ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Determination of the Newcastle Private Hospital Expansion Project

Approval of Major Project No. 08_0170
(File No. S08/01335)

The Planning Assessment Commission of New South Wales (the Commission), having considered the matters in section 75J(2) of the *Environmental Planning and Assessment Act 1979* (the Act), determine pursuant to section 75J(1) of the Act to **give approval** to the major project referred to in the attached Schedule 1 subject to the conditions of approval in Schedule 2.

This approval applies to the plans, drawings and documents cited by the proponent in their Environmental Assessment, Response to Submissions and Statement of Commitments, 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) encourage ecologically sustainable development;
(c) adequately mitigate the environmental impacts of the project;
(d) protect the amenity of the local area; and
(e) protect the public interest.

Gabrielle Kibble

Member of the Commission **Member of the Commission** **Member of the Commission**

Sydney, 15 January 2010

SCHEDULE 1

PART A – TABLE

Application made by:	Healthscope Limited
Application made to:	Minister for Planning
Major Project Number:	08_0170
On land comprising:	2 Lookout Rd, New Lambton Heights (Lot 132 DP 1053492 & Lot 2 DP 1080386)
Local Government Area:	Newcastle
For the carrying out of:	The construction and operation of an additional hospital building at Newcastle Private Hospital, connecting to the existing Kingston Building
Capital Investment Value:	$33.7 million
Type of Development:	Project approval under Part 3A of the EP&A Act
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 Commission's approval
Date approval is liable to lapse:	5 years from the date of determination unless the building works associated with the project have substantially commenced.

PART B – DEFINITIONS

In this approval the following definitions apply:

Accredited Site Auditor	Site Auditor accredited under the *Contaminated Land Management Act 1997*
BCA	Building Code of Australia
Construction	Any works including remediation, earth and building works
Council	Newcastle City Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
DECCW	Department of Environment, Climate Change and Water
Department	Department of Planning
Director-General	Director-General of Department of Planning, or delegate
EA	Environmental Assessment titled *Proposed Hospital Building "hospital" Lot 132 DP 1053492 & Lot 2 1080386 Lookout Road, New Lambton Heights, City of Newcastle*, prepared by adw johnson, dated 13 May 2009 and the response to submissions titled *Newcastle Private Hospital – Project Application (MP08_0170) Response to Submissions* dated 7 October 2009.
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	*Environmental Planning and Assessment Regulation 2000*
Evening	The period from 6pm to 10pm
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval
Land	Land means the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this approval
Minister	Minister for Planning, or delegate
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Project	The development as described in the EA
Proponent	Healthscope Limited, or its successors
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build.
Response to Submissions	The Proponent's response to issues raised in submissions
RTA	Roads and Traffic Authority
Site	The land referred to in Schedule 1
Statement of Commitments	The Proponent's commitments in Appendix 2.

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SCHEDULE 2:
CONDITIONS OF APPROVAL

PART A – ADMINISTRATIVE CONDITIONS

A1. Development Description

Project Approval is granted for the construction and operation of a six storey hospital building (of which 3 storeys are for basement car parking), and associated works and infrastructure.

A2. Development in Accordance with Plans and Documentation

The Proponent shall carry out the project generally in accordance with the following plans, documentation and recommendations made therein:

(a)	The EA (Environmental Assessment titled *Proposed Hospital Building "hospital" Lot 132 DP 1053492 & Lot 2 1080386 Lookout Road, New Lambton Heights, City of Newcastle*, prepared by ADW Johnson, dated 13 May 2009 and the response to submissions titled *Newcastle Private Hospital – Project Application (MP08_0170) Response to Submissions* dated 7 October 2009)				
(b)	The Statement of Commitments at Appendix 2 prepared by ADW Johnson				
(c)	The Architectural Drawings (key plans also at Appendix 1) prepared by Suters:				
	Project No	**Drawing No**	**Issue**	**Name of Plan**	**Date**
	10041	SK100	K	Cover Sheet	06/05/2009
	10041	SK101	P	Site Plan	28/09/2009
	10041	SK102	Q	Level B3	25/09/2009
	10041	SK103	T	Level B2	25/09/2009
	10041	SK104	R	Level B1	25/09/2009
	10041	SK105	Q	Ground Floor	25/09/2009
	10041	SK106	O	First Floor	06/05/2009
	10041	SK107	Q	Second Floor	08/05/2009
	10041	SK108	N	Third Floor Kingston Building	07/05/2009
	10041	SK110	P	Sections	06/05/2009
	10041	SK111	Q	Elevation & Section	07/05/2009
	10041	SK112	P	Elevations	06/05/2009
	10041	SK113	C	3D Images	06/05/2009
	10041	SK114	A	Car Park Alterations	28/09/2009
	10041	SK115	C	Elevations Study – Materials & Finishes	06/05/2009
	10041	SK117	B	Site Analysis	24/02/2009
	10041	SK118	C	Site Analysis	11/02/2009
	10041	SK119	C	Site Analysis	11/02/2009
	10041	SK120	E	Site Analysis	11/02/2009
	10041	SK121	H	Croudace House Section	06/05/2009
	10041	SK122	C	2009 Equinox	06/05/2009
	10041	SK123	C	2009 Solstice	06/05/2009
	10041	SK124	D	Existing Site Plan	27/03/2009
	NL080045	CSK3		Stormwater Concept Plan	29/07/2009
(d)	Conditions of this approval				

A3. Inconsistency between plans and documentation

If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.

A4. Lapsing of Approval

This approval shall lapse if the Proponent does not substantially commence the building works associated with the project within 5 years of the date of this approval.

A5. Compliance with Relevant Legislation and Australian Standards

The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA and comply with Australian Standard *AS3959-1999 Construction of buildings in bush fire-prone areas* Level 1, or its latest version.

Notes:

- *Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works.*
- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the project*

A6. Obligation to minimise harm to the environment

The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the remediation, construction or operation of the project.

A7. Compliance with any reasonable requirements of the Director-General

The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:

(a) any strategies, plans, programs, reviews, audits, or correspondence that are submitted in accordance with this approval; and

(b) the implementation of any actions or measures contained in these documents.

A8. Protection of Public Infrastructure

The Proponent shall:

(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and

(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

A9. Operation of Plant and Equipment

The Proponent shall ensure that all plant and equipment used on site is:

(a) maintained in a proper and efficient condition; and

(b) operated in a proper and efficient manner.

A10. Incident Reporting

Within 24 hours of detecting an exceedance of the limits/performance criteria in this approval or an incident causing (or threatening to cause) material harm to the environment, the Proponent shall notify the Director-General, and any other relevant agencies. Within 7 days of the date of the exceedance/incident the Proponent must provide a report on the exceedance/incident to the Department, and any other relevant agency. This report must:

(a) describe the date, time, and nature of the exceedance/incident;

(b) identify the cause (or likely cause) of the exceedance/incident;

(c) describe what action has been taken to date; and

(d) describe the proposed measures to address the exceedance/incident.

PART B – PRIOR TO THE COMMENCEMENT OF WORKS

B1. Construction Management Strategy

The Proponent shall prepare and implement a Construction Management Strategy for the project to the satisfaction of the Director-General. This strategy must:

1. be approved by the Director-General prior to the commencement of construction on site;
2. describe in general how the environmental performance of the project would be monitored and managed;
3. describe the procedures that would be implemented to:
   (a) keep the local community and relevant agencies informed about the construction and environmental performance of the project;
   (b) receive, handle, respond to, and record complaints;
   (c) resolve any disputes that may arise during the course of the project;
   (d) respond to any non-compliance;
   (e) manage cumulative impacts; and
   (f) respond to emergencies; and
4. provide contact details and describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the project.
5. include a Construction Noise and Vibration Management Plan. This plan must:
   (a) be prepared in consultation with Council and the Possum Place Childcare Centre;
   (b) identify noise and vibration goals at all sensitive receivers;
   (c) describe the measures to be implemented to manage noise and vibration within these levels during construction;
   (d) provide for attended monitoring of construction activities;
   (e) include a consultation, notification and complaints handling procedure;
   (f) provide for scheduling of works to minimise impacts on sensitive receivers;
   (g) incorporate the recommendations of the *Noise Impact Assessment*, prepared by Reverb Acoustics dated May 2009, submitted as Appendix Q of the EA
6. include a Construction Traffic Management Plan. This plan must:
   (a) be prepared in consultation with Council and the Possum Place Childcare;
   (b) identify the childcare centres drop off and pickup times;
   (c) describe the measures to be implemented to minimise and manage construction parking and traffic impacts, especially during the times identified in (b) above; and
   (d) identify the contingency measures that would be implemented should these measures prove insufficient.

B2. Dilapidation Report

The Proponent shall prepare a dilapidation report of the public infrastructure in the vicinity of the site (including roads, gutters, footpaths, etc) to the satisfaction of Council, prior to the commencement of construction.

B3. Remediation Action Plan

Prior to the commencement of construction the Remediation Action Plan must be assessed and endorsed by an Accredited Site Auditor. Once endorsed by an Accredited Site Auditor, all remediation works must be undertaken in accordance with the Endorsed Remediation Action Plan.

B4. Remediation Environmental Management Plan

Prior to the commencement of construction an Environmental Management Plan must be prepared and implemented, once endorsed by an Accredited Site Auditor. The Plan must:

(a) include a sediment and erosion control plan;
(b) provide for the monitoring and management of airborne asbestos;
(c) provide for verification of the adequacy of the remediation works; and
(d) provide for the preparation and implementation of a suitable containment cell design and long term environmental management plan, should contamination remain onsite.

B5. Site Audit Report, Statement and Long Term Environmental Management Plan

Prior to the commencement of any building works, the Proponent shall make the following documents available to the Department and Council:

(a) the Site Audit Report and Statement, certifying the adequacy of the completed remediation works for the proposed site use; and
(b) if required, a long term environmental management plan, endorsed by an accredited site auditor.

B6. Management of Mine Subsidence Risks

Prior to the commencement of construction, the Proponent must remove the risk of mine subsidence, or confirm, through geotechnical investigations, that there is no risk of mine subsidence affecting the site, to the satisfaction of the Mine Subsidence Board.

B7. Landscaping Management Plans

The Proponent must revise and implement the landscape management plans for the project. The plans must:

(a) be approved by Council prior to the commencement of building works;
(b) comply with the principles of *Planning for Bushfire Protection 2006*, or its latest version;
(c) provide for additional landscaping to minimise the visual impact of the carpark;
(d) illustrate the location, species and mature heights of plants to be established on site;
(e) use endemic species only in the landscaping, ensuring seed and propagule sources are from local botanical provenance (except in the Croudace House and Formal Lawn Terrace);
(f) provide for the maintenance of the landscaping on site and the asset protection zone; and
(g) illustrate how the landscaping would integrate with the design of the buildings.

B8. Water and Energy Efficiency Program

The Proponent shall prepare and implement a Water and Energy Efficiency Program for the project, to the satisfaction of the Director-General. The program must:

(a) be approved by the Director-General prior to the commencement of building works;
(b) compare the proposed energy and water usage ratio of the project to other existing hospital facilities and set benchmarks for best practice;
(c) investigate energy and water efficiency measures available, including the installation of solar panels and cogeneration;
(d) describe the measures that would be implemented onsite, quantify the savings made and demonstrating the use of best available technology; and
(e) include a program to monitor and report on the effectiveness of the measures implemented and a protocol for periodic review of the plan to ensure the project would continue to operate at best practice overtime.

PART C – DURING CONSTRUCTION

C1. Demolition

The Proponent shall ensure that all demolition work is carried out in accordance with *Australian Standard AS 2601-2001: The Demolition of Structures*, or its latest version.

C2. Construction Hours

The Proponent shall comply with the construction hours in Table 1.

Table 1: Construction Hours

Activity	Day	Time
Construction	Monday – Friday	7am to 6pm
	Saturday	8am to 1pm
	Sunday and Public Holidays	Nil

Notes:

- *Construction activities may be conducted outside the hours in Table 1 provided that the activities are not audible at any residence beyond the boundary of the site; and*
- *Emergency work to avoid the loss of life, property and/or prevent environmental harm may be undertaken outside the hours in Table 1.*

C3. Vibration Limits

The Proponent shall ensure that vibration generated during construction is minimised and does not exceed the vibration limits presented in Table 2.

Table 2: Construction Vibration Limits

Location	***Maximum Vibration***	
	Measure	Value
Croudace House	Peak Velocity	2.0 mm/s
Possum Place Childcare Centre (when in use)	Vibration Dose Value	0.80 $m/s^{1.75}$
Operating Theatres (when in use)	Vibration Dose Value	0.20 $m/s^{1.75}$
Any residence on Lookout Road	Vibration Dose Value	0.40 $m/s^{1.75}$

Note: in circumstances where work is short term (less than a week), feasible and reasonable mitigation measures have been applied and specific community consultation and notification has been undertaken, exceedances of the vibration dose value at the childcare centre and residences may be allowed, if approved by the Director-General.

C4. Air Quality Management

During construction, the Proponent shall ensure that:

(a) all reasonable and feasible measures to minimise dust generated by the project, are implemented;

(b) all trucks entering or leaving the site, that could generate dust, have their loads covered;

(c) trucks associated with the project do not track dirt onto the public road network; and
(d) public roads used by these trucks, in the vicinity of the site, are kept clean.

C5. Erosion and Sediment Controls

During construction, the Proponent shall implement appropriate erosion and sediment controls on site, in accordance with the relevant requirements in Landcom's (2004) *Managing Urban Stormwater: Soils and Construction* manual.

C6. Fill

Any fill material brought to the site must be Virgin Excavated Natural Material or material subject to a Resource Recovery Exemption that is permitted to be used as a fill material, in accordance with the provisions of the *Protection of the Environment (Waste) Regulations 2005*.

Note: Any fill material received at the site, subject to a Resource Recovery Exemption, must be accompanied by documentation demonstrating the material's compliance with the conditions of the exemption, and this documentation must be provided to the Department, Council or the Principle Certifying Authority on request.

C7. Service Providers/Additional Approvals

Prior to the construction of any utility works, including the overflow relief line required by Hunter Water, the Proponent shall obtain all relevant approvals from service providers, including Hunter Water.

C8. Lighting

The Proponent shall ensure that lighting associated with the project:
(a) complies with the latest version of Australian Standard *AS 4282(INT)-Control of Obtrusive Effects of Outdoor Lighting*; and
(b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties, conservation areas or the public road network.

C9. Sight Lines

Any proposed landscaping, fencing or signage is not to impede the desired sight lines of all road users including pedestrians and cyclists.

C10. Waste Minimisation

During the construction of the project the Proponent shall implement all reasonable and feasible measures to minimise waste generated by the project.

C11. Waste classification and management

The Proponent must ensure all waste generated by the project is classified in accordance with the DECCW's *Waste Classification Guidelines - Part 1: Classifying Waste*, and disposed of appropriately.

PART D – PRIOR TO THE COMMENCEMENT OF OPERATIONS

D1. Pre-Operation Compliance Audit

Prior to the commencement of operations, the Proponent shall submit work as executed plans to the Department for all the development associated with the project. These plans must be prepared by a suitably qualified and experienced expert, and include plans showing the work as executed plans laid over the approved plans to demonstrate that the development has been carried out in accordance with the approved plans.

D2. Environmental Management Strategy

The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must be submitted to the Director-General and Council prior to the commencement of operations, and:

(a) identify the statutory requirements that apply to the project;
(b) describe in general how the environmental performance of the project would be monitored and managed;
(c) describe the procedures that would be implemented to:
    - keep the local community and relevant agencies informed about the operation and environmental performance of the project;
    - receive, handle, respond to, and record complaints;
    - resolve any disputes that may arise during the course of the project;
    - respond to any non-compliance;
    - manage cumulative impacts; and
    - respond to emergencies; and
(d) provide contact details and describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the project.

D3. Stormwater Management System

The Proponent shall prepare and implement a detailed Stormwater Management System, prior to the commencement of operations, to the satisfaction of Council. The system must:

(a) be prepared in accordance with the requirements of the DECCW's *Managing Urban Stormwater: Council Handbook*;
(b) include rainwater harvesting and reuse;
(c) be designed to treat and control the 5% AEP event; and
(d) be monitored and maintained to ensure the ongoing integrity of the system for the life of the project.

D4. Sustainable Travel Plan

The Proponent shall prepare and implement a Sustainable Travel Plan for the project, to be approved by the Director-General prior to the commencement of operations. The Plan must:

(a) be prepared in consultation with Council and NSW Transport and Infrastructure;
(b) describe the public transport infrastructure in place;
(c) identify the most suitable location for the provision of a shuttle bus (to minimise travel times for staff and the public);
(d) describe the measures that are to be put in place to reduce vehicle movements, including details of the shuttle bus routes and times, ensuring it would connect with appropriate destinations and public transport nodes;
(e) provide for ongoing monitoring of the effectiveness of the plan; and
(f) ensure the findings of the monitoring are used to improve the effectiveness of the plan overtime.

PART E – DURING OPERATIONS

E1. Noise Limits

The Proponent shall ensure that noise generated by the project's operation does not exceed the noise limits presented in Table 3.

Table 3: Operation Noise Limits (dB(A))

Location	Day	Evening	Night	
Any residence on Lookout Road, New Lambton Heights	$L_{Aeq\ (15\ min)}$ 51	$L_{Aeq\ (15\ min)}$ 51	$L_{Aeq,\ (15\ min)}$ 42	L_{Amax} 52
Possum Place Childcare Centre (when in use) - internal	$L_{Aeq(period)}$ 36			
Possum Place Childcare Centre (when in use) - external	$L_{Aeq(period)}$ 55			
Any hospital ward on site - internal	$L_{Aeq(noisiest\ 1\text{-}hour\ period\ )}$ 35			
Any hospital ward on site (excluding the Kingston Building) - external	$L_{Aeq(noisiest\ 1\text{-}hour\ period\ )}$ 50			

Note: Noise generated by the project is to be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy.

E2. Reversing Alarms

The Proponent shall ensure that the project's forklifts and other mobile plant are equipped with audible movement alarms, use white or broadband alarms, to minimise noise irritation to nearby sensitive receivers.

E3. Transport and Access

The Proponent shall:

(a) provide a shuttle bus for the project's staff linking to suitable public transport nodes as identified in the Sustainable Travel Plan, during peak travel periods;
(b) implement suitable measures to restrict the operations of the intersection of Jacaranda Drive and the site entrance to left in/left out only;
(c) ensure that internal roads, driveways and parking comply with Australian Standards *AS 2890.1 – 2004* and *AS 2890.2 – 2002*;
(d) ensure all parking generated by the project is able to be accommodated on site; and
(e) ensure all vehicles are able to enter and exit the site in a forward direction.

E4. Bushfire Hazard

The Proponent must ensure the project is undertaken in accordance with the requirements of *Planning for Bushfire Protection* 2006, or its latest version, and the NSW Rural Fire Service. For the life of the project, the Proponent must:

(a) manage the 70 m asset protection zone in accordance with NSW Rural Fire Service document standards for asset protection zones;

(b) ensure an up to date emergency evacuation plan is in place.

E5. Energy and Water Efficiency

The Proponent shall ensure the project is energy and water efficient, in accordance with industry best practice.

E6. Waste Management

During the operation of the project, the Proponent shall:

(a) implement all reasonable and feasible measures to minimise waste generated by the project; and

(b) ensure all waste generated by the project is classified in accordance with the DECCW's *Waste Classification Guidelines - Part 1: Classifying Waste*, and disposed of appropriately.

ADVISORY NOTES

AN1. Requirements of Public Authorities for Connection to Services

The proponent shall comply with the requirements of any public authorities (e.g. Hunter Water, energy and gas providers, telecommunications carriers, 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.

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

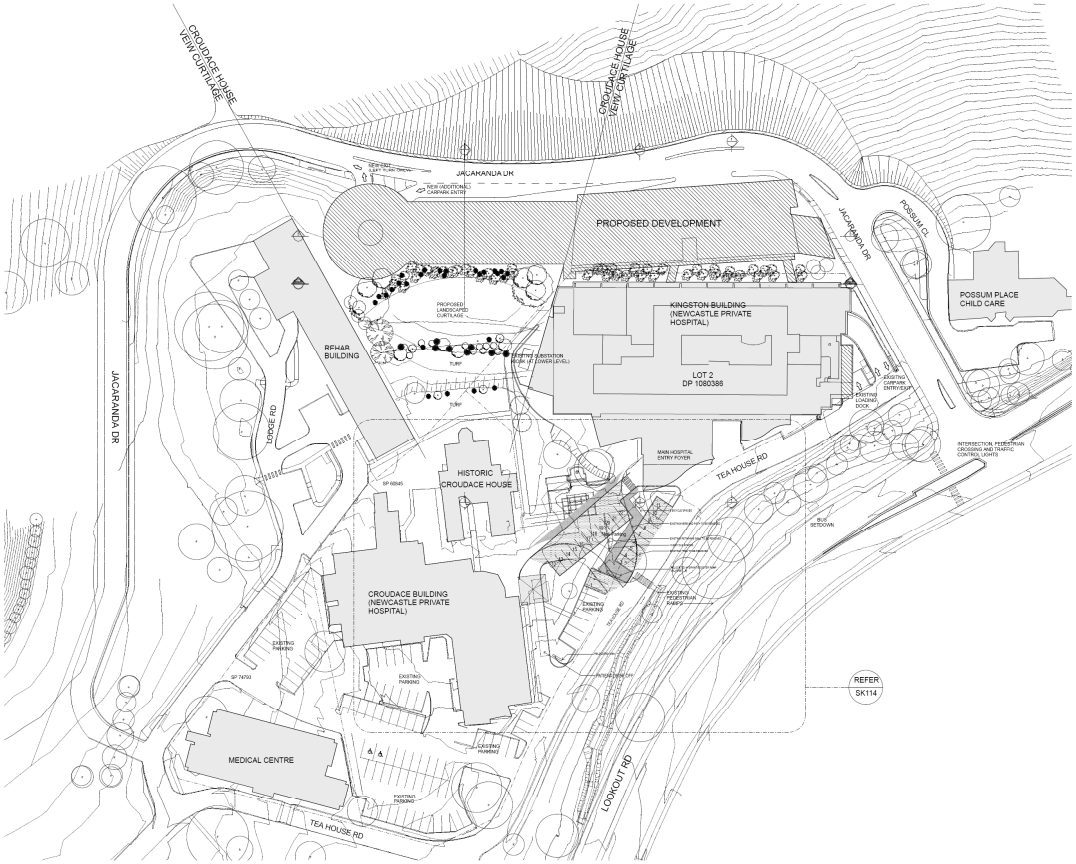
Under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* any work costing $25,000 or more is subject to a Long Service Levy. The levy rate is 0.35% of the total cost of the work and shall be paid to either the Long Service Payments Corporation or Council. Under section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

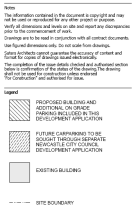
AN9. Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*

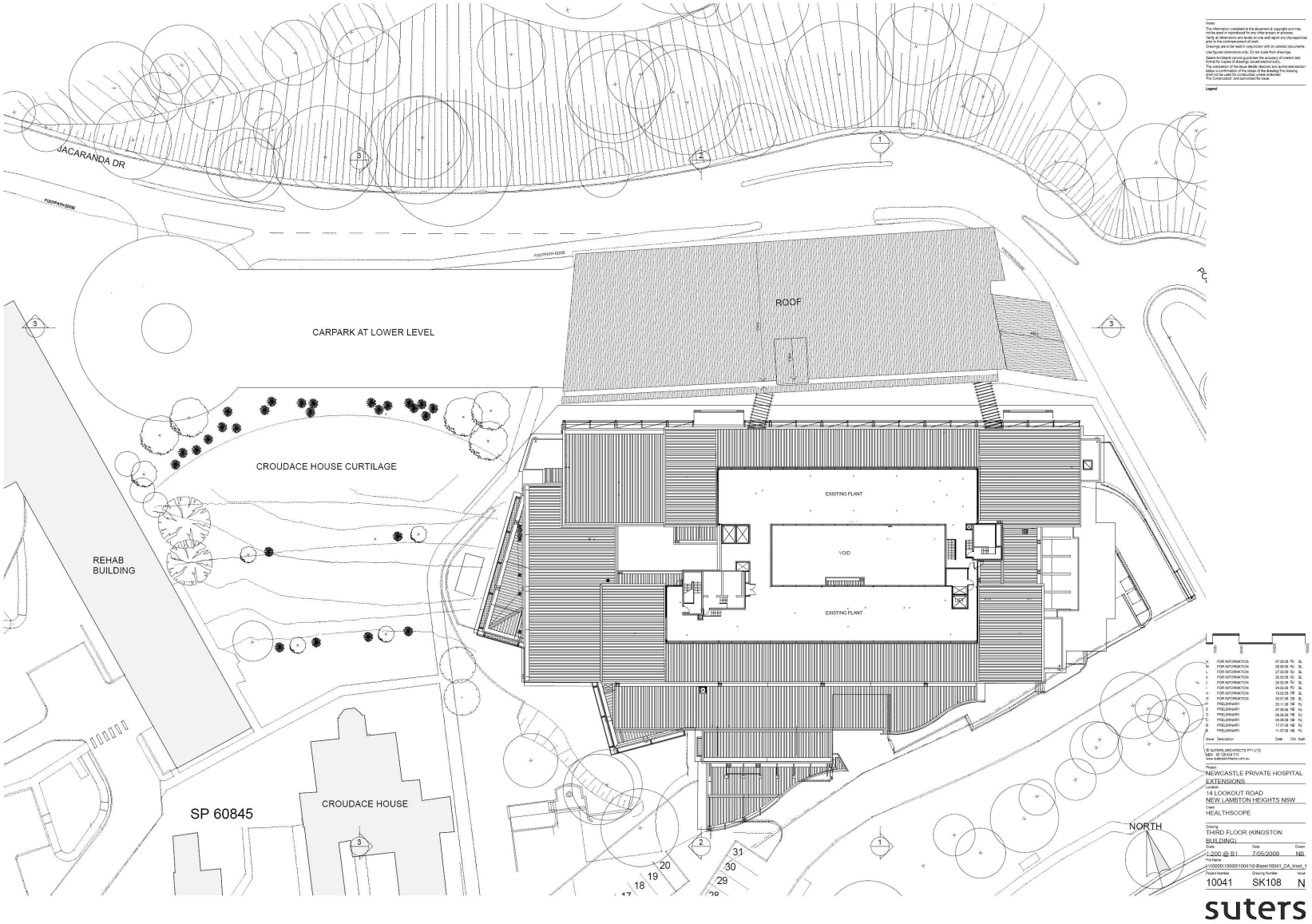
The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from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

APPENDIX 1: PROJECT LAYOUT PLAN



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FOOTPATH EDGE
CARPARK AT LOWER LEVEL
ROOF
CROUDACE HOUSE CURTILAGE
REHAB BUILDING
EXISTING PLANT
VOID
EXISTING PLANT
SP 60845
CROUDACE HOUSE
NORTH
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PRELIMINARY
Issue Description Date Chk Auth
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Project
NEWCASTLE PRIVATE HOSPITAL EXTENSIONS
Address
14 LOOKOUT ROAD
NEW LAMBTON HEIGHTS NSW
Client
HEALTHSCOPE
Drawing
THIRD FLOOR (KINGSTON BUILDING)
Scale 1:200 @ B1
Date 7/05/2009
Drawn NB
File Name
c:\10000\10000\100410-Base\10041_DA_Hcrst_1
Project Number 10041
Drawing Number SK108
Issue N
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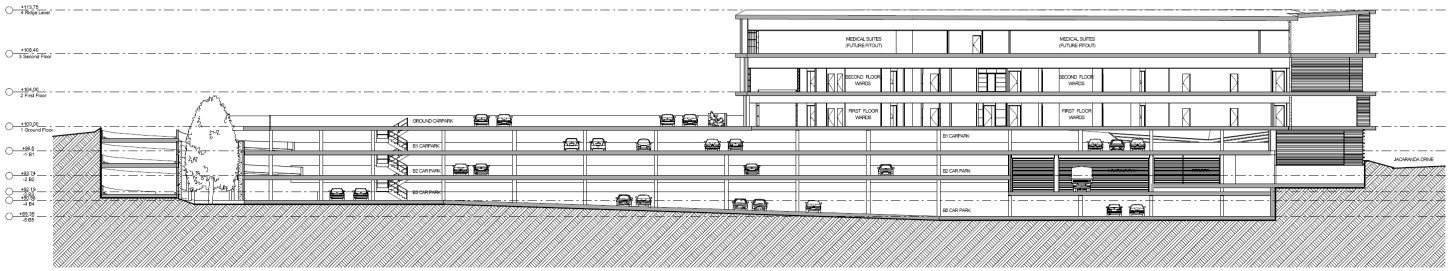

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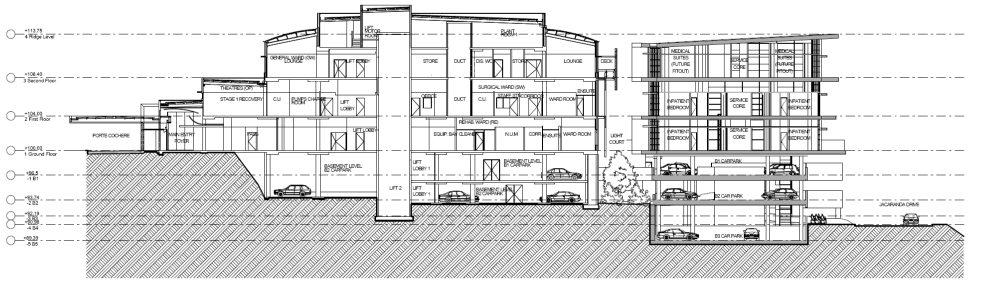

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PWP: PREFINISHED MODULAR PANEL CLADDING

PC: COLOURED PRECAST CONCRETE PANEL

ML: METAL LOUVRE

GPS: GLAZING & PANEL SYSTEM

TB: MODWOOD TIMBER BATTENS

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N	FOR INFORMATION	26.03.09	RJ	SL
M	FOR INFORMATION	24.03.09	RJ	SL
L	FOR INFORMATION	24.03.09	RJ	SL
K	FOR INFORMATION	26.02.09	RJ	SL
J	FOR INFORMATION	24.02.09	RJ	SL
I	FOR INFORMATION	19.02.09	DB	SL
H	FOR INFORMATION	30.01.09	DB	SL
G	PRELIMINARY	26.11.08	NB	RJ
F	PRELIMINARY	03.09.08	NB	RJ
E	PRELIMINARY	07.08.08	NB	RJ
D	PRELIMINARY	06.08.08	NB	RJ
C	PRELIMINARY	04.08.08	NB	RJ

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Project
NEWCASTLE PRIVATE HOSPITAL EXTENSIONS

Location
14 LOOKOUT ROAD
NEW LAMBTON HEIGHTS NSW

Client
HEALTHSCOPE

Drawing
SECTIONS

Scale	Date	Drawn
1:200 @ B1	6/05/2009	NB

File Name
I:\10000\10000\10041\0-Base\10041_DA_Host_1

Project Number	Drawing Number	Issue
10041	SK110	P

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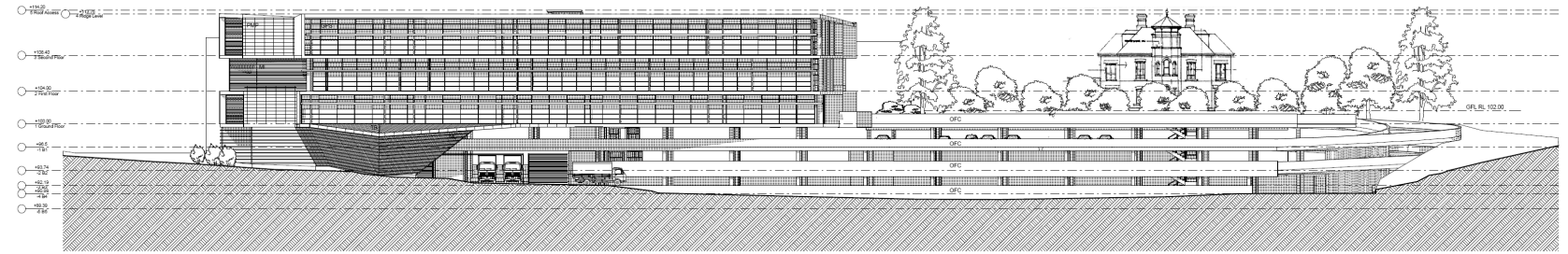

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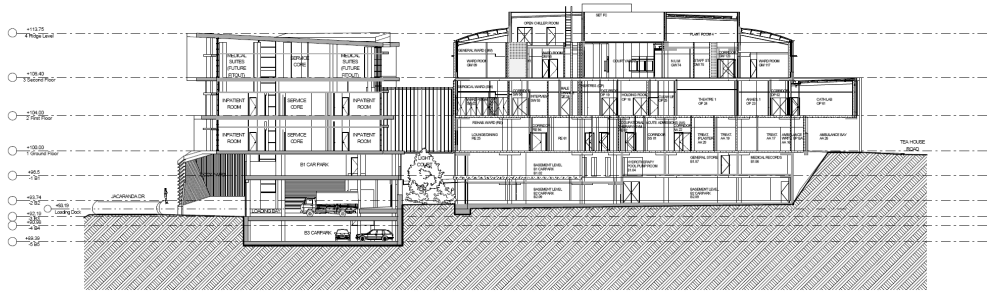

3 SECTION AA 1:200

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Legend

PMP: PREFINISHED MODULAR PANEL CLADDING

PC: COLOURED PRECAST CONCRETE PANEL

ML: METAL LOUVRE

GPS: GLAZING & PANEL SYSTEM

OFC: OFF FORM CONCRETE

TB: MODWOOD TIMBER BATTENS

Issue	Description	Date	Chk	Auth
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N	FOR INFORMATION	26.03.09	RJ	SL
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K	FOR INFORMATION	26.02.09	RJ	SL
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I	FOR INFORMATION	19.02.09	DB	SL
H	FOR INFORMATION	03.01.09	DB	SL
G	PRELIMINARY	27.11.08	NB	RJ
F	PRELIMINARY	03.09.08	NB	RJ
E	PRELIMINARY	07.08.08	NB	RJ
D	PRELIMINARY	06.08.08	NB	RJ

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Project
NEWCASTLE PRIVATE HOSPITAL EXTENSIONS

Location
14 LOOKOUT ROAD
NEW LAMBTON HEIGHTS NSW

Client
HEALTHSCOPE

Drawing
ELEVATION & SECTION

Scale	Date	Drawn
1:200 @ B1	7/05/2009	NB

File Name
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Project Number	Drawing Number	Issue
10041	SK111	Q

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APPENDIX 2: STATEMENT OF COMMITMENTS

7.2 Urban Form and Design

7.2.1 Architectural Design

The building, associated works and operations of the new hospital building will be carried out generally in accordance with the EAR (including Appendices) and architectural plans SK101 - SK124 (Suters Architects) dated 8th May 2009. If there is any inconsistency between the plans, the EAR and conditions imposed by the consent authority then the conditions will prevail to the extent of the inconsistency.

7.2.2 Landscape Design

The proposed landscaping design and works will be carried out in accordance with the recommendations of the Heritage Impact Statement (NSW Department of Commerce) and the Landscape Masterplan Report and Landscape Design Plans LP01 - LP03 (Moir Landscape Architecture) dated the 12th and 13th May 2009.
Landscape management will be carried out in accordance with the recommendations included in the Landscape Masterplan Report and will cover the following:

- **Plant selection** – species selected for the external works will comprised predominantly native trees, shrubs and groundcovers;
- **Soils** – site soil will be tested for possible amelioration and analysed to determine their composition prior to amelioration. Where possible soils will be improved using recycled compost or green waste, and where it is unable to be improved a recycled soil mix suitable for the specified planting is to be incorporated into the top 300mm layer.;
- **Mulch** – mulch specified for external mass planting areas will be locally sourced, recycled product;
- **Tree Protection** – all vegetation identified on the landscape plans to be retained will be protected from earthworks and machinery; and
- **Irrigation** – a well-designed, controlled and maintained drip irrigation system will be implemented in accordance with the recommendations contained within the Landscape Masterplan Report.

7.2.3 BCA

The proposed new hospital building will comply with either the 'deemed to satisfy' provisions of the Building Code of Australia, or alternatively provide a performance-based solution identified by a suitably qualified person.

7.2.4 Access

The proposed new hospital building will comply with the recommendations made within the Disability Access Report (Lindsay Perry Access and Architecture) dated 11th May 2009, as well as the following Access Legislation:

- The Disability Discrimination Act 1992;
- The Building Code of Australia 2007 – Section D3: Access for People with Disabilities;
- Australian Standards AS1428.1, AS1428.2, AS1428.4 – Design for Access and Mobility;
- Australian Standard AS2890.1 – Parking Facilities – Off-street Carparking 1993; and
- Australian Standard AS1735.12 – Lifts, Escalators and Moving Walks: Facilities for Persons with Disabilities.

7.3 Heritage

The recommendations detailed in the Heritage Impact Statement prepared by the NSW Department of Commerce will be complied with:

- Landscaping to the area between Croudace House and the car park to reflect the original terraced garden design;
- The screen planting to the car park should incorporate variations of plants to give both low and medium height cover; and
- The screen planting will be maintained for both density of planting and height restriction to avoid blocking the panoramic views from the Croudace House tower.

7.4 Transport and Accessibility

- The proposal will provide 244 car parking spaces in accordance with the relevant Australian Standards.
- Bicycle parking will be provided within the at-grade parking area at the front of the existing Kingston and Croudace Buildings (in accordance with Suters architectural plan **SK114**) and within storage area in the existing Kingston Building (in accordance with the Suters architectural plan **SK104**).
- Motorcycle parking will be provided within the existing Kingston Building car park and the proposed multi-level car park in accordance with Suters architectural plans **SK102 – SK125**.

7.5 Bushfire

The recommendations contained in the Bushfire Hazard Assessment prepared by Barry Eadie Consulting Pty Ltd, will be implemented. The recommendations are:

a) APZs are to be maintained in accordance with **section 3.4** of the Bushfire Hazard Assessment.

b) If any trees are to be located within the envisaged APZs, this is considered acceptable, providing the following conditions are met:

i) Vegetation is not to touch or overhang buildings (canopy vegetation must not be within 2-5 metres of any building / dwelling);

ii) Vegetation is not species that retain dead material or deposit excessive quantities of ground fuel in a short period or in a danger period; and

iii) Vegetation is located far enough away from buildings so that it will not ignite the dwelling by direct flame contact or radiant heat emission.

c) Preparation of a Bushfire Management Plan for the site. The Bushfire Management Plan to be prepared will address the following:

i) Contact person / department and details;

ii) Schedule and description of works for the construction of Asset Protection Zones and their continued maintenance;

iii) Management strategies, proposed schedule and description of work for the Asset Protection Zone; and

iv) Details of access through any gate / fire trail system for remnant bushland areas to the Asset Protection Zone.

d) Landscaping for the site shall comply with Appendix 5 of *Planning for Bushfire Protection, 2006*.

e) Woodpiles, combustible material storage sheds, large areas / quantities of garden mulch and stacked flammable building materials should not be located within the IPA of buildings.

f) The building is to be built to Level 1 construction in accordance with AS 3959-1999.

g) A Bushfire Evacuation Plan is to be prepared to the satisfaction of the NSW RFS prior to occupation. Should such a plan exist for the hospital campus, such a plan is to be upgraded to incorporate the proposal.

h) Reticulated or bottled gas shall be installed and maintained in accordance with AS/NZS 1596-2002: *Storage and Handling of LP Gas* and the requirements of relevant authorities.

7.6 Drainage, Stormwater and Groundwater Management

The proposed development will be constructed and operated in accordance with the Stormwater Management Plans detailed in the Civil and Stormwater Drainage report and the Stormwater Concept Plans (**CSK1, CSK2 & CSK3**) prepared by Northrop Engineers.

Typical standard building construction methodologies and practices to mitigate construction impacts will be implemented, including sediment and erosion control, dust management and stormwater management.

The contractor will be responsible for adequately managing / controlling site stormwater runoff with the aim of preventing erosion and deposition, specifically within water ways or stormwater drains.

The contractor will undertake sediment and erosion control awareness and education as part of the site induction or general induction for all personnel.

The contractor will be responsible for adequately implementing the requirements of the Sediment and Erosion Control Plan which will be specifically prepared for the site and proposed development as part of the Construction Certificate Phase. However, from a conceptual viewpoint, the Sediment and Erosion Control Plan will include specific requirements such as:

- All work is to be carried out in accordance with relevant ordinances and regulations; note in particular the requirements of Landcom's 'Managing Urban Stormwater, Soils and Construction' (the 'blue book').
- Install sediment protection filters on all new and existing stormwater inlet pits in accordance with the typical detail contained within the 'Bluebook'.
- All stormwater devices being upgraded are in full working order at the end of each days work.
- All stormwater devices in the designated route of vehicular access shall be protected from damage. All damage to stormwater devices during the works shall be repaired or replaced prior to the completion of works.
- Sediment and Erosion Control measures shall be installed prior to the commencement of construction and regularly maintained in accordance with the Engineering drawings and specifications.
- Stage the earthworks operations where appropriate to reduce the extent of the site that is 'open' and susceptible to erosion processes.
- Install a 'rumble strip' or 'shakedown' at all vehicle entrances / exists to reduce the likelihood of sediment being trafficked offsite. Manually remove (by means other than washing into stormwater drains) sediment tracked offsite on the adjacent roads.
- Use silt fences and staked hay bales to control runoff in individual building zones across the site.
- All trench (including all service trenches) shall be side-cast to the high side and closed at the end of each days work.
- Construct and maintain all material stockpiles in accordance with detail SD4-1 of the 'blue book'.
- Once cut/fill operations have been finalised all disturbed areas that are not being worked on shall be re-vegetated or sealed as soon as is practical.
- The Site Foreman (Contractor) shall be responsible for keeping a detailed written record of all erosion and sediment controls on site during the construction period. This record shall be updated on a daily basis and shall contain details on the condition of controls and any/ all maintenance, cleaning and breaches. This record shall be kept on site at all times and shall be made available for inspection by the principal certifying authority during normal working hours.

- To reduce the likelihood of suspended solids entering downstream stormwater drains; flocculate, settle and discharge stored water from the temporary sediment basin in accordance with the methodology outlined in the blue book.

All site operations will be undertaken with consideration given to their potential to produce dust. A management strategy of *avoid > minimise >control* shall be implemented.

The Contractor will instigate measures to minimise and control generation of dust from the site. These measures will include, but not be limited to:

- Program works around periods of significant and adverse meteorological conditions.
- Install wind fences around stockpiles in accordance with detail SD6-15.
- Maintain vegetation across the site where possible otherwise establish vegetation or seal disturbed site areas as soon as practical.
- Provide water trucks or sprinkling devices during construction as required to suppress dust.
- Install and maintain protective cloth to perimeter fence to assist with dust suppression.

7.7 Geotechnical and Contamination

7.7.1 Geotechnical

The proposed development will be constructed in accordance with the recommendations detailed within the Geotechnical Report prepared by Douglas Partners which relate to:

- Excavations;
- Footings;
- Support of Excavations;
- Site Contamination;
- Mine Subsidence.

7.7.2 Mine Subsidence

The following recommendations contained in Appendix A of the Northrop Engineers Report – Site Suitability Relating to Mine Subsidence Issues will be undertaken prior to construction of the proposed development:

- Have geotechnical consultant carry out a desktop study of the workings and identify location of proposed boreholes looking for voids in the workings.
- Undertake drilling of boreholes to determine roof condition, floor condition, depth of seam, height of extraction and bord width.
- Carry out geotechnical analysis to determine the factor of safety of the workings.
- If factor of safety too low carry out ground surface profile analysis assuming failure of the pillars and determine if the structure can cope with these displacements, if so design
- structure accordingly.
- If not, look at partial grouting options and again, analyse the structure and design accordingly.

7.7.3 Contamination

The recommendations contained in the Remedial Action Plan (RAP) prepared by ENSR Australia Pty Ltd will be undertaken.

The proposed remedial strategy will involve the following:

- Soils within the excavation footprint of the NPH Extensions (including Areas 1 to 3) assumed to contain material identified as unacceptable, will be either, removed from the site and disposed of in an approved manner to a landfill licensed to receive the waste, or capped by a geotextile marker layer, with an ongoing management plan.

- All removal work will be carried out in accordance with the relevant Acts and Regulations, as defined in the RAP.
- Validation of the successful completion of the removal works, in accordance with regulatory protocols described within this RAP.
- Any imported fill that may be required to reinstate excavation levels will be classified as virgin excavated natural material (VENM) or excavated natural material (ENM) as per the recently published NSW DECC (2008) Waste Classification Guidelines.
- Asbestos air monitoring will be carried out on-site whilst any soil remediation activities are conducted.
- Implementation of an environmental management plan/site management plan during remedial activities.
- Preparation of an Environmental Management Plan to ensure the ongoing integrity of the capping system.

Following completion of the above activities, a Validation Report will be prepared by the Consultant documenting the remediation and validations works and confirming that the site is suitable for the proposed future (hospital / car park) land use.

7.8 Construction Impacts

7.8.1 Noise & Vibration

The proposed development will be constructed in accordance with the recommendations contained within the Noise Impact Assessment prepared by Reverb Acoustics.

Noise control within the construction phase of the proposed new hospital building will include the following strategies:

- Noise and vibration monitoring program;
- Equipment selection;
- Acoustic Barriers / Screening; and
- Consultation / Complaints Handling Procedures.

Noise control for the refurbishment of the existing Kingston Building will include the following strategies:

- Machinery enclosures / screens;
- Partition walls and ceilings;
- Flanking paths;
- Ventilation and hydraulic systems;
- Background noise and masking; and
- Administrative noise control.

7.8.2 Stormwater Management

The stormwater management for the site will comply with the Stormwater Management Plan detailed in the Civil and Stormwater Drainage report and the Stormwater Concept Plans (**CSK1, CSK2 & CSK3**) prepared by Northrop Engineers. Stormwater Management will be carried out as detailed above in **Section 7.6**.

7.8.3 Dust and Erosion Control

Dust and Erosion control measures will be carried out in accordance with the Civil and Stormwater Drainage Report prepared by Northrop Engineers and the dust and erosion control measures detailed above in **Section 7.6**.

7.8.4 Waste Management

All waste / surplus building material from the construction phase of the proposed development will be recycled wherever possible. A detailed Waste Management Plan will be incorporated into the detailed Environmental Management / Construction Plan.

7.8.5 Traffic and Pedestrian Access Management

The construction plans will be developed to reduce the impact of construction traffic on the adjacent road network to the satisfaction of the NSW Department of Planning.
The issue of where construction workers will park has been considered as part of the Transport and Accessibility Study undertaken by Better Transport Futures, and whilst the details of the construction method have not been finalised, the following options have been identified:

- A temporary parking area to accommodate all workers identified on site – *at this stage a parking area big enough to accommodate all workers has not been identified.*
- Workers park at the Energy Australia stadium and are bused to the hospital complex. This may see a need for a temporary supplement to the capacity of the existing shuttle bus service if required – *Some tradesmen may need site access to allow work equipment stored in their vehicles to be in close proximity and available for use in site.*
- Stage construction of the building to minimise construction staff and allow use of Stage 1 for parking during construction of Stage 2 – *May be a viable option which could be written into the tender conditions and construction management for the contract. This option would still require some temporary parking during Stage 1.*
- A smaller temporary parking area identified close to the construction site where key trades vehicles can be parked and the remainder of the construction staff park at Energy Australia Stadium and are either bussed to the hospital site or are picked up by company vehicles – *Will not be ideal for tradesmen, however, may be feasible with careful planning. Again, this could be a condition placed on the construction contract.*
- Construction staff must be discouraged from parking in the residential area to the east of Lookout Road – *Enforcement under existing arrangements will be difficult to control until some form of area parking scheme is implemented in the residential area. In reality many of the hospital staff who already park in this area are already there before the construction staff would arrive.*

The quantity of construction traffic will be determined by the construction time table, however some controls will be put in place including the following:

- Construction will only occur between 7am and 4pm. This will reduce the construction staff and traffic entering or leaving the site during the peak on street traffic periods.
- Construction traffic will be encouraged to use Jacaranda Drive where possible to reduce the use of the intersection of Kookaburra Cres and Lookout Road and potential impacts on other essential services on the campus.

7.9 Operational Impacts

7.9.1 Noise from Plant and Equipment

The operations of the proposed new hospital building will be carried out in accordance with the site operation noise control recommendations contained within the Noise Impact Assessment (**pp 23 and 24**) prepared by Reverb Acoustics (located at **Appendix Q** of the Environmental Assessment Report).
Noise control within the operation phase of the proposed new hospital building will involve the following:

- Any exhaust plant that produces a sound pressure level in excess of 60dB(A) at a distance of 1 metre from the discharge point must be acoustically treated. Several noise control options are available, namely, installation of in-duct silencers, internal lining to connected ducts with several transition bends, position outlets behind acoustic barriers (parapet or the like) or installing directional exhausts stacks.

- No ventilation openings are permitted in the south wall of plant rooms located at the east side of the building on each level.

Ventilation openings are permitted along the east side of the plant rooms providing acoustic louvres are used in preference to standard louvres.

- In-duct silencers are to be fitted to any plant room exhaust / intake fan openings.
- In-duct silencers are to be fitted to any ducted supply / exhaust air associated with any emergency generators. Generators must be housed in suitable acoustic enclosures.
- The contractor responsible for supplying and installing mechanical plant must provide evidence that installed plant meets this noise emission limit, or that noise control included with the plant is effective in reducing the sound level to the specified limit.
- To ensure noise emissions from chillers located on the roof-top plant deck of the Kingston building are at acceptable levels for future occupants of the new building the following noise control strategies must be considered:
    1) Install double glazed windows to all sensitive areas in close proximity to the deck, or
    2) Replace standard ventilation louvres at the plant deck perimeter with acoustic louvres (see (b) above for required insertion loss values), or
    3) Engage a suitably qualified acoustic consultant to determine the extent of acoustic impact and alternate noise control strategies.
- Signs are to be erected in conspicuous locations in the loading dock instructing drivers to turn off their engines once in place at the dock.
- Double-glazing should be installed to all sensitive areas above and adjacent to the loading dock (wards, consulting rooms, etc). A minimum Rw35 rating is recommended for the window system. This can be achieved with a double glazed system consisting of 6.38mm lam glass x 25mm airspace x 6mm clear float glass. Many other configurations can achieve comparable acoustic performance. However, the supplier must be able to provide evidence from a registered laboratory that the complete window assembly will achieve the specified Rw rating.
- Glass installed in window assemblies must comply with AS 1288- 2006. Materials, construction and installation of all windows are to comply with the requirements of AS 2047-1999.
- Waste disposal bins are to be located in shielded areas, ideally in areas undercover or away from sensitive areas in order to reduce impacts during collection. It is recommended that waste collection be restricted to weekdays 7:00am to 6:00pm.

7.9.2 Waste Management

Operational waste, including biological and anatomical waste, from the proposed new hospital building will be removed by the existing contractor for the existing Newcastle Private Hospital buildings on a daily or more frequent needs basis. The hospital is currently reviewing its waste contract to improve its recycling and cost base, and will include the proposed new hospital building as part of that review.

7.9.3 Site Security and Lighting

- All staff and visiting medical officers at Newcastle Private Hospital will be issued with security photo identification access cards.
- Electronic lockdown will occur at 9:00pm and will be unlocked at 6:00am with an access card required to enter the hospital during this time.
- Night patrols will be carried out by a contracted security firm who check all external doors. Internal hospital security will be the responsibility of a night wards person.

- The existing Security Management Plan for the existing Kingston Building will be revised to include the new building and its operations.
- The existing Kingston Building's staff duress system, which is an emergency alert system used by individual staff will be extended to the new proposed development. CCTV will be installed within the new car park areas.
- Lighting throughout the new facility will be in accordance with AS1680 together with NSW Health Code TS11. Lighting to enable the evacuation of the building in the event of an emergency shall be provided to comply with the BCA and AS2293. Central test switching of the new facility will be provided to comply with the latest Australian Standards. The incorporation of the "Running Man" style of exit sign will also be provided in the new facility.

7.9.4 Emergency Procedures

The existing Newcastle Private Hospital's comprehensive Emergency and Evacuation Plan will be updated to include the proposed new hospital building.

7.9.5 Fire Safety

The Fire Safety Strategy and Assessment prepared by Arup for the existing Newcastle Private Hospital 'Kingston Building' (February, 2003) will be updated to encompass the proposed new hospital building.

7.9.6 Signage

Designated accessible carparking will be identified using the International Symbol for Access (ISA) – complying vertical and ground signage is required. Signage will comply with AS1428.1, Clause 14.

Access requirements for signage are as follows. It is intended that signage be easily comprehended by all users of the building.

a) All signage should comply with the requirements of AS1428.1, Clause 14.

b) The size, type and layout of lettering on signs should be easily comprehensible. The use of pictograms is encouraged wherever possible.

c) All lettering / pictograms to have a minimum 30% luminance contrast to the background colour to assist persons with a vision impairment.

d) Signage should be located where directional decisions are made to enable the appropriate decisions to be made prior to the change of direction.

e) Signage to be located within the height range of 1200-1600mm. Where a sign may be obscured, for example in a crowd situation, it should be placed at a height of minimum 2000mm.

7.10 Infrastructure

The following infrastructure work will be carried out in accordance with the Building Services Concepts Report prepared by Erbas & Associates Pty Ltd and will comply with the BCA and NSW Health Technical Series TS 11; relevant Australian Standards; and Relevant Authority Regulations:

- Electrical;
- Lighting;
- Fire detection;
- Communication services;
- Hydraulic & Fire Protection Services (including sewer, water and natural gas);
- Medical Gas Services;
- Wet Fire Services; and
- Lift Services.