

DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	NSW Health Infrastructure, or anyone else entitled to act on this consent
Application	The development application and the accompanying drawings plans and documentation described in Condition A2.
BCA	Building Code of Australia
Construction	Any works, including earth and building works
Council	Hornsby Shire Council
Certifying Authority	Means a person who is authorised by or under section 109D of the EP&A Act to issue a construction certificate under Part 4A of the EP&A Act; or in the case of Crown development, a person qualified to conduct Certification of Crown Building Works
Day Time	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Infrastructure or its successors
Director-General	Director-General of the Department of Planning and Infrastructure, or nominee/delegate
Director General's approval, agreement or satisfaction	A written approval from the Director- General (or nominee/delegate) Where the Director-General's approval, agreement or satisfaction is required under a condition of this approval, the Director-General will endeavour to provide a response within one month of receiving an approval, agreement or satisfaction request. The Director-General may ask for additional information if the approval, agreement or satisfaction request is considered incomplete. When further information is requested, the time taken for the Applicant to respond in writing will be added to the one month period.
Evening	The period from 6pm to 10pm
EIS	Environmental Impact Statement titled <i>Hornsby Ku-ring-gai Hospital State Significant Development Environmental Impact Statement, Hornsby Hospital Redevelopment Stage 1</i> , prepared by <i>JBA Urban Planning Consultants Pty Ltd</i> , dated December 2012, and appendices
EPA	Environment Protection Authority, or its successor
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation or Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Minister	Minister for Planning and Infrastructure, or nominee
Night Time	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
OEH	Office of the Environment and Heritage, or its successor
PCA	Principal Certifying Authority, or in the case of Crown development, a person qualified to conduct Certification of Crown Building works
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
RMS	Roads and Maritime Services Division, Department of Transport, or its successor
RTS	Response to Submissions report titled <i>Hornsby Ku-ring-gai Hospital State Significant Development Response to Submissions, Palmerston Road, Hornsby, Stage 1 Redevelopment</i> prepared by <i>JBA Urban Planning Consultants Pty Ltd</i> , dated April 2012, and appendices
Sensitive receiver	Residence, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church) and children's day care facility
Subject Site	Hornsby Ku-ring-gai Hospital, Palmerston Road, Hornsby, including the following allotments: • Lot 23 DP 814181 • Lots 2-4 DP 14774 • Lot 188-189 DP 752053 • Lot B DP 363790 • Lot 1 DP 232290 • Lot 1 DP134994

SCHEDULE 2

PART A ADMINISTRATIVE AND PERFORMANCE CONDITIONS

Development Description

- A1. Except as amended by the conditions of this consent, development consent is granted only to carrying out the development as described in Condition A2.

Development in Accordance with Plans and Documents

- A2. The Applicant shall carry out the development generally in accordance with the:
- Environmental Impact Statement titled *Hornsby Ku-ring-gai Hospital State Significant Development Environmental Impact Statement, Hornsby Hospital Redevelopment Stage 1*, prepared by JBA Urban Planning Consultants Pty Ltd, dated December 2012 and appendices;
 - Response to Submissions report titled *Hornsby Ku-ring-gai Hospital State Significant Development Response to Submissions, Palmerston Road, Hornsby, Stage 1 Redevelopment* prepared by JBA Urban Planning Consultants Pty Ltd, dated April 2012 and appendices; and
 - following drawings, except for:
 - any modifications which are 'Exempt' or 'Complying Development'; and
 - otherwise provided by the conditions of this consent.

Architectural (or Design) Drawings prepared by Woodhead			
Drawing No.	Revision	Name of Plan	Date
WH.AR.1001	C	Demolition Site Plan	21/11/2012
WH.AR.1002	D	Site and Landscape Plan	15/03/2013
WH.AR.1221	D	Level 1 – General Arrangement – RL 181.000	15/03/2013
WH.AR.1222	D	Level 2 – General Arrangement – RL 185.200	15/03/2013
WH.AR.1223	D	Level 3 – General Arrangement – RL 189.700	15/03/2013
WH.AR.1224	D	Level 4 – General Arrangement – RL 193.900	15/03/2013
WH.AR.1225	D	Level 5 – General Arrangement – RL 198.100	15/03/2013
WH.AR.1226	D	Roof Level – General Arrangement	15/03/2013
WH.AR.4001	D	Elevations	15/03/2013
WH.AR.4002	D	Elevations	15/03/2013
WH.AR.4101	D	Sections 01	15/03/2013
WH.AR.4102	D	Sections 02	15/03/2013
WH.AR.4103	D	Sections 03	15/03/2013
Landscape Drawings prepared by Arcadia Landscape Architecture			
Drawing No.	Revision	Name of Plan	Date
001	A	Landscape Plan Burdett Street	13/03/2013

Inconsistency between Documents

- A3. If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this approval prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.

Lapsing of Approval

- A4. This consent will lapse five years from the date of consent unless the works associated with the development have physically commenced.

Prescribed Conditions

- A5. The Applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Regulation.

Director General as Moderator

- A6. Where this consent requires further approval from public authorities, the parties shall not act unreasonably in preventing an agreement from being reached. In the event that an agreement is unable to be reached within 2 months or a timeframe otherwise agreed to by the Director-General, the matter is to be referred to the Director-General for resolution. All areas of disagreement and the position of each party are to be clearly stated to facilitate a resolution. The Director-General's resolution of the matter will be binding on the parties.

Long Service Levy

- A7. For work costing \$25,000 or more, a Long Service Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 14 41.

Legal Notices

- A8. Any advice or notice to the consent authority shall be served on the Director-General.

PART B PRIOR TO COMMENCEMENT OF WORKS

Hazardous Material

- B1. Prior to demolition of any existing buildings or structures on the Subject Site, an assessment will be undertaken to investigate the existence of any asbestos and other hazardous materials which may have been used as building materials.

Demolition

- B2.
- a) The demolition work shall comply with the provisions of Australian Standard AS2601: 2001 The Demolition of Structures. The work plans required by AS2601: 2001 shall be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance shall be submitted to the satisfaction of the PCA prior to the commencement of works.
 - b) Demolition material is to be disposed of to an authorised recycling and/or waste disposal site and/or in accordance with an approved waste management plan.
 - c) In the event that asbestos materials are identified in the Hazardous Materials investigation required by Condition B1, the removal of the material must be undertaken by a contractor that holds an appropriate licence issued by WorkCover NSW in accordance with Chapter 10 of the Occupational Health and Safety Regulation 2001 and Clause 29 of the Protection of the Environment Operations (Waste) Regulation 2005 and the material must be disposed in accordance with the guidelines for asbestos work published by WorkCover NSW at a licensed waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines.
 - d) On construction sites where buildings contain asbestos material, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN

PROGRESS' measuring not less than 400mm x 300mm must be erected in a prominent position visible from the street.

Contamination

B3. Following demolition of all buildings under this approval, the following contamination requirements are to be undertaken:

- a) The applicant shall undertake all recommendations contained in the report titled Preliminary Environmental Site Assessment, Hornsby Ku-ring-gai Hospital, Derby Road and Burdett Street, Hornsby prepared by Argus Australia dated November 2011 and submitted with the Environmental Impact Statement titled Hornsby Ku-ring-gai Hospital State Significant Development Environmental Impact Statement, Hornsby Hospital Redevelopment Stage 1, prepared by JBA Urban Planning Consultants Pty Ltd, dated December 2012.
- b) The applicant shall undertake a detailed assessment of potential contamination within the Subject Site, including soil sampling in areas where buildings have been demolished, as appropriate. Should the findings from the detailed assessment identify a requirement for remediation works, the applicant shall undertake remediation works in accordance with State Environmental Planning Policy No. 55 – Remediation of Land and Managing Land Contamination: Planning Guidelines – SEPP 55 Remediation of Land.
- c) Prior to issue of an occupation certificate or commencement of use, the applicant is to obtain a Section A Site Audit Statement from an EPA accredited site auditor stating that the site has been remediated (if remediation was required under (b) above), and that the site is suitable for hospital use. The Section A Site Audit Statement must be provided to the certifying authority prior to the issue of any occupation certificate or commencement of use.

Note: Words and expressions used in these conditions have the same meaning as in the Contaminated Land Management Act 1997.

Note: The remediation of asbestos contamination must be undertaken in accordance with the licensing and notification requirements of WorkCover NSW and the Work Health and Safety Regulation 2011.

Note: The remediation works must be undertaken in accordance with any relevant special waste procedures detailed in the Protection of the Environment Operations (Waste) Regulation 2005.

Certified Plans

B4. Plans certified in accordance with section 109R of the EP&A Act are to be submitted to the Certifying Authority and the Department prior to commencement of each stage of the works and shall include details as required by any of the following conditions.

Reflectivity

B5. The building materials used on the facades of the buildings shall have a maximum normal specular reflectivity of visible light of 20 percent and shall be designed so as not to result in glare that causes any discomfort or threatens the safety of pedestrians or drivers. A statement demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the commencement of above ground works.

Outdoor Lighting

B6. All outdoor lighting within the site 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 commencement of above ground works.

Access for People with Disabilities

- B7. The building must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia. The Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.

Erosion and Sedimentation Control

- B8. Soil erosion and sediment control measures shall be designed in accordance with the document Managing Urban Stormwater–Soils & Construction Volume 1 (2004) by Landcom. Details are to be submitted to the satisfaction of the Certifying Authority prior to the commencement of any works.

Pre-Construction Dilapidation Reports

- B9. The Applicant is to engage a qualified structural engineer to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all retained existing and adjoining buildings, infrastructure and roads within the 'zone of influence'. This zone is to be defined as the horizontal distance from the edge of the excavation to twice the maximum excavation depth. Any entry into private land is subject to the consent of the owner(s) and any inspection of buildings on privately affected land shall include details of the whole building where only part of the building may fall within the 'zone of influence'. The report shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the commencement of any works. A copy of the report is to be forwarded to the Council.

Number of Car Spaces

- B10. The applicant shall provide 82 at-grade car parking spaces for the development in the location of the existing theatres building (Building 4 - to be demolished). Details confirming the parking numbers shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of works.

Car Park and Service Vehicle Layout

- B11. Plans demonstrating compliance with the following traffic and parking requirements shall be submitted to the satisfaction of the Certifying Authority prior the commencement of works:
- a) all vehicles should enter and leave the Subject Site in a forward direction. In the event that site constraints do not permit heavy rigid vehicles to enter and leave the Subject Site in a forward direction, then all reversing movements should be undertaken under the control of certified traffic controllers to ensure public safety when vehicles are reversing;
 - b) car parking associated with the proposal (including queuing areas, grades, turn paths, sight distance requirements, aisle widths, and parking bays) should be in accordance with AS 2890.1-2004, AS2890.6 for accessible spaces and AS 2890.2-2002 for heavy vehicle usage;
 - c) appropriate pedestrian advisory signs are to be provided at the egress from the car park;
 - d) All works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority; and
 - e) The swept path of the longest vehicle (including garbage trucks) entering and exiting the Subject Site, as well as manoeuvrability through the Subject Site, shall be in accordance with AUSTROADS.

Number of Loading Bays

- B12. A minimum of two loading bays (one for linen and one for general loading) are to be provided for the development. The loading bays shall be capable of accommodating 19 metre trucks. Details of the loading arrangements shall be prepared by a suitably qualified person and submitted to the Certifying Authority prior to the commencement of works.

Number of Bicycle Spaces

B13.

- a) A minimum of 40 bicycle spaces are to be provided for the development. Details shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of works on the relevant stage.
- b) The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities except that:
 - i) all bicycle parking for staff / employees must be Class 2 bicycle facilities; and
 - ii) all bicycle parking for visitors of any land uses must be Class 3 bicycle rails.

Facilities for Cyclists

B14. The number of storage, change room and shower facilities for the 40 bicycle spaces shall comply with the requirements of the Planning Guidelines for Walking and Cycling.

Structural Details

- B15. Prior to the commencement of works, the Applicant shall submit to the satisfaction of the PCA structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrate compliance with:
- a) the relevant clauses of the BCA, and
 - b) the development consent.

Mechanical Ventilation

B16. All mechanical ventilation systems shall be installed in accordance with Part F4.5 of the Building Code of Australia and shall comply with Australian Standards AS1668.2 and AS3666 Microbial Control of Air Handling and Water Systems of Building, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of above ground works.

Storage and Handling of Waste

- B17. The building plans and specifications accompanying the relevant plans submitted to the principal certifying authority prior to the commencement of any works shall demonstrate that an appropriate area will be provided within the premises for the storage of garbage bins and recycling containers and all waste and recyclable material generated by the premises. Requirements of these storage areas shall be designed to Council's satisfaction, including:
- a) All internal walls of the storage area are rendered to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained with a tap in close proximity to facilitate cleaning;
 - b) Include provision for the separation and storage, in appropriate categories, of material suitable for recycling; and
 - c) include provision for separate storage and collection of organic/food waste.

Stormwater, Drainage Works and On-site Detention Design

B18.

- a) Final design plans of the stormwater drainage systems, prepared by a qualified practicing professional and in accordance with the requirements of council shall be submitted to the certifier prior to commencement of any works. The hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff

- b) An on-site stormwater detention (OSD) system must be designed by a chartered civil engineer and constructed in accordance with the following requirements:
 - i) The OSD system shall be designed for 50 year ARI storm with maximum permissible discharge rate limited to the of 5 year ARI discharge prior to the proposed development;
 - ii) Have a surcharge/inspection grate located directly above the outlet; and
 - iii) Connected directly to Council's stormwater drainage system.

Sydney Water Notice of Requirements

B19.

- a) 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 commencement of any works.
- b) The 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 then follow the "e-Developer" icon or telephone 13 20 92 for assistance.
- c) Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

Sydney Water Waste Water Requirements

B20.

- a) Lot 23 DP814181, Lot B DP 363790, Lot 2, 3 & 4 DP 14774 and Lot 1 DP 232290 are to be consolidated prior to the existing 150 mm wastewater main being made redundant (see also Condition D1).
- b) All maintenance holes must have unrestricted access, including a 1 m clearance from the outer edge and a 2.4 m headroom clearance above the maintenance hole surface level.
- c) The disused wastewater main is to be either cut up under the supervision of a Sydney Water Developer Works Inspector (DWI) or be sand filled.
- d) Detailed design are to be submitted to Sydney Water through the WSC for approval and all wastewater design plans comply with Sewerage Code WSA-02 (Sydney Water Edition).

Notice of Commencement of Works

B21. The PCA and council shall be given written notice, at least 48 hours prior to the commencement of building works on the Subject Site.

Construction Environmental Management Plan

B22.

- a) Prior to the commencement of any works on the Subject Site, a Construction Environmental Management Plan (CEMP) shall be submitted to the PCA. The Plan shall address, but not be limited to, the following matters where relevant:
 - i) hours of work;
 - ii) 24 hour contact details of site manager;
 - iii) traffic management, in consultation with the local council;
 - iv) construction noise and vibration management, prepared by a suitably qualified person, including:
 - (1) identification of specific activities that will be carried out and associated noise sources
 - (2) identification of all potentially affected residential and non-residential receivers

- (3) detail construction noise management levels for residential and non-residential receivers based on the ICN Guideline (including establishing a specific noise criteria for the nearby Wahroonga Children's Early Learning Centre or the child care centre managed by the hospital)
- (4) description of feasible and reasonable noise mitigation measures and procedures to manage noise levels in accordance with the construction noise management levels
- (5) noise and vibration monitoring and reporting procedures
- (6) investigation of the use of audible movement alarms on plant equipment during the construction
- (7) establishment of appropriate criteria and safe working distances to minimise vibration impacts
- v) management of dust to protect the amenity of the neighbourhood;
- vi) erosion and sediment control;
- vii) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site;
- viii) external lighting in compliance with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting;
- ix) flora and fauna management; and
- x) Unexpected finds protocol.
- b) The CEMP must not include works that have not been explicitly approved in the development consent. In the event of any inconsistency between the consent and the CEMP, the consent shall prevail.
- c) The Applicant shall submit a copy of the CEMP to the Department and to the Council, prior to commencement of work.

Construction Waste Management Plan

B23.

- a) Prior to the commencement of any works on the Subject Site, a Construction Waste Management Plan prepared by a suitably qualified person in consultation with the Council, shall be submitted to the PCA. The Plan shall address, but not be limited to, the following matters:
 - i) Recycling of demolition materials including concrete;
 - ii) Removal of hazardous materials and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works
- b) Details demonstrating compliance with the relevant legislative requirements, associated with the removal of hazardous waste, particularly the method of containment and control of emission of fibres to the air, are to be submitted to the satisfaction of the PCA prior to the removal of any hazardous materials.
- c) The Applicant shall submit a copy of the plan to the department and to the Council, prior to commencement of work.
- d) The Applicant must notify the Roads and Maritime Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the Subject Site, prior to the commencement of the removal of any waste material from the Subject Site.

Traffic and Pedestrian Management Plan

B24.

- a) Prior to the commencement of any works on the Subject Site, a Traffic and Pedestrian Management Plan prepared by a suitably qualified person shall be submitted to the PCA.

The Plan must be prepared in consultation with the Council, and where required, the approval of the council's traffic committee obtained.

- b) The Plan shall address, but not be limited to, the following matters:
 - i) ingress and egress of vehicles to the Subject Site,
 - ii) loading and unloading, including construction zones,
 - iii) predicted traffic volumes, types and routes,
 - iv) pedestrian and traffic management methods.
- c) The Applicant shall submit a copy of the final Plan to the Council, prior to the commencement of work.

Utility Services

- B25. Prior to the commencement of work the Applicant is to negotiate with the utility authorities (e.g. Ausgrid and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure.
- B26. Prior to the commencement of works written advice shall be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provision of adequate services.

PART C DURING CONSTRUCTION

Hours of Work

- C1. The hours of construction, including the delivery of materials to and from the Subject Site, shall be restricted as follows:
 - a) between 7:00 am and 6:00 pm, Mondays to Fridays inclusive;
 - b) between 8:00 am and 1:00 pm, Saturdays;
 - c) no work on Sundays and public holidays.
 - d) works may be undertaken outside these hours where:
 - i) the delivery of materials is required outside these hours by the Police or other authorities;
 - ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
 - iii) variation is approved in advance in writing by the Director General or his nominee.

Erosion and Sediment Control

- C2. All erosion and sediment control measures, are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

Disposal of Seepage and Stormwater

- C3. Any seepage or rainwater collected on-site during construction or groundwater shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council.

Approved Plans to be On-site

- C4. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Subject Site at all times and shall be readily available for perusal by any officer of the Department, Council or the PCA.

Site Notice

C5.

- a) A site notice(s) shall be prominently displayed at the boundaries of the Subject Site for the purposes of informing the public of development details including, but not limited to the details of the Builder, PCA and Structural Engineer.
- b) The notice(s) is to satisfy all, but not be limited to, the following requirements:
 - i) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
 - ii) The notice is to be durable and weatherproof and is to be displayed throughout the works period;
 - iii) The approved hours of work, 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
 - iv) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the Subject Site is not permitted.

Protection of Trees

C6.

- a) No street trees are to be trimmed or removed unless it forms a part of this development consent or prior written approval from council is obtained or is required in an emergency to avoid the loss of life or damage to property.
- b) All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, shall be replaced, to the satisfaction of Council.
- c) All trees on the Subject Site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.

Construction Noise Management

- C7. The development shall be constructed with the aim of achieving the construction noise management levels detailed in the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009) All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the Construction Noise and Vibration Management Plan.
- C8. If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the NSW Industrial Noise Policy), 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise management levels.
- C9. The Applicant shall schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved in the Construction Noise and Vibration Management Plan.
 - a) 9.00 am to 12.00 pm, Monday to Friday;
 - b) 2.00 pm to 5.00 pm Monday to Friday; and
 - c) 9.00 am to 12.00 pm, Saturday
- C10. Wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required they must only be installed where outlined in a Construction Noise and Vibration Management Plan.
- C11. Any noise generated during the construction of the development must not be offensive noise within the meaning of the Protection of the Environment Operations Act, 1997 or exceed approved noise limits for the Subject Site.

Vibration Criteria

- C12. Vibration monitoring must be undertaken to ensure that vibration caused by construction at any residence or structure outside the Subject Site is limited to:
- a) for structural damage vibration, German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and
 - b) for human exposure to vibration, the evaluation criteria presented in British Standard BS 6472- Guide to Evaluate Human Exposure to Vibration in Buildings (1Hz to 80 Hz) for low probability of adverse comment.
 - c) Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.
 - d) These limits apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved by the Director-General.

Work Cover Requirements

- C13. 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.

Hoarding Requirements

- C14. The following hoarding requirements shall be complied with:
- a) No third party advertising is permitted to be displayed on the subject hoarding/fencing.
 - b) 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.

Impact of Below Ground (sub-surface) Works – Non-Aboriginal Relics

- C15. If any archaeological relics are uncovered during the course of the work, then all works shall cease immediately in that area and the OEH Heritage Branch contacted. Depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the NSW Heritage Act 1977 may be required before further works can continue in that area.

Discovery of Aboriginal Heritage

- C16. In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The applicant must consult with the Aboriginal community representatives, the archaeologist and OEH to develop and implement management strategies for all objects/sites.

PART D PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Consolidation of Lots

- D1. Prior to the issue of any Occupation Certificate or commencement of use, the Applicant shall have the following lots in the table below consolidated:

Lot 23 DP 814181	Lot 1 DP 232290
Lot B DP 363790	Lot 188 - 189 DP 752053
Lots 2 - 4 DP 14774	Lot 1 DP134994

Mechanical Ventilation

- D2. Following completion, installation and testing of all the mechanical ventilation systems, the Applicant shall provide evidence to the satisfaction of the PCA, prior to the occupation of the building, that the installation and performance of the mechanical systems complies with:
- a) The Building Code of Australia;
 - b) Australian Standard AS1668 and other relevant codes;
 - c) The development consent and any relevant modifications;
 - d) Any dispensation granted by the New South Wales Fire Brigade;
 - e) The noise goals established in Acoustic Assessment titled *Acoustic Assessment, Hornsby Ku-ring-gai Chase Hospital – Stage 1 Redevelopment, Health Infrastructure* prepared by Norman Disney & Young dated 6 March 2013, submitted with the Response to Submissions report titled *Hornsby Ku-ring-gai Hospital State Significant Development Response to Submissions, Palmerston Road, Hornsby, Stage 1 Redevelopment* prepared by JBA Urban Planning Consultants Pty Ltd, dated April 2012.

Road Damage

- D3. 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 Applicant prior to occupation of the building.

Registration of Easements

- D4.
- a) Prior to the issue of any Occupation Certificate or commencement of use, the Applicant shall provide to the PCA evidence that all matters required to be registered on title including easements required by this consent, approvals, and other consents have been lodged for registration or registered at the NSW Land and Property Information.
 - b) Prior to the issue of any Occupation Certificate, the Applicant shall create an appropriate *Positive Covenant* and *Restriction as to User* pursuant to Section 88B of the *Conveyancing Act 1919* over the constructed on-site detention/retention systems and outlet works, within the lots in favour of Council in accordance with Council's prescribed wording. The position of the on-site detention system is to be clearly indicated on the title.
 - c) To register the OSD easement outlined in (b) above for the restriction on the use of land, "works-as-executed" details of the on-site-detention system must be submitted verifying that the required storage and discharge rates have been constructed in accordance with the design requirements. The details must show the invert levels of the on site system together with pipe sizes and grades. Any variations to the approved plans must be shown in red on the "works-as-executed" plan and supported by calculations.

Note: Council must be nominated as the authority to release, vary or modify any easement, restriction or covenant.

Sydney Water Compliance

- D5. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

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

The Section 73 Certificate must be submitted to the PCA prior to issue of the occupation certificate .

Post-construction Dilapidation Report

D6. Prior to occupation of the building:

- a) The Applicant shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.
- b) The report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:
 - i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions and
 - ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
- c) A copy of this report is to be forwarded to the Council.

Fire Safety Certification

D7. Prior to the occupation of the building, a Fire Safety Certificate shall be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and council, and prominently displayed in the building.

Structural Inspection Certificate

D8. A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the PCA prior to the occupation of the building. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) shall be submitted to the approval authority and the Council after:

- a) The site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings.
- b) The drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

Green Travel Plan

D9. Prior to the operation of the facilities the subject of this approval, a Green Travel Plan shall be prepared and implemented for staff and visitors and submitted to the certifying authority. The Green Travel Plan shall identify measures to reduce reliance on private car use, and include greater promotion of and provision of incentives to support car pooling and car sharing, and encourage non-car travel modes to and from the hospital (such as public and active transport modes).

Parking Strategy

D10. Prior to the operation of the facilities the subject of this approval, a parking strategy must be prepared, as referenced in the Transport Report titled *Transport Assessment Report Hornsby Ku-ring-gai Hospital Redevelopment – Stage 1 State Significant Development Application* prepared by Taylor Thomson Whitting (NSW) Pty Ltd Consulting Engineers and submitted with the Environmental Impact Statement titled *Hornsby Ku-ring-gai Hospital State Significant Development Environmental Impact Statement, Hornsby Hospital Redevelopment Stage 1*, prepared by JBA Urban Planning Consultants Pty Ltd, dated December 2012. The parking strategy must identify opportunities for additional at-grade car parking on the hospital campus, including consideration of the possibility of a multi-storey car park to alleviate the existing shortfall in car parking supply across the campus. A copy of the parking strategy is to be forwarded to the Director-General and Council for information.

Tree Planting and Landscaping on Council Verge

D11. Prior to the issue of any Occupation Certificate or commencement of use, the Applicant shall plant a minimum of nine (9) *Tristaniopsis laurina* (Australian Native Water gums) on the Council verge opposite the new hospital building along Burdett Street to provide visual all year round

screening of the building and to supplement the existing mature streetscape plantings. The selected trees will be planted at a size of 400L and will grow to a general height of 12 metres.

PART E POST OCCUPATION

Loading and Unloading

- E1. All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the Subject Site at all times.

Unobstructed Driveways and Parking Areas

- E2. 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.

Noise Control – Plant and Machinery

- E3. Noise associated with the operation of any plant, machinery or other equipment on the Subject Site, shall not exceed 5dB(A) above the background noise level when measured at the boundary of the Subject Site.
- E4. A noise monitoring program will be undertaken at 60 days and then 1 year after commencement of operation of the new hospital building and loading dock facilities to verify that operational noise levels do not exceed levels predicted in the Acoustic Assessment titled *Acoustic Assessment, Hornsby Ku-ring-gai Chase Hospital – Stage 1 Redevelopment, Health Infrastructure* prepared by Norman Disney & Young dated 6 March 2013, submitted with the Response to Submissions report titled *Hornsby Ku-ring-gai Hospital State Significant Development Response to Submissions, Palmerston Road, Hornsby, Stage 1 Redevelopment* prepared by JBA Urban Planning Consultants Pty Ltd, dated April 2012. The noise monitoring program shall also verify compliance with the acceptable noise criteria in the NSW Industrial Noise Policy, January 2000. Should the noise monitoring program identify any exceedance of the noise criteria referred to above, the applicant is required to implement appropriate noise attenuation measures so that operational noise levels comply with the criteria.

Storage of Hazardous or Toxic Material

- E5. Any hazardous or toxic materials must be stored in accordance with Workcover Authority requirements and all tanks, drums and containers of toxic and hazardous materials shall be stored in a bunded area. The bund walls and floors shall be constructed of impervious materials and shall be of sufficient size to contain 110 percent of the volume of the largest tank plus the volume displaced by any additional tanks within the bunded area.

Public Way to be Unobstructed

- E6. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.

External Lighting

- E7. External Lighting shall comply with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Upon installation of lighting, but before it is finally commissioned, the Applicant shall submit to the consent authority evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.
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ADVISORY NOTES

Appeals

AN1. The Applicant has the right to appeal to the Land and Environment Court in the manner set out in the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation, 2000 (as amended).

Other Approvals and Permits

AN2. The Applicant shall apply to the council for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the Local Government Act, 1993 or Section 138 of the Roads Act, 1993.

Responsibility for other consents / agreements

AN3. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Temporary Structures

AN4.

- a) An approval under State Environmental Planning Policy (Temporary Structures) 2007 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.
- b) Structural certification from an appropriately qualified practicing structural engineer must be submitted to the council with the application under State Environmental Planning Policy (Temporary Structures) 2007 to certify the structural adequacy of the design of the temporary structures.

Disability Discrimination Act

AN5. This application has been assessed in accordance with the Environmental Planning and Assessment Act 1979. No guarantee is given that the proposal complies with the Disability Discrimination Act 1992. The Applicant/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.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

AN6.

- c) 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.
- d) 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 Applicant's responsibility to consult the Department of Sustainability, Environment, Water, Population and Communities 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.

Asbestos Removal

AN7. All excavation works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or “Demolition Licence” and a current WorkCover “Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with NOHSC: “Code of Practice for the Safe Removal of Asbestos”

Site Contamination Issues During Construction

AN8. Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination then the Applicant must be immediately notified and works must cease. Works must not recommence on site until the consultation is made with the Department.