

**ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979**

**DETERMINATION OF MAJOR PROJECT 08\_0153**

**(FILE NO. S08/01251)**

**STAGE 2, NEUROSCIENCE RESEARCH PRECINCT**

**BARKER STREET, RANDWICK**

I, the Minister for Planning, having considered the matters in section 75J(2) of the *Environmental Planning & Assessment Act 1979* (the EP&A Act), determine pursuant to section 75J(1) of the EP&A Act to **give approval** to the project referred to in the attached Schedule 1 subject to the conditions in Schedule 2.

The reasons for the imposition of conditions are to:

- (a) ensure the site is appropriately managed for the proposed use;
- (b) to encourage ecologically sustainable development principles;
- (c) adequately mitigate the environmental impacts of the development;
- (d) protect the amenity of the local area; and
- (e) protect the public interest.



Tony Kelly, MLC  
**Minister for Planning**

Sydney,

**3 1 JAN 2010** 2010

## SCHEDULE 1

### PART A – TABLE

Application made by:	Prince of Wales Medical Research Institute
Application made to:	Minister for Planning
Major Project Application:	MP 08_0153
On land comprising:	Part Lot 1, DP870720 Barker Street, Randwick
Local Government Area	Randwick City Council
For the carrying out of:	<ul style="list-style-type: none"> <li>• Demolition of existing structures;</li> <li>• Excavation;</li> <li>• Construction of a seven storey building comprising 25,470m<sup>2</sup> of GFA, to be delivered in four sub-stages;</li> <li>• 226 car parking spaces over two levels of basement car park (176) and an at grade car park (50);</li> <li>• Loading facilities; and</li> <li>• Landscaping and associated physical infrastructure works.</li> </ul>
Estimated Cost of Works	\$117,900,000
Type of development:	Major Project
Determination made on:	
Date approval is liable to lapse:	5 years from the date of determination unless specified action has been taken in accordance with section 75Y of the Act.

### PART B—NOTES RELATING TO THE DETERMINATION OF MP 08\_0153

#### ***Responsibility for other consents / agreements***

The proponent is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

#### ***Appeals***

The proponent has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

#### ***Legal notices***

Any advice or notice to the approval authority shall be served on the Director General.

### PART C—DEFINITIONS

In this approval,

***Advisory Notes*** means advisory information relating to the approved development but do not form a part of this approval.

***Certifying Authority*** means a Certifying Authority and has the same meaning as Part 4 of the EP&A Act.

***Council*** means Randwick City Council.

**CPI** means Consumer Price Index.

**Department** means the Department of Planning or its successors.

**Director General** means the Director General of the Department, or nominee.

**Environmental Assessment** means the Environmental Assessment prepared by JBA Urban Planning Consultants on behalf of Prince of Wales Medical Research Institute, dated May 2009, and as amended by the Preferred Project Report prepared by JBA Urban Planning Consultants, dated November 2009.

**EP&A Act** means the *Environmental Planning and Assessment Act 1979*.

**Minister** means the Minister for Planning.

**MP 08\_0153** means the Major Project application described in the proponent's Environmental Assessment.

**Preferred Project Report** means the Preferred Project Report and appendices prepared by JBA Urban Planning Consultants on behalf of Prince of Wales Medical Research Institute, dated November 2009.

**Proponent** means the Prince of Wales Medical Research Institute or any party acting upon this approval.

**Regulation** means the Environmental Planning and Assessment Regulation 2000.

**RTA** means the Roads and Traffic Authority.

**Stage 1** means development consent DA/468/2007 under Part 4 of the EP&A Act for "Proposed additions to Prince of Wales Medical Research Institute, comprising additional open office spaces located to the northeast & southwest corners of the building envelope, additional stairs and rooftop plant room located above north-eastern addition".

**Statement of Commitments** means the proponent's commitments in Schedule 3.

**Subject Site** has the same meaning as the land identified in Part A of this schedule.

## SCHEDULE 2

### CONDITIONS OF APPROVAL

#### MAJOR PROJECT 08\_0153

#### PART A—ADMINISTRATIVE CONDITIONS

##### **A1      *Development Description***

Except as amended by the conditions of this approval, approval is granted only to carrying out the development as described in Schedule 1.

##### **A2      *Development in Accordance with Plans and Documents***

The development will be undertaken in accordance the following drawings and documents:

<b><i>Neuroscience Research Project, Barker Street, Randwick, Environmental Assessment Report Concept Plan and Project Application and Appendices prepared by JBA Urban Planning Consultants on behalf of the Prince of Wales Medical Research Institute, dated May 2009</i></b>			
<b><i>Neuroscience Research Project, Major Projects MP 08_0086 and MP08_0153, Preferred Project Report and Statement of Commitments and Appendices prepared by JBA Urban Planning Consultants on behalf of the Prince of Wales Medical Research Institute, dated November 2009</i></b>			
<b>Architectural (or Design) Drawings prepared by Cox Richardson</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
PA-001	09	Project Application Proposed Site Plan (Stage 2)	Oct 2009
PA-002	03	Stage 2 – 3D View	April 2009
PA-201-2A	10	Level 1 Floor Plan (Ground)	Oct 2009
PA-201-2B	09	Level 1 Floor Plan (Ground)	Oct 2009
PA-201-2C	09	Level 1 Floor Plan (Ground)	Oct 2009
PA-201-2D	11	Level 1 Floor Plan (Ground)	Oct 2009
PA-202-2A	09	Level 2 Floor Plan	Oct 2009
PA-202-2B	08	Level 2 Floor Plan	Oct 2009
PA-202-2C	08	Level 2 Floor Plan	Oct 2009
PA-202-2D	08	Level 2 Floor Plan	Oct 2009
PA-203-2A	09	Level 3 Floor Plan	Oct 2009
PA-203-2B	09	Level 3 Floor Plan	Oct 2009
PA-203-2C	08	Level 3 Floor Plan	Oct 2009
PA-203-2D	08	Level 3 Floor Plan	Oct 2009
PA-204-2A	09	Level 4 Floor Plan	Oct 2009
PA-204-2B	08	Level 4 Floor Plan	Oct 2009
PA-204-2C	08	Level 4 Floor Plan	Oct 2009

PA-204-2D	08	Level 4 Floor Plan	Oct 2009
PA-205-2A	09	Level 5 Floor Plan	Oct 2009
PA-205-2B	08	Level 5 Floor Plan	Oct 2009
PA-205-2C	09	Level 5 Floor Plan	Oct 2009
PA-205-2D	09	Level 5 Floor Plan	Oct 2009
PA-206-2A	09	Level 6 Floor Plan	Oct 2009
PA-206-2B	08	Level 6 Floor Plan	Oct 2009
PA-206-2C	09	Level 6 Floor Plan	Oct 2009
PA-206-2D	09	Level 6 Floor Plan	Oct 2009
PA-207-2A	09	Level 7 Floor Plan (Plant)	Oct 2009
PA-207-2B	08	Level 7 Floor Plan (Plant)	Oct 2009
PA-207-2C	09	Level 7 Floor Plan (Plant)	Oct 2009
PA-207-2D	09	Level 7 Floor Plan (Plant)	Oct 2009
PA-208-2A	10	Roof Plan	Oct 2009
PA-208-2B	09	Roof Plan	Oct 2009
PA-208-2C	10	Roof Plan	Oct 2009
PA-208-2D	10	Roof Plan	Oct 2009
PA-209-2A	09	Basement Floor Plan Level B1	Oct 2009
PA-209-2B	10	Basement Floor Plan Level B1	Oct 2009
PA-209-2C	10	Basement Floor Plan Level B1	Oct 2009
PA-209-2D	10	Basement Floor Plan Level B1	Oct 2009
PA-210-2A	09	Basement Floor Plan Level B2	Oct 2009
PA-210-2B	10	Basement Floor Plan Level B2	Oct 2009
PA-210-2C	10	Basement Floor Plan Level B2	Oct 2009
PA-210-2D	10	Basement Floor Plan Level B2	Oct 2009
PA-301	09	South Elevation Stage 2A, 2B & 2D	Oct 2009
PA-302	09	East Elevation Stage 2A & 2C	Oct 2009
PA-303	09	East Elevation Stage 2D	Oct 2009
PA-304	09	North Elevation Stage 2A & 2B	Oct 2009
PA-305	09	North Elevation Stage 2C & 2D	Oct 2009
PA-306	09	West Elevation Stage 2A & 2B	Oct 2009
PA-307	09	West Elevation Stage 2D	Oct 2009
PA-310	09	South Elevation	Oct 2009
PA-311	09	East Elevation	Oct 2009
PA-312	09	North Elevation	Oct 2009
PA-313	09	West Elevation	Oct 2009
PA-314	09	East Section AA	April 2009
PA-315	09	North Section BB	April 2009
PA-402	08	Sections C-C & D-D	Oct 2009
PA-500	04	Materials Board	Oct 2009

PA-600	05	Photomontage (View from Corner Easy Street & Barker Street)	Oct 2009
PA-601	05	Photomontage (View from Barker Street Stage 2A)	Oct 2009
PA-602	05	Photomontage (View from Easy Street)	Oct 2009
PA-603	05	Photomontage (View from Courtyard)	Oct 2009
PA-604	01	Photomontage (View of Hospital Road & Barker Street Corner)	Oct 2009
<b>Landscape Plan prepared by Tract Consultants Pty Ltd</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
LD SK 01	02	Landscape Plan, Ground Floor	21.1-.09
<b>All conditions of this approval</b>			

except for:

- (1) any modifications which are 'Exempt and Complying Development' or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; or
- (2) otherwise provided by the conditions of this approval.

### **A3 Inconsistency Between Documents**

In the event of any inconsistency between conditions of this approval and the drawings/documents referred to above, the conditions of this approval prevail.

### **A4 Stage 1**

No Stage 1 works as described in the EA and PPR in Condition A2 forms part of the project application approval.

### **A5 Additional Approvals Required**

A separate application shall be submitted to the consent authority for consideration for any building identification signage.

### **A6 Prescribed Conditions**

The proponent shall comply with the prescribed conditions under Part 6, Division 8A of the Regulation.

## **PART B—PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

### **B1 Construction Certificate**

The stamped drawings must be lodged with the Certifying Authority (Minister for Planning via the Department of Planning, Randwick City Council, or a private accredited certifier) for a Construction Certificate for each stage of the project. The proponent must supply the Department of Planning with a copy of any Construction Certificate within two days from the date of its issue.

**B2 Structural Details**

Prior to the issue of a Construction Certificate for the relevant works, the proponent shall submit to the satisfaction of the Certifying Authority, structural drawings prepared and signed by a suitably qualified practicing Structural Engineer that complies with:

- (1) the relevant clauses of the BCA,
- (2) the relevant approval,
- (3) drawings and specifications comprising the Construction Certificate, and
- (4) the relevant Australian Standards listed in the BCA (Specification A1.3).

Prior to work commencing, structural details and a Structural Certificate for Design in accordance with Clause A2.2(a)(iii) of the Building Code of Australia must be submitted to the satisfaction of the Certifying Authority.

**B3 Mechanical Ventilation**

All mechanical ventilation systems shall be designed in accordance with Part F4.5 of the Building Code of Australia and shall comply with Australian Standards AS1668.2 and AS3666 *Microbial Control of Air Handling and Water Systems of Building*, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for the relevant works.

**B4 Long Service Levy**

Prior to the issue of a Construction Certificate, evidence of the payment of the long service levy under section 34 of the *Building and Construction Industry Long Service Payments Act 1986* must be provided to the Certifying Authority (or, where such a levy is payable by instalments, the first instalment of the levy).

**B5 Stormwater & Drainage**

Prior to the issue of a Construction Certificate the proponent shall submit to the Certifying Authority a Stormwater Drainage Plan for the relevant works for each stage or sub-stage of development designed in accordance with Council's Private Stormwater Code including the following details:

- Connection to Council's underground drainage system;
- Layout of drainage system;
- On site stormwater detention;
- Absorption trenches;
- The floor level of all habitable and storage areas which shall be a minimum of 500 millimetres above the calculated 1 in 100 year flood level or suitably waterproofed up to this same level.
- The proposed internal driveways, carpark areas (and any other openings into the basement carparks or lower levels) must be designed with a high point of at least 300 mm above the determined 1 in 100 year flood level.
- Provision and maintenance of overland flow paths; and
- Design of siltation and sediment controls.

All approved details for the disposal of stormwater and drainage are to be implemented in the development.

**B6 Reflectivity**

The light reflectivity from building materials used on the facades of the buildings must not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place. The design shall demonstrate that the recommendations in the Solar Light Reflectivity Analysis prepared by Windtech Consultants Pty Ltd, dated 28 October 2009, have been achieved. A statement demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate. In the event that the maximum 20% light reflectivity cannot be provided to satisfy Part J of the BCA, the BCA shall prevail.

**B7 Sydney Water – Notice of Requirements**

An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, section 73 of the *Water Board (Corporatisation) Act, 1994* (Compliance Certificate). Evidence that a Compliance Certificate has been applied for (i.e. Notice of Requirements) shall be produced to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate for the development.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) then follow the "e-Developer" icon or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

**B8 Traffic and Parking Details**

Prior to the issue of a Construction Certificate for the new building, plans are to be submitted for the approval of the Certifying Authority identifying the following traffic and parking details:

- (1) All vehicles should enter and leave the site in a forward direction. In the event that site constraints do not permit heavy rigid vehicles to enter and leave the site in a forward direction then all reversing movements should be undertaken under the control of certified traffic controllers to ensure public safety when vehicles are reversing.
- (2) Car parking associated with the proposal (including queuing areas, grades, turn paths, sight distance requirements, aisle widths, and parking bays) should be in accordance with AS 2890.1-2004 and AS 2890.2-2002 for heavy vehicle usage.
- (3) Appropriate pedestrian advisory signs are to be provided at the egress from the car park and loading dock.
- (4) All works/regulatory signposting associated with the proposed developments shall be at no cost to the RTA.

**B9 Environmental Site Assessment**

The recommendations of the Stage 1 Environmental Assessment prepared by Environmental Investigation Services, dated January 2009, are to be adopted and implemented on site, including further sampling and analysis by a suitably qualified person, and hazardous materials assessment. If further sampling identifies any major contamination on site, a detailed Site Contamination Investigation Report will be required to be submitted to Council prior to issue of a Construction Certificate. If the Site Contamination Investigation Report identifies remedial works are required, the proponent shall prepare and submit a Remediation Action Plan for the approval of Council prior to issue of a Construction Certificate.



**B10 Removal of Hazardous Materials**

All hazardous materials shall be removed from the site and shall be disposed of at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the issue of a Construction Certificate. Details demonstrating compliance with the relevant legislative requirements, particularly the method of containment and control of emission of fibres to the air, are to be submitted to the satisfaction of the Certifying Authority prior to the removal of any hazardous materials. This includes a Demolition Work Plan in accordance with Australian Standard AS2601-2001.

On demolition sites involving the removal of asbestos, a professionally manufactured sign must be clearly displayed in a prominent visible position at the front of the site, containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' and include details of the licensed contractor. The sign shall measure not less than 400mm x 300mm and the sign is to be installed prior to demolition work commencing and is to remain in place until such time as all asbestos has been safely removed from the site.

**B11 Site audit**

Prior to the issue of a Construction Certificate, a Site Audit conducted by a suitably qualified and accredited person must be undertaken and a Site Audit Report and Statement shall be submitted to the Certifying Authority including Clearance Certificates to ascertain that all identified hazardous materials have been removed from the site and the site is suitable for development.

**B12 Water saving devices**

Water saving devices shall be installed in all areas of the development to reduce water consumption and promote energy efficiency, and all new fixtures and fittings are to achieve the following WELS rating and performance:

- (a) hand wash basins rated to WELS 4 Star;
- (b) sink taps rated to WELS 4 Star;
- (c) showerheads rated to WELS 4 Star;
- (d) dual flush toilets rated to WELS 4 Star;
- (e) urinals should be waterless or sensor rated to WELS 5 Star; and
- (f) dishwashers rated to WELS 4 Star.

Details of the above are to be included in the specifications which are to form part of the Construction Certificate for the premises.

**B13 Landscape Plan**

A detailed Landscape Plan must be provided at each sub-stage of the development, identifying all existing trees, trees that will be retained, trees that will be removed and any proposed tree planting. The Landscape Plan shall be submitted to the Department for approval prior to the issuing of a Construction Certificate for each sub-stage of the Stage 2 project.

**PART C—PRIOR TO COMMENCEMENT OF WORKS****C1 Construction Management Plan**

A Construction Management Plan shall be prepared in consultation with Council and submitted to the Department for approval prior to the commencement of works. The Plan shall include, but not be limited to, the following matters which are to be addressed by suitably qualified person(s):

- (1) **Hours of work**, which must be in accordance with the conditions of this approval;
- (2) **Contact details** of the site manager and all principle contractors;
- (3) **Traffic management**, which is to be developed in consultation with Council and State Transit and endorsed by Council's Traffic Committee, and is to include:
  - identification of a work zone;
  - ingress and egress of vehicles to the site;
  - management of loading and unloading of materials;
  - number and frequency of vehicles accessing the site;
  - the times vehicles are likely to be accessing the site;
  - details on the temporary relocation of bus stop;
  - changes to on-street parking restrictions on local roads;
  - management of construction traffic and car parking demand including preparation and distribution of a Travel Access Guide; and
  - management of existing vehicular and pedestrian movements / routes around the site throughout the various stages of construction;
- (4) **Erosion and sediment control**, identifying appropriate measures to be installed during construction which shall be designed in accordance with in accordance with the document *Managing Urban Stormwater – Soils & Construction Volume 1 (2004)* by Landcom;
- (5) **Construction noise and vibration management**, identifying specific activities that will be carried out and associated noise sources, identify all potentially affected sensitive receivers, noise and vibration monitoring reporting and response procedures, description of specific mitigation treatments management measures and procedures to be implemented, and address any other relevant provisions of Australian Standard 2436-1981 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*;
- (6) **Construction waste management**, identifying options for minimising waste in construction; reuse and recycling of materials; the storage, control and removal of construction waste;
- (7) **Dust control** measures to be implemented to prevent the movement of airborne particles from the site throughout the construction process, and the tracking of material from the site by trucks and other vehicles. This is to include the appropriate use of physically barriers and the dampening of exposed excavated surfaces. The storage and stockpiling areas for material is also to be detailed; and
- (8) **Non-Indigenous Heritage Management Plan**, including details of all procedures to be implemented during the works in relation to non-Indigenous heritage items which will be developed in consultation with the Department's Heritage Branch.

## **C2      Footpath Damage Bank Guarantee**

Prior to commencement of the new building works the proponent must provide a bank guarantee to Council for an amount of \$10,000 as security for rectification of any damage to the public way.

The proponent is to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.

## **C3      Barricade Permit**

Where construction/building works require the use of a public place including a road or footpath, approval for a Permit is to be obtained from Council prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of Council.

#### **C4      *Road/Asset Opening Permit***

A Road / Asset Opening Permit must be obtained from Council prior to carrying out any works within or upon a road, footpath, nature strip or in any public place, in accordance with section 138 of the Roads Act 1993, and all of the conditions and requirements contained in the Road / Asset Opening Permit must be complied with.

#### **C5      *Vehicle Cleansing***

Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site/associated with the construction of the development. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

#### **C6      *Utility Services***

To ensure that utility authorities are advised of the development:

- (1) A survey is to be carried out of all utility services within and adjacent to the site including relevant information from utility authorities and excavation if necessary, to determine the position and level of services.
- (2) Prior to the commencement of work the proponent is to negotiate with the utility authorities (e.g. Energy Australia, Sydney Water and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the proponent.

#### **C7      *European Archaeology***

Prior to commencement of works:

- A qualified and experienced historical archaeological consultant shall be nominated for the works and approved by the Department. The scope of the proposed archaeological works shall be determined in consultation the Department's Heritage Branch.
- A Research Design including an Archaeological Excavation Methodology must be prepared in accordance with Heritage Council guidelines for each site which is to be excavated. Those documents shall be prepared for the approval of the Department.

#### **C8      *Helicopter Landing Surface***

The proponent shall consult with Ambulance Service NSW Aeromedical Services, users of the Helicopter Landing Surface, Civil Aviation Safety Authority and Sydney Airport to identify alternative approach and departure procedures and submit the amended procedures to the satisfaction of the Department prior to commencement of any above ground works.

#### **C9      *Contact Telephone Number***

Prior to the commencement of the works, the proponent shall forward to the Department and Council a 24 hour telephone number to be operated and continually attended by a person with authority over the works for the duration of the construction works.

## **PART D—DURING CONSTRUCTION**

### ***D1      Approved Plans to be On-Site***

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department or Council.

### ***D2      Hours of Work***

All building, demolition and associated site works (including site deliveries) must only be carried out between the hours of 7.00am to 5.00pm on Monday to Friday inclusive and between 8.00am to 1.00pm on Saturdays and all building activities are strictly prohibited on Sundays and Public Holidays except with the written approval of Council's Manager of Health, Building & Regulatory Services.

In addition, the use of any rock excavation machinery or any mechanical pile drivers or the like, is restricted to the hours of 8.00am to 5.00pm (maximum) on Monday to Friday only, to minimise the noise levels during construction and loss of amenity to nearby residents.

### ***D3      Archaeological Monitoring and Results***

1. More detailed research and other investigations are to be undertaken during the project including, a small programme of test excavation should be established in the area of the car park and in front of the ambulance station on Barker Street to test the extent and integrity of potential features identified to be of high significance. The results of that work will inform on going works. If necessary, based on the results of the test programme, salvage excavation programmes should be initiated in those areas ahead of the bulk excavation to uncover and document all the evidence pertaining to those features associated with the Asylum phase of occupation of the site.
2. All construction contractors, subcontractors and personnel are to be inducted and informed by the archaeological heritage consultant prior to commencing work on site as to their obligations and requirements in relation to historical archaeological sites and 'relics' in accordance with guidelines issued by the Heritage Council of NSW. Artefacts unearthed during the course of excavation should be left in situ to allow an archaeologist to record their contexts.
3. Protocols should be established in accordance with recommendations of the Assessment and Management European Archaeology prepared by Cultural Resources Management, dated June 2009, to ensure that in the event that human skeletal evidence is uncovered on site adequate procedures are followed.
4. A programme of intermittent observation and documentation should be initiated for the period of bulk excavation to provide for the identification and documentation of archaeological features and relics for which there is insufficient archival information to provide specific targets for prior investigation.
5. At the conclusion of the archaeological fieldwork the historical archaeological consultant shall arrange to brief the Department's Heritage Branch of the findings from the archaeological works. Based on the evidence recovered from the site, the Department's Heritage Branch shall provide the proponent with advice about the need for an Interpretation Plan.
6. After archaeological works are undertaken, a copy of the final excavation report(s) shall be prepared and lodged with the Heritage Council of NSW, the Local Studies Library and the Local Historical Society in the Randwick Local Government area. The proponent shall also be required to nominate a repository for any relics salvaged from any historical archaeological excavations. The information within the final excavation report shall be required to include the following:
  - a) An executive summary of the archaeological programme;
  - b) Due credit to the client paying for the excavation, on the title page;

- c) An accurate site location and site plan (with scale and north arrow);
- d) Historical research, references, and bibliography;
- e) Detailed information on the excavation including the aim, the context for the excavation, procedures, treatment of artefacts (cleaning, conserving, sorting, cataloguing, labelling, scale photographs and/or drawings, location of repository) and analysis of the information retrieved;
- f) Nominated repository for the items;
- g) Detailed response to research questions (at minimum those stated in the Department of Planning approved Research Design);
- h) Conclusions from the archaeological programme. This information must include a reassessment of the site's heritage significance, statement(s) on how archaeological investigations at this site have contributed to the community's understanding of the Site and other Comparative Site Types and recommendations for the future management of the site;
- i) Details of how this information about the excavations have been publicly disseminated (for example, include copies of press releases, public brochures and information signs produced to explain the archaeological significance of the sites).

#### **D4 Noise Control**

- All work, including excavation and construction work must comply with the Australian Standard 2436-1981 '*Guide to Noise Control on Construction, Maintenance and Demolition Sites*'.
- Noise and vibration emissions during the construction of the building and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents, and the relevant provisions of the Protection of the Environment Operations Act 1997 must be satisfied at all times.
- The construction activities shall be undertaken in accordance with noise mitigation measures recommended in the Acoustic Report prepared by PKA Acoustic Consulting, dated January 2009, and construction practices and techniques identified in the Construction Management Plan prepared by Winton Associates, dated January 2009.

#### **D5 Standards and Codes**

All building works shall be constructed in accordance with safe work practices and complying with the relevant Australian Standards, Codes of Practice and the Building Code of Australia.

#### **D6 WorkCover Requirements**

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

#### **D7 Hoarding Requirements**

- (1) To ensure an appropriate presentation of the site to the public domain during the construction period, temporary artwork shall be provided along any hoarding/fencing proposed to be erected around the subject site.
- (2) The temporary artworks shall inform the general public about the proposed works being undertaken by the proponent, the site's history and heritage significance.
- (3) No third party advertising is permitted to be displayed on the subject hoarding/fencing.
- (4) The construction site manager shall 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.

**D8 Loading and Unloading During Construction**

A Works Zone is required where loading and unloading is not possible on site and approval is required from Council as the relevant Roads Authority. An approval for a Works Zone may be given for a specific period and certain hours of the day to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

**D9 Covering of Loads**

All vehicles involved in the excavation process and departing with spoil or loose matter, must have their loads fully covered before entering the public roadway.

**D10 Erosion and Sedimentation Control**

Sediment controls are to be in place for the duration of the works to ensure that no sediment, fines, and like material can enter the waterway or drainage system. The proponent is to carry out works generally in accordance with the Construction Management Plan and controls are to be maintained at design level throughout the duration of the works and are to be inspected for this purpose at frequent intervals. Any deficiencies are to be immediately made good.

**D11 Dust Control Measures**

Adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:

- (1) physical barriers shall be erected at right angles to the prevailing wind direction or shall be placed around or over dust sources to prevent wind or activity from generating dust emissions
- (2) earthworks and scheduling activities shall be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed
- (3) all materials shall be stored or stockpiled at the best locations
- (4) the surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs
- (5) all vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material
- (6) all equipment wheels shall be washed before exiting the site using manual or automated sprayers and drive-through washing bays
- (7) gates shall be closed between vehicle movements and shall be fitted with shade cloth, and
- (8) cleaning of footpaths and roadways shall be carried out regularly.

**D12 Disposal of Seepage and Stormwater**

Any seepage or rainwater collected on-site during construction shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council.

**D13 Stormwater Pits**

Any existing stormwater pits that do not comply with AS 3500 will be upgraded as part of the development.

**D14 Setting Out of Structures**

The new buildings shall be set out by a registered surveyor to verify the correct position of each structure in relation to property boundaries and the approved alignment levels.

**D15 Protection of Street and On-site Trees**

All street trees identified for retention in the Landscape Plan are to be suitably protected by way of tree guards, barriers or other measures as necessary during construction. Any street tree that is not approved for removal, which is damaged or removed during construction, shall be replaced, to the satisfaction of Council.

**D16 Ecologically Sustainable Development (ESD) – Commercial**

The proponent must ensure that the recommendations contained in the POWMRI Neuroscience Research Precinct ESD Report dated January 2009, are implemented during the construction and operation of the development.

**D17 External Works**

Any external work carried out on Council property, shall be in accordance with Council's Policy for "Vehicular Access and Road and Drainage Works". An application shall be lodged with Council or the proponent may use their own contractor for the required works, subject to Council approval, however a design and supervision fee based on the lowest quotation from Council's nominated contractor will be required to be paid prior to the commencement of any works.

**PART E—PRIOR TO OCCUPATION OR COMMENCEMENT OF USE****E1 Occupation Certificate to be Submitted**

An Occupation Certificate must be obtained from the Certifying Authority prior to commencement of occupation or use of the whole or part of the new building. A copy of the certificate shall be submitted to the Department.

**E2 Relocation of cables/wires underground**

The applicant shall meet the full cost of locating the overhead cables and lines between power poles located from the corner of Barker Street and Hospital Road property boundary to Barker Street and Easy Street. The applicant shall also remove all subsequent redundant power poles. The applicant shall liaise directly with the relevant service utility authorities to organise for the wires/cables to be removed. All wires and cables must be relocated underground to the satisfaction of the relevant service utility authority prior to the issuing of an Occupation Certificate for Stage 2B of the development.

**E3 Replacement of Footpaths**

1. Prior to the issuing of an Occupation Certificate for Stage 2A of the development the applicant must meet the full cost for Council or a Council approved contractor to:
  - a) Remove any redundant concrete vehicular crossing and layback and to reinstate the area with concrete footpath, turf and integral kerb and gutter to Council's specification.
  - b) Construct two (2) full width concrete heavy duty vehicular crossings and laybacks at kerb in Barker Street opposite the proposed vehicular entry and exit points for the Porte cochere.
  - c) Remove the existing concrete footpath fronting Stage 2A and to construct a new concrete footpath along the Stage 2A Barker Street site frontage. Any unpaved areas on the nature strip must be turfed and landscaped to Council's specification.

2. Prior to the issuing of an Occupation Certificate for Stage 2B of the development the applicant must meet the full cost for Council or a Council approved contractor to remove the existing concrete footpath fronting Stage 2B and to construct a new concrete footpath along the Stage 2B Barker Street site frontage. Any unpaved areas on the nature strip must be turfed and landscaped to Council's specification.

#### **E4      *Fire Safety Certificate***

A Fire Safety Certificate shall be furnished to the Certifying Authority for all the Essential Fire or Other Safety Measures forming part of this approval prior to issue of the final Occupation Certificate. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council.

#### **E5      *Mechanical Ventilation***

Following completion, installation and testing of any mechanical ventilation systems, the proponent shall provide evidence to the satisfaction of the Certifying Authority, prior to the issue of any Occupation Certificate, that the installation and performance of the mechanical systems complies with:

- (1) the Building Code of Australia;
- (2) Australian Standard AS1668 and other relevant codes;
- (3) the development approval and any relevant modifications; and
- (4) any dispensation granted by the New South Wales Fire Brigade.

#### **E6      *Loading Dock***

The loading dock shall only be used between 7am to 6pm Mondays to Fridays, with the only exception being gas deliveries which will be made prior to 10pm, when the deliveries cannot be undertaken during normal business hours. The loading dock will also provide acoustic impact mitigation measures in accordance with recommendations of the addendum to the Acoustic Report prepared by PKA Acoustic Consulting, dated 23 October 2009.

#### **E7      *Structural Inspection Certificate***

A Structural Inspection Certificate or a Compliance Certificate for any structural work is to be submitted to the satisfaction of the Certifying Authority prior to issue of each Occupation Certificate.

#### **E8      *Accessibility***

Prior to issue of an Occupation Certificate a certificate of compliance is to be prepared by an appropriately qualified person and submitted to the Certifying Authority confirming that the development complies with the recommendations in the Strategy for the Provision of Access for People with Disabilities prepared by Access Associates Sydney, dated November 2008, and complies with the requirements for access by people with disabilities under the Building Code of Australia and the *Disability Discrimination Act 1992*.

#### **E9      *Heritage Interpretation Plan***

If required by Department's Heritage Branch, in accordance with Condition D3, a detailed Heritage Interpretation Plan is to be prepared for the development site to provide interpretive elements to explain the archaeological significance of the site and is to be implemented in the sub-stages of Stage 2 development. The Plan is to be prepared in consultation with Council and the Department's Heritage Branch and the final Plan is to be submitted to the Department for approval.



All works proposed in the Interpretation Plan are to be fully implemented prior to the issue of any relevant Occupation Certificate.

#### **E10     *Sydney Water***

A Compliance Certificate issued under Part 6, Division 9, Section 73 of the *Water Board (Corporatisation) Act, 1994* shall be submitted to the Certifying Authority prior to the issue of the Occupation Certificate for any Stage or sub-stage of the development.

#### **E11     *Outdoor Lighting***

All outdoor lighting shall comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the issue of an Occupation Certificate and prior to operation of the outdoor lighting.

#### **E12     *Waste Management***

Prior to an Occupation Certificate being issued, the Certifying Authority must ensure that waste handling works have been completed in accordance with the Waste Management Plan.

#### **E13     *Food Premises***

The construction, fit out and finishes or any proposed commercial food premises shall comply with Standard 3.2.3 of the *Australian and New Zealand Standards Food Code* under the *Food Act 2003*. All food preparation areas are to be inspected and certified by Council's Environmental Health Officers prior to use.

#### **E14     *Road Damage***

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, is to be met in full by the proponent prior to the issue of the final Occupation Certificate for each Stage or sub-stage of development.

#### **E15     *Signalised Traffic Intersection***

Prior to the issuing of an Occupation Certificate for Stage 2D of the development, the proponent must meet the full cost for demolition of the roundabout, installation of traffic signals and associated works (signposting, linemarking) at the intersection of Barker Street and Botany Street. The traffic signals are to be designed and constructed in accordance with RTA standards and guidelines to the satisfaction of RTA.

#### **E16     *Drainage Plan***

Prior to the issuing of an Occupation Certificate for any Stage 2 development, the applicant shall submit to Council, a works-as-executed drainage plan prepared by a registered surveyor and approved by a suitably qualified and experienced Hydraulic Engineer. The works-as-executed drainage plan shall be to the satisfaction of the Certifying Authority.

## **PART F—POST OCCUPATION & ON GOING OPERATIONAL CONDITIONS**

### **F1      *Car park and Auditorium***

The management and use of the car park and auditorium must not be undertaken by any commercial operator or subcontractor.

### **F2      *Noise Control – Operational***

The use of the premises shall not cause a nuisance, or an offensive noise as defined in the *Protection of the Environment Operations Act 1997*, to adjoining properties or the public.

### **F3      *Noise Control – Plant and Machinery***

Noise associated with the operation of any plant, machinery or other equipment on the site, shall not give rise to any one or more of the following:

- (1) Transmission of “*offensive noise*” as defined in the *Protection of the Environment Operations Act 1997* to any place of different occupancy.
- (2) A sound pressure level at any affected residential property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the premises. The source noise level must be assessed as a LAeq, 15 minute.
- (3) Notwithstanding compliance with (1) and (2) above, the noise from mechanical plant associated with the premises must not be audible in any habitable room in any residential property between the hours of 12.00 midnight and 7.00am.

### **F4      *Annual Fire Safety Certification***

An annual Fire Safety Statement must be given to Council and the NSW Fire Brigade commencing within 12 months after the date on which the initial Interim/Final Fire Safety Certificate is issued. This must ensure that the essential services installed in the building for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard.

## **ADVISORY NOTES**

### **AN1      *Use of Mobile Cranes***

The proponent shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the proponent shall ensure the following matters are complied with:

- (1) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council:
  - (a) at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions, and
  - (b) at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (2) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.

**AN2    *Movement of Trucks Transporting Waste Material***

The proponent shall notify the Roads and Traffic Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

**AN3    *Disability Discrimination Act***

This application is to comply with the *Disability Discrimination Act 1992*. The proponent/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The *Disability Discrimination Act 1992* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act 1992* currently available in Australia.

**SCHEDULE 3****MP 08\_0086****STAGE 2, NEUROSCIENCE RESEARCH PROJECT****BARKER STREET, RANDWICK****PROPONENT'S STATEMENT OF COMMITMENTS**

<b>Subject</b>	<b>Commitments</b>	<b>Timing</b>
<b>Stage 1 construction works</b>	The Stage 1 works will be carried out in strict accordance with the same conditions of consent issued by Randwick Council for DA/468/2007.	At time of construction for Stage 1.
<b>General Works</b>	Notwithstanding any other commitment (condition of consent), the consent for the Project Application permits separate construction certificates and occupation certificates to be issued for the development approved by the consent in stages, provided that all commitments (conditions of consent) relevant to the development incorporated within each stage have been complied with prior to the release of the construction certificate or occupation certificate for that stage.	
<b>Traffic</b>	Provision of signalised traffic controls at the Botany Street/ Baker Street intersection.	At the completion of Stage 2D.
	Implementation of a Travel Smart Travel Plan to encourage staff and students to utilise alternative means of transport to driving.	Prior to issue of occupation certificate for Stage 2A.
<b>Heritage</b>	A full report on the excavation and results of the assessment of Aboriginal heritage values will be provided to the AHIMS register at DECC in accordance with S91 of the NPW Act.	Prior to the issue of the construction certificate for the construction of the above ground Stage 2A building.

Subject	Commitments	Timing
	Archaeological testing to be undertaken over the areas of the site determined to have potential for aboriginal archaeological evidence in accordance with recommendations set out within Mary Dallas Consulting's preliminary assessment report.	Prior to construction of the above ground structure for Stage 2A and in conjunction with the European archaeological assessment.
	Further archaeological assessment in accordance with CRMs European Archaeological Assessment to be undertaken to define the extent of European archaeological evidence across the site and to determine appropriate methods for retrieval and storage of found items and implementation of recommendations as set out within CRM Report dated June 2009.	Prior to construction of the above ground structure for Stage 2A and each subsequent sub-stage, in conjunction with the Aboriginal archaeological assessment and excavation investigations.
	There should be provision for an interpretative element/ landscape treatment for the Worker's Cottages on Barker Street as identified in the heritage assessment for the proposed Concept Plan, Graham Brooks & Associates. The design of this element should be considered in conjunction with the European Archaeological Assessment works.	Prior to the issue of the occupation certificate for Stage 2A.

Subject	Commitments	Timing
<b>Reflectivity</b>	<p>Façade glazing will have the following properties:</p> <ul style="list-style-type: none"> <li>▪ The glazing on the top 3 levels of the 191° aspect, and the third level of 011° aspect at the eastern edge, will have a maximum normal specular reflectivity of visible light of 9%;</li> <li>▪ The glazing on levels 2 and 3 of the 205° and 200° aspects between longitudinal lines Q and L indicated on the architectural plans will have a maximum normal specular reflectivity of visible light of 8%;</li> <li>▪ The inclines panels on the awning around the south-eastern corner of the site will be made from a clear or body-tinted glass so as to have a maximum normal specular reflectivity of 7%;</li> <li>▪ All remaining glazed areas of the façade of the development will have a maximum normal specular reflectivity of visible light of 20 percent. Other highly reflective materials will also be avoided on the facades to avoid adverse glare to the occupants of neighbouring buildings.</li> </ul>	Prior to the issue of the construction certificates for the construction of the above ground buildings for each of the respective sub-stages of the Stage 2 development.
<b>ESD</b>	The ESD initiatives included within the Cundall report will be incorporated into the design and operational practices of the building.	Prior to the issue of the construction certificates for the construction of the above ground buildings for each of the respective sub-stages of the Stage 2 development.
	The base building design will target an energy performance rating equivalent to the 5 star NABERS rating scheme (Education model).	Prior to the issue of the construction certificates for the construction of the above ground buildings for each of the respective sub-stages of the Stage 2 development.
<b>Geotechnical Issues</b>	Implementation of the recommendations set out within the Geotechnical Report prepared by Jeffery & Katauskas.	Prior to and during construction works.

Subject	Commitments	Timing
	<p>Further work in the form of the following will be undertaken:</p> <ul style="list-style-type: none"> <li>▪ Dilapidation surveys of surrounding buildings and structures;</li> <li>▪ Continuous vibration monitoring during rock excavation;</li> <li>▪ Proof testing of anchors, if appropriate;</li> <li>▪ Geotechnical footing inspections and spoon testing, if appropriate;</li> <li>▪ Groundwater monitoring into bulk excavation;</li> <li>▪ Proof-rolling of pavement sub-grade; and</li> <li>▪ Density testing of engineered fill and sub-base.</li> </ul>	<p>Prior to the issue of the construction certificate for any excavation or construction activities.</p>
<b>Hazardous Materials</b>	<p>All Asbestos Containing Materials (ACM) found on the site is to be removed by NSW WorkCover</p> <p>Authority licensed asbestos contractors prior to any works starting on site.</p>	<p>During demolition works</p>
	<p>If potential ACM are found during the construction works a sample will be taken and sent for asbestos identification analysis by a NATA accredited laboratory.</p>	<p>During demolition works.</p>
	<p>Prior to the demolition of the Ambulance Station or Black Dog Institute a Hazardous Materials Survey is to be undertaken of these building to ascertain the likelihood of hazardous materials on the site and the appropriate method of removal.</p>	<p>Prior to construction certificate issue for the demolition of the Ambulance Station and Black Dog Institute.</p>
	<p>Clearance certificates are to be produced following removal of all asbestos containing materials at the site.</p>	
<b>Contamination</b>	<p>The site is to be inspected by experienced environmental personnel during demolition and excavation works at the site.</p>	
	<p>Additional subsurface investigations comprising a minimum of 19 sampling locations are to be undertaken once the existing buildings have been demolished to meet the minimum sampling density outlined in the NSW EPA (Contaminated Sites Sampling Design Guidelines 1995).</p>	
<b>Construction Management</b>	<p>A detailed Site Safety Management Plan will be prepared once a construction contractor has been engaged</p>	<p>Prior to issue of the construction certificate for any works on the site.</p>

Subject	Commitments	Timing
Noise	<p>During the construction period, the following noise mitigation measures will be implemented:</p> <ul style="list-style-type: none"> <li>▪ Appropriate screening and hoarding will be provided along the northern site boundary;</li> <li>▪ Temporary screening will be provided around the car park and ramp construction site;</li> <li>▪ Consultation will also be carried out with the child care centre and noisy work will be restricted during the child care centre's rest period (12pm-1pm).</li> <li>▪ Use of an electric tower crane, if possible.</li> </ul>	Prior to the issue of the construction certificate for any works on site.
	<p>The following will be implemented to ensure noise from the operation of the loading dock is minimised:</p> <ul style="list-style-type: none"> <li>▪ The delivery dock is generally accessed between 7am to 6pm Mondays to Fridays, with the only exception being to accept gas deliveries which will be made prior to 10pm, with preference to make these deliveries during normal business hours;</li> <li>▪ Vehicles are driven forward into and out of the loading zone, reversing only into the loading dock;</li> <li>▪ Rubberised drop surfaces will be provided where equipment and materials are to be unloaded; and</li> <li>▪ Acoustic absorption within the loading dock (soffits and upper walls) to minimum NRC 0.8 will be provided.</li> </ul>	
BCA	The detailed design and specification of signage, lifts, mechanical services, glazing, fire fighting services etc will be provided within the construction certificate documentation.	Prior to the issue of the construction certificate for the above ground Stage 2A building.
	Compliance with the BCA and relevant Australian Standards.	At construction certificate stage.
Safety & Security	Details of the illumination and deterrence measures proposed for the development will be submitted for approval.	Prior to the issue of the construction certificate for these works.
Utility Services	Liaise, and obtain approval from all relevant service providers in regard to the provision of utility services to the site.	At construction certificate stage.



Subject	Commitments	Timing
Loading Dock	A Loading Dock Management Plan is to be prepared and submitted, detailing the management of multiple deliveries and arrival and departure times for deliveries and tradespeople in the loading dock and associated parking area.	Prior to the issue of the occupation certificate relating to Stage 2D of the development.