, 328, 331, 335, 336 and 337 as identified on the landscape plans) must be retained;</p> <p>(b) the design of the basement must be amended to enable the trees listed in (a) above to be retained;</p> <p>(c) the waste collection area must be relocated to the basement;</p> <p>(d) the design of the basement, including ceiling clearance and turning circle, must be redesigned to enable a waste collection vehicle to enter and exit the basement in a forward direction;</p> <p>(e) the redesigned basement required by (b) above must not result in the removal of any other existing trees; and</p> <p>(f) the tree identified as T195 on Landscape Drawing L-000, Revision C, prepared by Oculus and dated 16/07/21 must be retained through design mitigation and tree protection measures to allow for access and retention of the existing tree.</p>	Construction	<p>IEA finding: A review of the landscape plans uploaded to the Planning Portal confirmed that the landscape plans had been amended in accordance with the requirements of this condition.</p> <p>The letter from DPE acknowledged the submission of the landscape and architectural plans submitted to the Planning Secretary in accordance with conditions B2, B3, B4, B5, B18 and D20 of SSD 8996, lists the updated plans and relevant consent conditions and includes a statement approving the plans required under these conditions of consent.</p> <p>Substage 4 is yet to commence. The construction certificate will be issued at the completion of Stage 1.</p> <p>The Proponent confirmed that the plans required to be submitted and approved prior to the commencement of Substage 4 were still in progress at the time of this Compliance Report.</p>		C
B3	<p>Prior to the issue of any construction certificate for Stage 1, the approved architectural and landscape plans listed in Schedule 3 condition A2 relating to the P3A Osborn Road carpark must be amended to incorporate the following changes to the design of the P3A Osborn Road carpark to the satisfaction of the Planning Secretary:</p> <p>(a) existing tree nos. T413 to T420 and T472 as identified on the landscape plans must be retained;</p> <p>(b) the tandem car parking spaces from the western (Osborn Road) side to the eastern (oval side) of the carpark must be relocated or the carpark redesigned in another manner which results in the retention of the trees listed in (a) above as may be agreed to by the Planning Secretary.</p>	Construction	<p>A review of the landscape plans uploaded to the Planning Portal confirmed that the landscape plans had been amended in accordance with the requirements of this condition.</p> <p>The letter from DPE acknowledged the submission of the landscape and architectural plans submitted to the Planning Secretary in accordance with conditions B2, B3, B4, B5, B18 and D20 of SSD 8996, lists the updated plans and relevant consent conditions and includes a statement approving the plans required under these conditions of consent.</p>		C
Electrical Substation					
B4	<p>Prior to the issue of any construction certificate for Stage 1, the Applicant must submit detailed plans of the electrical stand-alone substation to the satisfaction of the Planning Secretary. The plans must:</p> <p>(a) demonstrate that service connections, cabling or associated works would not be located within Tree Protection Zone or Structural Root Zone of any existing trees;</p> <p>(b) confirm appropriate tree protection measures to be implemented during construction (if required);</p> <p>(c) demonstrate that the substation front is accessed from the existing Primary School car park driveway and does not include a new separate driveway connected to Mount Pleasant Avenue; and</p> <p>(d) include details of landscaping around the substation to visually screen / reduce the visibility of the structure from Mount Pleasant Avenue.</p>	Construction	<p>IEA finding: The marked up plans uploaded to the Planning Portal confirm compliance with the requirements of this condition.</p> <p>The letter from DPE acknowledged the submission of the landscape and architectural plans submitted to the Planning Secretary in accordance with conditions B2, B3, B4, B5, B18 and D20 of SSD 8996, lists the updated plans and relevant consent conditions and includes a statement approving the plans required under these conditions of consent.</p>		C
Landscape Plans					

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B5	Prior to the issue of any construction certificate for Stage 1, the Applicant must prepare updated Landscape Plans, to the satisfaction of the Planning Secretary. The Landscape Plans must: (a) incorporate the design amendments in Schedule 3 conditions B2, B3 and B4; (b) confirm the resulting tree canopy site coverage is no less than 42% of the site area (13.17 hectares); (c) detail the location, species, maturity and height at maturity of plants to be planted onsite; (d) include a majority of plants (trees, shrubs and groundcovers) endemic to the local area; (e) include details to confirm that all trees to be planted on site will be advanced stock in containers of 200 litres or greater; (f) include detailed design to demonstrate that the front setback of the boarding accommodation building (facing Mount Pleasant Avenue) includes canopy trees and minimal hard surfaces; (g) include the provision of any nest boxes required by Schedule 3 condition D20; and (h) comply with the principles of Appendix 5 of Planning for Bush Fire Protection 2006 (or any other updated version)	Construction	IEA finding: A review of the landscape plans uploaded to the Planning Portal confirmed that the landscape plans had been amended in accordance with the requirements of this condition. The letter from DPE acknowledged the submission of the landscape and architectural plans submitted to the Planning Secretary in accordance with conditions B2, B3, B4, B5, B18 and D20 of SSD 8996, lists the updated plans and relevant consent conditions and includes a statement approving the plans required under these conditions of consent		C
External Walls and Cladding					
B6	Prior to the issue of the 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.	Construction	The construction certificate will be issued at the completion of Stage 1 (substage 4).		NT
BASIX					
B7	Prior to the issue of a construction certificate for the boarding accommodation building, the Applicant must submit to the satisfaction of the Certifier evidence the staff apartments would be constructed in accordance with the BASIX Certificate no. 1194482M commitments. The BASIX Certificate must be submitted to the Certifier with all commitments clearly shown on the Construction Certificate plans. An updated certificate must be issued if relevant design amendments are made.	Construction	The Proponent confirmed that the requirements of this condition were in progress at the time of this Compliance Report.		NT
Stormwater Management					
B8	Prior to the issue of the relevant construction certificate that involves stormwater works, the Applicant must provide detailed design plans for an operational stormwater management system for that stage of the development, to the Certifier for approval. The system must: (a) be designed by a suitably qualified and experienced person(s); (b) be generally in accordance with the conceptual design in the Sorts as listed in the table below (as amended by the conditions of this consent where applicable); (c) be in accordance with applicable Australian Standards; (d) include details of the on-site detention system and water sensitive urban design measures as required by the conditions of this development consent; (e) ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff(Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) guidelines; and (f) be designed for an average recurrence interval (ARI) of 20 years and be gravity drained and connected to an existing Council piped drainage system.	Construction	IEA finding: The construction certificate relevant to substages 1 -3 have been obtained for: - Construction of a one way link road between Osborn Road and Mount Pleasant Avenue cross site connection with revised PUDO arrangements only associated with the redevelopment of Loreto Normanhurst School.. - Construction of increased parking at Osborn Road carpark and removal of one (1) existing sports tennis court and replacement with one (1) part underground carpark, comprising of a new sports court constructed on the roof only associated with the redevelopment of Loreto Normanhurst		C

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B9	Prior to the issue of the relevant construction certificate, the Applicant must design an on-site stormwater detention system for the development and submit it to the Certifier for approval. The system must: (a) be designed by a suitably qualified and experienced person(s); (b) have a capacity of not less than 115 cubic metres (m3), and a maximum discharge (when full) of 114 m3 per second; (c) have a surcharge/inspection grate located directly above the outlet; (d) ensure the discharge from the detention system is controlled via 1 metre (m) length of pipe, not less than 150mm diameter or via a stainless plate with sharply drilled orifice bolted over the face of the outlet discharging into a larger diameter pipe capable of carrying the design flow to an approved / existing Council drainage system; and (e) ensure that where above ground and the average depth is greater than 0.3m, a 'pool type' safety fence and warning signs are installed.	Construction	IEA finding: The construction certificate relevant to substages 1 -3 have been obtained for: - Construction of a one way link road between Osborn Road and Mount Pleasant Avenue cross site connection with revised PUDO arrangements only associated with the redevelopment of Loreto Normanhurst School.. - Construction of increased parking at Osborn Road carpark and removal of one (1) existing sports tennis court and replacement with one (1) part underground carpark, comprising of a new sports court constructed on the roof only associated with the redevelopment of Loreto Normanhurst		C
B10	Prior to the issue of the relevant construction certificate that involves stormwater works that would result in any change to existing stormwater drainage on Pennant Hills Road, detailed design plans and hydraulic calculations of the stormwater drainage system must be submitted to and be endorsed by TfNSW. Evidence of such endorsement must be provided to the Certifier prior to the issue of the construction certificate for those stormwater management works.	Construction	The Civil Design Certificate issued by TTW dated 15 December 2021 states that: "As detailed within the Civil Engineering Report issued and approved as part of the SSDA, the proposed development will not increase stormwater flows in the Pennant Hills Road stormwater system due to a decrease in impervious area".		NT
B11	Prior to the issue of the relevant construction certificate, a Water Sensitive Urban Design (WSUD) Strategy must be submitted to the Certifier for approval. The WSUD Strategy must: (a) be prepared by a suitably qualified and experienced person(s); (b) be peer-reviewed and certified by a qualified hydraulic engineer; (c) include the recommended water quality devices and targets contained within the Civil Engineering Report and plans prepared by Taylor Whitting Consulting Engineers, dated 17 December 2020, including (but not limited to): (i) 1 00kL rainwater tank; (ii) vegetated swale/s; (iii) gully pit insert/ baskets designed to capture pollution prior to it running into stormwater drains; and (iv) storm filter cartridges or equivalent; (d) comply with the water quality targets set out in the Hornsby Development Control Plan 2013;and (e) be supported by a MLISIC model	Construction	The Civil Design Certificate issued by TTW dated 15 December 2021 states that: "The water quality devices referenced within this condition are related to the Boarding House project which will be constructed at a later date. There are no water quality devices proposed as part of the scope of works covered by this certificate. This is consistent with the stormwater design approved as part of the SSDA".		NT
Operational Noise - Design of Mechanical Plant, Equipment and School Bell / PA System					
B12	Prior to the issue of the relevant construction certificate for the design of mechanical plant/ equipment and school bell/ PA system, the Applicant must incorporate appropriate noise mitigation measures into the detailed design drawings. The Certifier must verify that all noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Construction and Operational Noise Assessment prepared by Wilkinson Murray and dated 16 December 2020.	Construction	Noise Mitigation Design Statement was prepared by Cowyn Building Group dated 13 September 2022 as per reference in the Occupation Certificate. The Proponent confirmed that the construction certificate will be issued at the completion of Stage 1.		NT
Operational Waste Storage and Collection					

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B13	Prior to the issue of the relevant construction certificate for the operational waste storage and collection 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 private contractor, the design of the operational waste storage area must be in accordance with Council's standards. Evidence of the design and Council endorsement (where relevant) must be provided to the Certifier.	Construction	The Proponent confirmed that the construction certificate will be issued at the completion of Stage 1.		NT
Public Domain Works					
B14	Prior to the issue of the relevant construction certificate for footpath or public domain works, the Applicant must consult with Council and demonstrate to the Certifier that the streetscape design and treatment meets the requirements of Council, including addressing pedestrian management. The Applicant must submit documentation of approval for each stage from Council to the Certifier.	Construction	The Civil Design Certificate issued by TTW dated 15 December 2021 states that: "A public domain siteworks plan has been submitted to Council for approval which is not yet approved". The Occupational Certificate issued by Blackett Maguire and Goldsmith on 20 October 2022. It states "We have also submitted a copy of the documentation relied upon as indicated on the Occupation Certificate via the ePlanning Portal for Council's record".		C
B15	Separate construction certificate applications under the provisions of section 138 of the Roads Act 1993 must be submitted with the relevant road authority (Council/ TfNSW as relevant) for works within their land or public reserves including new vehicular crossings.	Construction	The Civil Design Certificate issued by TTW dated 15 December 2021 states that: "A public domain siteworks plan has been submitted to Council for approval which is not yet approved". The Occupational Certificate issued by Blackett Maguire and Goldsmith on 20 October 2022. It states "We have also submitted a copy of the documentation relied upon as indicated on the Occupation Certificate via the ePlanning Portal for Council's record".		C
B16	Public domain works relating to Council property must be designed in accordance with AUSSPEC Specifications (www.hornsby.nsw.gov.au/property/build/aus-spec-terms-andconditions) and comply with the following requirements: (a) any damaged footpath, kerb, gutter and stormwater drainage pits and pipes as a result of the development must be reconstructed; (b) the land adjoining the footpath must be fully turfed; (c) any public utility adjustments must be carried out at the cost of the applicant and to the requirements of the relevant public authority; (d) any damaged road pavement, as a result of the development, must be saw cut a minimum of 600 mm from the existing edge of the bitumen and reconstructed; and (e) the submission of a compaction certificate from a geotechnical engineer for any fill within road reserves, and all road sub-grade and road pavement materials.	Construction	IEA finding: The only public domain work that had been completed at the time of the Compliance Report was the kerb and channel for the driveway access to the Osborn Road carpark. All footpath kerb and gutters were observed to be reconstructed. Landscaping had also been completed. The scope of works did not require any public utility adjustments, reinstatement of road pavement or any fill placed within the road reserve.		C
Operational Car Parking, Access, Drop-off/Pick-up and Service Vehicle Layout					

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B17	<p>Prior to the issue of the relevant construction certificate, evidence must be submitted to the satisfaction of the Certifier that the proposed access, parking and servicing arrangements comply with the following requirements:</p> <p>(a) adequate number of car spaces are provided in each substage in accordance with Schedule 3 condition B1;</p> <p>(b) amendments to the car parking layout are in accordance with Schedule 3 condition B3;</p> <p>(c) new and amended car parking spaces are designed in accordance with the latest versions of AS 2890.1 and AS 2890.6;</p> <p>(d) the basement access to the boarding accommodation building is designed to accommodate the turning path of a 6.5m medium rigid truck;</p> <p>(e) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the latest version of AS 2890.2;</p> <p>(f) design levels at the front boundary have been approved by Council;</p> <p>(g) the driveway pavement complies with AS 3727 and is a minimum 3m wide;</p> <p>(h) the pavement has a kerb to one side and a one-way cross fall with a minimum gradient of 2 percent and a lintel and pit provided at the low point;</p> <p>(i) retaining walls required to support the carriageway and the compaction of all fill batters are designed in accordance with the requirements of a structural engineer;</p> <p>(j) safety rails are provided where there is a level difference more than 0.3m and a 1 :4 batter cannot be achieved;</p> <p>(k) pedestrian grades steeper than 12.5% are provided with surface texturing, brushing or cleats to satisfy Class V: R 11 ramps in accordance with Australian Standards AS 4586- 2004 Clause 5.2; and</p> <p>(l) longitudinal sections along centreline of the access driveway are provided in accordance with the relevant sections of AS 2890.1 to demonstrate that:</p> <p>(i) the maximum grade does not exceed 1 in 4 (25%) with the maximum changes of grade of 1 in 8 (12.5%) for summit grades and 1 in 6.7 (15%) for sag grades;</p> <p>(ii) any transition grades have a minimum length of 2m; and</p> <p>(iii) the longitudinal sections incorporate the street cross-over design levels obtained from Council.</p>	Construction	<p>IEA finding: The OTAMP outlines details for carparking onsite.</p> <p>Proponent confirmed that the requirements of this condition were in progress at the time of this Compliance Report for substage 1 - 3.</p>		C
Bicycle Parking and End-of-Trip Facilities					

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B18	Prior to the issue of the relevant construction certificate, revised drawings showing the staged provision of a minimum of 67 additional bicycle parking spaces must be submitted to and approved by the Planning Secretary.	Construction	IEA finding: A review of the landscape plans uploaded to the Planning Portal confirmed that the landscape plans had been amended in accordance with the requirements of this condition. The letter from DPE acknowledged the submission of the landscape and architectural plans submitted to the Planning Secretary in accordance with conditions B2, B3, B4, B5, B18 and D20 of SSD 8996, lists the updated plans and relevant consent conditions and includes a statement approving the plans required under these conditions of consent		C
B19	Prior to the issue of the relevant construction certificate, the following design details in relation to the secure bicycle parking and end-of-trip facilities must be submitted to the Certifier for approval: (a) 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 ; (b) the provision of end-of-trip facilities for staff in accordance with the Hornsby Development Control Plan 2013.	Construction	The Proponent confirmed that the construction certificate will be issued at the completion of Stage 1.		NT
Geotechnical - NorthConnex					
B20	Prior to the issue of the relevant construction certificate for excavation works, the developer must submit design drawings and documents relating to the excavation of the site and support structures to TfNSW for endorsement (in accordance with Technical Direction GTD2012/001). The design drawings and documents must demonstrate the proposed Stage 1 works would have no impact to the NorthConnex tunnel and verify that any sub-basement does not encroach on the NorthConnex tunnel envelope.	Construction	IEA finding: Emails from TfNSW confirmed endorsement and compliance with this condition for substages 1, 2 and 3 and also substage 4.		C
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.	Construction	IEA finding: The 2022 IEA confirmed that the requirements of this conditions were complied with for substage 1 - 3. The Proponent confirmed that substage 4 is yet to commence, and that notification of the dates intended to commence construction will be submitted in accordance with the requirement of this condition,		NT
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.	Construction	IEA finding: The 2022 IEA confirmed that the requirements of this conditions were complied with for substage 1 - 3. An amended Staging Report was submitted and approved by DPE (16/12/22) indicating that construction works for substage 4 were intended to commence in January 2023. The Proponent confirmed that notification for the commencement of stage 4 was yet to be submitted.		NT
Certified Drawings					
C3	Prior to the commencement of construction for the relevant construction stage, 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.	Construction	IEA finding: The 2022 IEA confirmed that the requirements of this conditions were complied with for substage 1 - 3. The Proponent confirmed that compliance with this condition for substage 4 was in progress at the time of this Compliance Report.		NT
Photographic Archival Recording					

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C4	Prior to any demolition and/or alteration works commencing on the site in Stage 1 on the site, archival photographic recordings must be undertaken for significant building fabric and spaces, as specified by a qualified heritage consultant. The archival recordings must specifically include a detailed account of internal and external components of the buildings / spaces and context photographs of the existing site as viewed from the street and its surroundings. A copy of the final recordings must be submitted to the Certifier and Council for information.	Construction	<p>The majority of the requirements of this conditions were complied with for substage 1 - 3, however a copy of the final recordings was not submitted to Council. Substages 1 - 3 were completed at the time of the 2023 IEA.</p> <p>The Occupational Certificate issued by Blackett Macguire and Goldsmith on 20 October 2022. It states "We have also submitted a copy of the documentation relied upon as indicated on the Occupation Certificate via the ePlanning Portal for Council's record".</p> <p>The Proponent confirmed that prior to substage 4 - 6, the archival recordings will be provided to Council for information as required by this condition.</p>		NT

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Pre-Construction Dilapidation Report - Protection of Public Infrastructure					
C5	Prior to the commencement of 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, gutters and footpaths) 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.	Construction	IEA finding: The requirements of this conditions were complied with for substage 1 - 3 as demonstrated in the dilapidation report, evidence of submission to council, post approval form and letter box letters. The Proponent confirmed that the requirements of this condition were in progress at the time of this Compliance Report for substage 4.		C
Pre-Construction Survey - Residential Properties					
C6	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 the relevant construction.	Construction	IEA finding: The requirements of this conditions were complied with for substage 1 - 3 as demonstrated in the dilapidation report, letter box letters. The Proponent confirmed that preconstruction surveys would be offered to property owners prior to the commencement of construction works for substage 4.		NT
C7	Where the offer for a pre-construction survey is accepted (as required by condition C6), 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.	Construction	IEA finding: There was no evidence of a pre-construction survey being accepted for substage 1 - 3 was observed during this reporting period. The Proponent confirmed that the offer for surveys would be provided to property owners prior to construction of substage 4 commencing.		NT
C8	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.	Construction	IEA finding: The requirements of this conditions were complied with for substage 1 - 3 as demonstrated in the pre construction survey report. The Proponent confirmed that preconstruction surveys would be offered to property owners prior to the commencement of construction works for substage 4.		C
Development Contributions					

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C9	<p>Prior to the commencement of any construction works, a payment of a levy of 1 % of the proposed cost of carrying out the development in Stage 1 must be paid to Council under section 7 .12 of the EP&A Act.</p> <p>Note: There are approval requirements for imposing a condition under section 7. 12 in respect of land within a special contributions area.</p>	Construction	<p>IEA finding: Evidence provided confirmed that the requirements of this condition were complied with for substage 1 - 3.</p> <p>The Proponent confirmed that contributions for substage 4 are yet to be finalised and paid.</p>		C
Community Communication Strategy					
C10	<p>No later than two weeks before the commencement of any construction, a Community Communication Strategy must be submitted to the Planning Secretary for approval and approved by the Planning Secretary prior to the commencement of 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 development), during the design and construction of the development and for a minimum of 12 months following the completion of construction. The Community Communication Strategy must:</p> <p>(a) identify people to be consulted during the design and construction phases; (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development; (c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development; (d) 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, including disputes regarding rectification or compensation. (e) include any specific requirements around traffic, noise and vibration, visual impacts, amenity, flora and fauna, soil and water, contamination, heritage.</p>	Construction	<p>IEA finding: 1. A letter from the DPE details the Community Communication Strategy (CCS) had been received and contained the information required under Condition C10.</p> <p>2. A review of the CCS confirmed that it complied with the requirements of this condition: (a) identify people to be consulted during the design and construction phases (Section 4) (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development (Section 5.1) (c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development (Section 5.2) (d) set out procedures and mechanisms: (i) through which the community can discuss or provide feedback to the Applicant (Section 5) (ii) through which the Applicant will respond to enquiries or feedback from the community (Section 6) (iii) to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development, including disputes regarding rectification or compensation (Section 6)noise (e) include any specific requirements around traffic, noise and vibration, visual impacts, amenity, flora and fauna, soil and water, contamination, heritage (Section 4)</p> <p>3. Implementation of the CCS was observed on the applicant's website (link to the planning Portal).</p>		C
Community Consultative Committee					
C11	<p>Prior to the commencement of any construction, a Community Consultative Committee (CCC) must be established for the development in accordance with the Department's Community Consultative Committee Guidelines: State Significant Projects (2016). The CCC must begin to exercise functions in accordance with such guidelines before the commencement of construction and continue to do so for the duration of construction and for at least six months following completion of construction.</p> <p>Notes:</p> <ul style="list-style-type: none"> The CCC is an advisory committee only. In accordance with the Guidelines, the Committee should comprise an independent chair and appropriate representation from the Applicant, Council and the local community. 	Construction	<p>IEA finding: A community consultative committee (CCC) has been established. Quarterly meetings have been scheduled during the construction works and meeting minutes are advertised on the Applicants website.</p> <p>An independent chair has been nominated for the CCC.</p> <p>A letter from the DPE confirms that it supports the proposed name change for the committee.</p>		C

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Demolition					
C12	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.	Construction	IEA finding: The demolition plan included a statement that the Demolition plan has been developed in line with Appendix B of the SafeWork NSW Demolition Work Code of Practice, March 2015. The post approval form for the submission of the demolition plan to DPE was provided		C
Environmental Management Plan Requirements					
C13	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). Notes: • The Environmental Management Plan Guideline is available on the Planning Portal at: https://www.planningportal.nsw.gov.au/majorprojects/assessment/post-approval • The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans	Construction	IEA finding: A review of the CEMP and subplans addressed most of the requirements in the Environmental Management Plan Guideline, however there were several elements that were not addressed, however substages 1 - 3 were complete prior to the final 2022 IEA being submitted to the Planning Secretary, therefore the plans were not amended. The Proponent confirmed that prior to the commencement of substages 4 - 6, the CEMP, and subplans yet to be developed will address the requirements of the <i>Environmental Management Plan Guideline: Guideline for Infrastructure Projects</i> .	The CEMP, and relevant sub-plans for substages 4 - 6 to address the requirements of the Environmental Management Plan Guideline: Guideline for Infrastructure Projects.	NT
Construction Environmental Management Plan					
	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. The CEMP must include, but not be limited to, the following: (a) Details of:				

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C14	<p>(l) hours of work;</p> <p>(ii) 24-hour contact details of site manager;</p> <p>(iii) management of dust and odour to protect the amenity of the neighbourhood;</p> <p>(iv) stormwater control and discharge;</p> <p>(v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;</p> <p>(vi) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;</p> <p>(vii) community consultation and complaints handling as set out in the Community Communication Strategy required by condition C10;</p> <p>(viii) the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations;</p> <p>(b) Construction Traffic and Pedestrian Management Sub-Plan (condition C16);</p> <p>(c) Construction Noise and Vibration Management Sub-Plan (condition C17);</p> <p>(d) Construction Soil and Water Management Sub-Plan (condition C18);</p> <p>(e) Construction Waste Management Sub-Plan (condition C19);</p> <p>(f) an unexpected finds protocol for contamination and associated communications procedure;</p> <p>(g) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure;</p> <p>(h) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site;</p> <p>(l) details of location of protective fencing (exclusion fence) to protect the significant vegetation on the southern side of the site;</p> <p>(j) details to demonstrate that the proposed exclusion fence on the site would not impinge on species movement within and adjoining the site;</p> <p>(k) details of all mitigation and management measures to ameliorate impacts on flora and fauna during the construction works as indicated in the BOAR Loreto Normanhurst Biodiversity Assessment Report (version 6), prepared by Eco Logical Australia and dated 16 December 2020.</p>	Construction	<p>IEA finding: The CEMP addressed the requirements of this condition for substages 1 - 3.</p> <p>The Proponent confirmed that the CEMP for substage 4 would also be developed in accordance with the requirements of this condition.</p>		C
C15	<p>The Applicant must not commence construction of the development until the CEMP is approved by the Certifier and a copy submitted to the Planning Secretary.</p>	Construction	<p>IEA finding: The post approval submissions for the CEMP and associated sub-plans for substage 1 - 3 were observed as part of this Compliance Report.</p> <p>The construction certificate requirements letter indicates that the CEMP was received by the certifier.</p> <p>The Proponent confirmed that construction for substage 4 will not commence prior to approval of the CMEP by the Certifier and submission to the Planning Secretary.</p>		C

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C16	<p>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:</p> <p>(a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with Council and TfNSW; (c) include details of predicted number of construction vehicle movements per day and detail of vehicle types, noting that vehicle movements are to be minimised during peak periods; (d) include assessment of potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works; (e) include details of any cumulative impacts due to ongoing construction works on nearby sites; (f) include 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. (g) detail heavy vehicle routes, access and parking arrangements; (h) detail construction vehicle access arrangements and student/ staff access to the site during construction works to ensure safe operation of the school at all times; and (i) no existing trees are to be removed to facilitate construction works that are not included in the list of trees permitted to be removed as part of this consent.</p>	Construction	<p>IEA finding: The majority of the requirements of this condition were complied with, however 16b) was identified as a NC in the 2022 IEA. Sub-condition C16(b) requires for the CPTMP to be prepared in consultation with Council and TfNSW. During the Compliance Report no evidence of such consultation being completed was provided.</p> <p>Substage 1 -3 were completed prior to the 2023 IEA being issued to the Planning Secretary, therefore the CPTMP was not updated retrospectively.</p> <p>The Proponent confirmed that the CPTMP developed for substage 4 will be developed in accordance with the requirements of this condition.</p>	Prior to the commencement of sub-stages 4 – 6 provide management plans to the relevant stakeholders for comment.	NT

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C17	<p>The Construction Noise and Vibration Management Sub-Plan (CNVMSP) must address, but not be limited to, the following:</p> <p>(a) be prepared by a suitably qualified and experienced noise expert;</p> <p>(b) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009);</p> <p>(c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;</p> <p>(d) describe the measures to be implemented to ensure that the noise generated by the construction activities do not have adverse impacts on the ongoing operation of the school;</p> <p>(e) include details of respite measures to be implemented for high noise generating activities (exceeding 75DBA as measured at the sensitive receiver) including (but not limited to) measures such as:</p> <ul style="list-style-type: none"> • works being undertaken in continuous blocks of no more than 3 hours, with at least a 1-hour respite between each block of work generating high noise impact at the identified sensitive receiver; • respite periods implemented during the day; and • elimination of high noise generating construction works during identified examination times; <p>(f) include strategies that have been developed with the community for managing high noise generating works;</p> <p>(g) describe the community consultation undertaken to develop the strategies in condition C17(d);</p> <p>(h) include a complaints management system that would be implemented for the duration of the construction; and</p> <p>(i) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the management measures in accordance with condition C 13.</p> <p>Note: the purposes of this condition 'continuous' includes any period during which there is less than one hour respite between ceasing and recommencing any of the work the subject of this condition.</p>	Construction	<p>IEA finding: The CNVMSP was reviewed and addressed the requirements of this condition for substage 1 - 3.</p> <p>The Proponent confirmed that the CNVMSP for stage 4 would develop and approved in accordance with the requirements of this condition.</p>		C
C18	<p>The Applicant must prepare a Construction Soil and Water Management Plan (CSWMP) and the plan must address, but not be limited to the following:</p> <p>(a) be prepared by a suitably qualified expert, in consultation with Council;</p> <p>(b) describe all erosion and sediment controls to be implemented during construction, as a minimum, in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom 2004) commonly referred to as the 'Blue Book';</p> <p>(c) provide a plan of how all construction works will be managed in a wet-weather events (i.e. storage of equipment, stabilisation of the Site);</p> <p>(d) detail all off-Site flows from the Site; and</p> <p>(e) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to, 1 in 5-year ARI.</p>	Construction	<p>IEA finding: A review of the CSEMP identified that the majority of the requirements of this condition were complied with, however 18a) was identified as a NC in the 2022 IEA Report. Sub-condition C18(a) requires for the CSWMP to be prepared in consultation with Council, however no evidence of consultation was provided during the 2023 IEA.</p>	<p>Prior to the commencement of sub-stages 4 – 6 provide management plans to the relevant stakeholders for comment.</p>	NT
C19	<p>The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the procedures for the management of waste comprising:</p> <p>(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;</p> <p>(b) information regarding the recycling and disposal locations; and</p> <p>(c) confirmation of the contamination status of the development areas of the site based on the validation results.</p>	Construction	<p>IEA finding: The CSWMP for substage 1- 3 was reviewed as part of the Compliance Report and addressed all matters specified in this condition.</p> <p>The Proponent confirmed that the CSWMP for substage 4 is yet to be developed.</p>		C

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C20	A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following: (a) minimise the impacts of earthworks and construction on the local and regional road network; (b) minimise conflicts with other road users; (c) minimise road traffic noise; and (d) ensure truck drivers use specified routes.	Construction	IEA finding: The CPTMP addressed the requirements of this condition for substage 1 - 3. The Proponent confirmed that the CPTMP for stage 4 would develop and approved in accordance with the requirements of this condition.		C
Soil and Water					
C21	Prior to the commencement of construction, the Applicant must install erosion and sediment controls and other soil and water management measures in accordance with the CSWMSP (Schedule 3 condition C18).	Construction	IEA finding: Substage 1 - 3 were complete at the time of this Compliance Report and all temporary ESC had been removed. The Proponent confirmed that a site specific ESCP for substage will be developed and all ESC mitigation measures will be implemented in accordance with the requirements of hits condition.		NT
Construction Worker Transportation Strategy					
C22	Prior to the commencement of any construction, the Applicant must submit a Construction Worker Transportation Strategy to the satisfaction of the Certifier. The Strategy must detail the provision of sufficient parking facilities or other travel arrangements for construction workers in order to minimise demand for parking in nearby public and residential streets or public parking facilities. A copy of the strategy must be submitted to the Planning Secretary for information.	Construction	IEA finding: The requirements of this condition were complied with (included in the CPTMP) for substage 1 - 3: - A copy of the construction worker transport strategy was observed - A copy of the email receipt from DPI&E acknowledging receipt no comments on the document was also observed - The construction certificate requirements letter indicates that the CWTS was received by the certifier and the Planning Secretary. The Proponent confirmed that a new CPTMP and CWTS will be developed for substage 4.		NT
Biodiversity					
C23	Prior to the commencement of any vegetation clearing, the number and classes of ecosystem credits (like-for-like) set out in the Biodiversity Assessment Method (BAM) Biodiversity Credit Summary Report contained in Appendix G of the Loreto Normanhurst Biodiversity Assessment Report (version 6), prepared by Eco Logical Australia and dated 16 December 2020 must be retired.	Construction	IEA finding: This requirements of this condition were satisfied during substages 1 -3 and evidence of payment was sighted. The trust statement includes detail of the credit obligations, number of credits and cost per credit.		NT

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C24	The requirement to retire credits in Schedule 3 condition C23 may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of ecosystem and species credits.	Construction	IEA finding: Evidence of payment was - The trust statement includes detail of the credit obligations, number of credits and cost per credit.		NT
C25	Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of condition C24 must be provided to the Planning Secretary prior to carrying to commencement of any construction works.	Construction	IEA finding: The retirement of credits or payment to the Biodiversity Conservation Fund were completed outside of this audit period. Note: A review of evidence provided identified the date of the submission of evidence to the Planning Secretary was August 2022 and construction works had commenced prior to the submission of the evidence. This was identified as a NC in the 2022 IEA, however it was identified as an event in the past with no action that could be applied to address the matter retrospectively. The Planning Secretary was notified of the NC via submission of the 2022 IEA.		NT
Outdoor Lighting					
C26	Prior to the installation of outdoor lighting, evidence must be submitted to the Certifier that all outdoor lighting within the site has been designed to comply with AS 1158.3.1 :2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements and AS 4282-2019 Control of the obtrusive effects of outdoor lighting.	Construction	IEA finding: The LCI letter to CTPG confirms lighting complies with AS1158.3.1 :2005 and AS 4282-2019 and the construction certificate requirements letter indicates that the letter from LCI is accepted (for substage 1- 3). The Proponent confirmed that lighting requirements for sub-substage 4 are yet to be submitted for review and certification.		NT
Ecologically Sustainable Development					
C27	Prior to the commencement of construction for the relevant construction stage, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate that ESD is being achieved by either: (a) registering for a minimum 5-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.	Construction	IEA finding: Evidence provided confirmed that CTPG submitted a request to the DPE for ESD certification in accordance with conditions C27 and F16 of SSD 8996. The letter included the following details - Reference to r a 5 tar ESD Framework that aligns with current Green Star Design and AS Built v1.3 Tool; proposed documentation satisfying the condition of the consent - alternative ESD certification methodology - Preliminary ESD Framework - Benefits of an alternative process - Comparison to a formal green star rating - Consultant involvement - Sustainability initiatives The letter from DPE confirmed that it supports the alternative ESD framework and approves thew alternative ESD Certification process		NT
C28	Prior to the commencement of construction for the relevant construction stage, the Applicant must engage a suitably qualified Green Star accredited professional to ensure the ESD measures indicated in the ESD SSDA Report prepared by ARUP and dated 7 January 2019 and the requirements of condition C27 are incorporated into the detailed design of the development.	Construction	This condition is relevant to substage 4 which is yet commence. the Proponent confirmed that a suitably qualified Green Star accredited professional will be engaged to comply with the requirements of this condition		NT
Contamination					

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C29	Prior to the commencement of any construction, the Applicant must engage a NSW EP 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. Evidence of the appointment of the Site Auditor must be provided to the Certifier prior to the commencement of construction.	Construction	IEA finding: Evidence provided demonstrated compliance with the requirements of this condition for substages 1 - 3: - Email from CTPG appointing Enviroreview as the NSW EP Accredited site auditor. - The construction certificate requirements letter indicates that evidence of the engagement of Enviroreview was accepted. The Proponent confirmed that compliance with this condition for substage 4 was in progress at the time of this Compliance Report		NT
C30	Prior to the commencement of each construction substage specified in Schedule 3 condition A9 as amended by this development consent), the Applicant must conduct additional site investigations (where relevant to the substage) to confirm the full nature and extent of the contamination in accordance with Section 4 'Data Gap Investigation Requirements' of the Remedial Action Plan (Revision 1), prepared by JK Environments and dated 12/01/2021.	Construction	IEA finding: Evidence provided demonstrated compliance with the requirements of this condition for substages 1 - 3: - The letter form Enviroreview states that based on a review of specified reports and a site investigation conducted for substage area 1-3, that is was unnecessary to update the RAP as no additional contamination/remediation has been identified that hasn't already been addressed. - The letter form DPE confirms that the requirements of conditions C30 - C33 have been met. The Proponent confirmed that compliance with this condition for substage 4 was in progress at the time of this Compliance Report		NT
C31	The additional site investigations required by Schedule 3 condition C30 must be documented in a report prepared by, or reviewed and endorsed by, a suitably consultant 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.	Construction	IEA finding: Evidence provided demonstrated compliance with the requirements of this condition for substages 1 - 3: - The letter form Enviroreview states that based on a review of specified reports and a site investigation conducted for substage area 1-3, that is was unnecessary to update the RAP as no additional contamination/remediation has been identified that hasn't already been addressed. - The letter form DPE confirms that the requirements of conditions C30 - C33 have been met. The Proponent confirmed that compliance with this condition for substage 4 was in progress at the time of this Compliance Report		NT
C32	The recommendations of the Remediation Action Plan (RAP) (Revision 1) prepared by JK Environments and dated 12/01/2021 and the unexpected finds procedure must be updated following results of further site investigations and implemented throughout duration of project work as required by Schedule 3 conditions C30 and C31. The updated RAP must be endorsed by the same consultant as specified in Schedule 3 condition C30.	Construction	IEA finding: Evidence provided demonstrated compliance with the requirements of this condition for substages 1 - 3: - The letter form Enviroreview states that based on a review of specified reports and a site investigation conducted for substage area 1-3, that is was unnecessary to update the RAP as no additional contamination /remediation has been identified that hasn't already been addressed. - The letter form DPE confirms that the requirements of conditions C30 - C33 have been met. The Proponent confirmed that compliance with this condition for substage 4 was in progress at the time of this Compliance Report		NT
C33	The site investigation report, required in Schedule 3 condition C31, the amended RAP in Schedule 3 condition C32 and the relevant certification must be submitted to the satisfaction of the Planning Secretary at least 4 weeks prior to the commencement of any construction for the relevant substage. A copy of the Planning Secretary's approval must be submitted to the Certifier for information prior to the commencement of construction of each relevant substage.	Construction	IEA finding: The letter form Enviroreview states that based on a review of specified reports and a site investigation conducted for substage area 1-3, that is was unnecessary to update the RAP as no additional contamination /remediation has been identified that hasn't already been addressed. The letter form DPE confirms that the requirements of conditions C30 - C33 have been met. The Proponent confirmed that compliance with this condition for substage 4 was in progress at the time of this Compliance Report		NT

Utilities

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Condition Ref	SSD 8996 Requirement (exact wording)	Development Phase	Evidence and Comment	Recommendations	Assessment Compliant (C) Non-Compliant (NC) Not Triggerred (NT)
C34	Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Construction	IEA finding: Stormwater design drawings for the site stamped approved by the Hornsby Shire Council were provided during the Compliance Report for substage 1 - 3. The Proponent confirmed that approvals process for substage 4 was in progress at the time of this Compliance Report		NT
C35	Prior to the commencement of construction written advice must be obtained from the relevant utility providers / authorities (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.	Construction	IEA finding: Written approval from the Hornsby Shire Council was observed during the Compliance Report for substage 1 - 3. The Proponent confirmed that approvals process for substage 4 was in progress at the time of this Compliance Report		NT
Notification of excavation					
C36	If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the Applicant must ensure that the relevant roads authority is/are given at least seven (7) day notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.	Construction	No excavation required within the roadway.		NT

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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 (A 1) 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.	Construction	IEA finding: Construction signage related to substage 3 and 4 had been removed as works had been completed at the time of the site inspection. A review of the 2022 IEA confirmed compliance with this condition during construction of substages 1 - 3. Although construction of substage 4 is yet to commence, observation made during the site inspection of the location of substage 4 confirmed that appropriate signage has been placed on there fencing and gate for no entry and "construction site".		NT
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.	Construction	IEA finding: Substage 1 - 3 were complete at the time of the site inspection and all equipment and machinery had been removed off site. A review of the 2022 IEA confirmed compliance with this condition during construction works.		NT
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 Schedule 3 condition C12.	Construction	IEA finding: The demolition plan (prepared by a person holding a demolition license) included a statement that the Demolition plan had been developed in line with Appendix B of the SafeWork NSW Demolition Work Code of Practice, March 2015.		NT
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 5pm, Mondays to Fridays inclusive; and (b) between 8am and 1 pm, Saturdays. No work may be carried out on Sundays or public holidays.	Construction	IEA finding: Substage 1 - 3 were complete at the time of the site inspection. A review of the 2022 IEA confirmed compliance with this condition during construction works for substage 1 -3. The Proponent confirmed that this condition will be addressed in the Camps and relevant subplans for substage 4.		NT
D5	Construction activities may be undertaken outside of the hours in Schedule 3 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 a variation is approved in advance in writing by the Planning Secretary or their nominee if appropriate justification is provided for the works.	Construction	IEA finding: The Proponent confirmed that there had been no out of hours works undertaken to date		NT
D6	Notification of such construction activities as referenced in Schedule 3 condition D5 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.	Construction	IEA finding: The Proponent confirmed that there had been no out of hours works undertaken to date		NT

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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.	Construction	IEA finding: Reference to work hours for specific noisy activities for substage 1 - 3 were outlined in: - CPTMP: Section 4.3 - CEMP: Table 4.6: Noise (statement that work hours are in accordance with the relevant authority approval). The Proponent confirmed that this condition will be addressed in the management plans to be developed as part of substage 4.		NT
D8	Construction of the P4A Osborn Road and the through site road and associated works must be undertaken outside the school term dates or outside the AM and PM peak pick-up/drop-off times.	Construction	Construction of the P4A Osborn Road carpark had been completed prior to the date of this Compliance Report.		NT
Implementation of Management Plans					
D9	The Applicant must carry out the construction of the development in accordance with the most recent version of the submitted CEMP (including Sub-Plans).	Construction	Implementation of the CEMP and associated sub-plans identified the following NCs: - One element of the CSWMP not implemented - One element of the CPTMP not implemented - Two elements of the CNVMP not implemented Substage 1 - 3 were complete at the time of the submission of the Compliance Report to the Planning Secretary, therefore the relevant management plans did not undergo a review and update.	Ensure the management measures implemented onsite are in accordance with the commitments made in the CEMP and sub-plans: The Contractor's waste register is to identify the fate (i.e. reused, recycled, stockpiled or disposed) of the waste material leaving site for substages 4 – 6.	NT
Construction Traffic					
D10	All construction vehicles (excluding site personnel vehicles) are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site or an approved on-street work zone before stopping.	Construction	Construction for substage 1 -3 were complete at the time of this Compliance Report. Observations made during the site inspection confirmed that there were no construction vehicles located at the site. The requirements of this condition will be addressed in substage 4.		NT
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 construction hoardings or the like within the construction area within 48 hours of its application.	Construction	IEA finding: No third party advertisement or graffiti was observed during the site inspection for the areas related to substages 1 - 4		NT
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	Construction for substage 1 -3 were complete at the time of this Compliance Report. The Proponent confirmed that this will be addressed in relevant documentation for substage 4.		NT
Construction Noise Limits					
D13	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 CNVMSP in Schedule 3 condition C17.	Construction	IEA finding: A review of the Construction Noise & Vibration Management Plan for substage 1 - 3 confirmed all feasible and reasonable noise mitigation measures were included in the plan. The Proponent confirmed that a CNVMP will be developed submitted for approval for substage 4 prior to works commencing.		NT

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D14	The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under Schedule 3 condition D4.	Construction	IEA finding: The appropriate reference to work hours including delivery of materials to and from site for substage 1- 3 were outlined in: - CPTMP: Section 4.3 - CEMP: Section 2.3 The Proponent confirmed that this condition will be address in the relevant management plans for substage 4.		NT
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.	Construction	IEA finding: Table 4.1 General Noise Impact Mitigation Control and Action Measures includes reference to ensure all equipment is equipped with appreciate noise control for works associated with substages 1- 3. The Proponent confirmed that this condition will be addressed in the relevant management plans for substage 4.		NT
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).	Construction	IEA finding: The CVMP for substage 1 - 3 references noise limits sourced from the NSW Industrial Noise Policy, Noise Policy for Industry (2017), which is different to the standards prescribed in the condition. The Proponent confirmed that no vibration monitoring was been triggered by the scope of works. The Proponent confirmed that this will be addressed for substage 4 prior to work commencing		NT
D17	Vibratory compactors must not be used closer than 30m from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition D16.	Construction	IEA finding: There was no evidence of vibratory compactors being used within sub-stages 1A, 1B and 1C to complete the works. The Proponent confirmed this condition will be addressed in the CNVMP to be developed for substage 4.		NT
D18	The limits in Schedule 3 conditions D16 and D17 apply unless otherwise outlined in the CNVMSP required by Schedule 3 condition C17.	Construction	Application of this condition has been audited under D16 & D17.		NT
Tree Protection					

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D19	<p>For the duration of the construction works:</p> <p>(a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;</p> <p>(b) all street trees immediately adjacent to the approved disturbance area/ property boundary/is 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;</p> <p>(c) all trees on the site that are not approved for removal must be suitably protected during construction as per the recommendations of the Arboricultural Impact Assessment Reports (Boarding Accommodation) and (Car Parks and Through Site Link), prepared by Earthscape Horticultural Services and dated January 2021, as amended by Schedule 3 conditions B2 and B3; and</p> <p>(d) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a qualified arborist. Alternative tree protection measures must be installed, as required. The removal of tree protection measures, following completion of the works, must be carried out under the supervision of a qualified arborist and must avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater.</p>	Construction	<p>Construction works for substage 1 - 3 were complete at the time of this Compliance Report. The 2022 IEA confirmed that the requirements of this condition ad been complied with :</p> <p>- Based on the content of the Compliance Statement and the Compliance Report site inspection, the stages 1 - 3 comply with the requirements of this condition:</p> <p>a) street trees had not been trimmed or removed.</p> <p>b) tree protection fencing installed.</p> <p>c) tree protection fencing installed.</p> <p>d) an arborist has been engaged and is available for access to the tree protection area.</p> <p>The Proponent confirmed that an Arborist will be engaged for substage 4 to ensure compliance with the requirements of this condition</p>		C
Tree Hollows / Nest Boxes					
D20	<p>Any trees on-site approved for removal that have hollows must be retained in part as ground fauna habitat or used 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 Schedule 3 condition B5.</p>	Construction	<p>IEA finding: The evidence supplied confirmed the following:</p> <ol style="list-style-type: none"> 1. Pre-clearance survey - undertaken 6/1/2022 on trees to be removed. One tree identified with 2 hollows - two nest boxes to be installed. Photos observed. 2. Clearing supervision - Tree hollow containing a Brushtail possum carefully felled and relocated outside of worksite. Photos observed. 3. Nest box installation - detail of each nest box and location provided. Photos observed. 		NT
Air Quality					
D21	<p>The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.</p>	Construction	<p>IEA finding: Substages 1 - 3 were complete at the time of this Compliance Report and substage 4 construction was yet to commence.</p> <p>There was no evidence of dust nuisance during the site inspection as all areas of construction and landscaping has been completed.</p> <p>The work area for substage 4 has been cleared and geofab had been installed on all exposed areas. Construction is yet to commence for substage 4, therefore there was no truck activity occurring at the time of the site inspection. during the site inspection all reasonable and practicable measures were observed to minimise the dust generated by the Project.</p>		NT

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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.	Construction	<p>IEA finding: Substages 1 - 3 were complete at the time of this Compliance Report and substage 4 construction was yet to commence.</p> <p>There was no evidence of dust nuisance during the site inspection as all areas of construction and landscaping has been completed.</p> <p>The work area for substage 4 has been cleared and geofab had been installed on all exposed areas. Construction is yet to commence for substage 4, therefore there was no truck activity occurring at the time of the site inspection. during the site inspection all reasonable and practicable measures were observed to minimise the dust generated by the Project.</p>		NT
Erosion and Sediment Control					

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D23	All erosion and sediment control measures must be effectively implemented and maintained in accordance with the CSWMSP (Schedule 3 condition C17).	Construction	IEA finding: Substages 1 - 3 were complete at the time of this Compliance Report and all ESC control measures had been removed. The work area for substage 4 has been cleared and geofab had been installed on all exposed areas. Construction is yet to commence for substage 4, therefore there was no truck activity occurring at the time of the site inspection. The Proponent confirmed that an ESCP will be developed for substage 4.		C
Imported Soil					
D24	The Applicant must: (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site; (b) keep accurate records of the volume and type of fill to be used; and (c) make these records available to the Certifier upon request.	Construction	IEA finding: No imported soil has been received on to the site for the Project for substage 1 - 3. Substage 4 is yet to commence.		NT
Disposal of Seepage and Stormwater					
D25	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.	Construction	Construction for sub-stage 4 is yet to commence.		NT
Emergency Management					
D26	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.	Construction	IEA finding: Evidence provided demonstrated compliance with the requirements of this condition for substages 1 - 3: - Training records provided during the reporting period included name, contact details, company, date inducted , by who, and any actions required - Induction sign on forms provided which included details regarding the site WHSE&Q MP, obligations and responsibilities, SWMS, toolbox meetings PPE, emergency evacuation and first aid, environmental protection, operating hours, project rules and construction figures that included emergency evacuation points. The Proponent confirmed that the induction training will be updated to reflect the site specific details for substage 4 prior to commencement of works.		NT
Unexpected Finds Protocol - Aboriginal Heritage					
D27	In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site must be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by EES Group and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and EES Group to develop and implement management strategies for all objects/sites. Works must only recommence with the written approval of EES Group.	Construction	IEA finding: The CEMP for substage 1- 3 measures to be implemented in the event of an unexpected find. The Proponent confirmed that there were no unexpected finds during construction activities for substages 1 - 3. The Proponent confirmed that an unexpected finds protocol for bath Aboriginal Heritage and Historic Heritage will be included in the revenant management plans yet to be developed for substage 4.		NT
Unexpected Finds Protocol - Historic Heritage					

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D28	If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and Heritage NSW contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works must only recommence with the written approval of Heritage NSW.	Construction	IEA finding: The CEMP for substage 1- 3 measures to be implemented in the event of an unexpectant find. The Proponent confirmed that there were no unexpectant finds during construction activities for substages 1 - 3. The Proponent confirmed that an unexpected finds protocol for both Aboriginal Heritage and Historic Heritage will be included in the revenant management plans yet to be developed for substage 4.		NT
Waste Storage and Processing					
D29	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.	Construction	Substages 1 - 3 were complete at the time of this Compliance Report and substage 4 was yet to commence. There was no evidence of any construction waste remaining onsite during the site inspection.		NT
D30	All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).	Construction	IEA finding: The contractors waste register was reviewed for substage 1- 3 and confirmed that it tracked and classified waste types collected and disposed of from the site. The waste register classified the following waste streams: - Asbestos containing material - Virgin excavated natural material - Construction and demolition waste The Proponent confirmed that the contractor engaged of substage 4 will be notified of the requirements of this condition.		NT
D31	The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural or artificial watercourse	Construction	IEA finding: There was no evidence of concrete wash water observed on the site during the site inspection		NT
D32	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.	Construction	IEA finding: The waste registry for substage 1 -3 identified segregated waste that was collected and transported off-site was provided during the Compliance Report.	Ensure the management measures implemented onsite are in accordance with the commitments made in the CEMP and sub-plans: • The Contractor's waste register is to identify the fate (i.e. reused, recycled, stockpiled or disposed) of the waste material leaving site for substages 4	NT
D33	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.	Construction	IEA finding: A review of the CEMP for Substages 1-3 confirmed that suitable controls were detailed to control the disposal of hazardous material.		NT
Outdoor Lighting					

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D34	The Applicant must ensure that all external lighting is constructed and maintained in accordance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting.	Construction	<p>IEA finding: The LCI letter to CTPG confirms lighting for substages 1 - 3 complies with AS1158.3.1 :2005 and AS 4282-2019.</p> <p>The construction certificate requirements letter indicates that the letter from LCI is accepted.</p> <p>The Proponent confirmed that this condition will be addressed for substage 4 once construction is complete.</p>		NT
Site Contamination					
D35	Remediation of the site must be carried out in accordance with the RAP and any variations to the RAP approved by an NSW EPA-accredited Site Auditor, as amended by this development consent.	Construction	<p>IEA finding: The letter from Enviroreview and subsequent supervision of the remediation, confirmed remediation was undertaken in accordance with the RAP (as updated by the site audit interim advice 0301-2122-06).</p> <p>The Proponent confirmed that a validation report had not been completed at the time of this audit</p>		NT
D36	If work is to be carried out/ completed in stages, a NSW EPA-accredited Site Auditor must confirm satisfactory completion of each stage by the issuance of Interim Audit Advice(s).	Construction	<p>IEA finding: The letter from Enviroreview and subsequent supervision of the remediation, confirmed remediation was undertaken in accordance with the RAP (as updated by the site audit interim advice 0301-2122-06).</p> <p>The Proponent confirmed that a validation report had not been completed at the time of this audit</p>		NT
Independent Environmental Audit					
D37	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the preparation of an Independent Audit Program or commencement of an Independent Audit.	Construction and operations	The Planning Secretary's 2023 IEA letter confirmed Kirsty Douglas (lead auditor), Christopher Griffiths (assistant auditor) and Romin Nejad (audit support and technical reviewer) were suitably qualified and experienced to undertake the IEA.		C
D38	Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020).	Construction and operations	<p>IEA finding: The method for the 2022 IEA was undertaken by Epic Environmental was developed and executed in accordance with the <i>Independent Audit Post Approval Requirements (2020)</i> . In accordance with Table 1 of the <i>Independent Audit Post Approval Requirements (2020)</i> , the 2022 IEA is required to be undertaken within 12 weeks of the commencement of construction (14 March 2022), however it was undertaken 16 June 2022 and therefore after the deadline prescribed in <i>Table 1 of the Independent Audit Post Approval Requirements (2020)</i>. During the Compliance Report period no IEAs were triggered</p>		NT
D39	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those agreed to above, upon giving at least 4 weeks' notice to the applicant of the date or timing upon which the audit must be commenced.	Construction and operations	<p>The Planning Secretary did not request additional audits outside of the schedule identified in the Independent Audit Post Approval Requirements (2020).</p> <p>NB: The Planning Secretary completed a review of the 2020 Compliance Report and requested several findings be reassess/further clarification and /or justification be provided. All of the review comments were addressed by Epic Environmental and CTPG.</p>		NT

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D40	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 Schedule 3 condition D38 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 after submission to the Planning Secretary.	Construction and operations	The 2022 IEA Report was submitted to the Planning Secretary and is available on the Loreto website: https://www.loretonh.nsw.edu.au/about/master-plan/chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.loretonh.nsw.edu.au/documents/26/Loreto_Normanhurst_IEA_Report.pdf		C
D41	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.	Construction and operations	The 2023 IEA Report was submitted to the Planning Secretary within the required timeframe prescribed in the <i>Independent Audit Post Approval Requirements (2020)</i> .		C
D42	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.	Construction and operations	The Planning Secretary has not enacted this condition Request to be considered after operations commence		NT
PART E: PRIOR TO THE ISSUE OF OCCUPATION CERTIFICATE / COMMENCEMENT OF OPERATION					
Notification of Occupation					
E1	At least one month before the issue of the occupation certificate for the relevant stage, 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.	Construction	The letter to the DPE confirms that proposed date for the commencement of operation of stage 1 substages 1 - 3 as the 29 September 2022.		C
External Walls and Cladding					
E2	Prior to the issue of the occupation certificate for the relevant stage, 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.	Construction - Completion of stage 1 sub-stage 4	This condition relates to buildings with cladding components, therefore, this condition will be triggered at the completion of substage 4, as Substages 1 - 3 do not have any buildings which would trigger this requirement.		NT
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.	Construction - Completion of stage 1 sub-stage 4	This condition will be triggered at the completion of substage4 for the Boarding house.		NT
Post Construction Dilapidation Report - Protection of Public Infrastructure					
E4	Prior to the commencement of operation, the Applicant must engage a suitably qualified and experienced expert to prepare a Post-Construction Dilapidation Report. This Report must: (a) ascertain whether the construction works created any structural damage to public infrastructure by comparing the results of the Post-Construction Dilapidation Report with the Pre-Construction Dilapidation Report required by condition C5 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.	Construction	The post construction dilapidation survey was completed by Opal Dilapidation as per letter dated 20 September 2022.		C
Repair of Public Infrastructure					

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E5	Unless the Applicant and the relevant public authority agree otherwise, the Applicant must, prior to the commencement of operation: (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. Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions payable under this consent.	Construction	The post construction dilapidation survey was completed by Opal Dilapidation as per letter dated 20 September 2022. It was stated: "no additional damage to public infrastructure has occurred as a result of the development works located at the Loreto"		C
Post Construction Survey - Residential Properties					
E6	Where a pre-construction survey has been undertaken in accordance with condition C6, prior to the commencement of operation the Applicant must engage a suitably qualified and experienced expert to undertake a post-construction survey and prepare a Post-Construction Survey Report. This Report must: (a) document the results of the post-construction survey and compare it with the pre-construction survey to ascertain whether the construction works caused any damage to buildings surveyed in accordance with condition C7; (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.	Construction	There was no evidence of pre-construction surveys being accepted for substage 1 - 3 (under condition C6) was observed during this reporting period. Post construction surveys for residential properties not triggered.		NT
E7	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	Construction	There was no evidence of pre-construction surveys being accepted for substage 1 - 3 (under condition C6) was observed during this reporting period. Post construction surveys for residential properties not triggered		NT
Utilities and Services					
E8	Prior to the issue of the occupation certificate for the relevant stage, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the <i>Sydney Water Act 1994</i> .	Construction - Completion of stage 1 sub-stage 4	There were no water and sewerage works as part of substages 1-3, only stormwater. The Proponent confirmed that this will be triggered at the completion of Substage 4 for the boarding house.		NT
Works as Executed Plans					
E9	Prior to the issue of the occupation certificate for the relevant stage, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Certifier.	Construction	IEA Finding: Issued for Construction Drawings for siteworks and pavement and drainage for substages 1 - 3 have been signed off by a registered surveyor. The construction and occupation certificates include a list of documentation that was relied upon in issuing the certificates. This included details pertaining to stormwater drainage.		C
Green Travel Plan (GTP)					

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E10	<p>Prior to the issue of first occupation certificate which permits an increase in student and staff numbers, the applicant must update the GTP in consultation with TfNSW with an Implementation Strategy that commits to specific management actions, including operational procedures to be implemented along with timeframes. The GTP must include, but not be limited to:</p> <p>(a) be prepared by a suitably qualified traffic consultant;</p> <p>(b) analysis of current travel survey data and school postcode data and discussion of how this data has informed the mode share targets and actions of the GTP;</p> <p>(c) identify the number of staff and students within reasonable walking / cycling distance;</p> <p>(d) specific tools and actions to help achieve the objectives and mode share target of 5.1% reduction in staff car trips and 11.4% for students;</p> <p>(e) an implementation strategy that commits to specific actions (including operational procedures to be implemented along with timeframes) to encourage the use of public and active transport and discourage the use of single occupant car travel to access the site;</p> <p>(f) details of bicycle parking and dedicated end of trip facilities including but not limited to lockers, showers and change rooms and e-bike charging station(s) for staff and students to support an increase in the non-car mode share for travel to and from the site;</p> <p>(g) a Transport Access Guide for staff, students and visitors providing information about the range of travel modes, access arrangements and supporting facilities that service the site;</p> <p>(h) a communication strategy for engaging with students, staff and visitors regarding public and active transport use to the site and the promotion of the health and wellbeing benefits of active and non-car travel to the site;</p> <p>(i) include a mechanism to monitor the effectiveness of the measures of the plan; and</p> <p>(j) the appointment of a Travel Plan Coordinator responsible for implementing the plan and its ongoing monitoring and review, including the delivery of actions and associated mode share targets.</p> <p>Note: The applicant must submit a copy of the plan for the endorsement of TfNSW via</p>	Construction	<p>TRF Finding: The GTP generally complies with the requirements of this condition.</p> <p>a) the report has been prepared by a qualified traffic engineers and authorised by Paul Yannoulatos (signed on page 4).</p> <p>b) Section 3.0 details the 2018 travel mode survey data with a summary of the results in Table 3.1; Section 3.1.2 outlines the 2022 updated travel mode survey detail with a summary of the results in Tables 3.2, 3.3 and 3.4. Location data is outlined in Section 3.2 The targets are discussed in section 5.</p> <p>c) Cycling / walking catchment tis addressed in section 3.3.</p> <p>d) Specific actions are discussed in section 6. Section 6.6 includes an action checklist.</p> <p>e) Strategies are discusses din Section 6:</p> <ul style="list-style-type: none"> - 6.1 Strategy 1: enable informed users - 6.2 Strategy 2: Encourage active transport - 6.3 Strategy 3: Encourage public transport - 6.4 Strategy 4: Encourage car pooling - 6.5 Strategy 5: Ongoing management <p>f) Bicycle facilities and end of trip faculties are discussed in sections 2.2.2 and 6.2.2</p> <p>g) The Transport Access Guide is attached to the GTP in Appendix A</p> <p>h) Section 6.1 includes details regarding how to engage students/staff / visitors regarding access to the site including recommending:</p> <ul style="list-style-type: none"> - uploading the Transport Access Guide (TAG) to the website - Inductions for new starters - Periodic reminder (e.g. in newsletters) <p>i) Section 6.5 outlines the requirements to undertake regular reviews of the GTP</p> <p>j) The travel coordinator details are included in Section 7</p> <p>Email evidence provided confirmed that the GTP was submitted to TfNSW for review and comment.</p>		NT
Operational Transport and Access Management Plan (OTAMP)					

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E11	<p>Prior to the issue of the occupation certificate for the through site road, new carparks and drop-off/pick-up facilities, an OTAMP must be prepared by a suitably qualified person, in consultation with Council and TfNSW, and submitted to the satisfaction of the Certifier. The OTAMP must address the following:</p> <p>(a) the recommendations and commitments within the document titled ref: 181202 TAAB, prepared by Taylor Thomson Whitting and dated 8 December 2020 (as amended by this consent);</p> <p>(b) detailed pedestrian analysis including the identification of safe route options to identify the need for management measures such as staggered school start and finish times to ensure students and staff are able to access and leave the Site in a safe and efficient manner during school start and finish;</p> <p>(c) the location of all car parking spaces on the school campuses and their allocation (i.e. staff, visitor, accessible, emergency, etc.);</p> <p>(d) the access and security arrangements of the boarding accommodation basement car park including clarification of how:</p> <p>(i) school staff and students not residing at the boarding accommodation are provided safe access to the car and bicycle parking within the building; and</p> <p>(ii) unauthorised access of the boarding accommodation basement would be prevented;</p> <p>(e) the operation of the pick-up/drop-off facilities confirming that all facilities would be open and allow access for on-site vehicle queuing at least 30 minutes prior to the afternoon school pick-up period commencing each day;</p> <p>(f) the location and operational management procedures of the pick-up and drop-off parking located within the project site, including staff management/traffic controller arrangements;</p> <p>(g) delivery and services vehicle and bus access and management arrangements;</p> <p>(h) management of approved access arrangements;</p> <p>(i) 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 in the project site;</p> <p>(j) car parking arrangements and management associated with attendance at the school by staff, parents and persons associated with the school to ensure no parking occurs on Osborn Road and Mount Pleasant Avenue;</p> <p>(k) monitoring of Mount Pleasant Avenue and Osborn Road by traffic marshals and/or staff during peak periods to ensure pick-up/drop-off does not occur on these roads;</p> <p>(l) booking system / management of the tandem car parking spaces;</p> <p>(m) car parking arrangements and management associated with the proposed use of school facilities by community members; and</p> <p>(n) a monitoring and review program.</p>	Construction	<p>IEA Finding: The OTAMP generally demonstrates compliance with the requirements of this condition:</p> <p>a) A statement is included in Section 1.4 that the OTAMP has been prepared (and updated) by TTW in accordance with condition E11 and that the recommendations and commitments within the document titled ref: 181202 TAAB have been reference during the preparation of the updated OTAMP</p> <p>b) Details for pedestrian analysis are outlined in Section 5.2; section 5.3 outlines ingress and egress routes, management during arrival and departure, section 5.4 includes management strategies</p> <p>c) Section 6 outlines car park management. Section 6.1 identifies priority routes, Figure 6.1 identifies the car parking areas and Section 6.2 discusses allocation of spaces and ingress/egress routes</p> <p>d) Substage 4 Boarding accommodation is yet to commence, access details will be developed and confirmed during detailed design</p> <p>e) Section 4 addresses pick up and drop off management. Section 4.2.1 details that drop off/pick up areas will be open 30 mins prior to school finish times to allow internal queuing</p> <p>f) Section 4.2 outlines procedures for arrival and departure, ingress/egress routes</p> <p>g) Section 7 addresses service vehicle management, specifically 7.3.2 delivery schedules. Section 8 addresses bus and coach management.</p> <p>h) The following sections address management of approved access arrangement:</p> <ul style="list-style-type: none"> - 4.3 Pick up and drop off - 5.4 Pedestrian and cyclists - 6.3 Car park (staff / students/visitors) - 7.3 Service vehicles - 8.3 Bus and Coach - 9.3 Special Events <p>i) Section 4 outline the % of students approaching the school from the east and west, ingress and egress routes</p> <p>j) Section 6 discusses the car park arrangement, specifically:</p> <ul style="list-style-type: none"> - 6.2.1 details allocation of spaces - 6.2.2 details Tandem parking - 6.3.3 details cap on student parking - 6.3.5 outlines the dedicated locations for staff/student parking - 6.3.6 state that quarterly audits will be undertaken. <p>k) Section 4.3.6. details traffic marshals enforcing parking zone restrictions</p> <p>l) Section 6.2.1 outlines allocation of parking spaces, Section 6.2.2 outlines tandem parking arrangements; Section 6.3.3 details parking pass requirements for student parking</p> <p>m) Section 9.0 Includes details for parking during special events</p> <p>n) Section 10.0 outlines details for monitoring and review.</p> <p>Email evidence provided confirmed that the OTAMP was submitted to TfNSW for review. TfNSW did not provide comment. The occupation certificate also includes reference to the OTAMP and communications with TfNSW and Council as documentation reviewed.</p>		C

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E12	Prior to the issue of the first occupation certificate for the boarding accommodation, a Boarding Accommodation Operational Management Plan (BAOMP) must be submitted to and approved by the Planning Secretary. The BAOMP must: (a) include all the measures to be implemented on the premises in terms of safety & security, amenity and health including but not limited to matters relating to curfews and after-hours access, bringing of visitors on to the site, emergency response and use of communal areas etc; (b) include all the responsibilities of the caretaker/manager; (c) include an Incident Register to be maintained by the caretaker/manager. This Register must be produced upon demand by any Council officer or NSW Police Officer. The Register must contain a direction that all incidents of a criminal nature are to be reported to the Police immediately; (d) be dated and the name and signature of the author of the document must be included; and (e) be displayed in prominent locations within the premises and a copy of the Plan must be provided to all residents of the boarding accommodation.	Construction - Completion of stage 1 sub-stage 4	This condition is relevant to sub-stage 4. The construction of the boarding house is yet to commence, therefore the requirements of this condition are yet to be triggered.		NT
E13	Prior to occupation and commencement of the use of the boarding accommodation, a notification letter must be forwarded to Council and neighbours providing contact details for the caretaker/manager so that any issues regarding the operation of the premises can be addressed promptly. Evidence of this letter being forwarded as required in this condition must be provided to the satisfaction of the Certifier. The letter must also be forwarded to the CCC for information	Construction - Completion of stage 1 sub-stage 4	This condition is relevant to sub-stage 4. The construction of the boarding house is yet to commence, therefore the requirements of this condition are yet to be triggered.		NT
Evacuation and Emergency Planning					
E14	Prior to the commencement of operation, a Bush Fire Emergency Management and Evacuation Plan must be prepared consistent with Development Planning A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014.	Construction	IEA Finding: Email from Eco Logical to the certifier (dated 7/12/21) confirmed compliance with the condition has been satisfied as a result of the findings of the Bushfire Protection Assessment.		C
Mechanical Ventilation					
E15	satisfaction of the Certifier that the installation and performance of the mechanical ventilation systems complies with: (a) AS 1668.2-2012 The use of air-conditioning in buildings Mechanical ventilation in buildings and other relevant codes; and (b) any dispensation granted by Fire and Rescue NSW.	Construction - Completion of stage 1 sub-stage 4	This condition is relevant to sub-stage 4. The construction of the boarding house is yet to commence, therefore the requirements of this condition are yet to be triggered.		NT
Operational Noise - Design of Mechanical Plant, Equipment and School Bell/PA System					
E16	Prior to the issue of the occupation certificate for the relevant stage, the Applicant must submit evidence to the Certifier that the appropriate noise mitigation measures required under Schedule 3 condition B12 have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Construction and Operational Noise Assessment prepared by Wilkinson Murray and dated 16 December 2020.	Construction - Completion of stage 1	The construction certificate will be issued at the completion of Stage 1.		NT
Car Parking, Service Vehicle and Bicycle parking Arrangements					

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E17	Prior to the issue of the occupation certificate for any relevant construction stage, evidence must be submitted to the satisfaction of the Planning Secretary that demonstrates that: (a) the car-parking, service vehicle areas, bicycle parking facilities comply with the approved Staging Report under Schedule 3 condition A10, the amended Staging Plan under Schedule 3 condition B1 and the requirements of Schedule 3 conditions B17 and B18; (b) appropriate pedestrian and cyclist advisory signs have been provided; (c) all works/regulatory signposting associated with the proposed developments have been undertaken at no cost to the relevant roads authority; (d) appropriate signage has been provided within the site to direct the pedestrians to the safe pedestrian crossing facilities within the site; (e) the location and design of the bicycle spaces comply with the provisions of Schedule 3 condition B19; and (f) end-of-trip facilities for staff and students are provided.	Construction	IEA Finding: Evidence supplied confirmed that the DPE were satisfied with the evidence provide by CTPG for substages 1 -3 carparking network was prepared in accordance with the requirements of this condition.		C
Road Damage					
E18	Prior to the commencement of operation, the cost of repairing any damage caused to council or other public authority's assets in the vicinity of the Subject site as a result of construction works associated with the approved development must be met in full by the Applicant.	Construction	IEA Finding: The Proponent confirmed that a bond had been lodged with Council who will hold the bond until they undertake a survey and sign off on the condition of the road. Council was yet to undertake the survey at the time of this Compliance Report.		C
Fire Safety Certification					
E19	Prior to the issue of the 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.	Construction	IEA Finding: The occupation certificate for substages 1 - 3 includes referenced to the fire safety certificate (19/10/2022)		C
Structural Inspecting Certificate					
E20	Prior to the issue of the 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.	Construction	IEA Finding: The occupation certificate for substages 1 - 3 includes referenced to the structural design and inspection certificates (16/8/20223 and 17/8/2022 respectively)		C
Compliance with Food Code					
E21	Prior to the issue of the occupation certificate for the boarding accommodation, the Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the AS 4674 Design, construction and fit-out of food premises and provide evidence of receipt of the certificate to the satisfaction of the Certifier.	Construction	This condition is relevant to an occupation certificate for sub-stage 4, which construction is yet to commence. The requirements of this condition will be addressed prior to obtaining an occupation certificate.		NT
Stormwater Quality Management Plan					
E22	Prior to the commencement of operation, an Operation and Maintenance Plan (OMP) is to be submitted to the satisfaction of the Certifier along with evidence of compliance with the OMP. The OMP must ensure the proposed stormwater quality measures remain effective and contain the following: (a) maintenance schedule of all stormwater quality treatment devices; (b) record and reporting details; (c) relevant contact information; and (d) Work Health and Safety requirements.	Construction - Completion of stage 1	The OMP will be issued at the completion of Stage 1.		NT
Warm Water Systems and Cooling Systems					
E23	The installation of warm water systems and water-cooling systems (as defined under the Public Health Act 2010) must comply with the Public Health Act 2010, Public Health Regulation 2012 and Part 1 (or Part 3 if a Performance-based water-cooling system) of AS/NZS 3666.2:2011 Air handling and water systems of buildings Microbial control Operation and maintenance and the NSW Health Code of Practice for the Control of Legionnaires' Disease.	Construction - stage 1 sub-stage 4	This condition is relevant to sub-stage 4, which construction is yet to commence.		NT
Outdoor Lighting					

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E24	Prior to the issue of the occupation certificate for the relevant stage, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and: (a) complies with the latest version of AS 4282-2019 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and (b) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties, public road network or bushland.	Construction	IEA Finding: The Certification demonstrates compliance with the requirements of this condition: a) includes a statement that the outdoor lighting complies with AS 4282-2019+ b) has been mounted, screened and directed in a manner to not create a nuisance. Observations made during the site inspection confirmed that the outdoor lighting did not appear to be installed in a manner that would likely cause a nuisance to surrounding properties/		C
Signage and no right turn restriction					
E25	Prior to the issue of an occupation certificate for the relevant stage, way-finding signage and signage identifying the location of staff car parking must be installed.	Construction	IEA Finding: Observations made during the site inspection confirmed that relevant signage was installed in the carpark and through road areas.		C
E26	Prior to the issue of an occupation certificate for the relevant stage, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.	Construction	IEA Finding: Observations made during the site inspection confirmed that signage for bicycle way finding had been installed to direct cyclists to the bicycle parking area.		C
E27	Prior to the issue of the occupation certificate for the through site road, the Applicant must provide the following to the satisfaction of the Certifier: (a) evidence to demonstrate that "No stopping" restrictions have been installed within the through site road (effective at all times); (b) evidence of endorsement from Council's Traffic Committee and/or TfNSW (where applicable) to install a "No Right Turn" from Mount Pleasant Avenue onto Pennant Hills Road for the following time periods: (i) 8am to 9.30am school days; and (ii) 2.30pm to 4pm school days (c) evidence, of any alternative advice (including refusal) from the relevant roads authority (Council or TfNSW), if the requirement of Schedule 3 condition E27(b) is not endorsed by the relevant roads authority; and (d) Evidence to demonstrate that the "No Right Turn" signage has been installed, in the case endorsement is obtained from the relevant roads authority(s).	Construction	IEA Finding: The letter from Council states that they note that this condition does not require a restriction to be in operation, but only seeks that it is considered by the LTC. The letter also states that Council intends to approach the community with a proposal to conduct a trial of the right hand turn restriction. Council considers that this condition should not restrict the opening of stage 1 of the development.		C
Operational Waste Management Plan (OWMP)					
E28	Prior to the commencement of operation, the Applicant must prepare an OWMP for the development and submit it to the Certifier. The OWMP must: (a) incorporate relevant amendments to the development required under Schedule 3 condition B2; (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; and (e) include the Management and Mitigation Measures included in EIS Appendix P.	Construction - Completion of stage 1	The OWMP will be issued at the completion of Stage 1.		NT
Site Contamination					
E29	If, based on further site investigations report undertaken in accordance with Schedule 3 condition C31, it is determined that ongoing on-site management of soil or groundwater contamination is required, then the following requirements must be satisfied: (a) the Applicant must engage a NSW EPA-accredited Site Auditor to confirm the appropriateness of the site for the proposed use. The Applicant must obtain from a NSW EPA-accredited Site Auditor a Section A2 Site Audit Statement accompanied by an Environmental Management Plan prepared by a certified consultant and submit it to the Planning Secretary and relevant Council for information no later than one month before the commencement of operation; and (b) the development must not be used for the purpose approved under the terms of this consent until a Site Audit Statement determines the land is suitable for that purpose and any conditions on the Site Audit Statement have been complied with.	Construction - Completion of stage 1	IEA Finding: Enviroreview were engaged to undertake an audit on the supplementary contamination assessment and the Methodology. The letter from Enviroreview confirmed that the area subject to assessment as part of the Supplementary Contamination Assessment can be made suitable for the proposed development through the implementation of the remediation and validation works proposed by the RAP and RAP Addendum letter. The Proponent confirmed that a site audit statement will be issued at the completion of stage 1 works, however interim advice letters are issued at the end of each substage.		C
Landscaping					

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Condition Ref	SSD 8996 Requirement (exact wording)	Development Phase	Evidence and Comment	Recommendations	Assessment Compliant (C) Non-Compliant (NC) Not Triggered (NT)
E30	Prior to the issue of an occupation certificate for the relevant stage, landscaping of the site must be completed in accordance with approved landscape plan(s) under Schedule 3 condition	Construction	IEA Finding: The letter from Dredge Bros confirms that the landscape works completed are in accordance with the plans and specifications.		C
E31	Prior to the issue of an occupation certificate for the relevant stage, the Applicant must submit an Operational Landscape Management Plan to manage the proposed landscaping on-site, to the satisfaction of the Certifier. The plan must: (a) describe the ongoing monitoring and maintenance measures to manage proposed landscaping; (b) be consistent with the Applicants Management and Mitigation Measures in the RtS Appendices C and I; and (c) incorporate the indirect impact mitigation measures indicated in the BDAR Loreto Normanhurst Biodiversity Assessment Report (version 6) prepared by Eco Logical Australia dated 16 December 2020 relevant to the ongoing operation of the development	Construction	The Scope of works developed by Dredge Brothers outlines and maintenance schedule generally comply with the requirements of this condition: a) the extent of work required including lawn and garden maintenance (including specifications), general works, mulching safety b) The schedule outlines what activities are required for each month for the initial 6 months and then ongoing. The Occupational Certificate issued by Blackett Maguire and Goldsmith on 20 October 2022. It states "We have also submitted a copy of the documentation relied upon as indicated on the Occupation Certificate via the ePlanning Portal for Council's record".		C
BASIX					
E32	Prior to the issue of the occupation certificate for the boarding accommodation building, the Applicant must implement the BASIX commitments required by Schedule 3 condition B7.	Construction - stage 1 sub-stage 4	This condition will be triggered prior to requesting an occupation certificate for substage 4.		NT
Pennant Hills Road Vehicular Entrance					
E33	Prior to the issue of any occupation certificate, removable bollards must be installed at the Pennant Hills Road vehicular entrance of the driveway accessing the Chapel.	Construction	IEA Finding: Observations made during the site inspection confirmed that removeable bollards had been installed in accordance with the requirements of this condition.		C
Road Safety Audit					
E34	Prior to the issue of an occupation certificate for internal through site road and drop-off/pick-up facilities, a Road Safety Audit (RSA) must be conducted on the school pick-up and drop off areas, through site road, pedestrian and vehicular accesses to the school. The RSA 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.	Construction	IEA Finding: The RSA (TTW, 12/09/22) has been generally undertaken in accordance with the TfNSW <i>Guidelines for Road Safety Practices 2011</i> and <i>Austroads Guide to Road Safety Part 6 (2022)</i> .		C
E35	The results of the RSA and the relevant recommendations, including any measures to improve road safety must be submitted to the Certifier for information within one month of undertaking the audit and prior to the issue of that substage.	Construction	IEA Finding: The Certifier review indicates that the RSA was sent to the certifier on 21/09/22 which was within one month of the audit . The RSA was forwarded to both Council and TfNSW on 16/09/22 TfNSW responded that they had no comments. The Proponent confirmed that Council did not provide any comment.		C
E36	Based on the recommendations of the RSA, appropriate road safety and/or traffic management measures must be implemented, in consultation with Council and TfNSW, within 3 months of the RSA and evidence submitted to the satisfaction of the Certifier.	Construction	IEA Finding: The RSA was forwarded to both Council and TfNSW on 16/09/22 via email. TfNSW responded that they had no comments. The Proponent confirmed that Council did not provide any comment.		C
Certification of WSUD Facilities					
E37	Prior to the issue of an occupation certificate for the relevant stage, a certificate from a Civil Engineer must be obtained stating that the WSUD facilities have been constructed and will meet the water quality targets set out in the approved WSUD Strategy required by Schedule 3 Condition B11.	Construction - Completion of stage 1	The construction certificate related to WSUD will be issued at the completion of Stage 1.		NT
Damage to Council Assets					
E38	Any damage caused to Council's assets as a result of the construction or demolition of the development must be rectified by the applicant in accordance with AUS-SPEC Specifications (www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions). Rectification works must be undertaken prior to the issue of an occupation certificate, or sooner, as directed by Council.	Construction - prior to stage 1 sub-stage 4	The only public domain work that had been completed at the time of this Compliance Report was works associated with substages 1 - 3: the kerb and channel for the driveway access to the Osborn Road carpark. All footpath kerb and gutters were observed to be reconstructed. Landscaping had also been completed. The scope of works did not require any public utility adjustments, reinstatement of road pavement or any fill placed within the road reserve. Item 7 of the CCC meeting minutes and the Proponent confirmed that CTPG had contacted Council regarding issues /remediation works for Mount Pleasant Avenue (existing poor condition) and will complete a dilapidation survey prior to the commencement of substage 4.		C
Creation of Easements (Application for the Execution of legal documents)					

Loreto Normanhurst School Redevelopment

Operations Compliance Report

Determination of a Development Application for State Significant, Development Consent (8996)

Condition Ref	SSD 8996 Requirement (exact wording)	Development Phase	Evidence and Comment	Recommendations	Assessment Compliant (C) Non-Compliant (NC) Not Triggerred (NT)
E39	<p>Prior to the issue of the occupation certificate for the relevant stage, the following easement/s must be created on the title of the property under the Conveyancing Act 1919:</p> <p>(a) the creation of an appropriate "Positive Covenant" and "Restriction as to User" over the constructed on-site detention/retention systems and the water quality devices, within the lots in favour of Council in accordance with council's prescribed wordings. The position of the on-site detention and water quality system is to be clearly indicated on the title; and</p> <p>(b) to register the OSD and water quality devices easement, the restriction on the use of land "works as executed" details of the on-site-detention system must be submitted verifying that the required storage and discharge rates have been constructed in accordance with the design requirements. The details must show the invert levels of the onsite system together with pipe sizes and grades. Any variations to the approved plans must be shown in red on the "works-as-executed" plan and support by calculations.</p> <p>Note: Council must be nominated as the authority to release, vary or modify any easement, restriction or covenant</p>	Construction - Completion of stage 1	This condition will be triggered at the completion of Stage 1.		NT

Arborist Certification