

Development consent

Section 4.38 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 Anthony Roberts MP
Minister for Planning

Sydney

11 September 2018

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

Application No.:	SSD 7974
Applicant:	The University of Sydney
Consent Authority:	Minister for Planning
Land:	The University of Sydney, Camperdown Campus (Part Lot 1 DP 1171804)
Development:	<p>Health Precinct Stage 1 Development, including:</p> <ul style="list-style-type: none">• site excavation and earthworks;• construction and use of a nine level education building (including a plant level);• landscaping works;• building identification signage; and• utilities and infrastructure connection works.

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SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD-7974-Mod-1	13 March 2019	Director	Modified landscaping, including tree removal, and construction access.
SSD-7974-Mod-2	6 May 2020	Director	Modification to extend construction hours and conditions to manage extended construction hours.
SSD-7974-Mod-3	8 April 2024	Team Leader	Minor design changes.
SSD-7974-Mod-4	7 April 2025	Team Leader	Minor changes to design and timing of delivery of access easement and management plan for loading dock

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DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	The University of Sydney, or any person carrying out any development to which this consent applies.
Application	The development application and the accompanying drawings plans and documentation described in Condition A2.
BCA	Building Code of Australia
Certification of Crown Building works	Certification under s109R of the <i>EP&A Act 1979</i>
Certifying Authority	Professionals that are accredited by the Building Professionals Board to issue construction, occupation, subdivision, strata, compliance and complying development certificates under the <i>EP&A Act</i> , <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.
Conditions of this consent	The conditions contained in Schedule 2 of this document.
Construction	All physical work to enable operation, including but not limited to demolition of buildings or works, the carrying out of works, including bulk earthworks, and erection of buildings and other infrastructure.
Council	City of Sydney Council
Day time	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Department	The Department of Planning and Environment
Development	The development described in the EIS and Response to Submissions, including the works and activities comprising construction and operation of the education building, as modified by the conditions of this consent.
Environmental Impact Statement (EIS)	The Environmental Impact Statement titled <i>Susan Wakil AO Health Building Health Precinct Stage 1 The University of Sydney Environmental Impact Statement</i> prepared by Urbis, dated September 2017, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application.
EPA	Environment Protection Authority
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Evening	The period from 6 pm to 10 pm
Incident	An occurrence or set of circumstances that causes, or threatens to cause, significant harm to the environment, community or any member of the community, being actual or potential harm to the health or safety of human beings or to threatened species, endangered ecological communities or ecosystems that is not trivial.
Internal works	Includes the following works and the like: <ul style="list-style-type: none">• ceilings and partitions (including doors).• painting, tiling and floor finishes.• balustrades, blinds, fire curtains, operable walls.• service fit-off.• wayfinding installation.
Material harm	Is harm that: <ul style="list-style-type: none">(a) involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or(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).
Minister	Minister for Planning, or nominee
NCC	National Construction Code

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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
OEH	Office of Environment and Heritage, or its successor
Operation	The carrying out of the approved purpose of the development upon completion of construction.
Planning Secretary	Planning Secretary under the EP&A Act, or nominee.
Planning Secretary's approval, agreement or satisfaction	A written approval from the Planning Secretary (or nominee/delegate). Where the Planning Secretary's approval, agreement or satisfaction is required under a condition of this consent, the Planning Secretary will endeavour to provide a response within one month of receiving an approval, agreement or satisfaction request. The Planning 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.
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
Response to Submissions (RtS)	Response to Submissions titled <i>SSD 16_7974: Susan Wakil AO Health Building Precinct Stage 1 University of Sydney Response to Submissions</i> prepared by The University of Sydney dated 12 February 2018.
RtS Supplementary Information	Additional information submitted by The University of Sydney dated 5 April 2018.
RMS	Roads and Maritime Services, or its successor
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
Site logistics	Includes the following works and the like: <ul style="list-style-type: none"> • deliveries to support internal works and soft landscaping. • forklift to unload materials. • traffic control to manage internal works and soft landscaping.
Soft landscaping	Includes the following works and the like: <ul style="list-style-type: none"> • placing paving and irrigation. • planting and associated minor works.
Subject Site	The University of Sydney, Camperdown Campus (Part Lot 1 DP 1171804), bounded to the north by the University Oval, the east by Western Avenue, the south by the Bosch buildings and the west by Lambie Dew Drive.
TfNSW	Transport for NSW
Zone of Influence	The horizontal distance from the edge of the excavation site or any construction zone (including on-site haulage routes) to twice the maximum excavation depth.

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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:

- in compliance with the conditions of this consent;
- in accordance with all written directions of the Planning Secretary;
- generally in accordance with the EIS as amended by the RtS and RtS Supplementary Information;
- generally in accordance with the Section 4.55(1A) Modification Application (MOD 1) Addendum and Section 4.55(1A) Modification Application (MOD 2) and Section 4.55(1A) Modification (SSD-7974 MOD 3) as revised by Submissions Report Susan Wakil Health Building – MOD3 SSD-7974; and
- in accordance with the approved plans in the table below:

Architectural drawings and plans prepared by <i>Billard Leece Partnership</i>			
Drawing No.	Issue	Name of Plan	Date
DA18-0401	5	GENERAL ARRANGEMENT PLAN – LEVEL 4	23/03/2018
DA18-0501	5	GENERAL ARRANGEMENT PLAN – LEVEL 5	23/03/2018
DA18-0601	5	GENERAL ARRANGEMENT PLAN – LEVEL 6	23/03/2018
DA18-0701	5	GENERAL ARRANGEMENT PLAN – LEVEL 7	23/03/2018
DA18-0801	8	GENERAL ARRANGEMENT PLAN – LEVEL 8	23/03/2018
DA18-0901	8	GENERAL ARRANGEMENT PLAN – ROOF LEVEL	23/03/2018
DA18-1001	5	GENERAL ARRANGEMENT PLAN – UNDERCROFT	23/03/2018
DA85-0001	2	EXTERNAL FINISHES	14/07/2017
DA85-0002	3	INTERNAL FINISHES	28/08/2017
Architectural drawings and plans prepared by <i>Denton Corker Marshall</i>			
Drawing No.	Issue	Name of Plan	Date
A05_5000	1	SITE PLAN	2/02/2024
A05_5001	1	FLOOR PLAN – LEVEL 0 – ZONE 1	14/01/2025
A05_5002	1	FLOOR PLAN – LEVEL 0 – ZONE 2	2/02/2024
A05_5011	2	FLOOR PLAN – LEVEL 1	2/02/2024
A05_5021	2	FLOOR PLAN – LEVEL 2	2/02/2024
A05_5031	2	FLOOR PLAN – LEVEL 3	2/02/2024
A05_6101	18	ELEVATIONS – NORTH & SOUTH	2/02/2024
A05_6102	17	ELEVATIONS – EAST & WEST	2/02/2024
A05_6201	3	SECTIONS	2/02/2024

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Landscape drawings prepared by <i>Arcadia</i>			
Drawing No.	Issue	Name of Plan	Date
400	L	LANDSCAPE MASTERPLAN	JAN 2019
401	K	LANDSCAPE PLAN	JAN 2018
402	L	LANDSCAPE PLAN	JAN 2019
403	K	LANDSCAPE PLAN	JAN 2018
404	K	LANDSCAPE PLAN	JAN 2018
405	K	LANDSCAPE PLAN	JAN 2019
406	K	LANDSCAPE PLAN	JAN 2018
PAGE 20	K	3.7 DESIGN RESPONSE_SOIL DEPTH DIAGRAM	JAN 2018
PAGE 2	M	5.1 PLANTING DESIGN_VEGETATION MANAGEMENT PLAN	JAN 2019
PAGE 47	L	5.5 PLANTING DESIGN_PLANTING SCHEDULE	JAN 2019
PAGE 48	K	5.6 PLANTING DESIGN_SYDNEY TURPENTINE-IRONBARK FOREST PLANTING SCHEDULE	JAN 2018
PAGE 50	K	6.1 LANDSCAPE_DETAILS	JAN 2018
PAGE 51	K	6.1 LANDSCAPE_DETAILS	JAN 2018
PAGE 52	K	6.2 LANDSCAPE_SPECIFICATION	JAN 2018
Landscape drawings prepared by <i>Denton Corker Marshall</i>			
Drawing No.	Issue	Name of Plan	Date
404	-	LANDSCAPE PLAN	02/02/2024
405	-	LANDSCAPE PLAN	02/02/2024

- 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; 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 directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Inconsistency between documents

- A5. 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.

Design Quality Excellence

- A6. In order to ensure the design quality excellence of the development is retained:
- the design architect (Billard Leece Partnership) is to have direct involvement in the design documentation, contract documentation and construction stages of the project;

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- b) the design architect is to have full access to the site and is to be authorised by the Applicant to respond directly to the consent authority where information or clarification is required in the resolution of the design issues throughout the life of the project; and
 - c) evidence of the design architect's commission is to be provided to the Planning Secretary prior to certification of any building works, except for site preparatory works.
- A7. The design architect for the project must not change without prior approval of the Planning Secretary.
- A8. Any design changes must be referred to the Design Excellence Review Panel.
- A9. The final details regarding the sun shading / façade screen element must be submitted to Design Excellence Review Panel for endorsement.
- A10. The final details regarding building identification signage must be submitted to Design Excellence Review Panel for endorsement.

Evidence of consultation

- A11. Where conditions of this consent require consultation with an identified party, the Applicant must:
- a) consult with the relevant party prior to submitting the subject document for approval; and
 - b) provide details of the consultation undertaken including:
 - i) a description of how matters raised by those consulted have been resolved to the satisfaction of both the Applicant and the party consulted; and
 - ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

Lapsing of approval

- A12. This consent will lapse five years from the date of consent unless the works associated with the development have physically commenced.

Limits of approval

- A13. No consent is granted for an emergency back-up generator.

Prescribed Conditions

- A14. The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.

Planning Secretary as Moderator

- A15. 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 shall be binding on the parties.

Long Service Levy

- A16. For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 441.

Legal Notices

- A17. Any advice or notice to the consent authority shall be served on the Planning Secretary.

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Review of Strategies, Plans and Programs

A18. Within three months of:

- a) the submission of a compliance report under conditions of this consent;
- b) the submission of an incident report under conditions of this consent;
- c) the submission of an Independent Environmental Audit under conditions of this consent;
- d) the approval of any modification to the conditions of this consent; or
- e) the issue of a direction of the Planning Secretary under condition A3,

the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.

A19. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised and submitted:

- a) to the Planning Secretary's satisfaction if previously approved by the Planning Secretary; or
- b) to the Planning Secretary for information.

Where revisions are required, the revised document must be submitted to the Planning Secretary within six weeks of the review.

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

Incident Notification, Reporting and Response

A20. The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.

A21.

- a) A written incident notification must also be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant forms the view that an incident has not occurred.
- b) Written notification of an incident must:
 - i) identify the development and application number;
 - ii) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - iii) identify how the incident was detected;
 - iv) identify when the Applicant became aware of the incident;
 - v) identify any actual or potential non-compliance with conditions of consent;
 - vi) describe what immediate steps were taken in relation to the incident;
 - vii) identify further action(s) that will be taken in relation to the incident; and
 - viii) identify a project contact for further communication regarding the incident.

A22.

- a) 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

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a detailed report on the incident addressing all requirements for such reporting set out in A15(b), and such further reports as may be requested.

- b) The Incident Report must include:
- i) a summary of the incident;
 - ii) outcomes of an incident investigation, including identification of the cause/s of the incident;
 - iii) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - iv) details of any communication with other stakeholders regarding the incident.

Non-compliance Notification and Reporting

A23. The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.

Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

A24. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

Monitoring and Environmental Audits

A25. 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 and independent environmental 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.

Applicability of Guidelines

A26. 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.

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

PART B PRIOR TO COMMENCEMENT OF WORKS

Notice of Commencement of Works

- B1. The Department, Certifying Authority and Council must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.

If the construction or operation of the development is to be staged, the Department, Certifying Authority and Council 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 Plans

- B2. 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 must include details as required by any of the following conditions.

Design Modification – Landscape

- B3. Prior to the commencement of internal fit-out works, details demonstrating that the planters on the podium have been redesigned to address the following must be submitted to the satisfaction of the Certifying Authority:
- a) sufficient depth for a below ground anchoring system (Platypus or similar) to stabilise the trees at installation and to maturity; and
 - b) a minimum substrate depth of 1200 mm.

Reflectivity

- B4. The building materials used on the facades of the structure must have a maximum normal specular reflectivity of visible light of 20 per cent and must 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 any façade works.

Access for People with Disabilities

- B5. 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 Building Code of Australia (BCA). 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.

Bicycle Parking and End-of-Trip Facilities

- B6. Plans demonstrating compliance with the following requirements for bicycle parking shall be submitted to the satisfaction of the Certifying Authority:
- a) the provision of a minimum of 245 bicycle parking spaces;
 - b) the layout, design and security of bicycle facilities shall comply with the all applicable minimum requirements of AS 2890.3:2015 *Parking facilities – Bicycle parking*, and be located in secure, convenient and accessible areas close to the main entries and incorporating adequate lighting and opportunities for passive surveillance; and
 - c) the provision of end-of-trip facilities for staff including shower, changeroom and lockers.

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Public Art

- B7. A precinct-wide public art plan identifying how public art would be integrated into the development in accordance with the University of Sydney's *draft Art in Public Spaces Strategy* and *Wingara Mura-Bunga Barrabugu Strategy*, are to be provided to the Design Excellence Review Panel prior to the commencement of internal fit-out works. The Applicant must submit a copy of the precinct-wide public art plan and endorsement by the Design Excellence Review Panel to the Department prior to commencement of internal fit-out works.

Heritage Interpretation Plan

- B8. A **Heritage Interpretation Plan** with implementation details and designs, based on the *Heritage Interpretation Strategy Blackburn Building University of Sydney*, dated 31 August 2017 prepared by Urbis is to be approved by OEH Heritage Division and submitted to the Certifying Authority prior to the commencement of internal fit-out works.

Erosion and Sedimentation Control

- B9. Soil erosion and sediment control measures must be designed in accordance with the document *Managing Urban Stormwater – Soils & Construction Volume 1* (Landcom, 2004). Details are to be submitted to the satisfaction of the Certifying Authority prior to the commencement of any works.

Pre-Construction Dilapidation Reports

- B10. 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'. Any entry into private land is subject to the consent of the owner(s) and any inspection of buildings on privately affected land must include details of the whole building where only part of the building falls within the 'zone of influence'. The report must 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 Council.

In the event that access for undertaking a **Pre-Construction Dilapidation Report** is denied by an adjoining owner, the applicant must demonstrate, in writing, to the satisfaction of the Planning Secretary that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the report and that these steps have failed.

Car Parking and Service Vehicle Layout

- B11. Plans demonstrating compliance with the following traffic and parking requirements must 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 from Western Avenue;
 - b) all construction vehicles (excluding worker vehicles) are to be contained wholly within the site or designated work zone and vehicles must enter the site and/or work zone before stopping;
 - c) all works/ regulatory signposting associated with the proposed development must be at no cost to the relevant roads authority; and
 - d) 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, must be in accordance with AUSTROADS. In this regard, a plan must be submitted to the certifying authority for approval, which shows that the proposed development complies with this requirement.

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Structural Details

- B12. Prior to the commencement of works, the Applicant must submit for the approval 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) this development consent.

Noise Management Measures

- B13. Prior to commencement of works, the Applicant must incorporate the noise mitigation recommendations in the *Susan Wakil AO Health Building SEARS Noise and Vibration Assessment* prepared by Resonate, dated 31 January 2018, in the detailed design drawings and submit to the Department documentation demonstrating that the noise impacts have been adequately mitigated to not exceed the project specific criteria identified in the report.

Mechanical Ventilation

- B14. All mechanical ventilation systems must be designed in accordance with Part F4.5 of the BCA and must comply with the AS 1668.2-2012 *The use of ventilation and air-conditioning in buildings – Ventilation design for indoor air containment control* and AS 3666.2:2011 *Air-handling and water systems of buildings* to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details must be submitted for the approval of the Certifying Authority prior to the commencement of above ground works.

Warm Water Systems and Cooling Systems

- B15. The installation, 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 Parts 1 and 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.

Storage and Handling of Waste

- B16. The building plans and specifications must demonstrate, for the approval of the Certifying Authority, that an appropriate area will be provided within the premises for the storage of garbage bins, recycling containers and all waste and recyclable material generated by the premises. Requirements of these storage areas must:
- a) ensure 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; and
 - c) include provision for separate storage and collection of organic/food waste.

Stormwater and Drainage Works Design

- B17. Final design plans of the stormwater drainage systems, prepared by a qualified practicing professional, must be submitted to the Certifying Authority prior to the commencement of any above ground works. The hydrology and hydraulic calculations must be based on models described in the current edition of Australian Rainfall and Runoff. The plans must:
- a) show the proposed method of collection and disposal of stormwater;

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- b) be based on a stormwater quality assessment undertaken using modelling from an industry-standard water quality model (e.g. MUSIC Model or equivalent) and must incorporate water sensitive urban design and other drainage measures to ensure that the development would achieve the following reductions in the post-development pollutant loads from the baseline annual pollutant load:
 - i) 90 per cent for litter and vegetation larger than 5 mm;
 - ii) 85 per cent for total suspended solids;
 - iii) 65 per cent for total phosphorous;
 - iv) 45 per cent for total nitrogen; and
- c) submitted to and be approved by the relevant authority and a copy of the approval must be provided to the Certifying Authority.

Road Design

- B18. Prior to the commencement of above ground works, a Road Safety Audit (RSA) for access arrangements to the site from Western Avenue should be undertaken by a TfNSW accredited road safety auditor. The detailed design drawings must be revised to address the results of the RSA and rectify any safety issues.
- B19. Kerb and gutter, stormwater drainage, full road width pavement including traffic facilities (vehicle crossings, if applicable) and paved footpaths must be constructed along the area where road works are to be undertaken. In relation to public roads or classified road (as defined under the Roads Act 1993), all roads and traffic facilities must be designed to meet the requirements of Council and RMS (if applicable) and obtain the necessary permits and approvals from the relevant road authority, prior to the commencement of road or pavement construction works.

Construction Environmental Management Plan

- B20.
 - a) Prior to the commencement of construction works, a **Construction Environmental Management Plan (CEMP)** must be submitted for the approval of the Certifying Authority. The CEMP must 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 TfNSW;
 - iv) construction noise and vibration management, prepared by a suitable qualified person;
 - v) management of dust and odour to protect the amenity of the neighbourhood;
 - vi) erosion and sediment control;
 - vii) stormwater control and discharge;
 - viii) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site;
 - ix) procedures for encountering groundwater during construction works;
 - x) external lighting in compliance with AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting;
 - xi) a protocol detailing appropriate procedures for identifying and dealing with unexpected finds of site contamination (including asbestos containing materials, Polychlorinated biphenyls (PCBs) and lead-based paint);
 - xii) a protocol detailing appropriate procedures for identifying and dealing with unexpected finds of archaeological heritage;
 - xiii) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site; and
 - xiv) waste storage, recycling and litter control;

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- b) The CEMP must not include works that have not been explicitly approved in this development consent. In the event of any inconsistency between the consent and the CEMP, the consent must prevail; and
- c) The Applicant must submit a copy of the CEMP to the Department and Council prior to commencement of work.

B21. The CEMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Construction Noise and Vibration Management Plan

B22.

- a) Prior to the commencement of works, a **Construction Noise and Vibration Management Plan** (CNVMP) must be submitted for the approval of the Certifying Authority. The CNVMP must address, but not be limited to, the following matters where relevant:
 - i) be prepared by a suitably qualified expert;
 - ii) be prepared in consultation with Royal Prince Alfred Hospital, adjoining residential colleges and all noise sensitive receivers where noise levels exceed the construction noise management level, in accordance with EPA guidelines;
 - iii) describe the measures that would be implemented to ensure:
 - i. best management practice is being employed;
 - ii. compliance with the relevant conditions of this consent;
 - iv) describe the proposed noise and vibration management measures in detail;
 - v) include strategies that have been developed to address impacts to noise sensitive receivers where noise levels exceed the construction noise management level, for managing high noise generating works;
 - vi) describe the consultation undertaken to develop the strategies in v) above;
 - vii) evaluates and reports on the effectiveness of the noise and vibration management measures; and
 - viii) include a complaints management system that would be implemented for the duration of the construction works.
- b) The Applicant must submit a copy of the CNVMP to the Department and Council prior to commencement of work.
- c) **The Applicant must update the CNVMP to detail the noise management levels and incorporate the recommendations outlined in the letter regarding Susan Wakil Health Building Construction Noise and Vibration Assessment - Out of Hours Works, prepared by Resonate, dated 23 March 2020, and submit a copy to the Department, Certifying Authority and Council prior to commencement of construction hours approved under Section 4.55(1A) Modification Application (MOD 2).**

B23. The CNVMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Construction Waste Management Plan

B24.

- a) Prior to the commencement of works, a **Construction Waste Management Plan** (CWMP) must be submitted for the approval of the Certifying Authority. The CWMP must address, but not be limited to, the following matters where relevant:
 - i) recycling of demolition materials including concrete; and
 - 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

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- containment and control of emission of fibres to the air, are to be submitted for the approval of the Certifying Authority prior to the removal of any hazardous materials;
- c) The Applicant must notify the RMS Traffic Management Centre 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; and
 - d) The Applicant must submit a copy of the plan to the Department and to the Council prior to the commencement of work.

B25. The CWMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Construction Traffic and Pedestrian Management Plan

B26.

- a) Prior to the commencement of construction works, a **Construction Traffic and Pedestrian Management Plan** (CTPMP) must be prepared by a suitably qualified expert in consultation with RMS and TfNSW (Sydney Coordination Office), and submitted for the approval of the Certifying Authority. The CTPMP must address, but not be limited to, the following matters where relevant:
 - i) location of proposed work zones;
 - ii) haulage routes;
 - iii) construction vehicle access arrangements, primarily as a Left-in and Left-out (LILLO) arrangement from Western Avenue/[Parramatta Road](#);
 - iv) construction hours;
 - v) construction program;
 - vi) predicted construction traffic volumes and vehicle movements, types and routes including any known road closures and consideration of alternate routes;
 - vii) details of construction vehicle movements including parking, dedicated vehicle turning areas and ingress and egress points;
 - viii) loading and unloading;
 - ix) details of management measures to minimise traffic impacts, including temporary road works and/or implementation of traffic control measures;
 - x) pedestrian and traffic management methods;
 - xi) any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the works;
 - xii) consideration of the cumulative construction traffic impacts of surrounding projects under construction, including those within the University of Sydney precinct. Existing CTPMPs for developments within or around the Subject Site should be referenced in the CTPMP to ensure that the coordination of work activities are managed to minimise impacts on the surrounding road network; and
 - xiii) should impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts.
- b) The Applicant must submit a copy of the CTPMP to the Planning Secretary and City of Sydney Council, prior to the commencement of works.

B27. The CTPMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Aboriginal Cultural Heritage Management Plan

B28. An **Aboriginal Cultural Heritage Management Plan** (ACHMP) is to be prepared in consultation with the Aboriginal stakeholders and submitted to and approved by the Planning Secretary prior to the commencement of works. The ACHMP must address, but not be limited to, the following matters:

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- a) sub-surface investigation three metres below current surface level to allow further characterisation and identify the potential for any cultural deposits;
 - b) procedures to ensure all works are to immediately cease if unexpected archaeological artefacts are found on-site during any stage of the works and appropriate procedures for notification and recommencing works;
 - c) all works and reports required under the ACHMP for any particular potential or archaeological site must be completed in accordance with the ACHMP prior to any other works at that site;
 - d) triggers to identify situations where mechanical salvage excavations cease and manual salvage is commenced;
 - e) protocols for any salvage required for the project and also for the long term management of any areas of cultural or archaeological significance;
 - f) a requirement for any salvage works to be carried out under supervision of a qualified archaeologist and representatives of the Registered Aboriginal Parties (RAPs) for the project; and
 - g) a requirement for preparation of a final report outlining the results of any salvage work undertaken, which must be prepared in consultation with the project RAPs and should include all comments provided by the project RAPs regarding the salvage process and any long term management of Aboriginal objects.
- B29. The final report where required by condition B28(g) outlining the results of all salvage work undertaken must be submitted to the Planning Secretary for approval prior to the commencement of earthworks.

Complaints and Enquiries Procedure

- B30. Prior to the commencement of construction works, or as otherwise agreed by the Planning Secretary, the following must be made available for community enquiries and complaints for the duration of construction:
- a) a toll-free 24 hour telephone number(s) on which complaints and enquiries about the carrying out of any works may be registered;
 - b) a postal address to which written complaints and enquires may be sent; and
 - c) an email address to which electronic complaints and enquiries may be transmitted.
- B31. A **Complaints Management System** must be prepared prior to the commencement of any construction works and be implemented and maintained for the duration of these works.

The **Complaints Management System** must include a **Complaints Register** to be maintained recording information on all complaints received about the development during the carrying out of any works associated with the development. The **Complaints Register** must record the:

- a) number of complaints received;
- b) number of people affected in relation to a complaint; and
- c) nature of the complaint and means by which the complaint was addressed and whether resolution was reached, with or without mediation.

The **Complaints Register** must be provided to the Planning Secretary upon request, within the timeframe stated in the request.

Utility Services

- B32. Prior to the commencement of construction work the Applicant is to negotiate (where necessary) with the utility authorities (e.g. Ausgrid and telecommunication carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the building structure.

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- B33. 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.

External Walls and Cladding

- B34. The external walls of all buildings, including additions to existing buildings, must comply with the relevant requirements of the NCC. Prior to commencement of works, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the requirements of the NCC.

The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.

Compliance Reporting

- B35. A Pre-Construction Compliance Report must be prepared for the development, and submitted to the Certifying Authority for approval before the commencement of construction works. A copy of the endorsed compliance report must be provided to the Department at compliance@planning.nsw.gov.au before the commencement of construction works.
- B36. The Pre-Construction Compliance Report must include:
- a) details of how the terms of this consent that must be addressed before the commencement of construction have been complied with; and
 - b) the expected commencement date for construction.

Independent Environmental Audit

- B37. No later than one month before the commencement of construction works or within another timeframe agreed with the Planning Secretary, a program of independent environmental audits must be prepared for the development in accordance with the latest version of *AS/NZS ISO 19011-2014: Guidelines for Auditing Management Systems* (Standards Australia, 2014) and submitted to the Planning Secretary for information.

The scope of each audit must be defined in the program. The program must ensure that environmental performance of the development in relation to each compliance requirement that forms the audit scope is assessed at least once in each audit cycle.

The environmental audit program prepared and submitted to the Planning Secretary must be implemented and complied with for the duration of the development.

- B38. All independent environmental audits of the development must be conducted by a suitably qualified, experienced and independent team of experts and be documented in an audit report which:
- a) assesses the environmental performance of the development, and its effects on the surrounding environment including the community;
 - b) assesses whether the development is complying with the terms of this consent;
 - c) reviews the adequacy of any document required under this consent; and
 - d) recommends measures or actions to improve the environmental performance of the development, and improvements to any document required under this consent.

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- B39. Within three months of commencing an Independent Environmental Audit, or within another timeframe agreed by the Planning Secretary, a copy of the audit report must be submitted to the Planning Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary.

Easements

B40. **deleted**

Loading and Servicing Plan

B41. **deleted**

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PART C DURING CONSTRUCTION

Approved Plans to be On-site

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

Construction Hours

- C2.
- a) Construction may only be carried out between the following hours:
 - i) between 7 am and 6 pm, Mondays to Fridays inclusive, **including delivery of materials to and from the site;**
 - ii) **between 6 pm and 10 pm, Mondays to Fridays inclusive for internal works**
 - iii) **between 6 pm and 8 pm, Mondays to Fridays inclusive for site logistics.**
 - iv) between 7.30 am and 3.30 pm, Saturdays, **including delivery of materials to and from the site;**
 - v) **between 7 am and 7.30 am Saturdays for soft landscaping, internal works and site logistics;**
 - vi) **between 3:30 pm and 10 pm, Saturdays for internal works;**
 - vii) **between 3:30 pm and 8 pm, Saturdays for site logistics;**
 - viii) **between 8 am and 8 pm, Sundays for internal works.**
 - b) No work may be carried out on Sundays or public holidays **(except as provided by condition C2(a)(vi)).**
 - ix)
 - c) No work may be carried out on Sundays or public holidays.
 - d) Activities may be undertaken outside of these hours:
 - i) if required by the Police or a public authority for the delivery of vehicles, plant or materials; or
 - ii) if required in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or
 - iii) works are inaudible at the nearest sensitive receivers; or
 - iv) if a variation is approved in advance in writing by the Planning Secretary or her nominee.
 - e) Notification of any activities undertaken pursuant to condition C2(c) must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- C3. Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:
- 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.

Construction Noise Management

- C4. The development must 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 must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the CNVMP required under condition B22. **In the event that any complaint is received regarding construction works undertaken within the extended hours of work undertaken in accordance with condition C2(a)(ii)(iii)(v)(vi)(vii) of (viii), works must cease operation and appropriate mitigation measures are to be identified**

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and a revised CNVMP prepared. The Department and complainant are to be informed of the measures that will be implemented to address the complaint and the revised CNVMP must be submitted to the Department, Certifying Authority and Council prior to those works recommencing.

- C5. If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the *Noise Policy for Industry*, 5 dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise management levels.
- C6. The Applicant must ensure construction vehicles do not arrive at the Subject Site or surrounding residential precincts outside of the construction hours of work outlined under condition C2.
- C7. The Applicant must schedule intra-day 'respite periods' for construction activities identified in the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009) as being particularly annoying or intrusive to noise sensitive receivers, including surrounding residents and nearby hospital buildings. These activities are to be carried out after 8 am only and over continuous periods not exceeding three hours (with at least a one hour respite every three hours).
- C8. 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 CNVMP required under condition B22.
- C9. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use of audible movement alarms of a type that would minimise noise impacts on surrounding noise sensitive receivers.
- C10. Any noise generated during construction of the development must not be offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* or exceed approved noise limits for the Subject Site.

Vibration Criteria

- C11. Vibration caused by the construction works 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 presented in British Standard *BS 6472 – Guide to Evaluate Human Exposure to Vibration in Buildings* (1 Hz 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; and
 - d) these limits apply unless otherwise outlined in the CNVMP required under condition B22 and submitted for the approval of the Certifying Authority.

Waste

- C12. All waste generated during construction must be assessed, classified and managed in accordance with the *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014).
- C13. The body of any vehicle or trailer used to transport waste or excavation spoil must be covered before leaving the premises to prevent any spillage or escape of any dust, waste or spoil. Mud, splatter, dust and other material likely to fall from or be cast off the wheels,

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underside or body of any vehicle, trailer or motorised plant leaving the site must be removed before leaving the premises.

- C14. The Applicant must ensure that concrete waste and rinse water are not disposed of on the Subject Site and are prevented from entering any natural or artificial watercourse.

Handling of Asbestos

- C15. The Applicant is to consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the *Protection of the Environment Operations (Waste) Regulation 2014* with particular reference to Part 7 – ‘Transportation and management of asbestos waste’ must also be complied with.

Unexpected Finds – Non-Aboriginal Heritage

- C16. If any unexpected archaeological deposits/relics are discovered during construction, then all works must cease immediately in that area and the OEH Heritage Division contacted in writing. Depending on the possible significance of the discovery, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of the OEH Heritage Division.

Tree Protection

- C17. Prior to commencement and for the duration of works, the tree protection measures outlined in the *Arboricultural Impact Assessment Tree Protection Specification*, prepared by treeIQ, dated 11 September 2017, are to be implemented and maintained.

Erosion and Sediment Control

- C18. 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

- C19. Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by the relevant approval authority where necessary.

Road Occupancy Licence

- C20. A Road Occupancy Licence must be obtained from the Transport Management Centre (RMS) for any works that impact on traffic flows on public roads or classified roads (as those terms are defined under the Roads Act 1993), during construction activities.

Unloading of Construction Materials

- C21. The loading and unloading of construction materials must not be carried out on Parramatta Road in order to ensure the continued and unimpeded operation of existing public transport services.

Site Notice

- C22.
- a) A site notice(s) must 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.
 - b) The site notice(s) is to satisfy all but not be limited to, the following requirements:

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- i) 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;
- 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.

Work Cover Requirements

C23. To protect the safety of work personnel and the public, the Subject Site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant Work Cover requirements.

No Obstruction of Public Way

C24. The public way, being land owned by Council or a Government agency (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 works on site.

Access to Information

C25. At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:

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

Note: This condition does not require any confidential information to be made available to the public.

Incident Reporting

C26. Immediately after the Applicant becomes aware of the occurrence of an incident that causes (or may cause) significant harm to the environment, the Applicant must notify

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the Planning Secretary and any other relevant agencies of the incident in accordance with condition A20.

- C27. Within seven days of the detection of the incident, the Applicant must provide the Planning Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested in accordance with condition A21.

Compliance Tracking and Reporting

- C28. The Applicant must provide regular (six monthly) reporting on any environmental performance required by the development consent for the development on its project website, in accordance with the reporting arrangements in any plans or other documents approved under the conditions of this consent.

Compliance – General

- C29. 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.

- C30. **Construction Compliance Reports** must be submitted to the Department at compliance@planning.nsw.gov.au for information every six months from the date of the commencement of construction, for the duration of construction. The Construction Compliance Reports must provide details on the compliance performance of the development for the preceding six months and must be submitted within one month following the end of each six month period for the duration of the construction of the development, or such other timeframe as required by the Planning Secretary.

- C31. The **Construction Compliance Reports** must include:

- a) a results summary and analysis of environmental monitoring;
- b) the number of any complaints received, including a summary of main areas of complaint, action taken, response given and proposed strategies for reducing the recurrence of such complaints;
- c) details of any review of the CEMP and associated sub-plans as a result of construction carried out during the reporting period;
- d) a register of any modifications undertaken and their status;
- e) results of any independent environmental audits and details of any actions taken in response to the recommendations of an audit;
- f) a summary of all incidents notified in accordance with this consent; and
- g) any other matter relating to compliance with the terms of this consent or as requested by the Planning Secretary.

Protection of Public Infrastructure

- C32. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
 - b) relocate, or pay the full costs associated with relocating, any infrastructure that needs to be relocated as a result of the development.

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PART D PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Heritage Interpretation

- D1. Prior to the occupation or commencement of use of the building, the Applicant must implement the **Heritage Interpretation Plan** to the satisfaction of the Certifying Authority.

Stormwater Quality Management Plan

- D2. A **Stormwater Quality Management Plan** (SQMP) is to be prepared to ensure proposed stormwater quality measures remain effective. The SQMP must contain the following:
- a) maintenance schedule of all stormwater quality treatment devices;
 - b) record and reporting details;
 - c) waste management and disposal;
 - d) relevant contact information;
 - e) renewal, decommissioning and replacement timelines and activities of all stormwater quality treatment devices; and
 - f) Work Health and Safety requirements.

Details demonstrating compliance are to be submitted for the approval of the Certifying Authority prior to occupation or commencement of use of the building.

Mechanical Ventilation

- D3. Following completion, installation and testing of all the mechanical ventilation systems, the Applicant must provide evidence for the approval of the Certifying Authority, prior to occupation or commencement of use of the building, that the installation and performance of the mechanical systems complies with:
- a) the BCA;
 - b) AS 1668.2-2012 *The use of airconditioning in buildings – Mechanical ventilation in buildings* and other relevant codes;
 - c) the development consent and any relevant modifications; and
 - d) any dispensation granted by the NSW Fire Brigade.

Road Damage

- D4. 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 occupation or commencement of use of the building.

Compliance Certificate

- D5. A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation and submitted to the Certifying Authority prior to occupation or commencement of use of the building. 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.

Post-construction Dilapidation Report

- D6. Prior to occupation or commencement of use of the building:
- a) The Applicant must engage a suitably qualified person to prepare a **Post-Construction Dilapidation Report** at the completion of the construction works. The report is to ascertain whether the construction works created any structural damage to adjoining buildings or infrastructure.

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- b) The report is to be submitted for the approval of the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifying Authority must:
 - i) compare the **Post-Construction Dilapidation Report** with the **Pre-Construction Dilapidation Report** required by these conditions; and
 - ii) where relevant, 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 must be submitted to Council.

Fire Safety Certification

- D7. Prior to occupation or commencement of use of the building and if required, 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.

Rainwater Harvesting

- D8. The Applicant must ensure that a rainwater reuse/harvesting system for the Development is developed for the site. A rainwater re-use plan is to be prepared and certified by an experienced hydraulic engineer. A signed works-as-executed Rainwater Re-use Plan is to be provided to the Certifying Authority prior to occupation or commencement of use of the building.

Structural Inspection Certificate

- D9. A **Structural Inspection Certificate** or a **Compliance Certificate** must be submitted for the approval of the Certifying Authority prior to occupation or commencement of use of the building. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the Planning Secretary and Council after:
- a) the site has been periodically inspected and the Certifier is satisfied that the structural works are deemed to comply with the final design drawings; and
 - b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

Signage

- D10. Wayfinding signage must be integrated at all entry and exit points and is to be installed prior to occupation or commencement of use of the building. The wayfinding signage strategy must be prepared in consultation with the Design Excellence Review Panel prior to installation.

Surveillance

- D11. CCTV and suitable lighting must be provided on the external perimeter of the building prior to occupation or commencement of use of the building.

Public Art

- D12. Public art is to be installed in accordance with condition B7 and the University of Sydney's *draft Art in Public Space Strategy* and *Wingara Mura-Bunga Barrabugu Strategy* and to the satisfaction of the Certifying Authority prior to occupation or commencement of use of the building.

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Outdoor Lighting

D13. All outdoor lighting within the site must comply with, where relevant, AS 1158.3.1:2005 *Pedestrian Area (Category P) Lighting* and AS 4282-1997 *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 occupation or commencement of use of the building.

Physical Model

D14. Prior to occupation or commencement of use of the building, an accurate 1:500 scale model of the development as constructed must also be submitted to Council for placement in the City Model at Town Hall House and the City Exhibition Space. The model is required to:

- a) be constructed in accordance with the Model Specifications available online at www.cityofsydney.nsw.gov.au/Development/DevelopmentApplicationGuide/PreparingandLodgingaDA.asp. Council's model maker must be consulted prior to construction of the model for Town Hall House. The Manager of Customs House must be consulted prior to the construction of the model for City Exhibition Space;
- b) comply with all of the conditions of the development consent; and
- c) be amended to reflect any further modifications to the approval that affect the external appearance of the building.

Submission of Electronic CAD Model

D15.

- a) Prior to occupation or commencement of use of the building, an accurate 1:1 electronic CAD model of the completed development must be submitted to Council for the electronic Visualisation City Model.
- b) The data required to be submitted within the surveyed location must include and identify:
 - i) building design above and below ground in accordance with the development consent;
 - ii) all underground services and utilities, underground structures and basements, known archaeological structures and artefacts; and
 - iii) a current two points on the site boundary clearly marked to show their Northing and Easting MGA (Map Grid of Australia) coordinates, which must be based on Established Marks registered in the Department of Lands and Property Information's SCIMS Database with a Horizontal Position Equal to or better than Class C.

The data is to be submitted as a DGN or DWG file on a Compact Disc. All modelling is to be referenced to the Map Grid of Australia (MGA) spatially located in the Initial Data Extraction file.

- c) The electronic model must be constructed in accordance with the City's 3D CAD electronic model specification. The specification is available online at <http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements>. Council's Modelling staff should be consulted prior to creation of the model. The data is to comply with all of the conditions of the development consent.

External Walls and Cladding

D16. The external walls of the building, including additions to existing buildings, must comply with the relevant requirements of the NCC. Prior to occupation or commencement of use of the building, the Applicant must provide the Certifying Authority with documented evidence that the products and systems used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC as built.

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The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.

FOR INFORMATION

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PART E POST OCCUPATION

Plant and Equipment

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

Noise Control – Operation

- E2. Noise associated with the operation of any plant, machinery or other equipment on the Subject Site, must not exceed must not exceed 5 dBA above rating background level (day, evening and night) at the western boundary of the site and must not generate noise that exhibits tonal, low frequency or other annoying characteristics.
- E3. The Applicant must undertake noise monitoring of mechanical plant and equipment, to collect valid data and provide a quantitative assessment of operational noise impacts following the occupation of the building.

The noise monitoring must be carried out by an appropriately qualified person and a monitoring report must be submitted to the Planning Secretary within three months of full occupation of the building to verify that operational noise levels comply with condition E2 and the project specific noise criteria identified in *Susan Wakil AO Health Building SEARS Noise and Vibration Assessment* prepared by Resonate, dated 31 January 2018.

- E4. Should the short-term noise monitoring required under condition E3 identify any exceedance of the recommended noise levels in condition E2 or project specific noise criteria, the Applicant must implement appropriate on-site noise attenuation measures to ensure operational noise levels do not exceed these levels and/or provide noise attenuation measures at the affected noise sensitive receivers.

The implementation of noise attenuation measures, either on-site or at the affected receiver(s), must be provided within three months of the completion of the short-term noise monitoring required under condition E3, or other appropriate time period as agreed by the Planning Secretary.

Loading and Unloading

- E5. All loading and unloading of service vehicles in connection with the use of the premises must be carried out within the designated loading and unloading areas at all times and only between 7:30 am and 6 pm Monday to Friday.
- E6. All vehicles accessing the loading dock are to enter and exit from Western Avenue in a forward direction.

Public Way to be Unobstructed

- E7. The public way, being land owned by Council or a Government agency, must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.

Easements

- E8. Prior to occupation of the building pursuant to development consent SSD-55388456, a registered easement under section 88A or 88B of the *Conveyancing Act 1919* must be obtained, which can only be revoked, varied or modified with the consent of the Planning Secretary, and which provides for right of way over private roads connecting the site to Missenden Road registered on title of Lot 1000 DP115979.**

CONSOLIDATED CONSENT

Loading Dock Management Plan

- E9. Prior to occupation of the building pursuant to development consent SSD-55388456, a Loading Dock Management Plan must be prepared in consultation with Council. The plan must outline procedures for the management of deliveries and pick-ups within the new consolidated loading dock on Cadigal Lane, including provision for advance bookings, access hours and details of how traffic circulation conflicts within the loading dock, driveway and access road will be managed.
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FOR INFORMATION

ADVISORY NOTES

Appeals

AN1. The Applicant has the right to appeal to the Land and Environment Court in the manner set out in the EP&A Act and the EP&A Regulation (as amended).

Other Approvals and Permits

AN2. The Applicant must 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*.

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.

Use of Mobile Cranes

AN4. The Applicant must obtain all necessary permits required for the use of mobile cranes on or surrounding the Subject Site, including from the Civil Aviation Safety Authority, prior to the commencement of works. In particular, the following matters must 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 four 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 must not be delivered to the site prior to the approved construction hours without the prior approval of Council.

Temporary Structures

AN5. Unless otherwise declared as exempt development under *State Environmental Planning Policy (Educational Establishment and Child Care Facilities) 2017* or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*:

- 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 BCA.
- 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.
- c) Should the height of any temporary structure and/or equipment (including mobile cranes) be greater than 45.72 metres above existing ground level, approval must be sought in accordance with the *Civil Aviation (Buildings Control) Regulation 1988*, prior to the commencement of above ground works.

Disability Discrimination Act

AN6. This application has been assessed in accordance with the EP&A Act. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*. The Applicant 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 BCA 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

AN7.

- a) The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) 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 matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.
- b) This application has been assessed in accordance with the EP&A Act. 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 EPBC Act does not have application. The EPBC 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

AN8. 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 NOHSC: "Code of Practice for the Safe Removal of Asbestos".

Site contamination issues during construction

AN9. 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 Certifying Authority.
