

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2022, I determine:

- (a) to grant consent to the development application referred to in Schedule 1, subject to the conditions in Schedules 2 and Schedule 3; and
- (b) that pursuant to section 4.37 of the *Environmental Planning and Assessment Act 1979*, any subsequent stage of the development not being for the purpose of a health services facility with a capital investment value in excess of \$30 million is to be determined by the relevant authority and that stage of the development ceases to be State Significant development.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



Karen Harragon
Director
Social and Infrastructure Assessments

Sydney

30 June 2023

SCHEDULE 1

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| Application Number: | SSD-36778089 |
| Applicant: | Health Administration Corporation |
| Consent Authority: | Minister for Planning and Public Spaces |
| Site: | Ryde Hospital, 1 Denistone Road, Denistone Lot 11 DP1183279, Lot A DP 323458, Lot B DP 323458 and Lot 10 DP 1183279 |
| Development: | Ryde Hospital Redevelopment including: <ul style="list-style-type: none">• a concept proposal comprising:<ul style="list-style-type: none">○ maximum building envelopes for two buildings (a clinical services building and a multi-deck carpark);○ maximum gross floor area of 40,000sqm for the clinical services building;○ refurbishment and re-use of existing buildings, including heritage buildings; and○ associated vehicle access, at-grade parking and landscape areas.• Stage 1 works comprising:<ul style="list-style-type: none">○ demolition of three buildings, clearing and tree removal;○ remediation of part of the site, bulk earthworks and shoring;○ establishment of construction access; and○ termination of building services and augmentation of utilities. |

DEFINITIONS

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| Aboriginal object | Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i> |
| Aboriginal place | Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i> |
| Accredited Certifier | Means the holder of accreditation as an accredited certifier under the <i>Building Professionals Act 2005</i> acting in relation to matters to which the accreditation applies. |
| Advisory Notes | Advisory information relating to the consent but do not form a part of this consent |
| Applicant | Health Administration Corporation or any other person carrying out any development to which this consent applies |
| AR1 | 1 st Amendment Report: The Applicant's amended application and response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act in the document titled 'Ryde Hospital Redevelopment (Concept Proposal and Stage 1) SSD-36778089 Submissions Report and SSDA Amendment Report' prepared by Ethos Urban and dated 13 January 2023 |
| AR2 | 2 nd Amendment Report: The Applicant's amended application in the document titled 'Ryde Hospital Redevelopment (Concept Proposal and Stage 1) SSD-36778089 SSDA Amendment Report #2' prepared by Ethos Urban and dated 17 May 2023 |
| BCA | Building Code of Australia |
| BC Act | <i>Biodiversity Conservation Act 2016</i> |
| CEMP | Construction Environmental Management Plan |
| Certifier | Means a council or accredited certifier |
| Compliance Reporting Post Approval Requirements | Compliance Reporting Post Approval Requirements as available on the Department's website |
| Conditions of this consent | The conditions contained in Schedule 2 of this document |
| Construction | <p>All physical work to enable operation including but not limited to the demolition and removal of buildings, the carrying out of works for the purposes of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent, but excluding the following:</p> <ul style="list-style-type: none"> • building and road dilapidation surveys; • investigative drilling or investigative excavation; • Archaeological Salvage; • establishing temporary site offices (in locations identified by the conditions of this consent); • installation of environmental impact mitigation measures, fencing, enabling works; and • minor adjustments to services or utilities. <p>However, where heritage items, or threatened species or threatened ecological communities (within the meaning of the <i>Biodiversity Conservation Act 2016</i> or <i>Environment Protection and Biodiversity Conservation Act 1999</i>) are affected or potentially affected by any physical work, that work is construction, unless otherwise determined by the Planning Secretary in consultation with EES Group or DPIE Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation)</p> |
| Council | City of Ryde Council |

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| Day | The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays |
| Demolition | The deconstruction and removal of buildings, sheds and other structures on the site |
| Department | NSW Department of Planning and Environment |
| Development | The development described in the EIS, as amended by AR1, the RtS and AR2, comprising the Redevelopment of Ryde Hospital as modified by the conditions of this consent. |
| Earthworks | Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services |
| EHG | Environment and Heritage Group of the Department of Planning and Environment |
| EIS | The Environmental Impact Statement titled <i>Environmental Impact Statement 1 Denistone Road, Denistone Ryde Hospital Redevelopment (Concept Proposal and Stage 1 Application)</i> , prepared by Ethos Urban and dated 16 August 2022, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application |
| Environment | Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings |
| EPA | NSW Environment Protection Authority |
| EP&A Act | <i>Environmental Planning and Assessment Act 1979</i> |
| EP&A Regulation | <i>Environmental Planning and Assessment Regulation 2021</i> |
| Evening | The period from 6pm to 10pm |
| Feasible | Means what is possible and practical in the circumstances |
| GFA | Gross Floor Area |
| Heritage | Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement |
| Heritage Item | An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent |
| Incident | An occurrence or set of circumstances that causes, or threatens to cause, material harm and which may or may not be, or cause, a non-compliance <i>Note: "material harm" is defined in this consent</i> |
| Independent Audit Post Approval Requirements | Independent Audit Post Approval Requirements as available on the Department's website |
| Land | Has the same meaning as the definition of the term in section 1.4 of the EP&A Act |
| Management and mitigation measures | The management and mitigation measures set out in Section 6 of the EIS |
| Material harm | Is harm that: <ul style="list-style-type: none"> a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the |

reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment).

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

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| Minister | NSW Minister for Planning and Public Spaces (or delegate) |
| Mitigation | Activities associated with reducing the impacts of the development prior to or during those impacts occurring |
| Monitoring | Any monitoring required under this consent must be undertaken in accordance with section 9.39 of the EP&A Act |
| Night | The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays |
| Non-compliance | An occurrence, set of circumstances or development that is a breach of this consent |
| NSW RFS | New South Wales Rural Fire Service |
| Operation | The carrying out of the approved purpose of the development upon completion of construction. |
| PA | Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act. |
| Planning Secretary | Planning Secretary under the EP&A Act, or nominee |
| POEO Act | <i>Protection of the Environment Operations Act 1997</i> |
| Reasonable | Means applying judgement in arriving at a decision, taking into account: mitigation, benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements. |
| Registered Aboriginal Parties | Means the Aboriginal persons identified in accordance with the document entitled “ <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> ” (DECCW) |
| Rehabilitation | The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting. |
| RtS | Response to Submissions: The Applicant’s response and supporting documents, responding to issues raised by the Department and in submissions in the document titled ‘Ryde Hospital Redevelopment (Concept Proposal and Stage 1) SSD-36778089 Submissions Report’ prepared by Ethos Urban and dated 28 March 2023 and additional information provided on 15 May 2023 |
| Sensitive receivers | A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area. |
| Site | The land defined in Schedule 1 |
| Site Auditor | As defined in section 4 of the <i>Contaminated Land Management Act 1997</i> |
| Site Audit Report | As defined in section 4 of the <i>Contaminated Land Management Act 1997</i> |
| Site Audit Statement | As defined in section 4 of the <i>Contaminated Land Management Act 1997</i> |
| TfNSW | Transport for New South Wales |
| Waste | Has the same meaning as the definition of the term in the Dictionary to the POEO Act |
| Year | A period of 12 consecutive months |

SCHEDULE 2
CONDITIONS OF CONSENT FOR CONCEPT DEVELOPMENT APPLICATION
PART A ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

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

Determination of Future Applications

A2. In accordance with section 4.22(4) of the EP&A Act all development under the concept proposal must be subject of future development application(s).

A3. The determination of future development application(s) is to be not inconsistent with the terms of development consent SSD-36778089 as described in Schedule 1 and subject to the conditions in Parts A, B and C, Schedule 2.

Terms of Consent

A4. The development may only be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with all written directions of the Planning Secretary;
- (c) generally in accordance with the EIS, AR1, the RtS and AR2; and
- (d) in accordance with the approved plans in the table below:

| Architectural Plans prepared by <i>STH Health Architects</i> | | | |
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| Dwg No. | Rev | Name of Plan | Date |
| RHR-ARC-DR-SSD1_007 | 06 | Concept Proposal – Indicative Demolition Plan | 11/11/2022 |
| RHR-ARC-DR-SSD1_008 | 07 | Concept Proposal – Proposed Site Layout Plan | 11/11/2022 |
| RHR-ARC-DR-SSD1_009 | 07 | Concept Proposal – Proposed Envelope / Indicative Massing Elevations Sheet 1 | 11/11/2022 |
| RHR-ARC-DR-SSD1_0010 | 07 | Concept Proposal – Proposed Envelope / Indicative Massing Elevations Sheet 2 | 11/11/2022 |
| RHR-ARC-DR-SSD1_0011 | 07 | Concept Proposal – Proposed Envelope / Indicative Massing Sections | 11/11/2022 |

A5. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:

- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary;
- (b) any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and
- (c) the implementation of any actions or measures contained in any such document referred to in (a) above.

A6. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A4. In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A4, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Limits of Consent

- A7. This consent lapses five years after the date of consent unless the Stage 1 works, identified in Schedule 1 of this development consent have physically commenced.
- A8. This consent does not allow any components of the concept proposal, to be carried out without further approval or consent being obtained from the relevant consent authority, except the 'Stage 1 works' identified in Schedule 1 of this development consent and in accordance with condition A2 of Schedule 3.
- A9. Concept approval is given to demolition of the buildings identified in Plan RHR-ARC-DR-SSD1_007. Approval of the plan does not indicate approval of demolition of the sandstone fence on Denistone Road (which must be retained except where required for future access) or removal of trees shown on the plan, which will be subject to further assessment in future applications.

Planning Secretary as Moderator

- A10. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.

Evidence of Consultation

- A11. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document for information or approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

Legal Notices

- A12. Any advice or notice to the consent authority must be served on the Planning Secretary.

ADVISORY NOTES

- AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

PART B MODIFICATIONS

Modifications

- B1. The size of the building envelope for the multi-deck carpark is to be reduced to provide a maximum building length of 53.9m to Denistone Road to a minimum depth of 26m.
- B2. The plans identified in the table to condition A2, Schedule 2 are to be updated to reflect the requirements of condition B1, Schedule 2, prior to the lodgement of any future development applications.

PART C CONDITIONS TO BE SATISFIED IN FUTURE DEVELOPMENT APPLICATIONS

Maximum Building Envelope Controls

- C1. Future development application(s) must demonstrate that the proposed buildings above ground level are not inconsistent with the maximum building envelopes in the architectural plans listed in Schedule 2 condition A2, as modified by conditions B1 and B2. Works below ground level are not subject to building envelopes.
- C2. Future development application(s) must demonstrate that the gross floor area (GFA) for the proposed clinical services building do not exceed 40,000sqm.

Built Form and Urban Design

- C3. The Stage 2 application must include evidence of consultation with the Government Architect NSW or the State Design Review Panel in developing the design of the final built form and landscaping within the site.
- C4. Future development applications are to demonstrate that urban design and built form of the buildings, public spaces, open areas and landscaping have been designed having regard to the following matters:
 - (a) a high standard of architectural design, materials and detailing appropriate to the building type and location and the heritage values of the site;
 - (b) façade design, articulation, modulation and materiality to mitigate potential impacts of scale and to provide a sympathetic backdrop to Denistone House;
 - (c) provision of a high-quality interface between the multi-deck carpark and Denistone Road, that has considered:
 - (i) opportunities for landscape plantings in the front setback (including consideration of opportunities to improve the front setback if this can be achieved while still meeting on-site parking requirements);
 - (ii) incorporation of high-quality façade treatments and / or modulation to articulate the building, and present a visually interesting façade that makes a positive contribution to the streetscape and that respects the adjacent pedestrian scale and the surrounding low scale environment;
 - (iii) opportunities for incorporation of green / living walls where appropriate; and
 - (iv) a façade design that minimises light spill and acoustic impacts to residential premises opposite the site;
 - (d) the form and external appearance of the proposed development, including landscaping, is to improve the quality and amenity of the public domain;
 - (e) environmental amenity outcomes, including solar access provision to relevant internal amenity areas of the hospital and public spaces within the site, consideration of wind impacts and amelioration measures where relevant to achieve high quality amenity spaces on the site;
 - (f) environmental amenity impacts on the surrounding residents and other identified sensitive users due to overshadowing, impacts on visual privacy, impacts on visual amenity, reflectivity, light spill, noise or other identified impacts and associated mitigation measures;
 - (g) consideration of Crime Prevention Through Environmental Design (CPTED) and incorporating method(s) / treatment(s) to ensure that all buildings, spaces and places within and around the development are safe and secure and the opportunity for crime has been minimised in accordance with CPTED principles;
 - (h) integrating local indigenous identity, culture and innovation in design and delivery and consideration of the Government Architect NSW's Connecting with Country Framework and Designing with Country Framework;

- (i) pedestrian, cycle, vehicular and service access and circulation requirements, including incorporation of a publicly accessible pedestrian and cycle connection through the site, and improvements to the public domain.

Tree Removal, Retention and Landscaping

- C5. Future development application(s) must include a detailed Arboricultural Assessment, which considers the impact of the proposal and retention value of existing trees on and surrounding the site. All trees identified as having moderate (or above) retention value should be considered for retention and incorporation into the landscape design for the proposal. Detailed consideration must be given to retention of trees that are located outside of the approved building envelope footprints and have been identified as having high or very high habitat value, landscape value or retention value.
- C6. Future development application(s) must include a landscape report and plans, prepared by a suitably qualified professional, including the detailed design and treatment of all ground and above ground surface areas on the site and within the adjoining public domain. The landscape plans must:
 - (a) be designed having regard to the relevant matters outlined in conditions C3, C4 and C5 of Schedule 2;
 - (b) incorporate a diversity of local native new plantings on the site, including new trees at a ratio of at least 2:1 to replace trees lost from the overall development (all stages), to improve canopy cover, mitigate urban heat island effects and improve local biodiversity over time;
 - (c) be consistent with any relevant provisions of the Vegetation Management Plan required by condition C30, Schedule 2; and
 - (d) be developed to meet the requirements of the NSW Rural Fire Service (RFS) and Planning for Bushfire Protection (PBP) 2019.

Visual Impact Assessment

- C7. The Stage 2 application must be supported by a Visual Impact Assessment Report to identify and assess public and private view impacts and demonstrate how consideration has been given to minimising such impacts.

European Heritage

- C8. Future development application(s) are to demonstrate how the detailed design, including façade design and articulation, modulation and materiality, as well as site layout and landscaping have been developed having regard to the heritage values and the CMP for the heritage items of the site, to mitigate potential impacts of scale and to provide a sympathetic backdrop to Denistone House.
- C9. Future development application(s) must include a Statement of Heritage Impact (SHI) prepared in accordance with the relevant guidelines which assesses any impacts, including visual impacts, and outlines measures to ensure they are minimised and mitigated.
- C10. Future development application(s) are to be accompanied by an updated Conservation Management Plan (CMP) for Denistone House, including identifying appropriate structures that can be located within the Denistone House forecourt, and demonstrate consistency with the CMP.
- C11. Future development application(s) are to include a Heritage Interpretation Strategy that outlines how the diverse history and cultural significance of the site will be interpreted within the proposed design for the site.
- C12. Future development application(s) are to retain the sandstone fencing along Denistone Road, with minor alterations as necessary to facilitate access.
- C13. Future development application(s) are to demonstrate how heritage items would be protected on site during construction works.

- C14. Future development application(s) are to include a Historical Archaeological Assessment which assesses impacts on potential historical archaeology and archaeological resources that may exist at the site. The historical archaeological investigation must outline opportunities to avoid and conserve archaeology in situ.

Aboriginal heritage

- C15. Future development application(s) must include an updated Aboriginal Cultural Heritage Assessment Report (ACHAR). The ACHAR should be generally consistent with the recommendations the Concept Plan ACHAR prepared by Urbis and dated 30 November 2022, and is also to include consideration of the detailed application and how the detailed design enables the avoidance and conservation of significant Aboriginal cultural heritage values, where identified through the assessment, as well as measures to manage and mitigate harm to any Aboriginal cultural heritage values.

Ecologically Sustainable Development and Environmental Performance

- C16. Future detailed development applications must demonstrate:
- (a) how the principles of ecologically sustainable development (ESD) have been incorporated into the design, construction and ongoing operation of the new buildings;
 - (b) how the development will meet or exceed the relevant industry recognised building sustainability and environmental performance standards; and
 - (c) how the development minimises greenhouse gas emissions (reflecting the Government's goal of net zero emissions by 2050) and consumption of energy, water (including water sensitive urban design) and material resources.

Bushfire Protection, Biodiversity, Vegetation Management, Slope Stability

- C17. Future development application(s), must demonstrate satisfactory compliance with the relevant provisions of Planning for Bushfire Protection 2019, including (but not limited to):
- (a) a minimum asset protection zone (APZ) complying with that marked in the approved plans in condition A2 of Schedule 2;
 - (b) construction of the hospital building in accordance with the requirements of AS3959-2018 'Construction of Buildings in Bushfire Prone Areas'; and
 - (c) entry and / or exit points to the hospital building, including service delivery areas, not being exposed to more than 10k/W of radiant heat exposure.
- C18. Future development application(s) must be accompanied by a report on geotechnical investigations of the land within and adjacent to the APZ within the Blue Gum High Forest in regard to soil type, slope stability, impact of vegetation removal and erosion control to inform the Vegetation Management Plan required by condition C20 of Schedule 2, with recommendations on environmentally sensitive erosion control works and mitigation of landslip risk.
- C19. Future development application(s) must be accompanied by a Vegetation Management Plan (VMP) for the management of the Blue Gum High Forest. The VMP must:
- (a) be prepared by suitably qualified person(s);
 - (b) incorporate a Bush Regeneration Plan that updates the Ryde Hospital Bush Regeneration Plan, prepared by Ecological and dated 24 March 2023, to address the steepness of the site, detailed erosion control measures and how the risk of landslip will be managed, having regard to the findings of the geotechnical investigations required by condition C19 of Schedule 2;
 - (c) demonstrate and include measures to ensure the proposed APZ will be established and maintained at the required standard in perpetuity. The VMP is to incorporate measures to ensure regular and frequent inspections and removal of surface fuels, such as leaf litter, within the APZ to account for the proposed retained natural canopy cover; and

- (d) be reviewed by a suitably qualified bushfire consultant to certify that all proposed measures within the APZ would meet the requirements of Planning for Bushfire Protection 2019.
- C20. Future development application(s) must include an updated Biodiversity Development Assessment Report (BDAR), which updates the BDAR prepared by Ecological dated 9 December 2022, having regard to the detailed development application, inclusive of any changes to biodiversity impact arising from the proposed management measures set out in the VMP required by condition C20 of Schedule 2.

Traffic, Transport, Parking, Access

- C21. Future development application(s) must be accompanied by a Traffic Impact Assessment (TIA), prepared by a suitably qualified professional, that assesses the traffic, transport and pedestrian impacts on the road and footpath networks and nearby intersection capacity. The TIA must also address:
- (a) traffic generation impact and any necessary road infrastructure upgrades to adjoining and nearby roads and intersections;
 - (b) vehicle and pedestrian safety within and around the site and at all access and exit points;
 - (c) the operation and safety of all intersections in the vicinity of the site, including the intersection of Denistone Road and Dalton Avenue;
 - (d) loading / unloading and servicing;
 - (e) operation and access of ambulance / emergency vehicle facilities;
 - (f) on-site car parking provision, location, access and operation; and
 - (g) pedestrian and bicycle infrastructure and facilities.
- C22. Future development application(s) must include a preliminary Green Travel Plan (GTP), prepared by a suitably qualified professional, which identifies opportunities to maximise and encourage sustainable transport choices for future staff, patients and visitors.
- C23. Future development application(s) must include an assessment of parking demand and accommodate the increased demand for parking generated by the proposal within the site.
- C24. Future development application(s) must provide evidence that the introduction of a paid parking scheme has not significantly discouraged on-site parking on a similar operating metropolitan hospital campus.
- C25. Future development application(s) must include an assessment of bicycle and motorcycle parking need and include bicycle and motorcycle parking and end-of-trip facilities in accordance with the latest version of the Australian Standards.
- C26. Future development application(s) that include any additional driveways / vehicular access points to the site, beyond those shown on the plans identified in the table to condition A2 of Schedule 2, have been designed and located having regard to:
- (a) opportunities to consolidate or limit the number of vehicle entry and exit points on Denistone Road;
 - (b) opportunities to minimise potential impacts to residential neighbours directly opposite;
 - (c) vehicular and pedestrian safety, particularly consideration of safety impacts of traffic movements associated with driveways located in close proximity to each other; and
 - (d) opportunities to retain existing trees that have been identified as having high or very high landscape value, habitat value, or tree retention value.
- C27. Future development application(s) are to consider the impact of the development on the pedestrian and cyclist infrastructure in the vicinity of the site. The adequacy of existing infrastructure surrounding the site to accommodate additional demand arising from increased pedestrian and cyclist movements due to the intensification of the use and changes to mode share targeted by the Green Travel Plan is to be assessed. Where the assessment identifies that the additional demand would be significant and would not be adequately served by the

existing infrastructure, the proposal is to include public domain works and infrastructure improvements to mitigate the impacts of the development.

Noise and Vibration

- C28. Future development application(s) must be accompanied by a Noise and Vibration Impact Assessment, prepared by a suitably qualified professional, including (but not limited to):
- (a) quantitative assessment of the main noise generating sources and activities during construction and operation (including consideration of noise associated with traffic and emergency vehicles on the site and on surrounding roads); and
 - (b) any management and mitigation measures necessary to ensure the amenity of future sensitive land uses on the site and neighbouring sites is protected during the construction and operation of the development, including consideration of shielding and separation from noise sensitive receivers as necessary.

Operational Lighting

- C29. Future development application(s) must include an operational lighting plan, considering the lighting strategy for the site, including access, parking, service area(s), landscaping and building interface having regard to management of light spill to minimise amenity impacts to surrounding premises.

Waste

- C30. Future development application(s) must include a Waste Management Plan to address storage, collection and management of waste and recycling within the development.

Utilities

- C31. Future development application(s) must include a Utility Services Infrastructure Assessment, prepared by a suitably qualified professional, which must:
- (a) be prepared in consultation with relevant agencies and service providers;
 - (b) address the existing capacity and any augmentation requirements of the development for the provision of utilities; and
 - (c) consider any impacts on existing and proposed trees and landscaping.

Stormwater Management

- C32. Future development application(s) must include a stormwater concept design and stormwater management plan, prepared by a suitably qualified and experienced Civil Engineer (who is included in the National Professional Engineers Register, administered by the Institution of Engineers Australia). The stormwater concept design must be designed in accordance with Council's DCP Part 8.2 (Stormwater and Floodplain Management) and associated documentation and with any relevant Australian Standards.

Contamination

- C33. Future development application(s) must be accompanied by a Detailed Site Investigation Report (DSI), including an assessment of potential site contamination, prepared by a suitably qualified professional and a Remedial Action Plan (RAP) to demonstrate compliance with the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 4 and the recommendations of the Data Gap Assessment prepared by JBS&G, dated 14 December 2002
- C34. Future development application(s) must be prepared having regard to the recommendations and findings of the Data Gap Assessment prepared by JBS&G, dated 14 December 2002 and where appropriate, include:
- (a) a Long-Term Asbestos Management Plan, if the management strategy for the identified asbestos impact includes on-site containment, such as the placement of a marker and capping layer to address the long-term site maintenance of the remedial strategy;

- (b) a Long-Term Contamination Management Plan, if other contamination impacts (e.g. PCBs) are proposed to be retained on site; and
 - (c) a redevelopment specific Asbestos Management Plan to document controls required for the management of asbestos in soil impacts at the site.
- C35. Future development application(s) must consider the potential to encounter acid sulfate soils and provide any necessary management and mitigation measures.

Construction Impact Assessment

- C36. Future development application(s) must include a preliminary Construction Management Plan, prepared by a suitably qualified professional, to provide an analysis and assessment of the impacts of construction.

Groundwater

- C37. Future development application(s) must include estimates of groundwater take during the construction and operation of the proposed development.
- C38. Future development application(s) must include an assessment against the 'minimal impact considerations' of the NSW Aquifer Interference Policy 2012.

SCHEDULE 3
CONDITIONS OF CONSENT FOR STAGE 1 WORKS
PART A ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

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

Terms of Consent

A2. The development may only be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with all written directions of the Planning Secretary;
- (c) generally in accordance with the EIS, AR1, the RTS and AR2; and
- (d) in accordance with the approved plans in the table below:

| Architectural Plans prepared by STH Health Architects | | | |
|--|------------|--|-------------|
| Dwg No. | Rev | Name of Plan | Date |
| RHR-ARC-DR-SSDA_EEW_001 | 08 | Proposed Site Plan | 11/11/2022 |
| RHR-ARC-DR-SSDA_EEW_002 | 07 | Site Plan – Existing | 11/11/2022 |
| RHR-ARC-DR-SSDA_EEW_003 | 08 | Demolition Plan | 11/11/2022 |
| Civil Engineering Plans prepared by ACOR Consultants | | | |
| Dwg No. | Rev | Name of Plan | Date |
| SK1.05 | D | Details Sheet 1 | 21.07.2022 |
| SK2.01 | D | Bulk Earthworks Plan | 21.07.2022 |
| SK3.01 | D | Stormwater Management Plan | 08.04.2022 |
| SK5.01 | D | Soil Erosion and Sediment Control Plan | 08.04.2022 |

A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:

- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary;
- (b) any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and
- (c) the implementation of any actions or measures contained in any such document referred to in (a) above.

A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2. In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2 the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Limits of Consent

A5. This consent lapses five years after the date of consent unless works are physically commenced.

Prescribed Conditions

- A6. The Applicant must comply with all relevant prescribed conditions of development consent under Part 4, Division 2 of the EP&A Regulation.

Planning Secretary as Moderator

- A7. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.

Evidence of Consultation

- A8. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document for information or approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

Staging

- A9. The project (Stage 1) may be constructed in stages. Where compliance with conditions is required to be staged due to staged construction, a Staging Report must be prepared and submitted to the Certifier. The Staging Report must be submitted to the Certifier no later than one month before the commencement of construction of the first of the proposed stages of construction.
- A10. A Staging Report prepared in accordance with condition A9 must:
- (a) if staged construction is proposed, set out how the construction of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;
 - (b) specify how compliance with conditions will be achieved across and between each of the stages of the project; and
 - (c) specify how compliance with independent auditing requirements will be achieved across and between each of the stages of the project; and
 - (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.
- A11. Where a Staging Report is required, the project must be staged in accordance with the Staging Report, ~~as approved by the Planning Secretary.~~
- A12. Where construction is being staged in accordance with a Staging Report, the terms of this consent that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage as identified in the Staging Report including independent auditing requirements.

Staging, Combining and Updating Strategies, Plans or Programs

- A13. The Applicant may:
- (a) prepare and submit any strategy, plan (including management plan, architectural or design plan) or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan (including management plan, architectural or design plan) or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan (including management plan, architectural or design plan) or program);

- (b) combine any strategy, plan (including management plan, architectural or design plan), or program required by this consent (if a clear relationship is demonstrated between the strategies, plans (including management plan, architectural or design plan) or programs that are proposed to be combined); and
 - (c) update any strategy, plan (including management plan, architectural or design plan), or program required by this consent (to ensure the strategies, plans (including management plan, architectural or design plan), or programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A14. Any strategy, plan or program prepared in accordance with condition A13 where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary.
- A15. If the Planning Secretary agrees, a strategy, plan (including management plan, architectural or design plan), or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A16. Updated strategies, plans (including management plan, architectural or design plan), or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.

Design and Construction for Bush Fire

- A17. Any changes to services, including water, electricity and gas, are to comply with Planning for Bush Fire Protection 2019.

Applicability of Guidelines

- A18. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.
- A19. Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

Monitoring and Environmental Audits

- A20. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, Site audit report and independent auditing.

Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.

Access to Information

- A21. At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:
- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
 - (i) the documents referred to in condition A2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent;

- (iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;
 - (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - (vi) a summary of the current stage and progress of the development;
 - (vii) contact details to enquire about the development or to make a complaint;
 - (viii) a complaints register, updated monthly;
 - (ix) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;
 - (x) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary, and publicly available for 12 months after the completion of Stage 1 works.

Compliance

A22. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

Incident Notification, Reporting and Response

A23. The Planning Secretary must be notified through the major projects portal immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.

A24. Subsequent notification must be given and reports submitted in accordance with the requirements set out in **Appendix 2**.

Non-Compliance Notification

A25. The Planning Secretary must be notified through the major projects portal within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary through the major projects portal within seven days after they identify any non-compliance.

A26. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

A27. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Revision of Strategies, Plans and Programs

A28. Within three months of:

- (a) the submission of an incident report under condition A24;
- (b) the submission of an Independent Audit under condition C42;
- (c) the approval of any modification of the conditions of this consent; or
- (d) the issue of a direction of the Planning Secretary under condition A2 which requires a review,

the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifier must be notified in writing that a review is being carried out.

A29. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary or Certifier (where previously approved by the Certifier). Where revisions are required, the revised document must be submitted to the Planning Secretary and / or Certifier for approval and / or information (where relevant) within six weeks of the review.

Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.

PART B PRIOR TO COMMENCEMENT OF CONSTRUCTION

Notification of Commencement

- B1. The Applicant must notify the Planning Secretary in writing of the dates of the intended commencement of construction at least 48 hours before those dates.
- B2. If the construction of the development is to be staged, the Planning Secretary must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

Pre-Construction Dilapidation Report – Protection of Public Infrastructure

- B3. Prior to the commencement of construction, the Applicant must:
 - (a) consult with the relevant owner and provider of services and Infrastructure that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
 - (b) prepare a Pre-Construction Dilapidation Report identifying the condition of all public (non-residential) infrastructure and assets in the vicinity of the site (including roads, gutters and footpaths) that have potential to be affected;
 - (c) submit a copy of the Pre-Construction Dilapidation Report to the asset owner, Certifier and Council; and
 - (d) provide a copy of the Pre-Construction Dilapidation Report to the Planning Secretary when requested.

Pre-Construction Survey – Adjoining Properties

- B4. Prior to the commencement of any construction, the Applicant must offer a pre-construction survey to owners of buildings that are likely to be impacted by the development.
- B5. Where the offer for a pre-construction survey is accepted, the Applicant must arrange for a survey to be undertaken by a suitably qualified and experienced expert prior to the commencement of vibration generating works that could impact on the identified buildings.
- B6. Prior to the commencement of any vibration generating works that could impact on the buildings surveyed as required by condition B5, the Applicant must:
 - (a) provide a copy of the relevant survey to the owner of each residential building surveyed in the form of a Pre-Construction Survey Report;
 - (b) submit a copy of the Pre-Construction Survey Report to the Certifier; and
 - (c) provide a copy of the Pre-Construction Survey Report to the Planning Secretary when requested.

Heritage Photographic Archival Recording

- B7. Prior to the commencement of works in Stage 1, a photographic archival record of the Ryde Hospital Site, including external and internal areas of buildings as relevant, must be prepared in accordance with the NSW Heritage Branch guidelines titled Photographic Recording of Heritage Items using Film or Digital Capture. A digital copy must be submitted to Council, any relevant local studies collection in the locality and the Planning Secretary.

Demolition

- B8. Prior to the commencement of construction, demolition work plans required by *AS 2601-2001 The demolition of structures* (Standards Australia, 2001) must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifier.

Microbat Surveys

- B9. Prior to the commencement of demolition work in Stage 1, surveys of potential threatened species habitat in human made structures to be demolished in Stage 1 must occur. The surveys must be carried out by a suitably qualified ecologist and the findings are to be submitted to the Department. Should any threatened microbats habitat be identified within existing structures within Stage 1, a microbat management plan is to be prepared and submitted to EHG for review and comment. The plan must detail the findings of the survey and measures that will be implemented to minimise any adverse impacts prior to and during construction.

Environmental Management Plan Requirements

- B10. Management plans required under this consent must be prepared having regard to relevant guidelines, including but not limited to the *Environmental Management Plan Guideline: Guideline for Infrastructure Projects* (DPIE April 2020).

Note: The Environmental Management Plan Guideline is available on the Planning Portal at: <https://www.planningportal.nsw.gov.au/majorprojects/assessment/post-approval>

Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans

Construction Environmental Management Plan

- B11. Prior to the commencement of construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier and must be published on the Applicant's website in accordance with condition A21. The CEMP must include, but not be limited to, the following:
- (a) details of:
 - (i) hours of work;
 - (ii) 24-hour contact details of site manager;
 - (iii) management of dust and odour to protect the amenity of the neighbourhood;
 - (iv) stormwater control and discharge during construction
 - (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
 - (vi) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;
 - (vii) community consultation and complaints handling as set out in the Community Communication Strategy required by condition B7;
 - (viii) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations;
 - (b) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure;
 - (c) Construction Traffic and Pedestrian Management Sub-Plan (see condition B13);
 - (d) Construction Noise and Vibration Management Sub-Plan (see condition B14);
 - (e) Construction Waste Management Sub-Plan (see condition B15);
 - (f) Aboriginal Cultural Heritage Management Sub-Plan (see condition B16);
 - (g) Biodiversity Management Sub-Plan (see condition B17);
 - (h) measures to ensure the protection of Denistone House during construction (prepared by suitably qualified and experienced heritage consultants) and heritage induction measures for all site workers and consultants

- B12. The Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must be prepared to achieve the objective of ensuring safety and efficiency of the road network and address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with Council and TfNSW;
 - (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services;
 - (d) minimise truck movements during school zone periods; and
 - (e) detail heavy vehicle routes, number of vehicles, access and parking arrangements.
- Note: arrangements. Nominated truck routes are to be restricted to State Roads or non-light vehicle thoroughfare routes where possible.*
- (f) where relevant, comply with the following:
 - (i) The Australian Standard Manual of Uniform Traffic Control Devices (AS1742.3-2019); and
 - (ii) 'TfNSW' Traffic Control at Work Sites technical manual.
- B13. The Construction Noise and Vibration Management Sub-Plan (CNVMP) must be prepared and must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced noise expert;
 - (b) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009);
 - (c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
 - (d) include strategies that have been developed with the community for managing high noise generating works;
 - (e) describe the community consultation undertaken to develop the strategies in condition B14(d);
 - (f) include a complaints management system that would be implemented for the duration of the construction; and
 - (g) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the management measures in accordance with condition B11.
- B14. The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the following:
- (a) the recording of quantities, classification (for materials to be removed) and validation (for materials to remain) of each type of waste generated during construction and proposed use;
 - (b) information regarding the recycling and disposal locations; and
 - (c) confirmation of the contamination status of the development areas of the site based on the validation results.
- B15. The Aboriginal Cultural Heritage Management Sub-Plan (ACHMSP) must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties;
 - (b) be prepared in consultation with Heritage NSW prior to construction of any part of the development;

- (c) a description of the mechanisms for ongoing consultation with Registered Aboriginal Parties regarding the management of Aboriginal cultural heritage within the approved development area;
 - (d) a description of the strategies for management of unexpected Aboriginal objects (if identified);
 - (e) a description of the strategies for management of human skeletal remains (if identified); and
 - (f) a strategy for the storage of any Aboriginal objects (if identified), including both short-term and long-term strategies.
- B16. The Biodiversity Management Sub-Plan (BMSB) must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced person/s;
 - (b) set out the measures identified in the Biodiversity Development Assessment Report to minimise, mitigate and manage impacts on biodiversity, including timing and responsibility for delivery of the measures;
- B17. A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following:
- (a) minimise the impacts of earthworks and construction on the local and regional road network;
 - (b) minimise conflicts with other road users;
 - (c) minimise road traffic noise; and
 - (d) ensure truck drivers use specified routes.

Construction Worker Transportation Strategy

- B18. Prior to the commencement of construction, the Applicant must submit a Construction Worker Transportation Strategy to the satisfaction of the Certifier. The Strategy must detail the provision of sufficient parking facilities or other travel arrangements for construction workers in order to minimise demand for parking in nearby public and residential streets or public parking facilities and maintaining staff / visitor parking on site. A copy of the strategy must be made publicly available on the project website.

Site Contamination

- B19. Prior to the commencement of construction, the Applicant must engage a NSW EPA-accredited Site Auditor to provide advice throughout the duration of works to ensure that any work required in relation to soil or groundwater contamination is appropriately managed.
- B20. Prior to the commencement of construction, a Long-Term Asbestos Management Plan (LTAMP) should be prepared for proposed on-site containment, such as the placement of a marker and capping layer to address the long-term site maintenance of the remedial strategy.
- B21. Prior to the commencement of construction, a redevelopment specific Asbestos Management Plan (AMP) is to be prepared prior to document controls required for the management of asbestos in soil impacts at the site.

PART C DURING CONSTRUCTION

Site Notice

- C1. A site notice(s) must be prominently displayed at the boundaries of the site during construction for the purposes of informing the public of project details and must satisfy the following requirements:
- (a) minimum dimensions of the site notice(s) must measure 841 mm x 594 mm (A1) with any text on the site notice(s) to be a minimum of 30-point type size;
 - (b) the site notice(s) must be durable and weatherproof and must be displayed throughout the works period;
 - (c) the approved hours of work, the name of the builder, Certifier, structural engineer, site/project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice; and
 - (d) the site notice(s) must be mounted at eye level on the perimeter hoardings/fencing and must state that unauthorised entry to the site is not permitted.

Operation of Plant and Equipment

- C2. All construction plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.

Demolition

- C3. Demolition work must comply with the demolition work plans required by *Australian Standard AS 2601-2001 The demolition of structures* (Standards Australia, 2001) and endorsed by a suitably qualified person as required by condition B9.

Construction Hours

- C4. Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:
- (a) between 7am and 6pm, Mondays to Fridays inclusive; and
 - (b) between 8am and 1pm, Saturdays.
- No work may be carried out on Sundays or public holidays.
- C5. Notwithstanding condition C4, provided noise levels do not exceed the existing background noise level plus 5dB, works may also be undertaken during the following hours:
- (a) between 6pm and 7pm, Mondays to Fridays inclusive; and
 - (b) between 1pm and 4pm, Saturdays.
- C6. Construction activities may be undertaken outside of the hours in condition C4 and C5 if required:
- (a) by the Police or a public authority for the delivery of vehicles, plant or materials; or
 - (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or
 - (c) where the works are inaudible at the nearest sensitive receivers; or
 - (d) for the delivery, set-up and removal of construction cranes, where notice of the crane-related works is provided to the Planning Secretary and affected residents at least seven days prior to the works; or
 - (e) where a variation is approved in advance in writing by the Planning Secretary or his nominee if appropriate justification is provided for the works.
- C7. Notification of such construction activities as referenced in condition C6 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.

- C8. Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:
- (a) 9am to 12pm, Monday to Friday;
 - (b) 2pm to 5pm Monday to Friday; and
 - (c) 9am to 12pm, Saturday.

Implementation of Management Plans

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

Construction Traffic

- C10. All construction vehicles are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site or an approved on-street work zone before stopping.

Hoarding Requirements

- C11. The following hoarding requirements must be complied with:
- (a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing; and
 - (b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.

No Obstruction of Public Way

- C12. The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.
- C13. Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP 2014 Part 8.5 Public Civil Works, to the satisfaction of Council.

Construction Noise Limits

- C14. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan.
- C15. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition C4.
- C16. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use of 'quackers' to ensure noise impacts on surrounding noise sensitive receivers are minimised.

Vibration Criteria

- C17. Vibration caused by construction at any residence or structure outside the site must be limited to:
- (a) for structural damage, the latest version of *DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures* (German Institute for Standardisation, 1999); and

- (b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).
- C18. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition C17.
- C19. The limits in conditions C17 and C18 apply unless otherwise outlined in a Construction Noise and Vibration Management sub-plan, approved as part of the CEMP required by this consent.

Tree Protection

- C20. For the duration of the construction works:
- (a) street trees or trees on open space land must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;
 - (b) all adjacent trees immediately adjacent to the property boundaries must be protected at all times during construction in accordance with Council's tree protection requirements. Any tree, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council;
 - (c) all trees on the site, within and adjoining the Stage 1 works area, that are not approved for removal as part of Stage 1 must be suitably protected during construction in accordance with the recommendations of the *Arboricultural Impact Assessment Version 4 Ryde Hospital* dated 28 February 2023 prepared by ArborViews. Trees identified for removal as part of Stage 2 are not approved for removal and are subject to further assessment as part of future applications and must be protected during Stage 1;
 - (d) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a diploma qualified arborist (AQF5). Alternative tree protection measures must be installed, as required. The removal of tree protection measures, following completion of the works, must be carried out under the supervision of a diploma qualified arborist and must avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater.

Bushland Protection Fencing

- C21. For the duration of the construction works, bushland protection fencing must be in place along the internal edge of the Blue Gum High Forest. The temporary fence is to be a minimum chain wire fence or similar and be suitable to restrict unauthorised entry and is to stop the following occurring within the Blue Gum High Forest: stockpiling of materials, placement of fill, parking of vehicles, compaction of soil, cement washout or other chemical or fuel contaminants; damage to threatened plants and their habitat.

Tree Removal

- C22. Trees approved for removal must be lopped to minimise the risk of injury or mortality to fauna, such as top-down lopping, with lopped sections gently lowered to the ground, and/or by lowering whole trees to the ground with the 'grab' attachment of a machine. During tree removal and vegetation clearing (including removal of exotic weeds), an experienced wildlife handler is to be present to re-locate any displaced fauna that may be disturbed during this activity. Any injured fauna is to be appropriately cared for and released on site or an appropriate nearby location when re-habilitated.

Air Quality

- C23. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- C24. During construction, the Applicant must ensure that:

- (a) activities are carried out in a manner that minimises dust including emission of windblown or traffic generated dust;
- (b) all trucks entering or leaving the site with loads have their loads covered;
- (c) trucks associated with the development do not track dirt onto the public road network;
- (d) public roads used by these trucks are kept clean; and
- (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

Imported Fill

C25. The Applicant must:

- (a) ensure that only VENM, ENM, or other material that meets the requirements of a relevant order and exemption issued by the EPA, is brought onto the site;
- (b) keep accurate records of the volume and type of fill to be used;
- (c) make these records available to the Certifier upon request

Disposal of Seepage and Stormwater

C26. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the building to the satisfaction of the Certifier. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.

Emergency Management

C27. The Applicant must prepare and implement awareness training for employees and contractors, including locations of the assembly points and evacuation routes, for the duration of construction

Unexpected Finds Protocol – Aboriginal Heritage

C28. In the event that surface disturbance identifies a new Aboriginal object:

- (a) all works must halt in the immediate area to prevent any further impacts to the object(s);
- (b) a suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects;
- (c) the site is to be registered in the Aboriginal Heritage Information Management System (AHIMS), which is managed by Heritage NSW and the management outcome for the site included in the information provided to AHIMS;
- (d) the Applicant must consult with the Aboriginal community representatives, the archaeologists and Heritage NSW to develop and implement management strategies for all objects/sites; and
- (e) works may only recommence with the written approval of the Planning Secretary.

Unexpected Finds Protocol – Historic Heritage

C29. If any unexpected archaeological relics are uncovered during the work, then:

- (a) all works must cease immediately in that area and notice is to be given to Heritage NSW and the Planning Secretary;
- (b) depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area as determined in consultation with Heritage NSW; and
- (c) works may only recommence with the written approval of the Planning Secretary.

Unexpected Finds Protocol – Burials

- C30. In the event that a burial or skeletal remains are uncovered during work, then:
- (a) all works must cease immediately in that area and the NSW Police and Heritage NSW contacted;
 - (b) a suitably qualified archaeologist must be contacted to determine the specific nature and significance of the skeletal remains;
 - (c) the Applicant must consult with relevant stakeholders, the archaeologists and Heritage NSW to develop and implement appropriate management strategies for the skeletal remains; and
 - (d) works shall only recommence with the written approval of Heritage NSW.

Waste Storage and Processing

- C31. All waste generated during construction must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.
- C32. All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- C33. The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural or artificial watercourse.
- C34. The Applicant must record the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations for the duration of construction.
- C35. The Applicant must ensure that the removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility is in accordance with the requirements of the relevant legislation, codes, standards and guidelines.

Outdoor Lighting

- C36. The Applicant must ensure that all external lighting is constructed and maintained in in accordance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting.

Site Contamination

- C37. Works carried out in Stage 1 must be carried out in accordance with the Remediation Action Plan titled 'Ryde Hospital Redevelopment, Denistone Road, Denistone NSW Remedial Action Plan 150554 | 60938' prepared by JBS&G and dated 18 April 2023 and any variations to the Remediation Action Plan approved by an NSW EPA-accredited Site Auditor.
- C38. A NSW EPA-accredited Site Auditor must confirm satisfactory completion of the Remediation Works within Stage 1 by the issuance of Interim Audit Advice(s) prior to the use of the remediated area(s).
- C39.** The Applicant must ensure the proposed development does not result in a change of risk in relation to any pre-existing contamination on the site that would result in significant contamination.

Asbestos Removal

- C40. The Applicant must engage appropriately qualified and experienced persons to carry out and supervise the removal of any asbestos in accordance with the methodology prepared prior, as well as all relevant policies, procedures and requirements of Safework NSW.

Geotechnical Requirements

- C41. The recommendations of the Geotechnical Investigation PSM referenced as PSM3828-002R dated 14 June 2019 as amended by additional information prepared by PSM dated 13 December 2022 are to be complied with during works.

Independent Environmental Audit

- C42. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the preparation of an Independent Audit Program or commencement of an Independent Audit.
- C43. Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020).
- C44. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those agreed to above, upon giving at least 4 week's notice to the applicant of the date or timing upon which the audit must be commenced.
- C45. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Applicant must:
 - (a) review and respond to each Independent Audit Report prepared under condition C42 of this consent;
 - (b) submit the response to the Planning Secretary and the Certifier; and
 - (c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Planning Secretary.
- C46. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements (2020), unless otherwise agreed by the Planning Secretary.
- C47. Notwithstanding the requirements of the Independent Audit Post Approval Requirements (2020), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.

PART D POST COMPLETION OF STAGE 1 CONSTRUCTION WORKS

Notification

- D1. Within one week of completing the Stage 1 works, the applicant must notify the Planning Secretary in writing that the works are complete.

Post-Construction Dilapidation Report – Protection of Public Infrastructure

- D2. Unless the Applicant and the relevant public authority agree otherwise, within one month of the completion of the Stage 1 works, the Applicant must engage a suitably qualified and experienced expert to prepare a Post-Construction Dilapidation Report. This Report must:
- (a) ascertain whether the construction works created any structural damage to public infrastructure by comparing the results of the Post-Construction Dilapidation Report with the Pre-Construction Dilapidation Report required by condition B3 of this consent;
 - (b) have, if it is decided that there is no structural damage to public infrastructure, the written confirmation from the relevant public authority that there is no adverse structural damage to their infrastructure (including roads).
 - (c) be submitted to the Certifier;
 - (d) be forwarded to Council for information; and
 - (e) be provided to the Planning Secretary when requested.

Repair of Public Infrastructure

- D3. Unless the Applicant and the relevant public authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the construction works; and/or
 - (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development; and/or
 - (c) pay compensation for the damage as agreed with the owner of the public infrastructure.

Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions of this consent.

Road Damage

- D4. Prior to the commencement of use of any stage of the development, the cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development must be met in full by the Applicant.

Post-Construction Survey – Adjoining Properties

- D5. Where a pre-construction survey has been undertaken in accordance with condition B5, prior to submitting notification of completion of Stage 1 works, the Applicant must engage a suitably qualified and experienced expert to undertake a post-construction survey and prepare a Post-Construction Survey Report. This Report must:
- (a) document the results of the post-construction survey and compare it with the pre-construction survey to ascertain whether the construction works caused any damage to buildings surveyed in accordance with condition B5;
 - (b) be provided to the owner of the relevant buildings surveyed;
 - (c) be provided to the Certifier; and
 - (d) be provided to the Planning Secretary when requested.
- D6. Where the Post-Construction Survey Report determines that damage to the identified property occurred as a result of the construction works, the Applicant must repair, or pay the full costs associated with repairing the damaged buildings, within an agreed timeline between the owner

of the identified property and the Planning Secretary. Alternatively, the Applicant may pay compensation for the damage as agreed with the property owner.

- D7. Prior to the future operation and use of land affected by the Stage 1 works for the purpose of a hospital, the Applicant must submit a Section A1 Site Audit Statement or a Section A2 Site Audit Statement accompanied by an Environmental Management Plan prepared by a NSW EPA accredited Site Auditor. The Section A1 or A2 Site Audit Statement must verify the relevant part of the site is suitable for the intended land use and be provided, along with any Environmental Management Plan to the Planning Secretary and the Certifier.

APPENDIX 1 ADVISORY NOTES

General

AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

Long Service Levy

AN2. For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 441.

Legal Notices

AN3. Any advice or notice to the consent authority must be served on the Planning Secretary.

Access for People with Disabilities

AN4. The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of construction, the Certifier must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.

Utilities and Services

AN5. Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

AN6. Prior to the commencement of above ground works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.

Road Design and Traffic Facilities

AN7. All roads and traffic facilities must be designed to meet the requirements of Council or TfNSW(RMS) (whichever is applicable). The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road or pavement construction works.

Road Occupancy Licence

AN8. A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.

SafeWork Requirements

AN9. To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.

Hoarding Requirements

AN10. The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

Handling of Asbestos

AN11. The Applicant must consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.

APPENDIX 2 WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

Written Incident Notification Requirements

1. A written incident notification addressing the requirements set out below must be emailed to the Planning Secretary through the major projects portal within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition A23 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - (a) identify the development and application number;
 - (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - (c) identify how the incident was detected;
 - (d) identify when the applicant became aware of the incident;
 - (e) identify any actual or potential non-compliance with conditions of consent;
 - (f) describe what immediate steps were taken in relation to the incident;
 - (g) identify further action(s) that will be taken in relation to the incident; and
 - (h) identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - (a) a summary of the incident;
 - (b) outcomes of an incident investigation, including identification of the cause of the incident;
 - (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - (d) details of any communication with other stakeholders regarding the incident.