

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 and Infrastructure Assessments

Sydney

24 May 2024

SCHEDULE 1

Application Number:	SSD-56989722
Applicant:	Health Administration Corporation
Consent Authority:	Minister for Planning and Public Spaces
Site:	Princes Highway, Moruya (Lot 2 DP 1281576, Lot 69 DP 752151, Part of Albert Street (Road Reserve))
Development:	Construction and operation of a new hospital, including: <ul style="list-style-type: none">• a three storey building with four wings and rooftop plant.• internal road network with access to Princes Highway.• secondary (controlled) road access from Caswell Street.• at-grade car parking, loading dock and ambulance bay.• bicycle parking and end-of-trip facilities.• hard and soft landscaping.• tree removal and bulk earthworks.

DEFINITIONS

Aboriginal object	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
Aboriginal place	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
Accredited Certifier	Means the holder of accreditation as an accredited certifier under the <i>Building Professionals Act 2005</i> acting in relation to matters to which the accreditation applies.
Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Health Administration Corporation or any other person carrying out any development to which this consent applies
Approved disturbance area	The area identified as such on the development layout
Archaeological Salvage	A program of salvage excavation/s to recover information and/or objects from identified archaeological sites
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
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
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 bulk 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; • Archaeological Salvage; • establishing temporary site offices (in locations identified by the conditions of this consent); • installation of environmental impact mitigation measures, fencing, enabling works; and • minor adjustments to services or utilities <p>However, where heritage items, or threatened species or threatened ecological communities (within the meaning of the <i>Biodiversity Conservation Act 2016</i> or <i>Environment Protection and Biodiversity Conservation Act 1999</i>) are affected or potentially affected by any physical work, that work is construction, unless otherwise determined by the Planning Secretary in consultation with relevant NSW government agencies</p>
Council	Eurobodalla Shire Council
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, Response to Submissions, Supplementary Response to Submissions and Amendment Report, including the works and activities comprising construction and operation, as modified by the conditions of this consent
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services
EIS	The Environmental Impact Statement titled Environmental Impact Statement (2210065), prepared by Ethos Urban and dated 17 July 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 ' <i>Appendix V - Amended Mitigation Measures</i> ', prepared by Ethos Urban and dated 27 February 2024.
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
NSW RFS	New South Wales Rural Fire Service
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
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
Supplementary Response to Submissions	Additional information provided by the Applicant including ' <i>Response to Request for Additional Information</i> ', prepared by Ethos Urban and dated 7 March 2024, and ' <i>Response to Request for Information</i> ', prepared by Ethos Urban and dated 3 May 2024.
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, Response to Submissions, Supplementary Response to Submissions and Amended Application; and
 - (d) in accordance with the approved plans in the table below:

Architectural drawings prepared by Conrad Gargett			
Dwg No.	Rev	Name of Plan	Date
ERH-ACG-AR-DWG-DA00PW11	6	LOCALITY PLAN – PROPOSED	24.11.2023
ERH-ACG-AR-DWG-DA10PW10	7	OVERALL PROPOSED	30.11.2023
ERH-ACG-AR-DWG-DA11PW02	7	PROPOSED SITE PLAN	30.11.2023
ERH-ACG-AR-DWG-ECI-DA20LG00	6	LOWER GROUND FLOOR GENERAL ARRANGEMENT PLAN	24.11.2023
ERH-ACG-AR-DWG-ECI-DA20GF00	6	GROUND FLOOR GENERAL ARRANGEMENT PLAN	24.11.2023
ERH-ACG-AR-DWG-ECI-DA20L100	7	LEVEL 01 GENERAL ARRANGEMENT PLAN	24.11.2023
ERH-ACG-AR-DWG-ECI-DA20L200	5	LEVEL 2 PLANT GENERAL ARRANGEMENT PLAN	24.11.2023
ERH-ACG-AR-DWG-ECI-DA20RF00	5	ROOF LEVEL GENERAL ARRANGEMENT PLAN	24.11.2023
ERH-ACG-AR-DWG-ECI-DA11PW21	5	SITE SECTIONS	24.11.2023
ERH-ACG-AR-DWG-ECI-DA30PW01	5	EXTERNAL ELEVATIONS	24.11.2023
ERH-ACG-AR-DWG-ECI-DA30PW02	5	EXTERNAL ELEVATIONS	24.11.2023
ERH-ACG-AR-DWG-ECI-DA32PW01	6	BUILDING SECTIONS	24.11.2023

ERH-ACG-AR-DWG-ECI-DA32PW02	6	BUILDING SECTIONS	24.11.2023
ERH-ACG-AR-DWG-ECI-DA35PW01	5	EXTERNAL SIGN TYPES	24.11.2023
Landscaping plans prepared by <i>Black Beetle</i>			
Dwg No.	Rev	Name of Plan	Date
ERH-BB-LA-DWG-DA-003	02	LEGEND AND GENERAL NOTES	13.11.23
ERH-BB-LA-DWG-DA-004	02	PLANT SCHEDULE	13.11.23
ERH-BB-LA-DWG-DA-005	02	LANDSCAPE MASTERPLAN	10.11.23
ERH-BB-LA-DWG-DA-006	02	TREE REMOVAL PLAN	13.11.23
ERH-BB-LA-DWG-DA-007	02	BUSHFIRE ASSET PROTECTION ZONE	15.02.24
ERH-BB-LA-DWG-DA-101	02	LANDSCAPE PLAN SHEET 01	13.11.23
ERH-BB-LA-DWG-DA-102	02	LANDSCAPE PLAN SHEET 02	13.11.23
ERH-BB-LA-DWG-DA-103	02	LANDSCAPE PLAN SHEET 03	13.11.23
ERH-BB-LA-DWG-DA-104	02	LANDSCAPE PLAN SHEET 04	13.10.23
ERH-BB-LA-DWG-DA-105	02	LANDSCAPE PLAN SHEET 05	13.11.23
ERH-BB-LA-DWG-DA-106	02	GENERAL ARRANGEMENT PLAN SHEET 06	13.11.23
ERH-BB-LA-DWG-DA-107	02	LANDSCAPE PLAN SHEET 07	13.11.23
ERH-BB-LA-DWG-DA-108	03	LANDSCAPE PLAN SHEET 08	27.11.23
ERH-BB-LA-DWG-DA-109	02	LANDSCAPE PLAN SHEET 09	13.11.23
ERH-BB-LA-DWG-DA-110	02	LANDSCAPE PLAN SHEET 10	13.11.23
ERH-BB-LA-DWG-DA-111	02	LANDSCAPE PLAN SHEET 11	13.11.23
ERH-BB-LA-DWG-DA-112	02	LANDSCAPE PLAN SHEET 12	13.11.23
ERH-BB-LA-DWG-DA-113	02	LANDSCAPE PLAN SHEET 13	13.11.23
ERH-BB-LA-DWG-DA-114	02	LANDSCAPE PLAN SHEET 14	13.11.23
ERH-BB-LA-DWG-DA-115	02	LANDSCAPE PLAN SHEET 15	13.11.23
ERH-BB-LA-DWG-DA-116	03	LANDSCAPE PLAN SHEET 16	17.11.23

ERH-BB-LA-DWG-DA-117	03	LANDSCAPE PLAN SHEET 17	17.11.23
ERH-BB-LA-DWG-DA-118	02	LANDSCAPE PLAN SHEET 18	13.11.23

- 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) or plan listed in A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or plan listed in A2(d), the most recent approved 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.
- A6. This consent does not approve the helipad shown on the architectural drawings and landscape plans. Separate approval(s) must be obtained from the relevant authority for the helipad (where required).

Prescribed Conditions

- A7. The Applicant must comply with all relevant conditions of development consent under Part 4, Division 2, Subdivision 1 of the EP&A Regulation.

Planning Secretary as Moderator

- A8. 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

- A9. 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

- A10. 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 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 (or if only staged operation is proposed, 14 days before the commencement of operation of the first of the proposed stages of operation).

- A11. A Staging Report prepared in accordance with condition A10 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.
- A12. Where a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Certifier.
- A13. 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

- A14. 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), 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).
- A15. Any strategy, plan or program prepared in accordance with condition A14, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary.
- A16. 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.
- A17. 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

- A18. 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

A19. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

Design and Construction for Bush Fire

A20. New construction must comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas or NASH National Standard Steel Framed Construction in Bushfire Areas (as updated) as appropriate.

A21. The project must comply with the relevant sections of Planning for Bush Fire Protection (2019) including, but not limited to:

- (a) Chapter 6 – Special Fire Protection Purpose Developments (where relevant);
- (b) Asset Protection Zones (APZs) and building construction (Table 6.8a);
- (c) Safe operational access for emergency services personnel (Table 6.8b); and
- (d) Water, electricity and gas (Table 6.8c).

Applicability of Guidelines

A22. 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.

A23. 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

A24. 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

A25. 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 or 12 months after compliance with all conditions (whichever is later).

Compliance

A26. 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

A27. 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.

A28. Subsequent notification must be given and reports submitted in accordance with the requirements set out in **Appendix 2**.

Non-Compliance Notification

A29. 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.

A30. 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.

A31. 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

A32. Within three months of:

- (a) the submission of an incident report under condition A28;
- (b) the submission of an Independent Audit under condition C38 or C40;
- (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.

A33. 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.

Aboriginal Heritage

A34. All reasonable steps must be taken to avoid harm, impacts or modifications to Aboriginal objects except as authorised by this consent.

A35. The Registered Aboriginal Parties must be consulted about the Aboriginal cultural heritage management requirements 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 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.

Detailed Design

- B3. Prior to the commencement of construction (excluding earthworks, civil works, and drainage, service installation and structure), amended architectural and landscape plans must be submitted to and approval obtained from the Planning Secretary. The amended plans must be prepared in consultation with the Government Architect NSW, and must include details of measures to:
 - (a) improve the pedestrian environment in the vicinity of the main hospital entry, and to the connection between the entry and the Meeting Place (and its landscaped knoll). Provide the following, led by landscape design:
 - (i) a direct axial connection between the entry and Meeting Place/knoll that is generous, welcoming and prioritises pedestrian movement for its entirety;
 - (ii) ensure the 'island' between the entry and the Meeting Place has a primary function of pedestrian movement in lieu of car parking to support this key pedestrian route;
 - (b) improve façade articulation of all façades and reduce the quantum of single-material tone by increasing tonal differences across all façades;
 - (c) ensure the Walawaani façades are distinctive from the external elevations and provide tighter-spaced groupings of material tones adjacent to the entry/east-west link;
 - (d) ensure the façades at the end elevations of all buildings are of commensurate design quality to the northern and southern façades;
 - (e) reduce the visual bulk of the rooftop plant enclosures through the following strategies:
 - (i) move the enclosures inward from the façade line to establish plane separation from the built form below;
 - (ii) revise the roof height and pitch;
 - (iii) use arrangements of different materials and finishes to 'break down' the visual bulk, including treatments to the corners and walls at the ends of the enclosures;
 - (f) ensure the balustrade at the east-west roof link roof has minimal visual impact, when viewed from the ground plane;
 - (g) reduce the visual prominence of the rooftop water tanks, including relocating water tanks away from the south-eastern roof;
 - (h) provide trees to the southern carpark (adjacent to the southern building), commensurate with the northern carpark; and
 - (i) ensure the site-wide tree canopy cover is equal to or greater than that provided in the EIS proposal.
 - (j) ensure the site of the previously proposed helipad is commensurately landscaped.

Certified Drawings

- B4. Prior to the commencement of construction of the relevant stage, 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

- B5. 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 seven days after the Certifier accepts it.

Pre-Construction Dilapidation Report – Protection of Public Infrastructure

- B6. 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 within 48 hours when requested.

Pre-Construction Survey – Adjoining Properties

- B7. Prior to the commencement of any construction, the Applicant must offer a pre-construction survey to owners of residential buildings that are likely to be impacted by the development.
- B8. Where the offer for a pre-construction survey is accepted (as required by condition B7), 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.
- B9. Prior to the commencement of any vibration generating works that could impact on the buildings surveyed as required by condition B8, 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.

Ecologically Sustainable Development

- B10. 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 (*Eurobodalla ESD SEARs Report Reference: ESD-REP-02 (FINAL Rev E)*, prepared by Arup and dated 9 February 2023) have been incorporated into the design of the development.
- B11. The project is to achieve compliance with section 2.5.6 of the Health Infrastructure Engineering Services Guidelines dated 12 December 2022 (including Design Guidance Note No. 058, Rev. A) by attaining a minimum of 45 points in accordance with the ESD Evaluation Tool.

Outdoor Lighting

- B12. 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

- B13. 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.

Environmental Management Plan Requirements

B14. 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

B15. Prior to the commencement of any 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 A25. The CEMP must include, but not be limited to, the following:

- (a) Details of:
 - (i) hours of work;
 - (ii) 24-hour contact details of site manager;
 - (iii) management of dust and odour to protect the amenity of the neighbourhood;
 - (iv) stormwater control and discharge;
 - (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
 - (vi) fencing to be installed to restrict access within 10m of any on-site riparian watercourse; and
 - (vii) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;
- (b) an unexpected finds protocol for contamination and associated communications procedure to ensure that potentially contaminated material is appropriately managed;
- (c) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure;
- (d) Construction Traffic and Pedestrian Management Sub-Plan (see condition B16);
- (e) Construction Noise and Vibration Management Sub-Plan (see condition B17);
- (f) Construction Waste Management Sub-Plan (see condition B18); and
- (g) Biodiversity Management Sub-Plan (see condition B19).

B16. 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) 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).
- B17. 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 B17(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 B14.
- B18. 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.
- B19. 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;
 - (b) identify areas of land where impacts on biodiversity are to be avoided as outlined in '*Biodiversity Development Assessment Report*' (Final Report Issue 8), prepared by Abel Ecology and dated 8 January 2024, and set out how these areas will be protected from construction impacts; and
 - (c) set out the measures identified in the Biodiversity Development Assessment Report to minimise, mitigate and manage impacts on biodiversity, including timing and responsibility for delivery of the measures; and
 - (d) incorporate a Vegetation Management Plan, which must be prepared in consultation with BCD, and include documentary evidence on how feedback has been considered and whether any changes have been made in response to this feedback. The plan must:
 - (i) detail measures to be used for the relocation, installation and management of tree hollows; and
 - (ii) inform management of retained site vegetation, Bush Fire Asset Protection Zone maintenance, and regeneration of the 'Spring Forest' in the southeast corner of the site.
- B20. 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

B21. Prior to the commencement of any construction, the Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that construction traffic associated with the development does not utilise public and residential streets or public parking facilities.

Soil and Water

B22. 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.

B23. 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'.

B24. Prior to the commencement of construction, the Applicant describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI.

Operational Noise – Design of Mechanical Plant and Equipment

B25. Prior to installation of mechanical plant and equipment:

- (a) a detailed assessment of mechanical plant and equipment with compliance with the relevant project noise trigger levels as recommended in '*Noise and Vibration Impact Assessment*' (Issue 8), prepared by Arup and dated 16 April 2024, 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 identified in the '*Noise and Vibration Impact Assessment*' (Issue 8), prepared by Arup and dated 16 April 2024.

Biodiversity

B26. Prior to the commencement of the removal of PCT 834 Forest Red Gum – Rough-barked Apple – White Stringybark grassy woodlands in dry valleys, southern South East Corner Bioregion, the number and classes of ecosystem credits and species credits (like-for-like) set out in the BAM Biodiversity Credit Report contained in Appendix H of '*Biodiversity Development Assessment Report*' (Final Report 8), prepared by Abel Ecology and dated 8 January 2024, must be retired.

B27. The requirement to retire like-for-like ecosystem credits and species credits in condition B26 may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of ecosystem credits and species credits.

B28. Evidence of the retirement of credits in satisfaction of condition B26 or payment to the Biodiversity Conservation Fund in satisfaction of condition B27 must be provided to the Planning Secretary prior to commencement of the removal of PCT 834 Forest Red Gum – Rough-barked Apple – White Stringybark grassy woodlands in dry valleys, southern South East Corner Bioregion.

Operational Waste Storage and Processing

B29. Prior to the commencement of construction of waste storage and processing areas, 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.

Bush Fire

B30. Prior to the commencement of construction, the Applicant must submit design plans to the Certifier which demonstrate that the proposed internal roads comply with Table 6.8b of *Planning for Bush Fire Protection 2019*.

Operational Access, Car Parking and Service Vehicle Arrangements

- B31. Prior to the commencement of construction of operational parking and access facilities, evidence of compliance of the design of operational parking and access arrangements with the following requirements must be submitted to the Certifier:
- (a) a minimum of 389 on-site car parking spaces for use during operation of the development and designed in accordance with the latest versions of AS 2890.1 and AS 2890.6; and
 - (b) the swept path of the largest service vehicle (including public bus) 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.

Public Domain Works

B32. Prior to the commencement of any public external 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.

Aboriginal Cultural Heritage Management Plan

- B33. Prior to carrying out any ground disturbance works that may result in harm to Aboriginal objects, an Aboriginal Cultural Heritage Management Plan must be submitted to and approval obtained from the Planning Secretary. The plan must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with the Registered Aboriginal Parties and Heritage NSW;
 - (c) include a description of the measures that would be implemented for:
 - (i) undertaking ongoing consultation with the Registered Aboriginal Parties during the implementation and any subsequent review of the plan;
 - (ii) providing a revised assessment of significance of the project area based on the outcomes of works undertaken under AHIP #5060;
 - (iii) ensuring that all relevant conditions under AHIP #5060 have been satisfied;
 - (iv) the completion of cultural monitoring during ground disturbing works;
 - (v) ensuring the protection and ongoing management of sites AHIMS #58-4-1466, #58-5-1467 and #58-4-1468;
 - (vi) short and long term management of Aboriginal objects salvaged during the project and in accordance with AHIP #5060; and
 - (vii) the management of any unexpected Aboriginal objects (including human skeletal remains), with these measures to be prepared in accordance with the guidelines and standards specified by Heritage NSW and to include the requirements to register any newly identified Aboriginal objects or sites in the Aboriginal Heritage Information System (AHIMS) database;
 - (d) include provision for workers on site to received suitable heritage inductions prior to carrying out any development on site, with records to be kept of these inductions; and
 - (e) include procedures and requirements for ongoing review and revision of the plan, as required.

Workforce Accommodation Strategy

B34. Prior to the commencement of construction, the Applicant must submit to the Certifier a detailed final Workforce Accommodation Strategy. The strategy must incorporate, but is not limited to, the measures outlined in *'Workforce Accommodation Strategy Plan, Eurobodalla Regional Hospital HI22045MW Main Works'*, prepared by Multiplex.

Tree Protection

B35. Prior to the commencement of construction, a qualified arborist (AQF 5) must be engaged to ensure and certify that tree protection fencing and all other protection measures are satisfactorily implemented, as recommended in *'Arboricultural Impact Assessment Report'* (AE23-2386-REP-ISS-8), prepared by Abel Ecology and dated 27 November 2023.

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 B13.

Construction Hours

- C4. Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:
- (a) between 7am and 6pm, Mondays to Fridays inclusive; and
 - (b) between 8am and 1pm, Saturdays.
- No work may be carried out on Sundays or public holidays.
- C5. Notwithstanding condition C4, provided noise levels do not exceed the existing background noise level plus 5dB, works may also be undertaken during the following hours:
- (a) between 6pm and 7pm, Mondays to Fridays inclusive; and
 - (b) between 1pm and 4pm, Saturdays.
- C6. Construction activities may be undertaken outside of the hours in condition C4 and C5 if required:
- (a) by the Police or a public authority for the delivery of vehicles, plant or materials; or
 - (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or
 - (c) where the works are inaudible at the nearest sensitive receivers; or
 - (d) 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
 - (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.
- C7. Notification of such construction activities as referenced in condition C6 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- C8. Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:
- (a) 9am to 12pm, Monday to Friday;
 - (b) 2pm to 5pm Monday to Friday; and

- (c) 9am to 12pm, Saturday.

Implementation of Management Plans

- C9. The Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP (including Sub-Plans).

Construction Traffic

- C10. 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

- C11. 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

- C12. 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

- C13. 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 'Noise and Vibration Impact Assessment' (Issue 8), prepared by Arup and dated 16 April 2024.
- C14. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition C4, C5, and C6.
- C15. 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

- C16. 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).
- C17. 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 C16.
- C18. The limits in conditions C16 and C17 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B17 of this consent.

Tree Protection

- C19. 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 boundaries 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 must be suitably protected during construction as per the recommendations of '*Arboricultural Impact Assessment Report*' (AE23-2386-REP-ISS-8), prepared by Abel Ecology and dated 27 November 2023; 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.
- (e) a qualified arborist, as required by condition B35 of this consent, must be retained to provide advice as applicable as per the recommendations of '*Arboricultural Impact Assessment Report*' (AE23-2386-REP-ISS-8), prepared by Abel Ecology and dated 27 November 2023
- (f) the Applicant must engage a qualified ecologist to inspect hollow-bearing trees and potential habitat trees before they are removed and provide further advice where applicable as per the recommendations of '*Arboricultural Impact Assessment Report*' (AE23-2386-REP-ISS-8), prepared by Abel Ecology and dated 27 November 2023.

C20. Tree protection fences must not be removed until construction is completed and removal agreed by the project arborist.

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.

Soil and Water

C23. 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

C24. 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

C25. 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

C26. 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

C27. 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 detailed at Appendix M of the Response to Submissions report;
- (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

C28. Construction must be undertaken in accordance with the recommendations of '*Aboriginal Cultural Heritage Assessment Report*' (Revision D), prepared by Comber Consultants and dated 20 December 2023.

Unexpected Finds Protocol – Aboriginal Heritage

C29. In the event that surface disturbance identifies an unexpected Aboriginal object as defined within the AHIP #5060 as items which must not be harmed and as defined within '*Eurobodalla Regional Hospital: Unexpected Finds Protocol*', prepared by Biosis and dated 21 December 2023:

- (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.

Independent Environmental Audit

- C38. Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements.
- C39. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of Independent Auditing.
- C40. 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.
- C41. 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 C38 of this consent, or condition C40 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.
- C42. 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.
- C43. 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.

Workforce Accommodation Strategy

- C44. For the duration of construction works, the Applicant must manage workforce accommodation in accordance with the details outlined in the Workforce Accommodation Strategy required by B34.

PART D PRIOR TO COMMENCEMENT OF OPERATION

Notification of Operation

- 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 14 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:
- complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and
 - 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:
- AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings* and other relevant codes; and
 - 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 B25 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 '*Noise and Vibration Impact Assessment*' (Issue 8), prepared by Arup and dated 16 April 2024.

Fire Safety Certification

- D9. Prior to commencement of operation, 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 operation 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

- D11. Prior to the commencement of operation, the Applicant must engage a suitably qualified and experienced expert to prepare a Post-Construction Dilapidation Report. This Report must:
- (a) ascertain whether the construction works created any structural damage to public infrastructure by comparing the results of the Post-Construction Dilapidation Report with the Pre-Construction Dilapidation Report required by condition B6 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

- D12. 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 because of general road usage or otherwise addressed by contributions of this consent.

Road Damage

- D13. 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

- D14. Where a pre-construction survey has been undertaken in accordance with condition B8, 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 B8;
 - (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.
- D15. 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.

Operational Access, Car Parking and Service Vehicle Arrangements

D16. Prior to final operation, evidence of the design of operational parking and access arrangements with the following requirements must be submitted to the Certifier:

- (a) a minimum of 389 on-site car parking spaces for use during operation of the development; and
- (b) the swept path of the largest service vehicle (including public bus) entering and exiting the Site in association with the development, 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

D17. Prior to the commencement of any 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 20 staff and visitor bicycle parking spaces;
- (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.

Public Bus Access

D18. Prior to the commencement of any operation, or other timeframe agreed in writing by the Planning Secretary, evidence must be submitted to the Certifier demonstrating that the bus shelter, bus stop and bus patron waiting area (and associated signage) have been installed in accordance with the details outlined at Appendix P of the Response to Submissions.

Green Travel Plan

D19. Prior to the commencement of any operation, or other timeframe agreed in writing by the Planning Secretary, a Green Travel Plan (GTP) must be submitted to the Certifier to promote the use of active and sustainable transport modes and a copy published on the Applicant's website within 14 days after the Certifier accepts it. The plan must:

- (a) be prepared by a suitably qualified traffic consultant in consultation with Transport for NSW;
- (b) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;
- (c) include specific tools and actions to help achieve the objectives and mode share targets;
- (d) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; and
- (e) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.

D20. Prior to the commencement of any operation, or other timeframe agreed in writing by the Planning Secretary, the nominated employee(s) of the health services facility responsible for implementing the GTP and its ongoing review must be provided to Transport for NSW and the Planning Secretary.

Utilities and Services

D21. Prior to commencement of operation, a compliance certificate under the section 307 of the *Water Management Act 2000* must be obtained from Council and submitted to the Certifier.

Stormwater Operation and Maintenance Plan

D22. 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

D23. Prior to the commencement of operation, way-finding signage and signage identifying the location of staff car parking must be installed.

D24. 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

D25. 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 'Operational Waste Management Plan' (Rev 2), prepared by JBS&G Australia and dated 8 February 2023.

Landscaping

D26. Prior to the commencement of operation, landscaping of the site must be completed in accordance with landscape plan(s) listed in condition A2(d).

D27. 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) incorporate details outlined in, and be generally consistent with, the Vegetation Management Plan required by condition B19.

Asset Protection Zones

D28. Prior to the commencement of operation, an asset protection zone is to be maintained permanently:

- (a) to the north aspect of Class 9a and 9b buildings for a horizontal distance of 45 metres from the external wall of the buildings; and
- (b) to the west, east and south aspects of Class 9a and 9b buildings for a horizontal distance of 40 metres from the external wall of the buildings.

D29. The asset protection zone must be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019. When establishing and maintaining an IPA the following requirements apply:

- (a) tree canopy cover should be less than 15% at maturity;
- (b) trees at maturity should not touch or overhang the building;
- (c) lower limbs should be removed up to a height of 2m above the ground;
- (d) tree canopies should be separated by 2 to 5m;
- (e) preference should be given to smooth barked and evergreen trees;
- (f) large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
- (g) shrubs should not be located under trees;
- (h) shrubs should not form more than 10% ground cover;
- (i) clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
- (j) grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
- (k) leaves and vegetation debris should be removed.

Evacuation and Emergency Planning

D30. Prior to the commencement of operation, a Bush Fire Emergency Management and Evacuation Plan must be prepared consistent with *Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan*.

Note: A copy of the Bush Fire Emergency Management and Evacuation Plan should be provided to the Local Emergency Management Committee for its information prior to occupation of the development.

Operational Flood Emergency Management Plan

D31. Prior the commencement of the operation, a Flood Emergency Management Plan must be 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*;
- (c) incorporates, but is not limited to, the emergency management procedures outlined in '*Integrated Water Management Plan, Flood Impact and Risk Assessment & Riparian Zone Management*' (Revision K), prepared by Meinhardt Bonacci and dated 18 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.

Site Fencing

D32. Prior to the commencement of operation, a minimum 1.5m high fence must be erected around the perimeter of the site to restrict access into adjacent RU1 Primary Production zoned land.

PART E POST OCCUPATION

Operation of Plant and Equipment

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

Warm Water Systems and Cooling Systems

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

Operational Noise Limits

- E3. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in *'Noise and Vibration Impact Assessment'* (Issue 8), prepared by Arup and dated 16 April 2024.
- E4. 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'* (Issue 8), prepared by Arup and dated 16 April 2024. 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.

Unobstructed Driveways and Parking Areas

- E5. All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.

Green Travel Plan

- E6. The Green Travel Plan required by condition D19 of this consent must be reviewed annually and updated if necessary and implemented unless otherwise agreed by the Planning Secretary.

Ecologically Sustainable Development

- E16. 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 B15 of this consent.

Outdoor Lighting

- E7. 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

- E8. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition D27 for the duration of occupation of the development.

Bush Fire Management

- E9. Bush fire hazards must be managed for the duration of occupation of the development in accordance with the recommendations of *'Bushfire Assessment Report'* (AE-23-2381-REP-ISS-

9), prepared by Abel Ecology and dated 27 November 2023. Measures must include, but are not limited to:

- (a) management of asset protection zones in accordance with the Vegetation Management Plan required by condition B19;
- (b) all landscaping within a 140m radius of the external wall of all buildings, but outside the asset protection zones required by condition D28, must maintain a predominant 'grassland hazard';
- (c) the site access road must be maintained to comply with the provisions for 'perimeter roads' as outlined in Table 6.8b of *Planning for Bush Fire Protection 2019*;
- (d) the internal non-perimeter roads must be maintained to comply with the provisions for 'non-perimeter roads' as outlined in Table 6.8b of *Planning for Bush Fire Protection 2019*;
- (e) water supply is to be provided in accordance with Table 6.8c of *Planning for Bush Fire Protection 2019*; and
- (f) fire hazard management must consider hollow-bearing trees, Aboriginal Heritage items and native vegetation that is:
 - (i) habitat or local threatened flora and fauna; or
 - (ii) protected under *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (or the most recent version), and/or a 'Terrestrial Biodiversity Overlay' or 'Riparian Lands and Watercourse Overlay' under the Eurobodalla Local Environmental Plan 2012 (or the most recent version).

Asset Protection Zones

E10. The asset protection zones required by condition D28 shall be maintained for the duration of occupation of the development.

Bush Fire Emergency Management and Evacuation Plan

E11. The site must be managed and operated in accordance with the Bush Fire Emergency Management and Evacuation Plan required by condition D30, or as may be updated or amended.

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.

Dangerous Goods

E14. The quantities of dangerous goods (except for liquid oxygen, UN 1073) stored and handled at the site must be below the threshold quantities listed in the Department of Planning's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.

E15. The quantity of liquid oxygen stored and handled at the site must not exceed 15,000 litres.

Discharge Limits

E16. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters.

Public Bus Access

E17. For the duration of operation of the development, relevant internal roads must be maintained in an adequate condition (including minimum swept paths) to ensure continued public bus access to the site.

Loading Dock Hours of Operation

E18. The loading dock must not operate between the hours of 6pm and 7am on any day. Use of the loading dock outside these hours is allowed only in exceptional circumstances.

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 A27 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.