

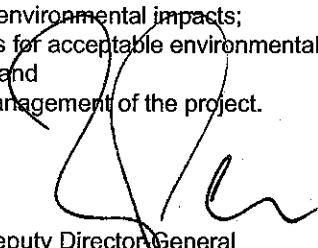
# Project Approval

## Section 75J of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 25 January 2010, I approve the project application referred to in schedule 1, subject to the conditions in schedules 2 to 3.

These conditions are required to:

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



Deputy Director General  
Development Assessment & Systems Performance  
Department of Planning

Sydney

20<sup>th</sup> January

2011

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### SCHEDULE 1

<b>Application No.:</b>	MP10_0050
<b>Proponent:</b>	Health Infrastructure
<b>Approval Authority:</b>	Minister for Planning
<b>Land:</b>	Lot 100 and part Lot 101 in DP1119583
<b>Project:</b>	Construction of a 8 storey medical research facility for the Westmead Millennium Institute and Westmead Research Hub, including landscaping and a 50 space car park.

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## DEFINITIONS

<b>Advisory Notes</b>	Advisory information relating to the approved project but do not form a part of this approval.
<b>BCA</b>	Building Code of Australia
<b>Construction</b>	Any works, including earth and building works
<b>Council</b>	Parramatta City Council
<b>Day</b>	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
<b>DECCW</b>	Department of Environment, Climate Change and Water or its successors
<b>Department</b>	Department of Planning or its successors
<b>Director-General</b>	Director General of the Department of Planning, or nominee
<b>EA</b>	Environmental Assessment titled <i>166 – 174 Hawkesbury Road, Westmead; Westmead Millennium Institute and Westmead Research Hub, dated September 2010, prepared by JBA Planning.</i>
<b>EP&amp;A Act</b>	Environmental Planning and Assessment Act 1979
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2000
<b>Evening</b>	The period from 6pm to 10pm
<b>Incident</b>	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval
<b>Minister</b>	Minister for Planning, or nominee
<b>Night</b>	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
<b>PPR</b>	Preferred Project Report titled <i>166 – 174 Hawkesbury Road, Westmead; Westmead Millennium Institute and Westmead Research Hub, dated December 2010, prepared by JBA Planning.</i>
<b>Project</b>	The project described in Condition A1, Part A, Schedule 2 and the accompanying plans and documentation described in Schedule 2, Part A, Condition A2.
<b>Proponent</b>	Health Infrastructure, or anyone else entitled to act on this Approval
<b>POEO Act</b>	Protection of the Environment Operations Act 1997
<b>Reasonable and Feasible</b>	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build.
<b>RTA</b>	Roads and Traffic Authority
<b>Statement of Commitments</b>	The Proponent's Statement of Commitment in Schedule 3
<b>Subject Site</b>	Lot 100 and part Lot 101 in DP1119583

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## SCHEDULE 2

### PART A - ADMINISTRATIVE CONDITIONS

#### **A1 Development Description**

Except as amended by the conditions of this approval, approval is granted only to carrying out the development as described in Schedule 1.

#### **A2 Development in accordance with plans and documents**

The development will be undertaken in accordance the following drawings and documents:

Environmental Assessment titled <i>166 – 174 Hawkesbury Road, Westmead; Westmead Millennium Institute and Westmead Research Hub</i> , dated September 2010, prepared by JBA Planning.			
Preferred Project Report titled <i>166 – 174 Hawkesbury Road, Westmead; Westmead Millennium Institute and Westmead Research Hub</i> , dated December 2010, prepared by JBA Planning.			
Statement of Commitments at Schedule 3, prepared by JBA Planning, dated December 2010			
Architectural (or Design) Drawings prepared by BVN Architects			
Drawing No.	Revision	Name of Plan	Date
DA-A-02	Issue 5	SITE SURVEY PLAN	23.08.10
DA-A-03	Issue 6	SITE ANALYSIS PLAN	24.08.10
DA-D-B1	Issue 4	FLOOR PLAN LEVEL B1 – BASEMENT	23.08.10
DA-D-00	Issue 8	FLOOR PLAN LEVEL 00 – LOWER GROUND	15.09.10
DA-D-00M	Issue 5	FLOOR PLAN LEVEL 00M – MEZZANINE	15.09.10
DA-D-01	Issue 7	FLOOR PLAN LEVEL 01 – UPPER GROUND	15.09.10
DA-D-02	Issue 6	FLOOR PLAN LEVEL 02	25.08.10
DA-D-03	Issue 6	FLOOR PLAN LEVEL 03	25.08.10
DA-D-04	Issue 4	FLOOR PLAN LEVEL 04	25.08.10
DA-D-05	Issue 4	FLOOR PLAN LEVEL 05	25.08.10
DA-D-06	Issue 4	FLOOR PLAN LEVEL 06	25.08.10
DA-D-07	Issue 6	FLOOR PLAN LEVEL 07 – PLANT	25.08.10
DA-D-08	Issue 3	ROOF PLAN	23.08.10
DA-E-01	Issue 6	SOUTH ELEVATION	25.08.10
DA-E-02	Issue 6	WEST ELEVATION	25.08.10
DA-E-03	Issue 6	NORTH ELEVATION	15.09.10
DA-E-04	Issue 7	EAST ELEVATION	15.09.10
DA-F-01	Issue 6	SECTION 01	25.08.10
DA-F-02	Issue 6	SECTION 02	25.08.10
DA-F-03	Issue 6	SECTION 03	25.08.10
DA-F-04	Issue 6	SECTION 04	25.08.10
DA-Z-40	Issue 2	FLOOR PLAN LEVEL 01 – UPPER GROUND SHOWING PROPOSED LINK TO EXISTING CMRI	23.08.10
LD001	Rev B	LANDSCAPE CONCEPT PLAN	15.09.10
LD002	Rev A	PLANT SCHEDULE AND DESIGN STATEMENT	24.08.10

except for:

- any modifications which are 'Exempt and Complying Development' or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; or
- otherwise provided by the conditions of this approval

**A3      *Inconsistency Between Documents***

In the event of any inconsistency between conditions of this approval and the drawings/documents referred to above, the conditions of this approval prevail.

**A4      *Prescribed Conditions***

The proponent shall comply with the prescribed conditions under Part 6, Division 8A of the Regulation.

**A5      *Compliance with the Building Code of Australia***

Work must be carried out in accordance with the requirements of the *Building Code of Australia*.

**A6      *Development Expenses***

It is the responsibility of the developer to meet all expenses incurred in undertaking the development, including expenses incurred in complying with conditions imposed under this approval.

**A7      *Limits of Approval***

This approval will lapse 5 years from the date of this approval unless the building works associated with the project have substantially commenced.

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## PART B – PRIOR TO CERTIFICATION OF CROWN BUILDING WORKS

### **B1 Crown Building Work**

Crown building work cannot be commenced unless the Crown building work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws. The Proponent shall supply the Department of Planning with evidence of the certification of the works.

Certification of the works under s109R of the EP&A Act 1979 before commencement can be either for the whole project or a component of the works, reflecting the staging of construction.

### **B2 Mechanical Ventilation**

All mechanical ventilation systems shall be designed in accordance with Part F4.5 of the Building Code of Australia and shall comply with Australian Standards AS1668.2 and AS3666 *Microbial Control of Air Handling and Water Systems* of Building, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection.

### **B3 Construction Management Plan**

A Construction Management Plan shall be prepared and submitted to the Department of Planning. The Plan shall include, but not be limited to, the following matters which are to be addressed by suitably qualified person(s):

1. **Hours of work**, which must be in accordance with the conditions of this approval;
2. **Contact details** of the site manager and all principal contractors;
3. **Construction Traffic Management Plan**, which is to be developed in consultation with Council and is to include:
  - identification of a work zone;
  - ingress and egress of vehicles to the site;
  - management of loading and unloading of materials;
  - number and frequency of vehicles accessing the site and construction vehicle routes;
  - the times vehicles are likely to be accessing the site;
  - access arrangements and traffic control;
  - changes to on-street parking restrictions on roads;
  - management of construction traffic and car parking demand including preparation and distribution of a Travel Access Guide; and
  - management of existing vehicular and pedestrian movements / routes around the site throughout the various stages of construction;
4. **Erosion and sediment control**, identifying appropriate measures to be installed during construction which shall be designed in accordance with in accordance with the document *Managing Urban Stormwater – Soils & Construction Volume 1 (2004)* by Landcom; and must include:
  - The procedures by which stormwater and waste water deposited or generated on site is to be collected and treated prior to discharge including details of any proposed pollution control device.
  - The procedures to be adopted for the prevention of run-off, loose material and little from the site onto the public way.
5. **Construction noise and vibration management**, identifying specific activities that will be carried out and associated noise sources, identify all potentially affected sensitive receivers, noise and vibration monitoring reporting and response procedures, description of specific mitigation treatments management measures and procedures to be implemented, and address any other relevant provisions of

Australian Standard 2436-1981 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*;

6. **Construction waste management**, identifying options for minimising waste in construction; reuse and recycling of materials; the storage, control and removal of construction waste; and
7. **Dust control** measures to be implemented to prevent the movement of airborne particles from the site throughout the construction process, and the tracking of material from the site by trucks and other vehicles. This is to include the appropriate use of physically barriers and the dampening of exposed excavated surfaces. The storage and stockpiling areas for material is also to be detailed.

#### **B4 Vehicular Access and Manoeuvrability**

The swept path of the longest vehicle (to service the site) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance the AUSTRROADS. In this regard, a plan shall be submitted to the Department for approval, which shows the proposed development complies with this requirement.

#### **B5 Stormwater Plan**

The proponent is to prepare and submit detailed storm water and drainage works plan to the satisfaction of the Certifying Authority for approval prior to the issue of a Construction Certificate.

Drainage from the development is not to impact the down stream catchment or downstream properties.

#### **B6 Disabled Access**

Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the BCA's Access Policy.

#### **B7 Long Service Levy**

Prior to the certification of any Crown building works, evidence of the payment of the long service levy under section 34 of the *Building and Construction Industry Long Service Payment Act 1986* must be provided to the Certifying Authority (or, where such a levy is payable by instalments, the first instalment of the levy), if required.

#### **B8 Reflectivity**

The light reflectivity from any building materials used on the facades of the building shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place. A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the certification of any Crown building works.

#### **B9 Sydney Water – Notice of Requirements**

An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, section 73 of the *Sydney Water Act 1994* (Compliance Certificate) prior to certification of any Crown building works.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) then follow the "e-Developer" icon or telephone 13 20 92 for assistance.

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

**B10 Outdoor Lighting**

All outdoor lighting shall comply with, where relevant, AS/NZ1158.3: 1999 *Pedestrian Area (Category P) Lighting* and AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the certification of any Crown building works.

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## **PART C – PRIOR TO COMMENCEMENT OF WORKS**

### **C1 Notice to be Given Prior to Commencement / Excavation**

- (a) Council shall be given written notice, at least 48 hours prior to the commencement of excavation, shoring or underpinning works on the site for each stage of the project.
- (b) The Certifying Authority shall be given a minimum 48 hours notice prior to any critical stage inspection or any other inspection nominated by the Certifying Authority via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.

### **C2 Road Occupancy Licence**

A road occupancy licence is to be obtained from the relevant Roads Authority prior to the commencement of works for any works that may impact on traffic flows on Hawkesbury Road during construction activities.

### **C3 Road/Asset Opening Permit**

A Road / Asset Opening Permit must be obtained from Council or the RTA prior to carrying out any works within or upon a road, footpath, nature strip or in any public place, in accordance with section 138 of the Roads Act 1993, and all of the conditions and requirements contained in the Road / Asset Opening Permit must be complied with.

### **C4 Vehicle Cleansing**

Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

### **C5 Utility Services**

- (a) Prior to the commencement of work the proponent is to negotiate with the utility authorities (e.g. Energy Australia, Sydney Water Corporation Limited and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the proponent.
- (b) Any necessary alterations to public utility installations being at the proponent's/Demolisher's expense and to the requirements of both Council and the appropriate authorities.

### **C6 Dilapidation Report**

A dilapidation survey of Council's assets and adjoining property including photographs and written record must be prepared and submitted to Council and adjoining properties prior to the commencement of works; failure to identify any damage to Councils assets and the adjoining properties will render the Proponent liable for the costs associated with any necessary repairs.

**C7      *Contact Telephone Number***

The proponent shall ensure that a 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development. The contact number shall be forwarded to Council and the Department prior to commencement of works.

**C8      *Haulage Routes***

The routes for import of any fill materials or export of any spoil being submitted to and agreed to by the relevant road authorities prior to the commencement of haulage. Unacceptable deterioration or failures within public roads attributable to these operations is to be restored to the requirements of, and at no cost to the road authorities.

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## **PART D – DURING CONSTRUCTION**

### **D1 Ecologically Sustainable Development**

The project shall achieve as a minimum a 4 star Green Star design rating and shall further investigate the measures and initiatives outlined within the EA.

### **D2 Hours of Work**

The hours of excavation and work on the development must be as follows:

- All excavation and construction work and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools etc) in connection with the approved development must only be carried out between the hours of:
  - 7.30am and 5:30pm on Mondays to Fridays;
  - 7:30am and 3:00pm on Saturdays; and
  - No work must be carried out on Sundays or public holidays.
- Works may be undertaken outside these hours where:
  - the delivery of materials is required outside these hours by the Police or other authorities;
  - It is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; or
  - the work is approved by the Director General or his nominee.

### **D3 Site Notice**

A site notice(s) shall be prominently displayed at the boundaries of the site for the duration of works for the purposes of informing the public of project details including, but not limited to:

- (a) details of the Builder and Structural Engineer for all stages of the project;
- (b) the approved hours of work;
- (c) the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
- (d) to state that unauthorised entry to the site is prohibited.

### **D4 Tree Protection**

All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction at any stage of the project, shall be replaced to the satisfaction of Council.

### **D5 Excavation**

- (a) If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the owners of the roadway are to be given at least 7 days notice. This notice is to include complete details of the work.

- (b) To ensure basement excavation works are satisfactorily undertaken, the recommendations provided within the Geotechnical Interpretive Report, prepared by AECOM, dated 23 February 2010, are to be implemented.

**D6 Noise Control**

- (a) All work, including excavation and construction work must comply with the Australian Standard 2436-1981 '*Guide to Noise Control on Construction, Maintenance and Demolition Sites*'.
- (b) Noise and vibration emissions from equipment and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents or businesses and the relevant provisions of *the Protection of the Environment Operations Act 1997* must be satisfied at all times.

**D7 Standards and Codes**

All building works shall be constructed in accordance with safe work practices and complying with the relevant Australian Standards, Codes of Practice and the Building Code of Australia.

**D8 Work Cover Requirements**

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

**D9 Hoarding Requirements**

- (a) To ensure an appropriate presentation of the site to Hawkesbury Road during the construction period, temporary artwork shall be provided along any hoarding/fencing proposed to be erected around the subject site.
- (b) The temporary artworks shall inform the general public about the proposed works being undertaken by the proponent.
- (c) No third party advertising is permitted to be displayed on the subject hoarding/fencing.
- (d) The construction site manager shall 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.

**D10 Loading and Unloading During Construction**

A Works Zone is required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council prior to commencement of the work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the day to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

**D11 No Obstruction of Public Way**

The public way (outside of any construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all work on site.

**D12      *Disposal of Seepage and Stormwater***

Any seepage or rainwater collected on-site during excavation shall not be pumped to the street stormwater system unless separate prior approval is given in writing by the relevant Authority.

**D13      *Erosion and Sediment Control***

Sediment controls are to be in place for the duration of the works to ensure that no sediment, fines, and like material can enter the waterway or drainage system. The proponent is to carry out works generally in accordance with the Construction Management Plan and controls are to be maintained at design level throughout the duration of the works and are to be inspected for this purpose at frequent intervals. Any deficiencies are to be immediately made good.

**D14      *Dust Control Measures***

Dust control measures are to be in place or are to be undertaken for the duration of the works to prevent dust from affecting the amenity of the immediate area during construction. The proponent is to carry out works generally in accordance with the Construction Management Plan, and controls are to be maintained at design level throughout the duration of the works and are to be inspected for this purpose at frequent intervals. Any deficiencies are to be immediately made good.

**D15      *Pedestrian Access During Construction***

Pedestrian access along Hawkesbury Road is to be maintained throughout construction. Alternative routes, including those for persons with disabilities, shall be clearly identified and signposted for the duration of the works, and until such time as the permanent accessible paths are provided.

**D16      *Setting Out of Structures***

The new buildings shall be set out by a registered surveyor to verify the correct position of each structure in relation to property boundaries and the approved alignment levels.

**D17      *Directional Signage***

- (a) Directional signage shall be modified as required to accommodate any altered pedestrian and vehicular movements within the area.
- (b) Particular attention is to be paid to:
- wheelchair accessible paths of travel;
  - safe road crossing areas including signalised and other designated crossings;
  - key landmarks;
  - access to transport nodes including public transport; and
  - the vehicular entrance and exit driveways and the direction of traffic movement within the site being clearly indicated by means of reflectorised signs and pavement markings.

**D18      *Traffic Movement***

- (a) All loading and unloading associated with works must occur on site.

- (b) All vehicles must enter and leave the site in a forward direction.
- (c) The cost of all traffic management works shall be borne by the proponent.
- (d) Movement of trucks to and from the site shall be staggered so as to limit access and egress during peak traffic periods.
- (e) The Contractor shall make provisions for safe, continuous movement of traffic and pedestrians in public roads and private roads accessible to the public and erecting traffic warning signs conforming to the Roads and Traffic Authority's General Specifications (RTA Spec. Part G10 "Control of Traffic" and RTA Spec. 3355). Traffic control is to be carried out only by flagmen with certification that they have been trained in accordance with Australian Standard 1742.3 – 2002.

**D19      *Approved Plans to be On-Site***

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department or Council.

**D20      *Work on Site to Cease***

- (a) If any unidentified historical archaeological remains or deposits are exposed during the works excavation is to cease immediately in the affected areas and the archaeologist is to undertake an evaluation of the potential extent and significance of such relics. The Heritage Council is to be notified in accordance with section 146 of the NSW Heritage Act, 1977.
- (b) Should any Aboriginal relics or artefacts be discovered during the course of any works on-site, then work is to cease immediately. Work may only be resumed following written consent being obtained from the Department of Environment, Climate Change and Water.

**D21      *During Excavation***

During excavation works, the site is to be inspected by an experienced environmental personnel to assess any possible land contamination issues derived from unexpected conditions or subsurface facilities that may be discovered.

**D22      *Excavated Material***

Any excavated material to be removed from the site is to be assessed, classified, transported and disposed of in accordance with the EPA's *Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes*.

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## **PART E – PRIOR TO ISSUE OF OCCUPATION OF THE BUILDING/OPERATIONS**

### **E1 Noise Control – Plant and Machinery**

Prior to occupation of the building a report is to be prepared by a qualified acoustic engineer confirming that the installation and performance of the mechanical systems complies with:

- the recommendations of the *Building Services and Structure Report, prepared by ARUP, dated July 2010*;
- the Building Code of Australia;
- Australian Standard AS1668 and other relevant codes;
- the project approval and any relevant modifications; and
- any dispensation granted by the New South Wales Fire Brigade.

### **E2 Fire Safety Certificate**

A Fire Safety Certificate shall be obtained for all the Essential Fire or Other Safety Measures forming part of this approval prior to occupation of the building. A copy of the Fire Safety certificate must be submitted to the relevant authority and Council.

### **E3 Post-construction Dilapidation Report**

The proponent shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.

The report is to be submitted to the Department and the Council and is to:

- (a) Compare the post-construction dilapidation report with the pre-construction dilapidation report, identifying the nature and costs of damage (if any) which has occurred during and as a result of construction, and
- (b) Have written confirmation from the relevant authority that there is no adverse structural damage to its infrastructure and roads (as far as reasonably practical) or that satisfactory arrangements have been made to remedy any damage. If this has been unreasonably delayed by the relevant authority, attempts to seek such confirmation shall be given to the satisfaction of the Department.

### **E4 Structural Inspection Certificate**

A Structural Inspection Certificate for any structural work is to be obtained prior to occupation of the building.

### **E5 Sydney Water**

A Compliance Certificate issued under Part 6, Division 9, Section 73 of the Sydney Water Act 1994 shall be obtained prior to occupation of the building.

### **E6 Road Damage**

The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the proponent prior to the occupation of the building.

**E7 Waste Management**

Prior to occupation of the building the proponent must ensure that waste handling works have been completed in accordance with the Waste Management Plan; other relevant approval conditions; and any relevant Council policy.

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## **PART F – DURING OPERATIONS**

### ***F1 Ecologically Sustainable Development***

The project shall achieve as a minimum a 4 star Green Star design rating and shall further investigate the measures and initiatives outlined within the EA.

### ***F2 Annual Fire Safety Certificate***

An annual Fire Safety Statement must be given to Council and the NSW Fire Brigade commencing within 12 months after the date on which the initial Interim/Final Fire Safety Certificate is issued. This must ensure that the essential services installed in the building for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard.

### ***F3 Noise Control – General***

The use of the premise shall not cause nuisance, or an offensive noise as defined in the *Protection of the Environment Operations Act 1997* to any affected receiver.

### ***F4 Noise Control – Plant and Machinery***

Noise associated with the operation of any plant, machinery or other equipment on the site, shall not give rise to any one or more of the following:

- Transmission of "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* to any place of different occupancy.
- A sound pressure level at any affected residential property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the premises. The source noise level must be assessed as a LAeq, 15 minute.
- Notwithstanding compliance with (1) and (2) above, the noise from mechanical plant associated with the premises must not be audible in any habitable room in any residential property between the hours of 12.00 midnight and 7.00am.

### ***F5 Loading and Unloading***

All loading and unloading, including deliveries to and from the site in connection with the use must be carried out in a manner so as not to cause inconvenience to the public or detrimentally impact the amenity of the locality.

### ***F6 Unobstructed Driveways and Parking Areas***

All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

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## ADVISORY NOTES

### **AN1 Use of Mobile Cranes**

The proponent shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the proponent shall ensure the following matters are complied with:

- for special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council:
  - at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions; and
  - at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions;
- the use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.

### **AN2 Movement of Trucks Transporting Waste Material**

The proponent shall notify the Roads and Traffic Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

### **AN3 Disability Discrimination Act**

This application is to comply with the Disability Discrimination Act 1992. The proponent/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

### **AN4 Temporary Structures**

A Barricade/Hoarding Permit must be obtained prior to the commencement of construction works from the relevant Authority. The permit application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.

Structural certification from an appropriately qualified practicing structural engineer must also be submitted to the relevant Authority to certify the structural adequacy of the design of the temporary Barricades/Hoarding.

### **AN5 Structural Capability for Existing Structures**

The structural capabilities of any existing structure will need to meet the requirements of the BCA and may require engaging a structural engineer.

### **AN6 Commonwealth Environment Protection and Biodiversity Conservation Act 1999**

The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.

This application has been assessed in accordance with the New South Wales Environmental Planning & Assessment Act, 1979. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the proponent's responsibility to consult Environment Australia to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

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## **SCHEDULE 3 PROPONENT'S STATEMENT OF COMMITMENTS**

In accordance with Part 3A of the *Environmental Planning and Assessment Act 1979*, the following are the commitments made by the proponent to manage and minimise potential impacts arising from the proposal. These commitments replace the draft commitments included with the EAR. Revisions made to commitments aim to address issues raised during the public exhibition period.

### **1. GENERAL WORKS**

Notwithstanding any other commitment (condition of consent), the consent for the Project Application permits separate construction certificates and occupation certificates to be issued for the development approved by the consent in stages, provided that all commitments (conditions of consent) relevant to the development incorporated within each stage have been complied with prior to the release of the construction certificate or occupation certificate for that stage.

### **2. CONSTRUCTION MANAGEMENT**

The following plans will be implemented during the construction phase. The following documents will be prepared prior to the commencement of works:

- Construction traffic management plan
- Construction waste management plan
- Construction noise and vibration management control plan
- Erosion and sedimentation control plan

### **3. ECOLOGICALLY SUSTAINABLE DEVELOPMENT**

- The measures and initiatives outlined within the ESD Report prepared by Arup (July 2010) will be investigated.
- The development will comply with the Engineering Services and Sustainable Development Guidelines Technical Series TS11 (Version 2.0 December 2007).
- The development will achieve a minimum 4 Star Green Star Design Education v1 rating.

### **4. TRANSPORT DEMAND MANAGEMENT**

A travel demand management plan, as outlined within the Transport and Access Report prepared by Scape (August 2010), will be prepared and implemented prior to the commencement of works.

### **5. CONTAMINATION**

- All fill and soil excavated during the development will be assessed and classified in accordance with the NSW DECC3 Waste Classification Guideline (DECC, 2008) prior to/for off-site disposal purposes at an appropriately licensed landfill.
- An Unexpected Finds protocol will be implemented to provide protocols and appropriate mechanisms for the identification and management of asbestos containing materials should they be encountered during the excavation works for the development.

### **6. ACID SULPHATE SOILS**

An Acid Sulphate Soils Management Plan will be prepared and implemented during the construction phase.

## **7. TREE PROTECTION**

The recommendations of the Tree Report prepared by The Ents Tree Consultancy (August 2010) will be implemented, including:

- The incorporation of appropriate measures during construction to protect those trees to be retained as part of the development.
- Regular site inspections by a qualified Arborist during the construction phase to ensure the appropriate tree protection measures and recognised horticultural practices are being utilised. Existing trees within the Hawkesbury Road reserve will be retained or where required to be removed will be replaced with suitable equivalent species.

## **8. WIND AMELIORATION**

Appropriate treatments will be implemented and wind tunnel studies undertaken as outlined in the Pedestrian Wind Environment Statement prepared by Windtech (August 2010).

## **9. AIR SERVICES TRANSPORT**

- Continued consultation and dialogue with NETS will be undertaken as part of the detailed design stage of the development.
- Wind tunnel and turbulence tests will be undertaken, with any recommendations from these studies to be incorporated into the detailed design of the development.
- A risk assessment of the proposed development will be undertaken.
- Potential impacts from medical equipment on helicopter navigation equipment will be investigated, with any recommended mitigation measures to be incorporated within the detailed design.
- Appropriate measures in accordance with best practice will be adopted during the construction stage to minimise and mitigate impacts caused during construction of the proposed development on the operation of helicopters.

## **10. GEOTECHNICAL**

The recommendations outlined within the Geotechnical Interpretive Report prepared by AECOM (February 2010), will be implemented, including:

- Carrying out a dilapidation survey prior to commencement of excavation or any other construction activities which could be a source of unacceptable levels of vibration.
- Preparing a vibration management plan.
- Installing vibration monitor systems (where required).
- Managing seepage during excavation through a collection system, in the base of the excavation.
- Adopting suitable retention systems during construction, including either bored soldier pile walls or a dowell and shotcrete system.
- Positioning pad and strip footings on class V shale or better.
- Dewatering and cleaning the base of foundations and placing a binding layer as a matter of urgency, where appropriate/required by a Structural Engineer.
- Having an experienced geotechnical engineer inspect the base of foundations prior to the binding layer being placed to confirm the founding material meets or exceeds the design assumptions.

## **11. REFLECTIVITY**

All glazing on the facade will have a maximum normal specular reflectivity of visible light of 20 percent.

## **12. OPERATIONAL NOISE**

The operation of the development will comply with the project noise criteria identified within the Acoustic Report prepared by Arup (July 2010).

## **13. BCA AND ACCESSIBILITY**

### *BCA*

Development will be compliant with the BCA 2010 and in accordance with the recommendations outlined within the BCA Report prepared by Blackett Maguire + Goldsmith (August 2010).

### *ACCESSIBILITY*

Development will comply with the recommendations of the Access Review, prepared by Access Australia (September 2010).

### *FIRE SAFETY*

Constructing of the building will be in accordance with the BCA, and where required to developing alternative solutions which comply with the relevant performance requirements of the BCA 2010.

### *ENERGY EFFICIENCY*

Development will at a minimum comply with Part J of the BCA 2010.

## **14. ABORIGINAL HERITAGE**

In the event that any historical or Aboriginal relics are uncovered during excavations, all excavation and disturbance to the area will stop immediately and the Department of Environment and Climate Change will be informed in accordance with the *National Parks and Wildlife Act 1974*.

## **15. HAZARDS AND DANGEROUS GOODS**

- Facilities for the storage, handling and use of dangerous goods and hazardous substances will be designed and constructed in accordance with all relevant legislative requirements.
- A qualified radiation specialist will be engaged as part of the detailed design stage to provide input into the shielding requirements for diagnostic and irradiation equipment to be present and used.
- The development will comply with the recommendations of the Dangerous Goods and Hazardous Substances Review, prepared by Safety Engineering & Technical Services Pty Ltd (September 2010).

## **16. WASTE**

- The Operational Waste Management Plan, as outlined within the Dangerous Goods and Hazardous Substances Review, prepared by Safety Engineering & Technical Services Pty Ltd (September 2010), will be adopted and implemented.
- A qualified radiation specialist will be engaged as part of the detailed design stage to provide input into the safe storage, handling, and design requirements for any radioactive waste to be generated as part of operations of the medical research facility.

## **17. UTILITIES**

Liaison will continue and necessary approvals obtained from all relevant service providers in regard to the provision of utility services to the site.

## **18. CONSULTATION**

This Project Application commits to ongoing public consultation throughout the process as considered relevant and that builds upon the findings and recommendations of the Project Application and supporting appendices. A Stakeholder Consultation Strategy will be prepared and implemented throughout the detailed design and construction stage. Consultation with Children's Medical Research Institute (CMRI) will continue to occur as part of the detailed design stage, with a focus on investigating possible improvements to the relationship between CMRI and WMI.

## **19. ART**

An Arts Plan will be prepared by a suitably qualified arts expert and incorporated into the design of the development. In preparing the Arts Plan, the arts expert will consult with the established arts committee at Westmead Hospital and the local community.

## **20. TRAFFIC AND PARKING**

- The layout of the proposed car parking areas associated with the subject development will be in accordance with AS 2890.1 – 2004 and AS 2890.2 – 2002 for heavy vehicle usage.
- The swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, will be in accordance with AUSTRROADS.
- All vehicles will enter and leave the site in a forward direction.
- All vehicles will be wholly contained on site before being required to stop.
- A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control will be submitted to the Department/Council prior to the issue of a Construction Certificate.
- All works/regulatory signposting associated with the proposed development will be at no cost to the RTA.
- 50 off-street parking spaces will be provided, permanently marked on the pavement and used accordingly. The dimensions for parking spaces and aisle width will be in accordance with AS 2890.1-2004 (minimum of 2.4m wide x 5.4m long clear of columns plus 300mm clearance adjacent walls & 6.2m aisle width minimum).
- 25 bicycle spaces for staff & visitors will be provided including change rooms with toilets, shower facilities & lockers.
- Vehicle access points to the carpark that can be accessed from Hawkesbury Road, Westmead will be provided accordingly. Entry to the site & carpark will be provided via the service road to the south (for WMI vehicles only) and exit to the north on to Hospital Road.
- Traffic into & out of the carpark will be a one-way traffic movement (from southern end to northern end) and will be marked on the pavement with directional arrows.
- The existing vehicle access point located centrally along the site's Hawkesbury Road frontage will be removed upon construction of the development site.
- Driveway and ramp gradients will comply with Clause 2.5, Clause 2.6 and Clause 3.3 of AS2890.1-2004.
- Traffic facilities to be installed, such as; wheel stops, bollards, kerbs, signposting, pavement markings, lighting and speed humps, will comply with AS2890.1-2004.

- A Road Occupancy Permit will be obtained from Council for occupation of any part of footpath or road at or above (including construction and/or restoration of footpath and/or kerb or gutter) during construction of the development. An application for a Road Occupancy Permit will be submitted through Council's Traffic & Transport Services, prior to carrying out construction/restoration works.