

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

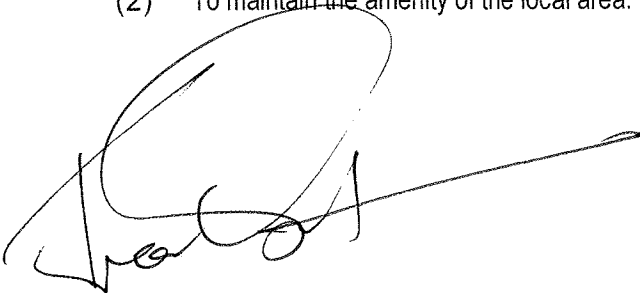
DETERMINATION OF MAJOR PROJECT NO. 06_0281

(File No. S06/00754)

I, the Minister for Planning, pursuant to Section 75J of the *Environmental Planning & Assessment Act, 1979*, determine Major Project No. 06_0281 referred to in the attached Schedule 1, by **granting approval** subject to the conditions of approval in the attached Schedule 2.

The reasons for the imposition of conditions are:

- (1) To adequately mitigate the environmental impact of the development; and
- (2) To maintain the amenity of the local area.

A large, stylized handwritten signature in black ink, likely belonging to Frank Sartor, is written over the list of reasons.

Frank Sartor MP
Minister for Planning

Sydney,

 2007

SCHEDULE 1

PART A — TABLE

Application made by:	The University of New South Wales Level 2, The Chancellery 330 Anzac Parade Kensington NSW 2033
Application made to:	Minister for Planning
Major Project Number:	06_0281
On land comprising:	Part Lot 1 DP 510271 Land bounded by High Street and the UNSW campus grounds.
Local Government Area	Randwick City Council
For the carrying out of:	A detailed description of the development approved to is described in Condition A1, Part A, Schedule 2
Capital Investment Value	Approximately \$100 million
Type of development:	Project approval under Part 3A of the EP&A Act
Determination made on:	XXX 2007
Determination:	Project approval is granted subject to the conditions in the attached Schedule 2.
Date of commencement of approval:	This approval commences on the date of the Minister's approval.
Date approval is liable to lapse	5 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the EP&A Act.

PART B — DEFINITIONS

In this approval the following definitions apply:

Act means the Environmental Planning and Assessment Act, 1979 (as amended).

BCA means the Building Code of Australia.

Council means Randwick City Council.

Department means the Department of Planning or its successors.

Director General means the Commonwealth Director General of the Department of Planning.

DOTARS means the Commonwealth Department of Transport and Regional Services

Major Project No. 06_0281 means the project described in Condition A1, Part A, Schedule 2 and the accompanying plans and documentation described in Condition A2, Part A, Schedule 2.

Minister means the Minister for Planning.

Project means development that is declared under Section 75B of the Act to be a project to which Part 3A of the Act applies.

Proponent means the person proposing the carry out of development comprising all or any part of the project, and includes persons certified by the Minister to be the proponent.

Regulations means the Environmental Planning and Assessment Regulations, 2000 (as amended).

RTA means the Roads and Traffic Authority.

Subject Site has the same meaning as the land identified in Part A of this schedule.

SCHEDULE 2**CONDITIONS OF APPROVAL - MAJOR PROJECT NO. 05_0176****PART A – ADMINISTRATIVE CONDITIONS****A1. Development Description**

Project approval is granted only to carrying out the development described in detail below:

- (1) The erection of a new Cancer Research Building.
- (2) The provision of associated servicing, landscaping and public domain works.

A2. Development in Accordance with Plans and Documentation

The development shall be in accordance with the following plans and documentation:

- (1) The Environmental Assessment Report dated January 2006 prepared by planning matters Pty Ltd (including accompanying Appendices) and drawings DC25-A-C.DA02 to DC25-A-C.DA23.
- (2) University of New South Wales Cancer Research Facility – Statement of Commitments.

Except for otherwise provided by the Department's conditions of approval as set out in Schedule 2, Part B and the proponent's statement of commitments.

A3. Inconsistency Between Documentation

In the event of any inconsistency between conditions of this project approval and the plans and documentation described in condition A2, Part A, Schedule 2 referred to above, the conditions of this project approval prevail.

A4. Prescribed Conditions

The Applicant shall comply with the prescribed conditions of project approval under Clause 75J (4) of the Act.

PART B – DEPARTMENT OF PLANNING'S CONDITIONS OF APPROVAL**B1 General**

- 1.1 The proponent will obtain all necessary approvals required by State and Commonwealth legislation in undertaking the project including those from DOTARS related to approval for the height of the proposed building in relation to building intrusions into the Sydney Airport height Obstacle Limitation Surface (OLS).
- 1.2 The proponent will continue to liaise with the local community during the development process.
- 1.3 The proponent will continue to liaise with Randwick City Council during the development process.

B2 Design

- 2.1 The colours, materials and finishes of the external surfaces to the building are to be compatible with the streetscape and University setting to maintain the integrity and amenity of the building and the streetscape. Details of the proposed colours, materials and textures (i.e. a schedule and brochure/s or sample board) are to be submitted to and approved by Randwick City Council prior to commencement of any works.

B3 Civil Works

- 3.1 The applicant must meet the full cost for Council or a Council approved contractor to:
 - (a) construct new vehicular crossings opposite the modified Gate 9 entrance and replace all redundant vehicular crossings with new concrete footpath, kerb and gutter.
 - (b) reconstruct the footpath in High Street along the full extent of the proposed works between the modified Gate 9 entrance and the eastern side of the new pedestrian entrance.
 - (c) Relocate the existing pedestrian crossing and associated signage to the satisfaction and approval of the Randwick Traffic Committee. Details of construction showing the relocated crossing, required 2.5m wide kerb nibs and the proposed locations for the bus zones is to be submitted for the Randwick Traffic Committee approval prior to commencement of any works.
 - (d) repair/replace any damaged sections of Council's footpath, kerb & gutter, nature strip etc which are due to building works being carried out at the above site. This includes the removal of cement slurry from Council's footpath and roadway.
- 3.2 Detailed design plans for the proposed works in High Street shall be submitted to and approved by Council prior to the commencement of works in the road reserve.
- 3.3 The applicant shall note that any external work, carried out on Council property, shall be in accordance with Council's Policy for "Vehicular Access and Road and Drainage Works".
- 3.4 All construction traffic shall be accommodated on-site. The requirement for all construction traffic to be accommodated on-site may be waived if it can be demonstrated (to the satisfaction of Randwick City Council's Traffic Section, the State Transit Authority and the Roads and Traffic Authority) that all construction related activities (including loading and unloading operations) can be undertaken and accommodated within the proposed construction zone with no disruption to traffic or the timed operation of the bus stops/zones.
- 3.5 The proposed loading dock shall be designed and constructed in accordance with AS 2890.2 (2002).

B4 Services

- 4.1 The applicant must meet the full cost for telecommunication companies, gas providers, Energy Australia and Sydney Water to adjust/repair/relocate their services as required. The applicant must make the necessary arrangements with the service authority. Note: Any electricity substation required for the site as a consequence of this development shall be located within the site.
- 4.2 A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation prior to commencement of work on the site.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section of the website www.sydneywater.com.au then refer to "Water Servicing Coordinator" under Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Notice must be obtained prior to commencement of work on the site.

B5 Drainage

- 5.1 All new floor areas shall be a minimum of 500 mm above any adjoining overland flow or stormwater ponding depths (or suitably protected from stormwater up to this same level).
- 5.2 All stormwater runoff from the site shall be taken through a sediment/silt arrester pit (or gross pollutant traps such as CDS units or equivalent) prior to discharging by gravity to the village green detention/infiltration area. The gross pollutant trap/s shall be sized to treat runoff from all storms up to the 1 in 3 month storm at a minimum.

Should a sediment/silt arrester pit be provided to satisfy the above requirement, it shall be constructed in accordance with the following requirements:-

The base of the pit located a minimum 300mm under the invert level of the outlet pipe.

The pit constructed from cast in-situ concrete, precast concrete or double brick.

A minimum of 4 x 90 mm diameter weep holes located in the walls of the pit at the floor level with a suitable geotextile material with a high filtration rating located over the weep holes.

A galvanised heavy-duty screen located over the outlet pipe/s (Mascot GMS multipurpose filter screen or equivalent).

The grate being a galvanised heavy-duty grate that has a provision for a child proof fastening system.

A child proof and corrosion resistant fastening system provided for the access grate (e.g. spring loaded j-bolts or similar).

A sign adjacent to the pit stating:

"This sediment/silt arrester pit shall be regularly inspected and cleaned."

Note: Sketch details of a standard sediment/silt arrester pit may be obtained from Council's Drainage Engineer.

- 5.3 Pump out systems must be designed with a minimum of two pumps being installed, connected in parallel (with each pump capable of discharging at the permissible discharge rate) and connected to a control board so that each pump will operate alternatively. The pump wet well shall be sized for the 1 in 100 year, 2 hour storm assuming both pumps are not working.

The pump system must also be designed and installed strictly in accordance with "Section 8.4 PUMP SYSTEMS" as stipulated in Randwick City Council's Private Stormwater Code.

- 5.4 Prior to occupation of the building, the applicant shall submit to Council's Director of Asset and Infrastructure Services, a works-as-executed drainage plan prepared by a registered surveyor and approved by a suitably qualified and experienced Hydraulic Engineer. The works-as-executed drainage plan shall include details of :

- a) The location, diameter, gradient and material (i.e PVC, RC etc) of all stormwater pipes;
- b) Details of any pumping systems installed (including wet well volumes).

- 5.5 Prior to occupation of the building, the applicant shall submit to Randwick City Council, certification from a suitably qualified and experienced Hydraulic Engineer confirming that the design and construction of the stormwater drainage system complies with the stormwater strategy as referred to in the UNSW Kensington Campus DCP and conditions contained herein.

- 5.6 Should seepage and/or groundwater be encountered within the depth of any the basement excavation, the basement shall be suitably tanked and waterproofed. A Structural Engineer/Geotechnical Engineer shall certify the tanking & waterproofing has been carried out to an acceptable standard and a copy of the certification is to be forwarded to Council.

Notes:-

- (a) Any subsoil drainage (from planter boxes etc) is to be disposed of within the site and is not to be discharged to Council's drainage system.
- (b) Adequate provision is to be made for the seepage water to drain around the basement structures (to ensure that the basement will not dam or slow the movement of the ground water through the development site).

B6 Landscaping

- 6.1 Permission is granted for the removal of the those trees listed as 'Expendable Trees', at the bottom of page 4, Recommendations, of the Arboricultural Assessment prepared by UNSW Grounds, Facilities Management, undated and unstamped (Appendix C of the Proponent's Environmental Assessment).
- 6.2 Those trees listed as 'Trees must be retained', at the bottom of page 4, Recommendations, of the Arboricultural Assessment prepared by UNSW Grounds, Facilities Management (Appendix C of the Proponent's Environmental Assessment), shall be protected in accordance with the measures described in Appendix 3, Tree Protection Guidelines, of the Arboricultural Assessment.

B7 Traffic and Parking

- 7.1 Prior to occupation of the Cancer Research Facility, the G3 western campus car park and High street Gate 2 car park (as approved by Randwick City Council under DA 271/2006) shall be

- constructed and available for use in accordance with the parking provisions detailed in the 'Amended Table 3.1. Summary of Recent Parking History at UNSW carpark' dated 3/5/2007.
- 7.2 The project shall include and implement appropriate works identified in Section 3 of the 'Transport Report' prepared by Colston Budd Hunt Kafes Pty. Limited to improve vehicular and pedestrian access.
- 7.3 A traffic management plan detailing the temporary barriers, line marking and signage that will be set up to control traffic during the construction stage will be prepared and approved by Randwick City Council prior to the commencement of works.
- 7.4 Should Council receive complaints regarding construction workers parking in the residential streets surrounding the University of NSW, the applicant shall meet the full cost of implementing any temporary parking restrictions considered necessary by the Randwick Traffic Committee.
- 7.5 The relocation of the pedestrian crossing on High Street must conform to current standards. This includes extending and removing the zig-zag advanced pavement markings on the western and eastern approaches to the pedestrian crossing in order that a minimum of 30m clear zone is maintained from the zig-zag markings to the pedestrian crossing. All appropriate signage to be relocated and / or installed, in accordance with TDT 2002/12 and TDT 2001/4.
- 7.6 The layout of the car parking areas associated with the subject development (including, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004 and AS 2890.2 – 2002 for heavy vehicles.
- 7.7 All works / regulatory signposting associated with the proposed development will be at no cost to the RTA.

B8 Site Contamination and Remediation

- 8.1 The applicant is to engage a NSW Department of Environment and Conservation (DEC) (formerly EPA) Accredited Site Auditor. The Site Auditor is to assess the suitability of the site for its intended development and use. A Site Audit Statement and Summary Site Audit Report is to be submitted to Council, prior to works commencing, which confirms that the land has been remediated and the site is suitable for the intended development and use and satisfies the relevant criteria in the National Environment Protection (Assessment of Site Contamination) Measure 1999.

Any requirements contained within an Environmental Management Plan (EMP) which forms part of the Site Audit Statement and Site Audit Report, form part of this consent and Council must be consulted with prior to the development of the EMP.

- Any requirements contained within an Environmental Management Plan (EMP) which forms part of the Site Audit Statement and Site Audit Report, form part of this consent and Council must be consulted with prior to the development of the EMP.
 - The Site Audit Statement must be submitted to Council, prior to the issuing of a construction certificate for the development.
- 8.2 Prior to the commencement of above ground works, the land must be remediated to meet the relevant criteria in the National Environment Protection (Assessment of Site Contamination) Measure (NEPM) 1999 and the following requirements must be complied with:

- (b) A Remediation Action Plan (RAP) is required to be prepared and be submitted to Council prior to commencing remediation works. The RAP is also required to be reviewed by an independent NSW Department of Environment and Conservation (DEC) Accredited Site Auditor.
- (c) The RAP is to be prepared in accordance with the relevant Guidelines made or approved by the NSW Department of Environment and Conservation, including the Guidelines for Consultants Reporting on Contaminated Sites.

This RAP is to include procedures for the following:

- Excavation of Hydrocarbon-contaminated soil,
 - Validation sampling and analysis,
 - Prevention of cross contamination and migration or release of contaminants,
 - Site management planning,
 - Ground water remediation, dewatering, drainage, monitoring and validation,
 - Unexpected finds.
- (d) Prior to commencing any remediation works, a written statement is to be provided to the Council by the Site Auditor, which confirms that the Remediation Action Plan satisfies the relevant legislative guidelines and requirements and that the land is able to be remediated to the required level and be suitable for the intended development and use.
- (e) Remediation works shall be carried out in accordance with the requirements of the Contaminated Land Management Act 1997, environmental planning instruments applying to the site, guidelines made by the NSW Department of Environment and Conservation and Department of Infrastructure Planning & Natural Resources, Randwick City Council's Contaminated Land Policy 1999 and the Protection of the Environment Operations Act 1997.
- (f) The site remediation including ground water must fully comply with all relevant Commonwealth and State Legislation, Regulations and Standards.
- (g) Any fill importation to the site is to be monitored and classified by the Site Auditor appointed for remediation of the site or a person with his qualifications. Only 'Virgin Excavated Natural Material' (VENM) is to be imported to the site, as defined within the NSW EPA 'Environmental Guidelines; Assessment, Classification and management of Liquid and Non-Liquid Wastes. 1999'.
- (h) A Site Remediation Management Plan must be prepared prior to the commencement of remediation works by a suitably qualified environmental consultant and be implemented throughout remediation works. A copy is to be forwarded to Council. The Site Remediation Management Plan shall include measures to address the following matters:
 - general site management, site security, barriers, traffic management and signage hazard identification and control
 - worker health & safety, work zones and decontamination procedures
 - cross contamination site drainage and dewatering
 - air and water quality monitoring disposable of hazardous wastes
 - contingency plans and incident reporting, and details of provisions for monitoring implementation of remediation works including details of the person/consultant responsible.
- (i) Remediation must be completed to the satisfaction of the Accredited Site Auditor and the written concurrence of Council must be obtained prior to the issuing of the construction certificate.

- (j) The works shall not give rise to environmental pollution or public nuisance or, result in an offence under the Protection of the Environment Operations Act 1997 or NSW Occupational Health & Safety Act (2000) & Regulations (2001).
- 8.3 The site must be remediated in accordance with the Contaminated Land Management Act 1997 and the National Environment Protection (Assessment of Site Contamination) Measure (NEPM) 1999 and details of compliance are to be provided to Council from a) an Accredited Site Auditor b) a suitably qualified Environmental Consultant upon completion of the remediation works.
- 8.4 The Site Audit Statement must, where no guideline made or approved under the NSW Contaminated Land Management Act is available (as with asbestos), clearly state the source of the standard adopted in determining the suitability of the land for the intended development and use and must also demonstrate its suitability to Randwick City Council.
- 8.5 In relation to any asbestos contamination, a comprehensive remediation strategy and remedial action plan must be developed, to the satisfaction of the Site Auditor and NSW Department of Health or other suitably qualified and experienced specialist to the satisfaction of the Site Auditor.
- 8.6 The remediation strategy and remedial action plan must demonstrate that the land will be remediated in accordance with relevant guidelines (if any) and to a level or standard where no unacceptable health risk remains from asbestos exposure, which shall be verified upon completion of the remediation works to the satisfaction of the Site Auditor.
- 8.7 The applicant is to engage the services of a suitably qualified environmental consultant to respond to enquiries and complaints made by the community or Council in relation to contamination, remediation and construction site management matters.
- 8.8 A specific contact number is to be made available for such enquiries and complaints (including an after-hours emergency contract number) and a complaints register is to be maintained to record all such enquiries, complaints and actions taken in response to same, which is to be made available to Council officers upon request.
- 8.9 Hazardous or intractable wastes arising from the demolition process being removed and disposed of in accordance with the requirements of WorkCover NSW and the Environment Protection Authority, and with the provisions of:
- New South Wales Occupational Health and Safety Act, 2000;
 - The Occupational Health and Safety (Hazardous Substances) Regulation 2001;
 - The Occupational Health and Safety (Asbestos Removal Work) Regulation 2001;
 - Protection Of the Environment Operations Act 1997 (NSW) and
 - Environment Protection Authority's Environmental Guidelines; Assessment, Classification and Management of Liquid and Non Liquid Wastes (1999).

B9 Waste Management

- 9.1 The new waste storage area located at the rear of the proposed loading dock shall be completed and available for use prior to the issuing of an occupation certificate for the Cancer Research Facility.
- 9.2 The disposal of hazardous waste shall be undertaken in a safe and responsible manner in accordance with the University of New South Wales Disposal of Hazardous Wastes Procedure (approved September 2003).

B10 Operational Management

- 10.1 The works shall not give rise to environmental pollution or public nuisance or, result in an offence under the Protection of the Environment Operations Act 1997 or NSW Occupational Health & Safety Act (2000) & Regulations (2001).
- 10.2 Warm water systems and/or Cooling Towers must be designed, installed and maintained in accordance with the requirement of the Public Health Act 1991 (Part 4 Microbial Control) and Regulations. The air handling system cooling tower must be designed, installed and operated in accordance with the relevant requirements of AS/NZS 3666.1 (2002), AS/NZS 3666.2 (2002) and AS/NZS 3666.3 (2000). Details of compliance must be provided with the construction certificate application. Waste water from cooling tower warm water systems is to be discharged to the sewer under a Trade Waste Agreement from Sydney Water.
- 10.3 Cooling Towers, warm water systems and water cooling systems must be registered with the Council together with the payment of the approved fee, prior to Occupation Certificate being issued for the development, and the system/s are to be maintained and certified in accordance with the provisions of the Public Health Act 1991.
- 10.4 The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 and Regulations. In this regard, the operation of the premises and plant and equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background (LA90), 15 min noise level, measured in the absence of the noise source/s under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq, 15 min and adjusted in accordance with the NSW Environmental Protection Authority's Industrial Noise Policy 2000 and Environmental Noise Control Manual (sleep disturbance).
- 10.5 The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance or damage to other premises.
- 10.6 A report, prepared by a suitably qualified and experienced consultant in acoustics, shall be submitted to the Council prior to occupation of the building, which demonstrates and certifies that noise and vibration emissions from the development comply with the relevant provisions of the Protection of the Environment Operations Act 1997, NSW Environmental Protection Authority Noise Control Manual & Industrial Noise Policy and conditions of Council's approval, to the satisfaction of Council's Manager Environmental Health & Building Services.
- 10.7 The use and operation of the premises shall not give rise to an environmental health or public nuisance and there are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the Protection of the Environment Operations Act 1997 and Regulations.
- 10.8 Access and toilet facilities for people with a disability are to be provided, in accordance with Parts D3 & F2 of the Building Code of Australia and AS1428.1, which must be available at all times the building is occupied and details are to be included in the construction certificate.

B11 Construction Management

- 11.1 Prior to the commencement of any building works, the person having the benefit of the development consent must:-
- i) appoint a *Principal Certifying Authority* for the building work, and
 - ii) appoint a *principal contractor* for the building work and notify the *Principal Certifying Authority* and Council accordingly in writing, and

- iii) notify the *principal contractor* of the required *critical stage inspections* and other inspections to be carried out, as specified by the *Principal Certifying Authority*, and
 - iv) give at least two days notice to the Council, in writing, of the person's intention to commence building works.
- 11.2 The building works must be inspected by the Principal Certifying Authority (or another certifying authority if the Principal Certifying Authority agrees), in accordance with sections 109 E (3) of the Environmental Planning & Assessment Act 1979 and clause 162A of the Environmental Planning & Assessment Regulation 2000, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.

The *Principal Certifying Authority* must specify the relevant stages of construction to be inspected in accordance with section 81A (2) (b1) (ii) of the Environmental Planning & Assessment Regulation 2000 and a satisfactory inspection must be carried out, to the satisfaction of the *Principal Certifying Authority*, prior to proceeding to the subsequent stages of construction or finalisation of the works (as applicable).

Documentary evidence of the building inspections carried out and details of compliance with Council's consent is to be maintained by the *Principal Certifying Authority*. Details of *critical stage inspections* carried out and copies of certification relied upon must also be forwarded to Council with the *occupation certificate*.

The *principal contractor* or must ensure that the required critical stage and other inspections, as specified in the *Principal Certifying Authority's* "Notice of Critical Stage Inspections", are carried out to the satisfaction of the *Principal Certifying Authority* and at least 48 hours notice (excluding weekends and public holidays) is to be given to the *Principal Certifying Authority*, to carry out the required inspection, before carrying out any further works.

- 11.3 A sign must be erected and maintained in a prominent position on the site for the duration of the works, which contains the following details:
- name, address, contractor licence number and telephone number of the principal contractor, including a telephone number at which the person may be contacted outside working hours, or owner-builder permit details (as applicable)
 - name, address and telephone number of the Principal Certifying Authority,
 - a statement stating that "unauthorised entry to the work site is prohibited".

- 11.4 An Occupation Certificate must be obtained from the Principal Certifying Authority prior to any occupation of the building work encompassed in this development consent, in accordance with the relevant provisions of the Environmental Planning & Assessment Act 1979.

An Occupation Certificate must not be issued for the development if the development is inconsistent with the development consent. The requirements of the Environmental Planning & Assessment Act 1979 and conditions of development consent must be satisfied prior to the issuing of an occupation certificate.

- 11.5 Prior to the issuing of an interim or final occupation certificate, a statement is required to be obtained from the Principal Certifying Authority, which confirms that the development is not inconsistent with the development consent and the relevant conditions of development consent have been satisfied.

Details of *critical stage* inspections carried out by the principal certifying authority together with any other certification relied upon must also be provided to Council with the occupation certificate.

- 11.6 A single and complete Fire Safety Certificate, which encompasses all of the essential fire safety measures contained in the fire safety schedule, must be obtained prior to issuing an Occupation Certificate and be submitted to Council, in accordance with the provisions of the Environmental Planning and Assessment Regulation 2000. A copy of the Fire Safety Certificate must be displayed in the building entrance/foyer and a copy of the Fire Safety Certificate must also be forwarded to the NSW Fire Brigades.
- 11.7 The required Long Service Levy payment, under the Building and Construction Industry Long Service Payments Act 1986, is to be forwarded to the Long Service Levy Corporation or the Council, prior to the issuing of a Construction Certificate, in accordance with Section 109F of the Environmental Planning & Assessment Act 1979.

At the time of this development consent, Long Service Levy payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.35% of the cost of the works.

The following group of conditions have been applied to ensure the structural adequacy and integrity of the proposed building and adjacent premises:

- 11.8 Documentary evidence prepared by a suitably qualified professional geotechnical engineer shall be submitted to the certifying authority prior to the issuing of a construction certificate, certifying the suitability and stability of the site for the proposed building and certifying the suitability and adequacy of the proposed design and construction of the building for the site.
- 11.9 A report shall be prepared by a professional engineer and submitted to the certifying authority prior to the issuing of a construction certificate, detailing the proposed methods of excavation, shoring or pile construction, including details of potential vibration emissions. The report, must demonstrate the suitability of the proposed methods of construction to overcome any potential damage to nearby land/premises.

Any practices or procedures specified in the engineer's report in relation to the avoidance or minimisation of structural damage to nearby premises, must be fully complied with and incorporated into the documentation for the construction certificate.

A copy of the engineers report is to be submitted to the Council, if the Council is not the certifying authority.

- 11.10 Driven type piles/shoring must not be provided unless a geotechnical engineer's report is submitted to the certifying authority, prior to the issuing of a construction certificate, which demonstrates that damage should not occur to any adjoining premises and public place as a result of the works.

Any practices or recommendations specified in the engineer's report in relation to the avoidance or minimisation of structural damage to nearby premises or land must be fully complied with and incorporated into the documentation for the construction certificate.

- 11.11 The installation of ground or rock anchors underneath a public roadway or public place must not be carried out without specific written consent of the Council.
- 11.12 A Certificate prepared by a professional engineer shall be submitted to the certifying authority (and the Council, if the Council is not the certifying authority) prior to issuing an occupation certificate, which certifies that the building works satisfy the relevant structural design requirements of the Building Code of Australia.
- 11.13 The demolition work, removal, storage, handling and disposal of building products and materials must be carried out in accordance with the relevant requirements of WorkCover

NSW, the NSW Department of Environment & Conservation (formerly the Environment Protection Authority) and Randwick City Council policies and conditions, including:

- Occupational Health and Safety Act 2000
- Occupational Health and Safety (Hazardous Substances) Regulation 2001
- Occupational Health and Safety (Asbestos Removal Work) Regulation 2001
- WorkCover NSW Code of Practice for the Safe Removal of Asbestos
- Australian Standard 2601 (2001) – Demolition of Structures
- The Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Waste) Regulation 1996.
- Relevant Department of Environment & Conservation (DEC) / Environment Protection Authority (EPA) and WorkCover NSW Guidelines.
- Randwick City Council Asbestos Policy (adopted 13 September 2005)

A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development section or a copy can be obtained from Council's Customer Service Centre.

- 11.14 All excavations and backfilling associated with the erection or demolition of a building must be executed safely in accordance with appropriate professional standards and excavations are to be properly guarded and supported to prevent them from being dangerous to life, property or buildings.

Retaining walls, shoring or piling must be provided to support land which is excavated in association with the erection or demolition of a building, to prevent the movement of soil and to support the adjacent land and buildings, if the soil conditions require it. Adequate provisions are also to be made for drainage.

Retaining walls, shoring, or piling must be designed and installed in accordance with appropriate professional standards and the relevant requirements of the Building Code of Australia and Australian Standards. Details of proposed retaining walls, shoring or piling are to be submitted to and approved by the Principal Certifying Authority for the development prior to commencing such excavations or works.

- 11.15 Except with the written approval of Randwick City Council, all building, demolition and associated site works (including site deliveries) must only be carried out between the hours of 7.00am to 5.00pm on Monday to Friday inclusive and (except as detailed below) between 8.00am to 5.00pm on Saturdays.

All building, demolition and associated site works are strictly prohibited on Sundays, Public Holidays and also on Saturdays adjacent to a Public Holiday.

In addition, the use of any rock excavation machinery or any mechanical pile drivers or the like is restricted to the hours of 8.00am to 5.00pm (maximum) on Monday to Friday only, to minimise the noise levels during construction and loss of amenity to nearby residents.

- 11.16 Noise and vibration emissions during the construction of the building and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents and the relevant provisions of the Protection of the Environment Operations Act 1997 must be satisfied at all times.
- 11.17 Noise and vibration from any rock excavation machinery and pile drivers (or the like) must be minimised by using appropriate plant and equipment and silencers and a construction noise and vibration minimisation strategy.

11.18 A Registered Surveyor's check survey certificate or compliance certificate is to be forwarded to the principal certifying authority (and a copy is to be forwarded to the Council, if the Council is not the principal certifying authority), detailing compliance with the project approval at the following stage/s of construction:

- (a) Prior to construction of the first completed floor/floor slab (prior to pouring of concrete), showing the area of land, building and boundary setbacks and verifying that the building is being construction at the approved levels.
- (b) On completion of the erection of the building showing the area of the land, the position of the building and boundary setbacks and verifying the building has been constructed at the approved levels.

11.19 Temporary toilet facilities are to be provided, at or in the vicinity of the work site throughout the course of demolition and construction, to the satisfaction of WorkCover NSW and the toilet facilities must be connected to a public sewer or other sewage management facility approved by Council.

11.20 Public safety and convenience must be maintained at all times during demolition, excavation and construction works.

The roadway, footpath and nature strip must be maintained in a good, safe condition and free from any obstructions, materials, soils or debris at all times. Any damage caused to the road, footway or nature strip must be repaired immediately, to the satisfaction of Council.

A Road Opening Permit must be obtained from the Council and other relevant Authorities prior to excavating or opening-up the road or footway for services or the like.

11.21 Building materials, sand, soil, waste materials or construction equipment must not be placed upon the footpath, roadway or nature strip at any time and the footpath, nature strip and road must be maintained in a clean condition and free from any obstructions, soil and debris at all times.

Bulk bins/waste containers must not be located upon the footpath, roadway or nature strip at any time without the prior written approval of the Council, unless the waste container is located upon the road in accordance with the Roads & Traffic Authority Guidelines and Requirements, and the container is exempt from an approval under Development Control Plan for Exempt & Complying Development and Council's Local Approvals Policy. Applications to place a waste container in a public place can be made to Council's Building Services section.

11.22 A Construction Site Management Plan is to be developed and implemented prior to the commencement of demolition, excavation or building works. The site management plan must include the following measures, as applicable to the type of development:

- location and construction of protective fencing / hoardings to the perimeter of the site;
- location of site storage areas/sheds/equipment;
- location of building materials for construction;
- provisions for public safety;
- dust control measures;
- site access location and construction
- details of methods of disposal of demolition materials;
- protective measures for tree preservation;
- provisions for temporary sanitary facilities;
- location and size of waste containers/bulk bins;
- details of proposed sediment and erosion control measures;
- construction noise and vibration management;

- construction traffic management provisions.

The site management measures are to be implemented prior to the commencement of any site works and be maintained throughout the works, to maintain reasonable levels of public health, safety and convenience, to the satisfaction of Council. A copy of the approved Construction Site Management Plan must be maintained on site and be made available to Council officers upon request.

- 11.23 During demolition excavation and construction works, dust emissions must be minimised, so as not to result in a nuisance to nearby residents or result in a potential pollution incident.

Adequate dust control measures must be provided to the site prior to the works commencing and the measures and practices must be maintained throughout the demolition, excavation and construction process, to the satisfaction of Council.

Dust control measures and practices may include:-

- Provision of geotextile fabric to all perimeter site fencing (attached on the prevailing wind side of the site fencing).
- Covering of stockpiles of sand, soil and excavated material with adequately secured tarpaulins or plastic sheeting.
- Installation of a water sprinkling system or provision hoses or the like.
- Regular watering-down of all loose materials and stockpiles of sand, soil and excavated material.
- Minimisation/relocation of stockpiles of materials, to minimise potential for disturbance by prevailing winds.
- Revegetation of disturbed areas.

- 11.24 During construction stages, sediment laden stormwater run-off shall be controlled using the sediment control measures outlined in the manual for Managing Urban Stormwater – Soils and Construction, published by the NSW Department of Housing.

Details of the proposed sediment control measures are to be detailed in a site water management plan and must be submitted to and approved by the principal certifying authority prior to the commencement of any site works. The sediment and erosion control measures must be implemented prior to the commencement of any site works and be maintained throughout construction. A copy of the approved details must be forwarded to the Council and a copy is to be maintained on-site and be made available to Council officers upon request.

Details of proposed sediment and erosion control measures shall include; a site plan; indicating the slope of land, access points & access control measures, location and type of sediment & erosion controls, location of existing vegetation to be retained, location of material stockpiles and storage areas, location of building operations and equipment, methods of sediment control, details of drainage systems and details of existing and proposed vegetation.

Stockpiles of soil, sand, aggregate or other materials must not be located on any footpath, roadway, nature strip, drainage line or any public place and the stockpiles must be protected with adequate sediment control measures.

Building operations such as brick cutting, washing tools or equipment and mixing mortar are not permitted on public footpaths, roadways, nature strips, in any public place or any location which may lead to the discharge of materials into the stormwater drainage system.

A warning sign for soil and water management must be displayed in a prominent position on the building site, visible to both the public and site workers. The sign must be displayed throughout the construction period. Copies of a suitable warning sign are available at Council's Customer Service Centre for a nominal fee.

- 11.25 The applicant/builder is required to hold Public Liability Insurance, with a minimum liability of \$5 million and a copy of the Insurance cover is to be provided to Council.
- 11.26 Public safety must be maintained at all times and public access to the site and building works, materials and equipment on the site is to be restricted.

A temporary safety fence is to be provided to protect the public, located to the perimeter of the site. Temporary fences are to have a minimum height of 1.8 metres and be constructed of cyclone wire fencing, with geotextile fabric attached to the inside of the fence to provide dust control, or other material approved by Council.

If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient or the building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected sufficiently to prevent any substance from, or in connection with, the work from falling into the public place or adjoining premises.

The public place adjacent to the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place and any such hoarding, fence or awning is to be removed upon completion of the work.

Temporary fences and hoardings are to be structurally adequate, safe and be constructed in a professional manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

The public safety provisions and temporary fences must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

If it is proposed to locate any site fencing, hoardings or amenities upon any part of the footpath, nature strip or any public place, the written consent from Council's Building Services section must be obtained beforehand and detailed plans are to be submitted to Council for consideration, together with payment of the weekly charge in accordance with Council's adopted fees and charges.

- 11.27 A 'B Class' overhead type hoarding is required to be provided to protect the public, located adjacent to the development, prior to the commencement of any works on the site which comprise:-

- any works or hoisting of materials over a public footway or adjoining premises, or
- any building or demolition works on buildings which are over 7.5m in height and located within 3.6 metres of the street alignment.

The public safety provisions and temporary fences must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

If it is proposed to locate any hoardings, site fencing or amenities upon a footpath or public place, the written consent from Council's Building Services section must be obtained beforehand and detailed plans are to be submitted to Council for consideration, together with payment of the weekly charge in accordance with Council's adopted fees and charges.

- 11.28 A local approval application must be submitted to and be approved by Council's Building Services section prior to commencing any of the following activities upon any part of the footpath, road or nature strip or in any public place:-

- Install or erect any site fencing, hoardings or site structures
- Operate a crane or hoist goods or materials over a footpath or road
- Placement of a waste skip or any other container or article in a public place.

- 11.29 The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with Randwick City Council's Asbestos Policy and the relevant requirements of WorkCover NSW and the NSW Department of Environment & Conservation (formerly the Environment Protection Authority), including:

- Occupational Health and Safety Act 2000
- Occupational Health and Safety (Hazardous Substances) Regulation 2001
- Occupational Health and Safety (Asbestos Removal Work) Regulation 2001
- WorkCover NSW Code of Practice for the Safe Removal of Asbestos
- Australian Standard 2601 (2001) – Demolition of Structures
- The Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Waste) Regulation 1996.
- Relevant Department of Environment & Conservation (DEC) / Environment Protection Authority (EPA) and WorkCover NSW Guidelines.

A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development section or a copy can be obtained from Council's Customer Service Centre.

- 11.30 A Demolition Work Plan must be prepared for the development in accordance with Australian Standard AS2601-2001, Demolition of Structures.

The Work Plan must include the following information (as applicable):

- The name, address, contact details and licence number of the Demolisher /Asbestos Removal Contractor
- Details of hazardous materials, including asbestos
- Method/s of demolition and removal of asbestos
- Measures and processes to be implemented to ensure the health & safety of workers and community
- Measures to be implemented to minimise any airborne asbestos and dust
- Methods and location of disposal of any asbestos or other hazardous materials
- Other relevant details, measures and requirements to be implemented as identified in the Asbestos Survey
- Date the demolition and removal of asbestos will commence

The Demolition Work Plan must be submitted to Council and the Principal Certifying Authority (PCA) if the Council is not the PCA, not less than two (2) working days before commencing any demolition works involving asbestos products or materials. A copy of the Demolition Work Plan must also be maintained on site and be made available to Council officers upon request.

It is the responsibility of the persons undertaking demolition work to obtain the relevant WorkCover licences and permits.

- 11.31 A WorkCover licensed demolition or asbestos removal contractor must undertake removal of more than 200 m² of bonded asbestos (or as otherwise specified by WorkCover or relevant legislation). Removal of friable asbestos material must only be undertaken by contractor that holds a current friable asbestos removal licence.

- 11.32 On demolition sites involving the removal of asbestos, a professionally manufactured sign must be clearly displayed in a prominent visible position at the front of the site, containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' and include details of the licensed contractor. The sign shall measure not less than 400mm x 300mm and the sign is to be installed prior to demolition work commencing and is to remain in place until such time as all asbestos has been safely removed from the site.
- 11.33 Asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Waste) Regulation 1996.
- Asbestos waste must be disposed of at an approved waste disposal depot (refer to the DEC or Waste Service NSW for details of sites). Copies of all receipts detailing method and location of disposal must be maintained on site and be provided to Council officers upon request, as evidence of correct disposal.
- 11.34 A Certificate or Statement, prepared by a suitably qualified person (ie an occupational hygienist, licensed asbestos removal contractor, building consultant, architect or experienced licensed building contractor), must be provided to Council upon completion of the works (prior to an Occupation Certificate being issued), which confirms that the relevant requirements contained in the Asbestos Survey and conditions of consent, in relation to the safe removal and disposal of asbestos, have been satisfied.
- 11.35 An Acid Sulphate Soils Management Plan (ASSMP) shall be prepared by a suitably qualified person in accordance with relevant guidelines and shall be submitted to and approved by Randwick City Council prior to commencement of construction.