

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

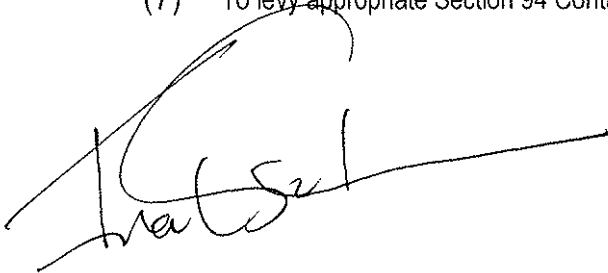
DETERMINATION OF MAJOR PROJECT NO. 06\_0172

(FILE NO. S06/00001)

I, the Minister for Planning, pursuant to Section 75J of the *Environmental Planning & Assessment Act, 1979*, determine Major Project No. 06\_0172 referred to in the attached Schedule 1, by **granting approval** subject to the conditions of approval in the attached Schedule 2.

The reasons for the imposition of conditions are:

- (1) To ensure the site is suitable for the proposed development and appropriately remediated.
- (2) To adequately and appropriately mitigate the environmental and construction impacts of the development.
- (3) To reasonably protect the amenity of the local area.
- (4) To encourage good urban design,
- (5) To provide sufficient landscaping,
- (6) To encourage public transport use,
- (7) To levy appropriate Section 94 Contributions



Frank Sartor MP  
Minister for Planning

Sydney,

B May 2007

## SCHEDULE 1

### PART A — TABLE

Application made by:	Macquarie University & Dalcross Private Hospital
Application made to:	Minister for Planning
Major Project Number:	06_0172
On land comprising:	Lot 18 DP 1058168 & Lot 20 DP 1015626
Local Government Area	Ryde City Council
For the carrying out of:	Construction of a new Private Hospital as described in Condition A1, Part A, Schedule 2.
Capital Investment Value	\$86 million
Type of development:	Project approval under Part 3A of the EP&A Act
Determination made on:	13 May 2007
Determination:	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 determination unless specified action has been taken in accordance with Section 75Y of the EP&A Act.

### PART B — DEFINITIONS

In this approval the following definitions apply:

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

**Environmental Assessment** means the document titled Macquarie University Private Hospital Environmental Assessment Report prepared by Health Projects International Pty Limited Architects and Health Facility Planners, dated 1 November 2006 (amended 25 January 2007).

**BCA** means the Building Code of Australia.

**Council** means City of Ryde Council.

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

**Director** means the Director of the Strategic Assessments Branch of the Department of Planning.

**Director General** means the Director General of the Department of Planning.

**Executive Director** means the Executive Director of the Strategic Sites and Urban Renewals Division within the Department of Planning.

**Major Project No. 06\_0172** means the project described in Condition A1, Part A, Schedule 2 and the accompanying plans and documentation described in Condition A2, Part A, Schedule 2.

**Minister** means the Minister for Planning.

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

**Proponent** means the person proposing the carry out of development comprising all or any part of the project, and includes persons certified by the Minister to be the proponent.

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

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

**Statement of Commitments** means the Statement of Commitments (as they apply to this project) made by the Proponent.

**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\_0172

## PART A – ADMINISTRATIVE CONDITIONS

**A1 Development Description**

Project Approval is granted only to the carrying out of the following development:

- demolition of all buildings, structures and landscaping at No. 3 Technology Place;
- staged construction of an **18,709sq.m, 208-bed, 6 storey** private hospital at No. 3 Technology Place including basement car parking for **228** vehicles, associated site landscaping and infrastructure works and a pedestrian bridge across Technology Place (connecting to No. 2 Technology Place);
- amendments to the basement, internal layout and facade of the building approved on No. 2 Technology Place; and
- use of the proposed building at No. 2 Technology as specialist consulting rooms and the like in conjunction with the private hospital constructed at No. 3 Technology Place.

**A2 Development in Accordance with Plans and Documentation**

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

Macquarie University Private Hospital Environmental Assessment			
Architectural (or Design) Drawings prepared by Health Projects International Pty Limited Architects and Health Facility Planners			
Drawing No.	Revision	Name of Plan	Date
SITE 1			
MQA-A-P-B1	2	BASEMENT 1 PLAN	3 October 2006
MQA-A-P-G	1	GROUND FLOOR	3 October 2006
MQA-A-P-3	6	LEVEL 3	3 October 2006
MQA-A-P-E1	4	ELEVATIONS	3 October 2006
SITE 2 STAGE 1			
MACQ-A-PL-LOC	3	LOCATION PLAN	4 September 2006
MACQ-A-SITE	4	SITE PLAN	7 September 2006
MOB1-A-COL-P-B1	7	BASEMENT 1	3 October 2006
MOB1-A-COL-P-B2	6	BASEMENT 2	3 October 2006
MOB1-A-COL-P-G	6	GROUND	3 October 2006
MOB1-A-COL-P-1	7	LEVEL 1	3 October 2006
MOB1-A-COL-P-2	6	LEVEL 2	3 October 2006
MOB1-A-COL-P-3	6	LEVEL 3	3 October 2006
MOB1-A-COL-P-4	5	LEVEL 4	3 October 2006
MOB1-A-COL-P-5	7	LEVEL 5	3 October 2006
MOB1-A-COL-P-6	1	LEVEL 6	3 October 2006
MOB1-A-COL-P-R	1	ROOF	3 October 2006
MOB1-A-COL-E1	8	ELEVATIONS	3 October 2006
MOB1-A-COL-E2	8	ELEVATIONS	3 October 2006

MQB1-A-COL-S1	7	SECTIONS	3 October 2006
MQB1-A-COL-S2	7	SECTIONS	3 October 2006
MQB1-A-SDG	1	SHADOW DIAGRAM	26 September 2006
SITE 2 STAGE 2			
MQB2-A-COL-P-G	1	GROUND	3 October 2006
MQB2-A-COL-P-1	1	LEVEL 1	3 October 2006
MQB2-A-COL-P-2	1	LEVEL 2	3 October 2006
MQB2-A-COL-P-5	1	LEVEL 5	3 October 2006
MQB2-A-COL-P-6	1	LEVEL 6	3 October 2006
MQB2-A-COL-P-R	1	ROOF	3 October 2006
MQB2-A-COL-P-E1	1	ELEVATIONS	3 October 2006
MQB2-A-COL-P-E2	1	ELEVATIONS	3 October 2006
MQB2-A-COL-P-S1	1	SECTIONS	3 October 2006
MQB2-A-COL-P-S2	1	SECTIONS	3 October 2006
MQB2-A-SDG	1	SHADOW DIAGRAM	26 September 2006
LA 01	A	LANDSCAPE PLAN	6 June 2006
LA 02	A	LEVEL 4 ROOF GARDEN	6 June 2006

**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 Report*

The proponent, or any party acting upon this approval, shall submit to Council a compliance report addressing compliance with all relevant conditions of this approval after 3 months and then 1 year after approval (or at any other time as requested).

## PART B—PRIOR TO COMMENCEMENT OF WORKS

### *Design Details*

#### **B1**      *Development Staging*

The proponent is to comply with the conditions contained in this instrument for both stages of development subject to this approval.

Any significant departure from Project Approval MP 06\_0172, will require submission and approval of a modification application or approval of a project application afresh. The Director General will determine what constitutes a significant departure.

Prior to commencement of works for stage two of the proposal, the proponent is to notify the Department of Planning and Ryde City Council of the proposed works and compliance to date with this approval. The proponent, or any party acting upon this approval, shall also submit a report addressing future compliance with all relevant conditions of this approval.

Note: The date of this approval is liable to lapse is 5 years from the date of approval unless specified action has been taken in accordance with Section 75Y of the Act.

#### **B2**      *Details of Material, Colours and Finishes*

Final design details of the proposed external materials and finishes, including schedules and a sample board of materials and colours, shall be submitted to and approved by the Department of Planning prior to the commencement of construction works.

#### **B3**      *Anti Graffiti*

All ground level surfaces are to be treated with anti-graffiti coating to minimise the potential of defacement. In addition, any graffiti evident on the exterior facades and visible from a public place is to be removed within 24 hours.

#### **B4**      *Setbacks*

The proposed building, including the basement below ground shall be setback 9m from the Talavera Road site boundary. The 9m setback shall be maintained free from built structures with the exception of the projecting operating theatres on Level 1. All existing trees between the site boundary and the 9m setback are to be retained, subject to the submission of a landscape plan (requirement of condition B23). Amended plans illustrating a 9m setback including details of appropriate façade treatment to the Talavera Road elevation shall be submitted to and approved by the Department of Planning prior to the commencement of construction works.

#### **B5**      *Section 94 Contribution*

Payment of contributions levied under Section 94 of the Environmental Planning and Assessment Act and City of Ryde Council's Development Contribution Plan – Section 94 Contribution Plan No.1 (2003 Amendment) is required.

The rates and amounts, totalling **\$459,560.00**, are set out below and shall be paid by the proponent prior to commencement of works, for each individual stage.

##### (1) Amount of Contribution

<b>Hospital/ medical uses</b>	<b>Rate per person (indexed)</b>	<b>X 400</b>
Storm Water Drainage	\$764	\$305,600
Public Space	\$301 (half Council rate)	\$120,400
Administration	\$41	\$16,400
<b>Sub Total</b>	<b>\$1106</b>	<b>\$442,400</b>
<b>Retail</b>	<b>Rate per GFA per Sq.m (as indexed by Council)</b>	<b>520m2</b>
Public Space	\$14	\$7,280
Storm Water Drainage	\$17	\$8,840
Administration	\$2	\$1,040
<b>Sub Total</b>	<b>\$33</b>	<b>\$17,160</b>
<b>TOTAL</b>		<b>\$459,560</b>

**(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) Staging**

The contribution may be paid in stages (for the total contribution) as a percentage of GFA.

- Stage 1 - 85%
- Stage 2 - 15%

Periodic/staged contributions will be subject to indexation by the CPI based on the time of payment.

**B6 Reflectivity**

The visible light reflectivity from building materials used on the facades of the buildings shall 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.

**B7 Outdoor Lighting**

All outdoor lighting shall comply, where relevant, with AS/NZ 1158.3: 1999 *Pedestrian Area (Category P) Lighting* and Australian Standard AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*.

**Remediation, Demolition and Earthworks****B8 Stage 2 Detailed Investigation**

Prior to the commencement of construction works, a Stage 2 Detailed Investigation, including field investigations and laboratory analysis, shall be prepared and submitted to Council for approval.

The Stage 2 Detailed Investigation shall also include additional test bores within the building footprint, subsequent to the demolition of existing buildings, for both site assessment purposes and to confirm the provisional waste classification.

The Stage 2 Detailed Investigation shall also investigate and determine the presence of hazardous building materials, including but not limited to, asbestos, lead paint, and PCB-containing light fittings. Appropriate removal and disposal measures shall be recommended.

*Note: Nothing precludes staged detailed investigations to coincide with any proposed staged construction program.*

**B9 Remediation of Land**

Based on the results of the Stage 2 Detailed Investigation, the proponent shall prepare a Remedial Action Plan and must be accompanied by a statement from a site auditor accredited by the Department of Environment and Conservation (Environmental Protection Agency) to issue site audit statements. The Hazardous Building Materials Investigation and Remedial Action Plan shall be submitted to Council prior to commencement of construction works.

Upon completion of the remediation works on the site, the proponent shall submit a detailed Site Audit Summary Report and Site Audit Statement and Validation Report to Council. The site audit must be prepared in accordance with the Contaminated Land Management Act 1997 and completed by a site auditor accredited by the Department of Environment and Conservation (Environmental Protection Agency) to issue site audit statements.

**B10 Site Works**

A site works plan must be prepared for every demolition, earthworks or building works indicating methods of sediment and pollution control in accordance with Council's DCP 2006, Part 8.1 – Construction Activities.

The site works plan is to indicate compliance with Council's DCP 2006, Part 8.1 – Construction Activities, in relation to:

- a) sedimentation and pollution controls;
- b) tree preservation and protection measures;
- c) security fencing;
- d) builder's identification signage and demolition in progress signage; and
- e) provision of site toilets

### ***B11 Engineering Compliance Certificate***

Engineering Compliance Certificates must be obtained for the following works at the specified stage:

- Prior to backfilling of pipelines in which Council has an interest.
- Prior to backfilling of drainage connections to pipelines or channels in which Council has an interest.
- Prior to casting of pits and other concrete structures in which Council has an interest including kerb & gutter, access ways, aprons, pathways, vehicular crossings, dish crossings and pathway steps.

**NOTE:** Council has an interest in all pipelines which drain public reserves and public road reserves, and in all structures located within public road reserves.

### ***B12 Dilapidation Report.***

Submit a dilapidation report on existing public infrastructure abutting the proposed development. The report is to include a description of the location and nature of any existing observable defects to the following infrastructure including a photographic record.

- a) Road pavement
- b) Kerb and gutter
- c) Constructed footpath.
- d) Drainage pits.
- e) Traffic signs
- f) Any other relevant infrastructure.

The report is to be submitted to Council, prior to the commencement of construction. The report shall be used by council as Roads Authority under the Roads Act 1993 to assess whether restoration works are required prior to the issue of the occupation certificate.

A second Dilapidation Report shall be prepared by a suitably qualified person at the completion of the works to ascertain if any structural damage has occurred to the items specified in the earlier report. A copy of the report shall be submitted to Council prior to the commencement of works.

### ***B13 Service Alterations***

All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.

### ***B14 Excavation***

The proponent shall:-

- a) seek independent advice from a Geotechnical Engineer on the impact of the proposed excavations on the adjoining properties
- b) detail what measures are to be taken to protect those properties from undermining during construction
- c) provide Council with a certificate from the engineer on the necessity and adequacy of support for the adjoining properties.

All recommendations of the Geotechnical Engineer are to be carried out during the course of the excavation. The applicant must give at least seven (7) days notice to the owner and occupiers of the adjoining allotments before excavation works commence.

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**B15 Traffic Management**

Traffic management procedures and systems must be in place and practised during the construction period to ensure safety and minimise the effect on adjoining pedestrian and vehicular traffic systems. These procedures and systems must be in accordance with *AS 1742.3 1985* and City of Ryde, Development Control Plan 2006: - Part 8.1; Construction Activities. A plan of traffic management is to be submitted to and approved by the Department of Planning.

**B16 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 Council. 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.

**B17 Vehicle Footpath Crossings**

Concrete footpath crossings shall be constructed at all locations where vehicles cross the footpath, to protect it from damage resulting from the vehicle traffic. The location, design and construction shall conform to the requirements of Council. Crossings are to be constructed in plain reinforced concrete and finished levels shall conform with property alignment levels issued by Council's Public Works Division. Kerbs shall not be returned to the alignment line. Bridge and pipe crossings will not be permitted.

**Traffic/Car Parking/Transport****B18 Sign posting**

All works/ regulatory signposting associated with the development shall be at full cost to the proponent.

**B19 Drop off / Pick up Bay**

The proposed drop off/pick up bay along Technology Place must be appropriately designed to accommodate the forecast number of patients/visitors likely to be using this facility during peak times.

**B20 Car Parking Layout**

The layout of the car parking areas associated with the subject development (including driveways, grades, turning paths, sight distance requirements, aisle widths, and parking bay dimensions) shall be in accordance with AS 2890.1-2004 and AS 2890.2-2002 for heavy vehicles.

**B21 Car Parking**

The number of on-site car spaces to be provided for the development (Site 2) shall not exceed 218 (in accordance with RTA Guidelines for Traffic Generating Developments), including those required for people with disabilities. Details confirming the parking numbers and configuration shall be submitted to the satisfaction of the Department prior to the commencement of construction works.

**B22 Public Transport**

To promote public transport and other modes of transport the proponent shall

- Distribute copies of the Macquarie University Public Transport Guide to all staff and students;
- Provide secure bicycle parking and end of trip facilities in the form of showers, lockers and changing rooms.

Details are to be submitted to and approved by the Department prior to occupation.

**Landscaping**

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**B23 Landscape Plan**

In order to ensure an appropriate landscaping response is provided for the Talavera Road elevations, a revised landscaping plan incorporating the following amendments must be submitted:

- (1) Retention of existing trees within the site boundary (not affected by the building/excavation) and the 9m setback;
- (2) Details of trees to be retained, removed or replaced;
- (3) Tree protection measures during construction; and
- (4) Full range of proposed species.

The amended landscape plan shall be submitted to and approved by Department prior to the commencement of construction works.

**Sydney Water**

**B24 Section 73 Certificate**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building, Development and Plumbing section of the website at [www.sydneywater.com.au](http://www.sydneywater.com.au) then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, as it may take some time to build water/sewer pipes and this may impact on other services and building, driveway or landscape design.

A copy of Sydney Water's Notice of Requirements must be submitted to Council.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development.

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## **PART C—DURING CONSTRUCTION**

### *Site Maintenance*

#### **C1      *Erosion and Sediment Control***

All erosion and sediment control measures are to be effectively maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as source of sediment.

#### **C2      *Disposal of Seepage and Stormwater***

All 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.

#### **C3      *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.

### *Noise and Vibration*

#### **C4      *Construction Noise Management***

The hours of construction, including the delivery of materials to and from the site, shall be restricted as follows:

- (1) between 7:00 am and 6:00 pm, Mondays to Fridays inclusive;
- (2) between 8:00 am and 1:00 pm, Saturdays;
- (3) no work on Sundays and public holidays.

Works may be undertaken outside these hours where:

- (1) the delivery of materials is required outside these hours by the Police or other authorities;
  - (2) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
  - (3) the work is approved through the Construction Noise and Vibration Management Plan; and
  - (4) residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of the works.
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***C5 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.

***C6 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.

***C7 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.

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**PART D – PRIOR TO OCCUPATION OR COMMENCEMENT OF USE**

***Engineering***

***D1 Fire Safety Certificate***

A Fire Safety Certificate shall be furnished to Council for all the Essential Fire or Other Safety Measures forming part of this approval.

An Annual Fire Safety Statement must be provided to Council and the NSW Fire Brigade commencing within 12 months after the date on which the approval authority initial Fire Safety Certificate is received.

***Works As Executed Plans***

***D2 Works As Executed Plans***

Prior to occupation, one (1) full set of works as executed plans, shall be submitted to Council for information purposes only.

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## **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.

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## ADVISORY NOTES

### **AN1**      *Requirements of Public Authorities for Connection to Services*

The proponent shall comply with the requirements of any public authorities (e.g. Energy Australia, Sydney Water, Telstra Australia, AGL, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the proponent.

### **AN2**      *Application for Hoardings and Scaffolding*

A separate application shall be made to Council for approval under Section 68 of the *Local Government Act, 1993*, 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**      *Roads Act, 1993*

A separate application shall be made to Council for approval under Section 138 of the *Roads Act, 1993* to undertake any of the following:

- (1) erect a structure or carry out a work in, on or over a public road, or
- (2) dig up or disturb the surface of a public road, or
- (3) remove or interfere with a structure, work or tree on a public road, or
- (4) pump water into a public road from any land adjoining the road, or
- (5) connect a road (whether public or private) to a classified road.

### **AN5**      *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.

### **AN6**      *Temporary Structures*

An approval under Section 68 of the *Local Government Act 1993* must be obtained from the Council for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.

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Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Council with the application under Section 68 of the *Local Government Act 1993* to certify the structural adequacy of the design of the temporary structures.

**AN7      *Excavation – Historical Relics***

Should any historical relics be unexpectedly discovered then all excavations or disturbance to the area is to stop immediately and the Heritage Council of NSW shall be informed in accordance with Section 146 of the *Heritage Act, 1977*.

**AN8      *Long Service Levy***

Under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* any work costing \$25,000 or more is subject to a Long Service Levy. The levy rate is 0.35% of the total cost of the work and shall be paid to either the Long Service Payments Corporation or Council. Under section 109F(1) of the Environmental Planning & Assessment Act, 1979 this payment must be made prior to commencement of building works.

**AN9      *Dial 1100 Before You Dig'***

Underground pipes and cables may exist in the area. In your own interest and for safety, telephone 1100 before excavating or erecting structures. Information on the location of underground pipes and cables can also be obtained by fax on 1300 652 077 or through the following website [www.dialbeforeyoudig.com.au](http://www.dialbeforeyoudig.com.au).

**AN10     *Commonwealth Environment Protection and Biodiversity Conservation Act 1999***

The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.

This application has been assessed in accordance with the New South Wales *Environmental Planning and Assessment Act, 1979*. This assessment has not involved any assessment of the application of the Commonwealth legislation. It is the proponent's responsibility to consult Environment Australia to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

**AN11     *Restoration***

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 will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public storm water drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.

**AN12     *Stormwater and Drainage Works Design***

Final design plans of the stormwater drainage systems shall be prepared in accordance with Council's Stormwater Drainage Development Control Plan prior to the commencement of construction works. The hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff.

**AN13     *Security Fencing***

Security fencing shall be provided around the perimeter of the building/demolition site and precautionary measures taken to prevent unauthorised entries of the site at all times during demolition and construction.