


# Development consent

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

As delegate of the Minister for Planning, under delegation dated 27 February 2013, I approve the development 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.

  
A/Executive Director  
Development Assessment Systems & Approvals  
Department of Planning and Environment

Sydney

7 MAY

2014

### SCHEDULE 1

<b>Application No.:</b>	SSD 6180 (formerly SSD 13_6180)
<b>Applicant:</b>	Health Infrastructure
<b>Consent Authority:</b>	Minister for Planning
<b>Land:</b>	Corner of Avoca Street and High Street, Randwick (Lot 1 in DP870720)
<b>Approved Development:</b>	Stage 2 of the Nelune Comprehensive Cancer Centre and Australian Advanced Treatment Centre, including: <ul style="list-style-type: none"><li>• demolition of part of part of the Institute of Oncology building (eastern wing);</li><li>• construction of an 11 level building (including two basement levels and one level of plant);</li><li>• modifications to the existing staff car park, including provision of a vehicle drop off area; and</li><li>• courtyards and landscaping.</li></ul>

## 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	Randwick City 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	Department of Planning and Environment
Evening	The period from 6pm to 10pm
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A 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 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
OEH	Office of the Environment and Heritage
RTS	Response to Submissions report titled <i>Prince of Wales Hospital State Significant Development Response to Submission</i> prepared by JBA Planning, dated January 2014
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.
RMS	Roads and Maritime Services Division, Department of Transport
Site	Land referred to in Schedule 1
Secretary	Secretary of the Department of Planning and Environment
Secretary's approval, agreement or satisfaction	A written approval from the Secretary (or nominee/delegate)
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.
Zone of Influence	The horizontal distance from the edge of the excavation to twice the maximum excavation depth.

## 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.

#### Terms of Consent

- A2. The applicant shall carry out the project generally in accordance with the:
- a) State Significant Development Application SSD 6180;
  - b) Environmental Impact Statement prepared by JBA Planning dated November 2013;
  - c) Response to Submissions report prepared by JBA Planning dated January 2014 and addendum prepared by JBA Planning dated 6 February 2014;
  - d) The conditions of this consent; and
  - e) The following drawings, except for:
    - i) any modifications which are Exempt' or Complying Development;
    - ii) otherwise provided by the conditions of this consent.

<b>Architectural (or Design) Drawings prepared by <i>Rice Daubney</i></b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
AR_02_10005	B	SITE PLANS DEMOLITION PLAN LEVEL 02	28.03.13
DA_02_10009	A	SITE PLANS PROPOSED PLAN	01.10.13
DA_02_11001	A	STAGE 2 DA FLOOR PLAN LEVEL 0 – AREA 1	01.10.13
DA_02_11002	A	STAGE 2 DA FLOOR PLAN LEVEL 0 – AREA 2	01.10.13
DA_02_11011	A	STAGE 2 DA FLOOR PLAN LEVEL 01 – AREA 1	01.10.13
DA_02_11013	A	STAGE 2 DA FLOOR PLAN LEVEL 01 – AREA 3	01.10.13
DA_02_11021	A	STAGE 2 DA FLOOR PLAN LEVEL 02 – AREA 1	01.10.13
DA_02_11031	A	STAGE 2 DA FLOOR PLAN LEVEL 03 – AREA 1	01.10.13
DA_02_11041	A	STAGE 2 DA FLOOR PLAN LEVEL 04 – AREA 1	01.10.13
DA_02_11051	A	STAGE 2 DA FLOOR PLAN LEVEL 05 – AREA 1	01.10.13
DA_02_11061	A	STAGE 2 DA FLOOR PLAN LEVEL 06 – AREA 1	01.10.13
DA_02_11071	A	STAGE 2 DA FLOOR PLAN LEVEL 07 – AREA 1	01.10.13
DA_02_11081	A	STAGE 2 DA FLOOR PLAN LEVEL 08 – AREA 1	01.10.13
DA_02_11091	A	STAGE 2 DA FLOOR PLAN LEVEL 09 – AREA 1	01.10.13
DA_02_11101	A	STAGE 2 DA FLOOR PLAN LEVEL 10 – AREA 1	01.10.13
DA_02_14001	A	STAGE 2 DA ROOF PLAN	01.10.13
DA_02_15002	B	STAGE 2 DA – ELEVATIONS NORTH ELEVATION	06.11.13
DA_02_15003	B	STAGE 2 DA – ELEVATIONS SOUTH ELEVATION	06.11.13
DA_02_15004	B	STAGE 2 DA – ELEVATIONS EAST ELEVATION	06.11.13
DA_02_15005	B	STAGE 2 DA – ELEVATIONS WEST ELEVATION	06.11.13
DA_02_16001	B	STAGE 2 DA – SECTIONS – SECTIONS – SHEET 01	06.11.13
DA_02_16002	B	STAGE 2 DA – SECTIONS – SECTIONS – SHEET 02	06.11.13
DA_02_16003	B	STAGE 2 DA – SECTIONS – SECTIONS – SHEET 03	06.11.13
DA_02_16004	B	STAGE 2 DA – SECTIONS – SECTIONS – SHEET 04	06.11.13

Landscape Drawings prepared by <i>Rice Daubney</i>			
Drawing No.	Revision	Name of Plan	Date
DA_L101	H	OVERALL LANDSCAPEPLAN	20.08.13
DA_L102	H	LEVEL ZERO SUNKEN COURTYARDS	20.08.13
DA_L201	H	SECTIONAL ELEVATIONS	20.08.13

- A3. If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this consent prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.
- A4. The applicant shall comply with any reasonable requirement/s of the Director- General arising from the department's assessment of:
- any strategies, plans, programs, reviews , audits, reports or correspondence that are submitted in accordance with this consent; and
  - the implementation of any actions or measures contained in these documents.

#### **Limits on Consent**

- A5. This consent will lapse five years from the date of consent unless the works associated with the consent have physically commenced.

#### **Prescribed Conditions**

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

#### **Dispute Resolution**

- A7. 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**

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

#### **Legal Notices**

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



## **Demolition**

- B2. The demolition work shall comply with the provisions of *Australian Standard AS2601: 2001 The Demolition of Structures*. The work plans required by AS2601: 2001 shall be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of works.

## **Notice of Commencement of Works**

- B3. 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 Site.

## **Heritage Management**

- B4. No works except demolition works shall commence until a site interpretation strategy has been prepared and submitted to the department and council.

## **Pre-Construction Dilapidation Reports**

- B5. The applicant is to engage a qualified structural engineer to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all retained existing and adjoining buildings, infrastructure and roads within the 'zone of influence', including adjacent heritage items within the campus. Any entry into private land is subject to the approval of the owner(s) and any inspection of buildings on privately affected land shall include details of the whole building where only part of the building may fall within the 'zone of influence'. The report shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of any works. A copy of the report is to be forwarded to the council and each of the affected property owners for information and their records.

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 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.

## **Noise Attenuation Measures**

- B6. Prior to commencement of above ground works, the applicant shall incorporate in the detailed design drawings the operational noise mitigation recommendations of the *Prince of Wales, Nelune Comprehensive Cancer Centre and Australian Advanced Treatment Centre (NCCC & AATC) – Stage 2 DA Noise Impact Assessment* prepared by Acoustic Logic, dated 29 April 2013 to achieve the project specific noise levels identified in the letter from Thomas Aubusson, Acoustic Logic to Amanda Bock, Health Infrastructure dated 15 January 2014, regarding *Prince of Wales, NCCC & AATC Stage Two – Operational Noise Emissions*. Documentation demonstrating that the operational noise impacts have been adequately mitigated shall be submitted to the Certifying Authority prior to commencement of above works.

## **Erosion and Sedimentation Control**

- B7. 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.

### **Construction Environmental Management Plan**

- B8. Prior to the commencement of any works on the subject site, a Construction Environmental Management Plan (CEMP) shall be submitted to the Certifying Authority. The Plan shall address, but not be limited to, the following matters where relevant:
- a) hours of work,
  - b) 24 hour contact details of site manager,
  - c) traffic management, in consultation with the local council, including a designated off-street car parking area for construction related vehicles,
  - d) construction noise and vibration management plan,
  - e) management of dust to protect the amenity of the neighbourhood,
  - f) erosion and sediment control,
  - g) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site,
  - h) external lighting in compliance with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting,
  - i) flora and fauna management.
- B9. 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.
- B10. The applicant shall submit a copy of the CEMP to the department and to the council, prior to commencement of work.

### **Noise and Vibration Management Plan**

- B11. The applicant shall prepare and implement a Noise and Vibration Management Plan and this plan must:
- a) be prepared by a suitably qualified expert;
  - b) be prepared in accordance with EPA guidelines;
  - c) describe the measures that would be implemented to ensure:
    - best management practice is being employed;
    - compliance with the relevant conditions of this consent;
  - d) describe the proposed noise and vibration management measures in detail;
  - e) include strategies that have been developed with the community, including all noise sensitive receivers where noise levels exceed the noise management level, for managing high noise generating works;
  - f) describe the community consultation undertaken to develop the strategies in e) above;
  - g) evaluates and reports on the effectiveness of the noise and vibration management measures.
  - h) include a complaints management system that would be implemented for the duration of the project.

### **Traffic and Pedestrian Management Plan**

- B12. Prior to the commencement of any works on the subject site, a Traffic and Pedestrian Management Plan prepared by a suitably qualified person shall be submitted to the

Certifying Authority and council. The Plan must be prepared in consultation with the council. The Plan shall address, but not be limited to, the following matters:

- a) ingress and egress of vehicles to the subject site,
- b) loading and unloading, including construction zones,
- c) predicted traffic volumes, types and routes, and
- d) pedestrian and traffic management methods.

### **Reflectivity**

B13. 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 report/statement demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the commencement of above ground works.

### **Car Park and Service Vehicle Layout**

B14. 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 works:

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

### **Stormwater and Drainage Works Design**

B15. Final design plans of the stormwater drainage systems, prepared by a qualified practicing professional and in accordance with the requirements of council shall be submitted to the certifier prior to the commencement of any works. The hydrology and hydraulic calculations shall be based on models described in the current edition of *Australian Rainfall and Runoff*. The plans shall confirm that post development stormwater discharge does not exceed pre-development stormwater discharge rates.

### **Groundwater**

B16. If the site is affected by groundwater, adequate provisions shall be prepared to ensure movement of groundwater is not impeded and the basement structure is suitably protected (tanking and waterproofing). Details of the proposed measures must be prepared by a suitably qualified engineer and submitted to the Certifying Authority prior to commencement of works, excluding demolition and excavation works.

## **Utility Services**

- B17. Prior to the commencement of work the applicant is to negotiate with the utility authorities (e.g. Ausgrid and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure.
- B18. Prior to the commencement of works written advice shall be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provision of adequate services.

## **Outdoor Lighting**

- B19. All outdoor lighting within the site shall comply with, where relevant, *AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting* and *AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting*. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the commencement of any works for the public pathway along the western boundary.

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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 site, shall be restricted as follows:
- a) between 7:00 am and 6:00 pm, Mondays to Fridays inclusive;
  - b) between 7:00 am and 4:00 pm, Saturdays;
  - c) no work on Sundays and public holidays.
  - d) works may be undertaken outside these hours where:
    - i) the delivery of vehicles, plant or 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; or
    - iii) a 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) 8.00 am to 12.00 pm, Monday to Friday;
  - b) 2.00 pm to 5.00 pm Monday to Friday; and
  - c) 8.00 am to 12.00 pm, Saturday

### **Heritage Superintendent**

- C3. A consultant(s) experienced in the conservation of similar heritage buildings shall be consulted where any works are undertaken within the curtilage of the heritage components of the Subject Site.

### **Below Ground (Sub-surface) Works – Non-Aboriginal Relics**

- C4. 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**

- C5. 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 archaeologist and OEH to develop and implement management strategies for all objects/sites.

### **Erosion and Sediment Control**

- C6. All erosion and sediment control measures, are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

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

- C7. Any seepage or rainwater collected on-site during construction, must be either re-used or disposed of, so as not to cause pollution. Seepage or rainwater shall not be pumped to the street stormwater system unless separate prior approval is given in writing by council. Any de-watering must be monitored by a suitably qualified engineer.

### **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 Site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.

### **Construction Noise Management**

- 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 CEMP.
- 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*), 5dB(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 should be completed using bored piles. If driven piles are required they must only be installed where outlined in the CEMP.

### **Vibration Criteria**

- C14. Vibration caused by construction at any residence or structure outside the site must be limited to:
- a) for structural damage vibration, German Standard DIN 4150 Part 3 *Structural Vibration in Buildings*. Effects on Structures; and
  - b) for human exposure to vibration, the evaluation criteria set out in the *Environmental Noise Management Assessing Vibration: a Technical Guideline* (Department of Environment and Conservation, 2006).
  - c) Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.
  - d) These limits apply unless otherwise outlined in the CEMP.

### **Hoarding Requirements**

- C15. The following hoarding requirements shall be complied with:
- a) No third party advertising is permitted to be displayed on the subject hoarding/fencing.
  - b) The construction site manager shall be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.

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

- C16. A copy of the approved and certified plans, specifications and documents incorporating conditions of consent and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the department, council or the Certifying Authority.

### **Site Notice**

- C17. A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer.
- C18. The notice(s) is to satisfy all but not be limited to, the following requirements:
- a) The notice is to be able to be read by the general public;
  - 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 Site is not permitted.

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

### **Site Interpretation Strategy**

#### **Sustainable Travel Plan**

- D1. Prior to occupation of the building the subject of this consent, a sustainable travel plan must be prepared and shall identify all measures and incentives that would be provided to promote a reduction in the private vehicle mode share of journeys to work, including mode share targets, incentives to promote car pooling and measures to support the use of public transport and active transport.

#### **Number of Bicycle Spaces**

- D2. A minimum of 10 bicycle spaces are to be provided for the development and shall be installed prior to the commencement of operation of the facilities the subject of this consent. The applicant must also demonstrate to the satisfaction of the Certifying Authority that end of trip facilities for staff are available on the hospital campus.

#### **Heritage Interpretation Strategy**

- D3. The original pedestrian gate from Avoca Street shall be stored, displayed or reused on site.
- D4. Proposed information plaques for the Superintendent's Residence and Edmund Blacket Building are to be installed prior to the occupation of the building.
- D5. Any additional interpretative elements identified in the site interpretation strategy required by condition B4 shall be installed and completed prior to occupation of the building.

#### **Mechanical Ventilation**

- D6. 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 occupation of the building, that the installation and performance of the mechanical systems complies with:
- a) The Building Code of Australia;
  - b) Australian Standard AS1668 and other relevant codes;
  - c) The development consent and any relevant modifications; and,
  - d) Any dispensation granted by the New South Wales Fire Brigade.

#### **Road and Footpath Damage**

- D7. The cost of repairing any damage caused to council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development, is to be met in full by the applicant/developer prior to the occupation of the building.

#### **Water Authority Compliance**

- D8. 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.

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

- D9. Prior to the occupation of the building:
- a) The applicant shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report to ascertain whether the construction works created any structural damage to adjoining buildings, adjoining heritage items, infrastructure and roads.

- b) The report is to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining 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 and each of the affected property owners.

### **Fire Safety Certification**

- D10. Prior to the occupation of the building, a Fire Safety Certificate shall be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and council. The Fire Safety Certificate must be prominently displayed in the building.

### **Structural Inspection Certificate**

- D11. A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to the occupation of the building. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) shall be submitted to the approval authority and the council after:
- a) The site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings.
  - b) The drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

### **Signage**

- D12. Additional way finding signage and signage identifying public car parks for patients and visitors shall be installed prior to occupation of the building.
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## **PART E POST OCCUPATION**

### **Registration of Easements**

- E1. Within three months of occupation of any building, the applicant shall provide to the Certifying Authority evidence that all matters required to be registered on title including easements required by this consent, approvals, and other consents have been lodged for registration or registered at the NSW Land and Property Information.

### **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 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.

**Plant and Machinery**

- E4. Noise associated with the operation of any plant, machinery or other equipment on the Site, shall not exceed 5dB(A) (Leq) above the background noise level when measured at the boundary of the 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 large containers of toxic and hazardous materials shall be stored in a bunded area. The bund walls and floors shall be constructed of impervious materials and shall be of sufficient size to contain 110% of the volume of the largest tank plus the volume displaced by any additional tanks within the bunded area.

**Public Way to be Unobstructed**

- 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*.

## **ADVISORY NOTES**

### **Appeals**

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

### **Other Approvals and Permits**

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

### **Responsibility for Other Approvals / Agreements**

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

### **Street Numbering**

- AN4 Street numbers and the building name(s), if any, will need to be clearly displayed at either end of the ground level frontages in accordance with the council's policy, prior to the occupation of the building(s) or commencement of the use. If street numbers or changes to street numbers are required, a separate application shall be made to the council.

### **Temporary Structures**

- AN5 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*.
- AN6 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.

### **Asbestos removal**

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

### **Site Contamination During Construction**

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