

SCHEDULE 1

CONDITIONS OF APPROVAL

MAJOR PROJECT APPLICATION NO. MP 06_0078

PART A – TABLE

Application made by	NSW Health and North Coast Area Health Service
Application made to	Minister for Planning
Major Project Number	06_0078
On land comprising	Lismore Base Hospital – Hunter St and Uralba St, Lismore Lot 1/DP78051, Lot 1/DP336510, Lot 3/DP17510, Lot 4/DP17510, Lot 5/DP17510, Lot 6/DP17510, Lot 7/DP17510, Lot 13/DP17964, Lot 12/DP17964, Lot 1/DP350716, Lot 1/DP350717, Lot 24/DP17964, Lot 25/DP17964, Lot 1/DP820625, Lot 1/DP342604, Lot 15/DP17964 and Lot 26/DP17964
Local Government Area	Lismore City Council
For the carrying out of	A detailed description of the development approved is described in Condition A1 of Schedule 2
Capital Investment Value	\$38.5 million
Type of development	Project Approval under Part 3A of the EP&A Act
Section 119 Public Inquiry Held	No
Section 75G Independent Hearing and Assessment Panel	No
Approval made on	25 January 2007
Approval	Project Approval is granted subject to the conditions in the attached Schedule 2.
Date of commencement of approval	This approval commences on the date of the Minister's approval.
Date approval is liable to lapse	5 years from the date of approval unless specified action has been taken in accordance with Section 75Y of the Act.

PART B – DEFINITIONS

In this approval the following definitions apply:

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

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

BCA means the Building Code of Australia.

Council means Lismore City Council.

DEC means the Department of Environment and Conservation.

Department means the Department of Planning or its successors.

Director-General means the Director-General of the Department.

Major Project No 06_0078 means the project described in Condition A1 of Schedule 2 and the accompanying plans and documentation described in Condition A2 of Schedule 2.

Minister means the Minister for Planning.

NCAHS means the North Coast Area Health Service.

Project means development that is declared under Section 75B of the Act to be a project to which Part 3A applies.

Proponent means NSW Health and North Coast Area Health Service or the person proposing the carrying out of

development comprising all or any part of the project and includes persons certified by the Minister to be the proponent.

Regulation means the *Environmental Planning and Assessment Regulations, 2000* (as amended).

RTA means the Roads and Traffic Authority

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

SCHEDULE 2**CONDITIONS OF APPROVAL****MAJOR PROJECT APPLICATION NO. MP 06_0078****PART A – ADMINISTRATIVE CONDITIONS****A1 Development Description**

Project approval is granted only to the carrying out of the following:

- (1) Erection of three single storey buildings for use as a mental health facility for adult and child and adolescent in-patient facilities, ambulatory care facilities and associated administration and research comprising a total gross floor area of 4,966m².
- (2) Construction of vehicular access points off Laurel Avenue and Weaver Street and the development of a pedestrian link from the existing hospital building (Block A) into the new mental health facility.
- (3) Provision of at-grade and underground off street car parking for 232 vehicles and on street car parking immediately fronting the hospital property for 89 vehicles totalling 416 car parking spaces.
- (4) Implementation of soft and hard landscaping measures and utility services and associated infrastructure and plant.

A2 Development in Accordance with Plans and Documentation

The development shall be in accordance with the following plans and documentation:

Lismore Base Hospital New Psychiatric Unit Project Part 3A Environmental Assessment Revision A (June 06) prepared for NSW Health and North Coast Area Health Service by HASSELL Pty Ltd			
Taylor Thomson Whitting Lismore Base Hospital Mental Health Upgrade Lismore Geotechnical and Preliminary Environmental Assessment (Ref. NR1618/1-AC) dated 12 May 2006			
Architectural (or Design) Drawings prepared by HASSELL Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
7455 A100	D	General Arrangement Site Plan	07.06.06
7455 MP001a	A	General Arrangement Lower Level Parking	15.06.06
7455 A102	C	General Arrangement Plan Level 1 RL 19.50	24.05.06
7455 A103	B	General Arrangement Plant Room Areas	24.05.06
7455 A104	B	General Arrangement Bridge Link	24.05.06
7455 A105	C	General Arrangement Roof Plan	24.05.06
7455 A200	C	Elevations: Ambulatory Care	24.05.06
7455 A201	C	Child & Adolescent Elevations	24.05.06
7455 A202	C	Elevations: Sub Acute, Acute HDU & Admin	24.05.06
7455 A220	B	Sections: Sub Acute, Acute HDU & Admin	24.05.06
7455 DA221	B	Sections	24.05.06
Landscape Drawings prepared by prepared by HASSELL Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
7455 L001	A	Landscape General Arrangement Plan	June 06
7455 L002	A	Landscape Planting Master Plan	June 06
7455 L003	A	Landscape Courtyard Detailed Plans (1 of 2)	May 06
7455 L004	A	Landscape Courtyard Detailed Plans (2 of 2)	May 06

Except for where amended by the following plans and documentation:

Lismore Base Hospital New Psychiatric Unit Project Preferred Project Report and Statement of Commitments prepared for NSW Health and North Coast Area Health Service by HASSELL Pty Ltd dated 1 December 2006 Revision 05			
Architectural (or Design) Drawings prepared by Health Projects International			
Drawing No.	Revision	Name of Plan	Date
MHU-PL-SITE	1	Site Plan	29.11.06
MHU-PL-L0-OP3	6	Level 0 Plan Car Parking Proposal Option 3	30.11.06
MHU-PL-L1-OP3	6	Level 1 Plan Tender Proposal Option 3	29.11.06
MHU-PL-L2	4	Level 2 Plan Tender Proposal	29.11.06
MHU-A-E1	2	Elevations: Ambulatory Care	29.11.06
MHU-A-E2	2	Elevations: Child & Adolescent Unit	29.11.06
MHU-A-E3	2	Elevations: Sub Acute, Acute HDU & Admin	29.11.06
Architectural (or Design) Drawings prepared by HASSELL Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
7455 A501	D	Plans/Elevations/Sections/Entrance Link Area	29.05.06

A3 *Inconsistency between plans and documentation*

In the event of any inconsistency between conditions of this project approval and the plans and documentation referred to above, the conditions of this project approval prevail.

A4 *Lapsing of Approval*

The project approval will lapse 5 years after the approval date in Part A of Schedule 1 of this project approval unless specified action has been taken in accordance with Section 75Y of the Act.

A5 *Prescribed Conditions*

The proponent shall comply with the prescribed conditions of project approval under Section 75J(4) of the Act.

A6 *Compliance with Relevant Legislation and Australian Standards*

The proponent shall comply with all relevant Australian Standards and Codes (including Building Code of Australia) and obtain all necessary approvals required by State and Commonwealth legislation in undertaking the project described in Condition A1, Part A, Schedule 2 of this approval.

A7 *Compliance Report*

The proponent, or any party acting upon this approval, shall submit to the Department, upon its request, a report addressing compliance with all relevant conditions of this approval.

PART B – PRIOR TO COMMENCEMENT OF WORKS

Additional Details

B1 Landscaping Plans

Additional details in regard to the following matters shall be submitted to and approved by the Director of Strategic Assessments (or successor) prior to the commencement of above ground works:

- (1) Updated landscaped drawings (described in Condition A2, Part A, Schedule 2).

Stormwater and Drainage

B2 Basement Drainage

Relevant plans and documentation incorporating the following details shall be submitted to DEC prior to commencement of drainage and stormwater works:

- (1) An appropriate pump and sump system shall be designed and sized for the basement areas subject to a Geotechnical Report by a suitably Qualified Geotechnical Engineer with recommendations. The pump system shall generally comply with relevant standards and AS/NZS3500 unless a suitable alternative can be provided.
- (2) The areas draining to the pump from weather exposed areas shall be limited to a maximum of 50m².
- (3) Details of the perimeter subsoil drainage required to be installed.
- (4) The pump rising main being discharged to an underground system rather than to the kerb to avoid constant wetness and slime.
- (5) The pump system shall consist of two (2) pumps, connected in parallel with an overflow, flashing light and audible alarm system provided, to warn of pump failure.

Note – this condition supersedes statement of commitment Construction Management No. 6) Page 38 of Lismore Base Hospital New Psychiatric Unit Project Preferred Project Report and Statement of Commitments prepared for NSW Health and North Coast Area Health Service by HASSELL Pty Ltd dated 1 December 2006 Revision 05

Construction Management

B3 Pre-Construction Dilapidation Report

The proponent is to engage a qualified structural engineer to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of existing and adjoining buildings, infrastructure and roads. The report shall be submitted to the Department prior to commencement of works.

Note – this condition supersedes statement of commitment Construction Management No. 7) Page 39 of Lismore Base Hospital New Psychiatric Unit Project Preferred Project Report and Statement of Commitments prepared for NSW Health and North Coast Area Health Service by HASSELL Pty Ltd dated 1 December 2006 Revision 05

B4 Construction Management Plan

Prior to the commencement of works, a Construction Management Plan shall be prepared by a suitably qualified person in accordance with relevant legislation and guidelines and submitted to and approved by DEC and/or the Director of Strategic Assessments (or successor) where appropriate. The Plan shall address, but not be limited to, the following matters where relevant:

- (1) Contact details of site manager,
- (2) Construction traffic and pedestrian management,
- (3) Noise and vibration management,
- (4) Waste management,
- (5) Flora and fauna management.

B5 Construction Waste Management Plan

Prior to the commencement of any works on the site, a Construction Waste Management Plan shall be prepared by a suitably qualified person in accordance with relevant legislation and guidelines and be submitted to Council and DEC.

Traffic, Car Parking and Road Works**B6 Road Design**

Kerb and gutter, stormwater drainage, full road width pavement including traffic facilities (roundabouts, median islands etc.) and paved footpaths shall be constructed along the full length of the new roads. All roads shall be designed in consultation with the relevant Council requirements and RTA/Austrroads. Final road design plans shall be prepared by a qualified practising Civil Engineer and lodged with Council prior to commencement of works.

B7 Car Parking

A minimum of 416 car parking spaces (inclusive of 89 car parking spaces on Hunter Street) shall be provided for the development. Details confirming the off street car parking numbers shall be submitted to the Department prior to commencement of works. Works shall be undertaken to upgrade Hunter Street to a standard that is appropriate for use as on-street car parking along the frontage of the hospital prior to completion of construction.

All the car parking spaces shall be bitumen sealed/paved or equivalent surface, line marked and constructed and landscaped in accordance with the requirements of Council's *Development Control Plans for off Street Carparking Requirements and Crime Prevention through Environmental Design*, *Australian Standard AS2890.1 Parking Facilities- Offstreet Parking* and *Council's Development, Design & Construction Manuals*.

Disabled car parking provision shall be provided in accordance with relevant Australian Standards.

Appropriate signage shall be clearly erected clearly indicating that off-street car parking is available.

B8 Approval Required under the Roads Act

Prior to the commencement of works approval shall be obtained under Section 138 of the Roads Act for the following works:

- (1) Construction of on street car parking located within the road reserve of Hunter Street, and
- (2) Works proposed for the servicing area for the bulk oxygen tank located within the road reserve of Weaver Street.

B9 Road Works Bond

Prior to the commencement of works the contractor shall lodge a bond of \$50,000 with Council to cover any damage to infrastructure within the road reserve arising during the construction of the proposed development. Evidence is to be provided to Council indicating the pre development condition of the surrounding public infrastructure. Any damage arising from construction activities to roads, kerb and gutter, footpaths or any other infrastructure within the road reserve shall be reinstated in accordance with Council's *Development, Design and Construction Manuals* (as amended) to Council's satisfaction.

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/developer prior to occupation of the buildings.

Note: Should the cost of damage repair work not exceed the road maintenance bond, Council will automatically call up the bond to recover the costs. Should the repair costs exceed the bond amount; a separate invoice will be issued. Council will need to demonstrate nexus, reasonableness and apportionment for any damage caused.

Bulk Oxygen Tank**B10 Delivery Restrictions**

Deliveries to the bulk oxygen tank shall be limited to daylight periods (except for emergency deliveries) as specified within the NSW EPA Industrial Noise Policy. Appropriate regulatory signage identifying the above requirement shall be placed prior to commencement of use.

B11 Loading Area

The proposed loading area of the bulk oxygen tank on Weaver Street shall be upgraded to a sealed road with kerb and gutter.

Monetary Contributions and Contributions-In-Lieu**B12 Section 94 Contribution**

Payment of contributions levied under Section 94 of the Environmental Planning and Assessment Act and Lismore Contributions Plan 1999 (as amended) are required.

The rates and amounts, totalling **\$76,055**, are set out below and shall be paid by the proponent prior to commencement of works.

(1) Amount of Contribution

	361	Additional traffic movements per day generated by LBH development
/	105,491	Total additional traffic demand to be generated by all development
=	0.0034	Proportion of traffic movements generated by LBH development
x	\$31,633,654	Total works required for all traffic identified in Contributions Plan (\$30,802,000 + 2.7% Consumer Price Index)
=	\$110,960	Proportion of works required by LBH redevelopment (\$108,253 + 2.5% Administration Levy)
-	\$34,905	Discount of 3 ET's for the dwellings and 4.35 ET's for medical usage (7.35 ET's x \$4,749 Cost of ET's per square metre)
=	\$76,055	Total Amount Payable

(2) Timing and Method of Payment

Payment to Council must be by bank cheque or cash. Personal cheques are not acceptable. All contributions, bonds etc shall be paid prior to the commencement of works. For accounting purposes, the contribution may require separate payment for each of the categories above and you are advised to check with Council accordingly.

Should levies set out in the attached schedule not be paid within twelve (12) months of the date of this approval, the rates shall be increased in accordance with the listing of rates applicable for the financial year in which payment is made. This listing of rates reflects the adjustment made for the Consumer Price Index (CPI) on an annual basis.

The contributions set out in the schedule are exclusive of any GST (if any) and where the provision of any services or the construction of any infrastructure or any other thing with those contributions occurs, then in addition to the amount specified above the proponent will pay to the Council the GST (as defined below) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

If the contributions set out in the schedule, or part thereof, are to be met by the dedication of land or other approved Material Public Benefit, then the proponent will pay to Council the GST (defined below) applicable to the value of land dedicated or (Material Public Benefit) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

GST means any tax levy charge or impost under the authority of any GST Law (as defined by the GST Act) and includes GST within the meaning of the GST Act. The GST Act means A New Tax System (Goods and Services Tax) Act 1999 or any amending or succeeding legislation.

The GST Act means A New Tax System (Goods and Services Tax) Act 1999 or any amending or succeeding legislation.

(3) Indexing

The contribution for land will be adjusted in accordance with the latest annual valuations.

B13 Section 64 Contribution

Payment of contributions levied under Section 64 of the Local Government Act 1993 and Council's Section 64 Contributions Plan are required.

The rates and amounts, totalling **\$34,280**, are set out below and shall be paid by the proponent prior to commencement of works.

	34,280	Sewerage Headworks – South Lismore Treatment Plant
		(13.89 ET's x \$2,468 per ET)
=	\$34,280	Total Amount Payable

Should levies set out in the attached schedule not be paid within twelve months of the date of this consent, the rates

shall be increased in accordance with the listings of rates applicable for the financial year in which payment is made. This listing of rates reflects the adjustment made for the Consumer Price Index (CPI) on an annual basis.

PART C – DURING CONSTRUCTION

Construction Management

C1 *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 DEC. Discharges are to be managed in accordance with the provisions of the Protection of the Environmental Operations Act.

C2 *Construction Management Plans*

All construction activities will be undertaken strictly in accordance with the construction management plan and construction waste management plan (see Conditions B4 and B5).

C3 *Approved Plans to be On-site*

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

C4 *Protection of Trees – Street Trees*

All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction, shall be replaced, to the satisfaction of Council.

C5 *Protection of Trees – On-site Trees*

All trees on the site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.

C6 *Consultation Requirements*

The proponent will consult with Council in relation to the environmental management of the site through a delegated representative of the NCAHS who will be available during and post construction.

Note – this condition supersedes statement of commitment General No. 16) Page 36 and Construction Management No. 5) Page 38 and No. 17 Page 40 of Lismore Base Hospital New Psychiatric Unit Project Preferred Project Report and Statement of Commitments prepared for NSW Health and North Coast Area Health Service by HASSELL Pty Ltd dated 1 December 2006 Revision 05

PART D – PRIOR TO OCCUPATION OR COMMENCEMENT OF USE**Second Dilapidation Report****D1 Post-construction Dilapidation Report**

- (1) The proponent shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.
- (2) The report is to be submitted to the Department and is to:
 - (a) Compare the post-construction dilapidation report with the pre-construction dilapidation report, concluding no damage has occurred during and as a result of construction, and
 - (b) Have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads (as far as reasonably practical). If this has been unreasonably delayed by the relevant authority, attempts to seek such confirmation shall be given to the satisfaction of the Department.

Note – this condition supersedes statement of commitment Operation No. 3) Page 41 of Lismore Base Hospital New Psychiatric Unit Project Preferred Project Report and Statement of Commitments prepared for NSW Health and North Coast Area Health Service by HASSELL Pty Ltd dated 1 December 2006 Revision 05

D2 Setting Out of Structures

The 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.

Note – this condition supersedes statement of commitment General No. 7) Page 35 of Lismore Base Hospital New Psychiatric Unit Project Preferred Project Report and Statement of Commitments prepared for NSW Health and North Coast Area Health Service by HASSELL Pty Ltd dated 1 December 2006 Revision 05

PART E – POST OCCUPATION

Traffic and Parking

E1 Loading and Unloading

All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the site at all times.

Noise Management

E2 Noise Control – Plant and Machinery

Noise associated with the operation of any plant, machinery or other equipment on the site, shall not exceed 5dB(A) above the background noise level when measured at the boundary of the site.

ADVISORY NOTES

AN1 Self Certification by Crown Authorities

Self-certification can be made by the Crown or on behalf of the Crown under Section 116G(2) of the Environmental Planning and Assessment Act 1979.

Where the Crown building provisions are used under Section 116G(1) of the Environmental Planning and Assessment Act 1979 the Crown is not required to obtain a construction certificate or appoint a principal certifying authority nor does it require an occupation certificate to be obtained (Section 109M of the Environmental Planning and Assessment Act 1979).

The Crown Authority undertaking the building work may contract a Council or an accredited certifier to undertake the BCA assessment of the proposed building. The Crown can then certify the building relying upon this advice. The certification is not to be confused with certification under Part 4A of the Environmental Planning and Assessment Act 1979.

AN2 Application for Hoardings and Scaffolding

A separate application shall be made to Council for approval under Section 68 of the Local Government Act to erect a hoarding or scaffolding in a public place. Such an application shall include:

- (1) Architectural, construction and structural details of the design in accordance with Council's policies.
- (2) Structural certification prepared and signed by a suitably qualified practising structural engineer.

AN3 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 following matters shall be 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.

AN4 Stormwater Drainage Works or Effluent Systems

Works that involve water supply, sewerage and stormwater drainage work or management of waste as defined by Section 68 of the Local Government Act, 1993 require separate approval by Council under Section 68 of that Act. Applications for these works must be submitted on Council's standard Section 68 application form accompanied by the required attachments and the prescribed fees.