

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.



Karen Harragon
Director
Social Infrastructure Assessments

Sydney

19 November 2024

SCHEDULE 1

Application Number:	SSD-55388456
Applicant:	The University of Sydney
Consent Authority:	Minister for Planning and Public Spaces
Site:	Western Avenue and Cadigal Lane, Camperdown (part Lot 1 DP1171804 and part Lot 1000 DP1159799)
Development:	Construction and operation of a nine storey (including plant) medical research building and associated infrastructure and public domain works.

DEFINITIONS

Aboriginal object	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
Aboriginal place	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
Accredited Certifier	Means the holder of accreditation as an accredited certifier under the <i>Building Professionals Act 2005</i> acting in relation to matters to which the accreditation applies.
Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	The University of Sydney or any other person carrying out any development to which this consent applies
Approved disturbance area	The area identified as such on the development layout
BCA	Building Code of Australia
BCD	Biodiversity and Conservation Division of the NSW Department of Climate Change, Energy, the Environment and Water
CEMP	Construction Environmental Management Plan
Certification of Crown building work	Certification under section 6.28(2) of the EP&A Act
Certified Contaminated Land Consultant	A person certified in accordance with the requirements of the Contaminated Land Consultant Certification Policy Version 2 (EPA November 2017) or any subsequent policies as in force from time to time
Certifier	Means a council or accredited certifier or in the case of Crown development, a person qualified to conduct a Certification of Crown Building work
Conditions of this consent	The conditions contained in Schedule 2 of this document
Construction	<p>All physical work to enable operation including (unless specifically excluded by a condition) but not limited to the carrying out of works for the purposes of the development, including earthworks, and erection of buildings and other infrastructure permitted by this consent, but excluding the following:</p> <ul style="list-style-type: none"> • building and road dilapidation surveys; • investigative drilling or investigative excavation; • establishing temporary site offices (in locations identified by the conditions of this consent); • installation of environmental impact mitigation measures, fencing, enabling works; and • minor adjustments to services or utilities <p>However, where heritage items, or threatened species or threatened ecological communities (within the meaning of the <i>Biodiversity Conservation Act 2016</i>) are affected or potentially affected by any physical work, that work is construction, unless otherwise determined by the Planning Secretary in consultation with relevant NSW government agencies</p>
Council	City of Sydney
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning, Housing, and Infrastructure

Development	The development described in the EIS and Response to Submissions, including the works and activities comprising construction and operation of the medical research building, as modified by the conditions of this consent
DIP	Design Integrity Panel
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services
EIS	The Environmental Impact Statement titled <i>Environmental Impact Statement Sydney Biomedical Accelerator - University of Sydney SSD-55388456</i> , prepared by Urbis dated 31 October 2023, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
ENM	Excavated Natural Material
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
Evening	The period from 6pm to 10pm
Feasible	Means what is possible and practical in the circumstances
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage NSW	Heritage NSW, the NSW Department of Climate Change, Energy, the Environment and Water
Heritage Item	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes, or threatens to cause, material harm and which may or may not be, or cause, a non-compliance <i>Note: "material harm" is defined in this consent</i>
Independent Audit Post Approval Requirements	Independent Audit Post Approval Requirements 2020 (or other updated version as available on the Department's website)
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
EMP	Environmental Management Plan
Management and mitigation measures	The management and mitigation measures set out in Appendix B of the Response to Submissions.
Material harm	Is harm that: <ul style="list-style-type: none"> a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)

Note: For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements.

Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Monitoring	Any monitoring required under this consent must be undertaken in accordance with section 9.39 of the EP&A Act
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
Operation	The carrying out of the approved purpose of the development upon completion of construction.
PA	Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation, benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled “ <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> ” (DECCW)
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Response to submissions	The Applicant’s response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act
RFI1	<i>Response to Request for Information – Sydney Biomedical Accelerator (SSD-55388456)</i> prepared by Urbis dated 19 April 2024
RFI2	<i>Sydney Biomedical Accelerator – Consolidated RFI Response</i> prepared by Urbis dated 11 July 2024
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
Site	The land defined in Schedule 1
Site – Hospital land	Part Lot 1000 DP1159799
Site – University land	Part Lot 1 DP1171804
Site Auditor	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Report	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Statement	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Investigations	As outlined in Section 10.3 of the <i>Remediation Action Plan</i> prepared by Douglas Partners dated July 2023.
TfNSW	Transport for New South Wales
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Year	A period of 12 consecutive months

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

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

Terms of Consent

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

Architectural drawings and plans prepared by <i>Denton Corker Marshall</i>			
Dwg No.	Rev	Name of Plan	Date
A05_0000	DA3	SSDA – Site Plan	08/03/2024
A05_0001	DA3	SSDA – General Arrangement Plan Level B1	08/03/2024
A05_0011	DA3	SSDA – General Arrangement Plan – Level 01	08/03/2024
A05_0021	DA3	SSDA – General Arrangement Plan – Level 02	08/03/2024
A05_0031	DA3	SSDA – General Arrangement Plan – Level 03	08/03/2024
A05_0041	DA3	SSDA – General Arrangement Plan – Level 04	08/03/2024
A05_0051	DA3	SSDA – General Arrangement Plan – Level 05	08/03/2024
A05_0061	DA3	SSDA – General Arrangement Plan – Level 06	08/03/2024
A05_0071	DA3	SSDA – General Arrangement Plan – Level 07	08/03/2024
A05_0081	DA3	SSDA – General Arrangement Plan – Level 08	08/03/2024
A05_0091	DA3	SSDA – General Arrangement Plan – Level 09	08/03/2024
A05_0092	DA3	SSDA – General Arrangement Plan – Level 09 Mezzanine	08/03/2024
A05_0101	DA3	SSDA – General Arrangement Plan Roof	08/03/2024
A05_1101	DA5	SSDA – North and South Elevations	06/09/2024
A05_1102	DA5	SSDA – East and West Elevations	06/09/2024
A05_1201	DA4	SSDA – Sections	12/06/2024
A05_1103	DA1	SSDA – Gloucester House Bridge Link Details – Sheet 01	08/03/2024
A05_1104	DA1	SSDA – Gloucester House Bridge Link Details – Sheet 02	08/03/2024
A05_1301	DA2	SSDA – Exterior Finishes Schedule	23/07/2024
A05_1301	DA1	SSDA – Bulk Gas Tank Enclosure – Sheet 01	04/07/2024
A05_1302	DA1	SSDA – Bulk Gas Tank Enclosure – Sheet 02	04/07/2024
Landscape drawings prepared by <i>Arcadia</i>			
Dwg No.	Rev	Name of Plan	Date
LA-002	D1	Planting Schedule	15/03/2024
LA-101	D1	Landscape Masterplan	15/03/2024
LA-401	D1	Softworks Plan – Ground	15/03/2024

LA-402	D1	Softworks Plan – Ground	15/03/2024
LA-403	D2	Softworks Plan – Ground	08/03/2024
LA-412	D1	Softworks Plan – Level 04	15/03/2024
LA-413	D1	Softworks Plan – Level 04	15/03/2024
LA-411	D1	Softworks Plan – Level 04	15/03/2024
LA-421	D1	Softworks Plan – Level 05	15/03/2024
LA-431	D1	Softworks Plan – Level 06	15/03/2024
LA-441	D1	Softworks Plan – Level 07	15/03/2024
LA-451	D1	Softworks Plan – Level 08	15/03/2024
LA-501	D1	Landscape Sections	15/03/2024
LA-502	D1	Landscape Sections	15/03/2024
LA-503	D1	Landscape Sections	15/03/2024
LA-504	D1	Landscape Sections	15/03/2024
LA-600	D1	Details – Softworks	15/03/2024
LA-601	D1	Details – Paving and Walls	15/03/2024

- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary;
 - (b) any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and
 - (c) 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.

Design Excellence and Integrity

- A6. 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 Design Integrity Panel (DIP). The Design Integrity Report must include a summary of feedback provided by the DIP and responses by the Applicant to this advice.
- A7. Any future 4.55(1A) modification applications must be accompanied by a Design Integrity Report.
- A8. The design architect Denton Corker Marshall must have direct ongoing involvement in the design documentation and construction stages of the project.
- A9. The design architect must not to be changed without the approval of the Planning Secretary.

Prescribed Conditions

- A10. The Applicant must comply with all relevant conditions of development consent under Part 4, Division 2 of the EP&A Regulation.

Planning Secretary as Moderator

A11. 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.

Evidence of Consultation

- A12. 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

- A13. The project may be constructed and operated in stages. Where compliance with conditions is required to be staged due to staged construction or operation, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the Planning Secretary for approval. The Staging Report must be submitted to the Planning Secretary no later than one month before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation).
- A14. A Staging Report prepared in accordance with condition A13 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.
- A15. Where a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.
- A16. 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

- A17. The Applicant may:
- (a) prepare and submit any strategy, plan (including management 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) or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan (including management plan) or program);

- (b) combine any strategy, plan (including management plan), or program required by this consent (if a clear relationship is demonstrated between the strategies, plans (including management plan) or programs that are proposed to be combined); and
 - (c) update any strategy, plan (including management plan), or program required by this consent (to ensure the strategies, plans (including management 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).
- A18. Any strategy, plan or program prepared in accordance with condition A17, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary.
- A19. If the Planning Secretary agrees, a strategy, plan (including management 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.
- A20. Updated strategies, plans (including management 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

- A21. 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

- A22. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

Applicability of Guidelines

- A23. 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.
- A24. 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

- A25. 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

- A26. 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

A27. 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

A28. 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.

A29. Subsequent notification must be given and reports submitted in accordance with the requirements set out in **Appendix 2**.

Non-Compliance Notification

A30. The Planning Secretary must be notified through the major projects portal within seven days after the Applicant becomes aware of any non-compliance.

A31. 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.

A32. 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

A33. Within three months of:

- (a) the submission of an incident report under condition A29;
- (b) the submission of an Independent Audit under condition C44;
- (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 Planning Secretary and the Certifier must be notified in writing that a review is being carried out.

A34. 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.

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

Certified Drawings

- B3. Prior to the commencement of construction, the Applicant must submit to the Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with this development consent.

Materials, Finishes External Walls and Cladding

- B4. Prior to the commencement of construction of the building façade works, 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 seven days after the Certifier accepts it.

Design Excellence and Integrity

- B5. Prior to the commencement of construction of the building façade works, the Applicant must demonstrate to the Certifier that the DIP has endorsed that the final design and material of the sun shading fins is consistent with the design competition winning scheme.
- B6. Prior to the commencement of construction of building façade works, the Applicant must provide evidence to the Certifier that the DIP has endorsed the final materials and finishes of the façade, including architectural drawings, samples of all external façade materials and any revised 3D photomontages, as being consistent with the approved design.

Design Matters

- B7. Prior to the commencement of above ground works, a Road Safety Audit (RSA) for access arrangements to the loading dock should be undertaken by a TfNSW accredited road safety auditor. Where safety issues are identified in the RSA, these are to be addressed by updating the detailed design drawings or by incorporating management measures within the Loading Dock Management Plan required by condition D31.

Public Art

- B8. Prior to the commencement of above ground building works, the Applicant must prepare and submit to Council a Detailed Public Art Plan.

Signage

- B9. Prior to the commencement of the installation of signage within the signage zones, the Applicant must submit signage plans and details of the signage to confirm that it comprises of building identification signage only to the Planning Secretary for approval.

Pre-Construction Dilapidation Report – Protection of Public Infrastructure

- B10. Prior to the commencement of construction, the Applicant must:
 - (a) consult with the relevant owner and provider of services and infrastructure that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
 - (b) prepare a Pre-Construction Dilapidation Report 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 within 48 hours when requested.

Pre-Construction Survey – Adjoining and Adjacent Properties

- B11. Prior to the commencement of construction, the Applicant must offer a pre-construction survey to owners of heritage listed buildings and adjacent properties that are likely to be impacted by the development.
- B12. Where the offer for a pre-construction survey is accepted (as required by condition B11), 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.
- B13. Prior to the commencement of any vibration generating works that could impact on the buildings surveyed as required by condition B12, 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 48 hours when requested.

Archaeological Investigations

- B14. Prior to commencement of construction – Hospital Land, the further archaeological investigations fieldwork undertaken on this part of the site must have been completed. Evidence of the outcomes must be provided to Heritage NSW in accordance with S140-5303 permit.

Ecologically Sustainable Development

- B15. Prior to the commencement of construction, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate that ESD is being achieved by either:
- (a) registering for a minimum 5 star Green Star Buildings rating with the Green Building Council Australia and submit evidence of registration to the Certifier; or
 - (b) seeking approval from the Planning Secretary for an alternative certification process.

Outdoor Lighting

- B16. Prior to commencement of lighting and signage 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

- B17. Prior to the commencement of demolition, 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.

Environmental Management Plan Requirements

- B18. 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

- B19. Prior to the commencement of construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier and publish a copy of the CEMP on the Applicant's website in accordance with condition A26 (Access to Information). The CEMP must include, but not be limited to, the following:
- (a) Details of:
 - (i) hours of work;
 - (ii) 24-hour contact details of site manager;
 - (iii) heritage induction for staff;
 - (iv) management of dust and odour to protect the amenity of the neighbourhood;
 - (v) stormwater control and discharge;
 - (vi) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
 - (vii) groundwater management plan including measures to prevent groundwater contamination;
 - (viii) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;
 - (ix) community consultation and complaints handling;
 - (b) Construction Traffic and Pedestrian Management Sub-Plan (see condition B20);
 - (c) Construction Noise and Vibration Management Sub-Plan (see condition B21);
 - (d) Construction Waste Management Sub-Plan (see condition B22);
 - (e) Construction Flood Emergency Management Plan (see condition B23);
- B20. 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:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) 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) cumulative impacts from the Royal Prince Alfred Hospital Redevelopment and how they would be managed;
 - (iii) measures to ensure the safety of vehicles and pedestrians accessing adjoining properties where shared vehicle and pedestrian access occurs;
 - (iv) heavy vehicle routes, access and parking arrangements;
 - (v) 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
 - (vi) 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).
- B21. 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), including correction of noise management levels to 57dB(A) $L_{eq(15min)}$ for St Andrews College and 59dB(A) $L_{eq(15min)}$ for Wesley College and identification of noise management levels for works outside of standard construction hours pursuant to this guideline for all sensitive receivers.

- (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 B21(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 B18.
- B22. The Construction Waste Management Sub-Plan (CWMSP) 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.
- B23. 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*;
 - (c) include details of:
 - (i) the flood emergency responses for construction phases of the development;
 - (ii) predicted flood levels;
 - (iii) flood warning time and flood notification;
 - (iv) assembly points and evacuation routes;
 - (v) evacuation and refuge protocols; and
 - (vi) awareness training for employees and contractors, and users/visitors.
- B24. 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

- B25. Prior to the commencement of construction, the Applicant must provide sufficient parking facilities on campus, including for heavy vehicles, to ensure that construction traffic associated with the development does not utilise public and residential streets or public parking facilities.
- B26. 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 A34. This condition cannot be staged.
- B27. Prior to the commencement of construction, the Applicant must provide sufficient temporary bicycle parking facilities in the vicinity of the site, equivalent in number to those recently

removed adjacent to the Susan Wakil Health Building, for the duration of the construction works until bicycle parking forming part of the development is operational.

Soil and Water

- B28. Prior to the commencement of construction, the Applicant must:
- (a) install erosion and sediment controls on the site to manage wet weather events; and
 - (b) divert existing clean surface water around operational areas of the site.
- B29. Prior to the commencement of construction, erosion and sediment controls must be installed and maintained, as a minimum, in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4th edition, Landcom 2004) commonly referred to as the 'Blue Book'.
- B30. Prior to the commencement of construction, the Applicant describe the measures that must be implemented during construction to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI.

Flood Management

- B31. Prior to the commencement of construction, the Applicant must provide evidence from a suitably qualified civil or structural engineer to the Certifier confirming that:
- (a) all habitable floor levels are no lower than the 1% Annual Exceedance Probability (AEP) flood plus 500mm of freeboard and that the essential plant is above this level, except where there is any inconsistency with flood planning levels outlined in the *Sydney Biomedical Accelerator SSD, Flood Assessment*, prepared by GRC Hydro, dated 18 March 2024 and *Sydney Biomedical Accelerator SSD – Reply to BCS advice*, prepared by GRC Hydro, dated 16 May 2024, which prevail;
 - (b) any structures below the PMF will be constructed from flood compatible building components having regard to the hydrodynamic forces from moving flow and the hydrostatic forces applied by still-water during any period of flood inundation and/or submerging events;
 - (c) the structural integrity of the building has been designed to ensure safe and secure shelter-in-place of vulnerable persons, both during the PMF flood event and after the PMF flood event until flood waters have receded and it is safe to leave the building; and
 - (d) building has been designed so that the part of the building that will be used for egress by those sheltering in place during a PMF event (or other submerging events) will be safe to be used for this purpose after the flood waters recede from the PMF event (or other submerging events).

Operational Noise – Design of Mechanical Plant and Equipment

- B32. Prior to installation of mechanical plant and equipment:
- (a) a detailed assessment of mechanical plant and equipment with compliance with the project noise trigger levels as identified in the *Noise and Vibration Impact Assessment* dated 28 August 2023 and prepared by Acoustic Logic 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 noise trigger levels as identified in the *Noise and Vibration Impact Assessment* dated 28 August 2023 and prepared by Acoustic Logic.

Aboriginal Heritage

- B33. Prior to the commencement of construction, the Applicant must consult with Registered Aboriginal Parties to determine specific requirements and management measures to be used on site during construction, including protection of any objects or items in perpetuity.
- B34. Prior to commencement of construction, workers must receive information on Aboriginal cultural heritage management requirements as part of the induction process. Records of these inductions must be documented and provided to the Certifier.

Landscaping

- B35. Prior to the commencement of landscaping works, the Applicant must prepare a revised Landscape Plan to manage the revegetation and landscaping works on-site, including replacing the *Doryphora sassafras* (Golden Sassafras) with a species identified on Council's tree species list, and provide it to the Certifier. The plan must:
- (a) provide for the planting of 15 trees;
 - (b) detail the location, species, maturity and height at maturity of plants to be planted on-site;
 - (c) include species (trees, shrubs and groundcovers) indigenous to the local area;
 - (d) include minimum soil depths for planting on structure of 1000mm for trees, 450mm for shrubs and 200mm for groundcovers, excluding mulch and drainage layer;
 - (e) include the planting of trees with a pot container of 100 litres or greater; and
 - (f) ensure the spacing of Western Avenue trees has been reviewed by a qualified Arborist confirming that the spacing of the trees would allow trees to achieve a full canopy at maturity.

Tree Protection

- B36. Prior to the commencement of construction, an Arboricultural Impact Assessment Report and Tree Protection Specification must be prepared by a suitably qualified professional, for the final design drawings for construction. The report must be submitted to the Certifier and incorporate:
- (a) generally the recommendations outlined in *Arboricultural Impact Assessment Report*, prepared by Martin Peacock Tree Care, dated 28 July 2023 and construction methodology outlined in *Arboricultural Impact Assessment Report (Addendum A)* prepared by Martin Peacock Tree Care, dated 19 March 2024;
 - (b) a detailed specification for tree sensitive construction methods to be utilised to minimise the impact of the works upon the trees, particularly Tree 54; and
 - (c) final Pruning Specification Plan.

Construction and Demolition Waste Management

- B37. Prior to the commencement of the removal of any waste material from the site, the Applicant must notify the TfNSW Traffic Management Centre of the truck route(s) to be followed by trucks transporting waste material from the site.

Operational Waste Storage and Processing

- B38. Prior to the commencement of construction of waste storage and processing areas, the Applicant must obtain agreement from Council for the design of the operational waste storage area (where waste removal will be undertaken by Council). Where waste removal will be undertaken by a third party, evidence must be provided to the Certifier that the design of the operational waste storage area:
- (a) is constructed using solid non-combustible materials;
 - (b) is designed to ensure the door/gate to the waste storage area is vermin proof and can be openable from both inside and outside the storage area at all times;
 - (c) includes a hot and cold water supply with a hose through a centralised mixing valve;
 - (d) is naturally ventilated or an air handling exhaust system must be in place; and
 - (e) includes signage to clearly describe the types of materials that can be deposited into recycling bins and general garbage bins.

Operational Access, Car Parking and Service Vehicle Arrangements

- B39. Prior to the commencement of construction of access to parking and servicing facilities, evidence that 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, complies with the latest version of AS 2890.2 must be submitted to the Certifier.

Helipad Operations

- B40. If the existing Royal Prince Alfred Hospital (RPAH) helipad has not been decommissioned, prior to the commencement of any rooftop works, a suitably qualified and experienced aviation professional is to confirm in a report that any rooftop structures (including but not limited to flues, lift overruns, mechanical plant etc.) would not alter the flight paths to the existing Royal Prince Alfred Hospital helipad and that any impacts on aviation safety will be adequately managed. If flight paths are required to be altered, the report must identify the alternate flights paths.

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 B17.

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 7 am and 6pm, Mondays to Fridays inclusive; and
 - (b) between 8am and 1pm, Saturdays.
- No work may be carried out on Sundays or public holidays.
- C5. Construction activities may be undertaken outside of the hours in condition C4 if required:
- (a) by the Police or a public authority for the delivery of vehicles, plant or materials; or
 - (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or
 - (c) where the works are inaudible at the nearest sensitive receivers; or
 - (d) for the delivery, set-up and removal of construction cranes, where notice of the crane-related works is provided to the Planning Secretary and affected residents at least seven days prior to the works; or
 - (e) where a variation is approved in advance in writing by the Planning Secretary or her nominee if appropriate justification is provided for the works.
- C6. Notification of such construction activities as referenced in condition C5 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- C7. 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

- C8. The Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP (including Sub-Plans).

Construction Traffic

- C9. All construction 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

- C10. The following hoarding requirements must be complied with:
- (a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing; and
 - (b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.

No Obstruction of Public Way

- C11. 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

- C12. The development must be constructed to achieve the construction noise management levels detailed in the *Interim Construction Noise Guideline* (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan.
- C13. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential colleges outside of the construction hours of work outlined under condition C4.
- C14. 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

- C15. 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).
- C16. 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 C15.
- C17. The limits in conditions C15 and C16 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B21 of this consent.

Tree Protection

- C18. 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 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 the relevant Council specifications;
- (c) all trees on the site that are not approved for removal, particularly Tree T54, must be suitably protected during construction as per the recommendations of the *Arboricultural Impact Assessment Report* prepared by Martin Peacock Tree Care, dated 28 July 2023 and *Arboricultural Impact Assessment Report (Addendum A)* prepared by Martin Peacock Tree Care, dated 19 March 2024; 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

- C19. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- C20. 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.

Soil and Water

- C21. All erosion and sediment control measures must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment. Erosion and sediment control techniques, as a minimum, are to be in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4th edition, Landcom, 2004) commonly referred to as the 'Blue Book'.

Imported Fill

- C22. 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

- C23. Adequate provisions must be made to collect and discharge stormwater drainage during construction. The prior written approval of Council (where required) must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.

Emergency Management

- C24. 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

- C25. Within three months of the commencement of construction, the Applicant must design an operational stormwater management system for the development and submit it to the Certifier for approval. The system must:
- (a) be designed by a suitably qualified and experienced person(s);
 - (b) be generally in accordance with the conceptual design in the RtS;
 - (c) be in accordance with applicable Australian Standards; and
 - (d) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines.

Aboriginal Cultural Heritage

- C26. Construction must be undertaken in accordance with the recommendations of the *Aboriginal Cultural Heritage Assessment* prepared by Biosis dated 1 July 2024, including the unexpected finds procedure and procedure for the discovery of humans remains in the Aboriginal Cultural Heritage Management Plan (ACHMP) developed by Extent Heritage Pty Ltd (2018) for the Campus Improvement Program (CIP) (Extent Heritage Pty Ltd 2018).

Heritage

- C27. Works related to heritage significant Gloucester House must be undertaken by appropriately qualified tradespersons (as appropriate) who are skilled in traditional building and engineering trades.

Unexpected Finds Protocol – Historic Heritage

- C28. 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

- C29. 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.
- C30. All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- C31. 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.
- C32. 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.
- C33. 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

- C34. 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.

Site Contamination

- C35. 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 the *Remediation Action Plan* prepared by Douglas Partners dated July 2023.
- C36. The unexpected finds procedure within the *Remediation Action Plan* prepared by Douglas Partners dated July 2023 must be updated following results of further site investigations undertaken in accordance with condition C35 and implemented throughout duration of project work.
- C37. If, based on further site investigations undertaken in accordance with condition C34, it is determined that additional remediation works are required or ongoing on-site management of soil or groundwater contamination is required, 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.
- C38. Remediation of the site must be carried out in accordance with the *Remediation Action Plan* prepared by Douglas Partners dated July 2023 and any variations to the *Remediation Action Plan* approved by an NSW EPA-accredited Site Auditor.
- C39. 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).
- C40. 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

- C41. Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements.
- C42. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.
- C43. 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.
- C44. 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 C41 of this consent, or condition C43 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 agree by the Planning Secretary.
- C45. 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.

- C46. 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.

Design Matters

- D4. Prior to the commencement of operation, a revised 3D electronic model must be prepared resolving any inconsistencies with the design illustrated in the plans and the former model and submitted to Council's Model Team. The electronic model must be constructed in accordance with the City's 3D CAD electronic model specification.
- D5. Prior to the commencement of operation, an accurate 1:500 scale model of the development as constructed must be submitted to Council's Model Team.

Public Art

- D6. Prior to occupation of the building, the Applicant must prepare and submit to Council a Final Public Art Report, including photos of the installed artwork(s), as built drawings and ongoing ownership details and maintenance information.

Works as Executed Plans

- D7. 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

- D8. 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

- D9. Prior to the commencement of operation, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed outdoor 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

- D10. 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

- D11. 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 B32 have been incorporated into the design of mechanical plant and equipment to ensure the development will not exceed the project noise trigger levels identified in the *Noise and Vibration Impact Assessment* dated 28 August 2023 and prepared by Acoustic Logic.

Fire Safety Certification

- D12. Prior to occupation of the building, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.

Emergency Response

- D13. Prior to occupation of the building, an Emergency Plan is developed for the site in accordance with *Hazardous Industry Planning Advisory Paper No 1 - Emergency Planning* (Planning, 2011).
- D14. Prior to occupation of the building, an Emergency Services Information Package be prepared in accordance with *Fire safety guideline – Emergency services information package and tactical fire plans* (Fire and Rescue, 2019).

Structural Inspection Certificate

- D15. Prior to 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. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the Planning Secretary and the Council after:
- (a) the site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and
 - (b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

Post-construction Dilapidation Report – Protection of Public Infrastructure

- D16. 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 B10 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

- D17. 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

- D18. 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

- D19. Where a pre-construction survey has been undertaken in accordance with condition B12, 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 B12;
 - (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.
- D20. 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.

Bicycle Parking and End-of-Trip Facilities

- D21. Prior to the commencement of operation, or other timeframe agreed in writing by the Planning Secretary, 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 137 staff and 94 visitor/student bicycle parking spaces;
 - (b) the provision of a minimum 203 lockers and 21 showers;
 - (c) the layout, design and security of bicycle facilities must comply with the minimum requirements of the latest version of AS 2890.3:2015 *Parking facilities - Bicycle parking*, and be located in easy to access, well-lit areas that incorporate passive surveillance;
 - (d) the provision of end-of-trip facilities for staff; and
 - (e) 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.

Helipad Operations

- D22. If condition B40 identifies that the flight paths to the existing RPA hospital helipad are required to be altered, the Applicant must provide evidence to the Certifier that new flight paths have been established 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, and a Visual Flight Rules (VFR) Approach and Departure Paths survey of the new flight paths has been provided to the Planning Secretary and Council for information prior to the commencement of operations or timing as otherwise agreed by the Planning Secretary.

Easements

- D23. Prior to occupation of the building, a registered easement under section 88A or 88B of the *Conveyancing Act 1919* must be obtained, which can only be revoked, varied or modified with the consent of the Planning Secretary, and which provides for right of way over private roads connecting the site to Missenden Road registered on title of Lot 1000 DP115979.

Utilities and Services

- D24. 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

- D25. 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

- 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.

Operational Waste Management Plan

- D27. 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 RtS.

Site Contamination

- D28. If, based on further site investigations undertaken in accordance with condition C35, it is determined that additional remediation works are required or ongoing on-site management of soil or groundwater contamination is required, then the following requirements must be satisfied:
- (a) the Applicant must engage a NSW EPA-accredited Site Auditor to confirm the appropriateness of the site for the proposed use. The Applicant must obtain from a NSW EPA-accredited Site Auditor a Section A2 Site Audit Statement accompanied by an Environmental Management Plan, if ongoing on-site management of soil or groundwater contamination is required, prepared by a certified consultant and submit it to the Planning Secretary and relevant Council for information no later than one month before the commencement of operation.
 - (b) the development must not be used for the purpose approved under the terms of this consent until a Site Audit Statement determines the land is suitable for that purpose and any conditions on the Site Audit Statement have been complied with.
 - (c) where ongoing on-site management of soil or groundwater contamination is required, prior to commencement of operation a covenant must be registered on the title of the land binding the owners and future owners to be responsible for ongoing maintenance and any future rehabilitation works required in terms of the encapsulated/remaining contaminated materials, including the discharge or prevention of discharge from any contaminants or for any works subsequently required by the NSW Environment Protection Authority. A copy of the revised certificate of land title must be submitted to Council and the Certifier prior to commencement of operation.

Landscaping

- D29. Prior to the commencement of operation, landscaping of the site must be completed in accordance with landscape plan(s) required under condition B35.
- D30. 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:

- (a) describe the ongoing monitoring and maintenance measures to manage revegetation and landscaping; and
- (b) be consistent with the Applicant's Management and Mitigation Measures in the RtS.

Loading Dock Management Plan

D31. Prior to commencement of operation, a Loading Dock Management Plan must be prepared and submitted to the Planning Secretary for approval. The plan must outline procedures for the management of deliveries and pick-ups within the new consolidated loading dock on Cadigal Lane, including provision for advance bookings, access hours restricted to between 6am and 10pm and details of how traffic circulation conflicts within the loading dock, driveway and access road will be managed. This Plan must ensure that any potential traffic and pedestrian safety impacts associated with the loading dock operation identified by the RSA required by condition B7 are mitigated.

Operational Flood Emergency Management Plan

D32. Prior the commencement of the operation, a Flood Emergency Management Plan (FEMP) must be submitted to the Certifier that:

- (a) is prepared by a suitably qualified and experienced person(s);
- (b) incorporates the flood emergency management measures outlined in *Sydney Biomedical Accelerator SSD - EMP*, prepared by GRC Hyrdo, dated 18 March 2024 and *Sydney Biomedical Accelerator SSD – Reply to BCS advice*, prepared by GRC Hydro, dated 16 May 2024.
- (c) addresses the provisions of the *Floodplain Risk Management Guidelines*;
- (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, particularly for vulnerable people (including persons with a disability and children); and
- (e) awareness training for employees and contractors, and visitors.

Green Travel Plan

D33. Prior to commencement of operation, 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) section in the *Traffic Impact Assessment*, prepared by SCT Consulting, dated 19 October 2023 or the University's revised Sustainable Transport Access Management Plan (STAMP), whichever is the later.

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.

Loading Dock Management Plan

- E3. The Applicant must implement the Loading Dock Management Plan approved under condition D31.

Operational Flood Emergency Management Plan

- E4. The FEMP required by condition D32 must be implemented for the development at all times and must be reviewed annually.

Environmental Management Plan

- E5. Upon completion of remediation works, where ongoing on-site management of soil or groundwater contamination is required, the Applicant must manage the site in accordance with the Environmental Management Plan approved by the Site Auditor (if any) under condition D28 and any on-going maintenance of remediation notice issued by EPA under *the Contaminated Land Management Act 1997*.

Operational Noise Limits

- E6. The Applicant must ensure that noise generated by operation of the development does not exceed the project noise trigger levels as identified in the *Noise and Vibration Impact Assessment* dated 28 August 2023 and prepared by Acoustic Logic.
- E7. 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 project noise trigger levels as identified in the Noise and Vibration Impact Assessment dated 28 August 2023 and prepared by Acoustic Logic. Should the noise monitoring program identify any exceedance of the project noise trigger levels referred to above, the Applicant is required to implement appropriate noise attenuation measures so that operational noise levels do not exceed the project noise trigger levels or provide attenuation measures at the affected noise sensitive receivers.

Unobstructed Driveways and Parking Areas

- E8. All public 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.

Ecologically Sustainable Development

- E9. Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 5 star Green Star Buildings Design & As Built rating. If required to be obtained, evidence of the certification must be provided to the Certifier and the Planning Secretary. If an alternative certification process has been agreed to by the Planning Secretary under condition B15, evidence of compliance of implementation must be provided to the Planning Secretary and Certifier.

Outdoor Lighting

- E10. Notwithstanding condition D9, 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

- E11. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition D30 for the duration of occupation of the development.

Hazards and Risk

- E12. 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.
- E13. In the event of an inconsistency between the requirements of condition E12(a) and E12(b), the most stringent requirement must prevail to the extent of the inconsistency.

Discharge Limits

- E14. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters.

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 Occupancy Licence

AN7. 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

AN8. 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

AN9. The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

Handling of Asbestos

AN10. 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

AN11. 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 A28 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.