

# Consolidated Consent

## Coffs Harbour Hospital Expansion (SSD 8981)

[As modified by SSD-8981-Mod-1 – 25/08/19]

[As modified by SSD-8981-Mod-2 – 01/12/19]

[As modified by SSD-8981-Mod-3 – 28/07/20]

[As modified by SSD-8981-Mod-4 – 24/09/20]

[As modified by SSD-8981-Mod-5 – 12/05/21]

### SCHEDULE 1

<b>Application Number:</b>	SSD 8981
<b>Applicant:</b>	Health Administration Corporation
<b>Consent Authority:</b>	Minister for Planning and Public Spaces
<b>Site:</b>	Lot 205 DP 1206854 and Lot 14 DP 261222 345 Pacific Highway, Coffs Harbour
<b>Development:</b>	Expansion of the Coffs Harbour Hospital, including: <ul style="list-style-type: none"><li>• construction of a new five storey Clinical Services Building with a total gross floor area of 15,238 square metres and refurbishment works to the existing Coffs Harbour Hospital Main Building A</li><li>• construction of a new ambulance bay</li><li>• landscaping and public domain works</li><li>• installation of business identification and wayfinding signage</li><li>• construction of a new bus stop</li><li>• ancillary infrastructure and services works.</li></ul>

## DEFINITIONS

<b>Aboriginal object</b>	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
<b>Aboriginal place</b>	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
<b>Advisory Notes</b>	Advisory information relating to the consent but do not form a part of this consent
<b>Applicant</b>	Health Infrastructure or any person carrying out any development to which this consent applies
<b>BCA</b>	Building Code of Australia
<b>BERP</b>	Bushfire Emergency Response Plan
<b>CCS</b>	Community Communication Strategy
<b>CEMP</b>	Construction Environmental Management Plan
<b>Certification of Crown building work</b>	Certification under section 6.28 of the EP&A Act
<b>Certifying Authority</b>	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
<b>CNVMP</b>	Construction Noise and Vibration Management Plan
<b>CSWMP</b>	Construction Soil and Water Management Plan
<b>CTPMP</b>	Construction Traffic and Pedestrian Management Plan
<b>CWMP</b>	Construction Waste Management Plan
<b>Construction</b>	All physical works to enable operation, including but not limited to the demolition and removal of buildings, the carrying out of works for the purposes of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent, but excluding the following: <ul style="list-style-type: none"> <li>• building and road dilapidation surveys;</li> <li>• investigative drilling, investigative excavation or Archaeological Salvage;</li> <li>• establishing temporary site offices (in locations identified by the conditions of this consent);</li> <li>• installation of environmental impact mitigation measures, fencing, enabling works; and</li> <li>• minor adjustments to services or utilities.</li> </ul>
<b>Council</b>	Coffs Harbour City Council
<b>Day</b>	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
<b>Demolition</b>	The deconstruction and removal of buildings, sheds and other structures on the site
<b>Department</b>	NSW Department of Planning and Environment
<b>Development</b>	The development described in the EIS and Response to Submissions, including the works and activities comprising the Coffs Harbour Hospital Expansion, as modified by the conditions of this consent
<b>Earthworks</b>	Bulk earthworks, site levelling, import and compaction of fill material,

	excavation for installation of drainage and services, to prepare the site for construction
<b>EIS</b>	The Environmental Impact Statement titled <i>Coffs Harbour Hospital Expansion</i> , prepared by GeoLINK dated 18 June 2018, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
<b>ENM</b>	Excavated Natural Material
<b>Environment</b>	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	<i>Environmental Planning and Assessment Regulation 2000</i>
<b>EPL</b>	Environment Protection Licence under the POEO Act
<b>Evening</b>	The period from 6 pm to 10 pm
<b>Feasible</b>	Means what is possible and practical in the circumstances
<b>FERP</b>	Flood Emergency Response Plan
<b>GTP</b>	Green Travel Plan
<b>Heritage</b>	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
<b>Heritage Item</b>	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
<b>Incident</b>	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance <i>Note: "material harm" is defined in this consent</i>
<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
<b>Management and mitigation measures</b>	The management and mitigation measures set out in Section 9 of the EIS
<b>Material harm</b>	Is harm that: <ul style="list-style-type: none"> <li>a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or</li> <li>b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)</li> </ul>
<b>Minister</b>	NSW Minister for Planning (or delegate)
<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
<b>Monitoring</b>	Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act

<b>Night</b>	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
<b>Non-compliance</b>	An occurrence, set of circumstances or development that is a breach of this consent
<b>NSW RFS</b>	New South Wales Rural Fire Service
<b>OEH</b>	NSW Office of Environment and Heritage
<b>OFEMP</b>	Operational Flood Emergency Management Plan
<b>Operation</b>	The carrying out of the approved purpose of the development upon completion of construction
<b>OSSP</b>	Operational Safety and Security Plan
<b>OWMP</b>	Operational Waste Management Plan
<b>Planning Secretary</b>	Planning Secretary under the EP&A Act, or nominee
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>Reasonable</b>	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
<b>Registered Aboriginal Parties</b>	Means the Aboriginal persons identified in accordance with the document entitled " <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> " (DECCW)
<b>Rehabilitation</b>	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
<b>Response to Submissions</b>	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act titled <i>Coffs Harbour Hospital Expansion Submission Report</i> , prepared by GeoLINK dated 8 October 2018
<b>RMS</b>	NSW Roads and Maritime Services
<b>Sensitive receivers</b>	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
<b>Site</b>	345 Pacific Highway, Coffs Harbour NSW 2450 (Lot 205 DP 1206854 and Lot 14 DP 261222)
<b>Site Auditor</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>Site Audit Report</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>Site Audit Statement</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>SOMP</b>	Stormwater Operation and Maintenance Plan
<b>TfNSW</b>	Transport for New South Wales
<b>VENM</b>	Virgin Excavated Natural Material
<b>Waste</b>	Has the same meaning as the definition of the term in the Dictionary to the <i>Protection of the Environment Operations Act 1997</i>
<b>Year</b>	A period of 12 consecutive months

## SCHEDULE 2

### PART A ADMINISTRATIVE CONDITIONS

#### Obligation to Minimise Harm to the Environment

A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development.

#### Terms of Consent

A2. The development may only be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with all written directions of the Planning Secretary;
- (c) generally in accordance with the EIS and Response to Submissions;

generally in accordance with the Section 4.55(1A) Modification Report and appendices, prepared by GeoLINK environmental management and design, dated 5 November 2019; and

[SSD-8981-Mod-2 – 01/12/19]

generally in accordance with the Section 4.55(1A) Modification Report and attachments, prepared by Health Infrastructure, dated 25 June 2020; and

[SSD-8981-Mod-3 – 28/07/20]

generally in accordance with the Section 4.55(1A) Modification Report (excluding Appendix A), prepared by GeoLINK, dated 15/04/2021; and

[SSD-8981-Mod-5 – 12/05/21]

- (d) in accordance with the approved plans in the table below:

<b>Architectural Drawings Prepared by MSJ Architects</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
SD-AR-01001	1	Site Analysis	14/06/2018
SD-AR-01002	2	Traffic Plan	07/11/2018
SD-AR-01003	2	Future Expansion	07/11/2018
SD-AR-01004	1	Shadow Diagrams	14/06/2018
SD-AR-01005	2	Tree Removal Plan	07/11/2018
SD-AR-01011	2	Proposed Site Plan	07/11/2018
-	2	Block and Stack Plan	07/11/2018
DD-AR-02001	2	Ground Floor Plan	25/09/2018
DD-AR-02011	2	Level 1 Plan	25/09/2018
SD-AR-02021	9	Area Plan – Level 2	14/06/2018

DD-AR-02031	2	Level 3 Plan	25/09/2018
AR-CSB-02041	14	Area Plan – Level 4	17/09/2018
AR-CSB-02051	12	Area Plan – Helipad	17/09/2018
<del>DD-AR-21001</del> <b>CHH-MSJ-DRW-AR-CSB-210001</b>	<del>2</del> <b>C</b>	<del>Elevations – Sheet 1</del> <b>East and West Elevations</b>	<del>25/09/2018</del> <b>26/07/2019</b>
<del>DD-AR-21002</del> <b>CHH-MSJ-DRW-AR-CSB-210002</b>	<del>2</del> <b>C</b>	<del>Elevations – Sheet 2</del> <b>North and South Elevations</b>	<del>25/09/2018</del> <b>26/07/2019</b>
SD-AR-02002	6	Area Plan – Ground Floor – Sheet 1	14/06/2018
SD-AR-02003	6	Area Plan – Ground Floor – Sheet 2	14/06/2018
SD-AR-MORT	1	Mortuary – Post Pug#2	14/06/2018
SD-AR-AMB	1	New Plan – Ambulatory Care	10/12/2018
SD-AR-Kitchen	1	New Plan – Kitchen	10/12/2018
SD-AR-GEM	1	New Plan – GEM	14/06/2018
SD-AR-MED-GF	1	Medical IPU – GF – Pug#3	14/06/2018
SD-AR-REHAB	1	REHAB – Pug#3	14/06/2018
SD-AR-02012	7	Area Plan – Level 1	14/06/2018
SD-AR-PERI	1	Perioperative – Pug#2	14/06/2018
SD-AR-CSSD	1	CSSD – PRE Pug#2	14/06/2018
SD-AR-MED-L1	1	Medical IPU/MAU – Pug#3	14/06/2018
SD-AR-CATH	1	CATH Lab – Pug#3	14/06/2018
SD-AR-ON	1	Existing/New Plan – On Call	14/06/2018
<b>Landscape Concept prepared by <i>Site Image Landscape Architects</i></b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
LA-CSB-0000	A	Landscape Coversheet	15/09/2018
LA-CSB-00101	A	Landscape Master Plan	15/09/2018
LA-CSB-00101	A	Landscape Plan	15/09/2018
LA-CSB-00102	A	Landscape Plan	15/09/2018
LA-CSB-00103	A	Landscape Plan	15/09/2018
LA-CSB-00104	A	Landscape Plan	15/09/2018
LA-CSB-00501	B	Landscape Specification and Materials Schedule	25/09/2018
<b>Wayfinding Signage prepared by <i>MSJ Architects</i></b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
-	-	Wayfinding – Sign Types (External Signage and	-

		Vehicle Directional Signs/Parking Totems)	
-	-	Wayfinding – Sign Types (Campus Directory Sign and Main Entry/Lift Lobby Directories)	-
-	-	Wayfinding – Sign Types (Directional Sign and Department Signage & Receptions/Staff Stations)	-
-	-	Wayfinding – Sign Types (Room Signage and Bed & Bay Numbering)	-
-	-	Wayfinding – Sign Types (Amenities Signs and Statutory Signs)	-
SD-AR-01006	2	Wayfinding Plan	07/11/2018
SD-AR-01007	2	Wayfinding Plan	07/11/2018
SD-AR-01008	2	Wayfinding Plan	07/11/2018

[SSD-8981-Mod-2 – 01/12/19]

<u>Dwg No.</u>	<u>Rev</u>	<u>Name of Plan</u>	<u>Date</u>
<b>HS 17893P11 10101 A PV SYSTEM LAYOUT</b>	<b>A</b>	<b>58.080 KWP PV System Layout</b>	<b>28/05/2020</b>

[SSD-8981-Mod-3 – 28/07/20]

- 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.

#### **Limits of Consent**

- A5. This consent lapses five years after the date of consent unless the works associated with the development have physically commenced.

#### **Prescribed Conditions**

- A6. 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**

- A7. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either

party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.

### **Long Service Levy**

A8. 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**

A9. Any advice or notice to the consent authority must be served on the Planning Secretary.

### **Evidence of Consultation**

A10. 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 information or approval; and
- (b) provide details of the consultation undertaken including:
  - (i) the outcome of that consultation, matters resolved and unresolved; and
  - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

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

A11. With the approval of the Planning Secretary, the Applicant may:

- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
- (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
- (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).

A12. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.

A13. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

### **Demolition**

A14. Demolition work must comply with *Australian Standard AS 2601-2001 The demolition of structures* (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifying Authority before the commencement of works.

### **Structural Adequacy**

A15. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA and any additional requirements of the Subsidence Advisory

NSW where the building or structure is located on land within a declared Mine Subsidence District.

Notes:

- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.*
- *Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of Subsidence Advisory NSW's approval before carrying out certain development in a Mine Subsidence District.*

### **External Walls and Cladding**

A16. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

### **Design and Construction for Bush Fire**

A17. Prior to the commencement of construction, the Applicant must design the development in accordance with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 *Construction of buildings in bushfire-prone areas* or NASH Standard (1 July 2014 updated) *National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate and section A3.7 Addendum Appendix 3 of *Planning for Bush Fire Protection 2006* to the satisfaction of the Certifying Authority.

A18. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of *Planning for Bush Fire Protection 2006*.

### **Applicability of Guidelines**

A19. 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.

A20. 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.

### **Monitoring and Environmental Audits**

A21. 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, compliance reporting and independent auditing.

**Note:** *For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.*

### **Access to Information**

A22. 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 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.

### Compliance

A23. 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.

**A24. The project may be constructed and operated in stages. Where staged construction or operation is proposed, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted for the approval of the Planning Secretary.**

**A25. A Staging Report prepared in accordance with condition A24 must:**

- (a) **if staged construction is proposed, set out how the construction of the whole project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;**
- (b) **if staged operation is proposed, set out how the operation of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);**
- (c) **specify how compliance with conditions will be achieved across and between each of the stages of the project; and**
- (d) **set out mechanisms for managing any cumulative impacts arising from the proposed staging.**

**A26. Where staging is proposed, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.**

**A27. Where staging is proposed, the terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.**

[SSD-8981-Mod-2 – 01/12/19]

### ADVISORY NOTES

AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

## PART B PRIOR TO COMMENCEMENT OF CONSTRUCTION

### Notification of Commencement

- B1. The Department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.
- B2. If the construction or operation of the development is to be staged, the Department must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

### Certified Drawings

- B3. Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifying Authority structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with:
- (a) the relevant clauses of the BCA; and
  - (b) this development consent.

### Environmental Management Plan Requirements

- B4. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) detailed baseline data;
  - (b) details of:
    - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
    - (ii) any relevant limits or performance measures and criteria; and
    - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
  - (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
  - (d) a program to monitor and report on the:
    - (i) impacts and environmental performance of the development;
    - (ii) effectiveness of the management measures set out pursuant to paragraph (c) above;
  - (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
  - (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
  - (g) a protocol for managing and reporting any:
    - (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
    - (ii) complaint;
    - (iii) failure to comply with statutory requirements; and
  - (h) a protocol for periodic review of the plan.

**Note:** *The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.*

### **Construction Environmental Management Plan**

- B5. Prior to the commencement of construction, the Applicant must prepare a Construction Environmental Management Plan (CEMP). The CEMP must include, but not be limited to, the following:
- (a) Details of:
    - (i) hours of work;
    - (ii) 24-hour contact details of site manager;
    - (iii) management of dust and odour to protect the amenity of the neighbourhood;
    - (iv) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
    - (v) external lighting in compliance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting; and
    - (vi) community consultation and complaints handling;
  - (b) Construction Traffic and Pedestrian Management Plan (see condition B7);
  - (c) Construction Noise and Vibration Management Plan (see condition B8);
  - (d) Construction Soil and Water Management Plan (see condition B9);
  - (e) Construction Waste Management Plan (see condition B10);
  - (f) Construction Dust Management Plan;
  - (g) Flood Emergency Response Plan (see condition B11);
  - (h) Community Communication Strategy (see condition B12); and
  - (i) an Unexpected Finds Protocol for Aboriginal and Non-Aboriginal Heritage and associated communications procedure.
- B6. The Applicant must not commence construction of the development until the CEMP is approved by the Certifying Authority and a copy submitted to the Planning Secretary and Council.

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

- B7. Prior to the commencement of construction, the Applicant must prepare a Construction Traffic and Pedestrian Management Plan (CTPMP). The CTPMP must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) be prepared in consultation with Council, RMS and Mid North Coast Local Health District;
  - (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services;
  - (d) detail heavy vehicle routes, access and parking arrangements;
  - (e) include a Driver Code of Conduct to:
    - (i) minimise the impacts of earthworks and construction on the local and regional road network;
    - (ii) minimise conflicts with other road users;
    - (iii) minimise road traffic noise; and
    - (iv) ensure truck drivers use specified routes;
  - (f) include a program to monitor the effectiveness of these measures; and

- (g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.

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

- B8. Prior to the commencement of construction, the Applicant must prepare a Construction Noise and Vibration Management Plan (CNVMP). The CNVMP must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced noise expert;
  - (b) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009);
  - (c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers, in accordance with recommendations of the Construction and Operational Noise and Vibration Assessment prepared by Arup, dated 4 June 2018;
  - (d) include strategies that have been developed with the community for managing high noise generating works;
  - (e) describe the community consultation undertaken to develop the strategies in condition B11; and
  - (f) include a complaints management system that would be implemented for the duration of the construction.

#### **Construction Soil and Water Management Plan**

- B9. Prior to the commencement of construction, the Applicant must prepare a Construction Soil and Water Management Plan (CSWMP). The CSWMP must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified expert, in consultation with Council and Department of Industry, Lands and Water Division;
  - (b) describe all erosion and sediment controls to be implemented during construction;
  - (c) describe all stormwater controls and discharge during construction;
  - (d) describe inspection regime for erosion and sediment controls including regular scheduled inspections and inspections pre- and post- heavy rainfall events;
  - (e) describe controls to contain spills and leakages during construction;
  - (f) provide a plan of how all construction works will be managed in a wet-weather events (i.e. storage of equipment, stabilisation of the site);
  - (g) detail all off-site flows from the site;
  - (h) detail groundwater management measures to prevent groundwater contamination;
  - (i) an Unexpected Contamination Procedure for soil and groundwater contamination and associated communications procedure; and
  - (j) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events during construction, including but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI.

#### **Construction Waste Management Plan**

- B10. Prior to the commencement of construction, the Applicant must prepare a Construction Waste Management Plan (CWMP). The CWMP must address, but not be limited to, the following:
- (a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations;

- (b) 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; removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works;
- (c) an Unexpected Contamination Protocol for construction and demolition waste; and
- (d) notifying the RMS Traffic Management Centre of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

#### **Flood Emergency Response Plan**

- B11. Prior to the commencement of construction, the Applicant must prepare a Flood Emergency Response Plan (FERP). The FERP must address, but not limited to, the following:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) address the provisions of the *Floodplain Risk Management Guideline* (OEH 2007);
  - (c) include details of:
    - (i) the flood emergency responses for both construction and operation phases of the development;
    - (ii) predicted flood levels;
    - (iii) flood warning time and flood notification;
    - (iv) assembly points and evacuation routes;
    - (v) evacuation and refuge protocols; and
    - (vi) awareness training for employees and contractors.

#### **Community Communication Strategy**

- B12. Prior to the commencement of construction, the Applicant must prepare a Community Communication Strategy (CCS). The CCS must be prepared to provide mechanisms to facilitate communication between the Applicant, Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction.

The CCS must:

- (a) identify people to be consulted during the design and construction phases;
- (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;
- (c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development;
- (d) set out procedures and mechanisms:
  - (i) through which the community can discuss or provide feedback to the Applicant;
  - (ii) through which the Applicant will respond to enquiries or feedback from the community; and
  - (iii) to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development, including disputes regarding rectification or compensation.

The Community Communication Strategy must be submitted to the Planning Secretary for approval no later than two weeks before the commencement of any work.

Work for the purposes of the development must not commence until the Community Communication Strategy has been approved by the Planning Secretary, or within another timeframe agreed with the Planning Secretary.

### **Flooding Management**

- B13. The ground floor of the proposed Clinical Services Building must have a minimum finished floor level of 5.9 m AHD.
- B14. The Applicant must ensure the proposed Clinical Services Building is protected to the Probable Maximum Flood (PMF) flood level of 6.1 m AHD by road kerbs and/or other measures.
- ~~B15. The Applicant must ensure the proposed Clinical Services Building is constructed of flood resilient materials to the PMF flood level of 6.1 m AHD.~~
- ~~B16. All wiring, power outlets, switches must be located above the PMF flood level of 6.1 m AHD. All electrical wiring installed below the relevant flood level should be suitable for continuous submergence in water.~~

[SSD-8981-Mod-2 – 01.12.19]

### **Unexpected Contamination Procedure**

- B17. Prior to the commencement of earthworks, the Applicant must prepare an Unexpected Contamination Procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition B5 and where any material identified as contaminated is to be disposed off-site, the disposal location and results of testing must be submitted to the Planning Secretary prior to its removal from the site.

### **Construction Parking**

- B18. Prior to the commencement of construction, the Applicant must demonstrate to the satisfaction of the Certifying Authority that sufficient parking facilities have been provided on-site, or suitable alternative location as agreed by the Planning Secretary, including for heavy vehicles and for site personnel, to ensure that construction traffic associated with the development does not utilise public streets or public parking facilities.

### **External Walls and Cladding**

- B19. Prior to the commencement of construction, 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 BCA.
- B20. 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.

### **Reflectivity**

- B21. The building materials used on the façades of all buildings will be designed so as not to result in glare that causes discomfort or threatens the safety of pedestrians or drivers. A report/statement demonstrating consistency with this requirement will be submitted to the satisfaction of the Certifying Authority prior to the commencement of above ground works.

### **Outdoor Lighting**

- B22. All outdoor lighting within the site must comply with AS 1158.3.1:2005 *Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements* and AS 4282-1997 *Control of the obtrusive effects of outdoor lighting*. Details demonstrating compliance with these requirements must be submitted to the satisfaction of the Certifying Authority.

### **Ecologically Sustainable Development**

- B23. Within 6 months of commencement of construction, the Applicant must register for a minimum 4 star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifying Authority, unless the NSW Health Engineering Services Guidelines are updated demonstrating equivalency with an accredited rating scheme to the satisfaction of the Planning Secretary.

#### **Utilities and Services**

- B24. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.
- B25. 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.

#### **Stormwater Management System**

- B26. Prior to the commencement of construction, the Applicant must design and install a stormwater management system for the development. The system must:
- (a) be designed by a suitably qualified and experienced person(s), in consultation with Council;
  - (b) be submitted to the satisfaction of the Certifying Authority;
  - (c) be generally in accordance with the conceptual design in the EIS;
  - (d) be in accordance with applicable Australian Standards; and
  - (e) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines.

#### **Rainwater Harvesting**

- ~~B27. Prior to the commencement of construction, the Applicant must ensure that a rainwater reuse/harvesting system for the development is developed for the site. A rainwater re-use plan must be prepared and certified by an experienced hydraulic engineer.~~

[SSD-8981-Mod-5 – 12/05/21]

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

- B28. Prior to commencement of construction, the Applicant must incorporate the noise mitigation recommendations in the report titled *Coffs Harbour Hospital Expansion SSD 8981 Construction and Operational Noise and Vibration Assessment Report*, prepared by Arup, dated 4 June 2018, into the detailed design drawings.

The Certifying Authority must verify that all reasonable and feasible noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the report titled *Coffs Harbour Hospital Expansion SSD 8981 Construction and Operational Noise and Vibration Assessment Report*, prepared by Arup, dated 4 June 2018.

#### **Mechanical Ventilation**

- B29. 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 air-conditioning in buildings – Mechanical ventilation in buildings* and AS/NZS 3666.1:2011 *Air handling and water systems of buildings–Microbial control* to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details must be submitted to the satisfaction of the Certifying Authority prior to the commencement of the relevant works.

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

- B30. The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the

commencement of construction, the 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.

#### **Car Parking and Service Vehicle Layout**

- B31. Compliance with the following requirements must be submitted to the satisfaction of the Certifying Authority prior to the commencement of construction:
- (a) all vehicles must enter and leave the site in a forward direction;
  - (b) minimum of ~~4,133~~ **1,128** on-site car parking spaces for use during operation of the development and designed in accordance with the latest version of AS2890.1;
  - (c) all demolition and construction vehicles (excluding worker vehicles) are to be contained wholly within the Site and vehicles must enter the Site before stopping;
  - (d) the swept path of the longest vehicle entering and exiting the site in association with the new work, as well as manoeuvrability through the site, must be in accordance with AUSTRROADS; and
  - (e) the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, is to be addressed.

**[SSD-8981-Mod-4 – 24/09/20]**

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

- B32. Compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the satisfaction of the Certifying Authority prior to the commencement of construction:
- (a) the provision of a minimum 12 bicycle parking spaces;
  - (b) the layout, design and security of bicycle facilities must comply with the minimum requirements of AS 2890.3:2015 *Parking facilities - Bicycle parking*, and be located in easy to access, well-lit areas that incorporate passive surveillance;
  - (c) the provision of end-of-trip facilities for staff in accordance with the ESD Design & As Built rating tool;
  - (d) appropriate pedestrian and cyclist advisory signs are to be provided; and
  - (e) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority.

#### **Public Domain Works**

- B33. Prior to the commencement of any footpath or public domain works, the Applicant must consult with Council and demonstrate to the Certifying Authority that the streetscape design and treatment meets the requirements of Council, including addressing pedestrian management. The Applicant must submit documentation of approval for each stage from Council to the Certifying Authority.

#### **Protection of Public Infrastructure**

- B34. Before the commencement of construction, the Applicant must:
- (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
  - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
  - (c) submit a copy of the dilapidation report to the Planning Secretary, Certifying Authority and Council.

## Compliance Reporting

- B35. No later than two weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.

Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).

The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.

- B36. Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.

## 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 Site at all times and must be readily available for perusal by any officer of the Department, Council or the Certifying Authority.

### SafeWork Requirements

- C2. To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.

### Site Notice

- C3. A site notice(s):
- (a) must 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.
  - (b) is to satisfy all but not be limited to, the following requirements:
    - (i) minimum dimensions of the notice must 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 must 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 site is not permitted.

### Operation of Plant and Equipment

- C4. 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.

### Hoarding Requirements

- C5. The following hoarding requirements must be complied with:
- (a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing;
  - (b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application; and
  - (c) the Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

### No Obstruction of Public Way

- C6. The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all works on site.

### Implementation of Management Plans

- C7. The Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP (including sub-plans).

### Construction Hours

- C8. Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:
- (a) between 7 am and 6 pm, Mondays to Fridays inclusive; and
  - (b) between 8 am and 4 pm, Saturdays.

No work may be carried out on Sundays or public holidays.

[SSD-8981-Mod-2 – 01.12.19]

- C9. Activities may be undertaken outside of the hours in condition C8 if required:
- (a) by the Police or a public authority for the delivery of vehicles, plant or materials; or
  - (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or
  - (c) where the works are inaudible at the nearest sensitive receivers; or
  - (d) where a variation is approved in advance in writing by the Planning Secretary or her nominee if appropriate justification is provided for the works.

Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.

- C10. 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.

### Operation of Plant and Equipment

- C11. 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.

### Demolition

- C12. Demolition work must comply with Australian Standard AS 2601-2001 *The demolition of structures* (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifying Authority before the commencement of works.

### Construction Traffic

- C13. All construction vehicles (excluding worker vehicles) are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site before stopping.

### Road Occupancy Licence

- C14. A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.

### **Construction Noise Limits**

- C15. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan.
- C16. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition C8.
- C17. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use audible movement alarms of a type that would minimise noise impacts on surrounding noise sensitive receivers.
- C18. 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 site.

### **Vibration Criteria**

- C19. Vibration caused by construction at any residence or structure outside the site must be limited to:
- (a) for structural damage, the latest version of *DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures* (German Institute for Standardisation, 1999); and
  - (b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC 2006) (as may be updated or replaced from time to time).
- C20. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition C19.
- C21. The limits in conditions C19 and C20 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B5 of this consent.

### **Dust Minimisation**

- C22. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- C23. During construction, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering;
  - (b) all trucks/vehicles entering or leaving the site with loads have their loads covered;
  - (c) trucks/vehicles associated with the development do not track dirt onto the public road network;
  - (d) public roads used by these trucks/vehicles are kept clean; and
  - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

### **Erosion and Sediment Control**

- C24. All erosion and sediment control measures must 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.

## Imported Soil

C25. The Applicant must:

- (a) ensure that only Virgin Excavated Natural Material (VENM), Excavated Natural Material (ENM), or other material approved in writing by EPA is brought onto the site;
- (b) keep accurate records of the volume and type of fill to be used; and
- (c) make these records available to the Certifying Authority upon request.

## Disposal of Seepage and Stormwater

~~C26. 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 EPA in accordance with the *Protection of the Environment Operations Act 1997*. **Adequate provisions must be made to collect and discharge stormwater drainage during construction of the building to the satisfaction of the Certifying Authority. The prior written approval of the relevant authority must be obtained to connect or discharge site stormwater to Councils stormwater drainage system or street gutter.**~~

[SSD-8981-Mod-2 – 01.12.19]

## Tree Protection

C27. For the duration of the construction works:

- (a) only trees identified in the Arboricultural Impact Assessment, prepared by ArborSafe, dated 2 July 2018 are removed;
- (b) all trees on the site except those identified in condition C28(a) must be suitably protected at all times during construction as per recommendations of the Arboricultural Impact Assessment, prepared by ArborSafe, dated 2 July 2018;
- (c) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a qualified arborist. Alternative tree protection measures must be installed, as required. The removal of tree protection measures, following completion of the works, must be carried out under the supervision of a qualified arborist and must avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater;
- (d) street trees must not 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; and
- (e) all street trees must be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council.

## Bushfire Protection

C28. During construction, the property around the building for a distance of 60 m shall be managed as an asset protection zone - inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of Planning for Bush Fire Protection 2006 and the NSW Rural Fire Service's Standards for Asset Protection Zones.

C29. The Applicant must construct the development in accordance with sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 Construction of buildings in bushfire-prone areas or NASH Standard (1 July 2014 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 as appropriate and section A3.7 Addendum Appendix 3 of Planning for Bush Fire Protection 2006.

C30. The Applicant must construct internal roads in accordance with the following requirements of Planning for Bush Fire Protection 2006:

- (a) traffic management devices are constructed to facilitate access by emergency services vehicles;
- (b) a minimum vertical clearance of 4 m to any overhanging obstructions, including tree branches, is maintained;
- (c) hydrants are to be located in accordance with section 4.1.3(1) of Planning for Bush Fire Protection 2006.

#### **Waste Storage and Processing**

- C31. Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.
- C32. All waste generated during construction must be assessed, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- C33. 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 of spoil. Mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the site must be removed before leaving the premises.
- C34. The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural or artificial watercourse or stormwater system.

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

- C35. In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and OEH to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of OEH.

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

- C36. If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the OEH Heritage Division contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of Heritage Division of the OEH.

#### **Handling of Asbestos**

- C37. The Applicant must carry out works involving asbestos material in accordance with *Work Health and Safety Act 2011*, *Work Health and Safety Regulation 2017* and *Safe Work Australia Code of Practice How to Manage and Control Asbestos in the Workplace* (February 2016), including contactors who hold a current Safe Work Asbestos or Demolition Licence and any other current Safe Work Licence required.

The Applicant must notify SafeWork NSW in accordance with the relevant policy prior to the commencement of works involving asbestos material. Waste must be transported by an appropriately licensed transporter and disposed to a facility that is licensed to receive that class of waste.

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

- C38. The Department must be notified in writing to [compliance@planning.nsw.gov.au](mailto: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.

Subsequent notification must be given, and reports submitted in accordance with the requirements set out in **Appendix 1**.

### **Non-Compliance Notification**

C39. The Department must be notified in writing to [compliance@planning.nsw.gov.au](mailto: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](mailto:compliance@planning.nsw.gov.au) within seven days after they identify any non-compliance.

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.

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

### **Revision of Strategies Plans and Programs**

C40. Within three months of:

- (a) the submission of a compliance report under condition B35;
- (b) the submission of an incident report under condition C38;
- (c) the submission of an Independent Audit under condition C42;
- (d) the issue of a direction of the Planning Secretary under condition A2 which requires a review,

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

C41. 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, to the satisfaction of the Certifying Authority. Where revisions are required, the revised document must be submitted to the Certifying Authority for approval within six weeks of the review.

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

### **Independent Environmental Audit**

C42. No later than two months after the date notified for the commencement of construction, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Planning Secretary and the Certifying Authority.

C43. Independent Audits of the development must be carried out in accordance with:

- (a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition C42 of this consent; and
- (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).

C44. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:

- (a) review and respond to each Independent Audit Report prepared under condition C42 of this consent;
  - (b) submit the response to the Department and the Certifying Authority; and
  - (c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.
- C45. Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational audits to cease, where it has been demonstrated to the Planning Secretary's satisfaction that ongoing operational audits are no longer required.

## PART D PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

### Notification of Occupation

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

### Works as Executed Plans

- D2. Prior to the commencement of operation, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Certifying Authority.

### Operational Environmental Management Plan

- D3. Prior to the commencement of operation, the Applicant must prepare an Operational Environmental Management Plan (OEMP) for the site. The plan must include the following sub-plans:
- (a) Operational Safety and Security Plan (see condition D5);
  - (b) Operational Waste Management Plan (see condition D6);
  - (c) Green Travel Plan (see condition D7);
  - (d) Stormwater Operation and Maintenance Plan (see condition D8);
  - (e) Operational Bushfire Emergency Management Plan (see condition D9); and
  - (f) Operational Flood Emergency Management Plan (see condition D11).
- D4. The OEMP required by condition D3 must be submitted to the satisfaction of the Certifying Authority and implemented for the life of the approved development. The OEMP is to be reviewed as required to ensure the safety of all users of the hospital campus is maintained.

### Operational Safety and Security Plan

- D5. Prior to the commencement of operation, the Applicant must prepare an Operational Safety and Security Plan (OSSP). The OSSP must:
- (a) be prepared in consultation with relevant stakeholders of the Coffs Harbour Health Campus; and
  - (b) include measures to ensure all wayfinding signage, CCTV security measures and landscaping is managed to maintain their effectiveness in ensuring the safety of all users of the Coffs Harbour Health Campus.

### Operational Waste Management Plan

- D6. Prior to the commencement of operation, the Applicant must prepare an Operational Waste Management Plan (OWMP) for the development and submit it to the Certifying Authority. The OWMP must:
- (a) detail the type and quantity of waste to be generated during operation of the development;
  - (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the *Waste Classification Guideline* (Department of Environment, Climate Change and Water, 2009);
  - (c) detail the materials to be reused or recycled, either on or off site; and
  - (d) include the Management and Mitigation Measures included in RtS.

### **Green Travel Plan**

- D7. Prior to the commencement of operation, the Applicant must prepare a Green Travel Plan (GTP) and submit to the Planning Secretary to promote the use of active and sustainable transport modes. The GTP must:
- (a) be prepared by a suitably qualified traffic consultant in consultation with Council and Transport for NSW;
  - (b) include objectives and modes share targets (i.e. site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;
  - (c) include specific tools and actions to help achieve the objectives and mode share targets;
  - (d) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; and
  - (e) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of staff to and from the hospital campus.

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

- D8. Prior to the commencement of operation, the Applicant must prepare a Stormwater Operation and Maintenance Plan (SOMP) to the satisfaction of the Certifying Authority to ensure proposed stormwater quality measures remain effective. The SOMP must contain the following:
- (a) maintenance schedule of all stormwater quality treatment devices;
  - (b) record and reporting details;
  - (c) relevant contact information; and
  - (d) Work Health and Safety and WaterNSW requirements.

### **Operational Bushfire Emergency Management Plan**

- D9. Prior to the commencement of operation, the Applicant must prepare a Bushfire Emergency Response Plan (OBEMP) to the satisfaction of the Planning Secretary. The OBEMP must form part of the OEMP required by condition D3 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) be consistent with section 4.2.7 of NSW Rural Fire Service's *Planning for Bush Fire Protection 2006* and NSW Rural Fire Service's *A guide to developing a bush fire emergency management and evacuation plan*;
  - (c) include details of:
    - (i) the bushfire emergency response for operational phase of the development;
    - (ii) predicted bushfire attack levels;
    - (iii) bushfire warning time and bushfire notification;
    - (iv) assembly points and evacuation routes;
    - (v) evacuation and refuge protocols; and
    - (vi) awareness training for employees and contractors.
- D10. Prior to the commencement of operation, the Applicant must provide the local Bushfire Management Committee a copy of the approved OBEMP.

### Operational Flood Emergency Management Plan

D11. Prior to the commencement of operation, the Applicant must prepare an Operational Flood Emergency Management Plan (OFEMP) in consultation with Council and the NSW State Emergency Service. The OFEMP must be submitted to the satisfaction of the Certifying Authority and must address, but not limited to, the following:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) address the provisions of the Floodplain Risk Management Guidelines (OEH, 2007);
- (c) include details of:
  - (i) the flood emergency responses for the operational phase of the development;
  - (ii) predicted flood levels;
  - (iii) flood warning time and flood notification;
  - (iv) assembly points and evacuation routes;
  - (v) evacuation and refuge protocols; and
  - (vi) awareness training for employees and contractors.

### Car Parking

D12. Prior to the commencement of to the commencement of the operation **of the new Clinical Services Building**, the Applicant must **ensure all car parks within the hospital campus are completed and operational (excluding Stage 2 of the Review of Environmental Factors Approval No. 010/2014)**. ~~construct and operate 349 car parking spaces in the Stage 2 of the at-grade car park approved by the Health Infrastructure on 24 September 2014 (Review of Environmental Factors Approval No: 010/2014).~~

[SSD-8981-Mod-1 – 25/08/19]

### External Walls and Cladding

D13. Prior to the commencement of the operation, 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 requirements of the BCA.

D14. 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.

### Outdoor Lighting

D15. The Applicant must ensure the installed outdoor lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers. Outdoor lighting must:

- (a) comply with the latest version of AS 4282-1997 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and
- (b) be mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Upon installation of outdoor lighting, but before it is finally commissioned, the Applicant must submit to the Certifying Authority evidence from a qualified practitioner demonstrating compliance in accordance with this condition.

### Protection of Public Infrastructure

D16. 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.

*Note: This condition does not apply to any damage to roads caused as a result of general road usage.*

### **Road Damage**

D17. 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 commencement of use of any stage of the development.

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

D18. The Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is:

- a) to ascertain whether the construction created any structural damage to adjoining buildings or infrastructure.
- b) to be submitted to 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) have written confirmation from the relevant Authority that there is no adverse structural damage to their infrastructure and roads as a result of the development works.
- c) to be forwarded to Council.

### **Utilities and Services**

D19. Prior to occupation of the Clinical Services Building, a compliance certificate under the section 307 of the *Water Management Act 2000* must be obtained from Council and submitted to the Certifying Authority.

### **Mechanical Ventilation**

D20. Following completion, installation and testing of all mechanical ventilation systems, the Applicant must provide evidence to the satisfaction of the Certifying Authority, prior to the final occupation, that the installation and performance of the mechanical systems complies with:

- (a) the BCA;
- (b) AS 1668.2-2012 *The use of air-conditioning 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.

### **Rainwater Harvesting**

~~D21. A signed works-as-executed Rainwater Re-Use Plan must be provided to the Certifying Authority upon completion of all construction works.~~

**[SSD-8981-Mod-5 –12/05/21]**

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

D22. The installation, operation and maintenance 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 the relevant parts 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.

### **Structural Inspection Certificate**

- D23. A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to the occupation of the relevant parts of any new or refurbished buildings. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after:
- (a) the site has been periodically inspected and the Certifying Authority is satisfied that the structural works is 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.
  - (c) person/s authorised to, for the life of the development.

### **Fire Safety Certification**

- D24. Prior to the final occupation of the Clinical Services Building, 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.

### **Compliance with Food Code**

- D25. Where relevant, the Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that any kitchen, food storage and food preparation areas have been fitted in accordance with the AS 4674 *Design, construction and fit-out of food premises* and provide evidence of receipt of the certificate to the satisfaction of the Certifying Authority prior to commencement of use.

### **Signage**

- D26. Wayfinding signage and signage identifying the location of staff car parking must be installed prior to commencement of use of all new parking areas.
- D27. Bicycle wayfinding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas upon completion of all construction works.
- D28. 'Do not drink' signage on non-potable water used within the site, where applicable should be installed upon completion of all construction works.

### **Landscaping**

- D29. Upon completion of all construction works, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping works on-site, to the satisfaction of the Certifying Authority. The plan must:
- (a) be generally in accordance with the Landscape Concept prepared by Site Image Landscape Architects, dated 15 September 2018;
  - (b) detail the species to be planted on-site;
  - (c) describe the monitoring and maintenance measures to manage revegetation and landscaping works;
  - (d) be consistent with the Applicant's Management and Mitigation Measures in the RtS; and
  - (e) provide for the planting of trees to screen approved car parking areas from the public domain and provide shade.
- D30. The Applicant must not commence final operation until the Landscape Management Plan is submitted to the Certifying Authority.
- D31. The Applicant must manage the site in accordance with the Landscape Management Plan required by condition D29.

## PART E POST OCCUPATION

### Operation of 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.

### Community Communication Strategy

- E2. The Community Communication Strategy as prepared in accordance with condition B12 of part B of this consent and approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.

### Operational Noise Limits

- E3. A noise verification report must be submitted to the EPA and the Department within three months of the occupation of the development. The report must be prepared by a suitably qualified and experienced acoustic consultant and include:
- (a) an analysis of compliance with noise limits in the report titled Coffs Harbour Hospital Expansion Construction and Operational Noise and Vibration Assessment Report, prepared by Arup, dated 4 June 2018;
  - (b) an outline of management actions to be taken to address any exceedance of the limits specified in the report titled Coffs Harbour Hospital Expansion Construction and Operational Noise and Vibration Assessment Report, prepared by Arup, dated 4 June 2018;
  - (c) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.
- E4. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in the report titled Coffs Harbour Hospital Expansion Construction and Operational Noise and Vibration Assessment Report, prepared by Arup, dated 4 June 2018.
- E5. The Applicant must undertake short term noise monitoring in accordance with the Noise Policy for Industry (EPA, 2017). The monitoring program must be carried out by an appropriately qualified person a monitoring report must be submitted to the Planning Secretary within two months of commencement of operation to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified in the Acoustic Report. Should the noise monitoring program identify any exceedance of the recommended noise levels referred to above, the Applicant is required to implement appropriate noise attenuation measures so that operational noise levels do not exceed the recommended noise levels or provide attenuation measures at the affected noise sensitive receivers.
- E6. The Applicant must ensure that noise emissions during operation of the helipad complies with the *Air Navigation (Aircraft Noise) Regulations 2018*.

### Unobstructed Driveways and Parking Areas

- E7. All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.

### Green Travel Plan

- E8. The Green Travel Plan required by condition D7 of this consent must be updated annually and implemented.

### **Ecologically Sustainable Development**

- E9. Within 6 months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 4-star Green Star As Built rating unless updated NSW Health Engineering Services Guidelines are accepted by the Planning Secretary. Evidence of the certification or other evidence as agreed with the Planning Secretary in updated NSW Health Engineering Services Guidelines, must be provided to the Certifying Authority and the Planning Secretary.

### **Fire Safety Certificate**

- E10. The owner must submit to Council an Annual Fire Safety Statement, each 12-month after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement.

### **Hazards and Risk**

- E11. The Applicant must store all chemicals, fuels and oils used on-site in accordance with:
- the requirements of all relevant Australian Standards; and
  - the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* if the chemicals are liquids.
- E12. In the event of an inconsistency between the requirements of condition E11(a) and E11(b), the most stringent requirement must prevail to the extent of the inconsistency.
- E13. The Applicant must ensure that all control measures or safeguards described in the Preliminary Hazard Analysis (PHA) prepared by Arup dated 23 May 2018 and HAZOP Study (Appendix A of the PHA) are implemented.
- E14. The Applicant must ensure that the hospital's automatic smoke detection is linked to the Fire Indicator Panel and incorporates automated shutdown of LPG supply to the building as described in the PHA (23 May 2018).

### **Dangerous Goods**

- E15. The Applicant must ensure that the storage, design and operation of dangerous goods as defined by the Australian Dangerous Goods Code in accordance with:
- all relevant Australian Standards including:
    - AS/NZS 1596, The Storage and Handling of LP Gas;
    - AS1894, The Storage and Handling of Non-Flammable Cryogenic and Refrigerated Liquids; and
    - AS4332, The Storage and Handling of Gases in Cylinders;
  - for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
  - the Environment Protection Manual for *Authorised Officers: Bunding and Spill Management – technical bulletin* (EPA 1997).
- E16. In the event of an inconsistency between the requirements E15(a) to E15(c), the most stringent requirement must prevail to the extent of the inconsistency.

### **Discharge Limits**

- E17. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

### **Bunding**

- E18. The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).

### **Lighting**

E19. The Applicant must ensure the lighting associated with the development:

- (a) complies with the latest version of AS 4282-1997 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and
- (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

### **Landscaping**

E20. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition D29 for the duration of occupation of the development.

### **Outdoor Lighting**

E21. Notwithstanding condition D15, should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.

## WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

### Written Incident Notification Requirements

1. A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: [compliance@planning.nsw.gov.au](mailto: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 fails to give the notification required under condition C39 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
  - a. identify the development and application number;
  - b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
  - c. identify how the incident was detected;
  - d. identify when the applicant became aware of the incident;
  - e. identify any actual or potential non-compliance with conditions of consent;
  - f. describe what immediate steps were taken in relation to the incident;
  - g. identify further action(s) that will be taken in relation to the incident; and
  - h. identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
  - a. a summary of the incident;
  - b. outcomes of an incident investigation, including identification of the cause of the incident;
  - c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
  - d. details of any communication with other stakeholders regarding the incident.