

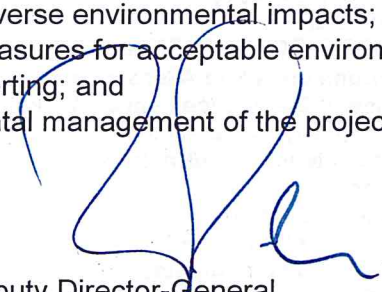
# Project Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation executed on 14 September 2011 and effective from 1 October 2011, I approve the project application referred to in schedule 1, subject to the conditions in schedule 2 and Statement of Commitments in Schedule 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 & Infrastructure

Sydney

4 February

2013

### SCHEDULE 1

|                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | MP 10_0166                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Proponent:</b>          | Health Infrastructure                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Approval Authority:</b> | Minister for Planning and Infrastructure                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Land:</b>               | Lucas Street, Royal Prince Alfred Hospital,<br>Camperdown<br>(Lot 2 DP 132989, Lots 1-3 DP 132990, Lots 27-30 &<br>34-38 DP 69454, Lot 39 DP 71762, Lot 593 DP<br>752049)                                                                                                                                                                                                                                                                                                       |
| <b>Project:</b>            | Royal Prince Alfred Hospital North West Precinct<br>Redevelopment, including: <ul style="list-style-type: none"><li>• construction of a new seven storey (including plant) hospital building (to be known as the Mental Health and Ambulatory Care Service Hospital Building) and basement car park</li><li>• construction of a private road, including establishment of a shared zone</li><li>• associated landscaping works and augmentation of services/utilities.</li></ul> |

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## DEFINITIONS

|                                                        |                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Advisory Notes                                         | Advisory information relating to the approval but do not form a part of this approval                                                                                                                                                                                                                                   |
| Proponent                                              | Health Infrastructure, or anyone else entitled to act on this approval                                                                                                                                                                                                                                                  |
| Application                                            | The major project application and the accompanying drawings plans and documentation described in Condition A1.                                                                                                                                                                                                          |
| BCA                                                    | Building Code of Australia                                                                                                                                                                                                                                                                                              |
| Construction                                           | Any works, including earth and building works                                                                                                                                                                                                                                                                           |
| Council                                                | City of Sydney                                                                                                                                                                                                                                                                                                          |
| Certification of Crown Building works                  | Certification under s109R of the EP&A Act                                                                                                                                                                                                                                                                               |
| Certifying Authority                                   | Means a person who is authorised by or under section 109D of the Act to issue a construction certificate under Part 4A of the Act; or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works                                                                           |
| Day                                                    | The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays                                                                                                                                                                                                                         |
| Department                                             | Department of Planning and Infrastructure or its successors                                                                                                                                                                                                                                                             |
| Director-General                                       | Director-General of the Department of Planning and Infrastructure, or nominee                                                                                                                                                                                                                                           |
| Director General's approval, agreement or satisfaction | A written approval from the Director- General (or nominee)                                                                                                                                                                                                                                                              |
| Evening                                                | The period from 6pm to 10pm                                                                                                                                                                                                                                                                                             |
| EA                                                     | Environmental Assessment titled <i>Environmental Assessment Report North West Precinct Redevelopment</i> prepared by JBA Planning, dated July 2012                                                                                                                                                                      |
| EPA                                                    | Environment Protection Authority, or its successor                                                                                                                                                                                                                                                                      |
| EP&A Act                                               | Environmental Planning and Assessment Act 1979                                                                                                                                                                                                                                                                          |
| EP&A Regulation or Regulation                          | Environmental Planning and Assessment Regulation 2000                                                                                                                                                                                                                                                                   |
| Incident                                               | 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                                                                                                                                      |
| Minister                                               | Minister for Planning and Infrastructure, or nominee                                                                                                                                                                                                                                                                    |
| Night                                                  | The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays                                                                                                                                                                                                                       |
| NOW                                                    | NSW Office of Water, or its successor                                                                                                                                                                                                                                                                                   |
| OEH                                                    | Office of the Environment and Heritage, or its successor                                                                                                                                                                                                                                                                |
| PCA                                                    | Principal Certifying Authority, or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works                                                                                                                                                                              |
| PPR                                                    | Preferred Project Report in titled <i>Preferred Project Report North West Precinct Redevelopment (MP10_0166)</i> prepared by JBA Planning, dated November 2012                                                                                                                                                          |
| Reasonable and Feasible                                | 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 |
| RMS                                                    | Roads and Maritime Services Division, Department of Transport or its successor                                                                                                                                                                                                                                          |
| Subject Site                                           | Lucas Street, Royal Prince Alfred Hospital, Camperdown<br>(Lot 2 DP 132989, Lots 1-3 DP 132990, Lots 27-30 & 34-38 DP 69454, Lot 39 DP 71762, Lot 593 DP 752049)                                                                                                                                                        |
| Sensitive receiver                                     | Residence, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church) and children's day care facility.                                                                                                                        |

## SCHEDULE 2

### PART A - ADMINISTRATIVE CONDITIONS

#### TERMS OF APPROVAL

##### Development Description

A1. Except as amended by the conditions of this approval, development approval is granted only to carrying out the development as described in Schedule 1.

##### Development in Accordance with Plans and Documents

- A2. The proponent shall carry out the project generally in accordance with the:
- (a) Environmental Assessment titled *Environmental Assessment Report North West Precinct Redevelopment* prepared by JBA Planning, dated July 2012;
  - (b) Preferred Project Report in titled *Preferred Project Report North West Precinct Redevelopment (MP10\_0166)* prepared by JBA Planning, dated November 2012; and
  - (c) The following drawings, except for:
    - (i) any modifications which are Exempt' or Complying Development;
    - (ii) as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; or
    - (iii) otherwise provided by the conditions of this approval.

| <b>Architectural (or Design) Drawings prepared by peckvonhartel</b>    |                 |                                                                      |             |
|------------------------------------------------------------------------|-----------------|----------------------------------------------------------------------|-------------|
| <b>Drawing No.</b>                                                     | <b>Revision</b> | <b>Name of Plan</b>                                                  | <b>Date</b> |
| DoP-050                                                                | 2               | SITE PLAN                                                            | 16/11/12    |
| DoP-099                                                                | 2               | LOWER GROUND LEVEL PLAN                                              | 16/11/12    |
| DoP-100                                                                | 2               | GROUND LEVEL PLAN                                                    | 16/11/12    |
| DoP-101                                                                | 2               | LEVEL 1 PLAN – AMBULATORY CARE – SATELLITE RENAL DIALYSIS            | 16/11/12    |
| DoP-102                                                                | 2               | LEVEL 2 PLAN – AMBULATORY CARE SERVICES                              | 16/11/12    |
| DoP-103                                                                | 2               | LEVEL 3 PLAN – MENTAL HEALTH INPATIENT UNIT                          | 16/11/12    |
| DoP-104                                                                | 2               | LEVEL 4 PLAN – MENTAL HEALTH INPATIENT UNIT – 22 BED HIGH DEPENDENCY | 16/11/12    |
| DoP-105                                                                | 2               | LEVEL 5 PLAN – MENTAL HEALTH – 20 BED SPECIALIST UNIT                | 16/11/12    |
| DoP-106                                                                | 2               | LEVEL 6 PLANT                                                        | 16/11/12    |
| DoP-107                                                                | 1               | ROOF PLAN                                                            | 16/11/12    |
| DoP-200                                                                | 2               | ELEVATION – SHEET 1                                                  | 16/11/12    |
| DoP-201                                                                | 2               | ELEVATION – SHEET 2                                                  | 16/11/12    |
| DoP-202                                                                | 2               | ELEVATION – SHEET 3                                                  | 16/11/12    |
| DoP-300                                                                | 2               | SITE AND BUILDING SECTIONS – SHEET 1                                 | 16/11/12    |
| DoP-301                                                                | 2               | SITE AND BUILDING SECTIONS – SHEET 2                                 | 16/11/12    |
| DoP-400                                                                | 2               | SAMPLE BOARDS AND SCHEDULES                                          | 16/11/12    |
| DoP-450                                                                | 1               | PAVEMENT PLAN                                                        | 16/11/12    |
| <b>Landscape Drawings prepared by 360 Degrees Landscape Architects</b> |                 |                                                                      |             |
| <b>Drawing No.</b>                                                     | <b>Revision</b> | <b>Name of Plan</b>                                                  | <b>Date</b> |
| DoP-LA-001                                                             | 01              | PUBLIC DOMAIN PLAN                                                   | 11/07/2012  |

##### Inconsistency between documents

A3. If there is any inconsistency between the plans and documentation referred to above and the Statement of Commitments in Schedule 3, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this approval prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.

### **Development Expenses**

- A4. It is the responsibility of the proponent to meet all expenses incurred in undertaking the project, including expenses incurred in complying with conditions imposed under this approval.

### **Limits of Approval**

- A5. This approval will lapse five years from the date of approval unless the building works associated with the project have physically commenced.
- A6. This approval does not approve any demolition works or the construction of New Hospital Road.

### **Prescribed Conditions**

- A7. The proponent shall comply with all relevant prescribed conditions of development approval under Part 6, Division 8A of the Regulation.

### **Long Service Levy**

- A8. For work costing \$25,000 or more, a Long Service Leave Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.

### **Legal notices**

- A9. Any advice or notice to the approval authority shall be served on the Director-General.

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

### **Certified Plans**

- B1. Plans certified in accordance with section 109R of the EP&A Act are to be submitted to the Certifying Authority and the department prior to commencement of each stage of the construction works and shall include details as required by any of the following conditions.

### **Environmental Site Assessment**

- B2. Prior to the commencement of works, the recommendations of the *Preliminary Stage 2 Environmental Assessment for Proposed Royal Prince Alfred Hospital North West Precinct Redevelopment*, prepared by EIS, date July 2012, shall be undertaken and a Site Audit Statement shall be submitted to the certifying authority confirming that the site is suitable for the proposed use upon completion of the recommendations.

### **Notice of Commencement of Works**

- B3. The PCA and council shall be given written notice, at least 48 hours prior to the commencement of excavation, shoring or underpinning works on the Subject Site.

### **Ecologically Sustainable Development**

- B4. The project shall be designed to target a 4 star green star rating.

### **Noise Attenuation Measures**

- B5. Prior to commencement of above ground works, the proponent shall demonstrate that the recommendations of the *Royal Prince Alfred Hospital North West Precinct Redevelopment Acoustic Design Report* prepared by *Acoustic Studio*, dated October 2012, have been incorporated in the detailed design drawings and demonstrate that the building is adequately attenuated and that the noise impacts from the mechanical services have been mitigated in accordance with the recommended sound levels in the report.

### **Reflectivity**

- B6. The building materials used on the facades of the buildings shall have a maximum normal specular reflectivity of visible light of 20 percent and shall be designed so as

not to result in glare that causes any discomfort or threatens the safety of pedestrians or drivers.

#### **Outdoor Lighting**

- B7. All outdoor lighting shall be designed to comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.

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

- B8. The building must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia. The Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on relevant plans prior to the certification of relevant Crown Building works.

#### **Erosion and Sedimentation Control**

- B9. Soil erosion and sediment control measures shall be designed in accordance with the document *Managing Urban Stormwater-Soils & Construction Volume 1* (2004) by Landcom. Details are to be submitted to the satisfaction of the Certifying Authority prior to the certification of Crown Building works.

#### **Pre-Construction Dilapidation Reports**

- B10. The proponent is to engage a qualified structural engineer to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all retained existing and adjoining buildings, infrastructure and roads. The report shall be submitted to the satisfaction of the Certifying Authority prior to the certification of Crown Building works. A copy of the report is to be forwarded to the department and to the council.

#### **Bicycle Spaces**

- B11. The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities except that:
- (a) all bicycle parking for staff / employees of any land uses must be Class 2 bicycle facilities, and
  - (b) all bicycle parking for visitors of any land uses must be Class 3 bicycle rails.

#### **Traffic and Parking Details**

- B12. Plans are to identify the following traffic and parking details and shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of works:
- (a) all vehicles should enter and leave the Subject Site in a forward direction. In the event that site constraints do not permit heavy rigid vehicles to enter and leave the Subject Site in a forward direction, then all reversing movements should be undertaken under the control of certified traffic controllers to ensure public safety when vehicles are reversing;
  - (b) the provision of 32 car parking spaces, including two accessible spaces;
  - (c) car parking associated with the proposal (including queuing areas, grades, turn paths, sight distance requirements, aisle widths, and parking bays) should be in accordance with AS 2890.1-2004, AS 2890.6 for accessible spaces and AS 2890.2-2002 for heavy vehicle usage;
  - (d) appropriate pedestrian advisory signs are to be provided at the egress from the car park and loading dock;
  - (e) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority;
  - (f) security gates to car parking areas shall be located a minimum 6 metres from the kerb, including boom gates;

- (g) any alterations to the traffic and parking arrangements on a public road and approval from the relevant roads authority or the council's traffic committee prior to any work commencing on site; and
- (h) the swept path of the longest vehicle (including garbage trucks) entering and exiting the Subject Site, as well as manoeuvrability through the Subject Site, shall be in accordance with AUSTROADS.

#### **Mechanical Ventilation**

B13. All mechanical ventilation systems shall be installed 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. Details shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of above ground works.

#### **Stormwater & Drainage**

B14. Final design plans of the stormwater drainage systems, prepared by a qualified practicing professional and in accordance with the requirements of the relevant authority, shall be submitted to the certifier prior to the commencement of works. The hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff.

#### **Road Design**

B15. All public roads shall be designed in consultation with the relevant requirements of council and the RMS (if applicable). Kerb and gutter, stormwater drainage, full road width pavement including traffic facilities (roundabouts, median islands etc) and paved footpaths shall be constructed along the full length of the new public roads. Final public road design plans shall be prepared by a qualified practising Civil Engineer and submitted to the Certifying Authority prior to commencement of works.

#### **Alignment Levels**

B16. The footpath alignment levels for the building must be submitted to council prior to the commencement of works, excluding excavation, preparatory or shoring work, or as otherwise agreed to by the Director-General. The submission must be prepared by a Registered Surveyor and must be in accordance with the council's Public Domain Manual.

#### **Footpath Works**

- B17. The proponent is required to upgrade the public footpath and kerb along the entire frontage to the development along Lucas Street extending to the intersection with Missenden Road.
- B18. The public domain works are to be undertaken in accordance with the council's Public Domain Manual and Sydney Streets Design Code, in consultation with council's Public Domain section. Details are to be submitted to the council prior to commencement of works, excluding excavation, preparatory or shoring work, or as otherwise agreed to by the Director-General.
- B19. Prior to commencement of the footpath or related works, the proponent shall in consultation with council's Public Domain section, determine a set of hold points for any public domain and civil construction works.

#### **Structural Details**

- B20. Prior to the commencement of construction, the proponent shall submit to the satisfaction of the PCA structural drawings prepared and signed by a suitably qualified practising Structural Engineer that comply with:
  - (a) the relevant clauses of the BCA,
  - (b) confirm that the footings and/or concrete slabs adjacent to sewer lines or stormwater easements do not impose any additional loads on the infrastructure; and
  - (c) the development approval.

### **Construction Environmental Management Plan**

B21. Prior to the commencement of any works on the Subject Site, a Construction Environmental Management Plan (CEMP) shall be submitted to the PCA.

- (a) The Plan shall address, but not be limited to, the following matters where relevant:
  - (i) hours of work;
  - (ii) 24 hour contact details of site manager;
  - (iii) traffic management, in consultation with council;
  - (iv) construction noise and vibration management, prepared by a suitably qualified person;
  - (v) management of dust to protect the amenity of the neighbourhood;
  - (vi) erosion and sediment control;
  - (vii) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site; and
  - (viii) external lighting in compliance with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting;
- (b) The CEMP must not include works that have not been explicitly approved in the development approval. In the event of any inconsistency between the approval and the CEMP, the approval shall prevail.
- (c) The proponent shall submit a copy of the CEMP to the department and to the council, prior to commencement of work.

### **Waste Management Plan During Construction**

B22. Prior to the commencement of any works on the Subject Site, a Construction Waste Management Plan shall be prepared by a suitably qualified person in accordance with any relevant council policy and submitted to the PCA. The Plan shall address, but not be limited to, the following matters:

- (a) minimising waste in construction;
  - (b) reuse and recycling of demolition materials including concrete;
  - (c) storage, control and removal of construction waste;
  - (d) removal of hazardous materials and disposal to an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works
- B23. Details demonstrating compliance with the relevant legislative requirements, associated with the removal of hazardous waste, particularly the method of containment and control of emission of fibres to the air, are to be submitted to the satisfaction of the PCA prior to the removal of any hazardous materials.
- B24. The proponent shall submit a copy of the Plan to the department and to the council, prior to commencement of work.

### **Construction Traffic & Pedestrian Management Plan**

B25. Prior to the commencement of any works on the Subject Site, a revised Northwest Precinct Development Pedestrian and Traffic Management Plan, shall be prepared by a suitably qualified person and submitted to the PCA. The Plan shall address, but not be limited to, the following matters:

- (a) ingress and egress of vehicles to the Subject Site;
  - (b) loading and unloading, including construction zones;
  - (c) predicted traffic volumes, types of vehicles, routes, and the times vehicles are likely to be accessing the site;
  - (d) pedestrian and traffic management methods, including access arrangements;
  - (e) changes to on-street parking restrictions on roads; and
  - (f) management of car parking demand during construction including preparation and distribution of a Travel Access Guide;
- B26. The proponent shall submit a copy of the final Plan to the council, prior to the commencement of work.

**Utility Services**

- B27. Prior to the commencement of work the proponent is to negotiate with the utility authorities (e.g. Ausgrid and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure.
- B28. Prior to the commencement of works written advice shall be obtained from the electricity supply authority, an approved telecommunications carrier stating that satisfactory arrangements have been made to ensure provision of adequate services.

**Contact Telephone Number**

- B29. 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.

**Haulage Routes**

- B30. 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, if required. 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.

**Treatment of Vehicular Entry**

- B31. In order to improve the appearance of the building when viewed from the street, any part of the walls and ceilings of vehicular entry points that are visible from the street shall be finished in high quality materials and no service ducts or pipes are to be visible and shall be detailed in the building plans and specifications accompanying the certified building plans submitted to the principal certifying authority prior to the commencement of any works.

**Footpath Damage Bank Guarantee**

- B32. A Footpath Damage Bank Guarantee for Lucas Street calculated on the basis of lineal metres of the asphalt footway and sandstone kerb and gutter site frontage must be lodged with council in accordance with the council's adopted Schedule of Fees and Charges prior to commencement of works. The Footpath Damage Bank Guarantee must be submitted as an unconditional bank guarantee in favour of council as security for repairing any damage to the public domain in the vicinity of the site.

**Preservation of Survey Marks**

- B33. Prior to the commencement of works, a survey plan, clearly showing the location of all permanent survey marks (a brass bolt, or a lead plug holding a brass tack, covered by a cast iron box) fronting the site and within 5 metres on each side of the frontages must be submitted to council.

---

**PART C – DURING CONSTRUCTION****Ecologically Sustainable Development**

- C1. The project shall implement any relevant construction measures to target a 4 star green star rating and these shall be reflected in construction management plans.

**Recycled Heritage Fabric**

- C2. The remnant sandstone kerbing and guttering along Lucas and Brodie Street boundaries of the site are to be carefully salvaged and reused as part of the landscaping of the development site where possible, or within the campus.

### **Erosion and Sediment Control**

- C3. All erosion and sediment control measures, are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

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

- C4. Any seepage or rainwater collected on-site during construction or groundwater shall not be pumped to the street stormwater system unless separate prior approval is given in writing by council.

### **Approved Plans to be On-site**

- C5. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Subject Site at all times and shall be readily available for perusal by any officer of the department, council or the PCA.

### **Site Notice**

- C6. A site notice(s) shall be prominently displayed at the boundaries of the Subject Site for the purposes of informing the public of project details including, but not limited to the details of the Builder, PCA and Structural Engineer.
- C7. The site notice(s) is to satisfy all but not be limited to, the following requirements:
- (a) minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
  - (b) the notice is to be durable and weatherproof and is to be displayed throughout the works period;
  - (c) the approved hours of work, 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) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the Subject Site is not permitted.

### **Protection of Trees**

- C8. No street trees are to be trimmed or removed unless it forms a part of this development consent or prior written approval from council is obtained or is required in an emergency to avoid the loss of life or damage to property.
- C9. All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction, shall be replaced, to the satisfaction of council.
- C10. All trees on the Subject Site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.

### **Preservation of Survey Marks**

- C11. All works in council streets must ensure the preservation of existing permanent survey marks. At least forty-eight hours prior to the commencement of any works in the public way within 1 metre of a permanent survey mark contact must be made with the council's Senior Surveyor to arrange for the recovery of the mark.

### **Protection of Stone Kerbs**

- C12. The existing stone kerbs and gutter on the Lucas Street frontage of the site are to be retained and properly protected during excavation and construction works.
- C13. The proponent shall notify council of any removal or temporary removal to avoid damage during construction and excavation works.

Note: A temporary concrete kerb may need to be constructed to retain the footpath and road access until the stone kerbs can be reinstalled.

### Hours of Work

- C14. The hours of construction, including the delivery of materials to and from the Subject Site, shall be restricted as follows:
- (a) between 7:30 am and 5:30 pm, Mondays to Fridays, inclusive;
  - (b) between 7.30 am and 3.30 pm, Saturdays,
  - (c) no work on Sundays and public holidays;
  - (d) works may be undertaken outside these hours where:
    - (i) the delivery of materials is required outside these hours by the Police or other authorities;
    - (ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
    - (iii) variation is approved in advance in writing by the Director General or his nominee.

### Construction Noise Management

- C15. The development shall be constructed with the aim of achieving the construction noise management levels detailed in the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009) All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the *Main Works Contract - Excavation & Construction Noise and Vibration Management* prepared by *Acoustic Studio*, dated July 2012.
- C16. If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the NSW Industrial Noise Policy), 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise management levels.
- C17. The Applicant shall schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved in the Construction Noise and Vibration Management Plan.
- (a) 9.00 am to 12.00 pm, Monday to Friday;
  - (b) 2.00 pm to 5.00 pm Monday to Friday; and
  - (c) 9.00 am to 12.00 pm, Saturday
- C18. Wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required they must only be installed where outlined in a Construction Noise and Vibration Management Plan.
- C19. Any noise generated during the construction of the development must not be offensive noise within the meaning of the *Protection of the Environment Operations Act, 1997* or exceed approved noise limits for the Subject Site.

### Vibration Criteria

- C20. Vibration caused by construction at any residence or structure outside the Subject Site must be limited to:
- (a) for structural damage vibration, German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and
  - (b) for human exposure to vibration, the evaluation criteria presented in British Standard BS 6841- Guide to Evaluate Human Exposure to Vibration in Buildings (1Hz to 80 Hz) for low probability of adverse comment.
- C21. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.
- C22. Limits in C20 and C21 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan.

### **Standards and Codes**

C23. 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.

### **Work Cover Requirements**

C24. 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.

### **Hoarding Requirements**

C25. The following hoarding requirements shall be complied with:

- (a) No third party advertising is permitted to be displayed on the subject hoarding/fencing.
- (b) 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.

### **No obstruction of public way**

C26. 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.

### **Dust Control Measures**

C27. 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 Environmental 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.

### **Pedestrian Access During Construction**

C28. Pedestrian access along Lucas Street is to be maintained as far as feasible 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.

### **Vehicle Access Driveways During Construction**

C29. All vehicular access driveways to the construction site are to be constructed in accordance with the requirements of council's "Driveway Specifications".

### **Setting Out of Structures**

C30. 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.

### **Directional Signage**

C31. Directional signage shall be modified as required to accommodate any altered pedestrian and vehicular movements within the area. Particular attention is to be paid to:

- (a) wheelchair accessible paths of travel;
- (b) safe road crossing areas including signalised and other designated crossings;
- (c) key landmarks;
- (d) access to transport nodes including public transport; and
- (e) 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.

### **Traffic Movement**

C32. The following traffic movement requirements shall be complied with:

- (a) All loading and unloading associated with works must occur on site, or in an approved works zone by council.
- (b) All vehicles must enter and leave the site in a forward direction, where feasible. In the event that site constraints do not permit heavy rigid vehicles to enter and leave the site in a forward direction, then all reversing movements should be undertaken under the control of certified traffic controllers to ensure public safety when vehicles are reversing;
- (c) The cost of all traffic management works shall be borne by the proponent.
- (d) No trucks associated with the approved works are permitted to park or stand on public roadways.
- (e) Gates shall be closed between vehicle movements.
- (f) Movement of trucks to and from the site shall be staggered so as to limit access and egress during peak traffic periods.
- (g) The Contractor shall make provision 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.

### **Excavated Material**

C33. Any excavated material to be removed from the site being assessed, classified, transported and disposed of in accordance with the EPA's Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes.

### **Imported Fill**

C34. Any imported fill brought onto the site must be validated to ensure its suitability for the proposed land use from a contamination perspective. Imported fill is to be certified that it is not contaminated, based upon analysis or the known past history of the site from which is it obtained.

### **Discovery of Aboriginal Heritage**

C35. In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The proponent must consult with the Aboriginal community representatives, the archaeologist and OEH to develop and implement management strategies for all objects/sites.

### **Impact of Below Ground (sub-surface) Works – Non-Aboriginal Relics**

C36. In the event substantial intact archaeological relics are discovered during excavation, work must cease in the affected area and the Heritage Council notified in writing in accordance with section 146 of the Heritage Act 1977. A suitably qualified and experienced archaeologist must be contacted to assess the finds and, depending on the nature of the discovery, archaeological recording, excavation and revised interpretation may be required prior to works commencing.

## **PART D – PRIOR TO OCCUPATION OR COMMENCEMENT OF USE**

### **Green Travel Plan**

- D1. Prior to the operation of the facilities the subject of this approval, a Green Travel Plan shall be prepared for staff and visitors. The Green Travel Plan shall include identify measures to reduce reliance on private car use, and include greater promotion of and provision of incentives to support car pooling and car sharing.

### **Water Fixtures**

- D2. Water efficient fixtures with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS) shall be installed, except areas subject to specific clinical requirements, and details are to be submitted to the certifying authority prior to occupation of the building.

### **Public Domain Upgrade**

- D3. Prior to occupation of the building, the proponent is required to upgrade the public footpath along the entire frontage to the development along Lucas Street extending to the intersection with Missenden Road.

### **Protection of Stone Kerbs**

- D4. Prior to the occupation of the building, any damaged stone kerbs or temporarily removed stone kerbs are to be reinstalled to match existing and all costs associated with the works are to be at no cost to the council. All new driveway laybacks and kerbs are to be constructed with stone kerbs to match existing stones where possible. All unused stone kerbs are to be salvaged and returned to the council's store.

### **Release of Footpath Damage Bank Guarantee**

- D5. The applicant shall arrange for an appropriate council officer to inspect all footpath and other relevant rectification works and if the works have been completed to the satisfaction of council, organise for the release of the remaining funds.

### **Paving Materials**

- D6. The surface of any material used or proposed to be used for the paving of colonnades, thoroughfares, plazas, arcades and the like which are used by the public must comply with AS/NZS 4586:2004 (including amendments) "Slip resistance classification of new pedestrian surface materials".

### **Regulatory Traffic Signage**

- D7. Any regulatory traffic signage within the private roads (such as Shared Zones or One Way) shall be installed prior to occupation of the building.
- D8. The following signs must be installed prior to occupation of the building and maintained within the site at the point(s) of vehicular egress:
- (a) Compelling drivers to stop before proceeding onto the public way
  - (b) Compelling drivers to "Give Way to Pedestrians" before crossing the footway; or compelling drivers to "Give Way to Pedestrians and Bicycles" before crossing a footway on an existing or identified shared path route

### **Mechanical Ventilation**

- D9. Following completion, installation and testing of all the mechanical ventilation systems, the proponent shall provide evidence to the satisfaction of the PCA, prior to the occupation of the building, that the installation and performance of the mechanical systems complies with:
- (c) The Building Code of Australia;
  - (d) Australian Standard AS1668 and other relevant codes;
  - (e) The project approval and any relevant modifications; and,
  - (f) Any dispensation granted by the New South Wales Fire Brigade.

### **Sydney Water Compliance**

D10. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

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.

The Section 73 Certificate must be submitted to the PCA prior to occupation of the building.

### **Fire Safety**

D11. 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.

### **Structural Inspection Certificate**

D12. A Structural Inspection Certificate for any structural work is to be obtained prior to the operation of the facilities the subject of this approval.

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

D13. The proponent shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works.

- (a) This report to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.
- (b) The report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:
  - (i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions and
  - (ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
- (c) A copy of this report is to be forwarded to the department and council.

### **Waste Management**

D14. Prior to the operation of the facilities the subject of this approval, the proponent must ensure that waste handling works have been completed in accordance with the Waste Management Plan; and other relevant approval conditions.

### **Utility Services**

D15. Prior to the occupation of the building written advice shall be obtained from an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provision of adequate services.

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## **PART E – DURING OPERATIONS**

### **Ecologically Sustainable Development**

E1. The project shall implement any relevant operational measures to target a 4 star green star rating.

### **Road Damage**

D16. 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/developer within one month of occupation of the building.

### **Registration of Easements**

- D17. Within three months of operation of the facilities the subject of this approval, the proponent shall provide to the PCA evidence that all matters required to be registered on title including easements required by this approval, approvals, and other approvals have been lodged for registration or registered at the NSW Land and Property Information.

### **Loading and Unloading**

- E2. All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the Subject Site at all times.

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

- E3. 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.

### **Noise Control – Operational**

- E4. The use of the premises shall not cause a nuisance, or an offensive noise as defined in the *Protection of the Environment Operations Act 1997*, to adjoining properties or the public.

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

- E5. Noise associated with the operation of any plant, machinery or other equipment on the Subject Site, shall not exceed 5dB(A) above the background noise level when measured at the boundary of any affected sensitive receiver.
- E6. An acoustic verification report must be submitted to the Principal Certifying Authority within three months of occupation of the building from an accredited acoustic consultant, confirming that resultant operational noise levels from the mechanical plant and equipment is in compliance with the above noise criteria when operating to maximum capacity at the most noise sensitive time of the day.

### **Storage of Hazardous or Toxic Material**

- E7. Any hazardous or toxic materials must be stored in accordance with Workcover Authority requirements.

### **Public Way to be Unobstructed**

- E8. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.
- E9. All doors, access stair and ramps related to the development shall be setout such that no part (including tactile indicators and handrails) shall encroach onto the footpath or other parts of the public domain.

### **External Lighting**

- E10. External Lighting shall comply with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Upon installation of lighting, but before it is finally commissioned, the proponent shall submit to the certifying authority evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.
- E11. The lighting of all areas to be used by the public must comply with AS/NZS 1158.3.1.

### **Microbial Control**

- E12. Where cooling towers and warm water systems are utilised by the development for air-handling or other purposes, they must be operated and maintained in accordance with AS 3666.2:2011, (or AS 3666.3:2011 subject to prior notification to council) the Public Health Act 2010, and Public Health Regulation 2012.

## ADVISORY NOTES

### Appeals

AN1 The proponent has the right to appeal to the Land and Environment Court in the manner set out in the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation, 2000 (as amended).

### Other Approvals and Permits

AN2 The proponent shall apply to the council for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the *Local Government Act, 1993* or *Section 138 of the Roads Act, 1993*.

### Responsibility for other approvals / agreements

AN3 The proponent is solely responsible for ensuring that all additional approvals and agreements are obtained from other authorities, as relevant.

### Temporary Structures

AN4

- a) An approval under State Environmental Planning Policy (Temporary Structures) 2007 must be obtained from the council for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.
- b) Structural certification from an appropriately qualified practicing structural engineer must be submitted to the council with the application under State Environmental Planning Policy (Temporary Structures) 2007 to certify the structural adequacy of the design of the temporary structures.

### Disability Discrimination Act

AN5 This application has been assessed in accordance with the Environmental Planning and Assessment Act 1979. No guarantee is given that the proposal complies 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.

### Commonwealth Environment Protection and Biodiversity Conservation Act 1999

AN6

- a) 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.
- b) 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 the Department of Sustainability, Environment, Water, Population and Communities 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.

### **Asbestos Removal**

AN7 All excavation works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with NOHSC: "Code of Practice for the Safe Removal of Asbestos"

### **Site contamination issues during construction**

AN8 Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination then the proponent must be immediately notified and works must cease. Works must not recommence on site until the consultation is made with the department.

### **SCHEDULE 3**

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

#### **4.1 Construction Management**

The following plans will be implemented during the construction phase:

- Soil and Water Management Plan (prepared by C&M Consulting Engineers, dated July 2012).

The following documents will be prepared and implemented prior to the commencement of works:

- Construction Traffic Management Plan; and
- Construction Waste Management Plan.

#### **4.2 Contamination**

The recommendations outlined within the Stage 2 Environmental Site Assessment (July 2012) prepared by Environmental Investigation Services (EIS) will be implemented prior to construction of the new building commencing.

#### **4.3 Ecologically Sustainable Development**

- The measures and initiatives outlined within the ESD Statement prepared by ARUP (July 2012) will be investigated.
- The development will comply with the Engineering Services and Sustainable Development Guidelines Technical Series TS11.
- The development will target a 4 Star Green Star rating.

#### **4.4 Transport**

- Existing measures to support sustainable means of travel (e.g. the RPAH Transport Access Guide) will be made available to staff and visitors.
- Provision of at grade visitor bicycle parking spaces will be investigated during detailed design.

#### **4.5 Noise**

The measures and initiatives outlined within the following reports/plans will be implemented:

- Noise and Vibration Management Plan (prepared by Acoustic Studio, dated July 2012).
- Acoustic Design Report (prepared by Acoustic Studio, dated October 2012).