

# Development Consent

## ***Section 4.38 of the Environmental Planning and Assessment Act 1979***

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2022, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

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

Karen Harragon

**Director**

**Social and Infrastructure Assessments**

Sydney

7 December 2023

*The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.*

*The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.*

# CONSOLIDATED CONSENT

## SCHEDULE 1

<b>Application Number:</b>	SSD-44034342
<b>Applicant:</b>	Health Administration Corporation
<b>Consent Authority:</b>	Minister for Planning and Public Spaces
<b>Site:</b>	Westmead Hospital Campus, Hawkesbury Road, Westmead (Lot 1 DP1194390 and Lot 4 DP 1077852)
<b>Development:</b>	<p>Construction and operation of a 10 storey Integrated Mental Health Complex, including:</p> <ul style="list-style-type: none"><li>• site preparation works.</li><li>• construction of internal road and car park alterations and upgrades.</li><li>• inground building services works and utility adjustments, including service diversions.</li><li>• building foundation works.</li><li>• link bridge connection to the existing Central Acute Services Building.</li><li>• signage, including wayfinding.</li><li>• landscaping works.</li></ul>

## CONSOLIDATED CONSENT

### SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD-44034342-Mod-1	16/12/2024	Team Leader	Relocation of electrical kiosk and generator to the ground level, removal of one lift, replacement of the main mechanical riser with on-floor plant at each level and amendments to the landscaping design.

## DEFINITIONS

<b>Applicant</b>	Health Administration Corporation, or any person carrying out any development to which this consent applies
<b>BCA</b>	Building Code of Australia
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016</i>
<b>Certifying Authority</b>	A person who is authorised by or under section 6.17 of the EP&A Act to issue Part 6 certificates
<b>Conditions of this consent</b>	Conditions contained in Schedule 2 of this document
<b>Construction</b>	All physical work to enable operation, including but not limited to internal demolition, unless limited by the consent (Condition A19)
<b>Council</b>	City of Parramatta
<b>Demolition</b>	The deconstruction and removal of buildings, sheds and other structures on the site
<b>Department</b>	NSW Department of Planning, Housing and Infrastructure
<b>Development</b>	The development described in the EIS and Response to Submissions, including the works and activities comprising internal demolition, construction and public domain works, as modified by the conditions of this consent
<b>EIS</b>	Environmental Impact Statement
<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 2021</i>
<b>EPL</b>	Environment Protection Licence under the POEO Act
<b>Feasible</b>	Means what is possible and practical in the circumstances
<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  Note: "material harm" is defined in this consent
<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
<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 and Public Spaces (or delegate)
<b>Non-compliance</b>	An occurrence, set of circumstances or development that is a breach of this consent
<b>Operation</b>	The carrying out of the approved purpose of the development upon completion of construction.

<b>PA</b>	Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act.
<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>

## 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;
  - (d) **generally in accordance with the Section 4.55(1A) Modification Report and accompanying documents prepared by Ethos Urban, dated 11 November 2024; and**
  - (e) in accordance with the approved plans in the table below:

Architectural Plans prepared by <i>Jacobs</i>			
Dwg No.	Rev	Name of Plan	Date
IMHC-AR-DG-0161	5	PRE-DEVELOPMENT SITE PLAN - SSDA	06/04/23
IMHC-AR-DG-0120	<b>12</b>	<b>PROPOSED SITE PLAN</b>	<b>11/10/24</b>
IMHC-AR-DG-1600	<b>5</b>	PROPOSED FLOOR PLAN - SSDA - LEVEL 0	<b>11/10/24</b>
IMHC-AR-DG-1601	<b>5</b>	PROPOSED FLOOR PLAN - SSDA - LEVEL 1	<b>11/10/24</b>
IMHC-AR-DG-1602	<b>5</b>	PROPOSED FLOOR PLAN - SSDA - LEVEL 2	<b>11/10/24</b>
IMHC-AR-DG-1603	<b>5</b>	PROPOSED FLOOR PLAN - SSDA - LEVEL 3	<b>11/10/24</b>
IMHC-AR-DG-1604	<b>5</b>	PROPOSED FLOOR PLAN - SSDA - LEVEL 4	<b>11/10/24</b>
IMHC-AR-DG-1605	<b>5</b>	PROPOSED FLOOR PLAN - SSDA - LEVEL 5	<b>11/10/24</b>
IMHC-AR-DG-1606	<b>5</b>	PROPOSED FLOOR PLAN - SSDA - LEVEL 6	<b>11/10/24</b>
IMHC-AR-DG-1607	<b>6</b>	PROPOSED FLOOR PLAN - SSDA - LEVEL 7	<b>11/10/24</b>
IMHC-AR-DG-1608	<b>5</b>	PROPOSED FLOOR PLAN - SSDA - LEVEL 8	<b>11/10/24</b>
IMHC-AR-DG-1609	<b>5</b>	PROPOSED FLOOR PLAN - SSDA - LEVEL 9	<b>11/10/24</b>
IMHC-AR-DG-1610	<b>5</b>	PROPOSED FLOOR PLAN - SSDA - LEVEL 10	<b>11/10/24</b>
IMHC-AR-DG-1611	4	PROPOSED FLOOR PLAN - SSDA - ROOF	23/11/22
IMHC-AR-DG-4001	<b>12</b>	ELEVATION - NORTH & SOUTH	<b>11/10/24</b>
IMHC-AR-DG-4002	<b>12</b>	ELEVATION - EAST & WEST	<b>11/10/24</b>
IMHC-AR-DG-4010	<b>11</b>	ELEVATION - B1-B5	<b>11/10/24</b>
IMHC-AR-DG-4100	<b>11</b>	SECTION - NORTH SOUTH	<b>11/10/24</b>
IMHC-AR-DG-4101	10	SECTION - CASB LINK	23/11/22
IMHC-AR-DG-4102	8	SECTION - NORTHERN COURTYARDS	23/11/22
IMHC-AR-DG-4103	11	SECTION - ENTRY & CORRIDOR	23/11/22
IMHC-AR-DG-7910	<b>5</b>	MATERIAL BOARD - FACADE	<b>11/10/24</b>
Landscape Plans prepared by <i>Site Image</i>			
Dwg No.	Rev	Name of Plan	Date
IMHC-LS-DG-0001	<b>9</b>	LANDSCAPE SITE PLAN	<b>17/10/24</b>
IMHC-LS-DG-0002	<b>2</b>	TREE RETENTION AND REMOVAL PLAN	<b>17/10/24</b>
IMHC-LS-DG-0100	<b>7</b>	LANDSCAPE PLAN GROUND	<b>17/10/24</b>

IMHC-LS-DG-0110	7	LANDSCAPE PLAN LEVEL 1	17/10/24
IMHC-LS-DG-0120	5	LANDSCAPE PLAN LEVEL 2	14/02/23
IMHC-LS-DG-0130	5	LANDSCAPE PLAN LEVEL 3	14/02/23
IMHC-LS-DG-0140	5	LANDSCAPE PLAN LEVEL 4	14/02/23
IMHC-LS-DG-0150	5	LANDSCAPE PLAN LEVEL 5	14/02/23
IMHC-LS-DG-0160	5	LANDSCAPE PLAN LEVEL 6	14/02/23
IMHC-LS-DG-0170	5	LANDSCAPE PLAN LEVEL 7	14/02/23
IMHC-LS-DG-0180	5	LANDSCAPE PLAN LEVEL 8	14/02/23
IMHC-LS-DG-0190	5	LANDSCAPE PLAN LEVEL 9	14/02/23
<b>Landscape Report prepared by Site Image</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
0027	K	PLANTING SCHEDULE GROUND FLOOR	11/11/24
0028	K	PLANTING SCHEDULE GREEN ROOF & COURTYARDS	11/11/24
0029	K	PROPOSED TREES	11/11/24
0030	K	EXISTING TREES	11/11/24

- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- 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;
  - any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and
  - the implementation of any actions or measures contained in any such document referred to in (a) above.
- A4. The conditions of this consent and written directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and any 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 work is physically commenced.

#### **Prescribed Conditions**

- A6. The Applicant must comply with all relevant prescribed conditions of development consent under Part 4, Division 2 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.

#### **Evidence of Consultation**

- A8. Where conditions of this consent require consultation with an identified party, the Applicant must:
- consult with the relevant party prior to submitting the subject document for information or approval; and
  - 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**

- A9. The project may be constructed in stages. Where compliance with conditions is required to be staged due to staged construction, a Staging Report must be prepared and submitted to the Certifier for approval. The Staging Report must be submitted to the Certifier no later than 14 days before the commencement of construction of the first of the proposed stages of construction.
- A10. A Staging Report prepared in accordance with condition A9 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) specify how compliance with conditions will be achieved across and between each of the stages of the project;
  - (c) set out mechanisms for managing any cumulative impacts arising from the proposed staging.
- A11. Where a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Certifier.
- A12. Where construction is being staged in accordance with a Staging Report, the terms of this consent that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage as identified in the Staging Report including independent auditing requirements.

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

- A13. The Applicant may:
- (a) prepare and submit any strategy, plan (including management plan, architectural or design plan) or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan (including management plan, architectural or design plan) or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan (including management plan, architectural or design plan) or program);
  - (b) combine any strategy, plan (including management plan, architectural or design plan), or program required by this consent (if a clear relationship is demonstrated between the strategies, plans (including management plan, architectural or design plan) or programs that are proposed to be combined); and
  - (c) update any strategy, plan (including management plan, architectural or design plan), or program required by this consent (to ensure the strategies, plans (including management plan, architectural or design plan), or programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A14. Any strategy, plan or program prepared in accordance with condition A13, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary.
- A15. If the Planning Secretary agrees, a strategy, plan (including management plan, architectural or design plan), or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A16. Updated strategies, plans (including management plan, architectural or design plan), or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.

### **Structural Adequacy**



- A17. 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:

- *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.*

### **External Walls and Cladding**

- A18. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

### **External Materials**

- A19. The external colours, materials and finishes of the buildings must be consistent with the approved plans referenced in condition A2. Any minor changes to the colour and finish of approved external materials may be approved by the Certifier provided:
- (a) the alternative colour/material is of a similar tone/shade and finish to the approved external colours/building materials;
  - (b) the quality and durability of any alternative material is the same standard as the approved external building materials; and
  - (c) a copy of the documentation given to the Certifier is provided to the Planning Secretary within seven days after the Certifier accepts it, if requested.

### **Applicability of Guidelines**

- A20. 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.
- A21. 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**

- A22. 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**

- A23. At least 48 hours before the commencement of construction 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 strategies, plans and programs required under the conditions of this consent;
    - (iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;
    - (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;

- (vi) a summary of the current stage and progress of the development;
  - (vii) contact details to enquire about the development or to make a complaint;
  - (viii) a complaints register, updated monthly;
  - (ix) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;
  - (x) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary and publicly available for 12 months after the commencement of operations.

### **Compliance**

- A24. 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.

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

- A25. The Planning Secretary must be notified through the major projects portal immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.
- A26. Subsequent notification must be given and reports submitted in accordance with the requirements set out in **Appendix 2**.

### **Non-Compliance Notification**

- A27. The Planning Secretary must be notified through the major projects portal within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary through the major projects portal within seven days after they identify any non-compliance.
- A28. 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 by the Applicant to address the non-compliance.
- A29. 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**

- A30. Within three months of:
- (a) the submission of an incident report under condition A26;
  - (b) the submission of an Independent Audit under condition C41 or C43;
  - (c) the approval of any modification of the conditions of this consent; or
  - (d) the issue of a direction of the Planning Secretary under condition A3 which requires a review,
- the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifier must be notified in writing that a review is being carried out.
- A31. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary or Certifier (where previously approved by the Certifier). Where revisions are required, the revised document must be submitted to the Planning Secretary or Certifier (where relevant) for approval and / or information (where relevant) 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.*

### **Social Impact Mitigation**

- A32. The recommended mitigation measures outlined in Sections 8 and 9 of the Social Impact Assessment prepared by Ethos Urban dated 17 August 2023 are to be implemented for the life of the project.

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

### **Notification of Commencement**

- B1. The Applicant must notify the Planning Secretary in writing of the dates of the intended commencement of construction and operation at least 48 hours before those dates.
- B2. If the construction of the development is to be staged, the Planning Secretary must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

### **Certified Drawings**

- B3. Prior to the commencement of the relevant construction stage, the Applicant must submit to the Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with this development consent.

### **External Walls and Cladding**

- B4. Prior to the commencement of façade construction, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the requirements of the BCA.

### **Pre-Construction Dilapidation Report – Protection of Public Infrastructure**

- B5. Prior to the commencement of any construction, the Applicant must:
  - (a) consult with the relevant owner and provider of services and Infrastructure that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
  - (b) prepare a Pre-Construction Dilapidation Report identifying the condition of all public (non-residential) infrastructure and assets in the vicinity of the site (including roads, gutters and footpaths) that have potential to be affected;
  - (c) submit a copy of the Pre-Construction Dilapidation Report to the asset owner, Certifier and Council; and
  - (d) provide a copy of the Pre-Construction Dilapidation Report to the Planning Secretary with 48 hours when requested.

### **Ecologically Sustainable Development**

- B6. Prior to the commencement of construction, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate to the Certifier that the ESD initiatives recommended by the ESD report prepared by Steensen Varming and dated 24 November 2022, have been incorporated into the design of the development.
- B7. The project is to achieve compliance with section 2.5.6 of the Health Infrastructure Engineering Services Guidelines dated 6 August 2021 (including Design Guidance Note No. 058) by attaining a minimum of 60 points in accordance with the ESD Evaluation Tool.

### **Outdoor Lighting**

- B8. Prior to commencement of lighting installation, evidence must be submitted to the Certifier that all outdoor lighting to be installed within the site has been designed to comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-2019 Control of the obtrusive effects of outdoor lighting.

### **Demolition**

- B9. Prior to the commencement of construction, if demolition is proposed, demolition work plans required by AS 2601-2001 *The demolition of structures* (Standards Australia, 2001) must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifier.

## Existing Helipad / Helicopter Operations During Construction

- B10. Prior to the commencement of above ground (main works) construction, the Applicant must make arrangements for the helipad / helicopter operations at the campus 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 campus. A report summarising the outcome of the review, any recommendations, and any proposed actions must be submitted to the Certifier.

## Environmental Management Plan Requirements

- B11. Management plans required under this consent must be prepared having regard to the relevant guidelines, including but not limited to the *Environmental Management Plan Guideline: Guideline for Infrastructure Projects* (DPIE April 2020).

### Notes:

- The *Environmental Management Plan Guideline* is available on the Planning Portal at: <https://www.planningportal.nsw.gov.au/major-projects/assessment/post-approval>
- The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.

## Construction Environmental Management Plan

- B12. Prior to the commencement of any construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier and publish a copy of the CEMP on the Applicant's website in accordance with condition A23. The CEMP 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; and
    - (vii) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting.
  - (b) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure;
  - (c) Construction Traffic and Pedestrian Management Sub-Plan (see condition B13);
  - (d) Construction Noise and Vibration Management Sub-Plan (see condition B14);
  - (e) Construction Waste Management Sub-Plan (see condition B14(h));
  - (f) Construction Soil and Water Management Sub-Plan (see condition B16); and
  - (g) Construction Flood Emergency Management Plan (see condition B17).
- B13. The Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must be prepared to achieve the objective of ensuring safety and efficiency of the road network and address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) be prepared in consultation with Council and TfNSW;
  - (c) detail:
    - (i) measures to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services;

- (ii) measures to ensure the safety of vehicles and pedestrians accessing adjoining properties where shared vehicle and pedestrian access occurs;
  - (iii) heavy vehicle routes, access and parking arrangements;
  - (iv) the swept path of the longest construction vehicle entering and exiting the site in association with the new work, as well as manoeuvrability through the site, in accordance with the latest version of AS 2890.2; and
  - (v) arrangements to ensure that construction vehicles enter and leave the site in a forward direction unless in specific exceptional circumstances under the supervision of accredited traffic controller(s).
- B14. 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 procedures for limiting structural damage caused by vibration in accordance with the latest version of *DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures* (German Institute for Standardisation, 1999).
  - (d) describe the measures to be implemented to manage high noise and vibration generating works such as piling, in close proximity to sensitive receivers;
  - (e) include strategies that have been developed with the community for managing high noise generating works;
  - (f) describe the community and other stakeholder consultation undertaken to develop the strategies in condition B14(e);
  - (g) include a complaints management system that would be implemented for the duration of the construction; and
  - (h) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the implemented management measures in accordance with the requirements of condition B11.
- B15. The Construction Waste Management Sub-Plan (CWMSMP) must address, but not be limited to, the procedures for the management of waste including the following:
- (a) the recording of quantities, classification (for materials to be removed) and validation (for materials to remain) of each type of waste generated during construction and proposed use for materials to remain;
  - (b) information regarding the recycling and disposal locations; and
  - (c) confirmation of the contamination status of the development areas of the site based on the validation results.
- B16. The Applicant must prepare a Construction Soil and Water Management Sub-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) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
  - (c) describe all erosion and sediment controls to be implemented during construction, including as a minimum, measures in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4<sup>th</sup> edition, Landcom 2004) commonly referred to as the 'Blue Book';
  - (d) direct all sediment laden water in overland flow away from the leachate management system and prevent cross-contamination of clean and sediment or leachate laden water.
  - (e) 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);
  - (f) detail all off-site flows from the site; and

- (g) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 5-year ARI and 1 in 100-year ARI.
- B17. The Construction Flood Emergency Management Sub-Plan 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 Guidelines* (EHG); and
  - (c) include details of:
    - (i) the flood emergency responses for both construction phases of the development;
    - (ii) predicted flood levels;
    - (iii) flood warning time and flood notification procedures for construction workers on site;
    - (iv) assembly points and evacuation routes;
    - (v) evacuation and refuge protocols; and
    - (vi) awareness training for employees and contractors, and users/visitors.
- B18. A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following:
- (a) minimise the impacts of earthworks and construction on the local and regional road network;
  - (b) minimise conflicts with other road users;
  - (c) minimise road traffic noise; and
  - (d) ensure truck drivers use specified routes.

### **Construction Parking**

- B19. Prior to the commencement of any construction, the Applicant must provide sufficient construction vehicle parking facilities on-site, including for heavy vehicles, to ensure that construction traffic associated with the development does not utilise public and residential streets or public parking facilities.
- B20. Prior to the commencement of any construction, the Applicant must submit a Construction Worker Transportation Strategy to the Certifier. The Strategy must detail the provision of sufficient parking facilities or other travel arrangements for construction workers in order to minimise demand for parking in nearby public and residential streets or public parking facilities. A copy of the strategy must be published on the Applicant's website in accordance with condition A34. This condition cannot be staged.

### **Flood Management and Mitigation**

- B21. Prior to the commencement of the relevant construction stage, the Applicant must provide evidence from a suitably qualified civil or structural engineer to the Certifier confirming that:
- (a) all habitable floor levels are no lower than the 1% Annual Exceedance Probability flood plus 500mm of freeboard and that the clinical facilities and essential plant are above the PMF level, and that the development achieves the required flood planning levels outlined in *Integrated Mental Health Complex Flood Impact Assessment SSD-44034342*, prepared by Arup, dated 10 October 2023.
  - (b) any structures below the PMF level will be constructed from flood compatible building components having regard to the hydrodynamic forces from moving flow and the hydrostatic forces applied by still-water during any period of flood inundation and/or submerging events.
  - (c) the structural integrity of the building has been designed to ensure safe and secure shelter-in-place of vulnerable persons as outlined in the *Site Flood Emergency Response Plan* prepared by ARUP dated 10 October 2023, both during the PMF flood event and after the PMF flood event until flood waters have receded and it is safe to leave the building.

- (d) the building has been designed so that the part of the building that will be used for egress by those sheltering in place during a PMF event (or other submerging events) will be safe to be used for this purpose after the flood waters recede from the PMF event (or other submerging events) described in the *Integrated Mental Health Complex Flood Impact Assessment SSD-44034342*, prepared by Arup, dated 10 October 2023.
- (e) the building would comply with relevant BCA requirements and Australian Standards and the supplementary 'Construction of buildings in flood hazard areas' guidance with regard to structural adequacy during a PMF event described in the *Integrated Mental Health Complex Flood Impact Assessment SSD-44034342*, prepared by Arup, dated 10 October 2023, and that these BCA requirements and Australian Standards are listed.

B22. The evidence required under condition B21 is to be made available to the Planning Secretary with seven days upon request.

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

- B23. Prior to installation of mechanical plant and equipment:
- (a) a detailed assessment of mechanical plant and equipment with compliance with the relevant project noise trigger levels as recommended in the '*Noise and Vibration Impact Assessment*' prepared by Acoustic Logic dated 25 August 2023 must be undertaken by a suitably qualified person; and
  - (b) evidence must be submitted to the Certifier that any noise mitigation recommendations identified in the assessment carried out under (a) have been incorporated into the design to ensure the development will not exceed the project specific noise levels identified in the '*Noise and Vibration Impact Assessment*' prepared by Acoustic Logic and dated 25 August 2023.

#### **Operational Access, Car Parking and Service Vehicle Arrangements**

- B24. Prior to the commencement of construction of operational parking and access facilities, evidence of compliance of the design of operational parking and access arrangements with the following requirements must be submitted to the Certifier:
- (a) a minimum of 27 additional on-site visitor car parking spaces for use during operation of the development and designed in accordance with the latest versions of AS 2890.1 and AS 2890.6 (2009); and
  - (b) the swept path of the largest service vehicle entering and exiting the Site in association with the new work, as well as manoeuvrability through the site, must be in accordance with the latest version of AS 2890.2.

#### **Site Contamination**

- B25. Prior to the commencement of construction, the Applicant must engage a NSW EPA-accredited Site Auditor to provide advice throughout the duration of works to ensure that any work required in relation to soil or groundwater contamination is appropriately managed.

#### **Geotechnics and Piling**

- B26. The construction drawings must incorporate the recommendations set out in the Geotechnical Investigation prepared by JKGeotechnics dated 25 July 2022 (where applicable) in relation to excavation support, ground anchors, footings, piles and excavation or piling below the groundwater table (if relevant).



## PART C DURING CONSTRUCTION

### Site Notice

- C1. A site notice(s) must be prominently displayed at the boundaries of the site during construction for the purpose of informing the public of project details and must satisfy the following requirements:
- (a) minimum dimensions of the site notice(s) must measure 841 mm x 594 mm (A1) with any text on the site notice(s) to be a minimum of 30-point type size;
  - (b) the site notice(s) must be durable and weatherproof and must be displayed throughout the works period;
  - (c) the approved hours of work, the name of the builder, Certifier, structural engineer, site/project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice(s); and
  - (d) the site notice(s) must be mounted at eye level on the perimeter hoardings/fencing and must state that unauthorised entry to the site is not permitted.

### Operation of Construction Plant and Equipment

- C2. All construction plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.

### Demolition

- C3. Demolition work must comply with the demolition work plans required by *Australian Standard AS 2601-2001 The demolition of structures* (Standards Australia, 2001) and endorsed by a suitably qualified person as required by condition B9.

### 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 1pm, Saturdays.
- No work may be carried out on Sundays or public holidays.
- C5. Notwithstanding condition C4, provided noise levels do not exceed the existing background noise level plus 5dB, works may also be undertaken during the following hours:
- (a) between 6am and 7am, and 6pm and 7pm, Mondays to Fridays inclusive; and
  - (b) between 1pm and 4pm, Saturdays.
- C6. Construction activities may be undertaken outside of the hours in condition C4 and C5 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) for the delivery, set-up and removal of construction cranes, where notice of the crane-related works is provided to the Planning Secretary and affected residents at least seven days prior to the works; or
  - (e) where a variation is approved in advance in writing by the Planning Secretary or her nominee if appropriate justification is provided for the works.
- C7. Notification of such construction activities as referenced in condition C6 must be given to affected stakeholders (including hospital campus occupants) before undertaking the activities or as soon as is practical afterwards.

- C8. 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.
- C9. Construction activities relating to internal fit-out works may be undertaken outside of the hours in condition C4 and C5 if required, provided that:
- (a) management and mitigation measures are implemented in accordance with the practices outlined in *Noise and Vibration Impact Assessment* prepared by Acoustic Logic and dated 25 August 2023.
  - (b) the façade near where the works are being conducted is entirely closed during extended construction hours.
  - (c) deliveries for the internal fit-out works are undertaken during the approved construction hours in condition C4.

### **Implementation of Management Plans**

- C10. The Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP (including Sub-Plans).

### **Construction Traffic**

- C11. All construction vehicles (excluding site personnel vehicles) are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site or an approved on-street work zone before stopping.

### **Hoarding Requirements**

- C12. The following hoarding requirements must be complied with:
- (a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing; and
  - (b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.

### **No Obstruction of Public Way**

- C13. The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.

### **Construction Noise Limits**

- C14. 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.
- C15. 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.
- C16. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use of 'quackers' to ensure noise impacts on surrounding noise sensitive receivers are minimised.

### **Vibration Criteria**

- C17. Vibration caused by construction at any education facility, childcare centre or residence 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).
- C18. Vibratory compactors must not be used closer than 30m from education facility, childcare centre or residence buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition C17.
- C19. The limits in conditions C17 and C18 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B14 of this consent.

### **Tree Protection**

- C20. For the duration of the construction works:
- (a) all trees on the site that are not approved for removal must be suitably protected during construction; and
  - (b) 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.

### **Air Quality**

- C21. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- C22. During construction, the Applicant must ensure that:
- (a) activities are carried out in a manner that minimises dust including emission of windblown or traffic generated dust;
  - (b) all trucks entering or leaving the site with loads have their loads covered;
  - (c) trucks associated with the development do not track dirt onto the public road network;
  - (d) public roads used by these trucks are kept clean; and
  - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

### **Imported Fill**

- C23. The Applicant must:
- (a) ensure that only VENM, ENM, or other material that meets the requirements of a relevant order and exemption issued by the EPA, is brought onto the site;
  - (b) keep accurate records of the volume and type of fill to be used; and
  - (c) make these records available to the Certifier and/or the Planning Secretary within seven days upon request.

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

- C24. Adequate provisions must be made to collect and discharge stormwater drainage during construction. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.

### **Emergency Management**

- C25. The Applicant must prepare and implement awareness training for employees and contractors, including locations of the assembly points and evacuation routes, for the duration of construction.

### **Stormwater Management System**

- C26. Within three months of the commencement of construction, the Applicant must design an operational stormwater management system for the development and submit it to the Certifier for approval. The system must:
- (a) be designed by a suitably qualified and experienced person(s);
  - (b) be generally in accordance with the conceptual design in Appendix HH to the EIS (*'Civil Design Report and Integrated Water Management Plan'*, prepared by Arup and dated 14 December 2022) were appropriate;
  - (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.

### **Aboriginal Cultural Heritage**

- C27. Construction must be undertaken in accordance with the recommendations of the Aboriginal Cultural Heritage Assessment Report prepared by Comber Consultants and dated 5 October 2022.

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

- C28. In the event that surface disturbance identifies a new Aboriginal object:
- (a) all works must halt in the immediate area to prevent any further impacts to the object(s);
  - (b) a suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects;
  - (c) the site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by Heritage NSW under Department of Premier and Cabinet and the management outcome for the site included in the information provided to AHIMS;
  - (d) the Applicant must consult with the Aboriginal community representatives, the archaeologists and Heritage NSW to develop and implement management strategies for all objects/sites; and
  - (e) works may only recommence with the written approval of the Planning Secretary.

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

- C29. If any unexpected archaeological relics are uncovered during the work, then:
- (a) all works must cease immediately in that area and notice is to be given to Heritage NSW and the Planning Secretary;
  - (b) 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 as determined in consultation with Heritage NSW; and
  - (c) works may only recommence with the written approval of the Planning Secretary.

### **Waste Storage and Processing**

- C30. All waste generated during construction must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.
- C31. All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- C32. 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.

- C33. The Applicant must record the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations for the duration of construction.
- C34. The Applicant must ensure that the removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility is in accordance with the requirements of the relevant legislation, codes, standards and guidelines.

### **Outdoor Lighting**

- C35. The Applicant must ensure that all external lighting is constructed and maintained in accordance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting.

### **Site Contamination**

- C36. Prior to the commencement of any work that would result in the disturbance of potential or contaminated soils, materials, groundwater or sediments, the Applicant must conduct site investigations to confirm the full nature and extent of the contamination at the project area and comply with the following requirements:
  - (a) the site investigations must be undertaken, and the subsequent report(s), must be prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997*;
  - (b) the reports must be prepared, or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme; and
  - (c) the recommendations of the Remedial Action Plan prepared by JBS&G and dated 25 November 2022 (60807/139612 Rev 7).
- C37. The unexpected finds procedure within the Remedial Action Plan prepared by JBS&G and dated 25 November 2022 (60807/139612 Rev 7) must be updated following results of further site investigations undertaken in accordance with condition C36 and implemented throughout duration of project work.
- C38. Remediation of the site must be carried out in accordance with the Remedial Action Plan prepared by JBS&G and dated 25 November 2022 (60807/139612 Rev 7) and any variations to the Remediation Action Plan approved by an NSW EPA-accredited Site Auditor.
- C39. Where remediation is carried out / completed in stages, a NSW EPA-accredited Site Auditor must confirm satisfactory completion of each stage by the issuance of Interim Audit Advice(s).
- C40. The Applicant must ensure the proposed development does not result in a change of risk in relation to any pre-existing contamination on the site that would result in significant contamination.

### **Independent Environmental Audit**

- C41. Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements.
- C42. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.
- C43. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in the Independent Audit Post Approval Requirements, upon giving at least 4 week's notice (or timing) to the Applicant of the date upon which the audit must be commenced.
- C44. In accordance with the specific requirements in the Independent Audit Post Approval Requirements, the Applicant must:
  - (a) review and respond to each Independent Audit Report prepared under condition C41 of this consent, or condition C43 where notice is given by the Planning Secretary;
  - (b) submit the response to the Planning Secretary; and

- (c) make each Independent Audit Report, and response to it, publicly available within 60 days of submission to the Planning Secretary, unless otherwise agree by the Planning Secretary.
- C45. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within two months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements unless otherwise agreed by the Planning Secretary.
- C46. Notwithstanding the requirements of the Independent Audit Post Approval Requirements, the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.

#### **Water Take and Licensing**

- C47. In the event groundwater is intercepted during construction, any take is to be appropriately licenced where required (unless eligible for an exemption under the Water Management Regulation 2018).

#### **Geotechnical Investigation**

- C48. The recommendations outlined within the Geotechnical Investigation prepared by JKGeotechnics dated 25 July 2022 must be adhered to throughout the construction process.

## **PART D PRIOR TO COMMENCEMENT OF OPERATION**

### **Notification of Occupation**

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

### **External Walls and Cladding**

- D2. Prior to commencement of operation, the Applicant must provide the Certifier with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.
- D3. A copy of the documentation given to the Certifier must be made available on the Applicant's website within seven days after the Certifier accepts it.

### **Works as Executed Plans**

- D4. Prior to the commencement of operation, works-as-executed plans signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Certifier.

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

- D5. The installation of warm water systems and water cooling systems (as defined under the *Public Health Act 2010*) must comply with the *Public Health Act 2010*, Public Health Regulation 2012 and Part 1 (or Part 3 if a Performance-based water cooling system) of *AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance* and the NSW Health Code of Practice for the Control of Legionnaires' Disease.

### **Outdoor Lighting**

- D6. Prior to the commencement of operation, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and:
- (a) complies with the latest version of *AS 4282-2019 - Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and
  - (b) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

### **Mechanical Ventilation**

- D7. Prior to commencement of operation, the Applicant must provide evidence to the Certifier that the installation and performance of the mechanical ventilation systems complies with:
- (a) *AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings* and other relevant codes; and
  - (b) any dispensation granted by Fire and Rescue NSW.

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

- D8. Prior to the commencement of operation, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations in the assessment undertaken under condition B22 have been incorporated into the design of mechanical plant and equipment to ensure the development will not exceed the project specific noise levels identified in the '*Noise and Vibration Impact Assessment*' prepared by Acoustic Logic and dated 25 August 2023.

### **Fire Safety Certification**

- D9. Prior to commencement of 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.

#### **Flood management and Mitigation – Engineering Certification/Validation**

- D10. Prior to the commencement of occupation, a Structural Inspection Certificate or other form of written certification from a suitably qualified civil or structural engineer must be submitted to the Certifier which certifies that the constructed building meets each of the design requirements specified in condition B21.
- D11. The evidence required under condition D10 is to be made available to the Planning Secretary within seven days upon request.

#### **Post-construction Dilapidation Report – Protection of Public Infrastructure**

- D12. Prior to the commencement of operation, the Applicant must engage a suitably qualified and experienced expert to prepare a Post-Construction Dilapidation Report. This Report must:
- (a) ascertain whether the construction works created any structural damage to public infrastructure by comparing the results of the Post-Construction Dilapidation Report with the Pre-Construction Dilapidation Report required by condition B5 of this consent;
  - (b) have, if it is decided that there is no structural damage to public infrastructure, the written confirmation from the relevant public authority that there is no adverse structural damage to their infrastructure (including roads).
  - (c) be submitted to the Certifier;
  - (d) be forwarded to Council for information; and
  - (e) be provided to the Planning Secretary within seven days when requested.

#### **Repair of Public Infrastructure**

- D13. Unless the Applicant and the relevant public 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 construction works; and/or
  - (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development; and/or
  - (c) pay compensation for the damage as agreed with the owner of the public infrastructure.

*Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions of this consent.*

#### **Road Damage**

- D14. Prior to the commencement of operation, the cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development must be met in full by the Applicant.

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

- D15. Prior to the commencement of any operation, or other timeframe agreed in writing by the Planning Secretary, secure bicycle parking and end-of-trip facilities must be made available for use and the following details submitted to the Certifier:
- (a) the location of a minimum 30 staff and visitor bicycle parking spaces;
  - (b) confirmation that the layout, design and security of the bicycle facilities complies with the minimum requirements of the latest version of AS 2890.3:2015 *Parking facilities - Bicycle parking*, and that they are located in easy to access, well-lit areas that incorporate passive surveillance;
  - (c) the location of end-of-trip facilities for staff; and
  - (d) evidence that appropriate pedestrian and cyclist advisory signs are provided.

*Note: All works/regulatory signposting associated with the proposed development shall be at no cost to the relevant roads authority.*

#### **Pedestrian Crossing Facilities**



- D16. Prior to commencement of any operation, or other timeframe agreed in writing by the Planning Secretary, any proposed pedestrian crossings must be installed on surrounding roads in accordance with the relevant design standards and warrants of the relevant road authority.

### **Green Travel Plan**

- D17. Prior to the commencement of any operation, or other timeframe agreed in writing by the Planning Secretary, a Green Travel Plan (GTP) must be submitted to the Certifier to promote the use of active and sustainable transport modes and a copy published on the Applicant's website after the Certifier accepts it. The plan must:
- (a) be prepared by a suitably qualified traffic consultant in consultation with Parramatta City Council and (Sydney Coordination Office) Transport for NSW;
  - (b) include objectives and modes share targets (i.e. site and land use specific, measurable and achievable and recommended timeframes for implementation) to define the direction and purpose of the GTP;
  - (c) include specific tools and actions to help achieve the objectives and mode share targets;
  - (d) include any measures to promote and support the implementation of the plan, including roles and responsibilities for those anticipated to be involved in the implementation of the GTP; and
  - (e) include details regarding the recommended methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and any requirement for travel surveys to identify travel behaviours of users of the development.
- D18. Prior to the commencement of any operation, or other timeframe agreed in writing by the Planning Secretary, the nominated employee(s) or representative of the health services facility responsible for implementing the GTP and its ongoing review must be provided to Transport for NSW and the Planning Secretary.

### **Utilities and Services**

- D19. Prior to 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*.

### **Stormwater Operation and Maintenance Plan**

- D20. Prior to the commencement of operation, a Stormwater Operation and Maintenance Plan (SOMP) is to be submitted to the Certifier. The SOMP must ensure the proposed stormwater quality measures remain effective and contain the following:
- (a) maintenance schedule of all stormwater quality treatment devices;
  - (b) record and reporting details;
  - (c) relevant contact information; and
  - (d) Work Health and Safety requirements.

### **Signage**

- D21. Prior to the commencement of operation, way-finding signage and signage identifying the location of staff car parking must be installed.
- D22. Prior to the commencement of operation, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.

### **Operational Waste Management Plan**

- D23. Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifier. 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.

### Site Contamination

- D24. Prior to commencement of operation, the Applicant must submit a Validation Report for the development to the Certifier. The Validation Report must:
- (a) be prepared, or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contate Assessment and Management (CPSS CSAM) scheme;
  - (b) be prepared in accordance with the relevant guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997*;
  - (c) include, but not be limited to:
    - (i) comment on the extent and nature of the remediation undertaken;
    - (ii) if material is to remain in-situ and capped, describe the location, nature and extent of any remaining contamination on site as well as any ongoing management requirements;
    - (iii) sampling and analysis plan and sampling methodology undertaken as part of the remediation;
    - (iv) if treated material is to remain on the subject site, results of sampling of treated material, compared with the treatment criteria in the most updated RAP;
    - (v) results of any validation sampling, compared to relevant guidelines/criteria;
    - (vi) comment on the suitability of the area for the intended land use; and
  - (d) be submitted to the Planning Secretary within seven days when requested.
- D25. Prior to commencement of operation, the Applicant must obtain confirmation from the Certifier in writing that the requirements of condition D23 have been met.
- D26. Where changes are made to the Remedial Action Plan prepared by JBS&G and dated 25 November 2022 (60807/139612 Rev 7), prior to the commencement of operation, the Applicant must submit a Section A1 Site Audit Statement or a Section A2 Site Audit Statement accompanied by an Environmental Management Plan prepared by a NSW EPA accredited Site Auditor. The Section A1 or A2 Site Audit Statement must verify the relevant part of the site is suitable for the intended land use and be provided, along with any Environmental Management Plan to the Certifier.

### Landscaping

- D27. Prior to the commencement of operation, landscaping of the site must be completed in accordance with landscape plan(s) listed in condition A2(d).
- D28. Prior to the commencement of operation, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping on-site and submit it to the Certifier. The plan must describe the ongoing monitoring and maintenance measures to manage revegetation and landscaping.

### Constructed Floor Levels

- D29. Prior to the commencement of operation, a certification report prepared by a suitably qualified practitioner engineer (NER) must be submitted to the Certifier, stating that the development has been constructed in accordance with the flood planning levels required by condition B21.

### Operational Flood Emergency Management Plan

- D30. Prior the commencement of operation, a final Flood Emergency Management Plan must be finalised and submitted to the Certifier that:

- (a) is prepared by a suitably qualified and experienced person(s);
- (b) addressed the provisions of the *Floodplain Risk Management Guidelines* (EHG);
- (c) incorporates the flood emergency response plan measures outlined in *Integrated Mental Health Complex Flood Impact Assessment SSD-44034342*, prepared by Arup, dated 10 October 2023;
- (d) includes details of:
  - (i) the flood emergency responses for operational phase of the development, including consideration of, and communication with, immediately adjacent land users/tenants;
  - (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, and visitors.

D31. A copy of the Flood Emergency Management Plan (required by condition D30) must be provided to the Planning Secretary with seven days when requested.

## **PART E POST OCCUPATION**

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

- E1. All plant and equipment used on site must be maintained in a proper and efficient condition operated in a proper and efficient manner.

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

- E2. The operation and maintenance of warm water systems and water cooling systems (as defined under the Public Health Act 2010) must comply with the Public Health Act 2010, Public Health Regulation 2012 and Part 2 (or Part 3 if a Performance-based water cooling system) of AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance and the NSW Health Code of Practice for the Control of Legionnaires' Disease.

### **Operational Noise Limits**

- E3. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in the *'Noise and Vibration Impact Assessment'* prepared by Acoustic Logic dated 25 August 2023.
- E4. The Applicant must undertake short term noise monitoring in accordance with the *Noise Policy for Industry* (2017) where valid data is collected following the commencement of the development, and:
- (a) 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 of the development or other timeframe agreed to by the Planning Secretary to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified in *'Noise and Vibration Impact Assessment'* prepared by Acoustic Logic dated 25 August 2023.
  - (b) 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.

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

- E5. 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.

### **Car parking**

- E6. A minimum of 27 car spaces must be provided and maintained on site for visitors and 461 car spaces in carpark P23 for users of the Westmead Integrated Mental Health Complex. If the car parking allocation in P23 carpark changes, the Planning Secretary must be notified prior to these changes and alternative and commensurate car parking must be identified.

### **Green Travel Plan**

- E7. The Green Travel Plan required by condition D17 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.

### **Outdoor Lighting**

- E8. Notwithstanding condition D6, 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.

### **Landscaping**

- E9. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition D28 for the duration of occupation of the development.

### **Hazards and Risk**

- E10. 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 EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* if the chemicals are liquids.
- E11. In the event of an inconsistency between the requirements of condition E10(a) and E10(b), the most stringent requirement must prevail to the extent of the inconsistency.

### **Dangerous Goods**

- E12. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with:
- (a) all relevant Australian Standards;
  - (b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
  - (c) the Environment Protection Manual for *Authorised Officers: Bunding and Spill Management – technical bulletin* (EPA, 1997).
- E13. In the event of an inconsistency between the requirements E12(a) to E12(c), the most stringent requirement must prevail to the extent of the inconsistency.

### **Discharge Limits**

- E14. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters.

### **Signage**

- E15. The lighting/illumination to be used in connection with approved signage affixed to the western and eastern elevations of the IMHC building must comply with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting*.

### **Environmental Management Plan**

- E16. Upon completion of any remediation works, the operator must manage the site in accordance with the Environmental Management Plan (including measures for the long term management of in-situ asbestos) approved by the Site Auditor (if any) and any on-going maintenance of remediation notice issued by EPA under the Contaminated Land Management Act 1997.

### **Ecologically Sustainable Development**

- E17. Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation the Certifier and Planning Secretary are to be provided with a report from the Applicant by a suitably qualified and experienced expert demonstrating that the project attains the minimum number of ESD points as required by condition B7 of this consent.

## **APPENDIX 1 ADVISORY NOTES**

### **General**

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.

### **Long Service Levy**

AN2. For work costing \$250,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Corporation on 131 441.

### **Legal Notices**

AN3. Any advice or notice to the consent authority must be served on the Planning Secretary.

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

AN4. 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 Certifier 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.

### **Utilities and Services**

AN5. Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

AN6. 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.

### **Road Occupancy Licence**

AN7. 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**

AN8. 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**

AN9. The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

### **Handling of Asbestos**

AN10. The Applicant must 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.

### **Fire Safety Certificate**

AN11. 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.

## **APPENDIX 2 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 Planning Secretary through the major projects portal 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 A25 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.