

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 26 April 2021, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

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.



Karen Harragon
Director
Social and Infrastructure Assessments

Sydney

17 December 2021

SCHEDULE 1

Application Number:	SSD-10831778
Applicant:	Health Administration Corporation
Consent Authority:	Minister for Planning and Public Spaces
Site:	Prince of Wales Hospital Campus, High Street, Randwick <ul style="list-style-type: none">• Lot 100 in DP1249692• Lots 1 - 4 in DP13995• Lots A - D in DP304806• Lots A & B in DP303478• Lots A & B in DP102029• Lots A & B in DP167106• Lots 6 & 7 in DP13997• Lots A & B in DP441943• Lots 12-14 in DP12909
Development:	Sydney Children's Hospital Stage 1 and Children's Comprehensive Cancer Centre, including: <ul style="list-style-type: none">• construction of a 10-storey building over two basement levels;• use as a health services facility; and• associated landscaping works and public domain 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
BCA	Building Code of Australia
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
Compliance Reporting Post Approval Requirements	Compliance Reporting Post Approval Requirements as available on the Department's website
Conditions of this consent	The conditions contained in Schedule 2 of this document
Construction	<p>All physical work to enable operation including but not limited to the carrying out of works for the purposes of the development, including erection of buildings and other infrastructure permitted by this consent, but excluding the following:</p> <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. <p>However, where heritage items, or threatened species or threatened ecological communities (within the meaning of the <i>Biodiversity Conservation Act 2016</i> or <i>Environment Protection and Biodiversity Conservation Act 1999</i>) are affected or potentially affected by any physical work, that work is construction, unless otherwise determined by the Planning Secretary in consultation with EES Group or DPIE Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation)</p>
Council	Randwick City
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
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 site preparation, construction and use/ operation, 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 <i>Environmental Impact Statement, Sydney Children's Hospital Stage 1 and Children's Comprehensive Cancer Centre</i> , prepared by Urbis, dated 4 May 2021, 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	Environmental Planning and Assessment Regulation 2000
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 NSW	Heritage, Community Engagement of the Department of Premier and Cabinet
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>
Independent Audit Post Approval Requirements	Independent Audit Post Approval Requirements as available on the Department's website
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
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
Operation	The carrying out of the approved purpose of the development upon completion of construction.

Operator	The operator of the health services facility the subject of this consent
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	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
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; and
 - (d) in accordance with the approved plans in the table below:

Architectural Plans prepared by <i>Billard Leece Partnership</i>			
Dwg No.	Rev	Name of Plan	Date
SCH1-AR-DG-SSD005	L	Site Plan – Proposed SSDA Area	02.09.21
SCH1-AR-DG-SSD010	L	Proposed Plan – Level B2	02.09.21
SCH1-AR-DG-SSD011	L	Proposed Plan – Level B1	02.09.21
SCH1-AR-DG-SSD012	L	Proposed Plan – Level 00	02.09.21
SCH1-AR-DG-SSD013	L	Proposed Plan – Level 01	02.09.21
SCH1-AR-DG-SSD014	L	Proposed Plan – Level 02	02.09.21
SCH1-AR-DG-SSD015	L	Proposed Plan – Level 03	02.09.21
SCH1-AR-DG-SSD016	L	Proposed Plan – Level 04	02.09.21
SCH1-AR-DG-SSD017	L	Proposed Plan – Level 05	02.09.21
SCH1-AR-DG-SSD018	L	Proposed Plan – Level 06	02.09.21
SCH1-AR-DG-SSD019	L	Proposed Plan – Level 07	02.09.21
SCH1-AR-DG-SSD020	L	Proposed Plan – Level 08	02.09.21
SCH1-AR-DG-SSD021	L	Proposed Plan – Level 09	02.09.21
SCH1-AR-DG-SSD022	L	Proposed Plan – Level 10 - Roof	02.09.21
SCH1-AR-DG-SSD030	L	Elevation – Sheet 01	02.09.21
SCH1-AR-DG-SSD031	J	Elevation – Sheet 02	02.09.21

SCH1-AR-DG-SSD032	L	Elevation – Sheet 03	02.09.21
SCH1-AR-DG-SSD033	J	Elevation – Sheet 04	02.09.21
SCH1-AR-DG-SSD035	L	Section – Sheet 01	02.09.21
SCH1-AR-DG-SSD036	J	Section – Sheet 02	02.09.21
SCH1-AR-DG-SSD037	L	Section – Sheet 03	02.09.21
SCH1-AR-DG-SSD038	J	Section – Sheet 04	02.09.21
SCH1-AR-DG-SSD039	K	Section Detail – Sheet 05	02.09.21
SCH1-AR-DG-SSD070	L	External Finishes Schedule	02.09.21
SCH1-AR-DG-SSD080	L	Signage – Sheet 01	02.09.21
Landscape Plans prepared by <i>Billard Leece Partnership</i>			
Dwg No.	Rev	Name of Plan	Date
LA-001	7	SCH 1 / CCCC Landscape Plan	01.10.21
LA-100	5	SCH 1 / CCCC Planting Strategy Plan	01.10.21
LA-101	5	SCH 1 / CCCC Planting Strategy	01.10.21
LA-102	5	SCH 1 / CCCC Planting Strategy	01.10.21
LA-103	1	General Arrangement Plan – L01	01.10.21
LA-104	1	General Arrangement Plan – L05	01.10.21
LA-105	1	General Arrangement Plan – L06	01.10.21
LA-106	1	General Arrangement Plan – L07	01.10.21
LA-107	1	General Arrangement Plan – L08	01.10.21

- 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 is binding on the parties.

Evidence of Consultation

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

Staging

- A9. The project may be constructed and operated in stages. Where compliance with conditions is required to be staged due to staged construction or operation, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the satisfaction 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:
- (a) 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 a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.
- A12. Where construction or operation is being staged in accordance with a Staging Report, the terms of this consent 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 as identified in the Staging Report.

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. Any strategy, plan or program prepared in accordance with condition A13, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary.
- 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.

Note: Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.

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 Planning Secretary must be notified through the major projects portal 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 1**.

Non-Compliance Notification

A26. The Planning Secretary must be notified through the major projects portal within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary through the major projects portal 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 A34;
- (b) the submission of an incident report under condition A25;
- (c) the submission of an Independent Audit under condition C41 or C42;
- (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 Planning Secretary and the Certifier must be notified in writing that a review is being carried out.

- A30. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary or Certifier (where previously approved by the Certifier). Where revisions are required, the revised document must be submitted to the Planning Secretary and / or Certifier for approval and / or information (where relevant) 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.

Compliance Reporting

- A31. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements.
- A32. Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements, unless otherwise agreed by the Planning Secretary.
- A33. The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary.
- A34. Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements, the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.

Light Rail Requirements

- A35. The Applicant must comply with all Altrac Light Rail Partnership (Altrac) or any subsequent operator of Sydney Light Rail (Sydney Light Rail Operator) policies, rules and procedures when working in and about the Sydney Light Rail corridor.
- A36. The Applicant must comply with the requirements of T HR CI 12090 ST Airspace and External Developments version 1.0 and Development Near Rail Corridors and Busy Roads – Interim Guidelines.
- A37. Activities of the Applicant must not affect and/or restrict Sydney Light Rail operations without prior written agreement between the Applicant, Transport for NSW (TfNSW), Altrac, and the Sydney Light Rail Operator, and any such written agreement must be obtained no later than two months prior to the activity unless otherwise agreed by TfNSW, Altrac, and the Sydney Light Rail Operator. Any requests for agreement are to include as a minimum the proposed duration, location, scope of works, and other information as required by the Sydney Light Rail Operator.
- A38. The Applicant must apply to Altrac and the Sydney Light Rail Operator for any required network shutdowns four months prior to each individual required network shutdown event. Each request for network shutdown must include as a minimum the proposed shutdown dates, duration, location, scope of works, and other information as required by the Sydney Light Rail Operator. It is likely in the first two years there will not be a light rail shut down for maintenance purposes. The Sydney Light Rail Operator may grant or refuse a request for network shutdown at its discretion.
- A39. The Applicant must not impede access for Sydney Light Rail patrons traversing to and from the Sydney Light Rail stops at all times.
- A40. TfNSW, and persons authorised by it for this purpose, are entitled to inspect the site of the approved development and all structures to enable it to consider whether those structures on that site have been or are being constructed and maintained in accordance with these conditions of consent, on giving reasonable notice to the principal contractor for the approved development or the owner or occupier of the part of the site to which access is sought.
- A41. All TfNSW, Altrac and Sydney Light Rail Operator's costs associated with review of plans, designs and legal must be borne by the Applicant or in accordance with terms agreed by the relevant parties.

PART B PRIOR TO COMMENCEMENT OF CONSTRUCTION

Notification of Commencement

- B1. The Applicant must notify the Planning Secretary in writing of the dates of the intended commencement of construction and operation at least 48 hours before those dates.
- B2. If the construction or operation of the development is to be staged, the Planning Secretary 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 this development consent.

External Walls and Cladding

- B4. Prior to the commencement of construction of the facade, 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. 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.

Balustrade and Terrace Screening

- B5. Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier plans and documentation to confirm balustrading to the upper level terraces will not be constructed with 'Crimsafe' or similar style screening.

Pre-Construction Dilapidation Report – Protection of Public Infrastructure

- B6. Prior to the commencement of construction, the Applicant must:
 - (a) consult with the relevant owner and provider of services and infrastructure 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 Pre-Construction Dilapidation Report by a qualified structural engineer identifying the condition of all public (non-residential) infrastructure and assets in the vicinity of the site (including the light rail, roads, gutters and footpaths) that have potential to be affected;
 - (c) submit a copy of the Pre-Construction Dilapidation Report to the asset owner (including Sydney Light Rail Operator and TfNSW), Certifier and Council; and
 - (d) provide a copy of the Pre-Construction Dilapidation Report to the Planning Secretary when requested.
- B7. The dilapidation survey required for preparation of the report required by condition (b) in relation to the light rail must include a joint site inspection by the representatives of the Sydney Light Rail Operator, TfNSW and the Applicant to establish the extent of existing damage and to enable observation of any deterioration during construction.

Pre-Construction Survey – Adjoining Properties

- B8. Prior to the commencement of any construction, the Applicant must offer a pre-construction survey to owners of residential and commercial buildings that are likely to be impacted by the development.
- B9. Where the offer for a pre-construction survey is accepted (as required by condition B8), the Applicant must ensure a survey by a suitably qualified and experienced expert is undertaken prior to the commencement of vibration generating works that could impact on the identified buildings.
- B10. Prior to the commencement of any vibration generating works that could impact on the buildings surveyed as required by condition B9, the Applicant must:

- (a) provide a copy of the relevant survey to the owner of each residential or commercial building surveyed in the form of a Pre-Construction Survey Report;
- (b) submit a copy of the Pre-Construction Survey Report to the Certifier; and
- (c) provide a copy of the Pre-Construction Survey Report to the Planning Secretary when requested.

Ecologically Sustainable Development

- B11. Prior to the commencement of construction, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate to the Certifier that the ESD initiatives recommended by the ESD report (Rev 02, prepared by Steensen Varming and dated 23 April 2021) have been incorporated into the design of the development.
- B12. The project is to achieve compliance with section 2.5.6 of the Health Infrastructure Engineering Services Guidelines dated 6 August 2021 (including Design Guidance Note No. 058) by attaining a minimum of 60 points in accordance with the ESD Evaluation Tool.

Outdoor Lighting

- B13. Prior to commencement of lighting installation, evidence must be submitted to the satisfaction of the Certifier that outdoor lighting being installed 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

- B14. Management plans required under this consent must be prepared in accordance with relevant guidelines, including but not limited to the *Environmental Management Plan Guideline: Guideline for Infrastructure Projects* (DPIE April 2020).

Note: The Environmental Management Plan Guideline is available on the Planning Portal at: www.planningportal.nsw.gov.au/majorprojects/assessment/post-approval

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

Construction Environmental Management Plan

- B15. 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 lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting; and
 - (viii) community consultation and complaints handling;
 - (b) an unexpected finds protocol for contamination, asbestos or other unexpected finds and associated communications procedure;
 - (c) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure; and
 - (d) 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.

- B16. The Applicant must not commence construction of the development until the CEMP is approved by the Certifier and a copy submitted to the Planning Secretary.
- B17. A Construction Traffic and Pedestrian Management Plan (CTPMP) must be prepared and submitted to TfNSW for endorsement (via development.sco@transport.nsw.gov.au) 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 Council, TfNSW and the Sydney Light Rail Operator;
 - (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists, pedestrians, light rail and bus services;
 - (d) detail heavy vehicle routes, access and parking arrangements;
 - (e) location of any proposed work zones;
 - (f) details of crane arrangements including location of any cranes;
 - (g) predicted construction vehicle movements, noting movements are to be minimised during peak periods;
 - (h) details of specific measures to ensure the arrival of construction vehicles to the site does not cause additional queuing on Hight Street or Botany Street;
 - (i) details of the monitoring regime for maintaining simultaneous operation of buses, light rail and construction vehicles on roads surrounding the site;
 - (j) pedestrian and traffic management measures;
 - (k) construction program and construction methodology;
 - (l) a detailed plan of any proposed hoarding and / or scaffolding;
 - (m) measures to avoid construction worker vehicle movements within the precinct;
 - (n) consultation strategy for liaison with surrounding stakeholders, including other developments under construction;
 - (o) any potential impacts on general traffic, cyclists, pedestrians and light rail and bus services within the vicinity of the site from construction vehicles;
 - (p) cumulative construction impacts of projects within the precinct. Existing CTPMPs for development within or around the site should be referenced in the CTPMP to ensure that coordination of work activities are managed to minimise impacts on the surrounding road network; and
 - (q) proposed mitigation measures for any identified impacts for the duration of the impacts and measures proposed to mitigate any associated traffic, public transport, pedestrian, and cyclist impacts should be clearly identified and included in the CTPMP.
- B18. A Construction Noise and Vibration Management Plan (CNVMP) must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced noise expert;
 - (b) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009);
 - (c) describe the measures to be implemented to manage high noise generating works 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 B18(d);
 - (f) include a complaints management system that would be implemented for the duration of the construction; and
 - (g) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the management measures.

- B19. The Construction Waste Management Plan (CWMP) must be prepared and 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 construction.
- B20. The Applicant must prepare a Construction Soil and Water Management Plan (CSWMP) and the 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).
- B21. An Aboriginal Heritage Management Plan (AHMP) must be prepared to address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties;
 - (b) be submitted to the Certifier and Planning Secretary prior to construction of any part of the development;
 - (c) detail archaeological monitoring during the investigation, earthworks and construction phases consistent with the recommendations of the 'Aboriginal Cultural Heritage Assessment Report, New Acute Services Building for the Prince of Wales Hospital Randwick NSW' prepared by Mary Dallas Consulting Archaeologists dated October 2018; and
 - (d) detail management of any retrieved Aboriginal Archaeological remains, and recommendations relating to any Aboriginal Archaeological deposits.
- B22. A Flood Emergency Response Plan (FERP) must be prepared and must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) address the provisions of the *Floodplain Risk Management Guidelines* (EESG);
 - (c) include details of:
 - (i) the flood emergency responses for construction phases of the development;
 - (ii) predicted flood levels;
 - (iii) flood warning time and flood notification;
 - (iv) assembly points and evacuation routes;
 - (v) evacuation and refuge protocols; and
 - (vi) awareness training for employees and contractors, and users/ visitors.
- B23. A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following:
- (a) minimise the impacts of earthworks and construction on the local and regional road network;
 - (b) minimise conflicts with other road users;
 - (c) minimise road traffic noise; and
 - (d) ensure truck drivers use specified routes.

Soil and Water

- B24. Prior to the commencement of construction, the Applicant must install erosion and sediment controls on the site to manage wet weather events.
- B25. 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'.

Construction Parking

- B26. Prior to the commencement of construction, the Applicant must provide sufficient parking facilities on-site or within any approved works zones for construction vehicles and machinery, including for heavy vehicles, to ensure that construction traffic associated with the development does not utilise public and residential streets or public parking facilities.

Construction Worker Transportation Strategy

- B27. Prior to the commencement of construction, the Applicant must submit a Construction Worker Transportation Strategy to the satisfaction of the Certifier. The Strategy must detail the provision of sufficient parking facilities and secure storage facilities for tools on site or other travel arrangements for construction workers in order to minimise private vehicle travel and demand for parking in nearby public and residential streets, or public parking facilities. A copy of the strategy must be submitted to the Planning Secretary for information.

Flood Management

- B28. Prior to the commencement of construction, the Applicant must prepare and implement for the duration of construction:
- (a) flood warning and notification procedures for construction workers on site; and
 - (b) evacuation and refuge protocols.
- B29. Prior the commencement of construction, the Applicant must demonstrate to the satisfaction of the Certifier that all relevant flood protection measures, including the flood barriers and measures set out in the Flood Modelling Assessment report prepared by Meinhardt Bonacci dated August 2021, would be in place to ensure the development and adjoining sites are protected from potential flooding impacts.

Operational Noise – Design of Mechanical Plant and Equipment

- B30. Prior to installation of mechanical plant and equipment, the Applicant must incorporate the noise mitigation recommendations in the Acoustic Assessment Report prepared by Pulse Acoustic Consultancy and dated 20 April 2021, 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 Acoustic Assessment Report prepared by Pulse Acoustic Consultancy and dated 20 April 2021.

Landscaping

- B31. Prior to the commencement of Landscape or Public Domain works the Applicant must prepare a revised Landscape Plan to manage the revegetation and landscaping works on-site, to the satisfaction of the Certifier. The plan must:
- (a) be generally in accordance the plans approved in condition A2 and provide for the planting of 64 trees on site;
 - (b) include the provision of street tree planting, with species and spacing of trees to be determined in consultation with Council;
 - (c) detail incorporation of the wind mitigation measures recommended in the Environmental Wind Impact Assessment prepared by Arup and dated 21 April 2021;
 - (d) detail the provision of at least 20 visitor bicycle parking spaces (including provision for some larger e-bike or courier bikes) at ground level close to the public entrances; and
 - (e) include details of an accessible north facing landscaped terrace at Level 6 that caters for current and future clinical considerations to provide a sunny recreation space for patients to complement the ground level space, which will be heavily overshadowed.

Public Domain Works

B32. Prior to the commencement of any footpath or public domain works, 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 (excluding any changes to footpath widths beyond the approved dimensions). The Applicant must submit documentation of approval for each stage from Council to the Certifier.

Operational Waste Storage and Processing

B33. Prior to the commencement of construction of waste storage and processing areas, 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, evidence must be provided to the Certifier that the design of the operational waste storage area:

- (a) is constructed using solid non-combustible materials;
- (b) is designed to ensure the door/gate to the waste storage area is vermin proof and can be openable from both inside and outside the storage area at all times;
- (c) includes a hot and cold water supply with a hose through a centralised mixing valve;
- (d) is naturally ventilated or an air handling exhaust system must be in place; and
- (e) includes signage to clearly describe the types of materials that can be deposited into recycling bins and general garbage bins.

Construction Access Arrangements

B34. Prior to the commencement of construction, evidence of compliance of construction parking and access arrangements with the following requirements must be submitted to the Certifier:

- (a) all vehicles must enter and leave the Site in a forward direction;
- (b) the swept path of the longest construction vehicle entering and exiting the site in association with the new work, as well as manoeuvrability through the site, is in accordance with the latest version of AS 2890.2; and
- (c) the safety of vehicles, cyclists and pedestrians accessing adjoining properties, where shared vehicle, cyclist and pedestrian access occurs, has been addressed.

Operational Access, Car Parking and Service Vehicle Arrangements

B35. Prior to the commencement of construction of operational parking and access facilities, evidence of compliance of the design of operational parking and access arrangements with the following requirements must be submitted to the Certifier:

- (a) a minimum of 50 on-site car parking spaces for use during operation of the development (inclusive of accessible parking bays) and designed in accordance with the latest versions of AS 2890.1 and AS 2890.6; and
- (b) the swept path of the largest service vehicle entering and exiting the Site in association with the new work, as well as manoeuvrability through the site, must be in accordance with the latest version of AS 2890.2.

Integrated Transport Working Group

B36. An Integrated Transport Working Group is to be established between NSW Health and Council to ensure the adequate transport planning for the overall masterplan of the Prince of Wales Hospital Campus, and in particular, integration of east-west and north-south bicycle and pedestrian routes. Prior to the commencement of above ground construction, evidence (such as meeting minutes) of the formulation of this working group or evidence of a reasonable attempts to establish the working group is to be provided to the satisfaction of the Certifier.

Access Design and Road Safety Audit

B37. Prior to the commencement of construction, a Stage 3 (Detailed Design) Road Safety Audit for the proposed vehicles and pedestrian access arrangements to the subject site must be prepared and submitted to Transport for NSW, Council and the Planning Secretary, including:

- (a) the basement carpark, emergency department drop off area car park and all associated access routes from Botany Street; and
- (b) the basement loading dock, ambulance parking, ambulance transfer bays, and all associated routes via Hospital Road to the public road system.

B38. The Road Safety Audit required by condition B37 is to be prepared in accordance with Austroads Guide to Road Safety Part 6: Managing Road Safety Audits and Austroads Guide to Road Safety Part 6A: Implementing Road Safety Audits by an independent TfNSW accredited road safety auditor. Based on the results of the road safety audit, the design drawings are to be reviewed to implement any revisions and safety measures, with updated drawings to be submitted to the satisfaction of the Planning Secretary. Where the Road Safety Audit identifies changes are required to the design of the vehicle or pedestrian access routes as they traverse over any adjoining sites, details are to be provided of how those changes will be implemented, including any necessary modifications to existing approvals.

Existing Helipad / Helicopter Operations During Construction

B39. Prior to the erection of cranes on the site or any structures that may obstruct helicopter flight paths, existing helipad / helicopter operations at the Randwick Hospitals campus are to be reviewed by a suitably qualified and experienced aviation professional in consultation with relevant stakeholders. The review must consider the proposed construction methodology including plant and equipment to be used (including lighting and cranes) and recommend changes to the construction methodology and / or flight paths where required to ensure safe ongoing helicopter operations to and from the existing helipad at the site during construction. A report summarising the outcome of the review must be submitted to the Certifier and Planning Secretary.

Light Rail Requirements

- B40. Prior to the commencement of any construction works or any preparatory, demolition or excavation works, whichever is the earlier, the Applicant must:
- (a) consult with TfNSW, Altrac and the Sydney Light Rail Operator to ascertain requirements in relation to the protection of TfNSW's infrastructure and to confirm any construction staging (and associated timing) and associated documentation and activities prior to preparation of requested documentation;
 - (b) sign Infrastructure Assess Deed Poll, Safety Interface Agreement and Works Deed with TfNSW and/or the Sydney Light Rail Operator; and
 - (c) confirm in writing with TfNSW what each construction stage will involve.
- B41. Prior to commencement of works for each construction stage, the Applicant must submit all relevant documentation to TfNSW as requested by TfNSW and obtain its written endorsement. A summary report for each construction stage is also to be provided to TfNSW to demonstrate the following:
- (a) no unacceptable impacts on the light rail corridor and light rail operation by clearly identifying impacts and mitigation measures; and
 - (b) submitted documentation has satisfied the relevant conditions.
- B42. Prior to the commencement of any construction works or any preparatory, demolition or excavation works, whichever is the earlier, the following documentation must be provided for the review and endorsement of TfNSW:
- (a) final geo-technical and structural report / drawings. Geotechnical reports should include any potential impact on the light rail corridor located adjacent to the subject development site, easement and substratum;
 - (b) final construction methodology with construction details pertaining to structural support during excavation or ground penetration;
 - (c) details of the vibration and movement monitoring system that will be in place before excavation commences;
 - (d) final cross sectional drawings showing ground surface, rail tracks, sub-soil profile, proposed basement excavation and structural design of sub-ground support adjacent to

the Rail Corridor located adjacent to the subject development site. Cross sectional drawings should also include the accurate RL depths and horizontal distances from assets (tracks, overhead lines, structures and cables) to the nearest point of excavation or ground penetration works. All measurements are to be verified by a Registered Surveyor; and

- (e) detailed survey plan with location of services.
- B43. Prior to the commencement of construction, the final acoustic assessment is to be submitted to the Certifier demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads Interim Guidelines". All recommendations of the acoustic assessment are to be incorporated in the construction documentation.
- B44. Prior to the commencement of construction, the Applicant is to engage an Electrolysis Consultant to prepare a report on the Electrolysis Risk to the development from stray currents and submit a copy to the Certifier. The Applicant must incorporate in the development all the measures recommended in the report to control that risk.
- B45. Prior to the commencement of construction, the Applicant is to design lighting, signs and surfaces with reflective materials in accordance with AS 4282 – 2019 and relevant guidance provided by TfNSW, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor to limit glare and reflectivity to the satisfaction of Altrac, TfNSW and the Sydney Light Rail Operator.
- B46. Prior to the commencement of construction, The Applicant must obtain written confirmation from TfNSW, that satisfactory measures are to be installed (e.g. awning windows, louvres, enclosed balconies, window restrictors etc) which prevent the throwing of objects onto the rail corridor.
- B47. Prior to the commencement of construction, a detailed regime is to be prepared for approval by TfNSW for the excavation of the site and the construction of the building foundations (including ground anchors) for the approved development, which may include geotechnical and structural certification in the form required by TfNSW.
- B48. Prior to the commencement of construction, the Applicant must:
- (a) provide evidence to TfNSW that it holds current public liability insurance cover for a sum agreed to by the Applicant and TfNSW. TfNSW's standard public liability insurance requirement for this type of development adjacent to a rail corridor is minimum of \$250 million. This insurance must not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure.
 - (b) provide evidence to the Certifier written proof of insurance required by B48(a) and TfNSW's written advice to the Applicant on the level of insurance required.
- B49. Prior to the commencement of construction or any preparatory, demolition or excavation works, whichever is the earlier, if required by TfNSW, Works Deed (s) between the Applicant, TfNSW and/or Altrac and the Sydney Light Rail Operator must be agreed and executed by the parties. These agreements may deal with matters including, but not limited to, the following:
- (a) Sydney Light Rail operational requirements;
 - (b) Sydney Light Rail access requirements;
 - (c) Altrac and Sydney Light Rail Operator policies, rules and procedures compliance requirements;
 - (d) indemnities and releases;
 - (e) security of costs;
 - (f) insurance requirements and conditions;
 - (g) TfNSW, Altrac and the Sydney Light Rail Operator's recovery of costs from the Applicant for costs incurred by these parties in relation to the development (e.g. review of designs and reports, legal, shutdown /power outages costs including alternative transport, customer communications, loss of revenue etc) risk assessments and configuration change processes;

- (h) interface coordination between the Sydney Light Rail Operator and the subject development construction works, including Infrastructure Assess Deed Poll and Safety Interface Agreement between the Applicant and the Sydney Light Rail Operator which must be agreed and executed by the parties. This agreement may deal with matters including, but not limited to, the following:
 - (i) pre and post construction dilapidation reports;
 - (ii) the need for track possessions;
 - (iii) review of the machinery to be used during excavation/ground penetration / construction works;
 - (iv) the need for track monitoring;
 - (v) design and installation of lights, signs and reflective material;
 - (vi) endorsement of Risk Assessment/Management Plan and Safe Work Method Statements;
 - (vii) endorsement of plans regarding proposed craneage and other aerial operations;
 - (viii) erection of scaffolding/hoarding;
 - (ix) Light Rail Operator's rules and procedures; and
 - (x) alteration of rail assets such as the OHW along of track and associated hoarding demarcation system, if undertaken by the Applicant.
- (i) Altrac and the Sydney Light Rail Operator's reviews and impact assessment of the Applicant's proposal, engineering design and construction works methodology on Sydney Light Rail Operations and assets;
- (j) attendance and participation in the construction works risk assessment of construction activities to be performed in, above, about, and/or below the Sydney Light Rail Corridor
- (k) arrangements for shutdowns and Sydney Light Rail restricted operations related costs attributed to the Applicant; and
- (l) Sydney Light Rail site works access approval and access permit to work.

PART C DURING CONSTRUCTION

Site Notice

- C1. 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

- C2. 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

- C3. 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.

- C4. Construction activities may be undertaken outside of the hours in condition C3 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.

- C5. Notification of such construction activities as referenced in condition C4 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.

- C6. 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.

Implementation of Management Plans

- C7. The Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP, CTPMP, CNVMP, CWMP, CSWMP, AHMP and FERP.

Construction Traffic

- C8. All construction vehicles (excluding site personnel 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 or an approved on-street work zone before stopping unless directed by traffic control.

Hoarding Requirements

- C9. The following hoarding requirements must be complied with:
- (a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing other than for the purpose of fulfilling functions of a health services facility other than for the purpose of fulfilling functions of a health services facility; 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.

No Obstruction of Public Way

- C10. The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.

Construction Noise Limits

- C11. Construction must be undertaken in accordance with 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.
- C12. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding area outside of the construction hours of work outlined under condition C3 unless permitted by C4.
- C13. 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

- C14. 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).
- C15. 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 C14.
- C16. The limits in conditions C14 and C15 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B18 of this consent.

Tree Protection

- C17. For the duration of the construction works:
- (a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;
 - (b) all street trees immediately adjacent to the proposed works must be protected at all times during construction in accordance with Council's tree protection requirements. Any street

tree, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council;

- (c) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a qualified arborist. Alternative tree protection measures must be installed, as required. The removal of tree protection measures, following completion of the works, must be carried out under the supervision of a qualified arborist and must avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater.

Air Quality

C18. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

C19. 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

C20. 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 Fill

C21. The Applicant must:

- (a) ensure that only VENM, ENM, or other material that meets the requirements of a relevant order and exemption issued by the 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

C22. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the building to the satisfaction of the 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.

Emergency Management

C23. The Applicant must prepare and implement awareness training for employees and contractors, including locations of the assembly points and evacuation routes, for the duration of construction.

Stormwater Management System

C24. Within three months of the commencement of construction, 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.

Unexpected Finds Protocol – Aboriginal Heritage

- C25. In the event that surface disturbance identifies a new Aboriginal object:
- (a) all works must halt in the immediate area to prevent any further impacts to the object(s);
 - (b) a suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects;
 - (c) the site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by Heritage NSW under Department of Premier and Cabinet and the management outcome for the site included in the information provided to AHIMS;
 - (d) the Applicant must consult with the Aboriginal community representatives, the archaeologists and Heritage NSW to develop and implement management strategies for all objects/sites; and
 - (e) works may only recommence with the written approval of the Planning Secretary.

Unexpected Finds Protocol – Historic Heritage

- C26. If any unexpected archaeological relics are uncovered during the work, then:
- (a) all works must cease immediately in that area and notice is to be given to Heritage NSW and the Planning Secretary;
 - (b) 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 as determined in consultation with Heritage NSW; and
 - (c) works may only recommence with the written approval of the Planning Secretary.

Waste Storage and Processing

- C27. All waste generated during construction 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.
- C28. All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- C29. 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.
- C30. The Applicant must record the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations for the duration of construction.
- C31. The Applicant must ensure that the 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 is in accordance with the requirements of the relevant legislation, codes, standards and guidelines.

Outdoor Lighting

- C32. The Applicant must ensure that all other external lighting is constructed and maintained in in accordance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting.

Site Contamination

- C33. Remediation of the site must be carried out in accordance with the Report on Remediation Action Plan — Sydney Children’s Hospital Stage 1 and Children’s Comprehensive Cancer Centre (SCH 1 / CCCC), High Streets and Hospital Road, Randwick dated April 2021 and prepared by Douglas Partners and any variations to the Remediation Action Plan approved by an NSW EPA-accredited Site Auditor.
- C34. Where remediation is carried out / completed in stages, a NSW EPA-accredited Site Auditor must confirm satisfactory completion of each stage by the issuance of Interim Audit Advice(s) prior to the use / operation of the remediated area(s).

C35. The Applicant must ensure the proposed development does not result in a change of risk in relation to any pre-existing contamination on the site that would result in significant contamination.

Independent Environmental Audit

C36. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the preparation of an Independent Audit Program or commencement of an Independent Audit.

C37. Within four weeks of the commencement of construction, an Independent Audit Schedule prepared in accordance with the Independent Audit Post Approval Requirements (2020), as amended by condition C38, must be submitted to the Planning Secretary and the Certifier.

C38. Table 1 of the Independent Audit Post Approval Requirements (2020), 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 12 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.

C39. 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.

C40. 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, as amended by condition C40; and
- (b) the Independent Audit Post Approval Requirements (2020).

C41. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Applicant must:

- (a) review and respond separately to each Independent Audit Report prepared under condition C40 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.

C42. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements (2020), unless otherwise agreed by the Planning Secretary.

C43. Notwithstanding the requirements of the Independent Audit Post Approval Requirements (2020), 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.

Light Rail Requirements

C44. Construction vehicles must not stop or be parked on High Street adjacent to the development at any time without prior approval of TfNSW.

C45. All piling and excavation works are to be supervised by a geotechnical engineer experienced with such excavation projects.

C46. No rock anchors/bolts (temporary or permanent) are to be installed into the light rail corridor without prior approval from TfNSW.

C47. No metal ladders, tapes and plant/machinery, or conductive material are to be used within six horizontal metres of any live electrical equipment unless a physical barrier such as a hoarding or structure provides separation.

C48. All reasonable and feasible measures must be undertaken to prevent any form of pollution entering the light rail corridor during all stages of construction. The Applicant is responsible for

removing and rectifying any issues as soon as practicable resulting from any pollution that arises as a consequence of the development activities.

- C49. The Applicant must mitigate all noise and vibration during construction to the extent possible and provide vibration monitoring equipment and provide the results to the Sydney Light Rail Operator at intervals required by TfNSW and the Sydney Light Rail Operator, and immediately implement corrective actions in the event that the noise or vibration exceeds acceptable limits.
- C50. Drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from TfNSW and the Sydney Light Rail Operator (or the delegated authority), including ensuring rainwater does not project and/or fall into the rail corridor/assets and is adequately conveyed by pipes down the face of the building which faces the rail corridor.
- C51. No scaffolding is to be used within six horizontal metres of the rail corridor unless prior written approval has been obtained from the Sydney Light Rail Operator and TfNSW and a physical barrier such as a hoarding or structure provides separation. To obtain approval the Applicant will be required to submit details of the scaffolding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor.
- C52. The builder's direct contact number is to be provided to small businesses adjoining or impacted by the construction work and the Transport Management Centre and Transport for NSW (via development.sco@transport.nsw.gov.au) to resolve issues relating to traffic, public transport, 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.

Construction Traffic Management

- C53. The builder's direct contact number is to be provided to small businesses adjoining or impacted by the construction work and the Transport Management Centre and Transport for NSW (via development.sco@transport.nsw.gov.au) to resolve issues relating to traffic, public transport, 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.

Works as Executed Plans

- D4. 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.

Warm Water Systems and Cooling Systems

- D5. 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

- D6. 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*; 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 in accordance with AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting*.

Mechanical Ventilation

- D7. 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; and
 - (b) any dispensation granted by Fire and Rescue NSW.

Operational Noise – Design of Mechanical Plant and Equipment

- D8. Prior to the commencement of operation, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations in the Acoustic Assessment Report prepared by Pulse Acoustic Consultancy and dated 20 April 2021 have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in that report.

Fire Safety Certification

- D9. 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

- D10. 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.

Compliance with Food Code

- D11. Prior to the commencement of operation, the Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the AS 4674 *Design, construction and fit-out of food premises* and provide evidence of receipt of the certificate to the satisfaction of the Certifier.

Post-construction Dilapidation Report – Protection of Public Infrastructure

- D12. Prior to the commencement of operation, the Applicant must engage a suitably qualified and experienced expert to prepare a Post-Construction Dilapidation Report. This Report must:
- (a) ascertain whether the construction works created any structural damage to public infrastructure by comparing the results of the Post-Construction Dilapidation Report with the Pre-Construction Dilapidation Report required by condition B6(b) of this consent;
 - (b) have, if it is decided that there is no structural damage to public infrastructure, the written confirmation from the asset owner (including Sydney Light Rail Operator and TfNSW) or public authority that there is no adverse structural damage to their infrastructure (including roads).
 - (c) be submitted to the Certifier;
 - (d) be forwarded to Council for information; and
 - (e) be provided to the Planning Secretary when requested.
- D13. The post-construction dilapidation survey required to prepare the report for condition D12 must include a joint inspection with representatives from TfNSW, the Sydney Light Rail Operator and the Applicant. The dilapidation survey to be undertaken would encompass the rail infrastructure and property in the vicinity of the project. The dilapidation surveys will determine the extent of any damage and deterioration resulting from construction works. A copy of the report required by condition D12 must be submitted to TfNSW and the Sydney Light Rail Operator, unless otherwise notified by TfNSW.

Repair of Public Infrastructure

- D14. Unless the Applicant and the relevant public authority or asset owner (including Sydney Light Rail Operator and TfNSW) 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 construction works; and/or
 - (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development; and/or
 - (c) pay compensation for the damage as agreed with the owner of the public infrastructure.

Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions of this consent.

Road Damage

- D15. Prior to the commencement of operation, the repair or 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.

Post-Construction Survey – Adjoining Properties

- D16. Where a pre-construction survey has been undertaken in accordance with condition B9, prior to the commencement of operation, the Applicant a post-construction survey must be undertaken by a suitably qualified and experienced expert and prepare a Post-Construction Survey Report. This Report must:
- (a) document the results of the post-construction survey and compare it with the pre-construction survey to ascertain whether the construction works caused any damage to buildings surveyed in accordance with condition B9;
 - (b) be provided to the owner of the relevant buildings surveyed;
 - (c) be provided to the Certifier; and
 - (d) be provided to the Planning Secretary when requested.
- D17. Where the Post-Construction Survey Report determines that damage to the identified property occurred as a result of the construction works, the Applicant must repair, or pay the full costs associated with repairing the damaged buildings, within an agreed timeline between the owner of the identified property, unless otherwise agreed by the Planning Secretary. Alternatively, the Applicant may pay compensation for the damage as agreed with the property owner.

Car Parking Arrangements

- D18. Prior to the commencement of operation or other timeframe agreed in writing by the Planning Secretary, evidence must be submitted to the Certifier that demonstrates that a dynamic wayfinding system (or similar measures that would deliver at least 65 additional spaces) has been installed in the main hospital carpark. Evidence is to be provided to the satisfaction of the Certifier that the changes have resulted in efficiencies that effectively deliver at least an additional 65 car parking spaces on the Randwick Hospitals campus.

Bicycle Parking and End-of-Trip Facilities

- D19. Prior to occupation, compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the satisfaction of the Certifier:
- a) the provision of at least 20 visitor bicycle parking spaces at ground level in close proximity to the building entrances;
 - b) the delivery of at least 200 staff bicycle parking spaces on the Hospital campus, within 200 metres walking distance of the proposed building, and available to all staff in the building;
 - c) the layout, design and security of bicycle facilities must comply with the minimum requirements of the latest version of AS 2890.3:2015 *Parking facilities - Bicycle parking*;
 - d) a minimum of 50 per cent bicycle parking must also be designed to be able to accommodate some larger heavier electric bikes and cargo bikes;
 - e) the provision of associated end-of-trip facilities for staff, including lockers and showers;
 - f) appropriate pedestrian and cyclist advisory signs are to be provided; and
 - g) all works/regulatory signposting associated with the proposed developments must be at no cost to the relevant roads authority.
- D20. Prior to occupation, the Applicant must demonstrate that the pathway to the bicycle parking facilities required by condition D19 is accessible and safe and ease of access to the facilities is demonstrated in the design. Details of the pathway and all pedestrian and cyclist advisory signs are must be submitted to the satisfaction of the Planning Secretary.

Green Travel Plan

- D21. Prior to the commencement of operation, the Applicant must prepare an updated campus-wide Green Travel Plan (GTP) to promote the use of active and sustainable transport modes and a copy be provided to the Planning Secretary for information and to TfNSW via development.sco@transport.nsw.gov.au. The GTP must:
- (a) be prepared by a suitably qualified traffic consultant in consultation with Council and (Sydney Coordination Office) Transport for NSW;
 - (b) set out key objectives including measurable targets for sustainable transport mode shares for public and active transport use for staff and visitors, including:

- (i) ensuring any existing objectives and targets for the campus-wide GTP arising from the approval for the Integrated Acute Service Building will still be met; and
- (ii) in addition, achieve a driver mode share of no more than 42.7 per cent by 2031;
- (c) consider site specific issues of travel to hospital facilities for children;
- (d) include updated bus network arrangements;
- (e) include a communication strategy and Travel Access Guide;
- (f) include details of cycling permeability and casual bike parking locations within the hospital campus, including the new developments;
- (g) include specific tools and actions to help achieve the objectives and mode share targets;
- (h) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; and
- (i) 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.

D22. Prior to the commencement of operation, the nominated employee(s) of the health services facility responsible for implementing the GTP and its ongoing review must be provided to Transport for NSW and the Planning Secretary for information.

Aboriginal Heritage Interpretation Plan

D23. The Applicant must submit an Aboriginal Heritage Interpretation Plan based on the above consultation to the satisfaction of the Planning Secretary. The plan must:

- (a) be prepared by a suitably qualified and experienced expert in consultation with the Aboriginal Community;
- (b) include provision for naming elements, artwork, landscaping and other measures within the development that acknowledges the site's heritage; and
- (c) incorporates interpretive information on the site

Amalgamation, Easement and Public Access

D24. Prior to occupation, the site must be amalgamated into a single allotment.

Utilities and Services

D25. 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*. Roadworks and Access

Stormwater Operation and Maintenance Plan

D26. Prior to the commencement of operation, an Operation and Maintenance Plan (OMP) is to be submitted to the satisfaction of the Certifier. The OMP must ensure the proposed stormwater quality measures remain effective and contain the following:

- (a) maintenance schedule of all stormwater quality treatment devices;
- (b) record and reporting details;
- (c) relevant contact information; and
- (d) Work Health and Safety requirements.

Signage

D27. Prior to the commencement of operation, way-finding signage must be installed.

D28. 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.

D29. Details of the final building identification signage (design, content and illumination) within the approved signage zones are to be submitted to the satisfaction of the Planning Secretary prior

to the installation and display of any signage. The signage is to be installed prior to commencement of operation.

Operational Waste Management Plan

- D30. 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;
 - (d) incorporate measures to reduce food waste generation (including composting or similar arrangements or innovative food waste collection); and
 - (e) include the Management and Mitigation Measures included in the EIS Appendix V.

Site Audit Statement

- D31. Prior to the commencement of operation, the Applicant must submit a Section A1 Site Audit Statement or a Section A2 Site Audit Statement accompanied by an Environmental Management Plan prepared by a NSW EPA accredited Site Auditor. The Section A1 or A2 Site Audit Statement must verify the relevant part of the site is suitable for the intended land use and be provided, along with any Environmental Management Plan to the Planning Secretary and the Certifier.

Landscaping

- D32. Prior to the commencement of operation, landscaping of the site must be completed in accordance with landscape plan(s) approved under condition B31.
- D33. Prior to the commencement of operation, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping on-site, to the satisfaction of the Certifier. The plan must describe the ongoing monitoring and maintenance measures to manage revegetation and landscaping.

Operational Flood Emergency Management Plan

- D34. Prior the commencement of the operation, a Flood Emergency Management Plan must be submitted to the Certifier that:
- (a) is be prepared by a suitably qualified and experienced person(s);
 - (b) addresses the provisions of the *Floodplain Risk Management Guidelines* (EESG);
 - (c) includes details of:
 - (i) the flood emergency responses for operational phase of the development;
 - (ii) predicted flood levels;
 - (iii) flood warning time and flood notification;
 - (iv) assembly points and evacuation routes;
 - (v) evacuation and refuge protocols; and
 - (d) awareness training for employees and contractors, and visitors.

Flood Protection

- D35. Prior the commencement of operation, the Applicant must demonstrate to the satisfaction of the Certifier that all relevant flood protection measures, including the flood barriers and measures set out in the Flood Modelling Assessment report prepared by Meinhardt Bonacci dated August 2021, are in place and the development is protected from potential flooding impacts.

Access

- D36. Prior to the commencement of operation, the Applicant must demonstrate to the satisfaction of the Certifier that safe vehicular access is available to the site in accordance with all

recommendations and findings of the Road Safety Audit required by condition B36, including any necessary measures identified on the adjoining sites.

Reflectivity Report

D37. Prior to the commencement of operation, the Applicant must demonstrate that lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor were installed limiting glare and reflectivity to the satisfaction of TfNSW, Altrac and the Sydney Light Rail Operator.

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.

Heritage Interpretation Plan

- E3. The operator must implement the most recent version of the Aboriginal Heritage Interpretation Plan approved under condition D22.

Operational Noise Limits

- E4. The operator must ensure that noise generated by operation of the development does not exceed the noise limits in Acoustic Assessment Report prepared Pulse Acoustic Consultancy and dated 20 April 2021.
- E5. The operator 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 use of each stage of the development to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified Acoustic Assessment Report prepared by Pulse Acoustic Consultancy and dated 20 April 2021. Should the noise monitoring program identify any exceedance of the recommended noise levels referred to above, the operator 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.

Unobstructed Driveways and Parking Areas

- E6. All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.

Bicycle Parking and End-of-Trip Facilities

- E7. The operator must ensure that all staff are able to access the bicycle parking facilities required by condition D19. The Planning Secretary must be notified of, and provided with details, of any changes to access arrangements, which must be implemented as soon as reasonably practicable.

Green Travel Plan

- E8. The Green Travel Plan required by condition D21 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.
- E9. A copy of the annual review of the Green Travel Plan required by condition D21 of this consent must be submitted to the Planning Secretary until otherwise agreed by the Planning Secretary.
- E10. Any changes to the nominated employee(s) responsible for implementing the GTP must be provided to Transport for NSW and the Planning Secretary prior to the annual review of the GTP.

Ecologically Sustainable Development

- E11. Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation the Certifier and Planning Secretary are to be provided with a report from the operator

by a suitably qualified and experienced expert demonstrating that the project attains the minimum number of ESD points as required by condition B12 of this consent.

Outdoor Lighting

E12. Notwithstanding condition D6, should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the operator must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.

Landscaping

E13. The operator must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition D32 for the duration of occupation of the development.

Dangerous Goods

E14. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with all relevant Australian Standards.

APPENDIX 1 WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

Written Incident Notification Requirements

1. A written incident notification addressing the requirements set out below must be provided to the Planning Secretary through the major projects portal 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.

APPENDIX 2 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 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.

Aircraft Safety

AN13. The Applicant and Owner must at all times construct and operate the development in accordance with the conditions of the controlled activity approval issued by the Department of Infrastructure, Transport, Regional Development and Communications dated 31 August 2021.