



PRE-CONSTRUCTION COMPLIANCE REPORT

NEPEAN HOSPITAL REDEVELOPMENT STAGE 1 – SSD 8766

CPB CONTRACTORS

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Job_Title		1949_Nepean Hospital PCCR		
Version Control				
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Compliance Report Declaration	
Declaration by:	
Name:	
Title:	

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1. Executive Summary

This Pre-Construction Compliance Report (PCCR) has been prepared for the redevelopment of Nepean Hospital Integrated Ambulatory Services Stage 1 (the Project). The Project has been approved (State Significant Development 8766), with construction having commenced in May 2019.

Condition of Consent B40 requires that Compliance Reports be prepared in accordance with the document entitled *Compliance Reporting Post Approval Requirements* (Department of Planning, Industry and Environment, 2018). This PCCR has been prepared to satisfy the first Compliance Report for the Project.

This PCCR has been prepared to report on the status of compliance during the pre-construction phase of the Project. The findings of this report demonstrate that the pre-construction requirements under the Consent have generally been satisfied, with the exception of the non-compliances identified for conditions of consent A20, B5, B17, B18, B30, B33, B34, B35, B37, B38, B41.

A summary of the Project is provided in Section 2 and 5. A summary on compliance, incidents and complaints is presented in Sections 6 through 9. Detailed findings of compliance can be found in the Compliance Table in Appendix A.

2. Introduction

The Redevelopment of Nepean Hospital Integrated Ambulatory Services Stage 1 (The Project) was granted consent, subject to conditions, under section 4.38 of the *Environmental Planning and Assessment Act 1979* on 25 February 2019. The Development Consent reference is SSD 8766.

The Project is located 60km west of Sydney CBD and is approximately 13.92 hectares in size, bounded by Parker Street, Derby Street, Somerset Street and Great Western Highway. The location is presented in Figure 1.

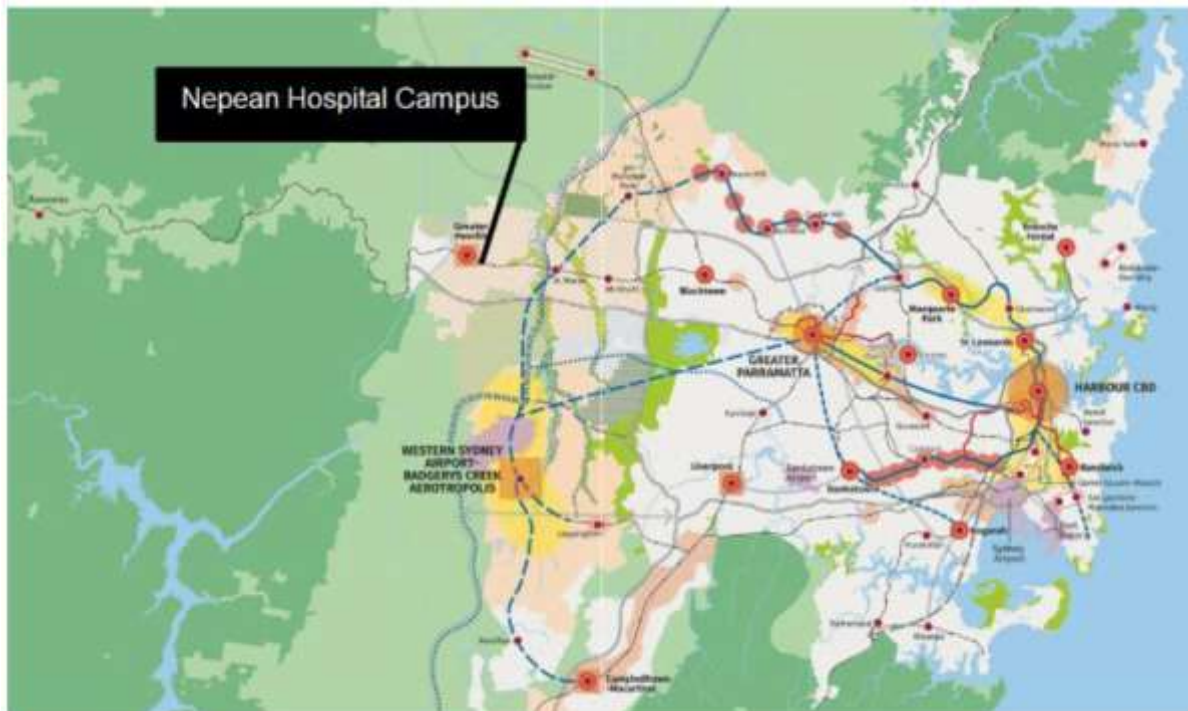


Figure 1: Nepean Hospital Campus location – from Project EIS, August 2019



Figure 2: Project site boundaries (red) – Drawing NHR-BVN-DRW-ARC-TB1- 01A-NL00003 prepared by BVN Architecture Pty Ltd

The Project seeks to provide the physical capacity to support the increasing health service demands and new models of care being driven by a growing and ageing local population.

The Project comprises:

- demolition of existing structures;
- construction of a 14-storey clinical and ambulatory services building with rooftop helipad; and
- associated works to access and parking
- landscaping works.

3. Purpose of Report

Conditions of consent B40 to B42 of Schedule 2 of SSD 8766 require the development and submission of a Compliance Monitoring and Reporting Program (CMRP) and Compliance Reports, prepared in accordance with the Department of Planning and Environment (the Department) document entitled *Compliance Reporting Post Approval Requirements* (June 2018):

- B40. *No later than two weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.*
- B41. *Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).*
- B42. *The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.*

The CMRP for the Project, dated 11 April 2019, is available on the Project website. The schedule of compliance monitoring and reporting contained in that program is reproduced, with annotations, below in Table 1.

This PCCR has been prepared to address the requirements of Condition of Consent B40, and has been backdated to report on the status of compliance during the pre-construction phase of the Project.

Table 1: Schedule of Compliance Monitoring and Reporting (replicated, with annotations, from the compliance monitoring and reporting program for the Project as submitted 11 April 2019)

Reporting number	Compliance Report	Due Date ¹
1	Pre-Construction Compliance Report	31 May 2019 ²
2	Construction Compliance Report	31 November 2019
3	Construction Compliance Report	31 May 2020
4	Construction Compliance Report	31 November 2020
5	Construction Compliance Report	31 May 2021
6	Construction Compliance Report	31 November 2021
7	Pre-Operation Compliance Report	31 November 2021 ³
8	Operation Compliance Report	No greater than 52-week intervals from the date of commencement ⁴

Note ¹: *The anticipated date of Compliance Reporting is the approximate date nominated for lodgment of the Compliance Reports and may vary according to any changes in date of commencement of Construction and date of commencement of Operation.*

Note ²: *This Report has been prepared to fulfil pre-construction compliance reporting requirements*

Note ³: *Works were assumed to be completed in 2021 (2-year duration)*

Note ⁴: *CoC B43 provides that, notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (2018), the Planning Secretary may approve a request for ongoing annual operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.*

4. Key Project Personnel

The following key roles are responsible for Environmental Management throughout the duration of the Project.

Organisation	Position	Representative	Contact Details
Health Infrastructure NSW	Project Director	Adrian Timp	0459 867 006
Managing Contractor CPB Contractors Pty Ltd	Project Director	Steve Garzo	0409 500 301
CPB Contractors Pty Ltd	Environmental Representative	Patrick Newcombe	0408 191 269
CPB Contractors Pty Ltd	Design Manager	Nick Carnevale	0422 873727
Aquas Pty Ltd	Independent Auditor	Annabel Tungol	0438 850 943

All employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of consent relevant to activities they carry out in respect of the development.

5. Project Activity Summary

Activities relating to the Project that occurred within the pre-construction compliance reporting period are listed below:

- Design Development to meet the output requirements of the contract;
- Cost Planning including formal submissions to client;
- Site Investigations including geotechnical, contamination, existing services, existing structures;
- Establishment of site office and amenities; and
- Pedestrian access reconfiguration including new pathways and signage and installation of temporary pedestrian protection walkway at front entry.

The works listed above are exceptions to the Department's definition of construction works and as such are permissible during the pre-construction phase.

6. Compliance Reporting

This PCCR been carried out in accordance with the *Compliance Reporting Post Approval Requirements* (Department 2018). Details and Status of Compliance to each of the Conditions of Consent are recorded in the Table of Compliance provided in Appendix A.

6.1 Reporting Timing

This PCCR has been prepared to address the requirements of Condition of Consent B40 and reports on the status of compliance during the pre-construction phase of the Project.

The reporting period for this PCCR is from the granting of consent (25 February 2019) to the proposed notified date of commencement of construction (2 May 2019).

6.2 Compliance Status Descriptors

The status of each compliance requirement applicable during the reporting period has been recorded using the relevant descriptors in Table 2 below. No other terms are to be or have been used to describe the compliance status.

Table 2: Compliance Status Descriptor

Status Descriptor	Description
Compliant	The proponent has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with.
Non-compliant	The proponent has identified a non-compliance with one or more elements of the requirement.
Not triggered	A requirement has an activation or timing trigger that has not been met at the phase of the development when the compliance assessment is undertaken, therefore an assessment of compliance is not relevant.

7. Compliance Summary

7.1 Overview

Of 45 conditions triggered, there were 11 non-compliances. Compliance with the Conditions of Approval for the Prior to Construction phase of the Project is summarised below in Table 3, using the definitions provided in section 6.2. Further details regarding status against each Condition are provided in Appendix A: Compliance Table.

Table 3: Compliance Summary

Status	Schedule 2, Conditions of Consent No.
Compliant	A1, A2, A6, A8 – A10, A14, A15, A17, A21, B1, B3, B5, B7, B10, B13 – B15, B19 – B27, B29, B31, B36, B40, B44, B45
Non-Compliant	A20, B5, B17, B18, B30, B33, B34, B35, B37, B38, B41
Not Triggered	A3 – A5, A7, A11 – A13, A16, A18, A19, B2, B4, B6, B8, B9, B11, B12, B16, B28, B32, B39, B42, B43, B46, Part C, Part D and Part E

7.2 Detail

Table 4: Detail of Non-Compliance

CoC ID	Compliance Requirement	Reason for Non Compliance	Action/ recommendation
A20	<p>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:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ul style="list-style-type: none"> 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 xi. keep such information up to date, to the satisfaction of the Planning Secretary. 	<p>A number of plans were not available on the Project website, nor was there a complaints register, updated monthly.</p>	<p>Recommendation: Ensure that all information/plans required under this condition to be made available, are made available on the Project website</p> <p>Recommendation: Ensure complaints register is updated monthly and made available on the Project website</p>

B5	Prior to the commencement of construction, the Applicant must provide the Certifying Authority 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	Evidence of BCA compliance for external walls (including cladding and finishes) not provided to the Certifying Authority prior to the commencement of construction.	Recommendation: Submit application for Modification to the Department
B17	Prior to commencement of construction, all outdoor lighting within the site must comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-1997 Control of the obtrusive effects of outdoor lighting. Lighting must comply with any recommendations of the review undertaken under Condition B44 to ensure the ongoing safe operation of the existing helipad on the site. Details demonstrating compliance with these requirements must be submitted to the satisfaction of the Certifying Authority.	No details demonstrating compliance with these requirements have been submitted to the Certifying Authority.	Recommendation: Submit application for Modification to the Department
B18	The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of construction, the Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.	No evidence of compliance with this condition provided to the Certifying Authority.	Recommendation: Submit application for Modification to the Department
B30	Prior to commencement of construction, the Applicant must incorporate the noise mitigation recommendations in the Acoustic Assessment (Rev 9) prepared by Acoustic Logic dated 15/11/2018, into the detailed design drawings. The Certifying Authority must verify that all reasonable and feasible noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Acoustic Assessment (Rev 9) prepared by Acoustic Logic dated 15/11/2018.	No evidence provided of verification by Certifying Authority that all reasonable and feasible noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Acoustic Assessment (Rev 9) prepared by Acoustic Logic dated 15/11/2018.	Recommendation: Submit application for Modification to the Department
B33	Prior to the commencement of construction, the Applicant must obtain agreement from Council for the design of the operational waste storage area where waste removal is undertaken by Council.	No evidence provided of relevant agreement from Council being obtained prior to the commencement of construction.	Recommendation: Submit application for Modification to the Department
B34	All mechanical ventilation systems must be designed in accordance with Part F4.5 of the BCA and must comply with the AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings and AS/NZS 3666.1:2011 Air handling and water systems of buildings–	No evidence provided that details of a mechanical ventilation system compliant with the BCA and relevant	Recommendation: Submit application for Modification to the Department

	Microbial control to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details must be submitted to the satisfaction of the Certifying Authority prior to the commencement of construction.	standards were submitted to the satisfaction of the Certifying Authority prior to the commencement of construction.	
B35	Prior to the commencement of construction, the Applicant must ensure that a rainwater reuse/harvesting system for the development is developed for the site. A rainwater re-use plan must be prepared and certified by an experienced hydraulic engineer.	No evidence provided that a rainwater reuse/harvesting system or a rainwater re-use plan has been prepared for the development.	Recommendation: Submit application for Modification to the Department
B37	Compliance with the following requirements must be submitted to the satisfaction of the Certifying Authority prior to the commencement of construction: (a) all vehicles must enter and leave the Site in a forward direction; (b) minimum of 59 on-site car parking spaces for use during operation of the development and designed in accordance with the latest version of AS2890.1; (c) the swept path of the longest vehicle entering and exiting the Site in association with the new work, as well as manoeuvrability through the Site, must be in accordance with AUSTRROADS; and (d) the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, is to be addressed.	No evidence provided that compliance with B37(b) (minimum of 59 on-site car parking spaces) was submitted to the satisfaction of the Certifying Authority prior to the commencement of construction.	Recommendation: Submit application for Modification to the Department
B38	Compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the satisfaction of the Certifying Authority prior to the commencement of construction: a) the provision of a minimum 25 bicycle parking spaces; b) the layout, design and security of bicycle facilities must comply with the minimum requirements of AS 2890.3:2015 <i>Parking facilities - Bicycle parking</i> , and be located in easy to access, well-lit areas that incorporate passive surveillance; c) the provision of end-of-trip facilities for staff in accordance with the ESD Design & As Built rating tool; d) appropriate pedestrian and cyclist advisory signs are to be provided; and e) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority.	No evidence provided that compliance with the requirements for secure bicycle parking and end-of-trip facilities as set out in condition B38 was submitted to the satisfaction of the Certifying Authority prior to the commencement of construction.	Recommendation: Submit application for Modification to the Department
B41	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	The first Compliance Report did not include the information as required by the Compliance Reporting Post Approval Requirements (Department 2018), nor was it submitted to the Department within the timeframes specified in the CMRP.	This PCCR has been prepared to rectify the issue and has been prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).



7.3 Previous Reports Actions

This PCCR is the first Compliance Report as set out in Compliance Monitoring and Reporting Program. There are therefore no Previous Reports Actions.

8. Incidents

A register of all incidents, as defined by the conditions of consent, is to be maintained with the following information:

- the cause and nature of the incident, the date it occurred and the date it was identified;
- location of the incident;
- how the incident was identified;
- the agency, or agencies to whom the incident was reported;
- details of any corrective and preventative action required by agencies and any undertaken by the proponent; and
- the response to the incident, including details of timing for undertaking such actions (i.e. that corrective and preventative action is not required, has commenced or is completed).

The Project has not identified any incidents during this reporting period (to date), as defined by the Consent.

9. Complaints

A list or table of complaints received, as defined by the conditions of consent, is to be maintained with the following information:

- the number of Complaints received; and
- a summary of the main areas of the complaint.

A statement must also be provided as to any emerging trends identified in complaints received and proposed action for addressing complaints or reducing the recurrence of complaints or that 'no further action is required'.

There have been no complaints received during this reporting period (to date).

10. Compliance Report Declaration

Compliance Report Declaration Form			
Project Name:	Redevelopment of Nepean Hospital Integrated Ambulatory Services (Stage 1)	Project Application Number:	8766
Description of Project:	Redevelopment of Nepean Hospital Integrated Ambulatory Services (Stage 1), involving the demolition of existing structures, construction of a new 14 storey clinical and ambulatory services building with rooftop helipad, and associated works to access and parking, tree removal and landscaping.		
Project Address:	Nepean Hospital, 35-65 Derby St, Kingswood NSW 2747 (Lot 1 DP1114090)	Proponent:	Health Infrastructure NSW
Title of Compliance Report:	Pre-Construction Compliance Report	Date:	01/10/19
<p>I declare that I have reviewed relevant evidence and prepared the contents of the attached Compliance Report and to the best of my knowledge:</p> <ul style="list-style-type: none"> • the Compliance Report has been prepared in accordance with all relevant conditions of consent; • the Compliance Report has been prepared in accordance with the Compliance Reporting Post Approval Requirements; • the findings of the Compliance Report are reported truthfully, accurately and completely; • due diligence and professional judgement have been exercised in preparing the Compliance Report; and • the Compliance Report is an accurate summary of the compliance status of the development. 			
<p>Notes:</p> <ul style="list-style-type: none"> • Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and • The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years' imprisonment or 200 penalty units, or both). 			
Name of Authorised Reporting Officer			
Title			
Signature			
Qualification			
Company			
Company Address			

SSD 8766 Conditions of Consent

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status																																																																																																																								
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.	At all times	Environmental monitoring, inspection/s, internal and independent audits, Management Plan and Management Plan Reviews, training, Record keeping systems for communications with Certifier/ Planning Secretary and other relevant 3 rd party groups	Contained within current Management Plans and Subplans. Commitment that Management plans and Subplans will be complied with throughout the duration of works under this Consent, with evidence to be provided throughout works.	Compliant																																																																																																																								
Terms of Approval																																																																																																																													
A2	The development may only be carried out:	At all times	Environmental monitoring, inspection/s, internal and independent audits, Management Plan and Management Plan Reviews, training, Record keeping systems for communications with Certifier/ Planning Secretary and other relevant 3 rd party groups	This Pre-Construction Compliance Report (PCCR).	Compliant																																																																																																																								
	(a) in compliance with the conditions of this consent;			Record of written direction. No directions received from the Planning Secretary to date.																																																																																																																									
	(b) in accordance with all written directions of the Planning Secretary;			Current Management plans and Subplans in accordance with the EIS and Response to Submissions.																																																																																																																									
	(c) generally in accordance with the EIS and Response to Submissions;			Approved plans, stamped by the Department, are in place for Construction.																																																																																																																									
(d) in accordance with the approved plans in the table below:																																																																																																																													
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="4">Architectural Plans prepared by BVW</th> </tr> <tr> <th>Dwg No.</th> <th>Rev</th> <th>Name of Plan</th> <th>Date</th> </tr> </thead> <tbody> <tr><td>A0-106</td><td>B</td><td>Demolition Plan</td><td>14/11/2018</td></tr> <tr><td>A0-108</td><td>B</td><td>Proposed Site Plan</td><td>14/11/2018</td></tr> <tr><td>A0-200</td><td>B</td><td>Lv 00 Floor Plan</td><td>14/11/2018</td></tr> <tr><td>A0-201</td><td>B</td><td>Lv 01 Floor Plan</td><td>14/11/2018</td></tr> <tr><td>A0-202</td><td>B</td><td>Lv 02 Floor Plan</td><td>14/11/2018</td></tr> <tr><td>A0-203</td><td>B</td><td>Lv 03 Floor Plan</td><td>14/11/2018</td></tr> <tr><td>A0-204</td><td>B</td><td>Lv 04 Floor Plan</td><td>14/11/2018</td></tr> <tr><td>A0-205</td><td>B</td><td>Lv 05 Floor Plan</td><td>14/11/2018</td></tr> <tr><td>A0-206</td><td>B</td><td>Lv 06 Floor Plan</td><td>14/11/2018</td></tr> <tr><td>A0-207</td><td>B</td><td>Lv 07 Floor Plan</td><td>14/11/2018</td></tr> <tr><td>A0-208</td><td>B</td><td>Lv 08 Floor Plan</td><td>14/11/2018</td></tr> <tr><td>A0-209</td><td>B</td><td>Lv 09 Floor Plan</td><td>14/11/2018</td></tr> <tr><td>A0-210</td><td>B</td><td>Lv 10 Floor Plan</td><td>14/11/2018</td></tr> <tr><td>A0-211</td><td>B</td><td>Lv 11 Floor Plan</td><td>14/11/2018</td></tr> <tr><td>A0-212</td><td>B</td><td>Lv 12 Floor Plan</td><td>14/11/2018</td></tr> <tr><td>A0-213</td><td>B</td><td>Lv 13 Floor Plan</td><td>14/11/2018</td></tr> <tr><td>A0-214</td><td>B</td><td>Lv 14 Floor Plan</td><td>14/11/2018</td></tr> <tr><td>A0-215</td><td>B</td><td>Lv 15 Roof Plan</td><td>14/11/2018</td></tr> <tr><td>A0-216</td><td>B</td><td>Lv B1 Floor Plan</td><td>14/11/2018</td></tr> <tr><td>A0-220</td><td>A</td><td>Lv 00 General Arrangement</td><td>14/11/2018</td></tr> <tr><td>A0-221</td><td>A</td><td>Lv 01 General Arrangement</td><td>14/11/2018</td></tr> <tr><td>A0-222</td><td>A</td><td>Lv 02 General Arrangement</td><td>14/11/2018</td></tr> <tr><td>A0-223</td><td>A</td><td>Lv 03 General Arrangement</td><td>14/11/2018</td></tr> <tr><td>A0-224</td><td>A</td><td>Lv 04 General Arrangement</td><td>14/11/2018</td></tr> <tr><td>A0-225</td><td>A</td><td>Lv 05 General Arrangement</td><td>14/11/2018</td></tr> <tr><td>A0-226</td><td>A</td><td>Lv 06 General Arrangement</td><td>14/11/2018</td></tr> <tr><td>A0-227</td><td>A</td><td>Lv 07 General Arrangement</td><td>14/11/2018</td></tr> <tr><td>A0-228</td><td>A</td><td>Lv 08 General Arrangement</td><td>14/11/2018</td></tr> </tbody> </table>						Architectural Plans prepared by BVW				Dwg No.	Rev	Name of Plan	Date	A0-106	B	Demolition Plan	14/11/2018	A0-108	B	Proposed Site Plan	14/11/2018	A0-200	B	Lv 00 Floor Plan	14/11/2018	A0-201	B	Lv 01 Floor Plan	14/11/2018	A0-202	B	Lv 02 Floor Plan	14/11/2018	A0-203	B	Lv 03 Floor Plan	14/11/2018	A0-204	B	Lv 04 Floor Plan	14/11/2018	A0-205	B	Lv 05 Floor Plan	14/11/2018	A0-206	B	Lv 06 Floor Plan	14/11/2018	A0-207	B	Lv 07 Floor Plan	14/11/2018	A0-208	B	Lv 08 Floor Plan	14/11/2018	A0-209	B	Lv 09 Floor Plan	14/11/2018	A0-210	B	Lv 10 Floor Plan	14/11/2018	A0-211	B	Lv 11 Floor Plan	14/11/2018	A0-212	B	Lv 12 Floor Plan	14/11/2018	A0-213	B	Lv 13 Floor Plan	14/11/2018	A0-214	B	Lv 14 Floor Plan	14/11/2018	A0-215	B	Lv 15 Roof Plan	14/11/2018	A0-216	B	Lv B1 Floor Plan	14/11/2018	A0-220	A	Lv 00 General Arrangement	14/11/2018	A0-221	A	Lv 01 General Arrangement	14/11/2018	A0-222	A	Lv 02 General Arrangement	14/11/2018	A0-223	A	Lv 03 General Arrangement	14/11/2018	A0-224	A	Lv 04 General Arrangement	14/11/2018	A0-225	A	Lv 05 General Arrangement	14/11/2018	A0-226	A	Lv 06 General Arrangement	14/11/2018	A0-227	A	Lv 07 General Arrangement	14/11/2018	A0-228	A	Lv 08 General Arrangement	14/11/2018
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A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:	At all times	Record Keeping System for communications with the Planning Secretary, Department	No record of such written directions to the Applicant.	Not triggered																																																																																																																																																																												

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	(a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and				
	(b) the implementation of any actions or measures contained in any such document referred to in (a) above.		Record Keeping System for communications with the Planning Secretary, Department	No record of such written directions to the Applicant.	
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.		Cross check the most recent non superseded controlled document against document control system for being the latest version.	Noted.	Not triggered
Limits of Consent					
A5	This consent lapses five years after the date of consent unless the works associated with the development have physically commenced	At all times	Check of consent date and date of construction commencement	Determination of SSD 8766 dated 25/02/2019 and construction commenced May 2019. Note: 'Construction' as defined by SSD 8766.	Not triggered
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.	At all times	Environmental monitoring, inspection/s, internal and independent audits, Management Plan and Management Plan Reviews, training, Record keeping systems for communications with Certifier/ Planning Secretary and other relevant 3 rd party groups	Part 6, Division 8A of the EP&A Regulation relates to prescribed conditions for: <ul style="list-style-type: none"> - Compliance with the BCA (cl 98)- Crown Certificate No. CRO- 18117 dated 02/05/2019 Subject land: Lot 1 DP 1114090, 36065 Derby Street Kingswood NSW 2747 Certifier: Blackett Maguire + Goldsmith – David Blackett (Accreditation no. NSW BPB0032 dated 2/5/2019). - Erection of signs (cl 98A) – N/A for Crown building work with Crown Certificate - Residential Building work (cl 98B) - N/A - Entertainment venues (cl 98C) - N/A - Signage for max. number of persons (cl 98D) - N/A for construction Shoring and adjoining properties (cl 98E) – N/A (no excavation below adjoining properties)	Compliant
Planning Secretary as Moderator					

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
A7	In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.	At all times	Record Keeping System for communications with the Planning Secretary, Department	Noted. No record of dispute at the time of PCCR stage.	Not triggered
Long Service Levy					
A8	For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 441.	Prior to Construction	Levy Payment	Long Service Levy has been paid – Receipt #00376269 dated 8 April 2019 \$23,548.00.	Compliant
Legal Notices					
A9	Any advice or notice to the consent authority must be served on the Planning Secretary.	At all times	Record Keeping System for communications with the Planning Secretary / Department	Noted.	Compliant
Evidence of Consultation					
A10	Where conditions of this consent require consultation with an identified party, the Applicant must:	At all times	Record keeping for communications with Council, Community and Transport Management Centre (TfNSW and RMS)	Records of consultation during preparation of deliverables under conditions B7, B22, B23, B25, B44.	Compliant
	(a) consult with the relevant party prior to submitting the subject document for information or approval; and				
	(b) provide details of the consultation undertaken including:				
	(i) the outcome of that consultation, matters resolved and unresolved; and				
	(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.				
Staging, Combining and Updating Strategies, Plans or Programs					
A11	With the approval of the Planning Secretary, the Applicant may:	At all times	Record keeping for communications with the Planning Secretary / Department	Noted. No such approval sought.	Not triggered
	(a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);				
	(b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and				
	(c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).				
A12	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	Prior to Construction		If agreed, communication record of Planning Secretary agreement confirmation.	Not triggered
A13	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	At all times		Noted. Not applicable – no updates/subsequent versions of plans have been approved.	Not triggered
Demolition					
A14	Demolition work must comply with Australian Standard AS 2601-2001 The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifying Authority before the commencement of works.	Prior to Demolition Works	Filing System for submissions to Certifying authority	Crown Certificate No. CRO-18117 dated 02/05/2019 included demolition of the existing retaining wall (part of bulk excavation). Construction commenced 09/05/2019.	Compliant
Structural Adequacy					
A15	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.	Construction	Application for construction and occupation certificates Engineering and Design Plan Reviews	Stage 1 Early Works Crown Certificate No. CRO- 18117 from Certifying Authority included Structural Design Statement from Structural Engineer (Bonacci) dated 18/04/2019.	Compliant
External Walls and Cladding					

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
A16	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	At all times	Engineering and Design Plan Reviews	Not triggered for PCCR stage.	Not Triggered
Applicability of Guidelines					
A17	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.	At all times	Record Keeping System for communications with the Planning Secretary, Department Management Plans/ Sub-plans	Noted. Reference to relevant guidelines, protocol, Australian Standard or policies included in Management Plans / Sub-plans	Compliant
A18	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.		Record Keeping System for communications with the Planning Secretary, Department	No directions issued by Planning Secretary at the time of the PCCR.	Not triggered
A19	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.		Environmental monitoring, inspection/s, internal and independent audits, Management Plan and Management Plan Reviews.	Not triggered for PCCR stage.	Not triggered
Access to Information					
A20	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:	Prior to Construction until completion of all works under this consent	Website upload tracker spreadsheet / system	Information has been provided on the Redevelopment Website: 1. Approved BVN, Arcadia Landscape Architecture, and Bonacci plans 2. Notice of determination - letter to applicant 3. Development consent 4. Compliance monitoring and report 5. Independent audit program 6. Community consultation strategy Outstanding Items to be uploaded onto Website: - CEMP and Subplans - Performance Report - Monitoring Reports for dust and vibration. Refer below.	Non-compliant (with CoC A20(a)(iii) and A20(a)(viii))
	(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;	Prior to Construction until completion of all works under this consent	Website upload tracker spreadsheet / system	Stamped BVN, Arcadia Landscape Architecture, and Bonacci plans available on Project website	Compliant
	(ii) all current statutory approvals for the development;			Approval for SSD 8766 dated 25/02/2019 available on Project website	
(iii) all approved strategies, plans and programs required under the conditions of this consent;			Community Consultation Strategy (CCS) available on Project website. Not Available on the Project website as at date of PCCR: - CEMP (CoC B20); - Construction Traffic, Pedestrian Management Sub-Plan (CTPMSP) (CoC B22) - Construction Noise and Vibration Management Sub-Plan (CNVMSP) (CoC B23) - Construction Waste Management Sub-Plan (CWMSMSP) (CoC B24) - Construction Soil and Water Management Sub-Plan (CSWMSP) (CoC B25)	Non-compliant	

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
	(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;			- Flood Emergency Response Sub-Plan (FERSP) (CoC B26).	
	(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;			Not triggered at PCCR stage	Not triggered
	(vi) a summary of the current stage and progress of the development;			Available on the Project website	Compliant
	(vii) contact details to enquire about the development or to make a complaint;			Not available on the Project website as at date of PCCR	Non-compliant
	(viii) a complaints register, updated monthly;			No independent environmental audits required during the period covered by this PCCR	Not triggered
	(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;			Not triggered	
	(x) any other matter required by the Planning Secretary; and			All available information on the Project website up to date for period covered by this PCCR.	Compliant
	(b) keep such information up to date, to the satisfaction of the Planning Secretary.				
Compliance					
A21	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.	At all times	Instruction to comply with conditions included in minor works contract template Consent Conditions included in Induction presentation.	Site Induction includes Environmental aspects including those required by SSD 8766 conditions. Conditions of approval for SSD 8766 included in tender documents for prospective contractors	Compliant
PART B – PRIOR TO COMMENCEMENT OF CONSTRUCTION					
Notification of Commencement					
B1	The Department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates	Prior to Construction and Prior to Operation	Record Keeping System for communications with the Planning Secretary, Department	Crown Certificate No. CRO- 18117 - for the first CC (Stage 1). Letter dated 02/05/2019 from PCA to D-G of DPE attaching Crown Certificate No. CRO-18117 and notifying of commencement of construction proposed for 07/05/2019.	Compliant
B2	If the construction or operation of the development is to be staged, the Department must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	Prior to commencement of each stage	Record Keeping System for communications with the Planning Secretary, Department	As at the date of the PCCR, staging of construction of the development was not contemplated by the terms of the approval.	Not triggered
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: (a) the relevant clauses of the BCA; and	Prior to Construction	Record Keeping System for communications with the Certifier	Structural design statement for Stage 1 Early Works dated 18 April 2019 to PCA (Blackett Maguire and Goldsmith) from Bonacci (John Williams- suitably qualified engineer listed in the National Engineers Register) attaching structural drawing Nos. NHR-BON-DRW-STR-TB1-b01-0100 (D), NHR-BON-DRW-STR-TB1-ALL-03050 (A), NHR-BON-DRW-STR-TB1-L00-01001 (D).	Compliant
	(b) this development consent.				Compliant

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
				Crown Certificate No. CRO- 18117 re Stage 1 Early Works dated 2 May 2019 issued by Blackett Maguire and Goldsmith cited above 18 April 2019 letter and structural drawings in conclusion that "that the building works have been designed in accordance with the Building Code of Australia 2016."	
Reflectivity					
B4	The building materials used on the facades of all buildings will be designed so as not to result in glare that causes discomfort or threatens the safety of pedestrians or drivers. A report/statement demonstrating consistency with this requirement will be submitted to the satisfaction of the Certifying Authority prior to the commencement of facade works.	Prior to commencement of façade works	Record Keeping for communications with the Certifier	Not triggered at PCCR stage.	Not Triggered
External Walls and Cladding					
B5	Prior to the commencement of construction, the Applicant must provide the Certifying Authority 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.	Prior to Construction	Record Keeping for communications with the Certifier	Modification to be submitted to address this, by allowing staged compliance with this condition of consent.	Non-compliant
B6	The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.		Record Keeping for communications with the Planning Secretary, Department	Not triggered at PCCR stage.	Not Triggered
Protection of Public Infrastructure					
B7	Before the commencement of construction, the Applicant must: (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;	Prior to Construction	Record Keeping for Consultation/ Communications with Service Owners/ Providers	Documentation of consultation submitted as part of SSDA approval process. Evidence is available on the Planning Website. As ongoing consultation is completed this documentation is issued to the Certifier.	Compliant
	Record Keeping for communications with the Certifier				
	(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and		Record Keeping System for communications with the Planning Secretary, Department and Council	Dilapidation Report completed on 19/ 27/28 December 2018.	
(c) submit a copy of the dilapidation report to the Planning Secretary, Certifying Authority and Council.	Record Keeping for Consultation/ Communications with public infrastructure representatives	Email dated 30/04/2019 HI to DPE attaching "post approval documents in accordance with B7." Email dated 28/03/2019 CPB Contractors to Penrith City Council attaching "Main Site – Dilapidation Report December 2018." Schedule to Crown Certificate No. CRO- 18117 noted reliance on "Dilapidation Report – 1 Barber Avenue Kingswood."			
Site Contamination					
B8	Remediation approved as part of this development consent must be carried out in accordance with the Remedial Action Plan (54794/118777 - Rev O) dated 9/11/2018 and prepared by JBS & G.	During construction works and demolition		Not triggered at PCCR stage.	Not triggered

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
B9	Prior to the commencement of earthworks, the Applicant must submit a Site Audit Report and Section A Site Audit Statement for the relevant part of the site prepared by a NSW EPA accredited Site Auditor. The Site Audit Report and Section A Site Audit Statement must verify the relevant part of the site is suitable for the hospital land use and be provided to the satisfaction of the Certifying Authority.	Prior to earthworks	Record Keeping for communications with the Certifier	Remediation Works Statement, dated 13/03/2019, Cherrie Civil Engineering Ltd. Site Audit Report and Section A Site Audit Statement not triggered at PCCR stage. Asbestos contaminated areas located outside footprint of building, no removal requirement as indicated in the Gap Analysis Assessment prepared by JBS&G and the email from Senversa	
Unexpected Contamination Procedure					
B10	Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition B20 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.	Prior to earthworks	Remediation Action Plan (RAP) Unexpected Contamination Procedure Record Keeping for communications with the Certifier	Unexpected Contamination Procedure included in the RAP (JBS&G, 16/04/2019 Rev 1) (Appendix 11 to the CEMP), Section 7.1 Unexpected finds protocol and flowchart 7.1 (subplan to CEMP).	Compliant
Utilities and Services					
B11	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Prior to Utilities works	Works Program Record Keeping for Consultation/ Communications with Service Owners/ Providers	Not triggered at PCCR stage.	Not Triggered
B12	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.	Prior to Above ground works	Works Program Record Keeping for Consultation/ Communications with Service Owners/ Providers		
Community Communication Strategy					
B13	A Community Communication Strategy must be prepared to provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction. The Community Communication Strategy must: (a) identify people to be consulted during the design and construction phases; (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development; (c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development; (d) set out procedures and mechanisms: (i) through which the community can discuss or provide feedback to the Applicant; (ii) through which the Applicant will respond to enquiries or feedback from the community; and (iii) to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development, including disputes regarding rectification or compensation.	Prior to Construction	Management Plans Record Keeping System for communications with the Planning Secretary, Department	Community Communication Strategy (CCS) Nepean Hospital and Integrated Ambulatory Services Redevelopment Stage 1 SSSA 8766, 29 April 2019, Rev 4 (CCS) See CCS, Ch 2- Key Stakeholders. See CCS, Ch 3- Communication Tools. See CCS, Ch 4- Procedures for managing enquiries and feedback.	Compliant
B14	The Community Communication Strategy must be submitted to the Planning Secretary for approval no later than two weeks before the commencement of any work.			CCS Rev 4 approved by DPE on 30/4/2019.	Compliant
B15	Work for the purposes of the development must not commence until the Community Communication Strategy has been approved by the Planning Secretary, or within another timeframe agreed with the Planning Secretary.				Compliant

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
Ecologically Sustainable Development					
B16	Within 6 months of the commencement of construction, the Applicant must register for a minimum 4 star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifying Authority unless the NSW Health Engineering Services Guidelines are updated demonstrating equivalency with an accredited rating scheme to the satisfaction of the Planning Secretary.	Prior to Construction	Record Keeping for communications with the Certifier OR Record Keeping for communications with the Planning Secretary, Department	Not triggered at PCCR stage.	Not Triggered
Outdoor Lighting					
B17	Prior to commencement of construction, all outdoor lighting within the site must comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-1997 Control of the obtrusive effects of outdoor lighting. Lighting must comply with any recommendations of the review undertaken under Condition B44 to ensure the ongoing safe operation of the existing helipad on the site. Details demonstrating compliance with these requirements must be submitted to the satisfaction of the Certifying Authority.	Prior to Construction	Copy of Records/ Certificates of Compliance Record Keeping for communications with the Certifier	Modification application submitted to address this, by allowing staged compliance with this condition of consent.	Non-compliant
Access for People with Disabilities					
B18	The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of construction, the Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.	Prior to Construction	Record Keeping for communications with the Certifier	Modification application submitted to address this, by allowing staged compliance with this condition of consent.	Non-compliant
Environmental Management Plan Requirements					
B19	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:	Prior to Construction	CEMP and sub-plans Record Keeping System for communications with the Planning Secretary, Department	CEMP developed, dated 15/3/19 Rev0. CEMP issued to the Department on 29/4/19.	Compliant
	(a) detailed baseline data;		CEMP and sub-plans	CEMP developed, dated 15/3/19 Rev0. Baseline noise and soil quality data included in relevant sub-plans.	
	(b) details of:		-	-	-
	(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);		CEMP and sub-plans	CEMP, Element 3 includes reference to the Legal and other obligations register. CEMP, Section 2.3 includes objectives and targets Table 2.1 of CEMP, Table 2.1 includes the KPIs, targets, timeframe, actions and accountability CEMP Element 3 includes the Legal and other requirements expectations, actions/controls, responsible person and deliverables.	Compliant
	(ii) any relevant limits or performance measures and criteria; and				
	(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;				
	(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;		-	-	-
(d) a program to monitor and report on the:	-	-	-		

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
	(i) impacts and environmental performance of the development;		CEMP and sub-plans	CEMP, Element 3 includes environmental monitoring requirements. Noise and vibration monitoring requirements included in the CNVMSP. Waste data monitoring included in Section 3.6 of the CWMSP. Air and dust monitoring requirements during remedial works included in the RAP. Monitoring program identified in Section 8.20 of the CTPMSP. Element 4 of the CEMP includes risk and opportunity management which refers to the Environmental Risk Register and risk assessments.	Compliant
	(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;			Although this has not been documented in the CEMP, workplace inspections are conducted. Sighted inspection report 6/6/19. Review of site Environmental Controls if done fortnightly by SHEQ Advisor CEMP, Element 3 includes inspection and environmental monitoring requirements. Environmental monitoring results are interpreted to assess effectiveness of controls, compliance and environmental performance.	
	(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;		RAP, Validation Report and Site Audit Report	RAP, Section 7.1. includes Unexpected Contamination Protocol	
	(f) a program to investigate and implement ways to improve the environmental performance of the development over time;		CEMP and sub-plans	CEMP, Element 12 indicates that environmental performance trends will be reviewed monthly. SHEQ Monthly Dashboard sighted.	
	(g) a protocol for managing and reporting any:		-	-	
	(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);		CEMP	CEMP, Element 9 includes details of incident management. CEMP, Element 3 (3.5) includes reporting of non-compliances.	
	(ii) complaint;		CEMP and CCS	CEMP, Element 6 (6.5) includes details for responding to complaints and enquiries. The CCS includes detail for responding to complaints and reference to the HI Incidents Comms Stakeholder Management Plan.	
	(iii) failure to comply with statutory requirements; and		CEMP	CEMP, Element 3 (3.5) includes reporting of non-compliances including events reported by the regulator.	

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
	(h) a protocol for periodic review of the plan		MIDDA and CEMP	Appendix C - MIDDA Schedule indicates that the CEMP will be reviewed quarterly.	
B20	The Applicant must prepare a Construction Environmental Management Plan (CEMP) and it must include, but not be limited to, the following:	Prior to Construction	CEMP and sub-plans	CEMP and sub-plans	Compliant
	(a) Details of:		-	-	
	(i) hours of work;		CEMP	See CEMP, Section 5 Table Item 2.5.	
	(ii) 24-hour contact details of site manager;		CEMP	See CEMP, Section 5 Table Item 2.4.	
	(iii) management of dust and odour to protect the amenity of the neighbourhood;		CEMP and CSWMSP	See CEMP, Section 9 (CSWMSP).	
	(iv) stormwater control and discharge;		CEMP and CSWMSP	See CEMP, Section 9 (CSWMSP).	
	(v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;		CEMP and CSWMSP	See CEMP, Section 9 (CSWMSP).	
	(vi) groundwater management plan including measures to prevent groundwater contamination;		CEMP and CSWMSP	See CEMP, Section 9 (CSWMSP).	
	(vii) external lighting in compliance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting;		CEMP and CSWMSP	See CEMP, Section 5 Table Item 2.4.	
	(viii) community consultation and complaints handling;		CEMP and CCS	See CEMP, Element 6 Section 6.5. The CCS includes detail for responding to complaints and reference to the HI Incidents Comms Stakeholder Management Plan.	
	(b) Construction Traffic and Pedestrian Management Sub-Plan (see condition B22);		CEMP and CTPMSP	See CEMP section 6 (CTMSP).	
	(c) Construction Noise and Vibration Management Sub-Plan (see condition B23);		CEMP and CNVMSP	See CEMP section 7 (CNVMSP).	
	(d) Construction Waste Management Sub-Plan (see condition B24);		CEMP and CWMSPP	See CEMP section 8 (CWMSPP).	
	(e) Construction Soil and Water Management Sub-Plan (see condition B25);		CEMP and CSWMSP	See CEMP section 9 (CSWMSP).	
	(f) Flood Emergency Response (see condition B26);		CEMP and FERSP	See CEMP section 10 (FERSP).	
	(g) an unexpected finds protocol for contamination and associated communications procedure;		CEMP and RAP	See CEMP Section 11 (RAP).	
(h) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure;	CEMP	See CEMP Section 12, Tables 12.1 and 12.2.			
(i) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site; and	CEMP and RAP	See Section 11 of the CEMP (RAP).			
B21	The Applicant must not commence construction of the development until the CEMP is approved by the Certifying Authority and a copy submitted to the Planning Secretary.	Prior to Construction	Record Keeping System for communications with the Certifying Authority. Record Keeping System for communications with the Planning Secretary, Department	Certifying Authority approved CEMP on 1/5/2019. Copy submitted to Planning Secretary 29/04/2019.	Compliant
B22	The Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must address, but not be limited to, the following:	Prior to Construction	CTPMSP	See CTMSP (CEMP, Section 6).	Compliant
	(a) be prepared by a suitably qualified and experienced person(s);			Prepared by Acoustic PTC.	
	(b) be prepared in consultation with relevant road authority;			See CTPMSP, Section 3.	
	(c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services;			See CTPMSP, Sections 8.6.2, 8.6.3 and 8.6.4.	
	(d) detail heavy vehicle routes, access and parking arrangements;			See CTPMSP, Sections 6.1, 8.5 and 8.14.	
	(e) include a Driver Code of Conduct to:			See CTPMSP, Sections 8.3, 8.7, 8.11 and 8.13.	
	(i) minimise the impacts of earthworks and construction on the local and regional road network;			See CTPMSP, Section 8.13.	
	(ii) minimise conflicts with other road users;			See CTPMSP, Section 8.13.	
(iii) minimise road traffic noise; and	See CTPMSP, Section 8.13.				

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
	(iv) ensure truck drivers use specified routes;			See CTPMSP, Sections 8.5 and 8.13.	
	(f) include a program to monitor the effectiveness of these measures; and			See CTPMSP, Section 8.20.	
	(g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.			See CTPMSP, Sections 8.8 and 8.18.	
B23	The Construction Noise and Vibration Management Sub-Plan must address, but not be limited to, the following:	Prior to Construction	CNVMSP	See CNVMSP.	Compliant
	(a) be prepared by a suitably qualified and experienced noise expert;			Prepared by Acoustic Logic Consultancy Pty Ltd.	
	(b) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009);			See CNVMSP, Section 3.4.	
	(c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;			See CNVMSP, Sections 7 and 9.	
	(d) include strategies that have been developed with the community for managing high noise generating works;			Strategies included in CNVMSP, Sections 7 and 9.	
	(e) describe the community consultation undertaken to develop the strategies in condition B23(d); and			CNVMSP, Section 7.1 discusses notifications to residences during excavation/rock ripping activities.	
(f) include a complaints management system that would be implemented for the duration of the construction.	See CNVMSP, Section 10.				
B24	The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the following:	Prior to Construction	CWMSP	See CWSMP Rev 1, dated 20/3/19, prepared by CPB Contractors (at CEMP Section 9).	Compliant
	(a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations;			See CWMSP, Appendix A: Waste Management Plan- Estimate of Waste Quantities for Re-use, recycling and Disposal during Early Works.	
	(b) removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.		CWMSP and RAP	See CEMP, Section 11 (RAP – Sections 8 and 9)	
B25	The Applicant must prepare a Construction Soil and Water Management Plan (CSWMSP) and the plan must address, but not be limited to the following:	Prior to Construction	CSWMSP	See CSWMSP, Rev5, dated 5/04/2019.	Compliant
	(a) be prepared by a suitably qualified expert, in consultation with Council;			Prepared by Bonacci Group (NSW) Pty Ltd.	
	(b) describe all erosion and sediment controls to be implemented during construction;			See CSWMSP, Section 3.2.	
	(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);			See CSWMSP, Sections 3.2.2 and 3.2.4.	
	(d) detail all off-Site flows from the Site; and			See CSWMSP, Section 3.3.1, 3.2.3, 3.2.4.	
(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).	See CSWMSP, Section 3.3.1, 3.2.4.				
B26	The Flood Emergency Response Sub-Plan (FERSP) must address, but not be limited to, the following:	Prior to Construction	FERSP	See FERSP RevB dated 5/04/2019.	Compliant
	(a) be prepared by a suitably qualified and experienced person(s);			Prepared by Bonacci Group (NSW) Pty Ltd.	
	(b) address the provisions of the Floodplain Risk Management Guideline (OEH, 2007);			See CEMP, Section 10 (CSWMSP – Section 3.2.4).	
	(c) include details of:			-	
	(i) the flood emergency responses for both construction and operation phases of the development;			See FERSP, Sections 3 and 4.	
	(ii) predicted flood levels;			See FERSP, Section 2.	
	(iii) flood warning time and flood notification;			See FERSP, Section 3.	
	(iv) assembly points and evacuation routes;			See FERSP, Section 4.	
(v) evacuation and refuge protocols; and	See FERSP, Section 4.				
(vi) awareness training for employees and contractors, and students.	See FERSP, Section 5.				

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
Construction Parking					
B27	Prior to the commencement of construction, the Applicant must provide sufficient parking facilities for heavy vehicles on-site (unless alternative parking is agreed to in writing from the relevant road authority) and ensure that construction traffic associated with the development minimises on-street parking or the use of public parking facilities.	Prior to Construction	Strategy Document Induction Record Keeping System for communications with the Certifying Authority.	See CTPMSP, Sections 8.3, 8.10, 8.11, 8.13 & 8.15 8.14.	Compliant
Road Design and Traffic Facilities					
B28	All roads and traffic facilities must be designed to meet the requirements of Council or 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.	Prior to road or pavement construction works	Design Plans	Not triggered for PCCR stage – works not yet commenced. Note current site access road was constructed under separate approval (REF 004_2019).	Not triggered
Stormwater Management System					
B29	Prior to the commencement of construction, the Applicant must design an operational stormwater management system for the development and submit it to the satisfaction of the Certifying Authority. The system must:	Prior to Construction	Design plans/ reports Submission of construction certificate application Record Keeping for communications with the Certifier	Certificate of Design-Civil, dated 18/04/2019, prepared by Bonacci.	Compliant
	(a) be designed by a suitably qualified and experienced person(s);			Crown Certificate No CRO-18117 issued by Blackett Maguire and Goldsmith on 2/05/2019, citing above 18/04/2019 Certificate of Design.	
	(b) be generally in accordance with the conceptual design in the EIS as modified in the RtS;			Designed by Bonacci Group Pty Ltd (Stephen Naughton, listed in National Engineers Register).	
	(c) be in accordance with applicable Australian Standards;			Certificate of Design- Civil certifies compliance with SSDA 8876 consent dated 25/02/2019.	
	(d) be designed in accordance with Council's Stormwater Drainage for Building Developments and Water Sensitive Urban Design Policy. The stormwater drainage plans must include site specific cross-sections and plan view details for all stormwater treatment measures;			Crown Certificate No CRO-18117 Certificate of Design- Civil certified the design was in accordance with AS 1428, AS 2890, AS 3500.	
	(e) ensure that the system capacity has been designed in accordance with <i>Australian Rainfall and Runoff</i> (Engineers Australia, 2016) and <i>Managing Urban Stormwater: Council Handbook</i> (EPA, 1997) guidelines;			Certificate of Design - Civil dated 18/4/19 certified the design was in accordance with (amongst others) the Penrith City Council Development Control Plan.	
	(f) divert existing clean surface water around operational areas of the site;			Certificate of Design- Civil certified the design was in accordance with Australian Rainfall and Runoff 2016 and Landcom 2004 Managing Urban Stormwater.	
	(g) direct all sediment laden water in overland flow away from the leachate management system;			Certificate of Design- Civil certifies compliance with SSDA 8876 conditions of consent.	
(h) prevent cross-contamination of clean and sediment or leachate laden water.	Certificate of Design- Civil certifies compliance with SSDA 8876 conditions of consent.				
Operational Noise – Design of Mechanical Plant and Equipment					

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
B30	Prior to commencement of construction, the Applicant must incorporate the noise mitigation recommendations in the Acoustic Assessment (Rev 9) prepared by Acoustic Logic dated 15/11/2018, into the detailed design drawings. The Certifying Authority must verify that all reasonable and feasible noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Acoustic Assessment (Rev 9) prepared by Acoustic Logic dated 15/11/2018.	Prior to Construction	Design Drawings Record Keeping for communications with the Certifying authority	Modification application submitted to address this, by allowing staged compliance with this condition of consent.	Non-compliant
Biodiversity					
B31	Prior to any clearing or construction works, the Applicant must purchase and 2 ecosystem credits to offset the removal of native vegetation on site. The ecosystem credits must be determined in accordance with the OEH's <i>Framework for Biodiversity Assessment (FBA)</i> and the <i>Biobanking Assessment Methodology 2014 (BBAM)</i> .	Prior to any clearing or construction works	Ecological assessment and survey Biodiversity offset strategy Receipt of payment	Biodiversity conservation fund payment for offset obligation in progress and to be submitted to Biodiversity Conservation Trust NSW Government. Section 6.33 Certificate to be obtained	Compliant
Construction and Demolition Waste Management					
B32	The Applicant must notify the RMS Traffic Management Centre of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.	Prior to the removal of any waste from the site	Record of communication with RMS	Not triggered at PCCR stage.	Not triggered
Operational Waste Storage and Processing					
B33	Prior to the commencement of construction, the Applicant must obtain agreement from Council for the design of the operational waste storage area where waste removal is undertaken by Council.	Prior to commencement of construction	Design Drawings Record Keeping system for communications with the Council	Modification application submitted to address this, by allowing staged compliance with this condition of consent.	Non-compliant
Mechanical Ventilation					
B34	All mechanical ventilation systems must be designed in accordance with Part F4.5 of the BCA and must comply with the AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings and AS/NZS 3666.1:2011 Air handling and water systems of buildings– Microbial control to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details must be submitted to the satisfaction of the Certifying Authority prior to the commencement of construction.	Prior to commencement of construction	Submission of information for crown/construction certificate	Modification application submitted to address this, by allowing staged compliance with this condition of consent.	Non-compliant
Rainwater Harvesting					
B35	Prior to the commencement of construction, the Applicant must ensure that a rainwater reuse/harvesting system for the development is developed for the site. A rainwater re-use plan must be prepared and certified by an experienced hydraulic engineer.	Prior to commencement of construction	Rainwater Re-use Plan Hydraulic engineer certification	Modification application submitted to address this, by allowing staged compliance with this condition of consent.	Non-compliant
Roadworks and Access					
B36	Prior to the commencement of construction, the Applicant must submit design plans to the satisfaction of the relevant roads authority which demonstrate that the proposed accesses to the development are designed to accommodate the turning path of the largest vehicle accessing the site.	Prior to commencement of construction	Works Program CTPMSP Record Keeping for communications with the Relevant Road Authorities	See CTPMSP, Attachments 1 and 2.	Compliant
Car Parking and Service Vehicle Layout					
B37	Compliance with the following requirements must be submitted to the satisfaction of the Certifying Authority prior to the commencement of construction:	Prior to commencement of construction	CTPMSP Record Keeping for communications with the Certifier	Modification application submitted to address this, by allowing staged compliance with this condition of consent.	Non-compliant (refer B37(b) below)
	(a) all vehicles must enter and leave the Site in a forward direction;			See CTPMSP, Sections 8.5 & 8.13	Compliant
	(b) minimum of 59 on-site car parking spaces for use during operation of the development and designed in accordance with the latest version of AS2890.1;			Modification application submitted to address this, by allowing staged compliance with this condition of consent.	Non-compliant

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
	(c) the swept path of the longest vehicle entering and exiting the Site in association with the new work, as well as manoeuvrability through the Site, must be in accordance with AUSTRROADS; and			See CTPMSP Attachment 1	Compliant
	(d) the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, is to be addressed.			See CTPMSP Section 8.18	Compliant
Bicycle Parking and End-of-Trip Facilities					
B38	Compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the satisfaction of the Certifying Authority prior to the commencement of construction:	Prior to the commencement of construction	Design Drawings	Modification application submitted to address this, by allowing staged compliance with this condition of consent.	Non-compliant
	a) the provision of a minimum 25 bicycle parking spaces;				
	b) the layout, design and security of bicycle facilities must comply with the minimum requirements of AS 2890.3:2015 <i>Parking facilities - Bicycle parking</i> , and be located in easy to access, well-lit areas that incorporate passive surveillance;				
	c) the provision of end-of-trip facilities for staff in accordance with the ESD Design & As Built rating tool;				
	d) appropriate pedestrian and cyclist advisory signs are to be provided; and				
	e) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority.				
Public Domain Works					
B39	Prior to the commencement of any footpath or public domain works, the Applicant must consult with Council and demonstrate to the Certifying Authority that the streetscape design and treatment meets the requirements of Council, including addressing pedestrian management. The Applicant must submit documentation of approval for each stage from Council to the Certifying Authority.	Prior to the commencement of any footpath or public domain works	Works Program Design plans and reports Consultation record keeping system	Not triggered at PCCR stage.	Not triggered
Compliance Reporting					
B40	No later than two weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.	Prior to commencement of construction	Compliance Monitoring and Reporting Program Record Keeping System for communications with the Certifying Authority Record Keeping System for communications with the Department	Compliance Monitoring and Reporting Program (CMRP) was issued to DPE on 5/4/2019 and posted on the Project website.	Compliant
B41	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	Prior to commencement of construction and ongoing	This PCCR and ongoing 6 monthly compliance reports	The first Compliance Report did not include the information as required by the Compliance Reporting Post Approval Requirements (Department 2018), nor was it submitted to the Department within the timeframes specified in the CMRP. This PCCR has been prepared to rectify the issue and has been prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	Non-compliant
B42	The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.			This PCCR is the first compliance report and is to be submitted to the Department and Certifying Authority as required.	Not triggered
B43	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.	Operation	Compliance reports Record Keeping System for communications with the Department	Operational compliance reports.	Not triggered

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
Existing Helipad / Helicopter Operations During Construction					
B44	Prior to the commencement of construction, helipad / helicopter operations at the site 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 at the site. A report summarising the outcome of the review must be submitted to the Certifying Authority.	Prior to commencement of construction	Design plans and reports Design reviews Record Keeping System for communications with the Certifying Authority	Aviation Report issued to Certifying Authority, prepared by AviPro dated 10.3.19 Rev1.5	Compliant
Proposed Helipad Design					
B45	Prior to the construction of the proposed helipad, a report prepared by a suitably qualified and experienced aviation professional must be submitted to the satisfaction of the Certifying Authority which states that the design of the helipad incorporates the relevant details outlined in Civil Aviation Safety Authority Civil Aviation Advisory Publication CAAP 92-2(2) Guidelines for the establishment and other relevant National and International guidelines.	Prior to the construction of the proposed helipad	Design plans and reports Design reviews Record Keeping System for communications with the Certifying Authority.	Aviation Report issued to Certifying Authority, prepared by AviPro dated 10.3.19 Rev1.5.	Compliant
Proposed Helipad Operations					
B46	Prior to the construction of the helipad, future ongoing helicopter operations to the site are to be reviewed by a suitably qualified and experienced aviation professional. Proposed flight paths to the helipad shall be identified in consultation with relevant stakeholders in accordance with Civil Aviation Safety Authority Civil Aviation Advisory Publication CAAP 92-2(2) Guidelines for the establishment and other relevant National and International guidelines. A report summarising the outcome of the review and a Three-dimensional Visual Flight Rules Approach and Departure Path and Transitional Surface Survey must be submitted to the satisfaction of Certifying Authority and a copy submitted to the Department and Council.	Prior to the construction of the helipad	Design plans and reports Design reviews Record Keeping System for communications with the Certifying Authority.	Aviation Report issued to Certifying Authority, prepared by AviPro dated 10.3.19 Rev1.5. Section 6.4 of the report indicates this condition is not triggered. Aviation Report is to be updated (per CPB)	Not triggered
PART C – DURING CONSTRUCTION					
Approved Plans to be On-site					
C1	A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on the Site at all times and must be readily available for perusal by any officer of the Department, Council or the Certifying Authority.	Construction	Not triggered for this Pre-Construction Compliance Report.		
Site Notice					
C2	A site notice(s):	Construction	Not triggered for this Pre-Construction Compliance Report.		
	(a) must be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer.				
	(b) is to satisfy all but not be limited to, the following requirements:				
	(i) minimum dimensions of the notice must measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30-point type size;				
	(ii) the notice is to be durable and weatherproof and is to be displayed throughout the works period;				
(iii) the approved hours of work, the name of the site/ project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice; and					
(iv) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.					
Operation of Plant and Equipment					
C3	All plant and equipment used on site, or to monitor the performance of the development must be:	Construction	Not triggered for this Pre-Construction Compliance Report.		
	a) maintained in a proper and efficient condition; and				
	b) operated in a proper and efficient manner.				
Demolition					

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
C4	Demolition work must comply with Australian Standard AS 2601-2001 The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifying Authority before the commencement of works.	Construction		Not triggered for this Pre-Construction Compliance Report.	
Construction Hours					
C5	Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:	Construction		Not triggered for this Pre-Construction Compliance Report..	
	(a) between 7am and 6pm, Mondays to Fridays inclusive; and				
	(b) between 7am and 5pm, Saturdays.				
No work may be carried out on Sundays or public holidays.					
C6	Activities may be undertaken outside of the hours in condition C5 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				
C7	(d) where a variation is approved in advance in writing by the Planning Secretary or her nominee if appropriate justification is provided for the works.				
	Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.				
C8	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					
C9	The Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP (including Sub-Plans).	Construction		Not triggered for this Pre-Construction Compliance Report.	
Construction Traffic					
C10	All construction vehicles (excluding worker vehicles) are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site before stopping, unless directed by traffic control.	Construction		Not triggered for this Pre-Construction Compliance Report.	
Road Occupancy Licence					
C11	A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.	Construction		Not triggered for this Pre-Construction Compliance Report.	
SafeWork Requirements					
C12	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.	Construction		Not triggered for this Pre-Construction Compliance Report.	
Hoarding Requirements					
C13	The following hoarding requirements must be complied with:	Construction		Not triggered for this Pre-Construction Compliance Report.	
	(a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing;				
	(b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application; and				
	(c) the Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.				
No Obstruction of Public Way					
C14	The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all works on site.	Construction		Not triggered for this Pre-Construction Compliance Report.	
Construction Noise Limits					

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
C15	The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan.	Construction		Not triggered for this Pre-Construction Compliance Report	
C16	The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition C5.				
C17	The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use audible movement alarms of a type that would minimise noise impacts on surrounding noise sensitive receivers.				
C18	Any noise generated during construction of the development must not be offensive noise within the meaning of the Protection of the Environment Operations Act 1997 or exceed approved noise limits for the site.				
C19	To provide a noise barrier during works, a Temporary 2.7m high solid noise screen around the perimeter of the child care centre area is to be erected and managed during the demolition and construction.				
Vibration Criteria					
C20	Vibration caused by construction at any residence or structure outside the site must be limited to:	Construction		Not triggered for this Pre-Construction Compliance Report.	
	(a) for structural damage, the latest version of <i>DIN 4150-3 (1992-02) Structural vibration -Effects of vibration on structures (German Institute for Standardisation, 1999)</i> ; and				
(b) for human exposure, the acceptable vibration values set out in the <i>Environmental Noise Management Assessing Vibration: a technical guideline (DEC, 2006)</i> (as may be updated or replaced from time to time).					
C21	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 C20.				
C22	The limits in conditions C20 and C21 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B23 of this consent.				
Detailed Site Investigation					
C23	Following the demolition of any existing structures, infrastructure and in ground utilities, the Applicant is to carry out further investigation of soil contamination (including within the footprint and immediate surrounds of those structures, infrastructures and utilities prior to undertaking any construction) to address any contamination with regard to the following:	Construction		Not triggered for this Pre-Construction Compliance Report.	
	(a) NSW EPA Sampling Design Guidelines;				
	(b) Guidelines for the NSW Site Auditor Scheme (3rd edition) 2017;				
	(c) Guidelines for Consultants Reporting on Contamination Sites, 2011; and				
C24	The RAP must be updated based on the findings of the further site investigation constructed once existing buildings are demolished on the site.				
Tree Protection					
C25	For the duration of the construction works:	Construction		Not triggered for this Pre-Construction Compliance Report.	
	(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) any tree on the footpath, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council;				
	(c) all trees on the site that are not approved for removal must be suitably protected during construction as per recommendations of the Arboricultural Development Assessment Report prepared by Moore Trees Arboricultural Services dated 26/11/2018; and				
	(d) 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.				
Dust Minimisation					
C26	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	Construction		Not triggered for this Pre-Construction Compliance Report.	
C27	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.				

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
Air Quality Discharges					
C28	The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the site.	Construction		Not triggered for this Pre-Construction Compliance Report.	
Erosion and Sediment Control					
C29	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.	Construction		Not triggered for this Pre-Construction Compliance Report.	
Imported Soil					
C30	The Applicant must:	Construction		Not triggered for this Pre-Construction Compliance Report.	
	(a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;				
	(b) keep accurate records of the volume and type of fill to be used; and				
	(c) make these records available to the [Department/Certifying Authority] upon request.				
Disposal of Seepage and Stormwater					
C31	Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by the EPA in accordance with the Protection of the Environment Operations Act 1997.	Construction		Not triggered for this Pre-Construction Compliance Report.	
Unexpected Finds Protocol – Aboriginal Heritage					
C32	In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and OEH to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of OEH.	Construction		Not triggered for this Pre-Construction Compliance Report.	
Waste Storage and Processing					
C33	If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the OEH Heritage Division contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of Heritage Division of the OEH.	Construction		Not triggered for this Pre-Construction Compliance Report.	
C34	Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.				
C35	All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).				
C36	The body of any vehicle or trailer used to transport waste or excavation spoil must be covered before leaving the premises to prevent any spillage or escape of any dust, waste of spoil. Mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the site must be removed before leaving the premises.				
C37	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.				
Handling of Asbestos					

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
C38	The Applicant is to consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.	Construction			Not triggered for this Pre-Construction Compliance Report.
Independent Environmental Audit					
C39	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.	Prior to commencement			Not triggered for this Pre-Construction Compliance Report.
C40	No later than four weeks before the date notified for the commencement of construction, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.				
C41	Table 1 of the Independent Audit Post Approval Requirements (Department 2009) is amended so that the frequency of audits required in the construction phase is:				
	(a) An initial construction Independent Audit must be undertaken within eight weeks of the notified commencement date of construction; and (b) A subsequent Independent Audit of construction must be undertaken no later than six months from the date of the initial construction Independent Audit.				
C42	In all other respects Table 1 remains the same. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least 4 weeks notice to the applicant of the date upon which the audit must be commenced.				
C43	Independent Audits of the development must be carried out in accordance with:				
	(a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition C39 of this consent; and (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).				
C44	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:				
	(a) review and respond to each Independent Audit Report prepared under condition C41 of this consent;				
	(b) submit the response to the Department and the Certifying Authority; and (c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.				
C45	C45. Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.	Operation			
Incident Notification, Reporting and Response					
C46	The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.	Construction			Not triggered for this Pre-Construction Compliance Report.
C47	Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 1.				
Non-Compliance Notification					
C48	The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.	Construction			Not triggered for this Pre-Construction Compliance Report.
C49	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.				

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
C50	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					
C51	Within three months of:	Construction		Not triggered for this Pre-Construction Compliance Report.	
	(a) the submission of a compliance report under condition B40;				
	(b) the submission of an incident report under condition C46;				
	(c) the submission of an Independent Audit under condition C43;				
	(d) the approval of any modification of the conditions of this consent; or				
(e) the issue of a direction of the Planning Secretary under condition A2 which requires a review,					
	the strategies, plans and programs required under this consent must be reviewed, and the Department and the Certifying Authority must be notified in writing that a review is being carried out.				
C52	If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.				
Operational Noise – Design of Mechanical Plant and Equipment					
C53	Prior to commencement of the installation and associated construction of plant and equipment, a detailed operational noise and vibration impact assessment shall be submitted to the Certifying Authority and the Department. The assessment must:	Prior to commencement of the installation and associated construction of plant and equipment		Not triggered for this Pre-Construction Compliance Report.	
	(a) prepared by a suitably qualified person.				
	(b) detail the operational noise and vibration sources and activities, including mechanical plant.				
	(c) outline all feasible and reasonable noise and vibration mitigation and management measures to be implemented.				
	(d) demonstrate that noise levels will not exceed the recommended operational noise levels identified in the Acoustic Assessment Report (Rev 9) prepared by Acoustic Logic dated 15/11/2018.				
	The Applicant must incorporate the noise mitigation recommendations in the Acoustic Assessment Report (Rev 9) prepared by Acoustic Logic dated 15/11/2018 into the detailed design drawings.				
	The Certifying Authority must verify that all reasonable and feasible noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Acoustic Report.				
PART D - PRIOR TO OCCUPATION OR COMMENCEMENT OF USE					
Notification of Occupation					
D1	The date of commencement of the occupation of the development must be notified to the Department in writing, at least one month before occupation. If the operation of the development is to be staged, the Department must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
External Walls and Cladding					
D2	Prior to the occupation of the building, the Applicant must provide the Certifying Authority with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
D3	The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.				
Post-construction Dilapidation Report					
D4	Prior to occupation of the building, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is:	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
	a) to ascertain whether the construction created any structural damage to adjoining buildings or infrastructure.				
	b) to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifying Authority must:				
	i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and				

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
	ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.				
	c) to be forwarded to Council.				
Protection of Public Infrastructure					
D5	Unless the Applicant and the applicable authority agree otherwise, the Applicant must:	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
	(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and				
	(b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.				
Utilities and Services					
D6	Prior to occupation of the building, 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.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
Roadworks and Access					
D7	The Applicant must complete the new Somerset Street access works prior to operation of the development to the satisfaction of Council.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
Works as Executed Plans					
D8	Prior to occupation of the building, works-as-executed drawings signed by a registered surveyor demonstrating that is in accordance with Council's Engineering Construction Specification for Civil Works, Water Sensitive Urban Design Technical Guidelines and Stormwater Drainage for Building Developments, and finished ground levels have been constructed as approved, must be submitted to the Certifying Authority.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
Green Travel Plan					
D9	Prior to the commencement of operation, a Green Travel Plan (GTP), must be prepared and be submitted to the Secretary to promote the use of active and sustainable transport modes. The plan must:	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
	(a) be prepared by a suitably qualified traffic consultant in consultation with (Sydney Coordination Office) Transport for NSW;				
	(b) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;				
	(c) set out measures to encourage staff to park in dedicated staff car parks;				
	(d) outline facilities and measures to promote public transport usage, car share schemes and employee incentives;				
	(e) 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				
	(f) describe pedestrian and bicycle linkages and end of trip facilities available on-site.				
(g) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of staff to and from hospital.					
Mechanical Ventilation					
D10	Following completion, installation and testing of all mechanical ventilation systems, the Applicant must provide evidence to the satisfaction of the Certifying Authority, prior to the final occupation, that the installation and performance of the mechanical systems complies with:	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
	(a) the BCA;				
	(b) AS 1668.2-2012 <i>The use of air-conditioning in buildings – Mechanical ventilation in buildings</i> and other relevant codes;				
	(c) the development consent and any relevant modifications; and				
(d) any dispensation granted by the NSW Fire Brigade.					
Car Parking Arrangements					
D11	Unless otherwise agreed by the Planning Secretary, occupation or commencement of use of the building must not occur until evidence to the satisfaction of the Planning Secretary is submitted demonstrating that a minimum of 2,009 car parking spaces are available to staff and visitors on the site.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
D12	Prior to the occupation of the building, a car parking wayfinding strategy must be submitted to the Certifying Authority which details proposed measures, such as the installation of signage, to advise of, and direct drivers to, the various car parking facilities available across the site	Prior to occupation or commencement of use			
Road Damage					
D13	The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development is to be met in full by the Applicant prior to commencement of use of any stage of the development.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
Fire Safety Certification					
D14	Prior to the final 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.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
Structural Inspection Certificate					
D15	A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to the occupation of the relevant parts of any new or refurbished buildings. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after:	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
	(a) the site has been periodically inspected and the Certifying Authority is satisfied that the structural works is deemed to comply with the final design drawings; and				
	(b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.				
Compliance with Food Code					
D16	Where relevant, 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. The Applicant must provide evidence of receipt of the certificate to the satisfaction of the Certifying Authority prior to occupation.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
Stormwater Quality Management Plan					
D17	Prior to occupation of the building, an Operation and Maintenance Plan (OMP) is to be prepared to ensure proposed stormwater quality measures remain effective. The OMP must contain the following:	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
	(a) maintenance schedule of all stormwater quality treatment devices;				
	(b) record and reporting details;				
	(c) relevant contact information; and				
D18	(d) Work Health and Safety requirements.				
D18	Details demonstrating compliance must be submitted to the Certifying Authority prior to occupation.				
Rainwater Harvesting					
D19	A signed works-as-executed Rainwater Re-use Plan must be provided to the Certifying Authority prior to occupation of the building.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
Warm Water Systems and Cooling Systems					
D20	The installation, operation and maintenance of warm water systems and water cooling systems (as defined under the Public Health Act 2010) must comply with the Public Health Act 2010, Public Health Regulation 2012 and Parts 1 and 2 (or Part 3 if a Performance-based water cooling system) of AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance and the NSW Health Code of Practice for the Control of Legionnaires' Disease.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
D21	To ensure that lighting of the building is sympathetic to the suburban environment and does not emphasise the scale of the building, the Applicant must prepare a lighting strategy for the proposed building in consultation with Council. The strategy shall be submitted to the satisfaction of the Certifying Authority prior to the occupation of the building and a copy provided to the Department and Council.				
D22	The Applicant must ensure the installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers. Outdoor lighting must:				

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
	(a) comply with the latest version of AS 4282-1997 - <i>Control of the obtrusive effects of outdoor lighting</i> (Standards Australia, 1997); and (b) be mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.				
D23	The Applicant shall ensure that the installed lighting associated with the development achieves the objective of not causing distraction to helicopter operations associated with the proposed helipad having regard to the advice of a suitably qualified and experienced aviation professional and relevant National and International guidelines.				
Signage					
D24	Upon installation of outdoor lighting, but before it is finally commissioned, the Applicant must submit to the Certifier evidence from a qualified practitioner demonstrating compliance in accordance with conditions D21 and D22.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
D25	Way-finding signage and signage identifying the location of staff car parking must be installed prior to occupation.				
D26	Bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas prior to occupation				
D27	'Do not drink' signage on non-potable water used for toilet flushing and to new hose taps and irrigation systems for landscaped areas must be installed within the site prior to occupation.				
D28	Prior to occupation, installation of flood warning signs on the north-eastern corner of the site to prevent access from Great Western Highway during major flood events.				
Operational Waste Management Plan					
D29	Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Department/Certifying Authority. The Waste Management Plan must: (a) detail the type and quantity of waste to be generated during operation of the development; (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (Department of Environment, Climate Change and Water, 2009); (c) detail the materials to be reused or recycled, either on or off site; and (d) include the Management and Mitigation Measures included in Section 11 of the EIS.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
Validation Report					
D30	The Applicant must prepare a Validation Report for the development. The Validation Report must: (a) be prepared by an appropriately qualified environmental consultant and reviewed by an EPA accredited Site Auditor; (b) be submitted to EPA, the Planning Secretary and the Certifying Authority for information one month after the completion of remediation works; (c) be prepared in accordance with the RAP and the <i>Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites</i> (OEH, 2011); (d) include, but not be limited to: (i) comment on the extent and nature of the remediation undertaken; (ii) describe the location, nature and extent of any remaining contamination on site; (iii) sampling and analysis plan and sampling methodology; (iv) results of sampling of treated material, compared with the treatment criteria; (v) details of the volume of treated material emplaced within the containment cell and its location; (vi) results of any validation sampling, compared to relevant guidelines/criteria; (vii) discussion of the suitability the remediated areas for the intended land use; and (viii) any other requirement relevant to the project.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
Site Audit Report and Site Audit Statement					
D31	Prior to occupation of the building, the Applicant must obtain from an EPA accredited Site Auditor, a Site Audit Statement and a Site Audit Report which demonstrates that the site is suitable for its intended use(s).	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
D32	Within 3 months of submission of the Validation Report required by condition D30, the Applicant must demonstrate to the satisfaction of the Certifying Authority that the Site Auditor has submitted a Site Audit Report and Site Audit Statement to EPA in accordance with the requirements of EPA's Guidelines for the NSW Site Auditor Scheme (3rd Edition) 2017.				
Landscaping					

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
D33	Prior to occupation of the building, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping works on-site, to the satisfaction of the Certifying Authority. The plan must:	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
	(a) detail the species to be planted on-site;				
	(b) describe the monitoring and maintenance measures to manage revegetation and landscaping works;				
	(c) be consistent with the Applicant's Management and Mitigation Measures at EIS;				
D34	The Applicant must not commence operation until the Landscape Management Plan is submitted to the Certifying Authority.				
Ecologically Sustainable Development					
D35	Within 6 months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 4 star Green Star As Built rating unless updated NSW Health Engineering Guidelines are accepted by the Planning Secretary. Evidence of the certification or other evidence as agreed with the Planning Secretary in updated NSW Health Engineering Services Guidelines must be provided to the Certifying Authority and the Planning Secretary.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
Easements					
D36	A drainage easement is to be dedicated over the existing drainage infrastructure that drains Barber Avenue through the hospital grounds to Somerset Street. The drainage easement widths are to be in accordance with Council's Stormwater Drainage Specification for Building Developments.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
Hospital shuttle bus					
D37	A report with revised shuttle bus schedule, including pick up and drop off points is to be provided to the Certifying Authority and the Planning Secretary. This report should demonstrate compliance with disability access requirement at the pick-up and drop-off points, timing and integration with public transport services and provide waiting areas that have weather protection.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
Wind Tunnel Testing					
D38	Prior to the occupation of the building, details of compliance with the recommendations within the Pedestrian wind Environment Statement prepared by Windtech dated 6/04/2018 is to be submitted to the Certifying Authority.	Prior to occupation or commencement of use		Not triggered for this Pre-Construction Compliance Report.	
PART E – POST OCCUPATION					
Operation of Plant and Equipment					
E1	All plant and equipment used on site, or to monitor the performance of the development must be:	Operational phase		Not triggered for this Pre-Construction Compliance Report.	
	(a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.				
Community Communication Strategy					
E2	The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.	Operational phase (12 months)		Not triggered for this Pre-Construction Compliance Report.	
Operational Noise Limits					
E3	The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Acoustic Assessment Report (Rev) prepared by Acoustic Logic and dated 15/11/2018.	Operational phase		Not triggered for this Pre-Construction Compliance Report.	
E4	The Applicant must undertake short term noise monitoring in accordance with the Noise Policy for Industry where valid data is collected following the commencement of use of each stage of the development. The monitoring program must be carried out by an appropriately qualified person and a monitoring report must be submitted to the Planning Secretary within two months of commencement use of each stage of the development to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified in Acoustic Assessment Report (Rev) prepared by Acoustic Logic and dated 15/11/2018. Should the noise monitoring program identify any exceedance of the recommended noise levels referred to above, the Applicant is required	Operational phase			

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
	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					
E5	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.	Operational phase		Not triggered for this Pre-Construction Compliance Report.	
Green Travel Plan					
E6	The Green Travel Plan required by condition D9 of this consent must be updated annually and implemented.	Operational phase		Not triggered for this Pre-Construction Compliance Report.	
Outdoor Lighting					
E7	Notwithstanding Condition D21, should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.	Operational phase		Not triggered for this Pre-Construction Compliance Report.	
Fire Safety Certificate					
E8	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.	Operational phase		Not triggered for this Pre-Construction Compliance Report.	
Landscaping					
E9	The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition D33 for the duration of occupation of the development.	Operational phase		Not triggered for this Pre-Construction Compliance Report.	
Hazard Audit					
E10	Within twelve months after the commencement of operation and every three years thereafter, or at such intervals as the Planning Secretary may agree, the Applicant must carry out a comprehensive Hazard Audit of the development. Division 9.4 of Part 9 of the EP&A Act applies to these audits, which are for the purpose of hospital. The audits must:	Operational phase		Not triggered for this Pre-Construction Compliance Report.	
	(a) be carried out at the Applicant's expense by a qualified person or team, who have been approved by the Planning Secretary and are independent of the development;				
	(b) be carried out in accordance with the Department's <i>Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'</i> ; and				
E11	(c) include a review of the site Safety Management System and a review of all entries made in the incident register since the previous audit.				
E11	Within one month of completing each audit carried out in accordance with condition C43, the Applicant must submit a report to the satisfaction of the Planning Secretary for information. The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.	Operational phase			
Hazards and Risk					
E12	The Applicant must store all chemicals, fuels and oils used on-site in accordance with:	Operational phase		Not triggered for this Pre-Construction Compliance Report.	
	(a) the requirements of all relevant Australian Standards; and				
E13	(b) the NSW EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Manual</i> if the chemicals are liquids.				
E13	In the event of an inconsistency between the requirements of condition E12(a), the most stringent requirement must prevail to the extent of the inconsistency.	Operational phase			
Dangerous Goods					
E14	The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33 at all times.	Operational phase		Not triggered for this Pre-Construction Compliance Report.	

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments	Compliance status
Discharge Limits					
E15	The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.	Operational phase		Not triggered for this Pre-Construction Compliance Report.	
Bunding					
E16	The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's Storing and Handling of Liquids: Environmental Protection – Participants Manual (Department of Environment and Climate Change, 2007).	Operational phase		Not triggered for this Pre-Construction Compliance Report.	



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