

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning and Public Spaces under delegation executed on 11 October 2017, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2 and 3.

These conditions are required to:

- prevent, minimise, or offset adverse environmental 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.



David Gainsford
Executive Director
Infrastructure Assessments

Sydney 18th December 2019

SCHEDULE 1

Application Number:	SSD 10339
Applicant:	Health Administration Corporation
Consent Authority:	Minister for Planning and Public Spaces
Site:	Prince of Wales Hospital Campus Part Lots 4-11 DP 13995 Part Lot 1 DP870720
Development:	Addition to the Acute Services Building comprising: <ul style="list-style-type: none">• construction of a 10 storey addition to the eastern elevation and extending above Hospital Road.• lowering of Hospital Road and closure of access at the High Street intersection.• opening of Magill Street for through traffic access.• landscaping and public domain works.• utility services and stormwater infrastructure works.• excavation and site preparation works.

DEFINITIONS

Aboriginal object	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
Aboriginal place	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
Accredited Certifier	Means the holder of accreditation as an accredited certifier under the <i>Building Professionals Act 2005</i> acting in relation to matters to which the accreditation applies.
Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Health Administration Corporation or any other person carrying out any development to which this consent applies
Approved disturbance area	The area identified as such on the development layout
Archaeological Salvage	As identified in any Aboriginal Cultural Heritage Management Plan
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
CEMP	Construction Environmental Management Plan
Certification of Crown building work	Certification under section 6.28(2) of the EP&A Act
Certifier	Means a council or accredited certifier or in the case of Crown development, a person qualified to conduct a Certification of Crown building work
Certifier	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.
Conditions of this consent	The conditions contained in Schedule 2 of this document
Construction	All physical work to enable operation including but not limited to 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"> • building and road dilapidation surveys; • investigative drilling or investigative excavation; • Archaeological Salvage; • establishing temporary site offices (in locations identified by the conditions of this consent); • installation of environmental impact mitigation measures, fencing, enabling works; and • minor adjustments to services or utilities.
Council	Randwick City Council
CSELR	CBD and South East Light Rail
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	NSW Department of Planning, Industry and Environment

Development	The development described in the EIS and Response to Submissions, including the works and activities comprising the addition to the approved Acute Services Building, as modified by the conditions of this consent.
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services
EES Group	Environment, Energy and Science Group of the Department of Planning, Industry and Environment (former Office of Environment and Heritage)
EIS	The Environmental Impact Statement titled State Significant Development Application SSD-10339 Prince of Wales Hospital - Addition to Approved Acute Services Building, prepared by Advisian dated 20 August 2019, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Evening	The period from 6pm to 10pm.
Feasible	Means what is possible and practical in the circumstances
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage Division	Heritage, Community Engagement of the Department of Premier and Cabinet
Heritage Item	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
Incident	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>
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Management and mitigation measures	The management and mitigation measures set out in Part 7 of the EIS.
Material harm	Is harm that: <ul style="list-style-type: none"> a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Monitoring	Any monitoring required under this consent must be undertaken in accordance with section 9.39 of the EP&A Act

Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
OEMP	Operational Environmental Management Plan
Operation	The carrying out of the approved purpose of the development upon completion of construction.
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation, benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled " <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> " (DECCW)
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting.
Response to submissions (RtS)	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.
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area.
Site	The land defined in Schedule 1.
Site Auditor	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Report	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Statement	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
TfNSW	Transport for New South Wales
TfNSW (RMS)	Transport for New South Wales (Roads and Maritime Services)
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Year	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;
- (d) in accordance with the approved plans in the table below:

Architectural Plans prepared by BVN and Terroir			
Dwg No.	Issue	Name of Plan	Date
01A-NL0016	A	Site Plan	04.07.19
01A-DA00510	A	Materials Board	04.07.19
11B-0000003	D	General Arrangement Plan Level 00	04.07.19
11B-0100003	D	General Arrangement Plan Level 01	04.07.19
11B-0200003	D	General Arrangement Plan Level 02	04.07.19
11B-0300003	D	General Arrangement Plan Level 03	04.07.19
11B-0400003	D	General Arrangement Plan Level 04	04.07.19
11B-0500003	D	General Arrangement Plan Level 05	04.07.19
11B-0600003	D	General Arrangement Plan Level 06	04.07.19
11B-0700003	D	General Arrangement Plan Level 07	04.07.19
11B-0800003	D	General Arrangement Plan Level 08	04.07.19
11B-0900003	D	General Arrangement Plan Level 09	04.07.19
11B-1000003	C	General Arrangement Plan Level 10	04.07.19
11B-B100003	D	General Arrangement Plan Level -01	04.07.19
11C-NL10001	G	North Elevation	23.10.19
11C-NL10002	F	South Elevation	23.10.19
11C-NL10003	F	East Elevation	23.10.19
11D-NL1001	G	North-South Section	23.10.19
11D-NL1002	F	West-East Section 1	23.10.19
11D-NL1003	F	West-East Section 2	23.10.19
SSDA Landscape Design Report - Updated prepared by Aspect Studios, Revision 9, dated 17.10.19			
Page Number	Name of Plan		
10	Level 00 General Arrangement		
11	Level 00 Section		
12	Level 00 Landscape Design		
13	Level 00 Material Palette		
15	Soil Depths and Volumes		

16	Planting Plan
17	Planting Schedules
18	Site Tree Retention and Removal

- 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;
 - any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; 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 work is 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.

Evidence of Consultation

- A8. Where conditions of this consent require consultation with an identified party, the Applicant must:
- consult with the relevant party prior to submitting the subject document for information or approval; and
 - provide details of the consultation undertaken including:
 - the outcome of that consultation, matters resolved and unresolved; and
 - details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

Staging

- A9. 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. The Staging Report must be submitted to the Planning Secretary no later than one month before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation).
- A10. A Staging Report prepared in accordance with condition A9 must:
- if staged construction is proposed, set out how the construction 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 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.
- A11. Where staging is proposed, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.
- A12. 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.

Staging, Combining and Updating Strategies, Plans or Programs

- A13. The Applicant may:
- (a) prepare and submit any strategy, plan (including management plan, architectural or design 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 (including management plan, architectural or design plan) or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan (including management plan, architectural or design plan) or program);
 - (b) combine any strategy, plan (including management plan, architectural or design plan), or program required by this consent (if a clear relationship is demonstrated between the strategies, plans (including management plan, architectural or design plan) or programs that are proposed to be combined); and
 - (c) update any strategy, plan (including management plan, architectural or design plan), or program required by this consent (to ensure the strategies, plans (including management plan, architectural or design plan), or 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).
- A14. The Planning Secretary must approve any strategy, plan or program prepared in accordance with condition A13 where previously approved by the Planning Secretary under this consent.
- A15. If the Planning Secretary agrees, a strategy, plan (including management plan, architectural or design 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.
- A16. Updated strategies, plans (including management plan, architectural or design plan), or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.

Structural Adequacy

- A17. 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.

External Walls and Cladding

- A18. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

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. 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, Site audit report 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 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.

Incident Notification, Reporting and Response

- A24. The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.
- A25. Subsequent notification must be given and reports submitted in accordance with the requirements set out in **Appendix 2**.

Non-Compliance Notification

- A26. The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also

notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.

- A27. 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.
- A28. 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

A29. Within three months of:

- (a) the submission of a compliance report under condition B30;
- (b) the submission of an incident report under condition A25 ;
- (c) the submission of an Independent Audit under condition C41;
- (d) the approval of any modification of the conditions of this consent; or
- (e) 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 Certifier must be notified in writing that a review is being carried out.

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 Certifier. Where revisions are required, the revised document must be submitted to the Certifier 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.*

Noise Mitigation Strategy

- A30. The Applicant must provide a Noise Mitigation Strategy prepared by a suitably qualified acoustic consultant for the approval of the Planning Secretary identifying mitigation measures, including architectural treatments (if required) to be offered to all residences on the southern side of Magill Street, to ensure the internal noise levels do not exceed the sleep disturbance criteria in accordance with the Noise Policy for Industry (EPA 2017). If accepted the treatments must be installed at no cost to the resident.

Transport Network Operation

- A31. The Applicant must consult with TfNSW, including its Sydney Coordination Office and TfNSW (RMS), to identify measures to mitigate impacts on the surrounding road network associated with the closure of Hospital Road at High Street.

Amendments to Consent SSD 9113

- A32. The Applicant must deliver a notice of modification to the consent authority that complies with clause 97 of the Environmental Planning and Assessment Regulation 2000, within six months of the date of this determination. The notice must set out the modifications to conditions in SSD 9113 that are listed in **Schedule 3** of this consent.

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 Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with the relevant clauses of the BCA and this development consent.

External Walls and Cladding

- B4. Prior to the commencement of construction of the façade, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or 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.
- B5. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

Protection of Public Infrastructure

- B6. Prior to 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, Certifier and Council.

CBD and South East Light Rail

- B7. Prior to commencement of construction, the Applicant must consult with and obtain written approval from TfNSW, including its Sydney Co-ordination Office and Sydney Light Rail team, in relation to the proposed construction management measures to mitigate any impacts to the operation of the CBD South East Light Rail arising from:
 - (a) the closure of Hospital Road at High Street; and
 - (b) excavation works and any potential flooding impacts due to the proposed development.

Ecologically Sustainable Development

- B8. Prior to the commencement of construction, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate that ESD is being achieved by either:
 - (a) registering for a minimum 4 star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifier; or
 - (b) seeking approval from the Planning Secretary for an alternative certification process.

Outdoor Lighting

- B9. Prior to commencement of lighting installation, evidence must be submitted to the satisfaction of the Certifier that all outdoor lighting within the site has been designed to comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-2019 Control of the obtrusive effects of outdoor lighting.

Environmental Management Plan Requirements

- B10. 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 / update of the plan and any updates in response to incidents or matters of non-compliance.

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

Construction Environmental Management Plan

- B11. Prior to the commencement of construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier and provide a copy to the Planning Secretary. 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) stormwater control and discharge;
 - (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
 - (vi) groundwater management plan including measures to prevent groundwater contamination;
 - (vii) external temporary lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;
 - (viii) community consultation and complaints handling;
 - (b) Construction Noise and Vibration Management Sub-Plan (see condition B12);
 - (c) Construction Waste Management Sub-Plan (see condition B13);
 - (d) Construction Soil and Water Management Sub-Plan (see condition B14);

- (e) an unexpected finds protocol for contamination and associated communications procedure;
 - (f) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure;
 - (g) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site; and
- B12. The Construction Noise and Vibration Management Sub-Plan 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;
 - (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 B12(d);
 - (f) include a complaints management system that would be implemented for the duration of the construction;
 - (g) mitigation measures to minimise impacts of works undertaken outside standard hours
 - (h) adherence to the recommendations of the report titled *Noise and Vibration Impact Assessment Issue 5* dated 5 August 2019 and prepared by Acoustic Studio, as modified by the conditions of this consent.
- B13. The Construction Waste Management Sub-Plan 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; and
 - (b) 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.
- B14. The Construction Soil and Water Management Sub-Plan must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified expert, in consultation with Council;
 - (b) describe all erosion and sediment controls to be implemented during construction;
 - (c) 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);
 - (d) detail all off-Site flows from the Site; and
 - (e) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI.

Construction Traffic and Pedestrian Management Plan

- B15. A Construction Traffic and Pedestrian Management Plan (CTPMP) must be prepared to achieve the objective of ensuring safety and efficiency of the road network and 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 the TfNSW, including its Sydney Coordination Office, Sydney Light Rail Operator team, TfNSW (RMS), and Council;

- (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on the CBD and South East Light Rail project and general traffic, cyclists and pedestrians and bus services;
- (d) location all proposed work zones;
- (e) proposed construction hours;
- (f) estimated number and type of construction vehicle movements including volume, time of day, vehicle routes, access and parking arrangements. All construction vehicles are to enter and exit site in a forward direction. No reversing into site should be allowed for pedestrian safety reasons. Construction vehicle movements should be limited during peak periods, AM (7am-9.30am) and PM (4pm-6.30pm) to reduce impacts on any bus operations and traffic flow.
- (g) construction program including details of peak construction activities and proposed construction staging;
- (h) measures to reduce the likelihood of construction workers driving to the Randwick Hospital Campus site to park, placing further demand on kerbside parking and the road network during construction.
- (i) 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;
- (j) include a program to monitor the effectiveness of these measures; and
- (k) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.

B16. A copy of the final CTPMP is to be submitted to the Coordinator General, Transport Coordination at TfNSW for endorsement prior to the commencement of any work.

Construction Worker Transportation Strategy

B17. Prior to the commencement of construction, the Applicant must submit a Construction Worker Transportation Strategy in consultation with the Sydney Coordination Office within Transport for New South Wales to the satisfaction of the Certifier. The Strategy must detail the provision of sufficient parking facilities or other travel arrangements for construction workers in order to minimise demand for parking in nearby public and residential streets or public parking facilities.

Soil and Water

B18. Prior to the commencement of construction, the Applicant must:

- (a) install erosion and sediment controls on the site to manage wet weather events; and
- (b) divert existing clean surface water around operational areas of the site.

B19. Prior to the commencement of construction, erosion and sediment controls must be installed and maintained, as a minimum, in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4th edition, Landcom 2004) commonly referred to as the 'Blue Book'.

Stormwater Management System

B20. Prior to the commencement of construction above ground, the Applicant must design an operational stormwater management system for the development and submit it to the satisfaction of the Certifier. The system must:

- (a) be designed by a suitably qualified and experienced person(s);
- (b) be generally in accordance with the conceptual design in the EIS;
- (c) be in accordance with applicable Australian Standards; and

- (d) 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.

Operational Noise – Design of Mechanical Plant and Equipment

- B21. Prior to installation of mechanical plant and equipment, the Applicant must incorporate the noise mitigation recommendations in the Noise and Vibration Impact Assessment Issue 5 dated 5 August 2019 and prepared by Acoustic Studio, into the detailed design drawings. The Certifier must verify that all noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Noise and Vibration Impact Assessment Issue 5 dated 5 August 2019 and prepared by Acoustic Studio.
- B22. Mechanical plant and equipment must be selected, installed and operated both individually and cumulatively within SSD 10339, so that the operational noise levels from the entire Acute Services Building (SSD 9113 and SSD 10339) do not exceed the Project Noise Trigger levels identified in Table 4 of Section 5.2.1.1.1 of the noise impact assessment.

Landscaping

- B23. Prior to the commencement of construction of landscape works, the Applicant must prepare a detailed Landscape Plan to manage the landscaping works on-site, to the satisfaction of the Certifier, and submit a copy to the Planning Secretary. The plan must:
- detail the location, species, maturity and height at maturity of plants to be planted on-site;
 - include species (trees, shrubs and groundcovers) indigenous to the local area using a mix of species from the plant families that are found in naturally occurring examples of the vegetation community that is most likely to have occurred on the site and compensate for any loss of foraging habitat for the Grey-headed Flying fox;
 - include species (trees, shrubs and groundcovers) indigenous to the local area; and
 - incorporate the details and recommendations outlined in the SSDA Landscape Design Report - Updated 17 October 2019 prepared by Aspect Studios.

Construction and Demolition Waste Management

- B24. Prior to the commencement of the removal of any waste material from the site, the Applicant must notify the TfNSW (RMS) Traffic Management Centre of the truck route(s) to be followed by trucks transporting waste material from the site.

Operational Waste Storage and Processing

- B25. Prior to the commencement of construction above ground, the Applicant must obtain agreement from Council for the design of the operational waste storage area (where waste removal will be undertaken by Council). Where waste removal will be undertaken by a third party, the design of the operational waste storage area must be in accordance with Council's standards and evidence must be provided to the Certifier.

Crime Prevention Through Environmental Design (CPTED)

- B26. Prior to the commencement of construction above ground, details must be submitted to the satisfaction of the Certifier that the Crime Prevention Through Environmental Design principles established in the Architectural Design Statement report, prepared by BVN Terroir Revision 10, dated 23 October 2019, have been incorporated into the design to minimise crime risk and ensure the design is generally consistent with the principles in the CPTED principles.

Compliance Reporting

- B27. No later than 48 hours prior to the commencement of construction, a Compliance Monitoring and Reporting Schedule prepared in accordance with section 2.1 of the Compliance Reporting Post Approval Requirements (Department 2018, or as amended), as amended by condition B28 must be submitted to the Planning Secretary and the Certifier.

- B28. Table 1 of the Compliance Reporting Post Approval Requirements (Department 2018, or as amended) is amended so that the Compliance Monitoring and Reporting Schedule, minimum frequency of Compliance Reports required is:
- (a) a Pre-Construction Compliance Report must be submitted to the Planning Secretary prior to commencement of construction;
 - (b) a Pre-Operational Compliance Report must be submitted to the Planning Secretary prior to commencement of operation and/or use; and
 - (c) Operation Compliance Reports are required for the duration of operation and must be submitted to the Planning Secretary at intervals, no greater than 52 weeks from the commencement of operation or as otherwise by the Planning Secretary.
- B29. Compliance Reports of the development must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018, or as amended)
- B30. Compliance Reports of the development must be submitted to the Planning Secretary in accordance with timing outlined in the Compliance Monitoring and Reporting Schedule.
- B31. The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary.
- B32. Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018, or as amended), the Planning Secretary may approve a request for ongoing annual operation Compliance Reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that consistent operational compliance has been achieved.

Remediation

- B33. Prior to commencement of remediation works, the Applicant must prepare an updated Remediation Action Plan to include an asbestos management plan, unexpected finds protocol and soil management strategy in accordance with the recommendations in the Contamination Report prepared by Douglas Partners dated 20 August 2019 to the satisfaction of the Certifier.

Contamination

- B34. Prior to commencement of construction, the Applicant must prepare a Contamination Management Protocol to the satisfaction of a NSW EPA Accredited Site Auditor which identifies how concurrent remediation and construction activities will be managed on site which:
- (a) includes procedures to differentiate between the handling of contaminated soil/material and construction material to ensure clear separation of handling;
 - (b) includes procedures to differentiate between the handling and transport of contaminated soil and construction materials to and from the site ensure clear separation of handling; and
 - (c) includes a procedure for recording the volume and type of contaminated material leaving the site and its destination.

Unexpected Contamination Procedure

- B35. 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 B11 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.
- B36. The EPA is to be notified under section 60 of the Contaminated Land Management Act 1997 for any contamination identified which meets the triggers in the Guidelines for the Duty to Report Contamination.
- B37. The Applicant is required to engage an EPA-accredited site auditor to review the adequacy of the investigations, unexpected finds protocol, any remedial works or management plan required and confirm that the land can be made suitable for the proposed use. The Applicant must adhere to the management measures accepted by the Auditor.

Groundwater

B38. A report must be obtained from a qualified, experienced hydrogeological engineer, which provides an assessment of the site and the potential impact of groundwater (including seepage flows) and the water table upon the development, and measures to be implemented to effectively manage groundwater where affected. The report is to be submitted to the satisfaction of the Certifier.

Public Domain Works

B39. Prior to the commencement of any footpath, bicycle path, or public domain works on Council land, the Applicant must consult with Council and demonstrate to the Certifier 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 Certifier.

Aboriginal Heritage

B40. Prior to the commencement of demolition or earthworks within the subject land a limited program of investigations be undertaken inclusive of machine trenching and manual excavation as outlined in the Aboriginal Cultural Heritage Assessment Report, prepared by Mary Dallas Consulting Archaeologists, dated October 2018, across the subject land. The work should be undertaken by a qualified archaeologist. These initial archaeological test excavations should be undertaken in accessible portions of the subject land, in order to determine the presence/absence of any Aboriginal archaeological remains within surviving archaeologically sensitive dune deposits.

Biodiversity

B41. Prior to the commencement of tree removal, the Applicant must engage an appropriately licensed and qualified fauna ecologist to search the 10 trees approved for removal (as shown on page 18 of *SSDA Landscape Design Report – Updated*, prepared by *Aspect Studios*, Revision 9, dated 17.10.19) prior to their removal, in order to confirm the absence of native fauna, such as microbats. In the event that microbats are found, the ecologist must capture, treat and relocate the microbats to a suitable location.

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 Certifier.

Site Notice

- C2. A site notice(s):
- (a) must be prominently displayed at the boundaries of the site during construction for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifier and Structural Engineer is to satisfy the following requirements;
 - (b) 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;
 - (c) the notice is to be durable and weatherproof and is to be displayed throughout the works period;
 - (d) 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
 - (e) 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

- C3. All construction plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.

Construction Hours

- C4. Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:
- (a) between 7am and 6pm, Mondays to Fridays inclusive; and
 - (b) between 8am and 5pm, Saturdays.

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

- C5. Construction activities may be undertaken outside of the hours in condition C4 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) for the delivery, set-up and removal of construction cranes, where notice of the crane-related works is provided to the Planning Secretary and affected residents at least seven days prior to the works; or
 - (e) where a variation is approved in advance in writing by the Planning Secretary or his nominee if appropriate justification is provided for the works.
- C6. Notification of such construction activities as referenced in condition C5 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- C7. Construction activities may be undertaken outside of the hours in condition C4, in accordance with the schedule of out of hours work nominated at section 3.4.2 and table 3.3 of the EIS to maintain operation of the hospital loading dock, unless directed otherwise by the Planning Secretary, and must be restricted to the following times and type of works:
- (a) Friday: 6:00 pm to 10:00 pm (limited to site establishment activities in preparation for weekend works).

- (b) Saturday: 5:00 pm to 10:00 pm (general construction activities excluding excavation, sawing of rock, jack hammers, pile drivers, vibratory rollers/compactors of the like).
 - (c) Sunday: 8:00 am to 5:00 pm (general construction activities including excavation, sawing of rock, jack hammers, pile drivers, vibratory rollers/compactors of the like).
 - (d) Sunday: 5:00 pm to 10:00 pm (general construction activities excluding excavation, sawing of rock, jack hammers, pile drivers, vibratory rollers/compactors of the like).
- C8. The work permitted under condition C7:
- (a) may be undertaken for a trial period of four weekends to monitor the effectiveness of the Construction Noise Vibration Management Plan (CNVMP) for the out-of-hour works required by condition C9, with a start date and the weekends notified in writing to the Planning Secretary 14 calendar days prior to commencement. At the conclusion of the trial period, the Applicant must submit a written report as required by condition C11 within 14 calendar days.
 - (b) may continue in accordance with the schedule in accordance with C7 if the Planning Secretary does not advise within two weeks of submission of the trial period report that the works must cease.
 - (c) must be supported by respite days where continuous days of construction exceed 13 days. A respite day must be provided after 14 consecutive days of working.
- C9. In undertaking any out-of-hours works under condition C7, the Applicant must comply with the following:
- (a) prepare a CNVMP for the out-of-hours work that is to include:
 - (i) a description of the proposed out-of-hours works;
 - (ii) predictions of LAeq (15 minute) noise levels at noise sensitive receivers from these works and activities, where noise levels are predicted to be greater than the construction noise management level s in EPA's *Interim Construction Noise Guideline* (DECC, 2009); and
 - (iii) a monitoring plan to validate the noise predictions, based on monitoring at the boundary of representative sensitive receivers during noise generating activities that are representative of the out-of-hours works;
 - (b) the Applicant must submit the CNVMP to the Planning Secretary 14 calendar days prior to any work commencing for the duration of the trial period; and
- C10. In undertaking any out-of-hours works under condition C7, the Applicant must notify potentially affected noise sensitive receivers of works outside of standard construction hours not less than five calendar days and not more than 14 calendar days before those works are to be undertaken.
- (a) the notification must be:
 - (i) undertaken by letterbox drop or email; and
 - (ii) be detailed on the project website.
 - (b) the notification required by this condition must:
 - (i) clearly outline the reason that the work is required to be undertaken outside the hours specified in condition C7;
 - (ii) include a diagram that clearly identifies the location of the proposed works in relation to nearby cross streets and local landmarks;
 - (iii) include details of relevant time restrictions that apply to the proposed works;
 - (iv) clearly outline in plain English, the location, nature, scope and duration of the proposed works;
 - (v) detail the expected noise impact of the works on noise sensitive receivers;
 - (vi) clearly state how complaints may be made and additional information obtained; and

- (vii) include the number of the telephone complaints line, which must also be the after hours contact phone number specific to the works undertaken outside the hours specified in condition C7, and the project website address.
- C11. For out-of-hours works permitted under condition C7, a validation report must be submitted to the Planning Secretary within 14 calendar days of the completion of the trial that includes the following detail:
- (a) a copy of the community notification required under condition C10; and
 - (b) noise monitoring undertaken during the out of hours works; and
 - (c) details of any exceedances of noise levels predicted in the CNVMP; and
 - (d) details of the noise and vibration mitigation measures that were implemented during the out-of-hours works; and
 - (e) a summary of any community complaints received by the project during the trial period.
- C12. Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:
- (a) 9am to 12pm, Monday to Friday;
 - (b) 2pm to 5pm Monday to Friday; and
 - (c) 9am to 12pm, Saturday.
- C13. Where high noise impact activities are undertaken in accordance with the schedule of weekend closures of the loading dock nominated at section 3.4.2 and table 3.3 of the EIS to maintain operation of the hospital loading dock, the requirements of condition C12 do not apply provided that all high noise impact activities are undertaken prior to 5pm where reasonable and feasible.

Implementation of Management Plans

- C14. The Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP (including Sub-Plans) and CTPMP.

Construction Traffic

- C15. 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 unless directed by traffic control. A construction zone is not permitted on High Street.
- C16. The Applicant is to consult with the TfNSW and its internal stakeholders including Roads and Maritime Services, Council and the Light Rail Operator at the Traffic and Transport Construction Coordination meetings during construction.

Hoarding Requirements

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

Construction Noise Limits

- C18. 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.
- C19. 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 conditions C4 and C7.

- C20. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use of 'quackers' to ensure noise impacts on surrounding noise sensitive receivers are minimised.

Vibration Criteria

- C21. 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).
- C22. 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 C21.
- C23. The limits in conditions C21 and C22 apply unless otherwise outlined in a Construction Noise and Vibration Management Sub-Plan, approved as part of the CEMP required by condition B12 of this consent or CNVMP required by condition C9(a) of this consent.

Air Quality

- C24. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- C25. During construction, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering;
 - (b) all trucks entering or leaving the site with loads have their loads covered;
 - (c) trucks associated with the development do not track dirt onto the public road network;
 - (d) public roads used by these trucks are kept clean; and
 - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

Erosion and Sediment Control

- C26. 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. Erosion and sediment control techniques, as a minimum, are to be in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4th edition, Landcom, 2004) commonly referred to as the 'Blue Book'.

Imported Soil

- C27. The Applicant must:
- (a) ensure that only VENM, 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 Certifier upon request.

Disposal of Seepage and Stormwater

- C28. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the building to the satisfaction of the principal Certifier. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.

Unexpected Finds Protocol – Aboriginal Heritage

- C29. 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 recommendations in the Aboriginal Cultural Heritage Assessment Report

prepared by Mary Dallas Consulting Archaeologists dated October 2018 shall be adhered to. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by EES Group 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 EES Group to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of EES Group.

Unexpected Finds Protocol – Historic Heritage

- C30. If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the NSW 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 the NSW Heritage Division.

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 assess, 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.

Independent Environmental Audit

- C35. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.
- C36. Within four weeks of the commencement of construction, an Independent Audit Schedule prepared in accordance with section 2.1 of the Independent Audit Post Approval Requirements, (Department 2018, or as amended), as amended by condition C37 must be submitted to the Planning Secretary and the Certifier.
- C37. Table 1 of the Independent Audit Post Approval Requirements (Department 2018, or as amended) is amended so that the Independent Audit Schedule frequency of Independent Audits required in the construction phase is:
- (a) an initial construction Independent Audit must be undertaken within twelve weeks of the notified commencement date of construction; and
 - (b) subsequent Independent Audits of construction must be undertaken at intervals, no greater than 26 weeks from the date of the initial construction Independent Audit.
- C38. In all other respects Table 1 of the Independent Audit Post Approval Requirements (Department 2018, or as amended) remains the same. The Planning Secretary may require Independent Audits to be undertaken at different times to those specified above, upon giving at least eight weeks notice to the Applicant of the date upon which the Independent Audit must be commenced.
- C39. Independent Audits of the development must be carried out in accordance with:
- (a) the Independent Audit Schedule submitted to the Planning Secretary and the Certifier under condition C36 of this consent; and
 - (b) the Independent Audit Post Approval Requirements (Department 2018, or as amended).
- C40. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018, or as amended), the Applicant must:

- (a) review and respond separately to each Independent Audit Report prepared under condition C39 of this consent;
 - (b) submit the response to the Planning Secretary and the Certifier; and
 - (c) make each Independent Audit Report and response to it publicly available 60 days after submission to the Planning Secretary.
- C41. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Department within 21 days of the date referenced in the Independent Audit Schedule, unless otherwise agreed by the Planning Secretary.
- C42. Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing operational Independent Audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that Independent Audits have demonstrated consistent operational compliance.

Handling of Asbestos

- C43. The Applicant is to consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.

Community Engagement

- C44. The Applicant must consult with the community regularly throughout construction, including consultation with the nearby sensitive residential receivers located in Magill Street and relevant regulatory authorities and other interested stakeholders.

Builders Details

- C45. The Applicant must provide the builder's direct contact number to surrounding stakeholders impacted by the construction work and the Transport Management Centre and Sydney Coordination Office within TfNSW to resolve issues relating to traffic, freight, servicing and pedestrian access during construction in real time. The Applicant is responsible for ensuring the builder's direct contact number is current during any stage of construction.

PART D PRIOR TO COMMENCEMENT OF OPERATION

Notification of Occupation

- D1. At least one month before commencement of operation, the date of commencement of the operation of the development must be notified to the Planning Secretary in writing. If the operation of the development is to be staged, the Planning Secretary 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.

External Walls and Cladding

- D2. Prior to commencement of operation, the Applicant must provide the Certifier 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.
- D3. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

Post-construction Dilapidation Report

- D4. Prior to commencement of operation, 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 Certifier. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifier 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) to be forwarded to Council.

Protection of Public Infrastructure

- D5. 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 or otherwise addressed by contributions required by conditions of this consent.

Protection of Property

- D6. Unless the Applicant and the applicable owner agree otherwise, the Applicant must repair, or pay the full costs associated with repairing any property that is damaged by carrying out the development.

Utilities and Services

- D7. Prior to commencement of operation, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

Works as Executed Plans

- D8. 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 Certifier.

Green Travel Plan

- D9. Prior to the commencement of operation, a Green Travel Plan (GTP), must be submitted to the Certifier to promote the use of active and sustainable transport modes. The plan must:

- (a) be prepared by a suitably qualified traffic consultant in consultation with Randwick City Council and TfNSW (Sydney Coordination Office) and all stakeholders within the Randwick Health and Education Precinct;
- (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) identify strategies and mode share targets that encourage the use of public and active transport and reduce the proportion of single-occupant car journeys to the site;
- (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;
- (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 users of the development;
- (f) include a Transport Access Guide that provides information to students/employees/visitors about the range of travel modes, access arrangements and supporting facilities that service the site;
- (g) identify relevant workplace policies such as flexible working and teleworking arrangements that enable travel outside peak periods or which reduce the need for work related travel (where applicable); and
- (h) nominate the party/parties responsible for implementing the Travel Plan and its ongoing monitoring and review, including the delivery of actions and associated mode share targets.

Mechanical Ventilation

D10. Prior to commencement of operation, the Applicant must provide evidence to the satisfaction of the Certifier that the installation and performance of the mechanical ventilation systems complies with:

- (a) *AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings* and other relevant codes;
- (b) The BCA and the development consent and any relevant modifications; and
- (c) any dispensation granted by Fire and Rescue NSW.

Operational Noise – Design of Mechanical Plant and Equipment

D11. Prior to the commencement of operation, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations Noise and Vibration Impact Assessment Issue 5 dated 5 August 2019, prepared by Acoustic Studio have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Noise and Vibration Impact Assessment.

Road Damage

D12. Prior to the commencement of operation, 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 must be met in full by the Applicant.

Fire Safety Certification

D13. Prior to commencement of occupation, 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.

Structural Inspection Certificate

- D14. Prior to the commencement of occupation of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifier. 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 Certifier 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.

Warm Water Systems and Cooling Systems

- D15. The installation of warm water systems and water cooling systems (as defined under the *Public Health Act 2010*) must comply with the *Public Health Act 2010*, Public Health Regulation 2012 and Part 1 (or Part 3 if a Performance-based water cooling system) of *AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance* and the NSW Health Code of Practice for the Control of Legionnaires' Disease.

Outdoor Lighting

- D16. Prior to the commencement of operation, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and:
- (a) complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and
 - (b) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Signage

- D17. Prior to the commencement of operation, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.

Traffic Management Plan

- D18. Prior to commencement of operation, the Applicant must prepare a Traffic Management Plan to the satisfaction of the Planning Secretary in relation to the operation of the Hospital Road/Magill Street intersection. The Plan must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with Council;
 - (c) detail the measures to ensure road safety and network efficiency, particularly in relation to the entry/exits points to the hospital car park;
 - (d) details of the operation of the boom gate; and
 - (e) contain a Traffic Monitoring Program to monitor the impact of increased traffic using the intersection.

Operational Waste Management Plan

- D19. Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifier. The Waste Management Plan 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 the EIS and RtS.

Site Audit Report and Site Audit Statement

- D20. Prior to the commencement of operation, the Applicant must obtain from an EPA accredited Site Auditor, a Site Audit Statement and a Site Audit Report which demonstrates that the site is suitable for its intended use(s).

Landscaping

- D21. Prior to the commencement of operation, the Applicant must prepare an Operational Landscape Management Plan to manage the landscaping on-site, to the satisfaction of the Certifier. The plan must describe the ongoing monitoring and maintenance measures to manage landscaping.

Waste Collection

- D22. Prior to the commencement of the operation, the Certifier must be satisfied the waste management and storage areas have been completed in accordance with Council Waste management requirements.

Noise Mitigation Measures

- D23. Prior to the commencement of the operation, the Certifier must be satisfied the noise mitigation measures have been completed in accordance with the Noise Mitigation Strategy (condition A30) if required.

PART E POST OCCUPATION

Operation of Plant and Equipment

- E1. All plant and equipment used on site must be maintained in a proper and efficient condition operated in a proper and efficient manner.

Warm Water Systems and Cooling Systems

- E2. The operation and maintenance of warm water systems and water cooling systems (as defined under the Public Health Act 2010) must comply with the Public Health Act 2010, Public Health Regulation 2012 and Part 2 (or Part 3 if a Performance-based water cooling system) of AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance and the NSW Health Code of Practice for the Control of Legionnaires' Disease.

Operational Noise Limits

- E3. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in the *Noise and Vibration Impact Assessment*, Issue 5, dated 5 August 2019, prepared by Acoustic Studio
- E4. The Applicant must undertake short term noise monitoring in accordance with the *Noise Policy for Industry* where valid data is collected following the commencement of use of each stage of the development. The monitoring program must be carried out by an appropriately qualified person and a monitoring report must be submitted to the Planning Secretary within two months of commencement of each stage of the development to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified in *Noise and Vibration Impact Assessment*, Issue 5, dated 5 August 2019, prepared by Acoustic Studio. 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.
- E5. Within six months of commencement of operation, the Applicant must undertake operational noise monitoring to identify the actual noise performance of the development and prepare an Operational Noise Report to document this monitoring. The Report must include, but not be limited to:
- (a) noise monitoring to assess compliance with the operational noise levels predicted in the *Noise and Vibration Impact Assessment*, dated 5 August 2019 and prepared by Acoustic Studio;
 - (b) a review of the noise levels from the opening of Magill Street in terms of the criteria established in the NSW Road Noise Policy (DECCW, 2011);
 - (c) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which project noise levels are ascertained, with specific reference to locations indicative of impacts on sensitive receivers;
 - (d) details of any complaints and enquiries received in relation to operational noise generated by the development between the date of commencement of operation and the date the report was prepared;
 - (e) any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers;
 - (f) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of all mitigation measures; and
 - (g) mitigation measures, if monitoring undertaken in accordance with this condition identifies that the noise criteria determined in accordance with the NSW Road Noise Policy (DECCW, 2011) is exceeded, including architectural treatment. These mitigation measures must be offered to affected residences.
- E6. The Applicant must provide the Planning Secretary with a copy of the Operational Noise Report referred to in condition E5 and install any additional noise mitigation measures required in

accordance with condition E5(g) (where accepted) within one month of completing the operational noise monitoring referred to in condition E5.

Green Travel Plan

- E7. A final/revised Green Travel Plan is to be submitted to the Planning Secretary within 18 months of occupation. The final Green Travel Plan should include consideration of journey to work patterns and behaviours identified by a staff/students/visitor travel survey taken during the first 12 months of opening of the institution.
- E8. The Green Travel Plan required by condition D9 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.

Traffic Management Plan

- E9. Within six months of commencement of operations, a Road Safety Audit must be undertaken by a suitably qualified and experienced person of the Hospital Road/Magill Street intersection in relation to vehicular, bicycle and pedestrian movements and if required, include mitigation measures to ensure the efficient operation of the intersection and safety for pedestrians and all road users, including cyclists. The Applicant must provide a copy of the Road Safety Audit to the Planning Secretary and implement any mitigation measures within 12 months of commencement of operations, or unless otherwise agreed by the Planning Secretary.

Ecologically Sustainable Development

- E10. Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 4 star Green Star Design & As Built rating. If required to be obtained, evidence of the certification must be provided to the Certifier and the Planning Secretary. If an alternative certification process has been agreed to by the Planning Secretary under condition B8, evidence of compliance of implementation must be provided to the Planning Secretary and Certifier.

Outdoor Lighting

- E11. Notwithstanding condition B9, 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.

Landscaping

- E12. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B23 for the duration of occupation of the development.

Hazards and Risk

- E13. The Applicant must store all chemicals, fuels and oils used on-site in accordance with:
- (a) the requirements of all relevant Australian Standards; and
 - (b) the EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* if the chemicals are liquids.
- E14. In the event of an inconsistency between the requirements of condition E13(a) and E13(b), the most stringent requirement must prevail to the extent of the inconsistency.

Dangerous Goods

- E15. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with:
- (a) all relevant Australian Standards;
 - (b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
 - (c) the Environment Protection Manual for *Authorised Officers: Bunding and Spill Management – technical bulletin* (EPA, 1997).

- (d) The Applicant must ensure that the dangerous goods quantities at any time within the development and transported to and from the development will not exceed the screening threshold quantities listed in the Department's *Hazardous and Offensive Development Guidelines, Applying SEPP 33*.

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.

External Signage

E17. The signage types and locations are to be consistent and integrated with the Acute Services Building and in accordance with the signage examples in the Architectural Design Statement prepared by BVN Terroir dated 23 October 2019 Revision 10.

SCHEDULE 3 - MODIFICATION TO SSD 9113

SCHEDULE 2 is amended by the insertion of **bold and underlined** words/numbers and/or deletion of the struck out words/numbers as follows

PART A ADMINISTRATIVE CONDITIONS

Design Modifications

A15. ~~No consent is granted for the opening of~~ **Prior to the opening of Magill Street, a boom gate is to be installed at** the eastern end of Magill Street **to close access** for vehicular access to and from ~~to~~ Hospital Road **between 10pm and 7am seven days a week** except to allow emergency ambulance access in cases where access via Botany Road is not available. The eastern end of Magill Street is to be closed with bollards. Details of the bollards **boom gate**, including its design and operation are to be developed in consultation with Council and submitted to the satisfaction of the Planning Secretary prior to installation.

Signage is to be installed at the entry to Magill Street from Botany Street and the Emergency Department access to notify traffic travelling towards Hospital Road through Magill Street that access to Hospital Road is closed between 10pm and 7am seven days a week except to emergency vehicle. The signage is to be designed in consultation with Council and TfNSW (RMS) and submitted to the satisfaction of the Planning Secretary prior to installation.

APPENDIX 1 ADVISORY NOTES

General

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.

Long Service Levy

AN2. 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

AN3. Any advice or notice to the consent authority must be served on the Planning Secretary.

Access for People with Disabilities

AN4. 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 Certifier 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.

Utilities and Services

AN5. Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

AN6. 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.

Road Design and Traffic Facilities

AN7. All roads and traffic facilities must be designed to meet the requirements of Council or TfNSW (RMS) (whichever is applicable). The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road or pavement construction works.

Road Occupancy Licence

AN8. A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows on High Street during construction activities.

SafeWork Requirements

AN9. 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.

Hoarding Requirements

AN10. The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

Handling of Asbestos

AN11. The Applicant must consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.

Fire Safety Certificate

AN12. The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement.

APPENDIX 2 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 Planning Secretary at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition A24 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.