

# Project Approval

## Section 75J of the *Environmental Planning & Assessment Act 1979*

I approve the project application referred to in Schedule 1, subject to the conditions in Schedules 2 and Statement of Commitments in Schedule 3.

These conditions are required to:

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



Brad Hazzard MLC  
**Minister for Planning and Infrastructure**

Sydney <sup>4<sup>th</sup></sup> July 2011

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### **SCHEDULE 1**

**Application No.:** MP 10\_0056

**Proponent:** NSW Health Infrastructure

**Approval Authority:** Minister for Planning and Infrastructure

**Land:** Lot 5 in DP 1133264

**Project:** Liverpool Hospital Redevelopment Stage 2.1C & D (Milestone 3/4), including:

- Refurbishment and expansion of Cancer Therapy Centre; and
- Construction of a new 2 storey Clinical Skills Training Centre.

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## DEFINITIONS

<b>Advisory Notes</b>	Advisory information relating to the approved project but do not form a part of this approval.
<b>BCA</b>	Building Code of Australia
<b>Certifying Authority</b>	Means the person who is issuing certification under S109R of the EP&A Act and who will be supervising the construction work, as applicable.
<b>Construction Council</b>	Any works, including earth and building works Liverpool City Council
<b>Day</b>	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
<b>Department Director-General</b>	Department of Planning and Infrastructure or its successors Director General of the Department of Planning and Infrastructure, or nominee
<b>EA</b>	Environmental Assessment titled Liverpool Hospital Redevelopment Stage 2.1 C & D (Milestone 3/4), dated November 2010
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2000
<b>Evening</b>	The period from 6pm to 10pm
<b>Incident</b>	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
<b>Minister</b>	Minister for Planning and Infrastructure, or nominee
<b>Night</b>	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
<b>Preferred Project Report</b>	Preferred Project Report dated January 2011 and addendum to the Preferred Project Report
<b>Project</b>	The project described in Condition A1, Part A, Schedule 2 and the accompanying plans and documentation described in Schedule 2, Part A, Condition A2.
<b>Proponent</b>	NSW Health Infrastructure, or anyone else entitled to act on this Approval
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>Reasonable and Feasible</b>	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.
<b>RTA</b>	Roads and Traffic Authority
<b>Subject Site</b>	Lot 5 in DP 1133264
<b>Statement of Commitments</b>	The Proponent's Statement of Commitment in Schedule 3

## SCHEDULE 2

### PART A - ADMINISTRATIVE CONDITIONS

#### **A1 Development Description**

Except as amended by the conditions of this approval, approval is granted only to carrying out the development as described in Schedule 1, and development must be carried out consistently with the Statement of Commitments in Schedule 3.

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

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

<b>Environmental Assessment Report and Appendices prepared by LFA Planning on behalf of NSW Health Infrastructure, dated November 2010</b>			
<b>Preferred Project Report, Appendices and Addendum, including Statement of Commitments prepared by LFA Planning on behalf NSW Health Infrastructure dated January 2011</b>			
<b>Architectural (or Design) Drawings prepared by Rice Daubney Architects including:</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
ZC A G 7550	01	Locality Context Plan	29.10.10
ZC A G 7551	00	Demolition Plan	28.10.10
0.1	A	Ground Floor Plan	28.04.11
0.2	A	Level 1 Plan	28.04.11
1.1	B	Clinical Skills North Elevation	28.04.11
1.2	B	Clinical Skills East Elevation	28.04.11
1.3	B	Clinical Skills South Elevation	28.04.11
1.4	B	Clinical Skills West Elevation	28.04.11
2.1	B	Linac Bunker East Elevation	28.04.11
2.2	B	Linac Bunker South and West Elevation	28.04.11
3.1	B	Research Bunker Elevations	28.04.11
ZC A 1 3014	06	Fit Out Plans FF&E Plan Level 1	28.10.10
ZC A G 3014	06	Fit Out Plans FF&E Plan Ground	28.10.10
ZC A G 3015	00	FF&E Drawings Ground – Area 15	11.10.10
ZC A G 3016	00	FF&E Drawings Ground – Area 16	11.10.10
ZC A G 3017	00	FF&E Drawings Ground – Area 17	11.10.10
ZC A G 3018	00	FF&E Drawings Ground – Area 18	11.10.10
ZC A G 3019	00	FF&E Drawings Ground – Area 19	11.10.10
ZC A G 3020	00	FF&E Drawings Ground – Area 20	11.10.10

except for:

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

**A3     *Inconsistency Between Documents***

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

**A4     *Prescribed Conditions***

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

**A5     *Development Expenses***

It is the responsibility of the developer to meet all expenses incurred in undertaking the development, including expenses incurred in complying with conditions imposed under this approval.

**A6     *Additional Approvals Required***

Separate development applications under Part 4 of the EP&A Act are required for the fit out of any expansion shell areas.

**A7     *Limits of Approval***

This approval will lapse 5 years from the date of this approval unless the building works associated with the project have physically commenced.

## PART B – PRIOR TO THE CERTIFICATION OF CROWN BUILDING WORKS

### **A8 Crown Building Work**

Crown building work cannot be commenced unless the Crown building work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws. The Proponent shall supply the Department of Planning and Infrastructure with evidence of the certification of the works.

Certification of the works under s109R of the EP&A Act 1979 before commencement can be either for the whole project or a component of the works, reflecting the staging of construction.

### **A9 Mechanical Ventilation**

All mechanical ventilation systems shall be designed in accordance with Part F4.5 of the Building Code of Australia and shall comply with Australian Standards AS1668.2 and AS3666 Microbial Control of Air Handling and Water Systems of Building, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection.

### **A10 Acoustic Report**

An Acoustic Report is to be prepared and submitted to the satisfaction of the Certifying Authority prior to the certification of Crown building works. The Acoustic Report is to demonstrate that the noise emission from operational plant equipment will be able to meet the Noise Objective Criteria for the nearest sensitive receivers of:

- (a) Day – 54 dB(A)Leq
- (b) Evening – 45 dB(A)Leq
- (c) Night - 40 dB(A)Leq

### **A11 Construction Management Plan**

A Construction Management Plan shall be prepared and submitted to the certifier prior to the Certification of Crown Building Works. The Plan shall include, but not be limited to, the following matters which are to be addressed by suitably qualified person(s):

- (1) **Hours of work**, which must be in accordance with the conditions of this approval;
- (2) **Contact details** of the site manager and all principle contractors;
- (3) **Traffic management**, which is to be developed in consultation with Council and is to include:
  - ingress and egress of vehicles to the site;
  - management of loading and unloading of materials;
  - number and frequency of vehicles accessing the site;
  - the times vehicles are likely to be accessing the site;
  - management of existing vehicular, pedestrian and bicycle movements / routes around the site throughout the various stages of construction;
- (4) **Erosion and sediment control**, identifying appropriate measures to be installed during construction which shall be designed in accordance with in accordance with the document *Managing Urban Stormwater – Soils & Construction Volume 1 (2004)* by Landcom; and must include:
  - The procedures by which stormwater and waste water deposited or generated on site is to be collected and treated prior to discharge including details of any proposed pollution control device; and

- The procedures to be adopted for the prevention of run-off loose material and litter from the site onto the public way.
- (5) **Noise and vibration management**, identifying specific activities that will be carried out and associated noise sources, identify all potentially affected sensitive receivers, noise and vibration monitoring reporting and response procedures, description of specific mitigation treatments management measures and procedures to be implements, and address any other relevant provisions of Australian Standard 2436-1981 *Guide to Noise Control on Construction, Maintenance and Demolition Sites* and DECCW's *Interim Construction Noise Guideline*.
- (6) **Waste management**, identifying options for minimising waste in construction; reuse and recycling of materials; the storage, control and removal of construction waste.
- (7) **Dust control** measures to be implemented to prevent the movement of airborne particles from the site throughout the construction process, and the tracking of material from the site by trucks and other vehicles. This is to include the appropriate use of physically barriers and the dampening of exposed excavated surfaces. The storage and stockpiling areas for material is also to be detailed.

### **A12 Stormwater Plan**

The proponent is to prepare a detailed storm water and Drainage Works Plan which is to be submitted to the satisfaction of the Certifying Authority prior to the certification of Crown building works.

Stormwater drainage for the site will be designed to collect and convey stormwater drainage via a conventional piped stormwater system for storm events up to an including a 1 in 20 year Average Recurrence Interval.

The Drainage Works Plan will also detail any relocation of existing stormwater pipes.

Drainage from the development is not to impact the down stream catchment or downstream properties.

### **A13 Access and Movement**

An Access and Safety Plan will be prepared to maintain access and use of the site during the construction of the building to ensure the safety of staff, visitors and the public.

### **A14 Disabled Access**

Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the BCA's Access Policy.

### **A15 Reflectivity**

The light reflectivity from any building materials used on the facades of the building 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. A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the certification of Crown building works.

## **A16 Outdoor Lighting**

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

## **A17 Sydney Water – Notice of Requirements**

An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, Section 73 of the *Sydney Water Act 1994* (Compliance Certificate) prior to certification of any Crown building works.

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

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

## **PART C – PRIOR TO CONSTRUCTION**

### **C1 Notice to be Given Prior to Commencement / Excavation**

The Council shall be given written notice, at least 48 hours prior to the commencement of excavation, shoring or underpinning works on the site for each stage of the project.

### **C2 Vehicle Cleansing**

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

### **C3 Utility Services**

- (a) Prior to the commencement of work, the Proponent is to negotiate with the utility authorities (e.g. Energy Australia, Sydney Water Corporation Limited and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.
- (b) Any necessary alterations to public utility installations being at the Developer/Demolisher's expense and to the requirements of both Council and the appropriate authorities.

### **C4 Contact Telephone Number**

The Proponent shall ensure that a 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development. The contact number shall be forwarded to Council and the Department prior to commencement of works.

### **C5 Haulage Routes**

The routes for import of any fill materials or export of any spoil being submitted to and agreed to by the relevant road authorities prior to the commencement of haulage. Unacceptable deterioration or failures within public roads attributable to these operations is to be restored to the requirements of, and at no cost to the road authorities.

### **C6 Dilapidation Report**

A dilapidation survey of Council's assets and adjoining property including photographs and written record must be prepared and submitted to Council and adjoining properties prior to the commencement of works. Failure to identify any damage to Council's assets and the adjoining properties will render the Proponent liable for the costs associated with any necessary repairs.

## **PART D – DURING CONSTRUCTION**

### **D1 Hours of Work**

The hours of excavation and work on the development must be as follows:

- (a) All excavation and construction work and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools) in connection with the approved development must only be carried out between the hours of:
- 7.00am and 6.00pm on Mondays to Fridays
  - 8.00am and 1.00pm on Saturdays
  - No work must be carried out on Sundays or public holidays.
- (b) Works may be undertaken outside these hours where:
- the delivery of materials is required outside these hours by the Police or other authorities
  - It is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm
  - the work is approved by the Director General or his nominee.

Note: This condition overrides Statement of Commitments 1.2.

### **D2 Site Notice**

A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to:

- (a) Details of the Builder, Certifying Authority and Structural Engineer for all stages of the project;
- (b) The approved hours of work;
- (c) the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
- (d) To state that unauthorised entry to the site is not permitted.

### **D3 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 of any stage of the project, shall be replaced, to the satisfaction of Council.

### **D4 Noise Control**

- (a) All work, including excavation and construction work must comply with the Australian Standard 2436-1981 '*Guide to Noise Control on Construction, Maintenance and Demolition Sites*'.
- (b) Noise and vibration emissions from equipment and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents or businesses and the relevant provisions of *the Protection of the Environment Operations Act 1997* must be satisfied at all times.

## **D5      *Standards and Codes***

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

## **D6      *Work Cover Requirements***

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

## **D7      *Hoarding Requirements***

- (a) To ensure an appropriate presentation of the site to the public domain during the construction period, temporary artwork shall be provided along any hoarding/fencing proposed to be erected around the subject site.
- (b) The temporary artworks shall inform the general public about the proposed works being undertaken by the Proponent, the site's history and heritage significance.
- (c) No third party advertising is permitted to be displayed on the subject hoarding/fencing.
- (d) The construction site manager shall be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.

## **D8      *Loading and Unloading During Construction***

A Works Zone is required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council prior to commencement of the work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the day to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

## **D9      *No Obstruction of Public Way***

The public way (outside of the work area) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all work on site.

## **D10     *Disposal of Seepage and Stormwater***

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

## **D11     *Erosion and Sediment Control***

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

## **D12     *Dust Control Measures***

Dust control measures are to be in place or are to be undertaken for the duration of the works to prevent dust from affecting the amenity of the immediate area during construction. The Proponent is to carry out works generally in accordance with the Construction Management Plan, and controls are to be maintained at design level throughout the duration of the works and are to be inspected for this purpose at frequent intervals. Any deficiencies are to be immediately made good.

## **D13     *Pedestrian Access During Construction***

Pedestrian access along Goulburn Street and Campbell Street, Liverpool is to be maintained throughout construction. Alternative routes, including those for persons with disabilities, shall be clearly identified and signposted for the duration of the works, and until such time as the permanent accessible paths are provided.

## **D14     *Setting Out of Structures***

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

## **D15     *Directional Signage***

- (a) Directional signage shall be modified as required to accommodate any altered pedestrian and vehicular movements within the area.
- (b) Particular attention is to be paid to:
  - wheelchair accessible paths of travel
  - safe road crossing areas including signalised and other designated crossings
  - key landmarks
  - access to transport nodes including public transport
  - the vehicular entrance and exit driveways and the direction of traffic movement within the site being clearly indicated by means of reflectorised signs and pavement markings.

## **D16     *Traffic Movement***

- (a) All loading and unloading associated with works must occur on site.
- (b) All vehicles must enter and leave the site in a forward direction.
- (c) The cost of all traffic management works shall be borne by the Proponent.
- (d) No trucks associated with the approved works are permitted to park or stand on public roadways.
- (e) Gates shall be closed between vehicle movements.
- (f) Movement of trucks to and from the site shall be staggered so as to limit access and egress during peak traffic periods.
- (g) The Contractor shall make provision for safe, continuous movement of traffic and pedestrians in public roads and private roads accessible to the public and erecting traffic warning signs conforming to the Roads and Traffic Authority's General Specifications (RTA Spec. Part G10 "Control of Traffic" and RTA Spec. 3355). Traffic control is to be carried out only by flagmen with certification that they have been trained in accordance with Australian Standard 1742.3 – 2002.

**D17    *Approved Plans to be On-site***

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

**D18    *Work on Site to Cease***

- (a) If any unidentified historical archaeological remains or deposits are exposed during the works excavation is to cease immediately in the affected areas and the archaeologist is to undertake an evaluation of the potential extent and significance of such relics. The Heritage Council is to be notified in accordance with section 146 of the *NSW Heritage Act, 1977*.
- (b) Should any Aboriginal relics or artefacts be discovered during the course of any works on-site, then work is to cease immediately. Work may only be resumed following written consent being obtained from the National Parks and Wildlife Service.

**D19    *Excavated Material***

Any excavated material to be removed from the site must be assessed, classified, transported and disposed of in accordance with the *EPA's Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes*.

**D20    *Imported Fill***

Any imported fill onto the site being validated to ensure its suitability for the proposed land use from a contamination perspective. Imported fill is to be certified that it is not contaminated, based upon analysis or the known past history of the site from which it obtained.

## **PART E – PRIOR TO THE OCCUPATION OF THE BUILDING**

### ***E1 Noise Control – Plant and Machinery***

Prior to occupation of the building, a report is to be prepared by a qualified acoustic engineer and submitted to the Certifying Authority confirming that the installation and performance of the mechanical systems complies with:

- (a) the Acoustic Report – (Acoustic Logic, 14 October 2010)
- (b) the Building Code of Australia
- (c) Australian Standard AS1668 and other relevant codes
- (d) the project approval and any relevant modifications
- (e) any dispensation granted by the New South Wales Fire Brigade.

### ***E2 Fire Safety Certificate***

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

### ***E3 Structural Inspection Certificate***

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

### ***E4 Road Damage***

The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the Proponent prior to occupation of the building.

### ***E5 Waste Management***

Prior to occupation of the building, the Certifying Authority must ensure that waste handling works have been completed in accordance with the Waste Management Plan; other relevant approval conditions; and any relevant Council policy.

## **PART F – DURING OPERATIONS**

### ***F1 Annual Fire Safety Certificate***

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

### ***F2 Noise Control – Plant and Machinery***

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

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

### ***F3 Loading and Unloading***

All loading and unloading, including deliveries to and from the site in connection with the use must be carried out in a manner so as not to cause inconvenience to the public or detrimentally impact the amenity of the locality.

### ***F4 Unobstructed Driveways and Parking Areas***

All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

## ADVISORY NOTES

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

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

- (a) 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:
  - at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions
  - 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.
- (b) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.

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

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

### **AN3 Disability Discrimination Act**

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

### **AN4 Temporary Structures**

A Barricade/Hoarding Permit must be obtained prior to the commencement of construction works from the relevant Authority. The permit 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 also be submitted to the relevant Authority to certify the structural adequacy of the design of the temporary Barricades/Hoarding.

### **AN5 Structural Capability for Existing Structures**

The structural capabilities of any existing structure will need to meet the requirements of the BCA and may require engaging a structural engineer.

**AN6 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 & Assessment Act, 1979*. The determination of 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.

**AN7 Long Service Levy**

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

## SCHEDULE 3

### Statement of Commitments

#### 1.1. General Commitments

- NSW Health is committed to the principles of sustainability as defined in the *Environmental Planning and Assessment Act 1979*. The construction and operation of the Hospital will be undertaken in accordance with Premier's Memorandum No. 2003-2 *High Environmental Performance for Buildings* and the requirements of the *Environmental Performance Guide for Buildings (EPGB)*.
- The Proponent will obtain all necessary approvals required by State and Commonwealth legislation in undertaking this project.
- The Proponent will continue to liaise with the local community during the development process.
- The buildings will be set out by a registered surveyor to verify the correct position of each structure in relation to property boundaries and the approved alignment levels. The registered surveyor will provide evidence to Council that Structural works are in accordance with the approved Project Application.
- A separate application will be made to Council for approval under Section 68 of the *Local Government Act, 1993*, for the erection of hoardings or scaffolding in a public place.

#### 1.2. Early Works and Demolition

- Early works, excavation and structural works proposed as part of the project will be undertaken in accordance with relevant guidelines and legislation.
- The Traffic and Pedestrian Management procedures will address the following matters:
  - Ingress and egress of vehicles to the site.
  - Loading and unloading, including construction zones.
  - Predicted traffic volumes, types and routes.
  - Pedestrian and traffic management methods.

A copy of the plan will be provided to Liverpool City Council.

- Prior to the commencement of works at the site all asbestos based and other hazardous materials that will be disturbed during refurbishment works will be removed. Removal of asbestos based materials will be undertaken in accordance with the regulations and requirements of the NSW Government and the *Worksafe Australia Asbestos Code of Practice and Guidance Notes*.
- Construction hours – The hours of construction, including the delivery of materials to and from the site, will be restricted as follows:
  - Between 6:00am and 6:00pm, Mondays to Fridays inclusive.
  - Between 6:00am and 3:00pm, Saturdays.
  - No work on Sundays and public holidays.

Works may be undertaken outside these hours where:

- The delivery of materials is required outside these hours by the Police or other authorities.
  - It is required in an emergency to avoid the loss of life, damage to property and/ or to prevent environmental harm.
  - The work is approved through the Construction Noise and Vibration Management Plan.
  - 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.
- Public ways will at all time to be kept clear of any materials, vehicles, refuse, skips or the like.
  - A sign will be erected in a prominent position on the site prior to the commencement of works in accordance with NSW Health policy.

- In the event of any damage being caused to any existing kerb, guttering, stormwater pit, footpath trees and/ or footpath during building operation, the applicant will repair or reimburse Council for the full costs of repairing and making good.
- Public reserves, public roadway or private property (other than subject site) will not be used for storage or disposal of building materials or waste or excavated materials.
- Demolition will be undertaken in accordance with the requirements of *Australian Standard AS2601 – 2001*:
  - The Demolition of Structures which is incorporated into the Occupational Health and Safety Act 2000 administered by WorkCover NSW.
- A licensed asbestos contractor will be engaged to monitor demolition of buildings containing asbestos or other contaminants.
- Following removal of all asbestos from the site final clearance certificates will be obtained.

### **1.3. Urban Form and Design**

- Ensuring the compatibility of the proposals with the existing bulk and scale of the surrounding development and the controls set out in the *Liverpool City Council DCP 2008*.
- Minimising impacts on the existing landmark buildings, topography, streetscape and view corridors in the locality.
- Establish urban form and design proposals that minimise the overshadowing of existing private land.
- Provide measures to maximise active street frontages and improve street address.

### **1.4. Transport, Traffic and Access**

- The transport, traffic and access proposals will support the strategic transport policy objectives contained in the *Metropolitan Strategy, SEPP 11, LLEP 2008 and DCP 2008*.
- Promote alternate forms of transport including increased use of rail, bus, transitway services as well as car pooling and promoting cycling.
- Access and Safety Protocols will be included in a CEMP to maintain access and use of the site during the redevelopment of the Hospital site to ensure the safety of staff, visitors and patients.
- The design of facilities will permit effective, appropriate and safe use by all people, including those with disabilities and will be in accordance with:
  - NSW Health Facility Guidelines, including Part B – Design for Access, Mobility, OH&S and Security
  - DDS32 Improved Access for Health Care Facilities
  - AS 1428
  - The Building Code of Australia
- Construction traffic requirements will be included in the CEMP.

### **1.5. Heritage**

- In the event that any historical or Aboriginal relics are uncovered during excavations, all excavation and disturbance to the area will stop immediately and the Department of the Environment will be informed in accordance with Section 91 of the *National Parks and Wildlife Act 1974*.

### **1.6. Services**

- The Proponent will comply with the requirements of the relevant public authorities in regard to the connection to, relocation and/or adjustment of services affected by the construction of the proposed development.

- The diversion of the existing services will be carried out in consultation with the Council and/or the relevant agency and in accordance with the necessary requirements.
- The proponent will ventilate all buildings in accordance with relevant codes.
- All cooling towers and cooling and warm water systems will be operated and maintained in accordance with AS 3666:1995 (or AS 3666:2000), the *Public Health Act 1991* and *Public Health (Microbial Control) Regulation 2000*.

### **1.7. Acoustics and Vibration**

- Prior to the commencement of any works on the main works on the site, Noise and Vibration Management Procedures will be prepared as part of the CEMP which will address the following matters:
  - All work, including demolition, excavation and building work will comply with Australian Standard AS 2436: 1981 Guide to Noise Control on construction, Maintenance and Demolition Sites.
  - A suitably qualified acoustic consultant will be utilised to ensure that building isolation and internal noise requirements are met.
  - Identification of the specific activities that will be carried out and associated noise sources.
  - Identification of all potentially affected sensitive receivers including residences, schools and properties containing noise sensitive equipment (including the Hospital itself).
  - Noise and vibration monitoring, reporting and response procedures
  - Assessment of potential noise and vibration from the proposed construction activities including noise from construction vehicles and any traffic diversions.
  - Description of specific mitigation treatments, management methods and procedures that will be implemented to control noise and vibration during construction.
  - Review the visual impact of any noise mitigation measures proposed as part of the development to assess the adequacy and potential additional architectural treatments required in the Hospital locality.
  - Justification of any proposed activities outside the construction hours specified in the conditions of this consent.
  - Construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency.
  - Procedures for notifying residents of construction activities that are likely to affect their amenity through noise and vibration contingency plans to be implemented in the event of non-compliances and/or noise complaints.
- Noise and Vibration management will be in accordance with the CEMP.
- Careful consideration of glazing, wall construction and openings will be undertaken during the detailed design phase so that an acceptable acoustic environment is achieved.
- Detailed design for noise and vibration mitigation will consider:
  - Architectural acoustics and building envelope design.
  - Design of specialised acoustic spaces such as auditoria and conference rooms
  - Internal space planning.
  - Sound isolation from external sources.
  - Mechanical services/plant noise and vibration prediction and design of mitigation measures.
  - Control of reverberant noise build-up and specification of materials.
  - Speech privacy and intelligibility.
  - Sound system and audio-visual design.

## **1.8. Vegetation**

- The proponent will seek to retain as many trees as possible on the perimeter of the site.
- All trees on the site that are to be retained will be suitably protected by way of tree guards, barriers or other measures as necessary prior to the commencement of works on the site. These are to be provided to protect root system, trunk and branches during construction and demolition. Stockpiling or storage or mixing of materials, washing of equipment, vehicle parking, disposal of liquids, machinery repairs and refuelling, disposal of materials such as cement slurry, siting of offices or sheds will not occur within the protective fencing.
- There will be no soil level changes under the canopy of trees to be retained.
- Any branch or root pruning required will be carried out by a qualified arborist.

## **1.9. Drainage and Stormwater Management**

- The design of the stormwater disposal system will be based on the latest edition of *AR&R and Bureau of Meteorology ARI Statistics, Authority Guidelines* and *AS3500*.
- Existing in-ground stormwater drainage will be diverted in consultation with Liverpool Council.
- Measures to control soil erosion during demolition will be introduced in accordance with current accepted principles, as described in *Managing Urban Stormwater* (EPA NSW) and *Soil Erosion and Sediment Control* (The Institute of Engineers, Australia).
- Habitable Floor Levels to be no lower than the PMF (i.e. 10.9 AHD)
- Suitable water quality devices to treat the early flows at stormwater outlet points with larger flows allowed to bypass will be installed.
- Drainage outlets are to incorporate erosion and sediment control where required and ongoing maintenance of all adopted WSUD systems will be required on a regular ongoing basis.
- Any onsite stormwater system will connect into council's existing trunk stormwater lines and/or be discharged directly to the Georges River.
- Stormwater runoff for minor events will be handled by pit and pipe systems with larger flows also utilising overland flow paths such as roadways and footpaths.

## **1.10. Operational Policy**

- Prior to the opening of the new Hospital facilities existing operating policies and procedures will be reviewed and updated as necessary for the impact of the new development prior to occupation of the proposed Hospital buildings. These will include:
  - Measures to ensure protection of flora and fauna and minimisation of anti-social behaviour
  - Visitor safety.
  - Site security.
  - Noise management.
  - Traffic and pedestrian management.
  - Storage of materials.
  - Emergency and evacuation procedures.
  - Fire safety.
  - Waste management and ESD initiatives.
  - Lighting.
  - Signage.
- At the completion of works, a Final Fire Safety Certificate is to be issued by the owner detailing each essential fire safety measure provided in the building. A copy of such certificate is to be forwarded to the Fire Commissioner and a further copy is to be prominently displayed in the building.

- Each year, the owner of the building will furnish to Council an annual fire safety statement for the building. The annual fire safety statement is to address each essential fire safety measure in the building.
- All loading and unloading activities in connection with the use will be carried out wholly within the property.
- All parking spaces, loading and unloading areas, vehicle manoeuvring and driveway areas will be left free of goods and be available at all times.
- The design and construction of the premises will comply with Australian Standard AS 1940– 2004 'The storage and handling of flammable and combustible liquids' and the WorkCover 'Code of Practice for the storage and handling of Dangerous Goods'.

### **1.11. Waste Management**

- Prior to the opening of the new Hospital facilities existing waste management policies and procedures will be reviewed and updated as necessary for the impact of the new development prior to occupation of the proposed Hospital buildings. This will include consideration of waste management practices that comply with all relevant legislation relating to waste and resource recovery, environmental protection, and occupational health and safety, including:
  - NSW Government Waste Reduction and Purchasing Policy.
  - NSW DOH Infection Control Policy (02/45).
  - NSW DOH Waste Management Guidelines for Health Care Facilities, August, 1998.
  - ISO 14001:1996.
  - ISO 9001:2000.
  - Relevant Council and EPA requirements.

### **1.12. Geotechnical and Contamination**

- NSW Health will undertake demolition in accordance with the requirements of *Australian Standard AS2601- 2001: The Demolition of Structures* which is incorporated into the *Occupational Health and Safety Act 2000* administered by WorkCover NSW.
- Management of hazardous building materials will be contained in a CMP prepared prior to demolition commencing.
- Monitor demolition works at the site and provide final clearance certificates and further investigation is undertaken in areas where soil is to be exposed or disturbed.
- Normal good engineering site management practice including control of run-off and dust suppression is recommended during earthworks and construction
- Existing Fill
  - Confirm actual fill conditions in locations where new buildings/structures are proposed and seek further geotechnical advice.
  - Undertake sub-grade preparation for external pavements.
- Clayey subsoil
  - Provide good and effective site drainage both during construction and for long-term site maintenance. The earthworks will be carefully planned and scheduled to maintain good crossfalls during construction.
- Excavation
  - Establish test pits to confirm the footing details and foundation materials of all adjoining buildings/ structures.
  - Excavation of the shale bedrock be carried out using the bucket and ripping type of a large excavator. Use hydraulic rock hammers due to noise nuisance and the potential for ground borne vibration damage to nearby buildings/structures should be avoided.

- Demolition
  - Depending on the details and extent of demolition, vibration monitors will be installed as necessary on nearby buildings to assess vibration levels.
- Sub-grade preparation
  - Stockpiling excavated top soil for re-use in landscaping
  - Use of engineered fill as appropriate
  - Avoiding vibratory compaction.
  - Inspections of compacted areas by qualified engineers.
- Engineered fill
  - Use of appropriate fill type
  - Compaction in layers approximately 200mm thick
  - Carry out density tests
  - Inspection by qualified engineers.
- New footings
  - Footings for large buildings and bridges are to be uniformly supported on piles founded in shale bedrock using the 'limit state design' as detailed in the paper by Pells, Mostyn and Walker (1998).
- Slab on-grade.
  - Slabs on-grade are to be constructed independent of building footings and walls.
- Soil aggression
  - Reference to be made to Cement and Concrete Association of Australia's Technical Note TN57 and Section 6 of AS2159-1995 for appropriate precautions for footing design in moderate to high acidic subsoil conditions.

