

HEALTH INFRASTRUCTURE

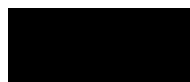
Community Health relocation project – Muswellbrook Hospital

Decision Statement for Review of Environmental Factors –

Prepared by _planning Pty Ltd

15/04/2024

Version Number 2



Community Health relocation project

Project Details	
Project Name	Community Health relocation at Muswellbrook Hospital
Project Location	Muswellbrook Hospital
REF Prepared by	_planning Pty Ltd and dated 18 March 2024
Activity Description	Relocation of the Community Health Facility from the Weidmann Building and relocate this service into the Stage 2 Building within the existing lower ground floor cold shell area including site works, internal fit out including associated services and infrastructure works at Muswellbrook Hospital.

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 Environmental Impact Statement (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 Species Impact Statement (SIS) and/or Biodiversity Assessment Report (BDAR) is not required;
- the proposed activity may proceed subject to the mitigation measures in Schedule 1 below that are required to eliminate, minimise or 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 _planning Pty Ltd, dated 18 March 2024 I hereby determine the Review of Environmental Factors by granting approval subject to the Mitigation Measures in Schedule 1 below.



Rebecca Wark
Chief Executive Health Infrastructure

03/05/2024
Date

Schedule 1

Mitigation measures

The following Mitigation Measures have been imposed to ensure that the 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* (EP&A Act). These mitigation measures are required to eliminate, minimise or manage environmental impacts of the activity. They provide measures for the appropriate environmental performance of the activity, including regular monitoring and reporting.

General measures

1. Obligation to prevent impacts to the environment

- 1.1 In addition to meeting the mitigation measures in this determination, all reasonable and feasible measures should be implemented to prevent impacts to the environment that may result from the activity.

2. Development in Accordance with Plans and Documentation

- 2.1 The proposal must be carried out generally in accordance with the Review of Environmental Factors dated 18 March 2024 and prepared by _planning Pty Ltd on behalf of NSW Health Infrastructure (including accompanying Appendices A – V) 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
Survey Plans	190809-DET-001-A	Sheet 1 to 10	6/04/2024	adw johnson
Architectural Plans				
Site Plan	AR-MW-A1042	Revision E	29/02/2024	dwp
External Works Plan	AR-MW-A1100	Revision H	29/02/2024	dwp
GA Plan – LG	AR-MW-A1200	Revision X	29/02/2024	dwp
Finishes Plan	AR-MW-A1600	Revision D	29/02/2024	dwp
Reflected Ceiling Plan	AR-MW-A1800	Revision E	29/02/2024	dwp
Building Elevations	AR-MW-A2000	Revision J	29/02/2024	dwp
Site Sections	AR-MW-A3012	Revision E	29/02/2024	dwp
Site Sections	AR-MW-A3013	Revision F	29/02/2024	dwp
Exterior Finishes	AR-MW-A8200	Revision B	29/02/2024	dwp
Civil Engineering Plans				
Cover sheet	CI-MW-A-01000	Revision P4	05/03/2024	TTW
Schematic Design	CI-MW-A-01001	Revision P4	05/03/2024	TTW
Schematic Design	CI-MW-A-01003	Revision P5	05/03/2024	TTW
Schematic Design	CI-MW-A-01005	Revision P7	05/03/2024	TTW

3. Design integrity

- 3.2 The proposed materials and finishes for the building shall be non-reflective.

4. Crown Certificate

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

5. National Construction Code of Australia

- 5.1 All building work is to be undertaken in accordance with the National Construction Code of Australia and referenced Australian Standards, including the requirements of AS 1428.1:2021 Design for access and mobility, Part 1: General requirements for access – New building work

- 5.2 Any recommendations and amendments to the design as suggested in the BCA/DDA Report prepared by Blackett Macquire and Goldsmith dated 20 February 2024 shall be implemented (where required) in the final design prior to the issuing of the Crown Certificate.

6. Approvals

- 6.1 These conditions do not remove any obligation to obtain all other licences, permits, approvals from all relevant authorities 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.

7. Long Service Levy

- 7.1 The Crown Certificate must not 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 Corporation on their Helpline 131441.

8. Geotechnical

- 8.1 The findings and recommendations in the Geotechnical report prepared by JK Geotechnics and dated 25 August 2022 shall be implemented into the detailed design (where applicable to the proposed activity) including any recommendations in respect to retaining walls, paving design and subgrade preparation and the like.

9. Services and utilities

- 9.1 Any recommendations outlined in the Electricity Utility Statement prepared by JHA and in accordance with drawing no.WGE-EL-004(Rev H) shall be included in the detailed design where applicable to the proposed activity.

10. Prior Notice of Category 2 Remediation Work

- 10.1 Where relevant, all required regulatory notifications and permits are to be obtained including Notification of Category 2 Remediation Works to Council for the remedial work at least 30 days before the commencement of the work. Notice must be given in accordance with clause 4.13 of the *State Environmental Planning Policy (Hazards and Resilience) 2021*.

11. Structural adequacy

- 11.1 All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the activity, must be constructed in accordance with the relevant requirements of the Building Code of Australia.

12. External walls and cladding

- 12.1 The external walls of buildings, including additions to existing buildings, that are part of the activity, must comply with the relevant requirements of the Building Code of Australia.
- 12.2 Prior to commencement of work, the products and systems proposed for use or used in the construction of any external walls, including finishes and claddings such as synthetic or aluminium composite panels, shall comply with the requirements of the National Construction Code. Details provided shall be to the satisfaction of the Certifier.

13. External materials

- 13.1 The external colours, materials and finishes of buildings must be consistent with the approved plans under mitigation measure 2. Any minor changes to the colour and finish of the approved external materials may be approved by the Crown Certifier, provided that:
- The alternative colour/material is of a similar tone/shade and finish to the approved external materials and colours; and
 - The quality and durability of any alternative material is the same standard as the approved external building materials.

14. Sustainability

- 14.1 Prior to the commencement of construction, it must be demonstrated to the Crown Certifier that the ESD initiatives recommended by the ESD Report, prepared by Stantec and dated, February 2024 have been incorporated into the final design of the activity so far as they relate to the community services facility relocation and refurbishment.

15. Compliance with Mitigation Measures

- 15.1 The Proponent engaged by HI, must ensure that all relevant personnel, including contractors (and their subcontractors), are aware of these Mitigation Measures, and the requirement to undertake the activity within these Measures.

16. Non-compliance notification

- 16.1 The HI-Planning Team and the HI-Regional Executive Director must be notified where a non-compliance with a mitigation measure is identified. Notification to the HI-Planning team should be via email: **HI-Planing@health.nsw.gov.au**
- 16.2 The notification should identify relevant activity, set out the mitigation measure that is non-compliant with, the way in which it does not comply, any known reasons for the non-compliance and what actions have been, or will be undertaken, to address the non-compliance.

Prior to commencement of works

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

17. Consultation Approach

- 17.1 Prior to the commencement of work, a consultation approach shall be prepared that:
- Identifies the relevant people that may be consulted during the construction phases of the activity. At the minimum this should include the relevant Council, community (including adjoining affected landowners, businesses and any other directly impacted by the activity) and those on an existing hospital site;
 - Determines the suitable methods of consultation with relevant stakeholders, including the receipt of feedback; and
 - Provides the approach access to project information.

18. Notice of Commencement

- 18.1 The Proponent must notify HI-Planning in writing (using the email address **HI-Planning@health.nsw.gov.au**) of the dates of the intended commencement of construction and operation at least 48 hours before those dates.

19. Community Notification

- 19.1 Prior to commencement of work, the Proponent must notify in writing to 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.
- 19.2 Where practicable, work programs for noisy work should be coordinated with the hospital at least two (2) weeks prior to commencement to minimise impacts on their operations.
- 19.3 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 (if any) were taken.
- 19.4 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.
- 19.5 A site notice board must be located at the entrance or other appropriate location on the site in a prominent position. The notice must be A1 sized, durable and weatherproof and include the following:
 - a. 24-hour contact person for the site;
 - b. Telephone, facsimile numbers and email addresses;
 - c. Site activities and time frames; and
 - d. Details of where accessible project information can be sourced.
- 19.6 The site notice must be placed at eye level and be erected no less than 2 days prior to the commencement of works.

20. Pre-Construction Survey – Adjoining Properties

- 20.1 Prior to construction, an offer of a pre-construction survey is to be made to any adjoining buildings within the zone of influence of the work.
- 20.2 Where the offer of a pre-construction survey is accepted, it should:
 - a. Be prepared prior to the commencement of vibration generating works that could impact on identified buildings; and
 - b. Provided to the owner of identified buildings and Crown Certifier in the form of a Pre-Construction Survey Report.

21. Construction Management

- 21.1 The preliminary Construction Environmental Management Plan (CEMP) prepared by HI and dated 22 February 2024 shall be finalised to the satisfaction of the Certifier. 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; and
- 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 Plan;
- 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;
- m. Emergency Management Plan (including flood); and
- n. Training of responsibilities under *National Parks and Wildlife Act 1975*, *Heritage Act 1977* and any other relevant legislation.

22. Construction Traffic Management

- 22.1 The Preliminary Construction Traffic and Pedestrian Management Plan prepared by Stantec and dated 22 February 2024 shall be updated and finalised to the satisfaction of the Certifier. The final plan shall include a construction worker transport strategy. The strategy is to detail the provision of sufficient parking facilities or other travel arrangements for construction worker for the activity, in order to minimise parking in adjacent areas.

23. Construction Waste Management Plan

- 23.1 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 the Department of Environment and Climate Change (DECC) *Waste Classification Guidelines (2008)* and the *Protection of the Environment Operations Act 1997*. A copy of the plan is to be provided to the Crown Certifier.
- 23.2 The 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; and
 - e. Any bulk garbage bins delivered by authorised waste contractors are to be placed and kept within the property boundary.

24. External lighting

- 24.1 Prior to commencement of work, any proposed external lighting design shall be in accordance Australian Standards AS/NZS 1158.3.1:2020 Lighting for roads and public spaces – Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements and AS/NZS 4282:2019 Control of the Obtrusive Effects of Outdoor Lighting. Details shall be provided to the Certifier.
- 24.2 Spaces and accessways shall be well lit and compliant.

25. Noise Management Measures

- 25.1 During preparation of the construction program, consultation with the hospital to determine what areas of the hospital are particularly noise sensitive (ward rooms, operating theatres, etc.) and schedule works accordingly to minimise impacts to these existing uses.
- 25.2 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.
- 25.3 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.

26. Erosion and Sediment Control

- 26.1 Erosion and sediment controls will be implemented in accordance with the Landcom/Department of Housing *Managing Urban Stormwater, Soils and Construction Guidelines* (Blue Book) and ensure any water diversion or control outlets associated with the works do not result in scouring.
- 26.2 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.
- 26.3 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.

27. Stormwater management

- 27.1 Prior to the commencement of any construction work, the operational stormwater management system for the activity must be designed and submitted to the satisfaction of the Crown Certifier. The system must:
- Be in accordance with the relevant plans and supporting documents under condition/mitigation measure 2;
 - Be in accordance with the applicable Australian Standards;
 - Ensure that the system capacity has been designed in accordance with Australian Standards; and
 - Ensure that the system has been designed in accordance with *Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) Guidelines*.
 - The proposed stormwater drainage design shall satisfy Penrith City Council's requirements in respect to stormwater management.

28. Services and Utilities

- 28.1 Prior to the commencement of works, any services and utilities that may be impacted by the works are to be appropriately relocated.

29. Monitoring and Reporting

- 29.1 Prior to the commencement of works, a program for the monitoring and reporting of compliance with these mitigation measures shall be prepared. The timing and scope of these are to be defined in the program, however, must be undertaken at least every 6 months following the commencement of works.

- 29.2 The compliance reporting should:
- Provide a summary and analysis of the monitoring undertaken;
 - Details of any complaints received, and responses and actions to these;
 - Any strategies to reduce the recurrence of such complaints; and
 - Results from any other monitoring and/or audit undertaken, and any actions taken in response to these.
- 29.3 The compliance reports are to be provided to the HI-Planning Team (email to HI-Planning@health.nsw.gov.au) and the relevant HI-Regional Executive Director.
- 29.4 Refer also to Advisory Note AN1.

During construction/undertaking of work

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

30. Site notice

- 30.1 The Site Notice(s) required by mitigation measure 19.5 and 19.6 must be prominently displayed during the construction of the activity.

31. Construction Site Management

- 31.1 Construction site fencing is to be installed around the construction site. 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.
- 31.2 The work site should be left tidy and rubbish free each day prior to leaving the site and at the completion of works.
- 31.3 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 1940:2017 The Storage and Handling of Flammable and Combustible Liquids; and
 - Safe Work NSW Code of Practice – Managing Risks of Hazardous Chemicals in the Workplace.
- 31.4 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.
- 31.5 The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.
- 31.6 All equipment and machinery should be secured against vandalism outside of working hours.
- 31.7 No batching plant is permitted on the site.
- 31.8 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.
- 31.9 All contractor(s) must meet all workplace safety legislation and requirements.

- 31.10 No vehicle maintenance is permitted in the demolition and construction areas except in emergencies.
- 31.11 All loose material stockpiles are to be stored within the temporary construction compound(s) and are to be protected from possible erosion.

32. Construction Air Quality and Dust Management Plan

- 32.1 During construction the following measures shall be followed to ensure dust is minimised:
 - a. Spraying of paint and other materials with the potential to become air borne is only to be undertaken on days with still or light wind conditions to prevent drift;
 - b. No burning of materials is permitted;
 - c. Dust generated during construction works is to be controlled to avoid impact on surrounding properties;
 - d. All necessary maintenance for construction vehicles and equipment is to be undertaken during the construction period/approved work hours;
 - e. Excessive use of vehicles and powered construction equipment is to be avoided;
 - f. Exposed areas are to be progressively revegetated as soon as practical;
 - g. Vehicle wash down areas are to be established on-site to ensure all mud and soil from construction vehicles is not carried onto public roads;
 - h. 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; and
 - i. Vehicles, machinery and equipment will be maintained in accordance with manufacturer's specifications and meet the requirements of the Protection of the Environment Operations Act 1997 and associated regulations.
 - j. Any additional project-specific conditions/mitigation measures are also to be included, as required.

33. Construction Noise and Vibration Management Plan (CNVMP)

- 33.1 The Construction Noise and Vibration Management Plan prepared by Acoustic Logic and dated 22 February 2024 shall be followed at all times during construction.
- 33.2 In addition to the provisions of the CNVMP, the construction shall satisfy the following procedures at all times:
 - a. All works will be in accordance with AS 2436-2010: Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites;
 - b. Building contractors are to implement the requirements of the Office of Environment Interim Construction Noise Guideline (July 2009) as far as practicable;
 - c. Construction is to be carried out in accordance with the National Construction Code deemed-to-satisfy provisions with respect to noise transmission;
 - d. All reasonable, practicable steps are to be undertaken to reduce noise and vibration from the site;
 - e. Plant and equipment are to be maintained, checked and calibrated in accordance with the appropriate design requirements and to ensure that maximum sound power levels are not exceeded;
 - f. Plant and equipment (where possible) are to be strategically positioned on site to reduce the emission of noise from the site to the surrounding area, users of the site and onsite personnel;
 - g. Unnecessary noise is to be avoided when carrying out manual operations and operating plant; and
 - h. Any equipment not used for extended periods is to be switched off.

34. Noise – Mechanical Plan and Equipment

- 34.1 Prior to the installation of any new mechanical plant and equipment, acoustic advice is required to confirm compliance with relevant project noise trigger levels as recommended in the Operational Noise and Vibration

Impact Assessment prepared by Acoustic Logic and dated 4 November 2022. Some plant may need additional acoustic screening (if required).

35. Construction noise

- 35.1 During construction the following noise mitigation measures shall be followed at all times where appropriate;
- Development of clear and ongoing community consultation and complaints handling procedure.
 - Construction of effective site hoarding which will provide some additional buffer for existing hospital operations.
 - Installation of temporary noise barriers around particularly noisy static equipment to minimise noise being transmitted to surrounding noise sensitive locations.
 - Schedule noisy works to times which are more mutually agreeable to adjoining noise receptors.
 - Where possible, choose quieter and less vibration intensive plant and equipment based on the optimal power and size to most efficiently perform the required tasks.
 - Operate plant and equipment in the quietest and most efficient manner.
 - Inspect and maintain plant and equipment regularly to minimise noise and vibration levels.
 - Ensure that all noise and vibration reduction devices are operating effectively.
 - Establish consistent and strict work practices around the use of radios and loud and noisy equipment.
 - Any additional ventilation or extraction equipment (eg dust extraction) is to be acoustically treated to meet a noise target 10dB below the PNTLs at receivers.
 - Regular consultation with workers to ensure they understand, follow and adhere to all procedures outlined in the CNVMP.

36. Erosion and Sediment Control

- 36.1 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.
- 36.2 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.
- 36.3 Erosion and control measures are not to be removed until disturbed areas have stabilised.

37. Air Quality and Dust Management

- 37.1 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.
- 37.2 No burning of materials is permitted.
- 37.3 Dust generated during construction activities is to be controlled to avoid impact on surrounding properties.
- 37.4 All necessary maintenance for construction vehicles and equipment is to be undertaken during the construction period.
- 37.5 Excessive use of vehicles and powered construction equipment is to be avoided.
- 37.6 Exposed areas are to be progressively revegetated as soon as practical.
- 37.7 Vehicle wash down areas are to be established to ensure all mud and soil from construction vehicles is not carried onto public roads.
- 37.8 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.

- 37.9 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.

38. Construction

- 38.1 No blasting shall be permitted during construction.
- 38.2 To minimise the noise levels during construction and loss of amenity to the surrounding area, the use of any rock excavation machinery or any mechanical pile drivers or the like is restricted to the hours of:
- a. 9am to 12pm, Monday to Friday;
 - b. 2pm to 5pm Monday to Friday; and
 - c. 9am to 12pm Saturday.

39. Services

- 39.1 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.
- 39.2 Where services are found not to be adequate to support the activity they shall be appropriately augmented.

40. Stormwater management system

- 40.1 Within three months of the commencement of construction, the operational stormwater management system for the activity must be designed and submitted to the satisfaction of the Crown Certifier. The system must:
- d. Be in accordance with the applicable Council controls and Australian Standards;
 - e. Ensure that the system capacity has been designed in accordance with Australian Standards; and
 - f. Ensure that the system has been designed in accordance with *Australian Rainfall and Runoff (Engineers Australia, 2016)* and *Managing Urban Stormwater: Council Handbook (EPA, 1997) Guidelines*.

41. Traffic Management

- 41.1 Existing traffic and pedestrian access and arrangements should be maintained during construction as much as practicable.
- 41.2 The procedures outlined in the final endorsed Construction Traffic and Pedestrian Management Plan shall be adhered to at all times during construction.

42. Contamination

- 42.1 A Contaminated Soil Management Plan (CSMP) is to be prepared, outlining procedures to be carried out if potential soil contamination or unexpected finds are identified during construction. The CSMP should be prepared by a suitably qualified environmental consultant.
- 42.2 Waste materials, resulting from the development should be categorised and where appropriate must be transported by an appropriately licensed transporter, and disposed of to a facility that is licensed to receive that class of waste.
- 42.3 SafeWork NSW is to be notified in accordance with the relevant policy prior to work involving asbestos material being undertaken.

43. Contamination (Unexpected Finds)

- 43.1 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.
- 43.2 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 and Hazards) 2021 and if required prepare a Remediation Action Plan (RAP) which details the necessary remedial work or management required to render the site suitable for the proposed development.
- 43.3 Following completion of the remediation, a Site Remediation and Validation Report (SRVR) which documents the completeness of the remedial work is to be submitted to HI and the EPA, if required.
- 43.4 Any contaminated materials or hazardous substances that need to be removed from the site are to be classified first and then stored, transported and disposed of in accordance with EPA requirements at an EPA licensed waste facility.
- 43.5 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 Safe Work Australia Code of Practice *How to Manage and Control Asbestos in the Workplace February 2016*, including being undertaken by contractors who hold a current Safe Work Asbestos or Demolition Licence and any other current Safe Work Licence required
- 43.6 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.
- 43.7 Construction works should not result in the contamination of the site.
- 43.8 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.
- 43.9 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.
- 43.10 Materials will be sourced from licensed quarries and operators. All materials will be certified uncontaminated and environmentally safe.

44. Noise and Vibration Management

- 44.1 The procedures outlined in the Construction Noise Vibration Management Plan prepared by Acoustic Logic and dated 22 February 2024 shall be adhered to during construction.
- 44.2 All works will be in accordance with AS 2436-2010: Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites.
- 44.3 Building contractors are to implement the requirements of the Office of Environment *Interim Construction Noise Guideline (July 2009)* as far as practicable.
- 44.4 Construction is to be carried out in accordance with the Building Code of Australia deemed-to-satisfy provisions with respect to noise transmission.
- 44.5 All reasonable, practicable steps are to be undertaken to reduce noise and vibration from the site.
- 44.6 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.

- 44.7 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.
- 44.8 Unnecessary noise is to be avoided when carrying out manual operations and operating plant.
- 44.9 Any equipment not used for extended periods is to be switched off.
- 44.10 Construction vehicles (including concrete agitator trucks) are to not arrive at the site or any surrounding residential precincts outside of the construction hours of work outlined under mitigation measure 47.2.

45. Non Aboriginal Heritage

- 45.1 All personnel working on site will receive training in their responsibilities under the *Heritage Act 1977*.
- 45.2 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.
- 45.3 Work shall not recommence until the significance of the find is established.

46. Aboriginal Heritage

- 46.1 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).
- 46.2 Should human remains 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.
- 46.3 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.
- 46.4 All efforts 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.

47. Restriction on Hours during Construction

- 47.1 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; and
 - Sundays and Public Holidays: No work permitted.
- 47.2 Entry and departure of vehicles from the site will be restricted to the imposed work hours.

- 47.3 Activities may be undertaken outside of hours in measures 55.1 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.
- 47.4 Where the works are inaudible at the nearest sensitive receiver, a disruption notice has been issued by the relevant Local Area Health District (LHD) or hospital and a letter of support has been provided from the relevant LHD or hospital for the Out of Hours Works.
- 47.5 Consideration will be given to extending these hours to allow for specific work tasks on a case by case basis, subject to approval from HI being sought prior to this occurring and the assessment of any impact of this extension.

48. Access and pedestrian movements

- 48.1 Safe pedestrian access and movement to the hospital and surrounding buildings shall remain unimpeded at all times.
- 48.2 Appropriate signage and directional information shall be provided.

Prior to commencement of operation

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

49. Works as Executed

- 50.1 Prior to use of the facility, "Works as Executed" drawings are to be submitted to HI if required.

50. Structural certification

- 50.1 All new buildings and structures, and any alterations or additions to existing buildings and structures, shall have a structural certificate prior to the use of the facility.
- 50.2 The structural certificate must be prepared by a qualified and practicing Structural Engineer and confirms that the structural work is compliant with the structural drawings.
- 50.3 A copy of the structural certificate is to be provided to the Crown Certifier.

51. Compliance with Plans and Supporting Documentation

- 60.1 Prior to issue of a Crown Completion Certificate, evidence must be provided to the satisfaction of the Crown Certifier that the works have been carried out in accordance with the approved REF, plans and supporting documents outlined under condition/mitigation measure 2 except where a condition/mitigation measure expressly required or allowed otherwise.

52. Warm water systems and cooling systems

- 52.1 Prior to the use of the facility, 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 NSW Health Code of Practice for the Control of Legionnaires' Disease.
- 52.2 Documentation demonstrating compliance must be submitted to the Crown Certifier.

53. Fire safety certification

- 53.1 Prior to the use of the facilities/buildings, a Fire Safety Certificate must be obtained for all Essential Fire or Other Safety Measures required as part of the operation of the activity.

53.2 A copy of the Fire Safety Certificate is be provided to the Crown Certifier, the hospital and/or the LHD.

54. Post-construction dilapidation report

54.1 Prior to use of the facility, a post-construction dilapidation report is to be prepared if required.

54.2 The post-construction dilapidation report should:

- a. Identify whether the construction work created any structural damage to affected infrastructure, as identified in the pre-construction dilapidation report;
- b. Have written confirmation from the relevant infrastructure authorities that there is no damage to their infrastructure; and
- c. Be provided to the hospital, Council, asset or other provider and the Crown Certifier in the form of a Post-Construction Dilapidation Report.

54.3 Where the post-construction dilapidation report determines that there is damage to infrastructure as a result of construction activity, the Proponent must repair any damage caused by carrying out the works.

55. Post-construction survey – adjoining properties

55.1 Prior to the use of the facility, a post-construction survey report is to be prepared if required.

55.2 The post-construction survey should:

- a. Identify whether construction work caused any damage to affected buildings identified in the pre-construction survey at mitigation measure 25.1 and 25.2 and
- b. Be provided to the owner of identified buildings and Crown Certifier in the form of Post-Construction Survey Report.

55.3 Where the post-construction survey report determines that there is damage to a building as a result of construction activity, the Proponent must repair any damage caused by carrying out the works.

56. Stormwater operation and maintenance plan

56.1 Prior to the use of the facility, a Stormwater Operation and Maintenance Plan (if required) is to be prepared and submitted to the satisfaction of the Crown Certifier. The Stormwater Operation and Maintenance Plan shall ensure that stormwater quality measures remain effective and contain the following:

- a. Maintenance schedule of all stormwater quality treatment devices;
- b. Record and reporting details; and
- c. Work Health and Safety requirements.

56.2 A copy of the Stormwater Operation and Maintenance Plan is to be provided to the hospital and/or LHD.

57. External Lighting

57.1 Prior to the use of the facility, it must be demonstrated to the Crown Certifier that the external lighting complies with Australian Standard AS/NZS 4282:2019 Control of the Obtrusive Effects of Outdoor Lighting.

58. Mechanical ventilation

58.1 Prior to the use of the facility, it must be demonstrated to the Crown Certifier that the mechanical ventilation systems complies with:

- a. Australian Standard AS 1668.2-2012 The use of ventilation and air-conditioning in buildings – Mechanical ventilation in buildings and other relevant codes; and
- b. Any dispensation granted by Fire and Rescue NSW.

- 58.2 During operation the TAMs workshop façade is to be closed (all windows and doors) when there will be noisy activities ie cutting, drilling, carpentry, welding, grinding, sawing etc.

59. Operational Noise – Plant and Machinery

- 59.1 Prior to the use of the facility, it must be demonstrated to the Crown Certifier that noise associated with the operation of any mechanical plant or machinery does not exceed the relevant project noise trigger levels as outlined in the Operational Noise and Vibration Impact Assessment prepared by Acoustic Logic dated 4 November 2022.

60. Signage

- 60.1 Prior to the use of the facility, signage and directional information must be installed to the satisfaction of the Crown Certifier. This includes any necessary advisory signage and/or wayfinding and identification signage.

Post operation

Note: The following Conditions are to be complied with post operation of the facility.

61. Operation of plant and machinery

- 61.1 All plant and equipment used as part of the activity must be maintained and operated in proper and efficient condition.
- 61.2 The recommendations and findings of the Operational Noise Impact Assessment report prepared by Acoustic Logic and dated 4 November 2022 shall be adhered to during the operation of the development.

62. External lighting

- 62.1 Should the external lighting result in any impacts on the amenity surrounding sensitive receivers, the Proponent must provide appropriate measures to reduce the impacts. Such measures may include adjusting light mounting and direction, and/or screening devices such as shades.

63. Stormwater management

- 63.1 Stormwater management systems, including any water treatment systems, must be maintained and operated in a proper and efficient condition.

64. Discharge limits

- 64.1 The activity must remain compliant with Section 120 of the POEO Act, which prohibits the pollution of waters.

65. Sustainability

- 65.1 Within 6 months of operation of the facility, the Crown Certifier is to be provided with evidence that the activity satisfies the ESD requirements as required by mitigation measure 14.1.

66. Hazards and risks

- 66.1 Chemicals, fuel and oils that could be used on the site are to be handled in accordance with:
- The requirements of relevant Australian Standards; and/or
 - The EPA Storing and Handling of Liquids: Environmental Protection – Participants Manual if the chemicals are liquids.

67. Dangerous goods

- 67.1 Any dangerous goods, as defined by the Australian Dangerous Goods Code, are to be stored and handled in accordance with all relevant Australian Standards.

68. Waste Management

- 68.1 The premises shall operate in accordance with the Operational Waste Management Plan prepared by the Hunter New England LHD, version No.2022-022 where relevant.

Advisory Notes

AN1 Project Compliance – Town Planning Approvals – Guide to Post Approval Management (Feb 2023)

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 HI's *Town Planning Approvals – Guide to Post Approval Management (Feb 2023)* is required.