

# Consolidated Consent

## *Prince of Wales Hospital Expansion Stage 1*

[As modified by SSD-9113-MOD-1]

[As modified by SSD-9113 Notice of Modification dated 29.06.2020]

---

### SCHEDULE 1

<b>Application Number:</b>	SSD 9113
<b>Applicant:</b>	NSW Health Infrastructure, on behalf of Health Administration Corporation
<b>Consent Authority:</b>	Minister for Planning
<b>Site:</b>	Part Lot 1 DP870720 (Randwick Hospital Campus), Lot 7 DP13997 (71 Botany Street, Randwick), Lot A DP167106 (73 Botany Street, Randwick), Lot B DP167106 (75 Botany Street, Randwick), Lot C DP167106 (77 Botany Street, Randwick), Lot D DP167106 (79 Botany Street, Randwick), Lot A DP33161 (81 Botany Street, Randwick), Lot B DP33161 (83 Botany Street, Randwick), Lot C DP33161 (85 Botany Street, Randwick), Lot D DP33161 (87 Botany Street, Randwick), Lot E DP33161 (89 Botany Street, Randwick), Lot F DP33161 (91 Botany Street, Randwick), Lot 1 DP741639 (93 Botany Street, Randwick), Lot 2 DP1134643 (95 Botany Street, Randwick), Lot A DP439101 (97 Botany Street, Randwick), Lot B DP439101 (99 Botany Street, Randwick), Lot 3 DP302329 (101 Botany Street, Randwick), Part Lot 2 DP13995 (27 Eurimbla Avenue, Randwick), Lot 3 DP13995 (29 Eurimbla Avenue, Randwick), Lot 4 DP13995 (31 Eurimbla Avenue, Randwick), Lot 5 DP13995 (33 Eurimbla Avenue, Randwick), Lot 6 DP13995 (35 Eurimbla Avenue, Randwick), Lot 7 DP13995 (37 Eurimbla Avenue, Randwick), Lot 8 DP13995 (39 Eurimbla Avenue, Randwick), Lot 9 DP13995 (41 Eurimbla Avenue, Randwick), Lot 10 DP13995 (43 Eurimbla Avenue, Randwick), Lot 11 DP13995 (45 Eurimbla Avenue, Randwick), Lot 12 DP13995 (47 Eurimbla Avenue, Randwick), Lot 13 DP12909 (34 Eurimbla Avenue, Randwick), Lot 14 DP12909 (36 Eurimbla Avenue, Randwick), Lot B DP441943 (38 Eurimbla Avenue, Randwick), Lot A DP441943 (40 Eurimbla Avenue, Randwick), Lot 1 DP1182570 (42 Eurimbla Avenue, Randwick), Lot 2 DP1182570 (44 Eurimbla Avenue, Randwick), Lot 23A DP434935 (46 Eurimbla Avenue, Randwick), Lot 23B DP434935 (48 Eurimbla Avenue, Randwick), Lot 1 DP522596 (50 Eurimbla Avenue, Randwick), Lot 2 DP522596 (52 Eurimbla Avenue, Randwick), Lot 1 DP501682 (54 Eurimbla Avenue, Randwick), Lot 2 DP501682 (56 Eurimbla Avenue, Randwick)

Randwick), Lot 3 DP513339 (58 Eurimbla Avenue, Randwick), Lot 4 DP513339 (60 Eurimbla Avenue, Randwick), Lot 19 DP7745 (62 Eurimbla Avenue, Randwick), Lot 18 DP7745 (64-64A Eurimbla Avenue, Randwick, Randwick), Lot 52 DP7745 (64R Eurimbla Avenue – pedestrian walkway, Randwick), Lot 1 DP74860 (66 Eurimbla Avenue – also known as 6 Magill Street, Randwick), Lot 11 DP806091 (66A Eurimbla Avenue, Randwick), Lot 1 DP307266 (2 Magill Street, Randwick), Lot 12 DP806091 (4 Magill Street, Randwick), Lot 7 DP975640 (8-8A Magill Street, Randwick), Lot 1 DP11351 (10 Magill Street, Randwick), Lot 2 DP11351 (12 Magill Street, Randwick), Lot 3 DP11351 (14 Magill Street, Randwick)

**Development:**

Prince of Wales Hospital Expansion Stage 1 comprising:

- Bulk earthworks;
- Construction and operation of a 13 level Acute Services Building, including the following facilities: an emergency department; operating theatres; central sterilising service department; intensive care unit, inpatient units; and ambulance bays;
- Overhead pedestrian links to existing hospital buildings;
- A helipad on the uppermost roof of the building;
- Magill Street road works, Botany Street signalised intersection, internal roads and drop-off/pick-up areas; and
- Utility, site infrastructure and landscaping works.

## DEFINITIONS

<b>Aboriginal object</b>	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
<b>Aboriginal place</b>	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
<b>Advisory Notes</b>	Advisory information relating to the consent but do not form a part of this consent
<b>Applicant</b>	Health Administration Corporation or any other person carrying out any development to which this consent applies
<b>ASB</b>	Acute Services Building
<b>BCA</b>	Building Code of Australia
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016</i>
<b>CEMP</b>	Construction Environmental Management Plan
<b>Certifying Authority</b>	Professionals that are accredited by the Building Professionals Board to issue construction, occupation, subdivision, strata, compliance and complying development certificates under the EP&A Act, <i>Strata Schemes (Freehold Development) Act 1973</i> and <i>Strata Schemes (Leasehold Development) Act 1986</i> or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works.
<b>Conditions of this consent</b>	The conditions contained in Schedule 2 of this document
<b>Construction</b>	<p>All physical work to enable operation including but not limited to the demolition and removal of buildings, the carrying out of works for the purposes of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent, but excluding the following:</p> <ul style="list-style-type: none"><li>• building and road dilapidation surveys;</li><li>• investigative drilling, investigative excavation or Archaeological Salvage;</li><li>• establishing temporary site offices (in locations identified by the conditions of this consent);</li><li>• installation of environmental impact mitigation measures, fencing, enabling works; and</li><li>• minor adjustments to services or utilities.</li></ul>
<b>Council</b>	Randwick City Council
<b>CSELR</b>	CBD and South East Light Rail
<b>Day</b>	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
<b>Demolition</b>	The deconstruction and removal of buildings, sheds and other structures on the site
<b>Department</b>	NSW Department of Planning and Environment
<b>Development</b>	The development described in the EIS, Response to Submissions, and supplementary information including the works and activities comprising Stage 1 Redevelopment of Prince of Wales Hospital, as modified by the conditions of this consent.
<b>Earthworks</b>	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
<b>EIS</b>	The Environmental Impact Statement titled 'Environmental Impact Statement – State Significant Development Application SSD 9113 Randwick Hospitals Campus Redevelopment – Stage 1', prepared by Advisian dated 21 August 2018, submitted with the application for consent

	for the development, including any additional information provided by the Applicant in support of the application
<b>ENM</b>	Excavated Natural Material
<b>Environment</b>	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	<i>Environmental Planning and Assessment Regulation 2000</i>
<b>Evening</b>	The period from 6pm to 10pm.
<b>Feasible</b>	Means what is possible and practical in the circumstances
<b>Heritage</b>	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
<b>Heritage Item</b>	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
<b>Incident</b>	An occurrence or set of circumstances that causes, or threatens to cause, material harm and which may or may not be, or cause, a non-compliance <i>Note: "material harm" is defined in this consent</i>
<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
<b>Management and mitigation measures</b>	The management and mitigation measures set out in Sections 8 and 9 of the EIS.
<b>Material harm</b>	Is harm that: <ul style="list-style-type: none"> <li>a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or</li> <li>b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)</li> </ul>
<b>Minister</b>	NSW Minister for Planning (or delegate)
<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
<b>Monitoring</b>	Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act
<b>Night</b>	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
<b>Non-compliance</b>	An occurrence, set of circumstances or development that is a breach of this consent
<b>OEH</b>	NSW Office of Environment and Heritage
<b>Operation</b>	The carrying out of the approved purpose of the development upon completion of construction.
<b>Planning Secretary</b>	Planning Secretary under the EP&A Act, or nominee
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>Randwick Collaboration Area</b>	Area defined by the 'Collaboration Area – Randwick Place Strategy', dated December 2018, prepared by the Greater Sydney Commission

<b>Randwick Collaboration Area Partners</b>	Randwick Collaboration Area stakeholder group operating under a Collaboration Area Agreement.
<b>Randwick Health Campus</b>	Land bound by High Street, Avoca Street, Barker Street and Hospital Road, Randwick.
<b>Reasonable</b>	Means applying judgement in arriving at a decision, taking into account: mitigation, benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
<b>Registered Aboriginal Parties</b>	Means the Aboriginal persons identified in accordance with the document entitled " <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> " (DECCW)
<b>Response to submissions</b>	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act.
<b>RMS</b>	NSW Roads and Maritime Services
<b>Sensitive receivers</b>	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area.
<b>Site</b>	The land defined in Schedule 1.
<b>Site Auditor</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>Site Audit Report</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>Site Audit Statement</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>Supplementary Information</b>	Additional information submitted following the Response to Submissions.
<b>TfNSW</b>	Transport for New South Wales
<b>Waste</b>	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
<b>Year</b>	A period of 12 consecutive months

## SCHEDULE 2

### PART A ADMINISTRATIVE CONDITIONS

#### Obligation to Minimise Harm to the Environment

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

#### Terms of Consent

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
  - (b) in accordance with all written directions of the Planning Secretary;
  - (c) generally in accordance with the EIS, Response to Submissions and Supplementary Information; and
  - (d) in accordance with the approved plans in the table below:

Architectural Drawings prepared by <i>BVN and Terroir</i>			
Dwg No.	Rev	Name of Plan	Date
01A-NL00013	E	Site Plan	08/08/18
01A-NL00021	C	Site Analysis Plan	16/05/18
11B-B200001	L	General Arrangement Plan – Level -02	29/10/18
11B-B100001	L	General Arrangement Plan – Level -01	29/10/18
11B-0000001	K	General Arrangement Plan – Level 00	29/10/18
11B-0100001	L	General Arrangement Plan – Level L01	29/10/18
11B-0200001	K	General Arrangement Plan – Level L02	29/10/18
11B-0300001	K	General Arrangement Plan – Level L03	29/10/18
11B-0400001	L	General Arrangement Plan – Level L04	29/10/18
11B-0500001	L	General Arrangement Plan – Level L05	29/10/18
11B-0600001	L	General Arrangement Plan – Level L06	29/10/18
11B-0700001	L	General Arrangement Plan – Level L07	29/10/18
11B-0800001	L	General Arrangement Plan – Level L08	29/10/18
11B-0900001	L	General Arrangement Plan – Level L09	29/10/18
11B-1000001	L	General Arrangement Plan – Level L10	29/10/18
11B-1100001	J	General Arrangement Plan – Level L11	29/10/18
11B-1200001	J	General Arrangement Plan – Level L12	29/10/18
11C-DA00001	B	North Elevation	15/01/19
11C-DA00002	B	West Elevation	29/10/18
11C-DA00003	B	South Elevation	15/01/19
11C-DA00004	B	East Elevation	29/10/18
11D-DA00001	B	East West Section 1	29/10/18
11D-DA00002	B	East West Section 2	29/10/18
11D-DA00003	B	North South Section 1	29/10/18
11D-DA00004	B	North South Section 2	29/10/18
11B-NL50001	B	Patient Bridge	16/05/18
11B-NL50002	B	Patient Bridge	16/05/18
11B-0050001	B	Public Link Bridge – Level Ground	16/05/18

11D-NL50001	B	Public and Patient Bridge	16/05/18
11C-DA00005	A	South Elevation – Magill Street	17/01/19
<b>Landscape Documentation Tender Set prepared by Aspect Studios</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
S17032-LA-001	F	Cover Sheet and Drawing List	13/12/18
S17032-LA-002	F	Legend	13/12/18
S17032-LA-350	E	Planting Schedule	13/12/18
S17032-LA-B-110	G	General Arrangement Plan Level B1	13/12/18
S17032-LA-B-120	H	General Arrangement Plan Level B2	13/12/18
S17032-LA-B-211	D	Materials & Finishes Plan Level – B1	13/12/18
S17032-LA-B-212	D	Materials & Finishes Plan Level – B1	13/12/18
S17032-LA-B-213	E	Materials & Finishes Plan Level – B1	13/12/18
S17032-LA-B-214	D	Materials & Finishes Plan Level – B1	13/12/18
S17032-LA-B-215	E	Materials & Finishes Plan Level – B1	13/12/18
S17032-LA-B-216	D	Materials & Finishes Plan Level – B1	13/12/18
S17032-LA-B-221	E	Materials & Finishes Plan Level – B2	13/12/18
S17032-LA-B-222	F	Materials & Finishes Plan Level – B2	13/12/18
S17032-LA-B-223	E	Materials & Finishes Plan Level – B2	13/12/18
S17032-LA-B-311	C	Planting Plan – B1	13/12/18
S17032-LA-B-312	C	Planting Plan – B1	13/12/18
S17032-LA-B-313	C	Planting Plan – B1	13/12/18
S17032-LA-B-314	C	Planting Plan – B1	13/12/18
S17032-LA-B-315	C	Planting Plan – B1	13/12/18
S17032-LA-B-316	C	Planting Plan – B1	13/12/18
S17032-LA-B-321	C	Planting Plan – B2	13/12/18
S17032-LA-B-322	C	Planting Plan – B2	13/12/18
S17032-LA-B-323	C	Planting Plan – B2	13/12/18
S17032-LA-L-100	B	General Arrangement Plan Level 00	13/12/18
S17032-LA-L-130	B	General Arrangement – L3	31/08/18
S17032-LA-L-140	F	General Arrangement – L4	04/09/18
S17032-LA-L-170	B	General Arrangement – L7	31/08/18
S17032-LA-L-201	B	Materials & Finishes Plan Level – 00	13/12/18
S17032-LA-L-202	B	Materials & Finishes Plan Level – 00	13/12/18
S17032-LA-L-231	B	Materials & Finishes Plan – L3	31/08/18
S17032-LA-L-241	E	Materials & Finishes Plan Level – 4	06/09/18
S17032-LA-L-242	C	Materials & Finishes Plan – L4	31/08/18
S17032-LA-L-243	D	Materials & Finishes Plan – L4	04/09/18
S17032-LA-L-271	B	Materials & Finishes Plan – L7	31/08/18
S17032-LA-L-341	C	Planting Plan – L4	13/12/18
S17032-LA-L-342	C	Planting Plan – L4	13/12/18
S17032-LA-L-343	C	Planting Plan – L4	13/12/18

- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
  - (b) the implementation of any actions or measures contained in any such document referred to in (a) above.
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

#### **Limits of Consent**

- A5. This consent lapses five years after the date of consent unless the works associated with the development have physically commenced.

#### **Prescribed Conditions**

- A6. The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.

#### **Planning Secretary as Moderator**

- A7. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.
- A8. Should endorsement/approval from the Coordinator General, Transport Coordination, or Sydney Light Rail Project Team within TfNSW, as required by conditions B36, B42, B48, or D11 of this consent, not be received within 30 days of consultation, the matter may be escalated by the Applicant to the Planning Secretary with evidence of consultation for approval, for endorsement/approval.

#### **Long Service Levy**

- A9. For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 441.

#### **Legal Notices**

- A10. Any advice or notice to the consent authority must be served on the Planning Secretary.

#### **Evidence of Consultation**

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

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

- A12. With the approval of the Planning Secretary, the Applicant may:
- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);



- (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
  - (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A13. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A14. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

### Design Modifications

- A15. ~~No consent is granted for the opening of~~ **Prior to the opening of Magill Street, a boom gate is to be installed at the eastern end of Magill Street to close access for vehicular access to and from Hospital Road between 10pm and 7am seven days a week except to allow emergency ambulance access in cases where access via Botany Road is not available. The eastern end of Magill Street is to be closed with bollards. Details of the bollards boom gate, including its design and operation are to be developed in consultation with Council and submitted to the satisfaction of the Planning Secretary prior to installation.**

**Signage is to be installed at the entry to Magill Street from Botany Street and the Emergency Department access to notify traffic travelling towards Hospital Road through Magill Street that access to Hospital Road is closed between 10pm and 7am seven days a week except to emergency vehicle. The signage is to be designed in consultation with Council and TfNSW (RMS) and submitted to the satisfaction of the Planning Secretary prior to installation**

**(SSD-9113 Notice of Modification - 29.06.2020)**

- A16. The Applicant must articulate and refine the building facades: to minimise the extent of unarticulated built form; to provide shading of glazing and reduce thermal gain where possible; and express and respond to the different functions of the hospital.
- A17. The Applicant must articulate and refine the south facing loading dock wall, to improve visual amenity for pedestrians using Magill Street and residents of Magill Street located opposite the site. This design must be submitted to the satisfaction of the Planning Secretary, prior to the commencement of construction of the loading dock.
- A18. A screening structure (e.g. louvres or similar) is to be incorporated to the southern edge of the emergency department car park to minimise light spill from vehicles impacting on Magill Street residents. Details of the screening are to be submitted to the satisfaction of the Planning Secretary prior to the commencement of construction of the car park or landscaping works, whichever comes first. The screen structure is to be installed prior to operation.
- A19. The design is to include 'cool roofs' as described by the 'Urban Green Cover in NSW Technical Guidelines' (OEH 2015). Details demonstrating compliance are to be submitted to the Certifying Authority and the Planning Secretary prior to the commencement of above ground construction works.

### Structural Adequacy

- A20. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

*Notes: Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.*

## External Walls and Cladding

A21. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

## Applicability of Guidelines

A22. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.

A23. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

## Monitoring and Environmental Audits

A24. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, Site audit report and independent auditing.

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

## Access to Information

A25. At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:

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

## Compliance

A26. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

## Staging

**A27.** The project may be constructed and operated in stages. Where compliance with conditions is required to be staged due to staged construction or operation, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the satisfaction of the Planning Secretary.

**A28.** A Staging Report prepared in accordance with condition A27 must:

- (a) if staged construction is proposed, set out how the construction of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;
- (b) if staged operation is proposed, set out how the operation of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);
- (c) specify how compliance with conditions will be achieved across and between each of the stages of the project; and
- (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.

**A29.** Where a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.

**A30.** Where construction or operation is being staged in accordance with a Staging Report, the terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage as identified in the Staging Report.

(SSD-9113-MOD-1)

#### **ADVISORY NOTES**

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

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

### **Notification of Commencement**

- B1. The Department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.
- B2. If the construction or operation of the development is to be staged, the Department must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

### **Certified Drawings**

- B3. Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with:
  - (a) the relevant clauses of the BCA; and
  - (b) this development consent.

### **External Walls and Cladding**

- B4. Prior to the commencement of construction, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the requirements of the BCA.
- B5. The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.

### **Protection of Public and Private Property and Infrastructure**

- B6. Before the commencement of construction, the Applicant must:
  - (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
  - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths);
  - (c) prepare a dilapidation report identifying the condition of all adjoining and nearby premises including the residences on the south side of Magill Street and the heritage item located at 4 Hay Street, Randwick;
  - (d) prepare a report by a professional engineer detailing the proposed methods of excavation, shoring or pile construction, including details of potential vibration emissions, and demonstrating the suitability of the proposed methods of construction to overcome any potential damage to nearby premises including the residences on the south side of Magill Street and the heritage item at no.4 Hay Street, Randwick.
  - (e) submit a copy of the dilapidation report and engineers report to the Certifying Authority and Council.

### **Security Deposit**

- B7. Prior to the commencement of construction, a damage / civil works security deposit of \$50,000 must be paid to Council, as security for making good any damage caused to the roadway, footway, verge or any public place; and as security for completing any public work; and for remedying any defect on such public works, in accordance with section 4.17(6) of the *Environmental Planning and Assessment Act 1979*.
- B8. The damage/civil works security deposit is refundable upon a satisfactory inspection by Council upon the completion of the civil works which confirms that there has been no damage to Council's infrastructure.
- B9. The Applicant is also requested to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.

## **Contamination**

- B10. Prior to commencement construction, the Applicant must prepare a Contamination Management Protocol to the satisfaction of a NSW EPA Accredited Site Auditor which identifies how concurrent remediation and construction activities will be managed on site which:
- (a) includes procedures to differentiate between the handling of contaminated soil/material and construction material to ensure clear separation of handling;
  - (b) includes procedures to differentiate between the handling and transport of contaminated soil and construction materials to and from the site ensure clear separation of handling; and
  - (c) includes a procedure for recording the volume and type of contaminated material leaving the site and its destination.

## **Unexpected Contamination Procedure**

- B11. Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition B33 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.

## **Utilities and Services**

- B12. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.
- B13. Prior to the commencement of above ground works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.

## **Community Communication Strategy**

- B14. A Community Communication Strategy must be prepared to provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction.

The Community Communication Strategy must:

- (a) identify people to be consulted during the design and construction phases;
  - (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;
  - (c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development;
  - (d) set out procedures and mechanisms:
    - (i) through which the community can discuss or provide feedback to the Applicant;
    - (ii) through which the Applicant will respond to enquiries or feedback from the community; and
    - (iii) to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development, including disputes regarding rectification or compensation.
- B15. The Community Communication Strategy must be submitted to the Planning Secretary for approval no later than two weeks before the commencement of any work.
- B16. Work for the purposes of the development must not commence until the Community Communication Strategy has been approved by the Planning Secretary, or within another timeframe agreed with the Planning Secretary.

## **Aboriginal Cultural Heritage**

B17. In accordance with the recommendations of the *Aboriginal Cultural Heritage Assessment Report*, prepared by Mary Dallas Consulting Archaeologists, dated October 2018:

- (a) prior to the commencement of demolition or earthworks within the subject land, a limited program of investigations be undertaken inclusive of machine trenching and manual excavation as outlined in Section 5.3 across the subject land. The work should be undertaken by a qualified archaeologist and representatives of engaged Registered Aboriginal Parties. These initial archaeological test excavations should be undertaken in accessible portions of the subject land, in order to determine the presence/absence of any Aboriginal archaeological remains within surviving archaeologically sensitive dune deposits;
- (b) archaeological monitoring of the removal of all-natural soil profiles are to be undertaken. This is to include relevant earthworks conducted during the demolition and/or construction phases of the proposal, geotechnical investigations and historical archaeological investigations;
- (c) any Aboriginal archaeological monitoring, test or salvage excavations should be designed and developed with reference to any historical archaeological requirements and approvals;
- (d) final management of any retrieved Aboriginal archaeological remains, and recommendations relating to any Aboriginal archaeological deposit which may exist within the subject land, will be made in conjunction with Registered Aboriginal Parties to the current assessment on completion of the proposed Aboriginal archaeological test excavations and monitoring and be documented in an updated Aboriginal Cultural Heritage Assessment report; and
- (e) one copy of this report should be forwarded to all Registered Aboriginal Parties, the Certifying Authority, OEH and the Planning Secretary, within six months of completion of the test excavations and monitoring.

## **Ecologically Sustainable Development**

B18. Within six months of commencement of construction, the Applicant must register for a minimum 4 star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifying Authority, unless the NSW Health Engineering Services Guidelines are updated demonstrating equivalency with an accredited rating scheme to the satisfaction of the Planning Secretary.

## **Outdoor Lighting**

B19. Prior to commencement of construction, all outdoor lighting within the site must comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-1997 Control of the obtrusive effects of outdoor lighting. Details demonstrating compliance with these requirements must be submitted to the satisfaction of the Certifying Authority.

## **Access for People with Disabilities**

B20. The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of construction, the 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 any certified plans.

## **Stormwater, Drainage and Flood Management**

B21. The proposed development is defined as a “Critical Facility” and the habitable floor levels and openings into the structure must comply with the flood planning levels as described in Appendix P of the EIS – Civil Report prepared by enstruct, dated May 2018. Prior to the commencement of above ground construction, certification from a qualified engineer demonstrating the floor levels of the development are compliant with this report is to be submitted to the satisfaction of the Certifying Authority.

- B22. The ground floor level of the proposed development (as a minimum) shall be designed to structurally withstand hydrostatic pressure/stormwater inundation from floodwater during the probable maximum flood (PMF) event as defined in the Floodplain Management Manual (New South Wales Government, January 2001). Prior to the commencement of construction, certification from a qualified structural engineering demonstrating compliance shall be submitted to the satisfaction of the Certifying Authority
- B23. The building, including building footings, are to be designed to ensure that they will not be adversely affected by stormwater, floodwater and/or the water table. Prior to the commencement of construction, certification from a qualified structural engineering demonstrating compliance shall be submitted to the satisfaction of the Certifying Authority
- B24. All proposed footings located adjacent to existing or proposed drainage easements shall either be founded on rock, or extended below a 30 degree line taken from the level of the pipe invert at the edge of the drainage reserve/easement (angle of repose). Prior to the commencement of construction, certification from a qualified structural engineering demonstrating compliance shall be submitted to the satisfaction of the Certifying Authority
- B25. The footings must be inspected by the Applicant's engineer to ensure that these footings are either founded on rock or extend below the "angle of repose". Documentary evidence of compliance with this condition is to be submitted to the Certifying Authority prior to proceeding to the subsequent stages of construction.
- B26. Prior to commencement of above ground construction works, a strategy for the management of drainage and overland flow through and/or around the site during construction is to be prepared in consultation with Council and submitted to the satisfaction of the Certifying Authority. A copy of the strategy and Council's comments are also to be submitted to the Planning Secretary.
- B27. The strategy required by condition B26 must make provision for the existing stormwater drainage system in Eurimbla Avenue (or an equivalent capacity system) to remain in operation until such time as the new drainage system is constructed and operational to Council's satisfaction.
- B28. Prior to the commencement of construction, the Applicant must design an operational stormwater management system for the development and submit it to the satisfaction of the Certifying Authority. The system must:
- (a) be designed by a suitably qualified and experienced person(s);
  - (b) be generally in accordance with the conceptual design in the EIS;
  - (c) be in accordance with applicable Australian Standards; and
  - (d) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines.

## **Groundwater**

- B29. A report must be obtained from a qualified, experienced hydrogeological engineer, which provides an assessment of the site and the potential impact of groundwater (including seepage flows) and the water table upon the development, and measures to be implemented to effectively manage groundwater where affected. The report is to be submitted to the satisfaction of the Certifying Authority.
- B30. Where the site is affected by groundwater or fluctuating water table (including during the course of construction), details are to be submitted to the satisfaction of the Certifying Authority demonstrating that the following requirements must be satisfied:
- (a) the design and construction of the basement level/s must preclude the need for dewatering after construction;
  - (b) that part of the development that may be impacted by the water table must include a water proof retention system (i.e. a fully tanked structure) with adequate provision for future fluctuations of water table levels. (It is recommended that a minimum allowance for a water table variation of at least +/-1.0 metre beyond any expected fluctuation be provided). The actual water table fluctuation and fluctuation safety margin must be determined by a suitably qualified professional;

- (c) groundwater management systems shall be designed to transfer groundwater around, through or under the proposed development without a change in the range of the natural groundwater level fluctuations in the locality;
- (d) where an impediment to the natural flowpaths is created as a result of the nature of the construction methods utilised or the bulk of the below-ground structure, artificial drains such as perimeter drains and through drainage may be utilised. These systems may only be utilised where it can be demonstrated that the natural groundwater flow regime is restored both up-gradient and down-gradient of the site, without any adverse effects on surrounding property or infrastructure;
- (e) groundwater management systems:
  - (i) are to be designed to be easily maintained; and
  - (ii) should have a design life of 100 years; and
- (f) the basement level/s of the building must be designed by a structural engineer who is qualified and experienced in the design of structures below a water table.

B31. In the event of the development being modified in a manner that changes building/structural loads or alters the basement design, a suitably qualified and experienced structural engineer must certify that the design of the basement remains adequate for the site conditions.

#### **Environmental Management Plan Requirements**

B32. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:

- (a) detailed baseline data;
- (b) details of:
  - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
  - (ii) any relevant limits or performance measures and criteria; and
  - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
- (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
- (d) a program to monitor and report on the:
  - (i) impacts and environmental performance of the development;
  - (ii) effectiveness of the management measures set out pursuant to paragraph (c) above;
- (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
- (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
- (g) a protocol for managing and reporting any:
  - (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
  - (ii) complaint;
  - (iii) failure to comply with statutory requirements; and
- (h) a protocol for periodic review of the plan.

*Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans*

#### **Construction Environmental Management Plan**

B33. The Applicant must prepare a Construction Environmental Management Plan (CEMP) and it must include, but not be limited to, the following:



- (a) Details of:
    - (i) hours of work;
    - (ii) 24-hour contact details of site manager;
    - (iii) management of dust and odour to protect the amenity of the neighbourhood;
    - (iv) stormwater control and discharge;
    - (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
    - (vi) groundwater management plan including measures to prevent groundwater contamination;
    - (vii) external lighting in compliance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting;
    - (viii) community consultation and complaints handling;
    - (ix) measures to ensure the ongoing safe operation of the existing helipad on the site identified in the review undertaken in accordance with Condition B49;
  - (b) Construction Traffic and Pedestrian Management Sub-Plan (see condition B35);
  - (c) Construction Noise and Vibration Management Sub-Plan (see condition B37);
  - (d) Construction Waste Management Sub-Plan (see condition B38);
  - (e) Construction Soil and Water Management Sub-Plan (see condition B39);
  - (f) Aboriginal Cultural Heritage Management Sub-Plan (see condition B40);
  - (g) Flood Emergency Response (see condition B41);
  - (h) an unexpected finds protocol for contamination and associated communications procedure;
  - (i) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure;
  - (j) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site; and
- B34. The Applicant must not commence construction of the development until the CEMP is submitted to the satisfaction of the Certifying Authority and a copy submitted to the Planning Secretary.
- B35. The Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must be prepared in consultation with the Sydney Coordination Office and Sydney Light Rail team within TfNSW and RMS. The CTPMSP must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) specify:
    - (i) location of the proposed work zone/s;
    - (ii) location of any crane;
    - (iii) details of any lane or road closures;
    - (iv) construction hours; and
    - (v) construction program;
  - (c) detail size and type of construction vehicles including a swept path analysis demonstrating no encroachment into oncoming traffic lanes;
  - (d) haulage and heavy vehicle routes including marshalling area/s and operations to ensure no heavy vehicle queuing prior to site entry;
  - (e) estimated number of construction vehicle movements including measures to significantly minimise the number of movements during the defined peak traffic periods;
  - (f) construction vehicle access arrangements noting that construction vehicles shall not use High Street without prior approval of the Sydney Coordination Office within TfNSW and RMS;
  - (g) measures to avoid construction worker vehicle movements within the vicinity of the precinct, including any off-site construction worker parking location/s away from the precinct and operation;

- (h) location and operation of a pick-up/drop-off zone of adequate length on Hospital Road for the Sydney Children's Hospital. Pedestrian access to the zone should be maintained at all times;
  - (i) identify cumulative construction impacts of projects including the Sydney Light Rail Project, University of New South Wales, Inglis Stables and surrounding new residential developments;
  - (j) identify and reference existing Construction Pedestrian and Traffic Management Plans (CPTMPs) for developments within or around the site to ensure that coordination of work activities are managed to minimise the impacts on the road network;
  - (k) consideration of potential impacts on general traffic, cyclists, pedestrians, bus services and light rail construction and operation within the vicinity of the site;
  - (l) detail the duration of impacts and identify mitigation measures that are to be implemented to mitigate impacts on general traffic, Sydney Light Rail construction and operation, bus operations, pedestrians and cyclists, and ensure road safety and network efficiency during construction;
  - (m) include a Driver Code of Conduct to:
    - (i) minimise the impacts of earthworks and construction on the local and regional road network;
    - (ii) minimise conflicts with other road users;
    - (iii) minimise road traffic noise; and
    - (iv) ensure truck drivers use specified routes;
  - (n) include a program to monitor the effectiveness of these measures;
  - (o) consultation strategy for liaison with surrounding stakeholders; and
  - (p) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.
- B36. A copy of the final CTPMSP is to be submitted to the Coordinator General, Transport Coordination for endorsement, prior to the commencement of any work.
- B37. The Construction Noise and Vibration Management Sub-Plan must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced noise expert;
  - (b) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009);
  - (c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
  - (d) include strategies that have been developed with the community for managing high noise generating works;
  - (e) describe the community consultation undertaken to develop the strategies in condition B37(d); and
  - (f) include a complaints management system that would be implemented for the duration of the construction.
- B38. The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the following:
- (a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations;
  - (b) removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.
- B39. The Applicant must prepare a Construction Soil and Water Management Plan (CSWMSP) and the plan must address, but not be limited to the following:

- (a) be prepared by a suitably qualified expert, in consultation with Council;
  - (b) describe all erosion and sediment controls to be implemented during construction;
  - (c) include an Acid Sulfate Soils Management Plan, if required, including measures for the management, handling, treatment and disposal of acid sulfate soils, including monitoring of water quality at acid sulfate soils treatment areas.
  - (d) provide a plan of how all construction works will be managed in a wet-weather events (i.e. storage of equipment, stabilisation of the Site);
  - (e) detail all off-Site flows from the Site; and
  - (f) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI).
- B40. The Aboriginal Cultural Heritage Management Sub-Plan (ACHMSP) must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties;
  - (b) incorporate the recommendations of the *Aboriginal Cultural Heritage Assessment Report*, prepared by Mary Dallas Consulting Archaeologists, dated October 2018; and
  - (c) be submitted to the satisfaction of the Planning Secretary prior to construction of any part of the development.
- B41. The Flood Emergency Response Sub-Plan (FERSP) must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) address the provisions of the *Floodplain Risk Management Guideline* (OEH, 2007);
  - (c) include details of:
    - (i) the flood emergency responses for both construction and operation phases of the development;
    - (ii) predicted flood levels;
    - (iii) flood warning time and flood notification;
    - (iv) assembly points and evacuation routes;
    - (v) evacuation and refuge protocols; and
    - (vi) awareness training for employees and contractors.

#### Construction Worker Transportation Strategy

- B42. The Applicant shall prepare a Construction Worker Transportation Strategy (CWTS) in consultation with the Sydney Coordination Office within TfNSW and Roads and Maritime Services. The Applicant shall submit a copy of the final plan to the Coordinator General, Transport Coordination for endorsement, prior to the commencement of any work on site. The Plan needs to specify, but not limited to, the following:
- (a) Initiatives that would help discourage construction workers driving to the precinct and parking;
  - (b) Provision of secure storage areas for construction worker tools and equipment on site;
  - (c) Measures to encourage the use of the ample public and active transport available within the vicinity of the site; and
  - (d) Details of the operation of off-site construction worker parking location/s, including how workers would be shuttled to the development site.

#### Construction Parking

- B43. Prior to the commencement of construction, the Applicant must provide sufficient parking facilities on-site, including for heavy vehicles but excluding construction worker vehicles, to ensure that construction traffic associated with the development does not utilise public and residential streets or public parking facilities.

B44. Off-site construction worker parking, as detailed in the CWTS required by condition B42, is to be provided within three months of commencement of construction.

#### **Intersection Works – Traffic Control Signal**

- B45. Within six months of commencement of construction, the Applicant must liaise with RMS and meet the following requirements for the proposed Traffic Control Signal (TCS):
- (a) the proposed TCS at the intersection of Botany Street and the Acute Services Building (ASB) access shall be designed to meet RMS requirements. The TCS plans shall be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner. Prior to detailed design of the intersection, the Applicant must obtain approval (agreement 'in principle') for the concept design of the TCS from RMS;
  - (b) the submitted design shall be in accordance with Austroads Guide to Road Design in association with relevant RMS supplements (available on [www.rms.nsw.gov.au](http://www.rms.nsw.gov.au)). The certified copies of the TCS design and civil design plans shall be submitted to RMS for consideration and approval prior to the commencement of construction. Please send all documentation to [development.sydney@rms.nsw.gov.au](mailto:development.sydney@rms.nsw.gov.au);
  - (c) the Applicant will be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works;
  - (d) the Applicant is required to dedicate land as public road for the maintenance of the Traffic Control Signals and associated infrastructure, further details will be included as part of the WAD process; and
  - (e) the Applicant shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.
- B46. Within six months of commencement of construction, the Applicant is to consult with RMS and Council to determine any requirements for the installation of a 'no-stopping' zone between Botany Street/High Street and Botany/Magill Street with the only exception for a dedicated bus zone after High Street. Evidence of consultation and the outcomes is to be provided to the Planning Secretary.

#### **Intersection Works – Upgrade of Botany Street and Magill Street**

- B47. Within six months of commencement of construction, the Applicant must submit to Council for approval full design engineering plans and specifications prepared by a suitably qualified and experienced civil engineer for the upgrade of the Magill Street and Botany Street intersection generally in accordance with the *Transport Assessment – Acute Services Building*, dated 13 July 2018, and prepared by ARUP.

#### **Construction Approval**

- B48. Prior to the commencement of construction, the Applicant must consult with, and obtain approval from the Sydney Light Rail Project team within TfNSW in relation to:
- (a) the development's construction activities to ensure that those activities do not adversely impact the completion of the Sydney Light Rail Project's program of works; and
  - (b) proposed mitigation measures to ensure that there is no flooding impact on the construction and operation of the Sydney Light Rail due to the proposed development.

#### **Existing Helipad / Helicopter Operations During Construction**

- B49. Prior to the commencement of construction, helipad / helicopter operations at the site are to be reviewed by a suitably qualified and experienced aviation professional in consultation with relevant stakeholders. The review must consider the proposed construction methodology including plant and equipment to be used (including lighting and cranes) and recommend changes to the construction methodology and / or flight paths where required to ensure safe ongoing helicopter operations at the site. A report summarising the outcome of the review must be submitted to the Certifying Authority.

### **Proposed Helipad Design**

- B50. Prior to the construction of the proposed helipad, a report prepared by a suitably qualified and experienced aviation professional must be submitted to the satisfaction of the Certifying Authority which states that the design of the helipad incorporates the relevant details outlined in Civil Aviation Safety Authority Civil Aviation Advisory Publication CAAP 92-2(2) *Guidelines for the establishment* and other relevant National and International guidelines.

### **Proposed Helipad Operations**

- B51. Prior to the construction of the helipad, future ongoing helicopter operations to the site are to be reviewed by a suitably qualified and experienced aviation professional. Proposed flight paths to the helipad must be identified in consultation with relevant stakeholders in accordance with Civil Aviation Safety Authority Civil Aviation Advisory Publication CAAP 92-2(2) *Guidelines for the establishment* and other relevant National and International guidelines. A report summarising the outcome of the review and a Three-dimensional Visual Flight Rules Approach and Departure Path and Transitional Surface Survey must be submitted to the satisfaction of Certifying Authority and a copy submitted to the Planning Secretary and Council.

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

- B52. Prior to commencement of above ground works, the Applicant must incorporate the noise mitigation recommendations in the *Noise and Vibration Impact Assessment*, dated 8 August 2018 and prepared by Acoustic Studio, into the detailed design drawings. The Certifying Authority must verify that all reasonable and feasible noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the *Noise and Vibration Impact Assessment*, dated 8 August 2018, and prepared by Acoustic Studio.

### **Historic Archaeology**

- B53. Prior to the commencement of works, an Archaeological Research Design (ARD) including an Archaeological Excavation Methodology is to be prepared in accordance with Heritage Council guidelines. The ARD is to require that all affected historical archaeological relics and or deposits of Local significance are to be subject to professional archaeological excavation and/or recording before any construction works which will impact those relics commences. The ARD must also incorporate recommendations No's.1 – 8 provided in Section 8.2 of the Historic Archaeology Assessment, dated April 2018, prepared by Casey and Lowe. The ARD is to be developed in consultation with the Heritage Division of the Office of Environment and Heritage, and a copy submitted to the Planning Secretary.
- B54. Within six months of completion of archaeological works, a copy of the final excavation report(s) shall be prepared and lodged with the Heritage Council of NSW, Council and the Planning Secretary. The Applicant must also nominate a repository for the relics salvaged from any historic archaeological investigations.

### **Landscaping and Habitat Improvement**

- B55. Prior to commencement of landscape construction works, the Applicant must amend the approved landscape plans to incorporate the following:
- (a) detail the native vegetation community (or communities), with a list of local provenance species (trees, shrubs and groundcovers) to be used for landscaping including quantities and locations;
  - (b) provide for the planting of at least 134 trees with a minimum pot size of 100 litres, and chosen from species consistent with (a) above; and
  - (c) provide for a range of artificial nest boxes are to be installed, suitable for native fauna likely to utilise the site.
- B56. The amended landscape plans required by condition B55 are to be to the satisfaction of the Certifying Authority and a copy submitted to the Planning Secretary.

### **Street Trees**

- B57. Prior to commencement of landscape construction works, the Applicant is to develop a street tree planting strategy in consultation with Council and to the satisfaction of the Planning

Secretary, which is to include at no cost to Council, planting of street trees, maintenance for a period of 12 months following commencement of operations, and replacement of street trees if required within the 12 month maintenance period.

### **Construction and Demolition Waste Management**

- B58. The Applicant must notify the RMS Traffic Management Centre 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.

### **Mechanical Ventilation**

- B59. All mechanical ventilation systems must be designed in accordance with Part F4.5 of the BCA and must comply with the AS 1668.2-2012 *The use of air-conditioning in buildings – Mechanical ventilation in buildings* and AS/NZS 3666.1:2011 *Air handling and water systems of buildings– Microbial control* to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details must be submitted to the satisfaction of the Certifying Authority prior to the installation of these systems.

### **Rainwater Harvesting**

- B60. Within six months of commencement of construction, the Applicant must ensure that a rainwater reuse/harvesting system for the development is developed for the site. A rainwater re-use plan for the irrigation of landscaped areas must be prepared and certified by an experienced hydraulic engineer.

### **Operational Noise**

- B61. Within six months of commencement of construction, revised operational noise modelling must be undertaken based on the scenario of Magill Street remaining closed to through traffic to determine the likely operational noise levels. Should the results reveal that noise levels at sensitive receivers as described in the EIS *Noise and Vibration Impact Assessment*, dated 8 August 2018, and prepared by Acoustic Studio, exceed the sleep disturbance criteria determined in accordance with the Noise Policy for Industry (EPA 2017), mitigation measures, including architectural treatment must be offered to affected residences. If accepted, measures must be installed at no cost to the resident prior to the commencement of operation.

### **Car Parking and Service Vehicle Layout**

- B62. Compliance with the following requirements must be submitted to the satisfaction of the Certifying Authority within six months of commencement of construction:
- (a) all vehicles must enter and leave the Site in a forward direction;
  - (b) minimum of 12 on-site time limited car parking spaces for use by visitors to the Emergency Department during operation of the development and designed in accordance with the latest version of AS2890.1;
  - (c) the swept path of the longest vehicle entering and exiting the Site in association with the new work, as well as manoeuvrability through the Site, must be in accordance with AUSTROADS;
  - (d) the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, is to be addressed;
  - (e) all internal access driveways must be designed and constructed in accordance with AS 2890.1 (2004) – Off Street Car Parking and the levels of the driveway must match the alignment levels at the property boundary (as specified by Council); and
  - (f) all internal driveways and carpark areas must be designed for two way traffic movements.

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

- B63. Compliance with the following requirements for secure bicycle parking and end-of-trip facilities within the **site basement level (B3) of the adjacent main hospital carpark**, must be submitted to the satisfaction of the Certifying Authority prior to the commencement of **Façade and Landscaping works: above-ground construction work**:
- a) the provision of a minimum 50 staff and 20 visitor bicycle parking spaces;

- b) the layout, design and security of bicycle facilities must comply with the minimum requirements of AS 2890.3:2015 *Parking facilities - Bicycle parking*, and be located in easy to access, well-lit areas that incorporate passive surveillance;
- c) the provision of end-of-trip facilities for staff in accordance with the ~~requirements contained in the current, relevant version of Green Star~~ **relevant provisions of the BCA**;
- d) appropriate pedestrian and cyclist advisory signs are to be provided; and
- e) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority.

**(SSD-9113-MOD-1)**

### **Public Domain Works**

- B64. Prior to the commencement of any footpath, bicycle path, or public domain works on Council land, the Applicant must consult with Council and demonstrate to the Certifying Authority that the streetscape design and treatment meets the requirements of Council, including addressing pedestrian management. The Applicant must submit documentation of approval for each stage from Council to the Certifying Authority.

### **Compliance Reporting**

- B65. No later than two weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.
- B66. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).
- B67. The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.
- B68. Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.

## **PART C DURING CONSTRUCTION**

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

- C1. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on the Site at all times and must be readily available for perusal by any officer of the Department, Council or the Certifying Authority.

### **Site Notice**

- C2. A site notice(s):
- (a) must be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer.
  - (b) is to satisfy all but not be limited to, the following requirements:
    - (i) minimum dimensions of the notice must measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30-point type size;
    - (ii) the notice is to be durable and weatherproof and is to be displayed throughout the works period;
    - (iii) 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 must be displayed on the site notice; and
    - (iv) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.

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

- C3. All plant and equipment used on site, or to monitor the performance of the development must be:
- a) maintained in a proper and efficient condition; and
  - b) operated in a proper and efficient manner.

### **Construction Hours**

- C4. Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:
- (a) between 7am and 6pm, Mondays to Fridays inclusive; and
  - (b) between 8am and 5pm, Saturdays.

No work may be carried out on Sundays or public holidays.

- C5. Activities may be undertaken outside of the hours in condition C4 if required:
- (a) by the Police or a public authority for the delivery of vehicles, plant or materials; or
  - (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or
  - (c) where the works are inaudible at the nearest sensitive receivers; or
  - (d) where a variation is approved in advance in writing by the Planning Secretary or her nominee if appropriate justification is provided for the works.
- C6. Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- C7. Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:
- (a) 9am to 12pm, Monday to Friday;
  - (b) 2pm to 5pm Monday to Friday; and
  - (c) 9am to 12pm, Saturday.



## **Implementation of Management Plans**

- C8. The Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP (including Sub-Plans).

## **Construction Traffic**

- C9. All construction vehicles (excluding worker vehicles) are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site before stopping.

## **Construction Vehicle Access**

- C10. Construction vehicles shall not use High Street without prior approval of the Sydney Coordination Office within TfNSW and Roads and Maritime Services.

## **Road Occupancy Licence**

- C11. A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.

## **SafeWork Requirements**

- C12. To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.

## **Hoarding Requirements**

- C13. The following hoarding requirements must be complied with:
- (a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing;
  - (b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application; and
  - (c) the Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

## **No Obstruction of Public Way**

- C14. The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all works on site.

## **Construction Noise Limits**

- C15. The development must be constructed to achieve the construction noise management levels detailed in the *Interim Construction Noise Guideline* (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan.
- C16. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition C4.
- C17. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use audible movement alarms of a type that would minimise noise impacts on surrounding noise sensitive receivers.
- C18. Any noise generated during 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 site.

## **Vibration Criteria**

- C19. Vibration caused by construction at any residence or structure outside the site must be limited to:

- (a) for structural damage, the latest version of *DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures* (German Institute for Standardisation, 1999); and
  - (b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).
- C20. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition C19.
- C21. The limits in conditions C19 and C20 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B37 of this consent.

### **Tree Protection**

- C22. For the duration of the construction works:
- (a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;
  - (b) all street trees not approved for removal must be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council;
  - (c) all trees on the site that are not approved for removal must be suitably protected during construction; and
  - (d) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a qualified arborist. Alternative tree protection measures must be installed, as required. The removal of tree protection measures, following completion of the works, must be carried out under the supervision of a qualified arborist and must avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater.

### **Dust Minimisation**

- C23. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- C24. During construction, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering;
  - (b) all trucks entering or leaving the site with loads have their loads covered;
  - (c) trucks associated with the development do not track dirt onto the public road network;
  - (d) public roads used by these trucks are kept clean; and
  - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

### **Air Quality Discharges**

- C25. The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the site.

### **Erosion and Sediment Control**

- C26. All erosion and sediment control measures, must 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 have been stabilised and rehabilitated so that it no longer acts as a source of sediment.

### **Imported Soil**

- C27. The Applicant must:

- (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;
- (b) keep accurate records of the volume and type of fill to be used; and
- (c) make these records available to the [Department/Certifying Authority] upon request.

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

C28. ~~Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by the EPA in accordance with the *Protection of the Environment Operations Act 1997*.~~

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

**(SSD-9113-MOD-1)**

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

C29. 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 Applicant must consult with the Aboriginal community representatives, the archaeologists and OEH to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of OEH.

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

C30. If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the OEH Heritage Division contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of Heritage Division of the OEH.

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

- C31. Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.
- C32. All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- C33. The body of any vehicle or trailer used to transport waste or excavation spoil must be covered before leaving the premises to prevent any spillage or escape of any dust, waste of spoil. Mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the site must be removed before leaving the premises.
- C34. The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural or artificial watercourse.

#### **Handling of Asbestos**

C35. The Applicant is to consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.

#### **Consultation during Construction**

- C36. The Applicant must attend Traffic and Transport Construction Coordination meetings during construction as required by the Sydney Coordination Office, and present the following information:
  - (a) an update of construction activities;

- (b) the details in relation to date and timing of construction activities such as concreting etc. that are likely to generate high volume of construction vehicles;
- (c) the details of full or part road closures that are likely to impact on traffic and bus movements in the vicinity of the site and the Sydney Light Rail Project;
- (d) an update of the CPTMP if any changes to the original CPTMP is required;
- (e) safety incidents as a result of construction activities associated with pedestrian and public transport movements surrounding the site;
- (f) the details of the coordination of work activities to manage cumulative construction traffic from developments under construction within the precinct to minimise impacts on the road network; and
- (g) actions by the Applicant for the safety and traffic management issues raised by TfNSW and its internal stakeholders and Roads and Maritime Services.

The Applicant maintain minutes and actions of meetings for distribution to all attendees.

#### **Builders Details**

- C37. The Applicant must provide the builder's direct contact number to surrounding stakeholders impacted by the construction work and the Transport Management Centre and Sydney Coordination Office within Transport for NSW to resolve issues relating to traffic, freight, servicing and pedestrian access during construction in real time. The Applicant is responsible for ensuring the builder's direct contact number is current during any stage of construction.

#### **Community Engagement**

- C38. The Applicant must consult with the community regularly throughout construction, including consultation with the nearby sensitive receivers, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.

#### **Independent Environmental Audit**

- C39. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the preparation of an Independent Audit Program or commencement of an Independent Audit.
- C40. No later than four weeks before the date notified for the commencement of construction, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.
- C41. Table 1 of the Independent Audit Post Approval Requirements (Department 2018) is amended so that the frequency of audits required in the construction phase is:
- (a) An initial construction Independent Audit must be undertaken within eight weeks of the notified commencement date of construction; and
  - (b) A subsequent Independent Audit of construction must be undertaken no later than six months from the date of the initial construction Independent Audit.
- C42. In all other respects Table 1 remains the same. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least 4 weeks notice to the Applicant of the date upon which the audit must be commenced.
- C43. Independent Audits of the development must be carried out in accordance with:
- (a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition C40 of this consent; and
  - (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).
- C44. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:
- (a) review and respond to each Independent Audit Report prepared under condition C38 of this consent;
  - (b) submit the response to the Department and the Certifying Authority; and

- (c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.
- C45. Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.

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

- C46. The Department must be notified in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.
- C47. Subsequent notification must be given and reports submitted in accordance with the requirements set out in **Appendix 1**.

#### **Non-Compliance Notification**

- C48. The Department must be notified in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Department in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) within seven days after they identify any non-compliance.
- C49. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- C50. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

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

- C51. Within three months of:
- (a) the submission of a compliance report under condition B65;
  - (b) the submission of an incident report under condition C46;
  - (c) the submission of an Independent Audit under condition C43; or
  - (d) the issue of a direction of the Planning Secretary under condition A2 which requires a review,
- the strategies, plans and programs required under this consent must be reviewed, and the Department and the Certifying Authority must be notified in writing that a review is being carried out.
- C52. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Certifying Authority. Where revisions are required, the revised document must be submitted to the Planning Secretary Certifying Authority for approval within six weeks of the review.

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

#### **Intersection Works – Upgrade of Botany Street and Magill Street**

- C53. Within twelve months of the commencement of construction, the Applicant must provide written evidence to the satisfaction of the Planning Secretary demonstrating that an agreement has been made with Council/RMS for construction and payment of the intersection upgrade works required by condition B47.

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

### **Notification of Occupation**

- D1. The date of commencement of the occupation of the development must be notified to the Department in writing, at least one month before occupation. If the operation of the development is to be staged, the Department must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

### **External Walls and Cladding**

- D2. Prior to the occupation of the building, the Applicant must provide the Certifying Authority with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.
- D3. The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.

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

- D4. Prior to occupation of the building, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is:
- a) to ascertain whether the construction created any structural damage to adjoining and nearby buildings or infrastructure including those referenced in condition B6 .
  - b) to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining and nearby buildings or infrastructure, the Certifying Authority 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/owner that there is no adverse structural damage to their infrastructure, roads and/or property.
  - c) to be forwarded to Council.

### **Protection of Public Infrastructure**

- D5. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
  - (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.

### **Protection of Property**

- D6. Unless the Applicant and the applicable owner agree otherwise, the Applicant must repair, or pay the full costs associated with repairing any property that is damaged by carrying out the development.

### **Utilities and Services**

- D7. Prior to the commencement of operation, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.
- D8. Prior to the commencement of operation, the Applicant must underground any existing overhead power lines and telecommunication cables located along the Botany street site frontage and remove all redundant power poles. All existing wires/cables and new wires/cables to serve the development must be located underground to the satisfaction of the relevant service utility authority. Evidence is to be submitted to the satisfaction of the Certifying Authority.

### **Travel Demand Management Strategy and Green Travel Plan**

- D9. Prior to the commencement of operation, the Applicant shall prepare a Travel Demand Management Strategy (TDS) and Green Travel Plan (GTP) to reduce the proportion of single-occupant car travel and increase the mode share of public transport and active transport for the

development and the existing Randwick Health Campus. The strategy and plan shall be prepared in consultation with the Sydney Coordination Office within TfNSW and RMS, Council, and in conjunction with all stakeholders within the Randwick Health and Education Precinct.

D10. The TDS and GTP required by condition D9 must:

- (a) be prepared by a suitably qualified traffic consultant;
- (b) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to achieve an 8 per cent reduction of private vehicle usage by all staff and to define the direction and purpose;
- (c) include specific tools and actions to help achieve the objectives and mode share targets;
- (d) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the TDS and GTP; and
- (e) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the TDS and GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of staff and visitor to and from the site and existing Randwick Health Campus.

D11. The Applicant shall submit a copy of the final strategy and plan required by condition D9 to the Coordinator General, Transport Coordination for endorsement, and a copy submitted to the Planning Secretary prior to the commencement of operation.

#### **Heritage Interpretation Plan**

D12. Should Aboriginal or Historical archaeological material be discovered during site investigations or subsequent construction works, a comprehensive Interpretation Strategy and Plan for the site, including appropriate community consultation, is to be prepared by a suitably qualified person, including identification of Historical Themes, Audiences and Resources, and Interpretative Recommendations. The recommendations of the Interpretative Strategy and Plan are to be implemented in conjunction with the proposed development.

#### **Mechanical Ventilation**

D13. Following completion, installation and testing of all mechanical ventilation systems, the Applicant must provide evidence to the satisfaction of the Certifying Authority, prior to the final occupation, that the installation and performance of the mechanical systems complies with:

- (a) the BCA;
- (b) *AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings* and other relevant codes;
- (c) the development consent and any relevant modifications; and
- (d) any dispensation granted by the NSW Fire Brigade.

#### **Car Parking**

D14. Prior to the commencement of operation:

- (a) a parking strategy for the entire Randwick Health and Education Precinct is to have been developed in collaboration with the Randwick Collaboration Area partners, which includes measures to meet the parking demand for the development; or
- (b) notwithstanding the requirements of D14(a) above, if a precinct wide strategy is not able to be delivered within the specified timeline, the Applicant must demonstrate that parking demand has reduced (consistent with the mode share shift of an eight per cent reduction in the use of private vehicles by staff across the Randwick Health Campus as forecast in Supplementary Information received from Arup, dated 20 February 2019) following the opening of the CSELR and implementation of a GTP across the existing Randwick Health Campus, thus negating the need for on-site car parking for the development; or
- (c) should the requirements of neither D14(a) or (b) above be delivered, temporary car parking is to be provided in the vicinity of the site for 216 vehicles to satisfy the parking demand of the development. The temporary car parking would be required to operate

from occupation until such time as permanent provision of car parking to meet the parking demand can be provided across the precinct in accordance with a precinct wide strategy.

- D15. Prior to the commencement of operation, 134 existing staff car parking spaces on the Randwick Health Campus are to be reallocated to visitor parking as outlined in Supplementary Information prepared by ARUP, dated 20 February 2019.
- D16. Prior to the commencement of operation, a parking strategy for the management of parking on the existing Randwick Health Campus is required to better manage allocation of parking and demand of shift rotations. A copy of the parking strategy is to be submitted to the Planning Secretary and Council for information.

#### **Infrastructure Upgrades**

- D17. Prior to the commencement of operation, the Applicant must complete the construction of a Traffic Control Signal at the intersection of Botany Street and the ASB access as required by condition B45 to the satisfaction of RMS, and evidence is to be submitted to the Certifying Authority.
- D18. Prior to the commencement of operation, the Applicant must install/construct any infrastructure (e.g. no stopping zones) required as an outcome of the discussions undertaken as part of condition B46 to the satisfaction of Council and RMS (where relevant) and evidence is to be submitted to the Certifying Authority.
- D19. Prior to the commencement of operation, the Applicant must complete the upgrade of the Magill Street and Botany Street intersection as required by condition B47 to the satisfaction of Council, and evidence is to be submitted to the Certifying Authority.

#### **Shared Path**

- D20. Prior to the commencement of operation, the Applicant must provide a 2.2 metre wide strip of land along the Botany Street frontage of the site and deliver a minimum 4 metre wide shared pedestrian/bicycle path to the satisfaction of Council, unless an alternative strategy for the delivery of pedestrian and bicycle paths is developed by the Randwick Collaboration Area partners for the Randwick Health and Education Precinct and agreed to by the Planning Secretary. If an alternative strategy is developed, all pedestrian and bicycle paths on, or adjoining the site are to be delivered prior to operation to the satisfaction of Council and in accordance with the strategy.
- D21. Prior to the commencement of operation, the Applicant must replace all kerb and gutter and associated infrastructure, re-turf, and construct new footpaths for the full length of the Botany Street and Magill Street site frontage to Council's specifications.

#### **Road Damage**

- D22. 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 Applicant prior to commencement of use of any stage of the development.

#### **Fire Safety Certification**

- D23. Prior to the final occupation, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.

#### **Stormwater, Drainage and Flooding**

- D24. All stormwater drainage works associated with construction of the new/upgraded Council stormwater pipeline overland diversions works, creation of any drainage easement and any onsite stormwater detention systems as approved under the 'Randwick Campus Redevelopment Early and Enabling Works including Services Diversion' Review of Environmental Factors (approval no.008/2018, dated 19 April 2018) must be completed to Council's satisfaction prior to the commencement of operation. All costs associated with construction of the new/upgraded Council stormwater pipeline, creation of the drainage easement and the onsite stormwater detention systems must be met by the Applicant.



- D25. Prior to the commencement of operation, evidence is to be submitted to the Certifying Authority demonstrating that a "restriction on the use of land" and "positive covenant" (under section 88E of the Conveyancing Act 1919) has been placed on the title of the subject property to ensure that all of the onsite detention systems (both for site stormwater drainage and compensatory detention associated with blockages to predevelopment overland flowpaths) are maintained and that no works which could affect the design function of the detention/infiltration system are undertaken without the prior consent (in writing) from Council. Such restriction and positive covenant shall not be released, varied or modified without the consent of the Council.
- D26. Prior to the commencement of operation, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Certifying Authority.
- D27. Prior to the commencement of operation, details of the site stormwater drainage system are to be provided to the satisfaction of the Certifying Authority in accordance with the following requirements:
- (a) the stormwater must be discharged (by gravity) directly into Council's reconstructed underground drainage system located within the development site;
  - (b) an on-site stormwater detention system must be provided to ensure that the maximum discharge from the site does not exceed that which would occur during a 20% AEP (1 in 5 year) storm of one hour duration for existing site conditions. All other stormwater run-off from the site for all storms up to the 5% AEP (1 in 20 year) storm is to be retained on the site for gradual release to the street drainage system, to the satisfaction of the Crown Certifying Authority. An overland escape route or overflow system (to Council's street drainage system) must be provided for storms having an annual exceedance probability (AEP) of 1% (1 in 100 year storm), or, alternatively the stormwater detention system is to be provided to accommodate the 1% AEP (1 in 100 year) storm;
  - (c) determination of the required cumulative storage (in the on-site detention and/or infiltration system) must be calculated by the mass curve technique as detailed in Technical Note 1, Chapter 14 of the *Australian Rainfall and Run-off Volume 1, 1987 Edition*;
  - (d) where possible any detention tanks should have an open base to infiltrate stormwater into the ground. Infiltration should not be used if ground water and/or any rock stratum is within 2.0 metres of the base of the tank;
  - (e) should a pump system be required to drain any portion of the site the system must be designed with a minimum of two pumps being installed, connected in parallel (with each pump capable of discharging at the permissible discharge rate) and connected to a control board so that each pump will operate alternatively. The pump wet well shall be sized for the 1% AEP (1 in 100 year), 2 hour storm assuming both pumps are not working;
  - (f) the pump system must also be designed and installed strictly in accordance with Randwick City Council's Private Stormwater Code;
  - (g) should a charged system be required to drain any portion of the site, the charged system must be designed such that:
    - (i) there are suitable clear-outs/inspection points at pipe bends and junctions; and
    - (ii) the maximum depth of the charged line does not exceed 1m below the gutter outlet;
  - (h) if connecting to Council's underground drainage system, a reflux valve shall be provided (within the site) over the pipeline discharging from the site to ensure that stormwater from Council drainage system does not surcharge back into the site stormwater system;
  - (i) generally all internal pipelines must be capable of discharging a 1 in 20 year storm flow. However the minimum pipe size for pipes that accept stormwater from a surface inlet pit must be 150mm diameter. The site must be graded to direct any surplus run-off (i.e. above the 1 in 20 year storm) to the proposed drainage (detention/infiltration) system;
  - (j) a sediment/silt arrestor pit must be provided within the site prior to discharge of the stormwater to Council's drainage system;

- (k) sketch details of a standard sediment/silt arrester pit may be obtained from Council's Drainage Engineer;
- (l) the floor level of all habitable, retail, commercial and storage areas located adjacent to any detention and/or infiltration systems with above ground storage must be a minimum of 300mm above the maximum water level for the design storm or alternately a permanent 300mm high water proof barrier is to be provided;
- (m) the maximum depth of ponding in any above ground detention areas and/or infiltration systems with above ground storage shall be as follows (as applicable):
  - (i) 150mm in uncovered open car parking areas (with an isolated maximum depth of 200mm permissible at the low point pit within the detention area);
  - (ii) 300mm in landscaped areas (where child proof fencing is not provided around the outside of the detention area and sides slopes are steeper than 1 in 10);
  - (iii) 600mm in landscaped areas where the side slopes of the detention area have a maximum grade of 1 in 10;
  - (iv) 1200mm in landscaped areas where a safety fence is provided around the outside of the detention area; and
  - (v) above ground stormwater detention areas must be suitably signposted where required, warning people of the maximum flood level; and
- (n) a childproof and corrosion resistant fastening system shall be installed on access grates over pits/trenches where water is permitted to be temporarily stored. A 'V' drain (or equally effective provisions) are to be provided to the perimeter of the property, where necessary, to direct all stormwater to the detention/infiltration area.

D28. Prior to the commencement of operation, the Applicant must provide full details of any proposed private drainage easements or drainage easements over private land in favour of Council, to Council for approval.

#### **Groundwater**

D29. Prior to the commencement of operation, certification from a suitably qualified and experienced professional engineer must be submitted to the Certifying Authority and Council, confirming that the basement has been waterproofed to prevent the entry of all groundwater in the basement level/s and that any required sub-soil drainage systems have been provided in accordance with the conditions of this consent. There must be no dry weather seepage/groundwater flows discharging to Council's street gutter or underground drainage system.

#### **Structural Inspection Certificate**

D30. A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to the commencement of operation. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after:

- (a) the site has been periodically inspected and the Certifying Authority is satisfied that the structural works is deemed to comply with the final design drawings;
- (b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s; and
- (c) person/s authorised to, for the life of the development.

#### **Compliance with Food Code**

D31. The Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the AS 4674 *Design, construction and fit-out of food premises*. The Applicant must provide evidence of receipt of the certificate to the satisfaction of the Certifying Authority prior to the commencement of operation.

### **Stormwater Quality Management Plan**

- D32. Prior to the commencement of operation, an Operation and Maintenance Plan (OMP) is to be prepared and submitted to the satisfaction of the Certifying Authority, to ensure proposed stormwater quality measures remain effective. The OMP must contain the following:
- (a) maintenance schedule of all stormwater quality treatment devices;
  - (b) record and reporting details;
  - (c) relevant contact information; and
  - (d) Work Health and Safety requirements.

### **Rainwater Harvesting**

- D33. A signed works-as-executed Rainwater Re-use Plan must be provided to the Certifying Authority prior to the commencement of operation.

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

- D34. The installation, operation and maintenance of water cooling systems (as defined under the *Public Health Act 2010*) must comply with the *Public Health Act 2010*, Public Health Regulation 2012 and the relevant parts of *AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance* and the NSW Health Code of Practice for the Control of Legionnaires' Disease.

### **Outdoor Lighting**

- D35. The Applicant must ensure the installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers. Outdoor lighting must:
- (a) comply with the latest version of AS 4282-1997 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and
  - (b) be mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Upon installation of outdoor lighting, but before it is finally commissioned, the Applicant must submit to the Certifier evidence from a qualified practitioner demonstrating compliance in accordance with this condition.

### **Signage**

- D36. Way-finding signage and signage identifying the location of staff car parking must be installed prior to the commencement of operation.
- D37. Bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas prior to the commencement of operation.
- D38. 'Do not drink' signage on non-potable water to new hose taps and irrigation systems for landscaped areas must be installed within the site prior to the commencement of operation.

### **Operational Waste Management Plan**

- D39. Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Department/Certifying Authority. The Waste Management Plan must:
- (a) detail the type and quantity of waste to be generated during operation of the development;
  - (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the *Waste Classification Guideline* (Department of Environment, Climate Change and Water, 2009); and
  - (c) detail the materials to be reused or recycled, either on or off site.

### **Ecologically Sustainable Development**

- D40. Within six months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 4 star Green Star As Built rating unless updated NSW Health Engineering Services Guidelines are accepted by the Planning Secretary. Evidence of the certification or other evidence as agreed with the Planning Secretary in updated NSW Health Engineering Services Guidelines, must be provided to the Certifying Authority and the Planning Secretary.

### **Landscaping**

- D41. Prior to the commencement of operation, the Applicant must submit a Landscape Management Plan (LMP) prepared by a suitably qualified person, to manage the revegetation and landscaping works on-site. The LMP must:
- (a) detail the species to be planted on-site;
  - (b) be consistent with the approved landscape plans as amended by condition B55;
  - (c) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and
  - (d) provide for the planting of 134 trees.
- D42. The Applicant must not commence operation until the LMP is submitted to the satisfaction of the Certifying Authority.

### **Street Trees**

- D43. Prior to the commencement of operation, the Applicant is to complete all planting outlined in the street tree planting strategy required by condition B57.

### **Site Audit Report and Site Audit Statement**

- D44. Prior to the commencement of operation, the Applicant must obtain from an EPA accredited Site Auditor, a Site Audit Statement and a Site Audit Report which demonstrates that the site is suitable for its intended use.

### **Consolidation of Lots**

- D45. Prior to commencement of operation, the lots which form the subject site are to be consolidated into one lot. Evidence of the consolidation must be provided to the satisfaction of the Certifying Authority.

## **PART E POST OCCUPATION**

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

- E1. All plant and equipment used on site, or to monitor the performance of the development must be:
- (a) maintained in a proper and efficient condition; and
  - (b) operated in a proper and efficient manner.

### **Community Communication Strategy**

- E2. The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.

### **Operational Noise**

- E3. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in *Noise and Vibration Impact Assessment*, dated 8 August 2018 and prepared by Acoustic Studio as revised by condition B61.
- E4. The Applicant must undertake short term noise monitoring in accordance with the *Noise Policy for Industry* where valid data is collected following the commencement of use of each stage of the development. The monitoring program must be carried out by an appropriately qualified person and a monitoring report must be submitted to the Planning Secretary within two months of commencement use of each stage of the development to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified in *Noise and Vibration Impact Assessment*, dated 8 August 2018 and prepared by Acoustic Studio. Should the noise monitoring program identify any exceedance of the recommended noise levels referred to above, the Applicant is required to implement appropriate noise attenuation measures so that operational noise levels do not exceed the recommended noise levels or provide attenuation measures at the affected noise sensitive receivers.
- E5. Within 12 months of commencement of operation, the Applicant must undertake operational noise monitoring to compare actual noise performance of the development against the noise performance predicted in the *Noise and Vibration Impact Assessment*, dated 8 August 2018, prepared by Acoustic Studio as revised by the operational noise modelling required by Condition B61, and prepare an Operational Noise Report to document this monitoring. The Report must include, but not be limited to:
- (a) Noise monitoring to assess compliance with the operational noise levels predicted in the revised operational noise modelling required by Condition B61;
  - (b) A review of the operational noise levels in terms of the criteria and noise goals established in the Noise Policy for Industry (EPA 2017);
  - (c) Sleep disturbance impacts compared to those predicted in the EIS (in full);
  - (d) Methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which project noise levels are ascertained, with specific reference to locations indicative of impacts on sensitive receivers;
  - (e) Details of any complaints and enquiries received in relation to operational noise generated by the development between the date of commencement of operation and the date the report was prepared;
  - (f) Any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers;
  - (g) An assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of all mitigation measures; and
  - (h) Identification of additional mitigation measures to those required following the revised operational noise modelling as required by Condition B61 with the objective of meeting the criteria outlined in the Noise Policy for Industry (EPA 2017), when these measures would be offered and/or implemented and how their effectiveness would be measured and reported to the Planning Secretary.

- E6. The Applicant must provide the Planning Secretary with a copy of the Operational Noise Report referred to in condition E5 and install any additional noise mitigation measures within one month of completing the operational noise monitoring referred to in (a) above.

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

- E7. All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.

#### **Loading Dock**

- E8. The loading dock hours of operation are limited to between 7am and 6pm daily.

#### **Green Travel Plan**

- E9. The Green Travel Plan required by condition D9 of this consent must be updated annually and implemented.

#### **Outdoor Lighting**

- E10. Notwithstanding Condition D35, should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.

#### **Fire Safety Certificate**

- E11. The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement.

#### **Landscaping**

- E12. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition D41 for the duration of occupation of the development.

#### **Hazards and Risk**

- E13. The Applicant must store all chemicals, fuels and oils used on-site in accordance with:
- (a) the requirements of all relevant Australian Standards; and
  - (b) the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* if the chemicals are liquids.
- E14. In the event of an inconsistency between the requirements of condition E13(a) and E13(b), the most stringent requirement must prevail to the extent of the inconsistency.

#### **Dangerous Goods**

- E15. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.

## **APPENDIX 1 WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS**

### **Written Incident Notification Requirements**

1. A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C46 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
  - a. identify the development and application number;
  - b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
  - c. identify how the incident was detected;
  - d. identify when the Applicant became aware of the incident;
  - e. identify any actual or potential non-compliance with conditions of consent;
  - f. describe what immediate steps were taken in relation to the incident;
  - g. identify further action(s) that will be taken in relation to the incident; and
  - h. identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
  - a. a summary of the incident;
  - b. outcomes of an incident investigation, including identification of the cause of the incident;
  - c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
  - d. details of any communication with other stakeholders regarding the incident.