

Development consent

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

As delegate of the Minister for Planning, under delegation dated 16 February 2015, 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.


Daniel Keary
A/Executive Director
Infrastructure and Industry Assessments

Sydney 7th OCTOBER 2015

SCHEDULE 1

Application No.:	SSD 6847
Applicant:	Health Administration Corporation
Consent Authority:	Minister for Planning
Land:	Sutherland Hospital, The Kingsway, Caringbah (Lot 1 DP 119519, Lot 1 DP 432283 and Lot 1, DP 398975)
Development:	Redevelopment of Sutherland Hospital, including: • demolition works; • construction of a new two storey hospital building comprising a new emergency department, new acute inpatient beds, internal courtyards and ancillary spaces; • internal refurbishment of areas within the existing hospital building adjacent to the new building works for the purpose of medical imaging and storage; • tree removal, civil and road works to reconfigure existing roads and at-grade parking adjacent to the new emergency department; • landscaping and new tree planting within the development zone; and • new hospital signage.

DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Consent holder or person with the benefit of the development consent.
Application	The development application and the accompanying drawings plans and documentation described in Condition A2.
BCA	Building Code of Australia
Construction	The demolition of buildings or works, the carrying out of works, including bulk earthworks, and erection of buildings and other infrastructure covered by this consent.
Council	Sutherland Council
Certification of Crown Building works	Certification under s109R of the EP&A Act
Certifying Authority	Professionals that are accredited by the Building Professionals Board to issue construction, occupation, subdivision, strata, compliance and complying development certificates under the EP&A Act, <i>Strata Schemes (Freehold Development) Act 1973</i> and <i>Strata Schemes (Leasehold Development) Act 1986</i> or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works.
Day time	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	The Department of Planning and Environment
EEC	Endangered ecological community
Evening	The period from 6pm to 10pm
Environmental Impact Statement (EIS)	<i>Environmental Impact Statement, State Significant Development Application, Sutherland Hospital Redevelopment</i> , prepared by City Plan Services, dated April 2015
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
Feasible	Feasible relates to engineering considerations and what is practical to build
Minister	Minister for Planning, or nominee
Night time	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
NOW	NSW Office of Water, or its successor
OEH	Office of the Environment and Heritage, or its successor
Reasonable	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
Response to Submissions (RtS)	Response to Submissions letter prepared by Health Infrastructure, dated 10 August 2015 and accompanying attachments
RMS	Roads and Maritime Services Division, Department of Transport or its successor
Secretary	Secretary of the Department of Planning and Environment, or nominee/delegate
Secretary's approval, agreement or satisfaction	A written approval from the Secretary (or nominee/delegate). Where the Secretary's approval, agreement or satisfaction is required under a condition of this consent, the Secretary will endeavour to provide a response within one month of receiving an approval, agreement or satisfaction request. The Secretary 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.
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
Subject Site	The Kingsway, Caringbah (Lot 1 DP 119519, Lot 1 DP 432283 and Lot 1, DP 398975)

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

- A1. In addition to meeting the specific performance criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction or operation of the development.

Development Description

- A2. Except as amended by the conditions of this consent, development consent is granted only to carrying out the development as described in Schedule 1.

Development in Accordance with Plans and Documents

- A3. The applicant shall carry out the development generally in accordance with the:
- a) *Environmental Impact Statement, State Significant Development Application, Sutherland Hospital Redevelopment*, prepared by City Plan Services, dated April 2015;
 - b) Response to Submissions letter prepared by Health Infrastructure, dated 10 August 2015 and accompanying attachments; and
 - c) following drawings, except for:
 - i) any modifications which are Exempt or Complying Development;
 - ii) as otherwise provided by the conditions of this consent.

Architectural Drawings prepared by BVN			
Drawing No.	Issue	Name of Plan	Date
A-SHP-DA-A05	-	SIGNAGE PLAN	-
A-SHP-DA-B01	-	LEVEL 01 FLOOR PLAN	-
A-SHP-DA-B02	-	LEVEL 02 FLOOR PLAN	-
A-SHP-DA-B03	2	LEVEL 03 FLOOR PLAN	20/07/15
A-SHP-DA-B04	-	LEVEL 04 FLOOR PLAN	-
A-SHP-DA-B05	2	ROOF PLAN	30/07/15
A-SHP-DA-C01	4	ELEVATIONS	30/07/15
A-SHP-DA-D01	3	NORTH-SOUTH SECTIONS	30/07/15
A-SHP-DA-D02	3	EAST-WEST SECTIONS	30/07/15
A-SHP-DA-D03	3	EAST-WEST SECTIONS	30/07/15
A-SHP-DA-Z06	-	MATERIAL IMAGE BOARD	-
Landscape Drawings prepared by Arcadia Landscape Architecture			
Drawing No.	Issue	Name of Plan	Date
000	C	COVER SHEET	08/07/15
100	C	LANDSCAPE MASTERPLAN	08/07/15
101	C	LANDSCAPE SOFTWARES PLAN	08/07/15
102	C	LANDSCAPE SOFTWARES PLAN	08/07/15
103	C	LANDSCAPE SOFTWARES PLAN	08/07/15
104	C	LANDSCAPE SOFTWARES PLAN	08/07/15
105	C	LANDSCAPE SOFTWARES PLAN	08/07/15

- d) the conditions of this consent.

Inconsistency between documents

- A4. 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.
- A5. The applicant shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:
- a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent; and
 - b) the implementation of any actions or measures contained in these documents.

Building Code of Australia Compliance

- A6. All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by:
- a) complying with the deemed to satisfy provisions, or
 - b) formulating an alternative solution which:
 - i) complies with the performance requirements, or
 - ii) is shown to be at least equivalent to the deemed to satisfy provision, or
 - iii) a combination of a) and b).

Development Expenses

- A7. It is the responsibility of the applicant to meet all expenses incurred in undertaking the development, including expenses incurred in complying with conditions imposed under this consent.

Limits on Consent

- A8. This consent will lapse five years from the date of consent unless the works associated with the development have physically commenced.

Prescribed Conditions

- A9. The applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Regulation.

Dispute Resolution

- A10. In the event of a dispute between the applicant and a public authority, in relation to an applicable requirement in this consent or relevant matter relating to the development, either party may refer the matter to the Secretary for resolution. The Secretary's resolution of the matter shall be binding on the parties.

Long Service Levy

- A11. 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

- A12. Any advice or notice to the consent authority shall be served on the Secretary.
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PART B PRIOR TO COMMENCEMENT OF WORKS

Certified Plans

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

Notice of Commencement of Works

- B2. The Certifying Authority and Council shall be given written notice, at least 48 hours prior to the commencement of building or subdivision works on the Subject Site.

Noise Management Measures

- B3. Prior to commencement of works for the hospital facilities, the applicant shall incorporate the operational mitigation recommendations of the *Environmental Acoustic Assessment, Acoustic Services Report* prepared by Wood & Grieve Engineers, dated 25 February 2015, and submit to the Certifying Authority documentation demonstrating that the noise impacts have been adequately mitigated.

Reflectivity

- B4. The building materials used on the facades of the buildings shall have a maximum normal specular reflectivity of visible light of 20 per cent and shall be designed so as not to result in glare that causes any discomfort or threatens the safety of pedestrians or drivers. A statement demonstrating compliance with these requirements or where compliance cannot be met a report that demonstrates that the exceedance would not result in glare that causes any discomfort or threatens the safety of pedestrians or drivers is to be submitted to the satisfaction of the Certifying Authority prior to the commencement of above ground works.

Car Parking and Service Vehicle Layout

- B5. 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 relevant 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 in a forward direction, then all reversing movements should be undertaken under the control of certified traffic controllers to ensure public safety when vehicles are reversing;
 - b) the layout of the proposed car parking areas that form part of this approval (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2002 for heavy vehicle usage;
 - c) All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on The Kingsway;
 - d) appropriate pedestrian advisory signs are to be provided at the egress from the car park;
 - e) all works/ regulatory signposting associated with the proposed development shall be at no cost to the relevant roads authority; and
 - f) the swept path of the longest vehicle entering and exiting the Subject Site in association with the new work, as well as manoeuvrability through the Subject Site, shall be in accordance with AUSTROADS.

Construction Traffic Management Plan

- B6. A Construction Traffic Management Plan detailing but not limited to, construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to the Certifying Authority prior to the commencement of works.

Air Quality

- B7. Prior to the commencement of works, the applicant shall submit to the satisfaction of the Certifying Authority a Construction Environmental Management Plan (CEMP) which clearly demonstrates how the following requirements will be achieved at the site during construction phase:
- a) activities occurring in or on the premises must be carried out in a manner that will prevent or minimise the generation or emission from the premises of dust including wind-blown or traffic generated dust; and
 - b) the proponent must also ensure that the proposed development does not cause or permit the emission of offensive odour beyond the boundary of the premises.

Access for People with Disabilities

- B8. The works the subject of this application 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.

Structural Details

- B9. Prior to the commencement of works, the applicant shall submit to the satisfaction of the Certifying Authority structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with:
- a) the relevant clauses of the BCA; and
 - b) the development consent

Mechanical Ventilation

- B10. All mechanical ventilation systems shall be installed in accordance with Part F4.5 of the Building Code of Australia and shall comply with the Australian Standards AS1668.2 AND AS3666 *Microbial Control of Air Handling and Water Systems of Building*, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of works.

Water Authority Compliance

- B11. A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation. The Section 73 certificate must be submitted to the Certifying Authority prior to occupation of the new building.

Stormwater and Drainage Works Design

- B12. 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 Certifying Authority 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.

Erosion and Sedimentation Control

- B13. 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

B14. 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 within the site, infrastructure and roads within the 'zone of influence'. The report shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of any works.

Construction Environmental Management Plan (CEMP)

B15.

- a) Prior to the commencement of works on the Subject Site, a CEMP that addresses those works shall be submitted to the Certifying Authority. 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 a designated off-street car parking area for construction related vehicles;
 - iv) construction noise and vibration management;
 - 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) an *Unexpected Finds Protocol (UFP)*, and
 - x) Waste classification (for materials to be removed) and validation (for materials to remain) be undertaken within the expanded areas during construction to confirm the contamination status in these areas of the site.
- 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 Council, prior to commencement of work.

Water Quality

B16. Prior to the commencement of works on the Subject Site, the CEMP should clearly document measures to demonstrate how the following requirements are to be achieved during the construction phase of the development:

- a) there is no pollution of waters (including surface and groundwater);
- b) the promotion of integrated water cycle management that optimises opportunities for sustainable water supply, wastewater and stormwater management and reuse initiatives where it is safe and practicable to do so; and
- c) bunding is designed in accordance with the EPA's *Bunding and Spill Management Guidelines*.

The plan should also include a *Soil and Water Management Plan* developed and implemented prior to construction in accordance with the *Managing Urban Stormwater: Soils and Construction*, vol.1(Landcom 2004) and vol.2(A. Installation of services; B Waste landfills; C. Unsealed roads; D. Main Roads; E. Mines and quarries) (DECC 2008).

Waste Management Plan

B17.

- a) Prior to the commencement of works on the Subject Site, a Construction Waste Management Plan that addresses those works must be prepared by a suitably qualified person and be submitted to the Certifying Authority. The Plan shall address, but not be limited to, the following matters:
 - i) Any waste generated during demolition and construction including contaminated soil and associated waste materials needs to be classified in accordance with the EPA's *Waste Classification Guidelines* and managed in accordance with that classification;
 - ii) Waste stored or removed on site must comply with EPA legislation and guidelines;
 - iii) Any waste being removed from the site can only be transported to a site that can lawfully receive that type of waste and shall comply with the EPA legislation and guidelines on waste removal;
 - iv) Recycling of demolition materials including concrete;
 - v) 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;
 - vi) Develop and document appropriate management measures as part of the CEMP to protect human health and the environment;
 - vii) Detail the proposed methodology for handling, removing and disposing of any asbestos contaminated material generated by the demolition and excavation stages of the development;
 - viii) The storage, disposal and transport of asbestos waste must be undertaken in accordance with the *Protection of the Environment Operations (Waste) Regulation 2005*;
 - ix) Submit a Plan showing estimates of waste generation during demolition and construction, as well as details on how these wastes will be sorted, stored and removed for recycling and/or disposal in consultation with the EPA *Waste Not Development Control Plan (DCP) Guideline* (EPA 2008); and
 - x) Consultation with NSW Health and Workcover in regards to the above requirements.
- 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 Certifying Authority prior to the removal of any hazardous materials.
- c) The applicant shall submit a copy of the final plan to the Department and to the Council, prior to commencement of the work covered by the Plan.
- d) Waste Management Strategies to be developed in consultation with the following guidelines:
 - i) The *Better Practice for Public Place Recycling* (DEC 2005). This guideline can be accessed at: <http://www.epa.nsw.gov.au/warr/publicrecycling.htm>
 - ii) The *Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities* (EPA, December 2012). This guide can be accessed at: <http://www.epa.nsw.gov.au/warr/BPGuideCIFacilities.htm>.
- e) The applicant must notify the Roads and Maritime Services' 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.

Traffic and Pedestrian Management Plan

- B18. Prior to the commencement of works on the Subject Site, the applicant shall prepare and submit a Traffic and Pedestrian Management Plan (TPMP):
- a) a Traffic and Pedestrian Management Plan prepared by a suitably person shall be submitted to the Certifying Authority. The Plan must be prepared in consultation with the Council.
 - 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.

Noise and Vibration Management Plan

- B19. The applicant shall prepare and implement Noise and Vibration Management Plan in accordance with the *Interim Construction Noise Guideline* (ICNG) (DECC 2009) for the construction of the hospital facilities and associated works and these plans must:
- a) be prepared by a suitably qualified expert;
 - b) be prepared in accordance with Council and EPA guidelines;
 - c) describe the measures that would be implemented to ensure:
 - i. best management practice is being employed;
 - ii. compliance with the relevant conditions of this approval;
 - d) describe the proposed noise and vibration management measures, monitoring programs and mitigation measures in detail;
 - e) include strategies that have been developed, including all noise sensitive receivers where noise levels exceed the noise management level, for managing high noise generating works;
 - f) evaluates and reports on the effectiveness of the noise and vibration management measures;
 - g) include a complaints management system that would be implemented for the duration of the project; and
 - h) details of the validation of the noise criteria undertaken to the satisfaction of the Certifying Authority prior to commencement of use.

Utility Services

- B20. 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 building structure.
- B21. Prior to the commencement of above ground 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 provisions of adequate services.
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PART C DURING CONSTRUCTION

Hours of Work

- C1. The hours of construction, including the delivery of materials to and from the Subject Site, shall be restricted as follows:
- a) between 7 am and 6 pm, Mondays to Fridays inclusive;
 - b) between 8 am and 4 pm, Saturdays;
 - c) no work on Sundays and public holidays;
 - d) works may be undertaken outside these hours where:
 - i) the delivery of materials is required outside these hours by the Police or other authorities;
 - ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
 - iii) variation is approved in advance in writing by the Secretary or his nominee.
- C2. The applicant shall schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved by the Secretary:
- a) 9 am to 12 pm, Monday to Friday;
 - b) 2 pm to 5 pm Monday to Friday; and
 - c) 9 am to 12 pm, Saturday.

Erosion and Sediment Control

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

Disposal of Seepage and Stormwater

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

Approved Plans to be On-site

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

Site Notice

- C6. A site notice(s) shall be prominently displayed at the boundaries of the Subject Site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer.
- C7. The site notice(s) is to satisfy all but not be limited to, the following requirements:
- a) minimum dimensions of the notice are to measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30 point type size;
 - b) the notice is to be durable and weatherproof and is to be displayed throughout the works period;

- c) the approved hours of work, the name of the site/ project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/ noise complaint are to be displayed on the site notice; and
- d) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the Subject Site is not permitted.

Protection of Trees

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

Construction Noise Management

- C11. 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.
- C12. 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), 5 dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise management levels.
- C13. 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.
- C14. 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*.

Vibration Criteria

- C15. 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;
 - b) for human exposure to vibration, the evaluation criteria set out in the Environmental Noise Management Assessing Vibration: a Technical Guideline (Department of Environment and Conservation, 2006); and
 - 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.

These limits apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved by the Secretary.

Work Cover Requirements

- C16. 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

- C17. The following hoarding requirements shall be complied with:
- a) no third party advertising is permitted to be displayed on the subject hoarding/ fencing; and
 - 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.

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

- C18. If any archaeological relics are uncovered during the course of the work, then all works shall cease immediately in that area and the OEH Heritage Branch contacted. Depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the *NSW Heritage Act 1977* may be required before further works can continue in that area.

Discovery of Aboriginal Heritage

- C19. In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). a suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The applicant must consult with the Aboriginal community representatives, the archaeologists and OEH to develop and implement management strategies for all projects/sites.
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PART D PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Mechanical Ventilation

- D1. Following completion, installation and testing of all the mechanical ventilation systems, the applicant shall provide evidence to the satisfaction of the Certifying Authority, prior to the final occupation of the new hospital 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

- D2. The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development is to be met in full by the applicant prior to the final occupation of the new hospital building.

Post-construction Dilapidation Report

- D3. Prior to final occupation of the new hospital 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 is to ascertain whether the construction works created any structural damage to adjoining hospital buildings, infrastructure and roads.
 - b) The report is to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining hospital buildings, infrastructure and roads, the Certifying Authority must:
 - i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and
 - ii) have written confirmation from the relevant authority 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

- D4. Prior to the final occupation of the new hospital 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. The Fire Safety Certificate must be prominently displayed in the building.

Structural Inspection Certificate

- D5. A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to the occupation of the relevant parts of the new hospital 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.

Signage

- D6. Additional way-finding signage and signage identifying public car parks for patients and visitors shall be installed prior to final occupation of the new hospital building.

PART E POST OCCUPATION

Sustainable Travel Plan and Travel Access Guide

- E1 Within 12 months of the final occupation of the new hospital building the subject of this consent, a sustainable travel plan and travel access guide for Sutherland Hospital must be prepared and submitted to the Department for approval.

The plan must identify measures to promote a reduction in the private vehicle mode share of journeys to work, including incentives to promote car pooling and measures to facilitate an increased use of public transport and active transport modes (i.e. walking and cycling), and timing for the implementation of the measures identified.

Loading and Unloading

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

Unobstructed Driveways and Parking Areas

- E3 All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

Noise Control – Plant and Machinery

- E4 Noise associated with the operation of any plant, machinery or other equipment on the Subject Site, shall not exceed 5 dB(A) above the background noise level when measured at the boundary of the Subject Site.

Storage of Hazardous or Toxic Material

- E5 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 per cent of the volume of the largest tank plus the volume displaced by any additional tanks within the bunded area.

Public Way to be Unobstructed

- E6 The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.

External Lighting

- E7 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 a qualified practitioner demonstrating compliance in accordance with this condition.
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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 relevant authority 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*.

RMS Dedicated Splay

AN3 Roads and Maritime Services have previously resumed and dedicated a splay corner of land as road, at the intersection of Kingsway and Kareena Road frontage of the Subject Site. Therefore, all buildings and structures together with any improvements integral to the future use of the site are to be wholly within the freehold property unlimited in height or depth along the Kingsway boundary.

Use of Mobile Cranes

AN4 The applicant shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the following matters shall be complied with:

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

Responsibility for other consents / agreements

AN5 The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Temporary Structures

AN6

- 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

AN7 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

AN8

- 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

AN9 All excavation and demolition 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 Work Health and Safety Regulation 2011, the NSW Government and WorkCover document titled *How to Safely Remove Asbestos: Code of practice* and NOHSC: "Code of Practice for the Safe Removal of Asbestos" and the *Protection of the Environment Operations (Waste) Regulation 2005*.

AN10 Five days prior to the commencement of licensed asbestos removal, WorkCover and NSW Health must be formally notified of the works. All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone number and email address.

Site contamination issues during construction

AN11 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.