

# 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.

## Part A – General Measures

### Obligation to Prevent Impacts to the Environment

- A1 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.
- A2 The mitigation measures in this Decision Statement prevail to the extent of any inconsistency, ambiguity or conflict between them and the document listed in mitigation measure A3 below. In the event of any inconsistency, ambiguity or conflict between any of these documents listed in mitigation measure A3, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

### Development in Accordance with Plans and Documentation

- A3 The proposal must be carried out generally in accordance with the REF dated 31 March 2025 and prepared by Architectus, on behalf of NSW Health Infrastructure (HI) (including accompanying Appendices **A - AE**), 2025 except as amended by the Submissions and REF Update Report dated 23 July 2025 (including accompanying Appendices **A – H**) 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
EXISTING PRECINCT LOCATION PLAN (ALBURY) - REF	AWH-HSL-AR-EW-NEB-03-SKE-00001	B	31/01/2025	Hassell
SITE PLAN – REF	AWH-HSL-AR-EW-NEB-03-SKE-00002	E	27/06/2025	Hassell
DEMOLITION – REF	AWH-HSL-AR-EW-NEB-03-SKE-00010	G	03/07/2025	Hassell
LEVEL 01 FLOOR PLAN – REF	AWH-HSL-AR-EW-NEB-03-SKE-01000	E	27/02/2025	Hassell
LEVEL 02 FLOOR PLAN – REF	AWH-HSL-AR-EW-NEB-03-SKE-01000	C	24/01/2025	Hassell
ROOF – REF	AWH-HSL-AR-EW-NEB-03-SKE-01003	B	24/01/2025	Hassell
ELEVATIONS NORTH SOUTH - REF	AWH-HSL-AR-EW-NEB-03-SKE-01010	B	24/01/2025	Hassell
ELEVATIONS EAST WEST - REF	AWH-HSL-AR-EW-NEB-03-SKE-01011	B	24/01/2025	Hassell

Drawing Title	Drawing Ref	Revision	Date	Prepared by
SECTIONS - REF	AWH-HSL-AR-EW-NEB-03-SKE-XX020	B	24/01/2025	Hassell
NW ADDITIONAL PARKING	AWH-HSL-AR-EW-NEB-03-SKE-XX022	D	27/06/2025	Hassell
NORTHWEST PERMANENT AND TEMPORARY CARPARK - CIVIL WORKS PLAN	6393-CV-EW-NEB-2530	T4	27/06/25	Enstruct

## Compliance with Mitigation Measures

- A4 The Proponent engaged by HI, must ensure that all relevant personnel, including contractors (and their subcontractors), are made aware of these Mitigation Measures and the requirement to undertake the activity in accordance with these Measures.

## Non-Compliance Notification

- A5 HI-Planning and the HI Regional Executive Director must be notified where a non-compliance with a mitigation measure is identified, as soon as is practical after being made aware of the non-compliance. Any rectification actions necessary as a result of a non-compliance must be undertaken immediately where practical.
- A6 Notification is to be via email to [HI-Planning](#) and must identify the mitigation measure(s) which the non-compliance is related to, must set out the way in which the project does not comply, any known reasons for the non-compliance and what actions have been or will be undertaken, to address the non-compliance.

## Approvals

- A7 These mitigation measures do not remove any obligation to obtain all other licences, permits and 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.

## Crown Certificate

- A8 A Certificate under Section 6.28 of the *EP&A Act* is to be obtained prior to any work commencing.

## National Construction Code of Australia

- A9 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*.

## Long Service Levy

- A10 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* (NSW). For further information contact the Long Service Corporation on their Helpline 131441.

## Design Integrity

- A11 The 'for construction drawings' with materials, colours and finishes are to be consistent with the approved plans and the Design Statement dated January 2025 and prepared by Hassell and Landscape Design Report, dated 27 March 2025 and prepared by Hassell. Changes to design including materials and finishes are to be made in accordance with HI's Design Assurance process and where required, approved via an Addendum to the REF.
- A12 Prior to commencement of facade construction, where feasible, facade elements of the NEB elevation drawings shall be amended to provide further articulation (e.g. changes to facade openings). Evidence of endorsement of the amended facade by HI Design Assurance shall be provided to the Crown Certifier.

## External Materials

- A13 The external colours, materials and finishes of buildings must be consistent with the approved plans under mitigation measure A3. Any minor changes to the colour and finish of the approved external materials may be approved by the Crown Certifier, provided that:
- a) The alternative colour/material is of a similar tone/shade and finish to the approved external materials and colours; and
  - b) The quality and durability of any alternative material is the same standard as the approved external building materials.

## External Walls and Cladding

- A14 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*.

## Bushfire Safety Authority

- A15 Prior to the commencement of any work, a Section 100B Bushfire Safety Authority under the *Rural Fires Act 1997* is to be obtained from the NSW Rural Fire Service.

## Bushfire Management

- A16 The activity shall adopt the relevant and reasonable recommendations of the Bushfire Assessment Report, prepared by Building Code & Bushfire Hazard Solutions dated 12 February 2025.

## Staging Plan

- A17 The development may be constructed and/or operated in stages. Where the development is to be staged, a Staging Plan shall be prepared for the project, prior to the commencement of construction. A copy of the final plan is to be provided to the Certifier.
- A18 The Staging Plan must set out how the project is to be staged and shall identify mitigation measures triggered for each stage (operational and/or construction). The plan shall address any environmental impacts resulting from staged construction and/or operation of the activity, beyond those identified in the REF and as addressed by way of imposed mitigation measures.
- A19 Works shall be consistent with the adopted Staging Plan and at each stage relevant mitigation measures forming part of this Decision Statement shall be complied with.
- A20 If amended, the Certifier is to be provided with a copy of the amended Staging Plan.

## Tree Management and Landscape

- A21 Trees not proposed to be removed are to be protected in accordance with AS 4970-2009 *Protection of Trees on Development Sites*. No building materials, builder's sheds and the like are permitted to be stored under the canopy of existing trees.
- A22 Trees proposed to be removed are to be in accordance with the Plans and Documentation approved under this Determination and replaced at a replacement ratio of at least 1:1, as indicated by the Landscape Plans prepared by (Temporary Western Carpark – General Arrangement Plan, 1101, Rev A, dated 24 January 2025; and North East - General Arrangement Plan, AWH-HSL-LAEW-NEB-03-SKE-0001, Rev D, dated 27 March 2025). For replacement trees not identified on the Landscape Plans, the professional advice of a registered landscape architect or arborist must be sought to inform of the suitability of the species and their placement on site.

## Work in Road Reserve

- A23 Prior to the commencement of any work within a road reserve, approval under Section 138 of the *Roads Act 1993* is to be obtained from the relevant road authority. Any work in the road reserve, including a road opening permit for temporary construction access requires Section 138 approval.

## Part B - 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.

### Notice of Commencement

- B1 Prior to the commencement of construction under this Approval, the Proponent must notify HI-Planning of the date(s) of the intended commencement of construction at least 48 hours before those dates.

### Consultation Approach

- B2 Prior to the commencement of work, the project's Communication and Engagement Plan (C&E Plan) shall be updated as follows:
- a) to confirm the stakeholder and community engagement processes to be adopted by the proponent.
  - b) shall consider and comply with the relevant provisions of the *DPHI Stakeholder and Community Participation Plan for New Health Services Facilities and Schools, (SCPP) October 2024* and *Health Infrastructure Community Participation Plan (CPP) October 2024*.
  - c) Include a Consultation Approach that is compliant with the requirements of the above plan(s), identifies the relevant people that may be consulted during the construction phases and/or communication milestones 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;
  - d) Determines the suitable methods of consultation with relevant stakeholders, including the receipt of and response to feedback.
- B3 A copy of the C&E Plan inclusive of the Consultation Approach shall be provided to the LHD and the Certifier.

### Community Notification

- B4 No less than 2-days prior to commencement of work, the Proponent must provide written notice to Council and the occupier(s) 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.
- B5 The Proponent shall develop a complaints management system and maintain a Complaints Register which records details of complaints received and the means of resolution for each. The Complaints Register shall be made available on request.
- B6 Complaints received prior to and during the undertaking of works shall be managed in accordance with the HI CPP. 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.
- B7 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. Where required a Disruption Notice shall be prepared and approved ahead of such works or activities commencing.
- B8 A site notice board must be provided and be located at the entrance or other appropriate location on the Site in a prominent position. The notice must be A1 sized (minimum), durable and weatherproof and include the following:
- a) 24-hour contact person for the site;

- b) Telephone number(s), facsimile number (if relevant) and email address(es);
  - c) Details of the main contractor and principal certifier;
  - d) Site activities and time frames; and
  - e) Details of where accessible project information can be sourced.
- B9 The site notice must be placed at eye level and be erected no less than two (2) days prior to the commencement of works/activities and remain in place and be maintained until construction activities are complete.

## **Sustainability**

- B10 Prior to the commencement of construction, it must be demonstrated to the Crown Certifier that the following have been incorporated into the design, construction and operation of the activity:
- a) Any Ecologically Sustainable Development (ESD) initiatives or design measures recommended by the Sustainability Plan (Appendix P of the REF dated 31 March 2025), prepared by Health infrastructure and dated, 9 March 2025.
- B11 At the completion of construction, it must be demonstrated to the Crown Certifier that the project has achieved compliance with the Sustainability Plan (Appendix P of the REF dated 31 March 2025), prepared by Health infrastructure and dated, 9 March 2025 and that any required sustainability data has been provided

## **Waste and Hazardous Materials**

- B12 An unexpected finds procedure is to be included in an overarching Construction Management Plan (CMP) for the work, if other contamination is encountered which have not been identified during this assessment.
- B13 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 differs from that described within, then further assessment for waste classification purposes may be required prior to off-site disposal.
- B14 SafeWork NSW is to be notified in accordance with the relevant policy prior to work involving asbestos material being undertaken.
- B15 If required air monitoring devices shall be put in place, around the site, during the demolition. A qualified environmental hygienist shall be on site to supervise the work to ensure the safety of workers, and the public are not compromised in anyway. Daily monitoring and results will be taken and analysed to ensure safe air quality levels ensue.
- B16 The management and transport of waste must be in accordance with applicable provisions of the Protection of the Environment Operations (Waste) Regulation 2014.

## **Pre-Construction Asset and Infrastructure Dilapidation Report**

- B17 Prior to construction commencing a dilapidation report is to be prepared for the hospital and/or other assets within the zone of influence of the work including Council infrastructure.
- B18 The asset and infrastructure dilapidation report should:
- a) Be prepared in consultation with the relevant asset owner or provider of any services and infrastructure that are to be affected by the activity, to make suitable arrangements for access to diversion, protection and support of the affected assets or infrastructure.
  - b) Identify the condition of affected assets or infrastructure in the vicinity of the work; and

- c) Be provided to the hospital, Council, and any other assets owner or provider, and the Crown Certifier.

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

B19 Prior to construction, an offer of a pre-construction dilapidation report is to be made to the owners of adjoining buildings within the zone of influence of the work.

B20 Where the offer of a pre-construction dilapidation report 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 Dilapidation Report.

### **Construction Management**

B21 A detailed Construction Environmental Management Plan (CEMP) is to be prepared prior to the commencement of works, provided to the Crown Certifier, 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, Housing and Infrastructure (formerly 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, prepared having regard to relevant provisions of HI's Community Participation Plan (October 2024), *Department of Planning, Housing and Infrastructure's Stakeholder and Community Participation Plan for New Schools and Health Services Facilities (October 2024)*.
- b) Construction Traffic and Pedestrian Management Plan (prepared in consultation with Council);
- c) Construction Noise and Vibration Management;
- d) Construction Waste Management, including contaminated waste;
- e) Construction Soil and Water Management;
- f) Tree protection;
- g) Air quality and dust management measures;
- h) Demolition Work Plan;
- i) Unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure;



- j) Unexpected finds protocol for historical heritage;
- k) Unexpected finds protocol for contamination;
- l) Emergency Management Plan; and
- m) Training of responsibilities under *National Parks and Wildlife Act 1975*, *Heritage Act 1977* (Heritage Act) and any other relevant legislation.
- n) Incident Response Strategy including an incident reporting responsibilities flowchart prepared having regard to the 'Duty to notify pollution incidents' provisions of the *Protection of the Environment Operations Act 1997* (Required for all projects).

### **Construction Noise and Vibration Management Plan**

B22 The Construction Noise and Vibration Management Plan to be included in the CEMP required by these mitigation measures is to include (although may not be limited to) the following:

- 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; and
- 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 on site personnel.
- g) Additional project-specific mitigation measures are also to be included, as required.

### **Demolition and Construction Waste Management Plan**

B23 A Demolition and 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* (POEO Act). A copy of the plan is to be provided to the Crown Certifier.

B24 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 with details of any arrangements included;
- b) To make clear that cleaning out of batched concrete mixing plant is not permitted within any construction compound;
- c) That no burning or burying of waste is permitted on the site and that no materials will be used in a manner that will pose a risk to public safety; and



- d) That bulk garbage and/or waste bins delivered by waste contractors are to be kept within the site boundary.

### Construction Air Quality and Dust Management Plan

B25 The Construction Air Quality and Dust Management Plan to be included in the CEMP required by these mitigation measures is to include (although may not be limited to) the following:

- 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) Dust generated during construction works is to be controlled to avoid impact on surrounding properties;
- c) All necessary maintenance for construction vehicles and equipment is to be undertaken during the construction period/approved work hours;
- d) Excessive use of vehicles and powered construction equipment is to be avoided;
- e) Exposed areas are to be progressively revegetated as soon as practical;
- f) Vehicle wash down areas (or other effective alternative) are to be established on-site to ensure all mud and soil from construction vehicles is not carried onto public roads;
- g) 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
- h) Vehicles, machinery and equipment will be maintained in accordance with manufacturer's specifications and meet the requirements of the *POEO Act*, and associated regulations.
- i) Additional project-specific measures are also to be included, as required.

### Erosion and Sediment Control

B26 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.

B27 Works shall only commence once all erosion and sediment controls have been established. The controls shall be maintained in place until construction works are complete, and all exposed erodible materials are stable.

B28 Erosion and sedimentation controls shall be checked and maintained (including clearing of sediment from behind barriers) on a regular basis (including after any precipitation events) and records of inspections and maintenance kept and provided on request. Dewatering activities

B29 If dewatering activities are necessary, a Dewatering Management Plan shall be prepared and when required, a dewatering permit or licence shall be obtained from the relevant authority prior to undertaking any dewatering. The Plan shall include water testing, treatment, filtering and release management details. Offences apply under the Protection of the Environment Operations Act 1997, for the pollution of waters.

### Stormwater Management System

B30 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:

- a) Be in accordance with the relevant plans and supporting documents under condition/mitigation measure A3;
- b) Be in accordance with the applicable Australian Standards;

- c) Ensure that the system capacity has been designed in accordance with Australian Standards; and
- d) Ensure that the system has been designed in accordance with *Australian Rainfall and Runoff Guidebook* (Engineers Australia, 2019 Version 4.2 or as updated) and *Managing Urban Stormwater: Council Handbook (EPA, 1997) Guidelines*.

### External Walls and Cladding

- B31 Prior to commencement of work, independent advice is required to confirm that 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, comply with the requirements of the *National Construction Code*.
- B32 The independent advice is to be prepared and signed by a suitable qualified expert, such as a façade engineer or other building professional and a copy of the advice is to be provided to the Crown Certifier.

### External Lighting

- B33 Prior to commencement of work, independent advice is required to confirm that the proposed external lighting design would 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 and National Light Pollution Guidelines for Wildlife*.
- B34 The independence advice is to be prepared and signed by a suitably qualified expert, such as a practising lighting engineer, and a copy of the advice is to be provided to the Crown Certifier.

### Operational Noise – Mechanical Plan and Equipment

- B35 Prior to the installation of mechanical plant and equipment, independent advice is required to confirm compliance with relevant project noise trigger levels as recommended in the Noise and Vibration Impact Assessment, prepared by ACOR Consultants and dated 4 April 2025.
- B36 The independent advice should be prepared by suitably qualified expert, such as a practising acoustic engineer, and a copy of the advice is to be provided to the Crown Certifier.

### Noise Management Measures

- B37 During preparation of the construction program, where relevant, the project shall consult with the hospital/occupier of the campus to determine what areas (if any) of the hospital are noise sensitive, and at what time(s) (ward rooms, operating theatres, etc.). Feasible acoustic controls or management techniques (use of screens, scheduling of noisy works, notification of adjoining land users, respite periods) are to be utilised when undesirable noise impacts are anticipated.
- B38 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.

### Construction Worker Transport Strategy

- B39 Prior to the commencement of works, a final construction worker transport strategy shall be prepared. The strategy is to detail the provision of sufficient parking facilities or other travel arrangements for construction workers for the activity, to minimise parking in adjacent areas. The Strategy shall be prepared in consultation with Council and Transport for NSW and shall include that no construction workers or contractors are permitted to park in the hospital's carpark. A copy of the final strategy is to be provided to the Crown Certifier.

## Independent Environmental Audit

- B40 Prior to the commencement of works, a program of independent audits shall be prepared for the activity generally in accordance with the *Independent Post Approval Requirements 2020* (IPAR) (published on the Department of Planning, Housing and Infrastructure's (DPHI) website) and *AS/NZS ISO 19011-2019 Guidelines for Auditing Management Systems*.
- B41 The program shall identify that the frequency of Independent Environmental Audits (IEA) generally aligns with the frequency schedule in DPHI's Independent Post Approval Requirements 2020 (with the exception of operational phase auditing). The program is to be submitted to [HI-Planning](#) for information.
- B42 Projects may seek approval for an alternative IEA schedule which departs from the IPAR with advance approval from HI Planning. All requests for an alternative IEA schedule must be submitted to [HI-Planning](#) and shall include justification for departure.
- B43 Each IEA shall be accompanied by a REF Proponent Review & Response (PR&R) addressing any non-compliances, opportunities for improvement or observations identified by the Auditor. The final IEA and accompanying REF PR&R are to be provided to [HI-Planning](#) and the HI-Regional Executive Director within two (2) months of the audit date.

**Note:** HI's *REF Proponent Review and Response template* is available on the HI Project Toolkit.

## Staging

- B44 The development may be constructed and/or operated in stages. Where the development is to be staged, a Staging Plan shall be prepared for the project, prior to the commencement of construction.
- B45 The staging plan must set out how the project is to be staged (construction and or operation stages, must include an appendix identifying mitigation measures triggered for each stage and must address any environmental impacts resulting from the staging beyond those identified in the REF and addressed by way of imposed mitigation measures.
- B46 Works shall be consistent with the adopted Staging Plan and at each stage, relevant mitigation measures forming part of this Decision Statement shall be complied with. A copy of the final Plan is to be provided to the Certifier.

## Part C - During construction/undertaking of work

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

### Site Notice

- C1. The site notice(s) required by these mitigation measures must be prominently displayed and maintained as current, during the construction phase of the activity.

### Duty to Notify Pollution Incidents - Protection of the Environment Operations Act 1997 (POEO Act)

- C2. Pollution Incidents are to be notified in accordance with requirements of the POEO Act. If the *Protection of the Environment Operations (General) Regulation 2022* prescribes the manner and form of notifying pollution incidents, the notification is to conform with such requirements.

**Note:** Refer also to Advisory Note AN3.

### Approved Hours of Construction

- C3. The undertaking of any construction activity on the subject site is to be limited to the following hours:
- a) Monday to Friday inclusive: 7.00am to 6.00pm;
  - b) Saturdays: 8.00am to 1.00pm; and
  - c) Sundays and Public Holidays: No work permitted.
- C4. Notwithstanding the above, construction activities may be undertaken outside of the approved hours of construction if required:
- a) By the police or a public authority (other than Health Infrastructure) for the delivery of vehicles, plant or materials; or
  - b) In an emergency to avoid the loss of life, damage to property or to prevent environmental harm, or
  - c) For the delivery, set up or removal of the project's crane(s); or
  - d) Where construction activities will be inaudible at the nearest external sensitive receiver, and where a Disruption Notice (where required) has been issued by the LHD/Hospital for such works.

### Out of Hours Works (OOHW)

- C5. Advance written approval from [HI-Planning](#) shall be obtained for construction works/activities required to be undertaken outside of the approved hours of construction and which do not meet the criteria for OOHW under **Error! Reference source not found.** and **Error! Reference source not found.** above.

**Note:** Refer also to **Advisory Note AN4.**

## Rock Excavation

- C6. To minimise the noise levels during construction and loss of amenity to the surrounding area, the use of any rock excavation machinery or use of any mechanical pile drivers or the like is restricted to the hours of:
- a) 9am to 12pm, and 2pm to 5pm Monday to Friday; and
  - b) 9am to 12pm Saturday.
  - c) No blasting shall be permitted during construction.

## Access and Pedestrian Movements

- C7. Safe pedestrian access and movement to the hospital and surrounding buildings shall be protected and remain unimpeded. Appropriate signage and directional information shall be provided.

## Construction Site Management

- C8. 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 and is not to be in conflict with the scope of the approval.
- C9. The work site should be left tidy and rubbish free each day prior to leaving the site and at the completion of works. All materials on site or being delivered to the site must be wholly contained within the site.
- C10. 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:
- a) *Protection of the Environment Operations Act 1997*;
  - b) *Work Health and Safety Regulation 2017*;
  - c) *AS 1940:2017 The Storage and Handling of Flammable and Combustible Liquids*; and
  - d) *Safe Work NSW Code of Practice – Managing Risks of Hazardous Chemicals in the Workplace*.
- C11. A copy of the approved and certified plans, specifications and documentation shall be kept on site and shall be available for perusal by any officer of Council.
- C12. All contractor(s) must meet all workplace safety legislation and requirements.

## Erosion and Sediment Control

- C13. Erosion and control measures are not to be removed until disturbed areas have stabilised.
- C14. 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.
- C15. 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 including those within temporary construction compound(s).
- C16. The requirements of the *POEO Act* 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.

## Air Quality and Dust Management

- C17. 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.
- C18. Dust generated during construction activities is to be controlled to avoid impact on surrounding properties. No burning of materials is permitted.
- C19. Exposed areas are to be progressively revegetated as soon as practical.
- C20. Vehicle wash down areas (or other effective measure) are to be established to ensure all mud and soil from construction vehicles is not carried onto public roads.
- C21. 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.
- C22. 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.

## Services

- C23. 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.

## Stormwater Management System

- C24. 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:
  - a) Be generally in accordance with the stormwater report and plans at mitigation measure A3];
  - b) Be in accordance with the applicable Australian Standards;
  - c) Ensure that the system capacity has been designed in accordance with Australian Standards; and
  - d) Ensure that the system has been designed in accordance with *Australian Rainfall and Runoff Guidebook* (Engineers Australia, 2019 V4.2 or as updated) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) Guidelines.

## Unexpected Finds

- C25. 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.
- C26. 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 *Resilience and Hazards SEPP* 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.
- C27. 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 Environment Protection Authority (EPA), if required.



- C28. 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 NSW EPA requirements at an EPA licensed waste facility.

### Contamination

- C29. Asbestos removal and management in NSW are regulated under the *Work Health and Safety Act 2011* and WHS Regulation. 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.
- C30. 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.
- C31. 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.
- C32. The contractor shall develop a procedure for the management of any 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. The procedure is to have reg to the relevant provisions of the Acid Sulfate Soil Guidelines (NSW Acid Sulfate Soils Management Advisory Committee, August 1998)
- C33. Soil and/or fill materials will be sourced from licensed quarries and operators. All materials will be certified uncontaminated and environmentally safe.

### Noise and Vibration Management

- C34. All works will be in accordance with *AS 2436-2010: Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites*.
- C35. Building contractors are to implement the requirements of the *Office of Environment Interim Construction Noise Guideline* (July 2009) as far as practicable.
- C36. Construction is to be carried out in accordance with the Building Code of Australia deemed-to-satisfy provisions with respect to noise transmission.
- C37. Construction vehicles (including any concrete agitator trucks) are to not arrive at the site or any surrounding residential precincts outside of the approved construction hours of work as set out in these mitigation measures.

### Non-Aboriginal Heritage

- C38. All personnel working on site shall receive training on their responsibilities under the *Heritage Act 1977*.
- C39. 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. Work shall not recommence until the significance of the find is established. Should significant relics be identified, external approvals to impact the relics may be required.

### Aboriginal Heritage

- C40. 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, and 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;

- b) An appropriately qualified archaeological consultant is to be engaged to identify the material; and
- c) 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)*.

- C41. Should human remains be located, all works must halt in the immediate area. 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.
- C42. 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. If Registered Aboriginal Parties (RAPs) were engaged as part of an ACHAR process, the RAPs are to be invited to site along with the archaeologist. Following the on-site assessment, the archaeologist and RAPs (if they attended the site) are to advise on whether further management, mitigation or approvals are required in consultation with the HI Project Team. An Aboriginal Heritage Impact Permit (AHIP) would also need to be obtained to impact the site.
- C43. 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.

## Part D - Prior to Commencement of Operation

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

### Crown Certificate Completion

- D1. A Crown Completion Certificate is to be issued by a Crown Certifier prior to the occupation of the works.

### Compliance with Plans and Supporting Documentation

- D2. 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 mitigation measure A3, except where a condition/mitigation measure expressly required or allowed otherwise.

### Works as Executed

- D3. Prior to use of the facility, "Works as Executed" drawings are to be submitted to HI.

### Structural Certification

- D4. 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. A copy of the structural certificate is to be provided to the Crown Certifier.
- D5. The structural certificate must be prepared by a qualified and practicing Structural Engineer and confirm that the structural work is compliant with the structural drawings.

### Warm Water Systems and Cooling Systems

- D6. 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 (2004)*.
- D7. Documentation demonstrating compliance must be submitted to the Crown Certifier.

### Fire Safety Certification

- D8. Prior to the use of the facility, a Final Fire Safety Certificate must be issued for all Essential Fire Safety Measures or Other Safety Measures required as part of the operation of the activity.
- D9. A copy of the Final Fire Safety Certificate is to be provided to the Crown Certifier, the hospital and/or the LHD and Health Infrastructure.
- D10. In accordance with the requirements of section 85 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, as soon as is practicable after a Final Fire Safety Certificate has been issued for the building, a copy of the Certificate is to be given to the Fire Commissioner (via email to [firesafety@fire.nsw.gov.au](mailto:firesafety@fire.nsw.gov.au)).
- D11. A copy of the Final Fire Safety Certificate and Schedule are to be prominently displayed in the building.

**Note:** A copy of the Fire Safety Certificate is to be provided in accordance with applicable requirements of section 85 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

### **Post-Construction Assets and Infrastructure Dilapidation Report**

D12. Prior to use of the facility, a post-construction dilapidation report is to be prepared.

D13. The post-construction asset and infrastructure dilapidation report should:

- a) Identify whether the construction work created any structural damage to affected infrastructure, as identified in the pre-construction asset and infrastructure dilapidation report at mitigation measure B17;
- 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.

D14. 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.

### **Post-Construction Dilapidation Report Adjoining Properties**

D15. Prior to the use of the facility, a post-construction dilapidation report is to be prepared to confirm that approved activities have not resulted in impacts to nearby affected adjoining properties.

D16. The post-construction dilapidation report should:

- a) Identify whether construction work caused any damage to affected buildings identified in the pre-construction dilapidation survey at mitigation measure B20, and
- b) Be provided to the owner of identified buildings and Crown Certifier.

D17. Where the post-construction dilapidation 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.

### **Operational Waste Management**

D18. Prior to the use of the facility an Operational Waste Management Plan shall be provided to the Crown Certifier. The plan shall outline how waste would be minimised, handled, stored and disposed of appropriately, including in accordance with any relevant guidelines.

D19. Where not prepared by the LHD/Hospital, a copy of the Operational Waste Management Plan shall also be provided to the hospital and/or LHD/building occupier.

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

D20. Prior to the use of the facility, a Stormwater Operation and Maintenance Plan 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.

D21. A copy of the Stormwater Operation and Maintenance Plan is to be provided to the hospital and/or LHD.

## Bushfire

- D22. Prior to the use of the facility, it must be demonstrated to the Crown Certifier that the relevant and reasonable recommendations of the bushfire management report prepared by **Building Code & Bushfire Hazard Solutions** have been incorporated into the activity. This includes any operational emergency management measures (where provided).
- D23. A copy of operational emergency management measures is to be provided to the hospital and/or LHD.

## External Lighting

- D24. 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*.

## Mechanical Ventilation

- D25. Prior to the use of the facility, it must be demonstrated to the Crown Certifier that the mechanical ventilation systems comply with *Australian Standard AS 1668.2-2012 The use of ventilation and air-conditioning in buildings – Mechanical Ventilation in Buildings* and other relevant codes; and any dispensation granted by Fire and Rescue NSW.

## Operational Noise – Plant and Machinery

- D26. 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 recommended in the Noise and Vibration Impact Assessment prepared by ACOR Consultants and dated 4 April 2025.

## Landscaping

- D27. Prior to the use of the facility, landscaping of the site in accordance with the landscape plans under mitigation measure A3 must be completed to the satisfaction of the Crown Certifier.

## Landscape Management Plan

- D28. Prior to the use of the facility, a Landscape Management Plan must be prepared that provides measures for on-going operation and management of landscaping. A copy of the Landscape Management Plan is to be provided to the Crown Certifier, hospital and/or LHD.

## Signage

- D29. 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 provided on the plans under mitigation measure A3.

## Part E - Post occupation / operation

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

### External Lighting

- E1. Should external lighting installed as part of the activity/works result in any negative and unreasonable impacts on the amenity of surrounding sensitive receivers, the Proponent must undertake appropriate measures to reduce the impacts. Such measures may include adjusting the mounting, light intensity and/or direction and/or the installation of screening devices such as shades.

### Stormwater Management

- E2. Stormwater management systems, including any water treatment systems, must be maintained and operated in a proper and efficient condition.

### Requirement to Comply with Protection of the Environment Operations Act 1997 (POEO Act)

- E3. In accordance with Section 120 of the POEO Act, the activity must not cause or result in, the pollution of waters.
- E4. The occupier must ensure the operation of any plant (other than control equipment) installed as part of the activity is maintained in an efficient condition and operated in a proper and efficient manner. Non-compliance with this requirement is an offence under Sections 124 and 139 of the POEO Act where air or noise pollution is caused.

### Sustainability

- E5. Within 6 months of operation of the facility, the Crown Certifier is to be provided with evidence that the activity attains the minimum number of ESD points as required by mitigation measure B10.

### Dangerous Goods, Hazards and Risks

- E6. Chemicals, fuel and oils that could be used on the site are to be handled in accordance with:
- a) The requirements of relevant Australian Standards; and/or
  - b) The *EPA Storing and Handling of Liquids: Environmental Protection – Participants Manual* (May 2007) if the chemicals are liquids.
- E7. Dangerous goods, as defined by the Australian Dangerous Goods Code, are to be stored and handled in accordance with all relevant Australian Standards.



## Advisory Notes

### AN1 Project Compliance – Town Planning Approvals – Guide to Post Approval Management

Health Infrastructure (HI) is responsible for ensuring that the conditions of consent are complied with. 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* is required.

### AN2 Services and Utilities

Prior to the commencement of works, any services and utilities that may be impacted by the works are to be appropriately relocated. All licenses, permits and approvals required to carry out the approved activity must be gained in accordance with applicable legislation.

### AN3 Duty to Notify Pollution Incidents

A pollution incident (refer definition at Part 5.7 of the POEO Act) must be notified **immediately**, being prompt and without delay, to each *relevant authority* which may include notification (verbal and written) to the Environmental Protection Authority (EPA). Concurrent notification of an Incident is to be given to [HI-Planning](#) and to the appointed Project Manager, HI Project Director and HI Regional Executive Director.

### AN4 Out of Hours Work

Out of Hours Works (OOHW) applications must be made in accordance with the HI OOHW Protocol. Applications are to be submitted to [HI-Planning](#). Allow 21 days. The HI OOHW Protocol is available on HI's Delivery Partners Library and includes an application form. Incomplete applications may result in delay or rejection.

### AN6 Demolition

Demolition work must be undertaken in accordance with the provisions of Australian Standard AS 2601-2001 The Demolition of Structures. The Demolition Work Plan must comply with the safety requirements of this standard.

### AN7 Shoring and Structural Adequacy

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.

If the works involve an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), under the advice of a suitably qualified engineer the works must:

- Protect and support the building, structure or work from possible damage from the excavation, and
- Where necessary, underpin the building, structure or work to prevent any such damage.

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