

HEALTH INFRASTRUCTURE

New Shellharbour Hospital – electricity enabling works

Decision Statement for Review of Environmental Factors –
prepared by GeoLINK

15/01/2023

 NSW GOVERNMENT	Health Infrastructure
DETERMINED – APPROVAL	
REF Approval No: 04/2023	
Date: 20/1/2023	
Signed by: 	



New Shellharbour Hospital – electricity connection and transmission

Project Details	
Project Name	New Shellharbour Hospital (NSH) - Electricity connection and transmission works
Project Location	Study area is approx. 3.6km from Shellharbour Electricity Substation through existing roadways, verges and open space to the development site at 86 Dunmore Road, Dunmore.
REF Prepared by	GeoLINK dated 13 January 2023
Activity Description	Upgrade electricity supply and transmission to 86 Dunmore Road for future development

Decision Statement

Based on the REF document, the Recommendation report and any other information and any advice from other relevant determining authorities:

- the proposed activity is not likely to have a significant impact on the environment and therefore an EIS is not required
- the proposed activity will not be carried out in a declared area of outstanding biodiversity value and is not likely to significantly affect threatened species, populations or ecological communities, or their habitats or impact biodiversity values, meaning a SIS and/or BDAR is not required
- the proposed activity may be subject to the mitigation measures in Schedule 1 below that are required to eliminate, minimise and manage environmental impacts.

Determination

Acting as a delegate of the Health Administration Corporation, and, in accordance with Section 5.5 of the *Environmental Planning and Assessment Act 1979*, having taken into account to the fullest extent possible all matters likely to affect the environment as a result of the proposed activity, and having regard to the Assessment Report, the Statement of Compliance and the Review of Environmental Factors prepared by GeoLINK, 13 January 2023, I hereby determine the Review of Environmental Factors by granting approval subject to the Mitigation Measures in Schedule 1 below.



20/01/2023

Rebecca Wark

Date

Chief Executive Health Infrastructure

Schedule 1

Mitigation measures

The following Mitigation Measures have been imposed to ensure that any development activity is carried out in accordance with the plans/documentation and any amendment approved under Part 5 of the *Environmental Planning and Assessment Act 1979*.

General measures

Development in Accordance with Plans and Documentation

The proposal must be carried out generally in accordance with the Review of Environmental Factors dated 13 January 2023 and prepared by GeoLINK on behalf of NSW Health Infrastructure (including accompanying appendices A - K) and generally in accordance with the following plans/documentation as modified below and by any of the under-mentioned measures:

Drawing Title	Drawing Ref	Revision	Date	Prepared by
Architectural Plans	210332 sheets 1-6	N/A	9/09/2022 and 13/09/2022	JHD Consultants

Crown Certificate

- 2.1 A Certificate under Section 6.28 of the *Environmental Planning and Assessment Act 1979* is to be obtained prior to any work commencing.

Building Code of Australia

- 3.1 All building work is to be undertaken in accordance with the Building Code of Australia and referenced Australian Standards, including the requirements of AS 1428.1 General Requirements for Access.

Approvals

- 4.1 These conditions do not remove any obligation to obtain all other licences, permits, approvals and landowner consents from all relevant authorities and landowners as required under any other legislation for the Project. The terms and conditions of such licences, permits, approvals and permissions must be complied with at all times. A copy of all approvals is to be kept on site.

Long Service Levy

- 5.1 The Crown Certificate must not to be issued unless the Crown Certifier is satisfied the required levy payable under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* has been paid. The levy must be paid by the person liable, as specified in Section 38 of the *Building and Construction Industry Long Service Payments Act 1986*. For further information contact the Long Service Payments Corporation on their Helpline 131441.

Transport for New South Wales (TfNSW)

- 6.1 The proposed development shall be designed and implemented in accordance with the conditions stipulated by Transport for NSW which are included as **Appendix A**.
- 6.2 No Traverse trenching is allowed in Shellharbour Rd at the intersection with Lakewood Blvd. Horizontal Underbore direction drilling to be minimum of 1.2m below the road surface level.
- 6.3 Should the proposal change from what is approved Transport for NSW shall be notified as soon as possible for further review/approval of the amendments prior to any works commencing.

- 6.4 Works that impact traffic flow or are within 100m of Traffic Lights, will require a Road Occupancy Licence (ROL). Refer to Appendix A for further details and requirements in respect to the ROL.

Shellharbour City Council requirements

- 7.1 The proposed development shall be designed and implemented in accordance with the conditions stipulated by Shellharbour City Council which are included as **Appendix B**.
- 7.2 Should the proposal change from what is approved Council shall be notified as soon as possible for further review/approval of the amendments prior to any works commencing.

Tree Management and Landscape

- 8.1 Trees not proposed to be removed are to be protected in accordance with AS 4970 -2009 Protection of Trees on Development Sites and in accordance with the provisions stipulated in the Arboricultural Assessment Report prepared by Moore Trees dated September 2022.
- 8.2 No building or waste materials, builder sheds and the like are permitted to be stored under the canopy of existing trees or within their designated TPZ and SRZ.
- 8.3 Trees proposed to be removed are to be replaced at a replacement ratio of at least 1:1. Trees No.s 4, 5, 41, 53, 62 and 74 (as highlighted in the Arboricultural Assessment Report) are the only trees permitted to be removed and shall be replaced with species that comply with Council's requirements and specifications.
- 8.4 No trees on private property shall be removed.
- 8.5 The recommendations within the Arboricultural Assessment report prepared by Moore Trees and dated September 2022 shall be implemented in the detailed design stage (prior to the commencement of works) and during construction.
- 8.6 The recommendations of the Flora and Fauna Impact Assessment prepared by EMM dated 18 October 2022 in respect to tree protection and retention shall be implemented in the detailed design stage (prior to the commencement of works) and during construction.
- 8.7 Once a detailed design is finalised for each section of the development works the survey plan is to be updated to reflect the exact location of each tree adjoining the works and the Arboricultural assessment report prepared by Moore Trees dated September 2022 shall be updated accordingly and to assess the encroachments within the TPZ's and SRZ's to ensure the viability of tree retention. The report would require to be completed by an AQF Level 5 Consulting Arborist and be written in accordance with Australian Standard *AS4970-2009 Protection of trees on development sites*.
- 8.8 All works are to limit the removal of any trees and shall be designed to ensure trenching will not adversely affect trees and their TPZ and SRZ. Alternative methods of trenching such as directional drilling, hydro-vacuum excavation and/or horizontal boring or the like shall be explored to minimise impacts on trees and associated root systems.
- 8.9 During the construction of each stage of the development a fully qualified Arborist is to certify the works to ensure conditions have been satisfied and the recommendations of the most recent Arboricultural Assessment report have been applied and have been satisfied.
- 8.10 Clearing of trees and vegetation shall be kept to a minimum. Any clearing limits shall be clearly visible by the use of a barrier like the use of flagging tape.
- 8.11 Many existing trees are legally protected by Council's Tree Preservation Order. The Electrical installer shall ensure that the works will not directly impact on existing trees. Any works identified requires the removal of protected trees shall not commence unless approved by the Superintendent.

- 8.12 For bulk and any harmful materials shall not be stored, stockpiled, dumped or otherwise place under or near trees and materials such as oil, waste, concrete, clearings and boulders. Prevent windblown materials from harming any trees and plants.
- 8.13 When working near trees;
- Prevent damage to tree bark. Do not attach stays and guys to trees.
 - Do not remove topsoil within the dripline of the trees
 - If required, use hand or trenchless methods so that root systems remain intact and undamaged.
 - Where excavations under tree canopies will be open for some time, ensure that the CTPO is notified of the intent.
- 8.14 Where root cutting is required for roots more than 50mm in diameter, approval is required from the CTPO before proceeding. Cut using methods that do not unduly disturb the remaining root system. Immediately after cutting, water the tree and apply a liquid rooting hormone to stimulate the growth of new roots.
- 8.15 Do not compact the ground or use skid-steel vehicles under the tree driplines.
- 8.16 Sediment controls, including fencing and sediment traps, should be installed in any areas where works will occur in proximity to low lying vegetation or streams.
- 8.17 All weeds should be appropriately removed offsite and where possible, without stockpiling.
- 8.18 If stockpiling of weeds is required before removal from the site, weeds are to be stockpiled and appropriately covered and located in areas away from vegetation to be retained to minimise the spread of seed and other propagules.
- 8.19 Where feasible, it is recommended weeds are cut and roots are kept minimising erosion.
- 8.20 Options to avoid open trenching that could adversely impact tree roots should be considered, including directional drilling (underboring), Hydrovac (excavation through high pressure water), or localised hand digging.
- 8.21 Every effort should be made to retain and protect any trees in the vicinity of the proposed works. The Aboricultural Impact Assessment prepared by Moore Trees is to be updated at the detailed design phase (including the chosen construction methods to reduce impact) and to assess the encroachments within the TPZ's and SRZ's to ensure the viability of retention. The report is to be completed by an AQF Level 5 Consulting Arborist and be written in accordance with Australian Standard AS4970-2009 Protection of Trees on development sites. The updated report be provided to Council for consideration. Any direction from Council as to the replacement of any trees required to be removed should be followed and new trees should be protected and maintained during the works.

Prior to commencement of works

Note: The following Measures are to be complied with prior to the commencement of works on the subject site, and at other stages where stated.

Community Notification

- 9.1 Prior to commencement of work, the proponent must notify in writing Council and the occupier of any land within 40 metres of the boundary of the site works. The notification should outline the project, the expected timing for commencement and completion of construction works.
- 9.2 Complaints received prior to and during the undertaking of works shall be recorded and attended to promptly. On receiving a complaint, works shall be reviewed to determine whether issues relating to the complaint can be avoided or minimised. Feedback shall be provided to the complainant explaining what remedial actions were taken.

- 9.3 The proponent shall develop a complaints management system and record details of all complaints received and the means of resolution of those complaints. The Complaints Register shall be made available on request.
- 9.4 A site notice board must be located at the entrance or other appropriate location on the site in a prominent position and must including the following:
- i. 24-hour contact person for the site;
 - ii. Telephone, facsimile numbers and email addresses;
 - iii. Site activities and time frames.
- 9.5 The site notice must be erected no less than 2 days prior to the commencement of works.
- 9.6 If the route of the proposed works changes then the Council and possibly TfNSW (if it is located on land managed by this authority) will need to be notified and given the opportunity to comment.

Hazardous Materials

- 10.1 An unexpected finds procedure is to be included in an overarching Construction Management Plan (CMP) for the work, in the event that other contamination is encountered which have not been identified during this assessment.
- 10.2 Any waste must be transported by an appropriately licensed transporter, and disposed to a facility that is licensed to receive that class of waste. It is recommended that this report is sent to the proposed receiving facility to confirm their acceptance of the material prior to off-site disposal. If the description of the soil differ from that described within, then further assessment for waste classification purposes may be required prior to off-site disposal.
- 10.3 SafeWork NSW is to be notified in accordance with the relevant policy prior to work involving asbestos material being undertaken.

Construction Management

- 11.1 A detailed Construction Environmental Management Plan (CEMP) is to be prepared prior to the commencement of works and implemented during the undertaking of works. The CEMP must be prepared having regard to the *Environmental Management Plan Guideline: Guideline for Infrastructure Projects (2020)* prepared by the Department of Planning and Environment, and is to include (where relevant), 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;
 - 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. any other specific environmental construction mitigation measures detailed in this REF;
 - vii. any requirements outlined in any relevant approvals, permits or licences.
 - viii. community consultation and complaints handling.
 - (b) Construction traffic and pedestrian management plan;
 - (c) Construction noise and vibration management;
 - (d) Construction waste management, including contaminated waste;
 - (e) Construction soil and water management;
 - (f) Flood management;
 - (g) Tree protection;
 - (h) Air quality and dust management measures;
 - (i) Demolition work plans;

- (j) Unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure;
- (k) Unexpected finds protocol for historical heritage;
- (l) Unexpected finds protocol for contamination; and
- (m) Emergency Management Plan.
- (n) Training of responsibilities under *National Parks and Wildlife Act 1975*, *Heritage Act 1977* and any other relevant legislation.

Demolition/Construction Waste Management Plan

- 12.1 A Construction Waste Management Plan shall be prepared by an appropriately qualified contractor prior to the commencement of works. The Waste Management Plan should be prepared in accordance with DECCW's "Waste Classification Guidelines (2008)" and the Protection of the Environment Operations Act 1997.
- 12.2 The Demolition/Construction Waste Management Plan is to include the following requirements and details:
- a. The type and volume of all waste materials (e.g. excavation material, green waste, bricks, concrete, timbers, plasterboard and metals) is to be estimated prior to the commencement of works, with the destination for each waste identified. Waste should be re-used or recycled as much as practicable. Where not practicable, the location of a suitable waste disposal facility is to be identified.
 - b. Cleaning out of batched concrete mixing plant is not permitted within any construction compound.
 - c. Non-recyclable waste and containers are to be regularly collected and disposed of at a licensed disposal site. Frequency of collection should be identified.
 - d. No burning or burying of waste is permitted on the site.
 - e. Any bulk garbage bins delivered by authorised waste contractors are to be placed and kept within the property boundary.
- 12.3 The following mitigation measures will be implemented in order to prevent adverse impacts in relation to waste generated by the proposed works:
- a. No materials will be used in a manner that will pose a risk to public safety and waste generated from the proposed works will be recycled where possible.
 - b. Unnecessary resource consumption will be avoided.
 - c. Non-recyclable wastes will be collected and disposed of or recycled in accordance with Office of Environment and Heritage (OEH) guidelines.

Noise Management Measures

- 13.1 The construction works shall comply with the recommendations in the Acoustic Report prepared by Stantec and dated 18 October 2022.
- 13.2 Identify feasible acoustic controls or management techniques (use of screens, scheduling of noisy works, notification of adjoining land users, respite periods) when excessive levels may occur.
- 13.3 For activities where acoustic controls and management techniques still cannot guarantee compliant noise levels, implement a notification process whereby nearby development is made aware of the time and duration of noise intensive construction processes.
- 13.4 A detailed Construction Noise Vibration Management Plan (CNVMP) shall be prepared to identify all feasible and reasonable management measures to minimise noise and vibration impacts on sensitive receivers.

Erosion and Sediment Control

- 14.1 Erosion and sediment controls will be implemented in accordance with the Landcom/ Department of Housing Managing Urban Stormwater, Soils and Construction Guidelines (the Blue Book) and ensure any water diversion or control outlets associated with the works do not result in scouring.
- 14.2 Works will only commence once all erosion and sediment controls have been established. The controls will be maintained in place until the works are complete and all exposed erodible materials are stable.
- 14.3 Erosion and sedimentation controls will be checked and maintained (including clearing of sediment from behind barriers) on a regular basis (including after any precipitation events) and records kept and provided on request and only if required.

Services and Utilities

- 15.1 Prior to the commencement of works, any services and utilities that may be impacted by the works are to be appropriately relocated and/or protected.
- 15.2 The following mitigation measures would be implemented to manage impacts relating to land uses and services;
 - Any potential services/utility interruptions shall be minimised as far as practicable and communicated to the relevant service authorities to enable flow on notifications to any affected service customers.

Construction Traffic Management

- 16.1 A Construction Traffic Management Plan shall be prepared in consultation with Council prior to commencement of works.

During construction/undertaking of work

Note: The following Conditions are to be complied with during the approved construction/the undertaking of works.

Construction Site Management

- 17.1 Construction site fencing is to be installed around the construction site where required. Vehicle and workforce access points and roads to the construction compounds are to be clearly designated and controlled for authorised access only. Vegetation clearance is to be minimised.
- 17.2 The worksite/s should be left tidy, safe and rubbish free each day prior to leaving the site and at the completion of works.
- 17.3 The use and storage of hazardous materials and dangerous goods, including petroleum, distillate and other chemicals, shall be in accordance with the relevant legislation including, but not limited to:
 - Protection of the Environment Operations Act 1997
 - Work Health and Safety Regulation 2017
 - AS 1940 The storage and handling of flammable and combustible liquids
 - Safe Work NSW Code of Practice – Managing Risks of Hazardous Chemicals in the Workplace.
- 17.4 All materials on-site or being delivered to the site must be wholly contained within the site. The requirements of the Protection of the Environment Operations Act 1997 are to be complied with when placing/stockpiling loose material or when disposing of waste products or during any other activities likely to pollute drains or watercourses.
- 17.5 The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.

- 17.6 All equipment and machinery should be secured against vandalism outside of working hours.
- 17.7 A copy of the approved and certified plans, specifications and documentation shall be kept on site at all times and shall be available for perusal by any officer of Council or TfNSW.
- 17.8 Any contractor(s) must meet all workplace safety legislation and requirements.
- 17.9 No vehicle maintenance is permitted in the demolition and construction areas except in emergencies.
- 17.10 Any loose material stockpiles are to be stored within the temporary construction compound(s) and are to be protected from possible erosion.

Erosion and Sediment Control

- 18.1 Disturbance of sediment during the construction phase of the development and the design management and implementation of pollution controls must be consistent with “Managing Urban Stormwater: Soils and Construction” (NSW Landcom, 2004), (Blue Book), and “approved Methods for the Modelling and Assessment of air pollutants in NSW (EPA)”.to ensure containment of sediment to the immediate work site.
- 18.2 All sediment control measures must be regularly inspected and cleaned out and/or repaired as necessary, and all collected silt disposed of appropriately. Stockpiles should also have adequate sediment control measures in place.
- 18.3 Erosion and control measures are not to be removed until disturbed areas have stabilised.
- 18.4 An Erosion and Sediment Control Plan is required to be prepared prior to works commencing and shall form part of the Construction Environmental Management Plan for the activity. The plan shall be prepared in accordance with the Landcom/Department of Housing Managing Urban Stormwater, Soils and Construction Guidelines (the Blue Book).
- 18.5 Before work commences erosion and runoff controls shall be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, stormwater systems or watercourses. These controls shall be in accordance with the Erosion and Sediment Control Plan and may include the following (where applicable):
 - i) Erection of a silt fence
 - ii) Limit the removal and disturbance of vegetation and topsoil
 - iii) Divert uncontaminated run-off around cleared or disturbed areas
 - iv) Install sediment traps/socks around any stormwater inlets and drainage lines
 - v) Stockpile topsoil, excavated material, construction and landscaping materials and debris within the site. These should be covered or seeded to prevent the loss of materials.
 - vi) Provide single vehicle access to the site including measures to prevent the tracking of sediment off the site.
- 18.6 Works should only commence once all erosion and sediment controls have been established.

Hydrology and water quality

- 19.1 The following mitigation measures should be considered to avoid and minimise impacts to hydrology and water quality;
 - Where possible avoid works during forecast high rainfall events.
 - A spill containment kit shall be available at all times on site.
 - Any required fuels and other liquids shall be stored in self-safe chemical storage containers.
 - Any cleaning or washing shall occur away from waterways and drainage lines.

- All equipment shall be maintained in good working order and operated according to the manufacturers specification.
- No waste or wastewater shall be discharged directly or indirectly in drains or waterways.
- Visual monitoring of the local water quality shall occur at all times.

Visual Amenity

- 20.1 The following mitigation measures would be implemented to manage impacts relating to Visual Amenity;
- Vegetation would only be trimmed/removed to the minimum extent necessary to undertake the proposed works.
 - Upon completion of construction, any work areas will need to be restored to an acceptable visual state
 - The construction worksite shall be maintained in a clean condition at all times.
- 20.2 If possible, the eastern, southern and northern side of the new substation pad area shall be appropriately landscaped so that the structure is screened and not a visually dominating element.

Air Quality and Dust Management

- 21.1 Spraying of paint and other materials with the potential to become air borne particulates is only to be undertaken on days with still or light wind conditions.
- 21.2 No burning of materials is permitted.
- 21.3 Dust generated during construction activities is to be controlled to avoid impact on surrounding properties and dust suppression measures implemented.
- 21.4 All necessary maintenance for construction vehicles and equipment is to be undertaken during the construction period.
- 21.5 Excessive use of vehicles and powered construction equipment is to be avoided.
- 21.6 Exposed areas are to be progressively revegetated as soon as practical.
- 21.7 Vehicle wash down areas are to be established to ensure all mud and soil from construction vehicles is not carried onto public roads.
- 21.8 All vehicles involved in any excavation and/or demolition and departing the site with demolition materials, spoil or loose matter must have their loads fully covered before entering the public roadway.
- 21.9 Vehicles, machinery and equipment will be maintained in accordance with manufacturer's specifications in order to meet the requirements of the Protection of the Environment Operations Act 1997 and associated regulations.
- 21.10 Any disturbed soils shall be progressively stabilised.
- 21.11 No materials shall be burnt on site.
- 21.12 Any vehicles transporting waste or other materials that may produce dust will be covered during transportation.
- 21.13 Construction works should be carefully managed or not be carried out during strong winds or in difficult weather conditions where high levels of dust or airborne particles are likely to be generated or occur.

Construction

- 22.1 No blasting shall be permitted during construction.

- 22.2 The use of any rock excavation machinery or any mechanical pile drivers or the like is restricted to the hours of 7.00am to 5.00pm (maximum) on Monday to Friday only, to minimise the noise levels during construction and loss of amenity to the surrounding area.

Services

- 23.1 All services and utilities in the area of construction must be appropriately disconnected and reconnected as required. The contractor is required (if necessary) to consult with the various service authorities regarding their requirements for the disconnection of services.
- 23.2 Where services are found not to be adequate to support the development they shall be appropriately augmented.

Traffic Management

- 24.1 Existing traffic access and arrangements should be maintained during construction as much as practicable.
- 24.2 The following mitigation measures are to be implemented in respect to managing traffic, access and parking;
- A Traffic Control Plan (TCP) shall be prepared by a suitable qualified person and implemented for the works in accordance with the requirements of the Traffic Control at Worksites Manual (RTA 2010 V4) and AS1742.3
 - An Access Management Plan shall be prepared to manage internal site traffic and pedestrian movements to ensure the safety of workers and the public within the site/s.
 - Where possible, current traffic movements and access will be maintained during the works.
 - Public safety shall be maintained at all times.
 - Appropriate signage shall be erected and details will be confirmed by appropriate project personnel responsible for site safety during the works.
 - Traffic delay notifications will be issued to Council at least two weeks prior to the commencement of works requiring full or partial road closure.
 - Neighbouring residents and property owners are to be notified in writing at least two weeks prior to any expected changes to pedestrian movements, access and parking restrictions associated with the works.
 - For works within the road reserve requirements of the Section 138 of the Roads Act 1993 apply. In this regard, if a driveway is proposed a driveway application should be made or if any other works are proposed and/or occupation of the road reserve proposed, a Road Opening Application should be made.

This application/s should be made prior to any works commencing within the road reserve and an application fee in accordance with Council's fees and charges will apply.

- 24.3 In accordance with TfNSW advice, there shall be no traverse trenching allowed in Shellharbour Road at the intersection with Lakewood Blvd. Horizontal Underbore direction drilling shall be a minimum of 1.2m below the road surface level. The contractor would utilise an appropriate methodology consistent with TfNSW requirements and its concurrence.

Contamination (Unexpected Finds)

- 25.1 Should any new soil contamination information or contaminants be identified during the undertaking of works which have the potential to alter previous conclusions about site contamination, then the Managing Contractor and HI must be immediately notified and works must cease in the location of the contamination.
- 25.2 Works must not recommence until a suitably qualified contaminated land specialist (i.e. a Certified Environmental Practitioner) has investigated and assessed the category of the contamination in accordance with SEPP (Resilience & Hazards) 2021 and if required prepared a Remediation Action Plan (RAP) which details the necessary remedial work or management required to render the site suitable for the proposed development.

- 25.3 Following completion of the remediation, a Site Remediation & Validation Report (SRVR) which documents the completeness of the remedial work is to be submitted to HI and the EPA, if required.
- 25.4 Any contaminated materials or hazardous substances that need to be removed from site are to be classified first and then stored, transported and disposed of in accordance with EPA requirements at an EPA licensed waste facility.
- 25.5 Asbestos removal and management in NSW is regulated under the Work Health and Safety Act 2011 and Work Health and Safety Regulation 2017. The handling of asbestos work must be carried out in accordance with Safework Australia Code of Practice “How to Manage and Control Asbestos in the Workplace” February 2016, including being undertaken by contractors who hold a current Safework Asbestos or Demolition Licence and any other current Safework Licence required
- 25.6 If soils are to be disposed offsite during construction, they are required to be disposed in accordance with the waste classification, subject to additional sampling and analysis.
- 25.7 Construction works should not result in the contamination of the site.
- 25.8 A spill containment kit will be available at all times. All personnel will be made aware of the location of the kit and trained in its effective deployment.
- 25.9 The contractor shall develop a procedure for the management of acid sulfate material (ASM) including identification, testing and treatment of ASM encountered during the works and opportunities for reuse of treated ASM within the site.
- 25.10 Materials will be sourced from licensed quarries and operators. All materials will be certified uncontaminated and environmentally safe.

Noise and Vibration Management

- 26.1 All works will be in accordance with AS2436-1981: Guide to Noise Control on Construction, Maintenance and Demolition Sites.
- 26.2 Building contractors are to implement the requirements of the Office of Environment “Interim Construction Noise Guideline (July 2009)” as far as practicable.
- 26.3 Construction is to be carried out in accordance with the Building Code of Australia deemed-to-satisfy provisions with respect to noise transmission.
- 26.4 All reasonable, practicable steps are to be undertaken to reduce noise and vibration from the site.
- 26.5 Plant and equipment is to be maintained, checked and calibrated in accordance with the appropriate design requirements and to ensure that maximum sound power levels are not exceeded.
- 26.6 Plant and equipment (where possible) is to be strategically positioned on site to reduce the emission of noise from the site to the surrounding area, users of the site and on-site personnel.
- 26.7 Unnecessary noise is to be avoided when carrying out manual operations and operating plant.
- 26.8 Any equipment not used for extended periods is to be switched off.

Non Aboriginal Heritage

- 27.1 All personnel working on site will receive training in their responsibilities under the Heritage Act 1977.
- 27.2 If any item of European heritage is discovered during works, work shall cease immediately and the project heritage consultant, the relevant Council and/or Office of Environment and Heritage notified.

27.3 Work shall not recommence until the significance of the find is established.

Aboriginal Heritage

- 28.1 The proposed construction works shall comply with all the recommendations of the Aboriginal Due Diligence Report prepared by EMM Consultants and dated 20 September 2022.
- 28.2 If suspected Aboriginal material has been uncovered as a result of development activities within the Project Area:
- work in the surrounding area is to stop immediately
 - a temporary fence is to be erected around the site, with a buffer zone of at least 10 metres around the known edge of the site
 - an appropriately qualified archaeological consultant is to be engaged to identify the material, and
 - if the material is found to be of Aboriginal origin, the Aboriginal community is to be consulted in a manner as outlined in the OEH guidelines: Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010).
- 28.3 Should Human Remains will be located at any stage during earthworks within the Project Area, all works must halt in the immediate area to prevent any further impacts to the remains. The Site should be cordoned off and the remains themselves should be left untouched. The nearest police station, the relevant Local Aboriginal Land Council and the OEH Regional Office are all to be notified as soon as possible.
- 28.4 If Aboriginal cultural materials are uncovered as a result of development activities within the Project Area, they are to be registered as Sites in the Aboriginal Heritage Information Management System (AHIMS) managed by the OEH. Any management outcomes for the site will be included in the information provided to the AHIMS.
- 28.5 All effort must be taken to avoid any impacts on Aboriginal Cultural Heritage values at all stages during the development works. If impacts are unavoidable, mitigation measures should be negotiated between the Proponent, OEH and the Aboriginal community.

Restriction on Hours during Construction

- 29.1 The undertaking of any construction activity on the subject site is to be limited to the following hours:
- Monday to Friday inclusive: 7.00am to 6.00pm
 - Saturdays: 8.00am to 1.00pm
 - Sundays and Public Holidays: No work permitted.
- 29.2 Entry and departure of vehicles from the site will be restricted to the imposed work hours.
- 29.3 Activities may be undertaken outside of hours in condition 29.1 and 29.2 if required
- By the police or a public authority for the delivery of vehicles, plant or materials; or
 - in an emergency to avoid the loss of life, damage to property or to prevent environmental harm.
- 29.4 Consideration will be given to extending these hours to allow for specific work tasks on a case by case basis, subject to approval from Health Infrastructure being sought prior to this occurring and the assessment of any impact of this extension.

Access and pedestrian movements

- 30.1 Safe pedestrian access and movement to surrounding buildings shall remain unimpeded at all times.

30.2 Appropriate signage and directional information shall be provided.

Prior to commencement of operation

Note: *The following Conditions are to be complied with prior to commencement of operation of the facility.*

Works as Executed

Prior to use of the facility, “Works as Executed” drawings are to be submitted to HI.

Advisory Notes

AN1 Project Compliance – DGN 40

Health Infrastructure (HI) is responsible for ensuring that the conditions of consent are complied with during the course of the delivery of the project. To ensure that HI is complying with its legal obligations, compliance with the requirements of DGN 40 – Compliance with Planning Approval Conditions is required.

ANNEXURE A – Transport for New South Wales conditions

The development shall comply with the following TfNSW specifications and requirements for Works in the Road Reserve of Classified Roads;

1) **General Requirements;**

- a) Works will not commence in the road reserve unless consent has been given by the local Council where the work is located.
- b) Responsibility and future maintenance costs relating to the utility remains with the utility owner.
- c) Works must comply with current NSW Environmental Legislation. Any proposed disturbance or removal of vegetation within the road reserve will require an environmental assessment to be undertaken by a qualified Environmental Assessor.
- d) All materials and work methods used during the works must comply with or exceed the relevant AS/NZ Standard, unless otherwise approved by Transport for NSW (TfNSW).
- e) TfNSW does not guarantee the location of existing underground services, if any. You must satisfy yourself as to the existence and location of these services.
- f) TfNSW shall be indemnified by the utility owner from and against all actions, suits, proceedings, losses, costs, damages, charges, claims and demands in any way arising from the proposed work.
- g) The applicant shall take out or extend a Public Risk Insurance Policy, with a cross clause to cover TfNSW and the local Council, for public liability in an amount of not less \$20,000,000 or such other amount as TfNSW shall nominate to the applicant from time to time.
- h) The work shall be located as far from the road centreline as possible, particularly on the inside of curves.
- i) Road crossings shall be as near as possible at right angles to the centreline of the road and have a minimum depth 1.2m below the road surface, 1.0m below the invert of table drains and 750mm elsewhere in the road reserve.
- j) Longitudinal trenching; i.e. trenching parallel to the road alignment, shall be located outside the road formation and table drains and as close to the road reserve boundary as possible.
- k) Thrust boring or directional boring must be used for installation of any works under a state road unless otherwise approved by TfNSW. The work should be encased over the full width of the road formation to allow future maintenance of the works without road disturbance.
- l) Pipes carrying pressurised water are to be sleeved under the road formation and table drains with all associated above ground infrastructure located outside the road reserve.
- m) Pipes or conduits carrying high risk utilities such as electricity or gas and are installed beneath the road pavement or table drains shall be physically protected by being encased within a larger polyethylene pipe then cementitious grout pumped into the annular void, or within a steel pipe or any other method approved by TfNSW.
- n) Where loops for traffic signals, traffic facilities or pavement delineation are disturbed during the work you must notify TfNSW immediately and provide alternative signposting and/or temporary measures for pavement delineation as necessary.
- o) Traffic Control must be in accordance with the latest version of **Transport for NSW Traffic Control at Worksites Manual** and the Traffic Control provider must be registered under TfNSW Registration Scheme Category G for "Traffic Control". [Link here to Traffic Control Manual: Traffic control at work sites Technical Manual - Guides & manuals - Technical documents by type - Partners & suppliers - Business & Industry - Roads and Waterways – Transport for NSW](#)

- p) The road, its appurtenances and the remainder of the road reserve shall be restored to a condition at least equal to that applying before any work is commenced with restoration to the satisfaction of Transport for NSW representatives.
- q) Markers shall be erected indicating the exact location of the utility within the road reserve so that at least two markers are visible from any portion of the road reserve and within ten metres of the longitudinal alignment of the work. The markers shall include the address and phone number of the utility owner's nearest contact.
- r) On completion of works, any Works As Executed (WAE) designs, bore logs &/or evidentiary photos of completed work is to be emailed to roadaccess.south@transport.nsw.gov.au within 60 days of completion of construction.

2) Road Occupancy Licence (ROL);

Applications must be submitted at least ten working days prior to commencement of work.

A Road Occupancy Licence (ROL) is required for any activity likely to impact traffic flow on any **State Road**, even if that activity takes place off road, or located within 100 metres of traffic signals on any road. A temporary Speed Zone Authorisation (SZA) for works on **State Roads** may be applied for as part of the ROL application. A temporary Speed Zone Authorisation (SZA) for works on **Regional Roads** may be applied for through the local Council where the works are located. *Note: An SZA will be required where the Traffic Control Plan requires a temporary reduction in speed limit during the works.*

To obtain an ROL, and SZA if required, please apply via the TfNSW OPLINC web page: Road occupancy licences - Business & Industry - Roads and Waterways – Transport for NSW. If you require assistance please refer to this web page for contacts.

ANNEXURE B – Shellharbour City Council conditions

The development shall satisfy the following conditions;

1. Notification to adjoining landowners

A minimum of 10 working days notification should be provided to landowners adjacent to the proposed works. Notification should be in writing and provide general details of the works and dates and times where disruption could be expected. Evidence of the notification having been carried out in accordance with this condition should be provided to Council, prior to the commencement of the works.

2. Building Plan Approval - Sydney Water

The plans should be submitted to a Sydney Water Tap in™ to determine whether the development will affect Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. Sydney Water's Tap in™ online service is available at:

<https://www.sydneywater.com.au/plumbing-building-developing/building/sydney-water-tap-in.html>

The applicant should ensure that Sydney Water Tap in™ has issued the appropriate electronic approval prior to the commencement of any works.

3. Dilapidation Report

The applicant should notify Council of any existing damage to public areas in the vicinity of the development site through the submission of a Dilapidation Report. The report should be supported with suitable photographic records. This information should be submitted to Council prior to the commencement of work.

4. Section 138 Roads Act 1993

For works within the road reserve, the requirements of the Section 138 of the Roads Act 1993 apply. In this regard:

- If a driveway is proposed, a Driveway Application should be made, or
- If any other works are proposed and/or occupation of the road reserve proposed, a Road Opening Application should be made.

This application should be made prior to any works commencing within the road reserve and an application fee in accordance with Council's Fees and Charges will apply.

5. Erosion & Runoff Controls

Before work starts, erosion and runoff controls should be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, stormwater systems or watercourses.

These controls should be in accordance with the Sediment Control Plan and may include the following (where applicable):

- a. erect a silt fence
- b. limit the removal or disturbance of vegetation and topsoil
- c. divert uncontaminated run-off around cleared or disturbed areas
- d. install sediment traps/socks around any stormwater inlets and drainage lines
- e. stockpile topsoil, excavated material, construction and landscaping materials and debris within the site.

These should be covered or seeded to prevent loss of these materials f. provide a single vehicle access to the site including measures to prevent the tracking of sediment off the site g. provide adequate control measures to suppress dust. These measures should be in place prior to commencement of any works.

6. Threatened Fauna

Should any tree removals or works which would provide potential habitat for the Southern Myotis be proposed in the vicinity of Lot 10, the applicant should engage an ecologist to provide advice as to the proposed works. A report should be prepared which outlines the ecologists advice and provides information as to how the project will progress in taking into consideration that advice. This report should be provided to Council.

7. Bushfire Matters

Any works within an area mapped as being potentially affected by Bush fire hazard should be undertaken in accordance with Section 7 of 'Planning for Bush Fire Protection 2019'

8. Protection Fencing

Tree protection fencing should be installed prior to the commencement of any works within close proximity to trees.

The protective fence should:

- a. be located a minimum of 3000mm out from the dripline of the tree/vegetation
- b. have a minimum height of 1500mm
- c. be clearly marked at all times with the use of high visibility plastic hazard tape.

The fencing should be maintained intact at all times throughout the period of the work in the vicinity of the site. Machinery, structures, storage/disposal of any building materials and the like, should not be located within the fenced area at any time.

9. Tree Removal and Replacement

Every effort should be made to retain and protect any trees in the vicinity of the proposed works. Should any works directly conflict with an existing tree, an arborists report should be prepared and provided to Council for consideration. Any direction from Council as to the replacement of any trees required to be removed should be followed and new tree/s should be protected and maintained during the works.

10. Hours of work

All works should be undertaken with minimal disruption to the public. In this regard, appropriate signage should be put in place should any footpath obstructions be required, and works within Council reserve areas should be carried out so as to not disrupt, or have minimal disruption on organised sports. Councils Property team can be contacted for further information regarding park bookings.

11. Minimise nuisance

All works should be undertaken with minimal disruption to the public. In this regard, appropriate signage should be put in place should any footpath obstructions be required, and works within Council reserve areas should be carried out so as to not disrupt, or have minimal disruption on organised sports. Councils Property team can be contacted for further information regarding park bookings.

12. Unexpected Finds Contingency

- a. Should any contamination or suspect material be encountered during site preparation, earth works, construction or any other stage of the development, works should cease immediately and a suitably qualified consultant engaged to conduct a thorough contamination assessment.

In the event that contamination remediation is required, all works should cease and the Council should be notified immediately. The contamination assessment should be submitted to Council for Approval.

All recommendations provided in the contamination assessment should be followed as stipulated.

- b. If any Aboriginal archaeological artefacts are encountered during construction works, all ground disturbance in the area of the find should cease and the Department of Industry and Environment (DPIE) be contacted immediately to determine an appropriate course of action in line of relevant legislation.

13. Maintenance of Erosion and Runoff Controls

The soil and water management controls should be maintained at all times and checked for adequacy daily. The controls must not be removed until the development is completed and the disturbed areas have been stabilised.

Maintenance should include but is not limited to ensuring:

- a. all sediment fences, sediment traps and socks are properly placed and are working effectively
- b. drains, gutters and roads must be maintained clear of sediment at all times.

It is an offence under the Protection of the Environment Operations Act 1997 to allow soil or other pollutants to fall or be washed into any waters or be placed where it is likely to fall or be washed into any waters. Substantial penalties may be issued for any offence.

14. Survey Certification

A report from a registered surveyor should be prepared. The report should certify all of the following: a. the distance of the works to adjoining property boundaries and/or existing easements; and b. the depth of works.

15. Repairs to Public Infrastructure

Any damage to public infrastructure, other than that previously noted in the Dilapidation Report, is the responsibility of the applicant. All damage should be repaired and reinstated prior to the completion of the works. This work should be carried out by Council, or Council approved contractor, at the applicant's expense.