

Development consent

Section 89E of the *Environmental Planning and Assessment Act 1979*

I grant consent to the development application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts including economic and social 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.



The Hon Brad Hazzard MP
Minister for Planning and Infrastructure

Sydney 29 JAN 2013 2013

SCHEDULE 1

Application No.:	SSD 5029-2011
Applicant:	Health Infrastructure
Consent Authority:	Minister for Planning and Infrastructure
Land:	St George Hospital, Gray Street, Kogarah (Lot 12 DP 800476, Lots 5 and 6 DP1130879, Lot 1 791072 and Lot 1, 3 and 9 Sec C DP 976627)
Development:	New Emergency Department, including: • demolition of 'Griffith House' • earthworks, including excavation • remediation of land • construction of a part one, part two storey building, with linkages to existing hospital buildings • new ambulance bays, new short-term car parking bays, reconfigured car parking areas • tree removal and landscaping works.

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DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Health Infrastructure, or anyone else entitled to act on this consent
Application	The development application and the accompanying drawings plans and documentation described in Condition A2.
BCA	Building Code of Australia
Construction	Any works, including earth and building works
Council	Kogarah City Council
Certification of Crown Building works	Certification under s109R of the EP&A Act
Certifying Authority	Means a person who is authorised by or under section 109D of the EP&A Act to issue a construction certificate under Part 4A of the EP&A Act; or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
Day time	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Infrastructure or its successors
Director-General	Director-General of the Department of Planning and Infrastructure, or nominee/delegate
Director General's approval, agreement or satisfaction	A written approval from the Director- General (or nominee/delegate) Where the Director-General's approval, agreement or satisfaction is required under a condition of this approval, the Director-General will endeavour to provide a response within one month of receiving an approval, agreement or satisfaction request. The Director-General may ask for additional information if the approval, agreement or satisfaction request is considered incomplete. When further information is requested, the time taken for the Applicant to respond in writing will be added to the one month period.
Evening	The period from 6pm to 10pm
EIS	Environmental Impact Statement titled <i>St George Hospital Emergency Department Redevelopment State Significant Development Application</i> prepared by <i>Health Infrastructure</i> , dated August 2012
EPA	Environment Protection Authority, or its successor
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation or Regulation	Environmental Planning and Assessment Regulation 2000
Minister	Minister for Planning and Infrastructure, or nominee
Night time	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
OEH	Office of the Environment and Heritage, or its successor
PCA	Principal Certifying Authority, or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
RTS	Response to Submissions letters as follows: • titled <i>Re: St George Emergency Department SSD 5029 – Response to Submissions</i> prepared by <i>Health Infrastructure</i>, dated 31 October 2012 • titled <i>Re: St George Emergency Department SSD 5029 – Additional Response to Submissions</i> from <i>Health Infrastructure</i> dated 9 November 2012 • titled <i>Griffith House, St George Hospital: Review of Urbis HIS</i>, prepared by <i>Urbis</i>, dated 13 November 2012 and revised <i>Heritage Impact Statement</i> prepared by <i>Urbis</i>, dated November 2012 • letter prepared by <i>Urban Planning Outcomes</i>, dated 29 November 2012
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build
RMS	Roads and Maritime Services Division, Department of Transport or its

	successor
Subject Site	Gray Street, Kogarah (Lot 12 DP 800476, Lots 5 and 6 DP1130879, Lot 1 791072 and Lot 1, 3 and 9 Sec C DP 976627)
Sensitive receiver	Residence, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church) and children's day care facility.

SCHEDULE 2

A ADMINISTRATIVE CONDITIONS

Development Description

- A1 Except as amended by the conditions of this consent, development consent is granted only to carrying out the development as described in Condition A2.

Development in Accordance with Plans and Documents

- A2 The applicant shall carry out the project generally in accordance with the:
- a) Environmental Impact Statement titled *St George Hospital Emergency Department Redevelopment State Significant Development Application* prepared by Health Infrastructure, dated August 2012
 - b) Response to Submissions letters as follows:
 - o titled *Re: St George Emergency Department SSD 5029 – Response to Submissions prepared by Health Infrastructure, dated 31 October 2012*
 - o titled *Re: St George Emergency Department SSD 5029 – Additional Response to Submissions from Health Infrastructure dated 9 November 2012*
 - o titled *Griffith House, St George Hospital: Review of Urbis HIS. prepared by Urbis, dated 13 November 2012 and revised Heritage Impact Statement prepared by Urbis, dated November 2012*
 - o letter prepared by Urban Planning Outcomes, dated 29 November 2012
 - c) following drawings, except for:
 - i) any modifications which are Exempt or Complying Development
 - ii) otherwise provided by the conditions of this consent.

Architectural (or Design) Drawings prepared by Health Projects International			
Drawing No.	Revision	Name of Plan	Date
SGHED-A-DA-SITE	7	OVERALL SITE PLAN	08.11.12
SGHED-A-P-01	T4	FLOOR PLAN – LEVEL 1 – OVERALL	08/11/12
SGHED-A-P-G	T4	FLOOR PLAN – GROUND FLOOR – OVERALL	08/11/12
SGHED-A-P-R	T4	ROOF PLAN – LEVEL 2 – OVERALL	08/11/12
SGHED-A-E-01	7	ELEVATIONS – WEST AND SOUTH	03/08/12
SGHED-A-E-02	7	ELEVATIONS – EAST AND WEST	03/08/12
SGHED-A-S-01	7	SECTION – 01 & 02	03/08/12
SGHED-A-S-02	7	SECTION – 03	03/08/12
Landscape Drawings prepared by Taylor Brammer Landscape Architects			
Drawing No.	Revision	Name of Plan	Date
LA01	C	LANDSCAPE PLAN	03.08.2012
LA02	A	LANDSCAPE PLAN	03.08.2012

Inconsistency between documents

- A3 If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this consent prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.

Lapsing of approval

- A4 This consent will lapse five years from the date of consent unless the works associated with the project have physically commenced.

Limits of Approval

A5 This consent does not approve:

- demolition works except for the demolition of 'Griffith House' and associated structures, or
- the construction of the works highlighted grey in the drawing titled OVERALL SITE PLAN, prepared by Health Projects International, revision 7 dated 08.11.12, including new ED sub-station, new emergency generator, new services centre, new oxygen tanks, or proposed sub-acute building.

Prescribed Conditions

A6 The applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Regulation.

Director General as Moderator

A7 Where this consent requires further approval from public authorities, the parties shall not act unreasonably in preventing an agreement from being reached. In the event that an agreement is unable to be reached within 2 months or a timeframe otherwise agreed to by the Director-General, the matter is to be referred to the Director-General for resolution. All areas of disagreement and the position of each party are to be clearly stated to facilitate a resolution. The Director-General's resolution of the matter will be binding on the parties.

Long Service Levy

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

Legal notices

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

B REMEDIATION CONDITIONS

B1 Remediation approved as part of this development consent shall be carried out in accordance with *Remedial Action Plan for Proposed New Emergency Department Development* prepared by *Environmental Investigation Services*, dated October 2012. A site audit must be carried out by a site auditor prior to the commencement of remediation works confirming that the remedial action plan satisfactorily addresses contamination on the site and any further contamination findings of the 'Additional Environmental Works Plan'.

B2 Upon completion of the remediation works on the Subject Site, the Applicant shall submit a validation report, notice of completion and site audit statement prepared by a NSW EPA accredited site auditor to the PCA and council. The validation report and site audit statement must verify that the land is suitable for the proposed uses.

Note: The Applicant must comply with clauses 17 and 18 of *State Environmental Planning Policy No.55—Remediation of Land*.

Note: Words and expressions used in these conditions have the same meaning as in the *Contaminated Land Management Act 1997*.

C PRIOR TO COMMENCEMENT OF WORKS

Heritage Archival Recording and Site Interpretation Strategy

- C1 No works shall commence until an archival record of Griffith House is undertaken and a site interpretation strategy has been prepared in consultation with council and endorsed by the Director-General. The archival recording shall include measured drawings, detailed historical research and an archival photographic record before any work commences. This archival record shall be prepared in accordance with guideline, *Photographic Recording of Heritage Items using Film or Digital Capture* (Heritage Office, 2006). A copy of the endorsed archival record and site interpretation strategy must be submitted to council, the Heritage Branch of OEH and the Department of Planning and Infrastructure.

Certified Plans

- C2 Plans certified in accordance with section 109R of the EP&A Act are to be submitted to the Certifying Authority and the department prior to commencement of each stage of the construction works and shall include details as required by any of the following conditions.

Outdoor Lighting

- C3 All outdoor lighting within the site shall comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the commencement of above ground works.

Access for People with Disabilities

- C4 The building must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia. The Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.

Erosion and Sedimentation Control

- C5 Soil erosion and sediment control measures shall be designed in accordance with the document *Managing Urban Stormwater-Soils & Construction Volume 1* (2004) by Landcom. Details are to be submitted to the satisfaction of the Certifying Authority prior to the commencement of any works.

Pre-Construction Dilapidation Reports

- C6 The applicant is to engage a qualified structural engineer to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all retained existing and adjoining buildings, infrastructure and roads within the 'zone of influence'. This zone is to be defined as the horizontal distance from the edge of the excavation to twice the maximum excavation depth, including the Fire Station. Any entry into private land is subject to the consent of the owner(s) and any inspection of buildings on privately affected land shall include details of the whole building where only part of the building may fall within the 'zone of influence'. The report shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of any works. A copy of the report is to be forwarded to the council.

Car Park and Service Vehicle Layout

- C7 Plans demonstrating compliance with the following traffic and parking requirements shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of above ground works:
- a) all vehicles should enter and leave the Subject Site in a forward direction. In the event that site constraints do not permit heavy rigid vehicles to enter and leave

Demolition

C13 The demolition work shall comply with the provisions of Australian Standard AS2601: 2001 *The Demolition of Structures*. The work plans required by AS2601: 2001 shall 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 shall be submitted to the satisfaction of the PCA prior to the commencement of works.

Notice of Commencement of Works

C14 The PCA and council shall be given written notice, at least 48 hours prior to the commencement of building or subdivision works on the Subject Site.

Construction Environmental Management Plan

C15

- a) Prior to the commencement of any works on the Subject Site, a Construction Environmental Management Plan (CEMP) shall be submitted to the PCA. The Plan shall address, but not be limited to, the following matters where relevant:
 - i) hours of work,
 - ii) 24 hour contact details of site manager,
 - iii) traffic management, in consultation with the local council, including how large vehicle access to the existing electrical sub-station will be maintained throughout the construction process,
 - iv) construction noise and vibration management, prepared by a suitably qualified person,
 - v) management of dust to protect the amenity of the neighbourhood
 - vi) erosion and sediment control,
 - vii) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site,
 - viii) external lighting in compliance with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting,
 - ix) flora and fauna management.
- b) The CEMP must not include works that have not been explicitly approved in the development consent. In the event of any inconsistency between the consent and the CEMP, the consent shall prevail.
- c) The applicant shall submit a copy of the CEMP to the department and to the council, prior to commencement of work.

Waste Management Plan during construction

C16

- a) Prior to the commencement of any works on the Subject Site, a Construction Waste Management Plan prepared by a suitably qualified person in consultation with the council, shall be submitted to the PCA. The Plan shall address, but not be limited to, the following matters:
 - i) Recycling of demolition materials including concrete;
 - ii) Removal of hazardous materials 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
- b) Details demonstrating compliance with the relevant legislative requirements, associated with the removal of hazardous waste, particularly the method of containment and control of emission of fibres to the air, are to be submitted to the satisfaction of the PCA prior to the removal of any hazardous materials.
- c) The applicant shall submit a copy of the plan to the department and to the council, prior to commencement of work.
- d) The applicant must notify the Roads and Maritime Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the Subject Site, prior to the commencement of the removal of any waste material from the Subject Site.

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- the Subject Site in a forward direction, then all reversing movements should be undertaken under the control of certified traffic controllers to ensure public safety when vehicles are reversing;
- b) car parking associated with the proposal (including queuing areas, grades, turn paths, sight distance requirements, aisle widths, and parking bays) should be in accordance with AS 2890.1-2004, AS2890.6 for accessible spaces and AS 2890.2-2002 for heavy vehicle usage;
 - c) appropriate pedestrian advisory signs are to be provided at the egress from the car park;
 - d) All works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority;
 - e) The swept path of the longest vehicle (including garbage trucks) entering and exiting the Subject Site, as well as manoeuvrability through the Subject Site, shall be in accordance with AUSTROADS.

Structural Details

- C8 Prior to the commencement of works, the applicant shall submit to the satisfaction of the PCA structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrate compliance with:
- a) the relevant clauses of the BCA, and
 - b) the development consent.

Mechanical Ventilation

- C9 All mechanical ventilation systems shall be installed in accordance with Part F4.5 of the Building Code of Australia and shall comply with Australian Standards AS1668.2 and AS3666 *Microbial Control of Air Handling and Water Systems of Building*, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue commencement of works.

Storage and Handling of Waste

- C10 The building plans and specifications accompanying the relevant plans submitted to the principal certifying authority prior to the commencement of any works shall demonstrate that an appropriate area will be provided within the premises for the storage of garbage bins and recycling containers and all waste and recyclable material generated by this premises. Requirements of these storage areas shall be designed to council's satisfaction, including:
- a) all internal walls of the storage area are rendered to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained with a tap in close proximity to facilitate cleaning;
 - b) include provision for the separation and storage, in appropriate categories, of material suitable for recycling;
 - c) include provision for separate storage and collection of organic/food waste.

Stormwater and Drainage Works Design

- C11 Final design plans of the stormwater drainage systems, prepared by a qualified practicing professional and in accordance with the requirements of council shall be submitted to the certifier prior to the commencement of any works. The hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff

Road Design

- C12 Kerb and gutter, stormwater drainage, full road width pavement including traffic facilities (vehicle crossings) and paved footpaths shall be constructed along the areas where roads works are to be undertaken. All roads and traffic facilities (vehicle crossings) shall be designed to meet the requirements of council and the RMS (if applicable) and obtain the necessary permits and approvals from the relevant road authority.

Traffic & Pedestrian Management Plan

C17

- a) Prior to the commencement of any works on the Subject Site, a Traffic and Pedestrian Management Plan prepared by a suitably qualified person shall be submitted to the PCA. The Plan must be prepared in consultation with the council, and where required, the approval of the council's traffic committee obtained.
- b) The Plan shall address, but not be limited to, the following matters:
 - i) ingress and egress of vehicles to the Subject Site,
 - ii) loading and unloading, including construction zones,
 - iii) predicted traffic volumes, types and routes,
 - iv) pedestrian and traffic management methods, and
- c) The applicant shall submit a copy of the final plan to the council, prior to the commencement of work.

Heritage Management Plan

C18 The applicant shall prepare and implement a Heritage Management Plan for the project to the satisfaction of the Director-General. This plan must:

- a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Director-General;
- b) be prepared in consultation with OEH;
- c) be submitted to the Director-General for approval prior to the commencement of construction, unless the Director-General agrees otherwise;
- d) include the mechanisms for ensuring any workers on site receive suitable heritage inductions prior to carrying out any development on site, and that suitable records are kept of these inductions.
- e) include the following for the management of Aboriginal Heritage:
 - the measures that would be implemented to manage the discovery of any human remains or previously unidentified Aboriginal objects on site;
- f) include the following for the management of Historic Heritage:
 - further historical investigations in relation to the potential archaeological sites along Gray Street (in the area formerly Chapel Street) to the satisfaction of the Director-General including, but not limited to, the recommendations for the implementation of any archaeological measures (such as physical archaeological investigations) resulting from these investigations; and
 - the measures that would be implemented to manage the discovery of human remains or previously unidentified heritage items on site.

Utility Services

C19 Prior to the commencement of work the applicant is to negotiate with the utility authorities (e.g. Ausgrid and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure.

C20 Prior to the commencement of works written advice shall 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 provision of adequate services.

D DURING CONSTRUCTION

Recycle Heritage Fabric

- D1 All original and early significant fabric, including window cases, door cases, cast iron lace, joinery, chimney pieces and grates and pressed metal sheeting are to be salvaged and offered to a second-hand materials merchant for reuse.

Hours of Work

- D2 The hours of construction, including the delivery of materials to and from the Subject Site, shall be restricted as follows:
- a) between 7:00 am and 5:00 pm, Monday to Saturday;
 - b) no work on Sundays and public holidays.
 - c) works may be undertaken outside these hours where:
 - i) the delivery of materials is required outside these hours by the Police or other authorities;
 - ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
 - iii) variation is approved in advance in writing by the Director General or his nominee.

Erosion and Sediment Control

- D3 All erosion and sediment control measures, are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

Disposal of Seepage and Stormwater

- D4 Any seepage or rainwater collected on-site during construction or groundwater shall not be pumped to the street stormwater system unless separate prior approval is given in writing by council.

Approved Plans to be On-site

- D5 A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Subject Site at all times and shall be readily available for perusal by any officer of the department, council or the PCA.

Site Notice

D6

- a) A site notice(s) shall be prominently displayed at the boundaries of the Subject Site for the purposes of informing the public of project details including, but not limited to the details of the Builder, PCA and Structural Engineer.
- b) The notice(s) is to satisfy all but not be limited to, the following requirements:
 - i) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
 - 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 are to 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 Subject Site is not permitted.

Protection of Trees

D7

- a) Trees 1, 3 and 12 as identified in the *Arboricultural Impact Assessment* prepared by *arboreport*, dated 27 July 2012, are to be protected during excavation and construction in accordance with AS 4970-2009 – Protection of trees on development sites.
- b) No street trees are to be trimmed or removed unless it forms a part of this development consent or prior written approval from council is obtained or is required in an emergency to avoid the loss of life or damage to property.
- c) All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, shall be replaced, to the satisfaction of council.
- d) All trees on the Subject Site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.

Construction Noise Management

- D8 The development shall be constructed with the aim of achieving the construction noise management levels detailed in the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009) All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the Construction Noise and Vibration Management Plan.
- D9 If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the NSW Industrial Noise Policy), 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise management levels.
- D10 The applicant shall schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved in the Construction Noise and Vibration Management Plan.
 - a) 9.00 am to 12.00 pm, Monday to Friday;
 - b) 2.00 pm to 5.00 pm Monday to Friday; and
 - c) 9.00 am to 12.00 pm, Saturday
- D11 Wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required they must only be installed where outlined in a Construction Noise and Vibration Management Plan.
- D12 Any noise generated during the construction of the development must not be offensive noise within the meaning of the *Protection of the Environment Operations Act, 1997* or exceed approved noise limits for the Subject Site.

Vibration Criteria

- D13 Vibration caused by construction at any residence or structure outside the Subject Site must be limited to:
 - a) for structural damage vibration, German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and
 - b) for human exposure to vibration, the evaluation criteria presented in British Standard BS 6472- Guide to Evaluate Human Exposure to Vibration in Buildings (1Hz to 80 Hz) for low probability of adverse comment.
 - c) Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.
 - d) These limits apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved by the Director-General.

Work Cover Requirements

- D14 To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel, and work shall be conducted at all times in accordance with relevant Work Cover requirements.

Hoarding Requirements

- D15 A hoarding or fence must be erected between the work site and the public place. The following hoarding/fencing requirements shall be complied with:
- (a) No third party advertising is permitted to be displayed on the subject hoarding/fencing.
 - (b) The construction site manager shall be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.

No obstruction of public way

- D16 The public way (outside of any construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all work on site.

E PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Mechanical Ventilation

- E1 Following completion, installation and testing of all the mechanical ventilation systems, the applicant shall provide evidence to the satisfaction of the PCA, prior to the occupation of the building, that the installation and performance of the mechanical systems complies with:
- a) The Building Code of Australia;
 - b) Australian Standard AS1668 and other relevant codes;
 - c) The development consent and any relevant modifications; and,
 - d) Any dispensation granted by the New South Wales Fire Brigade.

Road Damage

- E2 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/developer prior to the occupation of the building.

Note: Should the cost of damage repair work not exceed the road maintenance bond, council will automatically call up the bond to recover the costs. Should the repair costs exceed the bond amount, a separate invoice will be issued.

Registration of Easements

- E3 Prior to the occupation of any building, the applicant shall provide to the PCA evidence that all matters required to be registered on title including easements required by this consent, approvals, and other consents have been lodged for registration or registered at the NSW Land and Property Information.

Compliance Certificate

- E4 A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

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

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

Post-construction Dilapidation Report

- E5 Prior to occupation of the building:
- a) The applicant shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.
 - b) The report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:
 - i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions and
 - ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
 - c) A copy of this report is to be forwarded to the council.

Fire Safety Certification

- E6 Prior to the occupation of the building, a Fire Safety Certificate shall 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. And prominently displayed in the building

Structural Inspection Certificate

- E7 A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the PCA prior to the occupation of the building. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) shall be submitted to the approval authority and the council after:
- a) The site has been periodically inspected and the Certifier 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.

Keep Clear Zones

- E8 Prior to the occupation of the building, all signage and road markings for the keep clear zones in front of the ambulance vehicle entry (Gate 5) and the main and emergency hospital vehicle entry (Gate 6) shall be approved by the Kogarah Local Traffic Committee and completed.

Pedestrian Refuge

- E9 The two existing pedestrian refuges in Gray Street, between Kensington Street and Short Street, shall be reconstructed by the applicant in accordance with the RMS Technical Direction TDT2011/01a. All costs associated with these works are to be at the applicant's expense.

Green Travel Plan

- E10 Prior to the occupation of the building, the applicant must prepare a green travel plan and identify all measures and incentives that would be provided to staff to promote sustainable transport modes, including subsidies and incentives to promote car pooling, car sharing and measures to support the use of public transport.

Traffic and Pedestrian Management

- E11 Prior to the occupation of the building or operation of the reconfigured short term car parking area, additional warning signage shall be installed, a 20km/h speed limit zone shall be implemented and a clearly marked pedestrian crossing installed.

Car Parking Management Plan

- E12 Prior to the operation of the reconfigured car parking area to the south of the research building, the applicant shall prepare and submit to council a car parking management plan identifying how access can be provided for large AUSGRID vehicles requiring emergency access to the existing electrical sub-station.
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F POST OCCUPATION

Loading and Unloading

- F1 All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the Subject Site at all times.

Unobstructed Driveways and Parking Areas

- F2 All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

Noise Control – Plant and Machinery

- F3 Noise associated with the operation of any plant, machinery or other equipment on the Subject Site, shall not exceed 5dB(A) above the background noise level when measured at the boundary of the Subject Site and shall include all measures outlined in *St George Hospital – Emergency Department Acoustic Assessment*, prepared by *Acoustic Logic*, dated 23 July 2012 and an acoustic report prepared by a suitably qualified acoustic engineer shall be submitted to the department to verify that the operational noise meets the noise goals established in that report.

Storage of Hazardous or Toxic Material

- F4 Any hazardous or toxic materials must be stored in accordance with Workcover Authority requirements and all tanks, drums and containers of toxic and hazardous materials shall be stored in a bunded area. The bund walls and floors shall be constructed of impervious materials and shall be of sufficient size to contain 110% of the volume of the largest tank plus the volume displaced by any additional tanks within the bunded area.

Public Way to be Unobstructed

- F5 The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.

External Lighting

- F6 External Lighting shall comply with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Upon installation of lighting, but before it is finally commissioned, the applicant shall submit to the consent authority evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.

ADVISORY NOTES

Appeals

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

Other Approvals and Permits

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

Responsibility for other consents / agreements

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

Temporary Structures

AN4

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

Disability Discrimination Act

AN5 This application has been assessed in accordance with the Environmental Planning and Assessment Act 1979. No guarantee is given that the proposal complies with the Disability Discrimination Act 1992. The applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

AN6

- a) The *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.
- b) This application has been assessed in accordance with the New South Wales Environmental Planning & Assessment Act, 1979. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the applicant's responsibility to consult the Department of Sustainability, Environment, Water, Population and Communities to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

Asbestos Removal

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

Site contamination issues during construction

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