

# Development Consent

## *Section 4.38 of the Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2022, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



Keiran Thomas  
**Director**  
**Regional Assessments**

Sydney

26 September 2023

### SCHEDULE 1

<b>Application Number:</b>	SSD-47662959
<b>Applicant:</b>	Health Administration Corporation
<b>Consent Authority:</b>	Minister for Planning and Public Spaces
<b>Site:</b>	Royal Prince Alfred Hospital, Missenden Road, Camperdown (Lot 1000 DP 1159799, Lot 11 DP 809663, Part Lot 101 DP 1179349, Part Lot 1 DP 1171804, Part Lot 1001 DP 1159799, Part of Missenden Road (Road Reserve))
<b>Development:</b>	Redevelopment of the Royal Prince Alfred Hospital, including: <ul style="list-style-type: none"><li>• tree removal, earthworks and re-routing of services.</li><li>• demolition of Building 94, the RPA Chapel, existing helipad and ambulance drop-off canopy.</li><li>• a new 15-storey hospital building comprising new inpatient units, medical imaging, Neonatal and Women's Health Services, and a helipad to roof.</li><li>• a two-storey vertical extension over Building 89 comprising expanded Intensive Care Unit and a new façade to existing building plinth.</li><li>• a three-storey extension to the east of Building 89 comprising new operating theatres.</li><li>• enhanced northern entry.</li><li>• enhanced Emergency Department entry with new ambulance drop-off canopy.</li></ul>

- internal refurbishment of Emergency Department and Imaging, circulation and support services.
- expansion of existing loading dock facilities.
- new hard and soft landscaping, outdoor amenity and circulation spaces.
- additional bicycle parking and end-of-trip facilities.
- installation and use of temporary helipad on roof of the Staff and Visitor Carpark, including installation of new lift access.
- re-alignment of internal road network.

## DEFINITIONS

<b>Aboriginal object</b>	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
<b>Aboriginal place</b>	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
<b>Accredited Certifier</b>	Means the holder of accreditation as an accredited certifier under the <i>Building Professionals Act 2005</i> acting in relation to matters to which the accreditation applies.
<b>Advisory Notes</b>	Advisory information relating to the consent but do not form a part of this consent
<b>Applicant</b>	Health Administration Corporation or any other person carrying out any development to which this consent applies
<b>Approved disturbance area</b>	The area identified as such on the development layout
<b>BCA</b>	Building Code of Australia
<b>CEMP</b>	Construction Environmental Management Plan
<b>Certification of Crown building work</b>	Certification under section 6.28(2) of the EP&A Act
<b>Certifier</b>	Means a council or accredited certifier or in the case of Crown development, a person qualified to conduct a Certification of Crown Building work
<b>Conditions of this consent</b>	The conditions contained in Schedule 2 of this document
<b>Construction</b>	<p>All physical work to enable operation including (unless specifically excluded by a condition) but not limited to the demolition and removal of buildings, the carrying out of works for the purposes of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent, but excluding the following:</p> <ul style="list-style-type: none"> <li>• building and road dilapidation surveys;</li> <li>• investigative drilling or investigative excavation;</li> <li>• Archaeological Salvage;</li> <li>• establishing temporary site offices (in locations identified by the conditions of this consent);</li> <li>• installation of environmental impact mitigation measures, fencing, enabling works; and</li> <li>• minor adjustments to services or utilities</li> </ul> <p>However, where heritage items, or threatened species or threatened ecological communities (within the meaning of the <i>Biodiversity Conservation Act 2016</i>) are affected or potentially affected by any physical work, that work is construction, unless otherwise determined by the Planning Secretary in consultation with EHG or DPE Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation)</p>
<b>Council</b>	City of Sydney
<b>Day</b>	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
<b>Demolition</b>	The deconstruction and removal of buildings, sheds and other structures on the site
<b>Department</b>	NSW Department of Planning and Environment
<b>Development</b>	The development described in the EIS and Response to Submissions, including the works and activities comprising demolition, construction and operation, as modified by the conditions of this consent
<b>DIP</b>	Design Integrity Panel

<b>Earthworks</b>	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services
<b>EHG</b>	Environment and Heritage Group of the Department of Planning and Environment
<b>EIS</b>	The Environmental Impact Statement titled Environmental Impact Statement Royal Prince Alfred Hospital Redevelopment (Revision D), prepared by Architectus and dated 13 January 2023, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
<b>ENM</b>	Excavated Natural Material
<b>Environment</b>	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
<b>EMP</b>	Environmental Management Plan
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2021
<b>Evening</b>	The period from 6pm to 10pm
<b>Feasible</b>	Means what is possible and practical in the circumstances
<b>Heritage</b>	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
<b>Heritage NSW</b>	Heritage NSW, the Department of Planning and Environment
<b>Heritage Item</b>	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
<b>Incident</b>	An occurrence or set of circumstances that causes, or threatens to cause, material harm and which may or may not be, or cause, a non-compliance <i>Note: "material harm" is defined in this consent</i>
<b>Independent Audit Post Approval Requirements</b>	Independent Audit Post Approval Requirements 2020 (or other updated version as available on the Department's website)
<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
<b>Management and mitigation measures</b>	The management and mitigation measures set out in Appendix B of the RtS.
<b>Material harm</b>	Is harm that: a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) Note: For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements.
<b>Minister</b>	NSW Minister for Planning and Public Spaces (or delegate)
<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring

<b>Monitoring</b>	Any monitoring required under this consent must be undertaken in accordance with section 9.39 of the EP&A Act
<b>Night</b>	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
<b>Non-compliance</b>	An occurrence, set of circumstances or development that is a breach of this consent
<b>Operation</b>	The carrying out of the approved purpose of the development upon completion of construction
<b>PA</b>	Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act
<b>Planning Secretary</b>	Planning Secretary under the EP&A Act, or nominee
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>Reasonable</b>	Means applying judgement in arriving at a decision, taking into account: mitigation, benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
<b>Registered Aboriginal Parties</b>	Means the Aboriginal persons identified in accordance with the document entitled " <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> " (DECCW)
<b>Rehabilitation</b>	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
<b>Response to submissions</b>	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act
<b>Sensitive receivers</b>	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
<b>Site</b>	The land defined in Schedule 1
<b>Site Auditor</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>Site Audit Report</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>Site Audit Statement</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>TfNSW</b>	Transport for New South Wales
<b>VENM</b>	Virgin Excavated Natural Material
<b>Waste</b>	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
<b>Year</b>	A period of 12 consecutive months

**SCHEDULE 2**  
**PART A ADMINISTRATIVE CONDITIONS**

**Obligation to Minimise Harm to the Environment**

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

**Terms of Consent**

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
  - (b) in accordance with all written directions of the Planning Secretary;
  - (c) generally in accordance with the EIS and Response to Submissions;
  - (d) in accordance with the approved plans in the table below:

<b>Architectural drawings prepared by <i>Jacobs, Bates Smart and Neeson Mercutt + Neille</i></b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
RPA-ARC-BSA-DRG-MW-DA0103	J	SITE PLAN – DEMOLITION	06/06/23
RPA-ARC-BSA-DRG-MW-DA0104	N	SITE PLAN – PROPOSED	16/06/23
RPA-ARC-BSA-DRG-MW-DA0301	N	GENERAL ARRANGEMENT – LEVEL 1	09/06/23
RPA-ARC-BSA-DRG-MW-DA0302	N	GENERAL ARRANGEMENT – LEVEL 2	09/06/23
RPA-ARC-BSA-DRG-MW-DA0303	N	GENERAL ARRANGEMENT – LEVEL 3	09/06/23
RPA-ARC-BSA-DRG-MW-DA0304	N	GENERAL ARRANGEMENT – LEVEL 4	09/06/23
RPA-ARC-BSA-DRG-MW-DA0305	N	GENERAL ARRANGEMENT – LEVEL 5	09/06/23
RPA-ARC-BSA-DRG-MW-DA0306	N	GENERAL ARRANGEMENT – LEVEL 6	09/06/23
RPA-ARC-BSA-DRG-MW-DA0307	N	GENERAL ARRANGEMENT – LEVEL 7	09/06/23
RPA-ARC-BSA-DRG-MW-DA0308	N	GENERAL ARRANGEMENT – LEVEL 8	09/06/23
RPA-ARC-BSA-DRG-MW-DA0309	N	GENERAL ARRANGEMENT – LEVEL 9	09/06/23
RPA-ARC-BSA-DRG-MW-DA0310	N	GENERAL ARRANGEMENT – LEVEL 10	09/06/23
RPA-ARC-BSA-DRG-MW-DA0311	N	GENERAL ARRANGEMENT – LEVEL 11	09/06/23
RPA-ARC-BSA-DRG-MW-DA0312	N	GENERAL ARRANGEMENT – LEVEL 12	09/06/23
RPA-ARC-BSA-DRG-MW-DA0313	N	GENERAL ARRANGEMENT – LEVEL 13	09/06/23
RPA-ARC-BSA-DRG-MW-DA0314	N	GENERAL ARRANGEMENT – LEVEL 14	09/06/23

RPA-ARC-BSA-DRG-MW-DA0315	N	GENERAL ARRANGEMENT – LEVEL 15	09/06/23
RPA-ARC-BSA-DRG-MW-DA0316	N	GENERAL ARRANGEMENT – LEVEL 16	09/06/23
RPA-ARC-BSA-DRG-MW-DA0317	M	GENERAL ARRANGEMENT – LEVEL 17	09/06/23
RPA-ARC-BSA-DRG-MW-DA0501	C	EXTERNAL WORKS – EMERGENCY DEPARTMENT ARRIVAL	06/06/23
RPA-ARC-BSA-DRG-MW-DA0502	C	EXTERNAL WORKS – EMERGENCY DEPARTMENT ARRIVAL	06/06/23
RPA-ARC-BSA-DRG-MW-DA0901	J	ELEVATIONS – NORTH & SOUTH	06/06.23
RPA-ARC-BSA-DRG-MW-DA0902	J	ELEVATIONS – EAST & WEST	06/06.23
RPA-ARC-BSA-DRG-MW-DA0904	D	ELEVATIONS – LAMBIE DEW DRIVE	06/06.23
RPA-ARC-BSA-DRG-MW-DA0905	D	ELEVATIONS – CENTRAL COURTYARD	06/06.23
RPA-ARC-BSA-DRG-MW-DA1001	J	SECTIONS – AA & BB	06/06.23
RPA-ARC-BSA-DRG-MW-DA1002	J	SECTION – CC & DD	06/06.23
RPA-ARC-BSA-DRG-MW-DA1101	I	FAÇADE TYPE 01 – 1 BED OUTBOARD ENSUITE	06/06.23
RPA-ARC-BSA-DRG-MW-DA1102	I	FAÇADE TYPE 02 – INTENSIVE CARE UNIT (ICU)	06/06.23
RPA-ARC-BSA-DRG-MW-DA1103	I	FAÇADE TYPE 03 – 1 BED ISOLATION	06/06.23
RPA-ARC-BSA-DRG-MW-DA1104	I	FAÇADE TYPE 04 – 2 BED INBOARD ENSUITE	06/06.23
RPA-ARC-BSA-DRG-MW-DA1105	I	FAÇADE TYPE 05 – 2 BED TOE TO TOE	06/06.23
RPA-ARC-BSA-DRG-MW-DA1106	I	FAÇADE TYPE 06 – NEONATES	06/06.23
RPA-ARC-BSA-DRG-MW-DA1107	I	FAÇADE TYPE 07 – PLANT LEVELS	06/06.23
RPA-ARC-BSA-DRG-MW-DA1108	I	FAÇADE TYPE 08 – OPERATING THEATRE (EAST EXTENSION)	06/06.23
RPA-ARC-BSA-DRG-MW-DA1109	I	FAÇADE TYPE 09 – LINK BRIDGE	06/06.23
RPA-ARC-BSA-DRG-MW-DA1110	I	FAÇADE TYPE 10 – NORTH ARRIVAL ENTRY	06/06.23
RPA-ARC-BSA-DRG-MW-DA1111	I	FAÇADE TYPE 11 – WINTER GARDEN	06/06.23
RPA-ARC-BSA-DRG-MW-DA1112	I	FAÇADE TYPE 12 – RAIN SCREEN – BUILDING 89	06/06.23
RPA-ARC-BSA-DRG-MW-DA1113	D	FAÇADE TYPE 13 – RADIOLOGY	06/06.23
RPA-ARC-BSA-DRG-MW-DA2101	I	SOLAR ANALYSIS – SUMMER SOLSTICE	06/06.23

RPA-ARC-BSA-DRG-MW-DA2102	I	SOLAR ANALYSIS – WINTER SOLSTICE	06/06.23
RPA-ARC-BSA-DRG-MW-DA2103	I	SOLAR ANALYSIS – EQUINOX	06/06.23
RPA-ARC-BSA-DRG-MW-DA2201	I	AREA CALCULATIONS	06/06.23
RPA-ARC-JAC-DRG-MW-150300	A	GENERAL ARRANGEMENT PLANS – LEVEL 3 (GROUND LEVEL) – EOT & BIKE PARKING FACILITY	21/06/23
RPA-ARC-BSA-DRG-MW-DA3001	B	SIGNAGE ZONES PLAN	15/07/23
RPA-ARC-BSA-DRG-MW-DA3002	A	SIGNAGE ZONES NORTH ELEVATION	15/07/23
RPA-ARC-BSA-DRG-MW-DA3003	A	SIGNAGE ZONES MISSENDEN RD ELEVATION	15/07/23
RPA-ARC-JAC-DRG-EW6-400101	G	ELEVATIONS & SECTION – PACKAGE 6	21/07/23
<b>Landscaping plans prepared by <i>Turf Design Studio</i></b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
RPA-LAN-TDS-DRW-MW-150000	O	TREE MANAGEMENT PLAN	22/06/2023
RPA-LAN-TDS-DRW-MW-200000	O	Site Landscape Plan	22/06/2023
RPA-LAN-TDS-DRW-MW-200002	L	Soil Depth Plan	15/08/2023
RPA-LAN-TDS-DRW-MW-200101	N	General Arrangement Plan – Northern Arrival	22/06/2023
RPA-LAN-TDS-DRW-MW-200201	N	General Arrangement Plan – Northern Terrace	23/06/2023
RPA-LAN-TDS-DRW-MW-200301	N	General Arrangement Plan – L3 Sunken Gardens	22/06/2023
RPA-LAN-TDS-DRW-MW-200401	N	General Arrangement Plan – L4 Central Courtyard	22/06/2023
RPA-LAN-TDS-DRW-MW-200501	N	General Arrangement Plan – Eastern Gardens 1 of 2	22/06/2023
RPA-LAN-TDS-DRW-MW-200502	N	General Arrangement Plan – Eastern Gardens 2 of 2	22/06/2023
RPA-LAN-TDS-DRW-MW-200601	S	General Arrangement Plan – Eastern Green Roofs	15/08/2023
RPA-LAN-TDS-DRW-MW-200701	N	General Arrangement Plan – Missenden Arrival	22/06/2023
RPA-LAN-TDS-DRW-MW-520001	N	Overall Tree Planting Plan	22/06/2023
RPA-LAN-TDS-DRW-MW-520101	N	Planting Plan – Northern Arrival	22/06/2023
RPA-LAN-TDS-DRW-MW-520201	N	Planting Plan – Northern Terrace	22/06/2023
RPA-LAN-TDS-DRW-MW-520301	N	Planting Plan – L3 Sunken Garden	22/06/2023



RPA-LAN-TDS-DRW-MW-520401	N	Planting Plan – L4 Central Courtyard	22/06/2023
RPA-LAN-TDS-DRW-MW-520501	N	Planting Plan – Eastern Gardens	22/06/2023
RPA-LAN-TDS-DRW-MW-520601	M	Planting Plan – Eastern Wing Green Roofs	15/08/2023
RPA-LAN-TDS-DRW-MW-520701	N	Planting Plan – Missenden Arrival	22/06/2023
RPA-LAN-TDS-DRW-MW-520801	N	Planting Plan – USYD	22/06/2023
RPA-LAN-TDS-DRW-MW-540002	N	Proposed Tree Canopy Cover Plan	22/06/2023
RPA-LAN-TDS-DRW-MW-700101	N	Section – Northern Arrival	22/06/2023
RPA-LAN-TDS-DRW-MW-700201	I	Section – Northern Terrace	22/06/2023
RPA-LAN-TDS-DRW-MW-700301	I	Section – L3 Sunken Gardens	22/06/2023
RPA-LAN-TDS-DRW-MW-700401	I	Section – L4 Central Courtyard	22/06/2023
RPA-LAN-TDS-DRW-MW-700501	N	Section – Eastern Garden	22/06/2023
RPA-LAN-TDS-DRW-MW-900300	I	Details – Furniture	22/06/2023

- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary;
  - any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and
  - the implementation of any actions or measures contained in any such document referred to in (a) above.
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

#### **Limits of Consent**

- A5. This consent lapses five years after the date of consent unless work is physically commenced.

#### **Prescribed Conditions**

- A6. The Applicant must comply with all relevant prescribed conditions of development consent under Part 4, Division 2 of the EP&A Regulation.

#### **Planning Secretary as Moderator**

- A7. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.

## Evidence of Consultation

- A8. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (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

- A9. The project may be constructed and operated in stages generally in accordance with '*Preliminary Construction Management Plan (Revision 6.0)*' prepared for Health Infrastructure and dated 20/06/2023. Where compliance with conditions is required to be staged due to staged construction or operation, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted for the approval of the Certifier. The Staging Report must be submitted to the Certifier no later than 14 days before the commencement of construction of the first of the proposed stages of construction and 14 days before the commencement of operation of the first stage of the proposed stages of operation.
- A10. A Staging Report prepared in accordance with condition A9 must:
- (a) if staged construction is proposed, set out how the construction of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;
  - (b) if staged operation is proposed, set out how the operation of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);
  - (c) specify how compliance with conditions will be achieved across and between each of the stages of the project;
  - (d) specify how compliance with independent auditing requirements will be achieved across and between each of the operational stages of the project; and
  - (e) set out mechanisms for managing any cumulative impacts arising from the proposed staging.
- A11. Where a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Certifier.
- A12. Where construction or operation is being staged in accordance with a Staging Report, the terms of this consent that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage as identified in the Staging Report including independent auditing requirements.

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

- A13. The Applicant may:
- (a) prepare and submit any strategy, plan (including management plan, architectural or design plan) or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan (including management plan, architectural or design plan) or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan (including management plan, architectural or design plan) or program);
  - (b) combine any strategy, plan (including management plan, architectural or design plan), or program required by this consent (if a clear relationship is demonstrated between the strategies, plans (including management plan, architectural or design plan) or programs that are proposed to be combined); and

- (c) update any strategy, plan (including management plan, architectural or design plan), or program required by this consent (to ensure the strategies, plans (including management plan, architectural or design plan), or programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A14. Any strategy, plan or program prepared in accordance with condition A13, where previously approved by the Planning Secretary under this consent, must be submitted for the approval of the Planning Secretary.
- A15. If the Planning Secretary agrees, a strategy, plan (including management plan, architectural or design plan), or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A16. Updated strategies, plans (including management plan, architectural or design plan), or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.

### **Structural Adequacy**

- A17. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

*Note: Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.*

### **External Walls and Cladding**

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

### **Applicability of Guidelines**

- A19. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.
- A20. Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

### **Monitoring and Environmental Audits**

- A21. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, Site audit report and independent auditing.

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

### **Access to Information**

- A22. At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:
- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
    - (i) the documents referred to in condition A2 of this consent;
    - (ii) all current statutory approvals for the development;
    - (iii) all approved strategies, plans and programs required under the conditions of this consent;

- (iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;
  - (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
  - (vi) a summary of the current stage and progress of the development;
  - (vii) contact details to enquire about the development or to make a complaint;
  - (viii) a complaints register, updated monthly;
  - (ix) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;
  - (x) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary and publicly available for 12 months after the commencement of operations.

### **Compliance**

A23. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

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

A24. The Planning Secretary must be notified through the major projects portal immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.

A25. Subsequent notification must be given and reports submitted in accordance with the requirements set out in **Appendix 2**.

### **Non-Compliance Notification**

A26. The Planning Secretary must be notified through the major projects portal within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary through the major projects portal within seven days after they identify any non-compliance.

A27. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

A28. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

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

A29. Within three months of:

- (a) the submission of an incident report under condition A25;
- (b) the submission of an Independent Audit under condition C43 or C45;
- (c) the approval of any modification of the conditions of this consent; or
- (d) the issue of a direction of the Planning Secretary under condition A3 which requires a review,

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

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

document must be submitted to the Planning Secretary and / or Certifier for approval and / or information (where relevant) within six weeks of the review.

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

#### **Missenden Road On-street Parking**

- A31. Unless otherwise agreed by Council, the proposed four on-street parallel parking spaces along Missenden Road are not approved.

#### **Associated Roadway Costs**

- A32. All costs associated with the construction of any new public road works associated with the development including kerb and gutter, road pavement, drainage system and footway are to be borne by the Applicant. The new public road works must be designed and constructed in accordance with Council's Sydney Streets Technical Specification, including amendments, and the Sydney Streets Design Code.

#### **Cost of Signposting**

- A33. All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development are to be borne by the Applicant.

#### **Paving Materials**

- A34. The surface of any material used for the paving of colonnades, thoroughfares, plazas, arcades and the like which are used by the public must be designed to comply with AS 4586:2004 Slip resistance classification of new pedestrian surface materials.

## **PART B PRIOR TO COMMENCEMENT OF CONSTRUCTION**

### **Notification of Commencement**

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

### **Design Excellence and Integrity**

- B3. Prior to the commencement of construction of the building works set out in (a) and (b) below, the Applicant must prepare amended plans for the approval of the Design Integrity Panel (DIP). The amended plans, and evidence that they have been endorsed by the DIP, must be provided for the information of the Planning Secretary, Certifier and Council. The amended plans must include details of:
  - (a) façade treatment at the existing ground-level Northern Arrival frontage (Level 3) of Building 89; and
  - (b) the Missenden Road canopy at a scale of 1:20, prepared with input from a suitably qualified heritage specialist. The canopy must relate sympathetically to the context and setting of the Albert Pavilion with minimal interruption to primary view lines. Drawings must include details of materials, angle of canopy, the design of gutters and downpipes.
- B4. Prior to the commencement of construction of above ground building works, the Applicant must provide evidence to the Planning Secretary and Certifier that the DIP has endorsed the final external "For Construction" architectural drawings and samples of all external materials, including any revised 3D photomontages, as being consistent with the approved design.
- B5. Any future 4.55(2) modification applications must be accompanied by a Design Integrity Report which details that the proposed changes have been reviewed and endorsed by the DIP. The Design Integrity Report must include a summary of feedback provided by the DIP and responses by the Applicant to this advice.
- B6. Any future 4.55(1A) modification applications must be accompanied by a Design Integrity Report.

### **Certified Drawings**

- B7. Prior to the commencement of construction, the Applicant must submit to the Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with this development consent.

### **External Walls and Cladding**

- B8. Prior to the commencement of construction, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the requirements of the BCA. A copy of the documentation must be made available on the Applicant's website within 14 days after the Certifier accepts it.

### **Pre-Construction Dilapidation Report – Protection of Public Infrastructure**

- B9. Prior to the commencement of any construction, the Applicant must:
  - (a) consult with the relevant owner and provider of services and Infrastructure that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
  - (b) prepare a Pre-Construction Dilapidation Report identifying the condition of all public (non-residential) infrastructure and assets in the vicinity of the site (including roads, gutters and footpaths) that have potential to be affected;
  - (c) submit a copy of the Pre-Construction Dilapidation Report to the asset owner, Certifier and Council; and

- (d) provide a copy of the Pre-Construction Dilapidation Report to the Planning Secretary with 48 hours when requested.

### **Pre-Construction Survey – Adjoining Properties**

- B10. Prior to the commencement of any construction, the Applicant must offer a pre-construction survey to owners of residential/heritage listed/commercial buildings that are likely to be impacted by the development.
- B11. Where the offer for a pre-construction survey is accepted (as required by condition B10), the Applicant must arrange for a survey to be undertaken by a suitably qualified and experienced expert prior to the commencement of vibration generating works that could impact on the identified buildings.
- B12. Prior to the commencement of any vibration generating works that could impact on the buildings surveyed as required by condition B11, the Applicant must:
  - (a) provide a copy of the relevant survey to the owner of each residential building surveyed in the form of a Pre-Construction Survey Report;
  - (b) submit a copy of the Pre-Construction Survey Report to the Certifier; and
  - (c) provide a copy of the Pre-Construction Survey Report to the Planning Secretary within seven days when requested.

### **Public Domain Plan**

- B13. Prior to the commencement of construction of any public domain works on Council-owned land (excluding utility works), a detailed Public Domain Plan must be submitted to the Certifier. The plan must:
  - (a) be endorsed by Council;
  - (b) document all works required to ensure that the public domain upgrade work complies with Council's Public Domain Manual, Sydney Streets Code, Sydney Street Tree Masterplan, Sydney Lights: Public Domain Design Guide, Sydney Streets Technical Specification;
  - (c) be based on an accurate survey, to scale and fully coordinated across all disciplines and submissions; and
  - (d) include public domain levels and gradients documentation and public domain lighting design, including undergrounding where possible.

### **Public Domain Works Security Bond**

- B14. Prior to the commencement of construction of any public domain works on Council-owned land (excluding utility works), a Public Domain Security Bond is required for the public domain works and repairing damage that may be caused to Council's public domain in the vicinity of the site, in accordance with the City of Sydney's adopted fees and charges and the Public Domain Manual. Council will retain the bond until all public domain works, including rectification of damage to the public realm, are completed to Council's standards in accordance with condition D17.

*Note: On satisfying the above requirements, Council will issue a Public Domain Works – Letter of Completion Operational Acceptance and 90 per cent of the bond will be released. The remaining 10 per cent will be retained for a six month defects liability period from the date of Completion, as nominated by Council and outlined in the Public Domain Works – Letter of Completion Operational Acceptance.*

- B15. Prior to the lodgement of the bond required in accordance with condition B14, the Applicant must contact Council to determine the bond amount. The bond must be lodged with Council prior to an approval being issued for Public Domain Plan required in accordance with condition B13.

### **Ecologically Sustainable Development**

- B16. Prior to the commencement of construction, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate to the Certifier that the ESD initiatives recommended by the ESD report ('SSDA Report – Sustainability (Revision 04)', prepared by Climatewise Design and dated 31/10/22) have been incorporated into the design of the development.

- B17. The project is to achieve compliance with section 2.5.6 of the Health Infrastructure Engineering Services Guidelines dated 6 August 2021 (including Design Guidance Note No. 058) by attaining a minimum of 60 points in accordance with the ESD Evaluation Tool.

#### **Heritage Photographic Archival Recording**

- B18. Prior to the commencement of demolition of any heritage item, a photographic archival record of the external and internal areas of the heritage items on site and all other items of heritage significance on the site identified in 'Statement of Heritage Impact' (Issue 7), prepared by Heritage 21 and dated 3 November 2022, and addendum prepared by Heritage21 dated 8 June 2023, must be prepared in accordance with the NSW Heritage Branch guidelines titled Photographic Recording of Heritage Items using Film or Digital Capture. A digital copy must be submitted to Council, any relevant local studies collection in the locality and made available on the Applicant's website prior to the commencement of demolition of any heritage item.

#### **Heritage – Albert Pavilion Internal Works**

- B19. Prior to the commencement of construction works for internal refurbishment of the Albert Pavilion (Building 63), detailed architectural plans for internal works must be submitted to the Certifier. The plans must be accompanied by a written statement from a suitably qualified and experienced heritage professional, confirming that adequate consideration has been given to the retention of original masonry internal walls and any remnant fabric of significance, where feasible.

#### **Outdoor Lighting**

- B20. Prior to commencement of lighting installation, evidence must be submitted to the Certifier that all outdoor lighting to be installed within the site has been designed to comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-2019 Control of the obtrusive effects of outdoor lighting.

#### **Demolition**

- B21. Prior to the commencement of construction, demolition work plans required by AS 2601-2001 *The demolition of structures* (Standards Australia, 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 Certifier.

#### **Existing Helipad / Helicopter Operations During Construction**

- B22. 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. A report summarising the outcome of the review must be submitted to the Certifier and provided to stakeholders. The review must consider:
- (a) 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; and
  - (b) any additional fire safety requirements as approved by NSW Fire & Rescue, to be designed by a suitably qualified and experienced accredited practitioner (fire safety).

#### **Helipad Design**

- B23. Prior to the construction of each helipad, a report prepared by a suitably qualified and experienced aviation professional must be submitted to the Certifier which states that the design of the helipad incorporates the relevant details outlined in the Civil Aviation Safety Authority publication *Advisory Circular AC 139R-01 v1.0 Guidelines for heliports - design and operation* and other relevant National and International guidelines. Any additional fire safety compliance requirements as approved by NSW Fire & Rescue are to be designed by a suitably qualified and experienced accredited practitioner (fire safety).



## Helipad Operations

- B24. Prior to the construction of the temporary helipad, it must be considered safe and fit for purpose by the operator in accordance with the Civil Aviation Safety Regulation, Reg 91.410.
- B25. Prior to construction of the permanent 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 must be identified in consultation with relevant stakeholders in accordance with Civil Aviation Safety Authority publication *Advisory Circular AC 139R-01 v1.0 Guidelines for heliports - design and operation* 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 Survey must be submitted to the Certifier and Council, and made available on the Applicant's website.

## Environmental Management Plan Requirements

- B26. Management plans required under this consent must be prepared having regard to the relevant guidelines, including but not limited to the *Environmental Management Plan Guideline: Guideline for Infrastructure Projects* (DPIE April 2020).

*Notes:*

- *The Environmental Management Plan Guideline is available on the Planning Portal at: <https://www.planningportal.nsw.gov.au/major-projects/assessment/post-approval>*
- *The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.*

## Construction Environmental Management Plan

- B27. Prior to the commencement of any construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier and must be published on the Applicant's website in accordance with condition A22. The CEMP must include, but not be limited to, the following:
- (a) Details of:
- hours of work;
  - 24-hour contact details of site manager;
  - management of dust and odour to protect the amenity of the neighbourhood;
  - stormwater control and discharge;
  - measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
  - groundwater management plan including measures to prevent groundwater contamination;
  - external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;
  - existing helipad / helicopter operations during construction, as required by condition B22;
- (b) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure;
- (c) Construction Traffic and Pedestrian Management Sub-Plan (see condition B28);
- (d) Construction Noise and Vibration Management Sub-Plan (see condition B29);
- (e) Construction Waste Management Sub-Plan (see condition B30);
- (f) Construction Soil and Water Management Sub-Plan (see condition B31);
- (g) Biodiversity Management Sub-Plan (see condition B32); and
- (h) Construction Flood Emergency Management Plan (see condition B33).
- B28. The Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must be prepared to achieve the objective of ensuring safety and efficiency of the road network and address, but not be limited to, the following:
- be prepared by a suitably qualified and experienced person(s);
  - be prepared in consultation with Council and TfNSW;

- (c) detail:
    - (i) measures to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services;
    - (ii) measures to ensure the safety of vehicles and pedestrians accessing adjoining properties where shared vehicle and pedestrian access occurs;
    - (iii) heavy vehicle routes, access and parking arrangements;
    - (iv) the swept path of the longest construction vehicle entering and exiting the site in association with the new work, as well as manoeuvrability through the site, in accordance with the latest version of AS 2890.2; and
    - (v) arrangements to ensure that construction vehicles enter and leave the site in a forward direction unless in specific exceptional circumstances under the supervision of accredited traffic controller(s).
- B29. The Construction Noise and Vibration Management Sub-Plan must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced noise expert;
  - (b) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009);
  - (c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
  - (d) include strategies that have been developed with the community for managing high noise generating works;
  - (e) describe the community consultation undertaken to develop the strategies in condition B29(d);
  - (f) include a complaints management system that would be implemented for the duration of the construction; and
  - (g) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the implemented management measures in accordance with the requirements of condition B26.
- B30. The Construction Waste Management Sub-Plan (CWMSWP) must address, but not be limited to, the procedures for the management of waste including the following:
- (a) the recording of quantities, classification (for materials to be removed) and validation (for materials to remain) of each type of waste generated during construction and proposed use for materials to remain;
  - (b) information regarding the recycling and disposal locations; and
  - (c) confirmation of the contamination status of the development areas of the site based on the validation results.
- B31. The Applicant must prepare a Construction Soil and Water Management Sub-Plan (CSWMSWP) and the plan must address, but not be limited to the following:
- (a) be prepared by a suitably qualified expert, in consultation with Council;
  - (b) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
  - (c) describe all erosion and sediment controls to be implemented during construction, including as a minimum, measures in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4<sup>th</sup> edition, Landcom 2004) commonly referred to as the 'Blue Book';
  - (d) direct all sediment laden water in overland flow away from the leachate management system and prevent cross-contamination of clean and sediment or leachate laden water.
  - (e) 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);
  - (f) detail all off-site flows from the site; and

- (g) 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 5-year ARI and 1 in 100-year ARI.
- B32. The Biodiversity Management Sub-Plan (BMSP) must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced person/s; and
  - (b) set out the measures identified in '*Streamlined Biodiversity Development Assessment Report*', (version Final v3.0), prepared by Narla Environmental and dated 2 November 2022, to minimise, mitigate and manage impacts on biodiversity, including timing and responsibility for delivery of the measures.
- B33. The Construction Flood Emergency Management Sub-Plan must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) address the provisions of the *Floodplain Risk Management Guidelines* (EHG);
  - (c) include details of:
    - (i) the flood emergency responses for both construction phases of the development;
    - (ii) predicted flood levels;
    - (iii) flood warning time and flood notification;
    - (iv) assembly points and evacuation routes;
    - (v) evacuation and refuge protocols; and
    - (vi) awareness training for employees and contractors, and users/visitors.
- B34. A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following:
- (a) minimise the impacts of earthworks and construction on the local and regional road network;
  - (b) minimise conflicts with other road users;
  - (c) minimise road traffic noise; and
  - (d) ensure truck drivers use specified routes.

### **Construction Parking**

- B35. Prior to the commencement of any construction, the Applicant must provide sufficient construction vehicle parking facilities on-site or within any approved works zones for construction vehicles and machinery, including for heavy vehicles, to ensure that construction traffic associated with the development does not utilise public and residential streets or public parking facilities.
- B36. Prior to the commencement of any construction, the Applicant must submit a Construction Worker Transportation Strategy to the Certifier. The Strategy must detail the provision of sufficient parking facilities or other travel arrangements for construction workers in order to minimise demand for parking in nearby public and residential streets or public parking facilities. A copy of the strategy must be published on the Applicant's website in accordance with condition A22. This condition cannot be staged.

### **Flood Management**

- B37. Prior to the commencement of construction, the Applicant must prepare and implement for the duration of construction:
- (a) flood warning and notification procedures for construction workers on site; and
  - (b) evacuation and refuge protocols.
- B38. Prior to the commencement of construction, details must be provided to the Certifier confirming that all new habitable floors Level 2 and above are no lower than the 1% Annual Exceedance Probability flood plus 500mm of freeboard, and that the development achieves the required flood planning levels outlined in '*Response to Submissions: Infrastructure Delivery*,

*Management and Staging Plan – Flooding and Stormwater* (Revision 9), prepared by Taylor Thomson Whitting and dated 9 June 2023.

- B39. Prior to the commencement of construction, details must be provided to the Certifier confirming that any new structures below the 1% Annual Exceedance Probability plus 500mm of freeboard are constructed from flood compatible building components.

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

- B40. Prior to installation of mechanical plant and equipment:
- (a) a detailed assessment of mechanical plant and equipment with compliance with the relevant project specific noise levels as recommended in *'Noise and Vibration Impact Assessment for SSDA, AC07 (Rev K)'* prepared by Arup and dated 27 June 2023, must be undertaken by a suitably qualified person; and
  - (b) evidence must be submitted to the Certifier that any noise mitigation recommendations identified in the assessment carried out under (a) have been incorporated into the design to ensure the development will not exceed the project specific noise levels identified in *'Noise and Vibration Impact Assessment for SSDA, AC07 (Rev K)'* prepared by Arup and dated 27 June 2023.

#### **Public Domain Works**

- B41. Prior to the commencement of any footpath or public domain works, the Applicant must consult with Council and demonstrate to the Certifier that the streetscape design and treatment meets the requirements of Council, including addressing pedestrian management. The Applicant must submit documentation of approval for each stage from Council to the Certifier.

#### **Site Contamination**

- B42. Prior to the commencement of construction, the Applicant must engage a NSW EPA-accredited Site Auditor to provide advice throughout the duration of works to ensure that any work required in relation to soil or groundwater contamination is appropriately managed.

#### **Tree Protection**

- B43. Prior to the commencement of construction, a revised Arboricultural Impact Assessment Report and Tree Protection Specification must be prepared by a suitably qualified professional, in accordance with the final design drawings for construction. The report must be submitted to the Certifier and incorporate:
- (a) the recommendations outlined in Section 6.0 of *'Arboricultural Impact Assessment Report'*, (Revision E), prepared by Martin Peacock Tree Care and dated 22 June 2023; and
  - (b) a detailed specification for tree sensitive construction methods to be utilised to minimise the impact of the works upon the trees.

## PART C DURING CONSTRUCTION

### Site Notice

- C1. A site notice(s) must be prominently displayed at the boundaries of the site during construction for the purpose of informing the public of project details and must satisfy the following requirements:
- (a) minimum dimensions of the site notice(s) must measure 841 mm x 594 mm (A1) with any text on the site notice(s) to be a minimum of 30-point type size;
  - (b) the site notice(s) must be durable and weatherproof and must be displayed throughout the works period;
  - (c) the approved hours of work, the name of the builder, Certifier, structural engineer, 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(s); and
  - (d) the site notice(s) must be mounted at eye level on the perimeter hoardings/fencing and must state that unauthorised entry to the site is not permitted.

### Operation of Plant and Equipment

- C2. All construction plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.

### Demolition

- C3. Demolition work must comply with the demolition work plans required by *Australian Standard AS 2601-2001 The demolition of structures* (Standards Australia, 2001) and endorsed by a suitably qualified person as required by condition B21.

### Construction Hours

- C4. Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:
- (a) between 7am and 6pm, Mondays to Fridays inclusive.
  - (b) between 8am and 1pm, Saturdays.
- No work may be carried out on Sundays or public holidays.
- C5. Notwithstanding condition C4, provided noise levels do not exceed the highly noise affected construction noise management levels at any residential receiver as outlined in Table 27 of *'Noise and Vibration Impact Assessment for SSDA AC07'*, (Revision K), prepared by ARUP and dated 27 June 2023, works may also be undertaken during the following hours:
- (a) between 7am and 8am, and 1pm and 7pm, Saturdays.
- C6. Construction activities may be undertaken outside of the hours in condition C4 and C5 if required:
- (a) where the works relate to construction activities 3a, 3b, 3c, 3d, 5 and 7a as identified in Table 39 of *'Noise and Vibration Impact Assessment for SSDA AC07'*, (Revision K), prepared by ARUP and dated 27 June 2023; or
  - (b) by the Police or a public authority for the delivery of vehicles, plant or materials; or
  - (c) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or
  - (d) where the works are inaudible at the nearest sensitive receivers; or
  - (e) for the delivery, set-up and removal of construction cranes, where notice of the crane-related works is provided to affected residents at least seven days prior to the works; or
  - (f) where a variation is approved in advance in writing by the Planning Secretary or her nominee if appropriate justification is provided for the works.
- C7. Construction activities relating to internal fit-out works may be undertaken outside of the hours in condition C4 and C5 if required, provided that:

- (a) management and mitigation measures are implemented in accordance with the practices outlined in Table 44 of '*Noise and Vibration Impact Assessment for SSDA AC07*', (Revision K), prepared by ARUP and dated 27 June 2023;
  - (b) the façade near where the works are being conducted is entirely closed during extended construction hours; and
  - (c) deliveries for the internal fit-out works are undertaken during the approved construction hours in condition C4.
- C8. Notification of such construction activities as referenced in conditions C5(a) and C7 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- C9. 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**

- C10. 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 Traffic**

- C11. All construction vehicles (excluding site personnel vehicles) are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site or an approved on-street work zone before stopping.

#### **Hoarding Requirements**

- C12. The following hoarding requirements must be complied with:
- (a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing; and
  - (b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of being made aware of its application.

#### **No Obstruction of Public Way**

- C13. The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.

#### **Construction Noise Limits**

- C14. 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 '*Noise and Vibration Impact Assessment for SSDA AC07*', (Revision K), prepared by ARUP and dated 27 June 2023.
- C15. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under conditions C4, C5, and C6.
- C16. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use of 'quackers' to ensure noise impacts on surrounding noise sensitive receivers are minimised.

#### **Vibration Criteria**

- C17. Vibration caused by construction at any residence or structure outside the site must be limited to:

- (a) for structural damage, the latest version of *DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures* (German Institute for Standardisation, 1999); and
  - (b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).
- C18. 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 C17.
- C19. The limits in conditions C17 and C18 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B29 of this consent.

### **Tree Protection**

- C20. For the duration of the construction works:
- (a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;
  - (b) all street trees immediately adjacent to the approved disturbance area / property boundary/ies must be protected at all times during construction in accordance with Council's tree protection requirements. Any street tree, which is damaged or removed during construction due to an emergency, must be replaced in accordance with any relevant Council policy;
  - (c) all trees on the site that are not approved for removal must be suitably protected during construction as per the recommendations of the Arboricultural Impact Assessment Report required by condition B43 of this consent; 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.

### **Air Quality**

- C21. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- C22. During construction, the Applicant must ensure that:
- (a) activities are carried out in a manner that minimises dust including emission of windblown or traffic generated dust;
  - (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.

### **Imported Fill**

- C23. The Applicant must:
- (a) ensure that only VENM, ENM, or other material that meets the requirements of a relevant order and exemption issued by the EPA, is brought onto the site;
  - (b) keep accurate records of the volume and type of fill to be used; and
  - (c) make these records available to the Certifier and/or the Planning Secretary within seven days upon request.

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

C24. Adequate provisions must be made to collect and discharge stormwater drainage during construction. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.

### **Emergency Management**

C25. The Applicant must prepare and implement awareness training for employees and contractors, including locations of the assembly points and evacuation routes, for the duration of construction.

### **Stormwater Management System**

C26. Within three months of the commencement of construction, the Applicant must design an operational stormwater management system for the development and be submitted to the Certifier for approval. The system must:

- (a) be designed in consultation with, and in accordance with the requirements of, the owner/s of the relevant stormwater asset/s in which the development connects;
- (b) be designed by a suitably qualified and experienced person(s);
- (c) be generally in accordance with the conceptual design outlined in '*Response to Submissions: Infrastructure Delivery, Management and Staging Plan – Flooding and Stormwater*' (Revision 9), prepared by Taylor Thomson Whitting and dated 9 June 2023;
- (d) incorporate Water Sensitive Urban Design measures designed in accordance with the results of a revised MUSIC Link model;
- (e) be in accordance with applicable Australian Standards; and
- (f) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines.

### **Aboriginal Cultural Heritage**

C27. Construction must be undertaken in accordance with the recommendations of the Aboriginal Cultural Heritage Assessment Report prepared by Biosis and dated 1 November 2022, as amended by the Archaeological Report prepared by Biosis and dated 13 June 2023.

### **Historic Heritage**

C28. All works must be carried out in accordance with the mitigation measures outlined in Section 8.2 of '*Statement of Heritage Impact*' (Issue 7), prepared by Heritage21 and dated 3 November 2022, and addendum prepared by Heritage21 and dated 8 June 2023.

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

C29. In the event that surface disturbance identifies a new Aboriginal object:

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

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

C30. If any unexpected archaeological relics are uncovered during the work, then:

- (a) all works must cease immediately in that area and notice is to be given to Heritage NSW and the Planning Secretary;



- (b) depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area as determined in consultation with Heritage NSW; and
- (c) works may only recommence with the written approval of the Planning Secretary.

### **Waste Storage and Processing**

- C31. All waste generated during construction must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.
- C32. All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- C33. The 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.
- C34. The Applicant must record the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations for the duration of construction.
- C35. The Applicant must ensure that the removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility is in accordance with the requirements of the relevant legislation, codes, standards and guidelines.

### **Outdoor Lighting**

- C36. The Applicant must ensure that all external lighting is constructed and maintained in accordance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting.

### **Crane Lighting**

- C37. The Applicant must ensure that all cranes are lit in accordance with NSW Health GL2020\_014 Guidelines for NSW Hospital HLS.

### **Site Contamination**

- C38. Prior to the commencement of any work that would result in the disturbance of potential or contaminated soils, materials, groundwater or sediments, the Applicant must conduct site investigations to confirm the full nature and extent of the contamination at the project area and comply with the following requirements:
  - (a) the site investigations must be undertaken, and the subsequent report(s), must be prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997*;
  - (b) the reports must be prepared, or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme; and
  - (c) the recommendations of '*Remediation Action Plan 304100230*', (Version 0), prepared by Cardno and dated 10 November 2022, and '*Interim Site Audit Advice No 01, BE167, Royal Prince Alfred Hospital, Remediation Action Plan review*' prepared by AECOM and dated 14 November 2022.
- C39. The unexpected finds procedure within '*Remediation Action Plan 304100230*', (Version 0), prepared by Cardno and dated 10 November 2022, must be updated following results of further site investigations undertaken in accordance with condition C38 and implemented throughout duration of project work.
- C40. Remediation of the site must be carried out in accordance with '*Remediation Action Plan 304100230*', (Version 0), prepared by Cardno and dated 10 November 2022 and any variations to the Remediation Action Plan approved by an NSW EPA-accredited Site Auditor.
- C41. Where remediation is carried out / completed in stages, a NSW EPA-accredited Site Auditor must confirm satisfactory completion of each stage by the issuance of Interim Audit Advice(s).

C42. The Applicant must ensure the proposed development does not result in a change of risk in relation to any pre-existing contamination on the site that would result in significant contamination.

#### **Independent Environmental Audit**

C43. Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements.

C44. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.

C45. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in the Independent Audit Post Approval Requirements, upon giving at least 4 week's notice (or timing) to the Applicant of the date upon which the audit must be commenced.

C46. In accordance with the specific requirements in the Independent Audit Post Approval Requirements, the Applicant must:

- (a) review and respond to each Independent Audit Report prepared under condition C43 of this consent, or condition C45 where notice is given by the Planning Secretary;
- (b) submit the response to the Planning Secretary; and
- (c) make each Independent Audit Report, and response to it, publicly available within 60 days of submission to the Planning Secretary, unless otherwise agreed by the Planning Secretary.

C47. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within two months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements unless otherwise agreed by the Planning Secretary.

C48. Notwithstanding the requirements of the Independent Audit Post Approval Requirements, the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.

## PART D PRIOR TO COMMENCEMENT OF OPERATION

### Notification of Occupation

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

### External Walls and Cladding

- D2. Prior to commencement of operation, the Applicant must provide the Certifier with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.
- D3. A copy of the documentation given to the Certifier must be made available on the Applicant's website within seven days after the Certifier accepts it.

### Works as Executed Plans

- D4. Prior to the commencement of operation, works-as-executed plans signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Certifier.

### Warm Water Systems and Cooling Systems

- D5. The installation of warm water systems and water cooling systems (as defined under the *Public Health Act 2010*) must comply with the *Public Health Act 2010*, Public Health Regulation 2012 and Part 1 (or Part 3 if a Performance-based water cooling system) of *AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance* and the NSW Health Code of Practice for the Control of Legionnaires' Disease.

### Outdoor Lighting

- D6. Prior to the commencement of operation, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and:
- (a) complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and
  - (b) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

### Mechanical Ventilation

- D7. Prior to commencement of operation, the Applicant must provide evidence to the Certifier that the installation and performance of the mechanical ventilation systems complies with:
- (a) *AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings* and other relevant codes; and
  - (b) any dispensation granted by Fire and Rescue NSW.

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

- D8. Prior to the commencement of operation, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations in the assessment undertaken under condition B40 have been incorporated into the design of mechanical plant and equipment to ensure the development will not exceed the project specific noise levels identified in '*Noise and Vibration Impact Assessment for SSSA, AC07 (Rev K)*' prepared by Arup and dated 27 June 2023.

### Fire Safety Certification

- D9. Prior to commencement of occupation, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.

### **Structural Inspection Certificate**

D10. Prior to the commencement of occupation of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the Certifier.

### **Temporary Helipad Management Plan**

D11. Prior to the commencement of operation of the temporary helipad at the roof of the Staff and Visitor Carpark, the Applicant must prepare and provide to the Certifier a detailed Temporary Helipad Management Plan. The plan must incorporate:

- (a) measures to prioritise helicopter arrivals and departures during daytime hours where feasible, unless relating to an emergency that occurs during night-time hours;
- (b) detailed procedures to clear hazardous areas of people when a helicopter is planned to arrive or depart;
- (c) an operational brief for the Helicopter Emergency Medical Service (HEMS) operators, providing all available detail on approach and departure angles and preferred directions;
- (d) the recommended noise monitoring and management measures outlined in Section 6.3 of 'Social Impact Assessment V4 – RTS' prepared by Urbis and dated 8 June 2023; and
- (e) the recommended dust management measures outlined in 'RPA – Helicopter rotorwash and particulate matter transport', prepared by Arup and dated 15 May 2023.

### **Post-construction Dilapidation Report – Protection of Public Infrastructure**

D12. Prior to the commencement of operation, the Applicant must engage a suitably qualified and experienced expert to prepare a Post-Construction Dilapidation Report. This Report must:

- (a) ascertain whether the construction works created any structural damage to public infrastructure by comparing the results of the Post-Construction Dilapidation Report with the Pre-Construction Dilapidation Report required by condition B9 of this consent;
- (b) have, if it is decided that there is no structural damage to public infrastructure, the written confirmation from the relevant public authority that there is no adverse structural damage to their infrastructure (including roads).
- (c) be submitted to the Certifier;
- (d) be forwarded to Council for information; and
- (e) be provided to the Planning Secretary within 48 hours when requested.

### **Repair of Public Infrastructure**

D13. Unless the Applicant and the relevant public authority agree otherwise, the Applicant must:

- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the construction works; and/or
- (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development; and/or
- (c) pay compensation for the damage as agreed with the owner of the public infrastructure.

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

### **Road Damage**

D14. Prior to the commencement of operation, the cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development must be met in full by the Applicant.

### **Post-Construction Survey – Adjoining Properties**

D15. Where a pre-construction survey has been undertaken in accordance with condition B11, prior to the commencement of operation the Applicant must engage a suitably qualified and experienced expert to undertake a post-construction survey and prepare a Post-Construction Survey Report. This Report must:

- (a) document the results of the post-construction survey and compare it with the pre-construction survey to ascertain whether the construction works caused any damage to buildings surveyed in accordance with condition B11;
- (b) be provided to the owner of the relevant buildings surveyed;
- (c) be provided to the Certifier; and
- (d) be provided to the Planning Secretary within 48 hours when requested.

D16. Where the Post-Construction Survey Report determines that damage to the identified property occurred as a result of the construction works, the Applicant must repair, or pay the full costs associated with repairing the damaged buildings, within an agreed timeline between the owner of the identified property and the Planning Secretary. Alternatively, the Applicant may pay compensation for the damage as agreed with the property owner.

### **Public Domain Works Completion**

D17. Prior to final occupation, evidence must be submitted to the Certifier demonstrating that a Public Domain Works – Letter of Completion Operational Acceptance has been obtained from Council, confirming that the relevant works have been constructed in accordance with the Public Domain Plan required by condition B13.

### **Operational Access, Car Parking and Service Vehicle Arrangements**

D18. Prior to final occupation, evidence of compliance of the design of operational parking and access arrangements with the following requirements must be submitted to the Certifier:

- (a) a minimum of 2,561 on-site car parking spaces for use during operation of the development; and
- (b) the swept path of the largest service vehicle entering and exiting the Site in association with the new work, as well as manoeuvrability through the site, must be in accordance with the latest version of AS 2890.2.

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

D19. Prior to the commencement of any operation, or other timeframe agreed in writing by the Planning Secretary, evidence of compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the Certifier:

- (a) the provision of a minimum 286 staff and visitor bicycle parking spaces, a minimum 208 of which must be provided for staff as Class 2 facilities in accordance with AS 2890.3;
- (b) the layout, design and security of bicycle facilities must comply with the minimum requirements of the latest version of AS 2890.3:2015 *Parking facilities - Bicycle parking*, and be located in easy to access, well-lit areas that incorporate passive surveillance;
- (c) the provision of end-of-trip facilities for staff; and
- (d) appropriate pedestrian and cyclist advisory signs are to be provided.

*Note: All works/regulatory signposting associated with the proposed development shall be at no cost to the relevant roads authority.*

### **Green Travel Plan**

D20. Prior to commencement of final occupation, or other timeframe agreed in writing by the Planning Secretary, the Applicant must implement measures to promote the use of active and sustainable transport modes, as outlined in the Green Travel Plan (GTP) detailed in '*Transport and Accessibility Impact Assessment and Green Travel Plan*', (Version 8.0), prepared by SCT Consulting and dated 13 July 2023.

D21. Prior to the commencement of final occupation, or other timeframe agreed in writing by the Planning Secretary, details of the nominated employee(s) of the health services facility responsible for implementing the GTP and its ongoing review must be provided to Transport for NSW and made available on the Applicant's website within 14 days. If at any point the nominated employee(s) subsequently changes, TfNSW must be notified and details must be updated on the Applicant's website within 14 days.

### **Heritage Interpretation Plan**

- D22. Prior to the commencement of final occupation, the Applicant must submit a Heritage Interpretation Plan to acknowledge the heritage of the site to the Certifier. The plan must:
- (a) be prepared by a suitably qualified and experienced expert in consultation with Heritage NSW, Council, the RPA Redevelopment First Nations Advisory Group and Registered Aboriginal Parties;
  - (b) include details of locations and scope of heritage interpretation works across the redevelopment site; and
  - (c) incorporate the measures outlined in '*Preliminary Heritage Interpretation Framework*', dated 26 April 2023 and prepared by Bates Smart, Neeson Murcutt + Neille and Turf Design Studio.

### **Utilities and Services**

- D23. Prior to commencement of operation, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

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

- D24. Prior to the commencement of operation, a Stormwater Operation and Maintenance Plan (SOMP) is to be submitted to the Certifier. The SOMP must ensure the proposed stormwater quality measures remain effective and contain the following:
- (a) maintenance schedule of all stormwater quality treatment devices;
  - (b) record and reporting details;
  - (c) relevant contact information; and
  - (d) Work Health and Safety requirements.

### **Signage**

- D25. Prior to the commencement of operation, way-finding signage and signage identifying the location of staff car parking must be installed.
- D26. Prior to the commencement of operation, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.
- D27. Prior to the installation and display of any building identification signage within the approved signage zones, details of signage (design, content and illumination) are to be submitted for the approval of the Planning Secretary.

### **Operational Waste Management Plan**

- D28. Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifier. The Waste Management Plan must:
- (a) detail the type and quantity of waste to be generated during operation of the development;
  - (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the *Waste Classification Guideline* (Department of Environment, Climate Change and Water, 2009);
  - (c) detail the materials to be reused or recycled, either on or off site; and
  - (d) include the management and mitigation measures included in '*Waste Management Plan*' (Revision 1.0), prepared by TSA and dated 2 November 2022.

### **Site Contamination**

- D29. Prior to commencement of operation, the Applicant must submit a Validation Report for the development to the Certifier. The Validation Report must:
- (a) be prepared, or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner

- (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contate Assessment and Management (CPSS CSAM) scheme;
- (b) be prepared in accordance with the relevant guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997*; and
  - (c) include, but not be limited to:
    - (i) comment on the extent and nature of the remediation undertaken;
    - (ii) if material is to remain in-situ and capped, describe the location, nature and extent of any remaining contamination on site as well as any ongoing management requirements;
    - (iii) sampling and analysis plan and sampling methodology undertaken as part of the remediation;
    - (iv) if treated material is to remain on the subject site, results of sampling of treated material, compared with the treatment criteria in the most updated Remediation Action Plan;
    - (v) results of any validation sampling, compared to relevant guidelines/criteria; and
    - (vi) comment on the suitability of the area for the intended land use.
- D30. Prior to commencement of operation, the Applicant must obtain confirmation from the Certifier in writing that the requirements of condition D29 have been met.
- D31. Where changes are made to '*Remediation Action Plan 304100230*', (Version 0), prepared by Cardno and dated 10 November 2022, under condition C39, prior to the commencement of operation, the Applicant must submit a Section A1 Site Audit Statement or a Section A2 Site Audit Statement accompanied by an Environmental Management Plan prepared by a NSW EPA accredited Site Auditor. The Section A1 or A2 Site Audit Statement must verify the relevant part of the site is suitable for the intended land use and be provided, along with any Environmental Management Plan to the Certifier.

### **Landscape Design**

- D32. Prior to the commencement of installation of landscaping, an amended landscaping strategy prepared by a registered landscape architect must be submitted for the approval of the Certifier. The strategy must:
- (a) be prepared in consultation with Council and the RPA Redevelopment First Nations Advisory Group;
  - (b) be endorsed by the DIP;
  - (c) provide for the planting of a minimum 101 new trees;
  - (d) provide a detailed planting palette that:
    - (i) maximises the use of locally indigenous species representative of the Plant Community Type 'PCT 1778: Smooth-barked Apple – Coast Banksia / Cheese Tree open forest on sandstone slopes on the foreshores of the drowned river valleys of Sydney'; and
    - (ii) incorporates specimens which gesture to the historical context of the precinct, as outlined in Section 8.2 of '*Statement of Heritage Impact*' (Issue 8), prepared by Heritage21 and dated 3 November 2022.
  - (e) include details of tree heights at maturity and pot sizes of plants to be planted on-site, in accordance with the principles outlined in '*SSDA Landscape Report RPA-LAN-TDS-RPT-MW-000002 (Issue L)*' prepared by Turf Design Studio and dated 22 June 2023.
  - (f) provide evidence of adequate soil volumes for the planting of all trees in accordance with Council's document '*Sydney Landscape Code Vol. 2*' (2016);
  - (g) include an engineering report confirming structural capacity of structures for green roof loads;
  - (h) include details of drainage, waterproofing and irrigation systems, including overland flow provisions and water retention cells in the drainage layer;
  - (i) include the provision of nest boxes suitable to native fauna likely to use the site;

- (j) incorporate a detailed green wall design including plans and details drawn to scale, and technical specification, including:
  - (i) analysis of the detailed site conditions, including access, light availability, sun and wind impacts;
  - (ii) details of the green wall construction, including proposed materials, webmesh trellis system, planter dimensions, fixings and structures;
  - (iii) details of the proposed growing medium, including soil depth and type;
  - (iv) location, numbers, type and size of plant species selected on the basis of the site conditions, and species that contribute to habitat and biodiversity;
  - (v) details of drainage, irrigation and waterproofing; and
  - (vi) details of any additional lighting (where applicable).

### Landscaping

- D33. Prior to the commencement of operation, landscaping of the site must be completed in accordance with landscape plan(s) approved under condition D32.
- D34. Prior to the commencement of operation, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping on-site and submit it to the Certifier. The plan must describe:
- (a) the ongoing monitoring and maintenance measures to manage revegetation and landscaping;
  - (b) green roof maintenance measures, including methodology for safe working at height such as access requirements, location of any anchor points, gates and transport of materials and green waste;
  - (c) green wall maintenance measures, including methodology for safe working at height, access requirements, location of any anchor points, gates, and transport of materials such as green waste removal, and a detailed planting maintenance schedule; and
  - (d) plans outlining intended strategies for decommissioning and rectification if planting works fail.

### Constructed Floor Levels

- D35. Prior to the commencement of operation, a certification report prepared by a suitably qualified practitioner engineer (NER) must be submitted to the Certifier, stating that the development has been constructed in accordance with the flood planning levels required by condition B38.

### Operational Flood Emergency Management Plan

- D36. Prior the commencement of the operation, a Flood Emergency Management Plan must be prepared and submitted to the Certifier that:
- (a) is prepared by a suitably qualified and experienced person(s);
  - (b) addresses the provisions of the *Floodplain Risk Management Guidelines* (EHG);
  - (c) incorporates the flood emergency management measures outlined in '*Response to Submissions: Infrastructure Delivery, Management and Staging Plan – Flooding and Stormwater*' (Revision 9), prepared by Taylor Thomson Whitting and dated 9 June 2023, as amended by '*Response to SES Flooding Comments*' prepared by Taylor Thomson Whitting and dated 22 August 2023.
  - (d) includes details of:
    - (i) the flood emergency responses for operational phase of the development;
    - (ii) predicted flood levels;
    - (iii) flood warning time and flood notification;
    - (iv) assembly points and evacuation routes;
    - (v) evacuation and refuge protocols; and
  - (e) awareness training for employees and contractors, and visitors.



### **Public Art**

- D37. Prior to the commencement of final occupation, the Applicant must prepare a public art strategy. The strategy must be developed in consultation with the RPA Redevelopment First Nations Advisory Group, to determine how the strategy can incorporate Aboriginal cultural heritage interpretation.
- D38. Within 12 months of the final occupation, or timing as otherwise agreed by the Planning Secretary, the Applicant must submit evidence to the Planning Secretary demonstrating that the public art envisaged by the public art strategy required by condition D37 has been installed.

### **Dangerous Goods**

- D39. Prior to commencement of occupation, or within a timeframe otherwise agreed by the Planning Secretary, the Applicant must undertake and submit a compliance audit for dangerous goods storage and handling for both the existing and approved dangerous goods storage facilities across the hospital site. This audit must consider the findings of '*Preliminary Hazard Analysis RHS\_001*' prepared by ARUP and dated 3 November 2022 and demonstrate the final design and operation of the entire hospital site can comply with all relevant Australian Standards.

## PART E POST OCCUPATION

### Operation of Plant and Equipment

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

### Warm Water Systems and Cooling Systems

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

### Long Term Environmental Management Plan

- E3. Upon completion of remediation works, the Applicant must manage the site in accordance with the Long Term Environmental Management Plan where required in accordance with *'Interim Site Audit Advice No 01, BE167, Royal Prince Alfred Hospital, Remediation Action Plan review'* prepared by AECOM Australia and dated 14 November 2022, and any on-going maintenance of remediation notice issued by EPA under the *Contaminated Land Management Act 1997*.
- E4. Upon completion of remediation works, the Applicant must provide a copy of the Long Term Environmental Management Plan, where required, to Council.

### Heritage Interpretation Plan

- E5. The Applicant must implement the most recent version of the Heritage Interpretation Plan approved under condition D22.

### Environmental Management Plan

- E6. Upon completion of remediation works, the Applicant must manage the site in accordance with the Environmental Management Plan approved by the Site Auditor (if any) under condition D31 and any on-going maintenance of remediation notice issued by EPA under *the Contaminated Land Management Act 1997*.

### Operational Noise Limits

- E7. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in *'Noise and Vibration Impact Assessment for SSDA, AC07 (Rev K)'* prepared by Arup and dated 27 June 2023.
- E8. The Applicant must undertake short term noise monitoring in accordance with the *Noise Policy for Industry (2017)* 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 or other timeframe agreed to by the Planning Secretary to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified in *'Noise and Vibration Impact Assessment for SSDA, AC07 (Rev K)'* prepared by Arup and dated 27 June 2023. Should the noise monitoring program identify any exceedance of the recommended noise levels referred to above, the Applicant is required to implement appropriate noise attenuation measures so that operational noise levels do not exceed the recommended noise levels or provide attenuation measures at the affected noise sensitive receivers.

### Temporary Helipad

- E9. The Applicant must implement the Temporary HLS Management Plan, as required by condition D11 of this consent, at all times during operation of the temporary helipad.

### Unobstructed Driveways and Parking Areas

- E10. All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.

### **Green Travel Plan**

E11. The Green Travel Plan required by condition D20 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.

### **Ecologically Sustainable Development**

E12. Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation the Certifier and Planning Secretary are to be provided with a report from the Applicant by a suitably qualified and experienced expert demonstrating that the project attains the minimum number of ESD points as required by condition B17 of this consent.

### **Outdoor Lighting**

E13. Notwithstanding condition D6, should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.

### **Landscaping**

E14. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition D34 for the duration of occupation of the development.

### **Hazards and Risk**

E15. The Applicant must store all chemicals, fuels and oils used on-site in accordance with:

- (a) the requirements of all relevant Australian Standards; and
- (b) the EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* if the chemicals are liquids.

E16. In the event of an inconsistency between the requirements of condition E15(a) and E15(b), the most stringent requirement must prevail to the extent of the inconsistency.

### **Dangerous Goods**

E17. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with:

- (a) all relevant Australian Standards;
- (b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
- (c) the Environment Protection Manual for *Authorised Officers: Bunding and Spill Management – technical bulletin* (EPA, 1997).

E18. In the event of an inconsistency between the requirements E17(a) to E17(c), the most stringent requirement must prevail to the extent of the inconsistency.

### **Discharge Limits**

E19. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters.

### **Stormwater Maintenance**

E20. The constructed stormwater structures and treatment measures must be maintained by the property owner in perpetuity.

## APPENDIX 1 ADVISORY NOTES

### General

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

### Long Service Levy

AN2. For work costing \$250,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Corporation on 131 441.

### Legal Notices

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

### Access for People with Disabilities

AN4. The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of construction, the Certifier must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.

### Utilities and Services

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

AN6. Prior to the commencement of above ground works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.

### Road Design and Traffic Facilities

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

### Road Occupancy Licence

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

### SafeWork Requirements

AN9. To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.

### Hoarding Requirements

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

### Handling of Asbestos

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

### Fire Safety Certificate

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

## **APPENDIX 2 WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS**

### **Written Incident Notification Requirements**

1. A written incident notification addressing the requirements set out below must be emailed to the Planning Secretary through the major projects portal within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition A24 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
  - (a) identify the development and application number;
  - (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
  - (c) identify how the incident was detected;
  - (d) identify when the applicant became aware of the incident;
  - (e) identify any actual or potential non-compliance with conditions of consent;
  - (f) describe what immediate steps were taken in relation to the incident;
  - (g) identify further action(s) that will be taken in relation to the incident; and
  - (h) identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
  - (a) a summary of the incident;
  - (b) outcomes of an incident investigation, including identification of the cause of the incident;
  - (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
  - (d) details of any communication with other stakeholders regarding the incident.