

## APPENDIX C – STATUTORY COMPLIANCE TABLE

Statutory Reference	Relevant Considerations	Relevance	Section in EIS	
<b>Environmental Planning and Assessment Act 1979</b>				
Section 1.3	<i>To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources</i>	The proposed development will provide a key piece of community infrastructure which will service the broader community. The development will contribute to the creation of a safer and healthier community promoting greater social welfare.	N/A	
	<i>To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The proposed development has been designed with respect for principles of ESD and will create a facility that is environmentally conscious. Acor Consultants have prepared a Net Zero Statement (Appendix VV) which confirms the proposal has been designed to be fully electric at completion, with no gas-powered plant used to meet space heating and domestic hot water demand. In addition, solar panels and plant on the rooftop will be connected to the main switchboards to reduce the base load of the building during the day.		
	<i>To promote the orderly and economic use and development of land</i>	The proposal facilitates the orderly and efficient use of the site, in accordance with the emerging character of the North Alexandria Precinct and Green Square Urban Renewal Area.		
	<i>To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats</i>	The proposal will not result in unacceptable environmental impacts including in relation to ecology, biodiversity, heritage, noise and views.		
Section 4.15	Relevant environmental planning instruments: <i>Environmental Planning and Assessment Act 1979</i> <i>NSW Biodiversity Act 2016</i> <i>Environmental Planning Assessment Regulation 2021</i> <i>State Environmental Planning Policy (Planning Systems) 2021</i> <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i> <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i> <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> <i>Sydney Local Environmental Plan 2012</i> <i>Sydney Development Control Plan 2012</i>	See detail below under State Environmental Planning Policies (SEPPs).	N/A	
	Draft environmental planning instruments	None relevant to the site or the proposal.		N/A
	Relevant planning agreement or draft planning agreement	Following consultation with Council's Planning Agreement's team, there is in-principle support for the following public benefit offer at the site: <ul style="list-style-type: none"> <li>A 2.4m wide strip of land along the site's frontage to Bourke Road for the purpose of footpath widening</li> </ul>		<b>Section 6.2.10 and Appendix PP</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
		<ul style="list-style-type: none"> <li>▪ A 3m wide lane along the site's western boundary contributing towards a 6m wide lane (it is noted that the concept proposal will allocate an additional 3 m strip of land within the site along the western boundary to enable two-way vehicle movement into and out of the site).</li> <li>▪ A 3.5m wide lane along the site's southern boundary, contributing towards a 9m wide lane.</li> </ul> <p>The Project Team will continue to consult with Council's Planning Agreements team during the assessment phase of this SSDA.</p>	
	<p>The Regulations</p> <p><i>Environmental Planning and Assessment Regulation 2021 – Clause 192</i></p>	<p>This EIS has been prepared in accordance with Clause 192 of the <i>Environmental Planning and Assessment Regulation 2021</i>.</p>	<p><b>N/A</b></p>
	<p>Development control plans:</p> <p>Sydney Development Control Plan 2012 (SDCP 2012)</p>	<p>See detail below under Development Control Plan compliance assessment table.</p>	<p><b>N/A</b></p>
	<p>The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.</p>	<p>The likely impacts of the development including the environmental impacts on the natural and built environments, and social an economic impact on the locality are assessed in detail within the EIS.</p>	<p><b>Section 6</b></p>
	<p>The suitability of the site for the development</p>	<ul style="list-style-type: none"> <li>▪ The development is permitted with consent in the E3 Productivity Support and is consistent with the relevant zone objectives.</li> <li>▪ The site benefits from access to the regional road network and sustainable transport modes and is compatible with the surrounding development.</li> <li>▪ The proposed development responds to the site context. The scale and form of the design is consistent with the surrounding and emerging character in North Alexandria.</li> <li>▪ The BDAR Waiver granted on 20 June 2023 confirms that the proposed development is not likely to have a significant impact on biodiversity values (<b>Appendix V</b>).</li> <li>▪ The proposed design ensures that all habitable floor levels are at the PMF level (10.4mAHD).</li> <li>▪ Subject to the implementation of appropriate mitigation measures (refer to <b>Appendix D</b>) the proposal will result in minimal environmental impact.</li> <li>▪ The proposal is consistent with the aims and objectives of the Southern Enterprise Area in that it will increase the amount of employment floor space in North Alexandria while also facilitating the dedication of land so that development can be supported by a legible network of public streets, lands, and open space and retain the distinct fine grain low-scale built form to the north of Alexandria.</li> </ul>	<p><b>Section 7</b></p>
	<p>Any submissions made</p>	<p>Submissions will be considered following exhibition of the application.</p>	
	<p>The public interest</p>	<ul style="list-style-type: none"> <li>▪ The proposal is consistent with relevant State and local strategic plans and substantially complies with the relevant State and local planning controls.</li> <li>▪ The proposed development will provide a key piece of community infrastructure that will service the broader community. The facility will provide unique services targeted at privately insured patients aged 18 + with mood disorders, anxiety disorders, and those with comorbid</li> </ul>	<p><b>Section 7</b></p>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
		<p>drug and alcohol disorders. The facility will provide both inpatient and outpatient services to suit the specific needs of the patients.</p> <ul style="list-style-type: none"> <li>▪ The proposal will create 109 jobs during the construction phase and approximately 480 jobs during the operational phase.</li> <li>▪ No adverse environmental, social, or economic impacts will result from the proposal.</li> </ul>	
Section 4.24	Determination of any further development application in respect of the site cannot be inconsistent with the consent for the concept proposals for the development of the site.	Concept development consent SSD-38600121 applies to the site.	<b>Refer to the table below for a full compliance assessment.</b>
<b>Environmental Planning and Assessment Regulation 2021</b>			
Schedule 2	Clause 192 of the EP&A Reg provides that environmental assessment requirements will be issued by the Secretary with respect to the proposed EIS	This EIS has been prepared to address the requirements of Clause 192 of the EP&A Regulations and SEARs.	N/A
<b>Biodiversity Conservation Act 2016</b>			
Section 7.14	The likely impact of the proposed development on biodiversity values as assessed in the Biodiversity Development Assessment Report (BDAR). The Minister for Planning may (but is not required to) further consider under that BC Act the likely impact of the proposed development on biodiversity values.	<p>Section 7.9 of the Biodiversity Conservation Act 2016 requires preparation of a Biodiversity Development Assessment Report for SSD that are assessed under Part 4 of the EP&amp;A Act.</p> <p>However, section 7.9(2) of the BC Act 2016 allows for exemption from the requirement where the development is not likely to have any significant impact on biodiversity values. A request for a waiver for submission of a BDAR was submitted to the DPE and the Office of Environment and Heritage.</p> <p>Subsequently, a waiver under section 7.9(2) of the BC Act 2016 was issued on 20 June 2023 and is provided at <b>Appendix V</b>. Accordingly, a BDAR is not required to be submitted with this EIS.</p>	<b>Section 6.2.1 Appendix V</b>
<b>State Environmental Planning Policies</b>			
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	<p><i>State Environmental Planning Policy (Planning Systems) 2021</i> identifies development that is considered to have significance on a state-wide level.</p> <p>Clause 14 of Schedule 1 of the SEPP identifies hospitals, medical centres and health research facilities as state significant:</p> <p><i>14 Hospitals, medical centres and health research facilities</i></p> <p><i>Development that has a capital investment value of more than \$30 million for any of the following purposes—</i></p> <p><i>(a) Hospitals</i></p> <p><i>(b) Medical Centres</i></p> <p><i>(c) health, medical or related research facilities (which may also be associated with the facilities or research activities of a NSW local health district board, a University or an independent medical research institute).</i></p>	The proposed development has a capital investment value of \$81,424,286 and is for the purpose of a hospital and medical centre. Therefore, the proposed development is deemed state significant development.	<b>Appendix F</b>

<b>Statutory Reference</b>	<b>Relevant Considerations</b>	<b>Relevance</b>	<b>Section in EIS</b>
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> (Transport and Infrastructure SEPP)	The Transport and Infrastructure SEPP requires certain traffic generating developments to be referred to TfNSW.	The proposed development requires referral to TfNSW. The SSDA seeks approval for a new hospital and will result in additional traffic generation. Accordingly, the application will be referred to TfNSW.  The SSDA will also be referred to the relevant utility service providers to confirm that the siting and layout of the proposed development will not impact on relevant easements and/or infrastructure corridors.	<b>Section 5, Appendix M</b>
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	As the development will involve a change of use within an investigation area a report specifying the findings of a preliminary investigation of the land concerned has been carried out in accordance with the contaminated land planning guidelines.	Following the implementation of the remediation strategy, subsequent validation works and associated activities outlined in the RAP, EP Risk conclude the site can be made suitable for the proposed commercial land use.	<b>Section 6.1.9 and Appendix O, Appendix P and Appendix Q</b>
<i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>	SEPP (Sustainable Buildings) 2022 Chapter 3 Standards for non-residential development requires the design to address the provisions set out in section 3.2(1) Development consent for non-residential development. These requirements are assessed below.		<b>Section 6.2.3 and Appendix PP</b>
	The minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials	Table 8 of the ESD Report (Appendix PP) summarises the materials and construction waste strategies that have been incorporated to increase the uptake of environmentally preferable materials with a focus on reuse and recycle content, reduced embodied energy, greater transparency, and reduction of waste to landfill.	<b>Section 6.2.3 and Appendix PP</b>
	A reduction in peak demand for electricity, including through the use of energy efficient technology	The following energy conservation strategies have been employed through the design: <ul style="list-style-type: none"> <li>▪ The project will use high performance heating, ventilation and air conditioning (HVAC) systems.</li> <li>▪ LED lighting throughout where appropriate including programmable lighting control system (intelligent lighting)</li> <li>▪ High efficiency domestic hot water technology and energy efficient lifts.</li> </ul> Appliances will be a minimum of 4 energy star rating.	<b>Section 6.2.3 and Appendix PP</b>
	A reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design	The following passive design techniques have been incorporated: <ul style="list-style-type: none"> <li>▪ Appropriate window to wall ratios to ensure a good access to views, natural daylight, whilst balancing the thermal requirement of heat loss and heat gains.</li> <li>▪ External solar shading appropriate to orientations.</li> <li>▪ Appropriate thermal performance through insulation performance.</li> </ul> Double glazed units will be installed to façades to reduce solar heat.	<b>Section 6.2.3 and Appendix PP</b>
	The generation and storage of renewable energy	<ul style="list-style-type: none"> <li>▪ Solar Photovoltaics (Electricity) will be located on the roof.</li> </ul> The location of solar panels considers the impact of overshadowing and orientation to target optimum yield of onsite energy generation.	<b>Section 6.2.3 and Appendix PP</b>
The metering and monitoring of energy consumption	<ul style="list-style-type: none"> <li>▪ Energy/Greenhouse Gas emissions reductions have been set, with a minimum 10% reduction compared to the NCC Section J 2022 will be achieved.</li> </ul> Water reduction measures including fixture and fittings targets and initiatives will be defined as per Green Star Buildings under Credit 25 Water Use.	<b>Section 6.2.3 and Appendix PP</b>	

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	The minimisation of the consumption of potable water	Table 7 within the ESD Report summarises the different methods to minimise the consumption of potable water including: <ul style="list-style-type: none"> <li>▪ Demand reduction through low flow fixtures</li> <li>▪ Efficient distribution through water metering of equipment and low water demand systems for landscaping irrigation.</li> <li>▪ Water recycling and rainwater harvesting</li> </ul> Potable water will be avoided for uses that can be substituted for non-potable water.	
	In accordance with Clause 3.4 of the Sustainable Buildings SEPP, the proposal is required to provide a Net Zero statement under SEPP requirements applicable since 1st October 2023.	Acor Consultants have prepared a Net Zero Statement ( <b>Appendix VV</b> ) which confirms the proposal has been designed to be fully electric at completion, with no gas-powered plant used to meet space heating and domestic hot water demand. In addition, solar panels and plant on the rooftop will be connected to the main switchboards to reduce the base load of the building during the day.	<b>Section 6.2.3 and Appendix VV</b>

*Sydney Local Environmental Plan 2012*

Provision	Controls	Comment	Compliance
<b>Clause 2.1</b> <b>Zone &amp; zone objectives</b>	E3 Productivity Support <ul style="list-style-type: none"> <li>▪ To provide a range of facilities and services, light industries, warehouses and offices</li> <li>▪ To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres</li> <li>▪ To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity</li> <li>▪ To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones</li> <li>▪ To provide opportunities for new and emerging light industries</li> <li>▪ To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site</li> <li>▪ To encourage employment opportunities</li> <li>▪ To promote land uses with active street frontages</li> <li>▪ To provide for land uses that support the viability of adjoining industrial land uses.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The proposed development is consistent with the objectives of the E3 Productivity Support zone as it:</li> <li>▪ Provides hospital and medical centre land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.</li> <li>▪ Provides hospital and medical centre land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.</li> <li>▪ The proposal will provide 109 (direct and indirect) full-time equivalent jobs in the short-term through construction and approximately 480 full-time equivalent jobs in operation.</li> <li>▪ The ground floor landscaped area will promote an active frontage to Bourke Road.</li> </ul>	<b>Compliant</b>
<b>Clause 4.3 Height</b>	45 metres	The proposed development has a maximum building height of 37m.	<b>Compliant.</b>
<b>Clause 4.4 FSR</b>	Base FSR - 2:1	A maximum FSR of 3.85:1 is proposed, which complies with Clause 6.14 of the Sydney LEP 2012 in addition to the additional 10% allocated for buildings that achieve design excellence.	<b>Compliant.</b>

Provision	Controls	Comment	Compliance
	Under Clause 6.14 (see below) – Community Infrastructure Floor Space at Green Square, an additional floor space (+1.5:1) when community infrastructure is provided – <b>3.5:1</b>  Design excellence – additional 10% - <b>3.85:1</b>		
<b>Clause 6.14 Community infrastructure floor space at Green Square</b>	Under Clause 6.14 – Community Infrastructure Floor Space at Green Square, an additional floor space (+1.5:1) is available when community infrastructure is provided – 3.5:1	The proposal includes the delivery of community infrastructure and seeks to use the additional 1.5:1 of bonus floor space, as outlined in the Clause 4.4 above.	<b>Compliant.</b>
<b>Clause 6.21 Design Excellence</b>	Clause 6.21(D)(1) requires a competitive design process to be held for a building that has, or will have, a height above ground level (existing) greater than <b>25 metres on land outside Central Sydney</b> .  Clause 6.21(D)(3) contains provisions where a building demonstrating design excellence may have a height or FSR bonus of up to 10%.	An Architectural Design Competition was held to inform the final design of the Alexandria Health Centre. The final design has also been endorsed by the Design Integrity Panel. The Competition Report and Design Integrity Panel endorsement is provided at Appendix I. As a result of the Design Competition, this application seeks an additional FSR bonus of 10%.	<b>Compliant.</b>
<b>Division 1 – Transport and Parking</b>	Set out in Sydney LEP 2012, Part 7 Division 1 ‘Car parking ancillary to other development’  For buildings over 1.5:1 on Category F land, the following formula is to be used:  $M = (GxA) / (50xT)$  M is the max number of parking spaces  G is the GFA of all office premises and business premises in the building in square metres  A is the site area in square metres  T is the total GFA of all buildings on the site in square metres	The Sydney LEP 2012 does not contain a parking criteria for “hospital” use, the only criteria is for “health consulting rooms and medical centres” being 2 spaces per consulting room. The RTA Guide to Traffic Generating Developments parking rate for private hospitals would equate to an ‘unconstrained’ provision of 110 spaces.  It is proposed to provide 77 spaces which is 73% of the indicative constrained parking provision and is compliant with Council’s constrained parking strategy to reduce reliance on travel by private motor vehicle.	Generally complies.  The LEP does not have specific rates for hospital uses.
<b>Sydney Development Control Plan 2012</b>			
Provision	Controls	Comment	Compliance
<b>Section 3 – General Provisions</b>			
<b>3.1.1 Streets, Lanes and Footpaths</b>	1. New streets, lanes, and footpaths are to be constructed in accordance with the Sydney Streets Design Code.  2. Where new streets and lanes are required by Council, they are to be provided in the locations identified in the <i>Proposed Streets and Lanes Map</i> .  3. Street trees are to be provided in accordance with the Street Tree Master Plan.  4. Street furniture is to be consistent with the Sydney Street Design Code and relevant Council public domain plans.	The proposed laneways have been designed in accordance with feedback from Council’s public domain team and the requirements set out within the Sydney Streets Design Code. Refer to the architectural plans at <b>Appendix G</b> .  The proposed development seeks to deliver the identified DCP laneway along the western and southern boundary of the site. In the short term, the 6m wide laneway will allow for two-way movement. Following the completion of the Council DCP laneway (post-dedication of land from neighbouring sites), it is anticipated that a one-way laneway would be delivered to allow for manoeuvring space for two vehicles to pass.	<b>Compliant.</b>
<b>3.2.6 Wind Effects</b>	1. A wind effects report is to be submitted with a development application for buildings higher than 45m and for other buildings at the discretion of the consent authority.	A Pedestrian Wind Environment Assessment has been prepared by Windtech ( <b>Appendix N</b> ). Windtech conclude that the wind conditions for the various trafficable outdoor areas within and around the building will satisfy the applicable criteria for pedestrian comfort and safety, subject to	<b>Compliant.</b>

Provision	Controls	Comment	Compliance
		the implementation of ground floor and level 4 terrace landscaping and balustrades. Refer to Section 6.1.3.2 of the EIS for further discussion.	
<b>3.2.7 Reflectivity</b>	<ol style="list-style-type: none"> <li>1. A Reflectivity Report that analyses the potential solar glare from the proposed building design may be required for tall buildings.</li> <li>2. Generally, light reflectivity from building materials used on facades must not exceed 20%.</li> </ol>	A Reflectivity Report has been prepared by Surface Design (refer to <b>Appendix QQ</b> ) which concludes that the light reflectivity on the building does not exceed 20%.	<b>Compliant.</b>
<b>3.3.7 Public Art</b>	<ol style="list-style-type: none"> <li>1. A public art strategy prepared by a suitably qualified person consistent with the City of Sydney's Guidelines for Public Art in Private Development is to inform the competitive design process and where appropriate, be included in the competition brief.</li> </ol>	<p>A Public Art Strategy has been prepared by UAP (<b>Appendix P</b>). The Public Art Strategy identifies opportunities for public art to be integrated into the landscape zones at the Bourk Road frontage. This location will allow the art to be highly visible whilst creating a welcoming and communal outdoor space. The Strategy outlines the opportunity for 3-5 small to medium sculptural elements or integrated seating elements to be installed towards the front of the site.</p> <p>The proposed budget for public art at the site is \$250,000. The Public Art Strategy outlines the indicative public art process and timeline, including artist procurement, design and manufacturing and installation over a 12 month period. Council's Public Art team will review and approve the final artwork.</p>	<b>Compliant.</b>
<b>3.7.1 Site Specific Flood Study</b>	<ol style="list-style-type: none"> <li>1. Where required by Clause 7.15 of the Sydney LEP 2012, a site-specific flood study is to be prepared by a suitable qualified person.</li> </ol>	Enstruct were engaged to prepare a Flood Risk Report ( <b>Appendix TT</b> ) and an Operational Flood Emergency Management Plan ( <b>Appendix CC</b> ). The site is located near a sag point on Bourke Road and is located in a high flood risk zone with major overland flow expected at or near the site. The Probable Maximal Flood (PMF) level of 10.40 mAHD on Bourke Road informs the flood planning level of 10.40 mAHD on the site.	<b>Compliant.</b>
<b>3.11.3 Bike Parking and associated facilities</b>	<ol style="list-style-type: none"> <li>1. All development is to provide on-site bike parking designed in accordance with the relevant Australian Standards for the design criteria of bike parking facilities.</li> <li>2. Bike facilities to be provided at a rate of 1 space per 5 practitioners and 1 space per 200sqm of GFA for patients.</li> <li>3. In addition, 1 personal locker is to be provided for each bike parking space, 2 showers and change cubicles are to be provided if 11 to 20 or more bicycle parking spaces are provided. A further 2 showers are to be provided for each additional 20 bike parking spaces.</li> </ol>	<p>The proposal includes 50 bicycle parking spaces and end of trip facilities (including 38 lockers and 4 showers for staff). The Green Travel Plan (Appendix U) provides strategies to encourage staff to use active transport modes to access the site.</p> <p>The final number of practitioners will be confirmed in future fit out development applications once tenants are confirmed.</p>	<b>Generally complies.</b>
<b>3.11.13 Design and location of waste collection points and loading areas</b>	<ol style="list-style-type: none"> <li>1. The waste collection and loading point is to be designed to:</li> <li>2. Allow waste collection and loading operations to occur on a level surface away from vehicle ramps; and</li> <li>3. Provide sufficient side and vertical clearance to allow the lifting arc for automated bin lifters to remain clear of any walls or ceilings and all ducts, pipes and other services.</li> </ol>	<p>As outlined in the Waste Management Plan (<b>Appendix GG</b>), the appointed waste contractor would access the site from a laneway off Bourke Road, and then conduct collection from the loading dock, utilising the turntable to enter and exit in a forward direction and to position the truck for collections.</p> <p>As outlined within the Transport Impact Assessment (<b>Appendix T</b>), the waste collection and loading points provide sufficient clearance for automated bin collection services.</p>	<b>Compliant.</b>
<b>3.12.1 Accessible Design General</b>	<ol style="list-style-type: none"> <li>1. All development must comply with the following: all Australian Standards relevant to accessibility; the Building Code of Australia access requirements and the Disability Discrimination Act 1992.</li> </ol>	<p>Blackett Macguire and Goldsmith have prepared an Access Statement (<b>Appendix M</b>) that reviews the proposed design against the provisions of the Disability (Access to Premises) Standard 2010, the applicable National Construction Code 2022 as well as the provisions of the relevant Australian Standards.</p> <p>It includes site-specific comments relevant to the proposed development and the matters that will need to be addressed at the detailed design stage, including accessibility to/from the</p>	<b>Compliant.</b>

Provision	Controls	Comment	Compliance
		building. Overall, it concludes the proposal can achieve compliance with the relevant access provisions of the BCA and the Access to Premises Standard.	
<b>3.14.1 Waste and Recycling Management Plan</b>	1. A Waste and Recycling Management Plan is to be submitted with the Development Application. The Waste and Recycling Management Plan is to be consistent with the City of Sydney <i>Guidelines for Waste Management in New Developments</i> .	A Waste Management Plan has been prepared to accompany this application and is located at <b>Appendix GG</b> .	<b>Compliant.</b>
<b>3.17 Contamination</b>	1. Each development application is to include information sufficient to allow Council to meet its obligation to determine whether development should be restricted due to the presence of contamination.	A Detailed Site Investigation and Remediation Action Plan has been prepared by EP Risk ( <b>Appendix DD</b> and <b>Appendix EE</b> ). Following the implementation of the remediation strategy, subsequent validation works and associated activities outlined in the RAP, EP Risk conclude the site can be made suitable for the proposed commercial land use.	<b>Compliant.</b>
<b>Section 5.8 – Southern Enterprise Area</b>			
<b>5.8.2.3 – Addressing land use conflict</b>	<p><i>Note: ‘Sensitive land uses’ include reference to hospitals</i></p> <p>2. Where sensitive land uses are proposed, Council may require an Air Quality Assessment report to be prepared by suitably qualified consultants to be submitted with development applications. The Air Quality Assessment report is to demonstrate that air quality is within acceptable limits and/or impacts can be mitigated.</p> <p>3. Where sensitive uses are proposed, development is to be appropriately designed to minimise any impact of air pollution. Design considerations provided in the <i>NSW Government’s Development near Rail Corridors and Busy Roads – Interim Guidelines</i> are to be assessed.</p> <p>4. New development should not limit the operation of approved truck routes.</p> <p>5. A Noise Impact Assessment, prepared by a suitably qualified acoustic consultant, is to be provided when submitting a development application or sensitive land uses located in close proximity to existing industrial activities. The Noise Impact Assessment should include mitigation strategies, which must be implemented, that manage noise at the new development.</p> <p>6. Sensitive uses are not to be located where the noise generated by an established industrial activity cannot be appropriately mitigated at the new development.</p> <p>7. A development application for a new building or for a change of use of an existing building, for a land use that is likely to generate external noise, must be accompanied by a Noise Impact Assessment prepared by a suitably qualified acoustic consultant. The Noise Impact Assessment is to include mitigation strategies, which must be implemented, to mitigate the impacts of noise generated by the new development on other activities in the vicinity. Mitigation strategies may include, for example, landscape buffers, sound locks, the use of specific building materials or sound walls.</p>	The proposed development is not located within close proximity to any heavy industrial uses which would result in concerns relating to air quality. The proposed mental health hospital does not limit the operation of approved truck routes. A Noise Impact Assessment has been prepared (see Appendix W) which includes mitigation strategies on how to manage noise during construction and operation.	<b>Compliant.</b>
<b>5.8.3.2 – Building height</b>	1. Development is not to exceed the maximum number of storeys as shown in the <i>Building height in storeys map</i> and <i>Building street frontage height in storeys map</i> .	Under the <i>Building height in storeys map</i> and <i>Building street frontage height in storeys map</i> , the site has a street wall height of 4 storeys to Bourke Road and to the rear future laneway.	<b>Compliant</b>

Provision	Controls	Comment	Compliance
	<ol style="list-style-type: none"> <li>2. The maximum may only be achieved where it can be demonstrated that the proposed development reinforces the neighbourhood character.</li> <li>3. Where the <i>Street frontage height of buildings map</i> does not indicate a maximum height, the maximum street frontage height is to be consistent with the street frontage height in storeys of adjacent buildings, or the predominant street frontage height in storeys in the vicinity of the proposed building.</li> <li>4. Height of buildings and the street frontage height in storeys are not to match anomalous tall neighbouring buildings that are inconsistent with the neighbourhood.</li> <li>5. Buildings that are primarily for an industrial purpose are to have a minimum floor to ceiling height of 5m on the ground floor.</li> <li>6. In the mid-block and transition areas of North Alexandria, buildings are to have a minimum floor to ceiling height of 4.5m for at least 30% of the ground level of the building.</li> </ol>	<p>In accordance with these provisions, the proposed development has a 4 storey street wall to Bourke Road and to the future rear laneway.</p> <p>In accordance with the winning design competition scheme, the street wall to Bourke Road features a carved-out corner to provide a space for large native tree planting and generous pedestrian entry.</p> <p>The ground floor has a floor to ceiling height of 4.5m and is therefore compliant.</p>	
<p><b>5.8.3.3 Building alignment and setbacks</b></p>	<ol style="list-style-type: none"> <li>1. Primary setbacks, upper level setbacks and landscape setbacks are to be provided in accordance with the <i>Building setback and alignment map</i> and the <i>Building street frontage height in storeys map</i>.</li> <li>2. Where a setback is not identified on the <i>Building setback and alignment map</i>, the building setback from any existing and future street is to: <ol style="list-style-type: none"> <li>(b) In all other circumstances – have a landscape setback open to the sky of 6m between the building and the street boundary.</li> </ol> </li> <li>3. Setbacks required to the front of buildings are to form a visual extension of the public domain and include landscaping which complements the streetscape to enhance the appearance and reduce the bulk of industrial buildings.</li> <li>4. Landscaped setbacks are to be provided clear to the sky and clear of built obstructions including storage areas, signage, parking and building overhands, including sun control devices.</li> <li>5. Dedication of landscape setbacks is generally not required.</li> <li>6. Fences are not permitted along street frontages.</li> <li>7. Provide side and rear setbacks that: <ol style="list-style-type: none"> <li>(a) Create high quality frontages to adjoining properties, the Liveable Green Network connections, through site links and open spaces where applicable;</li> <li>(b) Create visual interest where public access will occur on that frontage;</li> <li>(c) Ensure overland flow paths are not blocked or diverted;</li> <li>(d) Locate contiguous areas of soft landscaping and tree planting with vegetation on neighbouring properties; and</li> <li>(e) Are generally level with adjoining properties and public domain.</li> </ol> </li> </ol>	<p>The following setbacks are required:</p> <ul style="list-style-type: none"> <li>▪ Western setback: <ul style="list-style-type: none"> <li>– No setback required. 0m setback is proposed.</li> </ul> </li> <li>▪ Northern setback: <ul style="list-style-type: none"> <li>– 12m upper-level setback.</li> <li>– Proposed: minor 450mm façade articulation projection beyond the DCP control, however the projection is fully within the site boundaries with no projection into the laneway dedication land.</li> </ul> </li> <li>▪ Southern setback: <ul style="list-style-type: none"> <li>– 4m upper-level setback.</li> <li>– Proposed: minor 450mm façade articulation projection beyond the DCP setback, however the projection is fully within the site boundaries with no projection into the laneway dedication land.</li> </ul> </li> <li>▪ Eastern setback: <ul style="list-style-type: none"> <li>– No setback is required. 0m setback is proposed.</li> </ul> </li> </ul> <p>The proposed façade articulation will create depth to provide a visually interesting façade whilst providing additional shading to patient’s rooms.</p> <p>There are no fences proposed along the street frontages. The proposed frontages are of high quality, visually interesting, and where possible, host soft landscaping. The proposed frontages ensure overland flow paths are not blocked or diverted and are generally level with adjoining properties are the public domain.</p>	<p><b>Generally complies.</b></p>
<p><b>5.8.4.2.1 Street Network – General</b></p>	<ol style="list-style-type: none"> <li>1. Where required by Council, the street network is to be provided and dedicated in accordance with:</li> </ol>	<p>Vehicular access to the development will be via a proposed new laneway that runs along the northern boundary of the site. The proposed vehicle access arrangement comprises construction of part of the Council proposed future laneway along the southern and western sides of the site</p>	<p><b>Compliant.</b></p>

Provision	Controls	Comment	Compliance
	(a) The streets and lanes map and the Public domain setbacks map; (b) Figure 5.199: Southern Enterprise Area Street Hierarchy and Layout; and (c) Figure 5.200: North Alexandria Public Domain Dedications and Easements  2. Streets are to: (a) Be provided generally in accordance with Figures 5.201-5.227 Indicative street sections; (b) Where practicable include bio-retention swales or rain gardens (c) Provide landscaping along both sides of the street to enhance the pedestrian environment; (d) Where practicable, provide street tree pits for passive irrigation; (e) Where appropriate, design tree pits soil specs and tree selections for enhances bio-retention capacity and tree performance;	with dedication of land as required by Council's DCP. The section of lane along the southern side will be 3.5m wide (with 3m to be dedicated to Council as part of the VPA) and the section along the western side will be 6m wide (with 3m to be dedicated Council as part of the VPA) to enable 2-way access movement.	
<b>5.8.6.1 Stormwater Management and Waterways</b>	1. Development applications are to be prepared in accordance with the assumptions and flood information documented in the Alexandra Canal Catchment Floodplain Risk Management Study and Floodplain Risk Management Plan.  2. Development is to comply with Council's floodplain management policies and flooding provisions of the DCP.	A Flood Risk Assessment has been prepared by Enstruct ( <b>Appendix BB</b> ) which addresses the relevant requirements listed within this DCP. The proposed design ensures that all habitable floor levels are at the PMF level (10.4m AHD). A draft Operational Flood Emergency Management Plan (OFEMP) has been prepared to ensure safe evacuation in a potential flood event.	<b>Compliant.</b>

## CONDITIONS OF CONSENT – CONCEPT SSD-38600121

Condition	Comment	Compliance
B4. Future development application(s) must include: (a) detailed plans, elevations and sections; (b) artist's perspectives / photomontages; and (c) a Design Statement demonstrating the design quality of the proposed development and have regard to the existing and emerging character of surrounding development.	The relevant documentation has been prepared by Warren and Mahoney + MAAP and is provided at <b>Appendix G</b> and <b>Appendix H</b> .	<b>Compliant.</b>
B5. Future development application(s) must demonstrate consistency with the Sydney Development Control Plan 2012 (SDCP). Any inconsistencies with the SDCP must be demonstrated to be reasonable and fully justified.	The compliance assessment of the Sydney DCP 2012 is provided in the table below.	<b>Compliant.</b>
B6. Future development application(s) must include an Access Report, prepared by a suitably qualified professional, demonstrating that the development achieves an appropriate degree of accessibility.	Blackett Macguire and Goldsmith have prepared an Access Statement ( <b>Appendix M</b> ) that reviews the proposed design against the provisions of the Disability (Access to Premises) Standard 2010, the applicable National Construction Code 2022 as well as the provisions of the relevant Australian Standards.  It includes site-specific comments relevant to the proposed development and the matters that will need to be addressed at the detailed design stage, including accessibility to/from the building. Overall, it concludes the proposal can achieve compliance with the relevant access provisions of the BCA and the Access to Premises Standard.	<b>Compliant.</b>

Condition	Comment	Compliance
B7. Future development application(s) must include a Crime Prevention Through Environmental Design (CPTED) report	A Crime Prevention Through Environmental Design (CPTED) Report has been prepared by NEAL Consulting Solutions and is provided at Appendix O. The CPTED Assessment makes recommendations relating to crime prevention elements and treatments to be incorporated in the development design to minimise risk or opportunities for crimes to occur.	<b>Compliant.</b>
B8. Future development applications(s) must address the following:  (a) The location of any lifts adjacent to the public domain must comply with the City's Interim Floodplain Management Policy.  (b) The concept grading for the laneways must be in accordance with the requirements of the City's Interim Floodplain Management Policy (regarding impact on the new development and the adjacent buildings), Public Domain Manual, Sydney Streets Technical Specifications & Standard Drawings and the SDCP's public domain design for the entire precinct.	Section 6.1.9 of the EIS discusses the proposed development in the context of flooding. Additionally, a Flood Risk Assessment has been undertaken and is provided at <b>Appendix BB</b> which provides additional details regarding flood compliance.  The proposed laneway grading has been undertaken at a high level for the precinct to ensure flood and stormwater characteristics have been accurately determined.	<b>Compliant.</b>
B8. Future development application(s) must include an assessment of overshadowing impacts, including provision of detailed overshadowing diagrams.	Overshadowing plans have been prepared and are attached at <b>Appendix H</b> . The proposed development sits 7.5m below the Concept SSDA envelope. Accordingly, the overshadowing impact is significantly less than what was contemplated and approved under the Concept approval.  The proposed built form has been designed to avoid unacceptable shadow impacts to surrounding properties and the public domain. The proposed development does not overshadow Green Square, parks in the surrounding area, residential developments or other sites sensitive to overshadowing.	<b>Compliant.</b>
B10. Future development application(s) must include an assessment of visual and acoustic privacy impacts.	An assessment of visual and acoustic privacy impacts has been undertaken within <b>Appendix G</b> and <b>Appendix W</b> . The site is located in an urban renewal area that will transition from a light industrial use to a higher density commercial and knowledge-based businesses. The proposed height, bulk, scale and visual impact of the building envelope is appropriate as it complies with the Sydney LEP 2012 and Sydney DCP 2012 controls for the site and will be consistent with the future desired character of development within the North Alexandria Precinct and Green Square Urban Renewal Area.	<b>Compliant.</b>
B11. Future development application(s) must:  (a) assess the number, location, condition and significance of trees to be removed and retained;  (b) identify proposed tree protection and replacement management and mitigation measures;  (c) assess proposed infrastructure and earthworks impact on trees; and  (d) consider options to retain tree T2 (as identified in the 'Arboricultural Impact Assessment' dated 13/10/2022). If an arborist assessment identifies that it is not possible to retain tree T2, details must be provided regarding its replacement with a mature tree planting of the same species or alternatively a tree species identified suitable for Bourke Street in Council's Street Tree Master Plan 2001 (published the 5 December 2011) in the same location.	An Arboricultural Impact Assessment ( <b>AIA</b> ) has been prepared by Creative Planning Services ( <b>CPS</b> ) ( <b>Appendix Q</b> ) which provides an evaluation of the likely impact to existing trees on and surrounding the site as a result of the proposed development.  The AIA assessed three trees on the Council street verge at Bourke Road. Two of the trees were deemed to have a 'medium' retention value, and one which had 'low' retention value. The removal of 'Tree 1' (Paperbark tree with medium retention value) is required as it is located within the proposed driveway footprint, in accordance with Council's laneway design. 'Tree 2' and 'Tree 3' are to be retained and protected during the development process.	<b>Compliant.</b>
B12. Future development application(s) must include a landscape report and plans, prepared by a suitably qualified professional, including the detailed design and treatment of all existing, ground and above ground surface areas around and on the building and the relationship of these spaces with existing and the proposed building, landscaping and trees, spaces, structures and connections.	A Landscape Report and plans have been prepared and are attached at <b>Appendix R</b> which include detailed designs of the proposed landscaped areas.  The proposed landscape design incorporates extensive native planting and public domain works that will create an open and inviting space for the community. As outlined in Section 3.2.3 of this EIS, the design includes three key landscaped areas.  As outlined in the Landscape Plans prepared by Place Design, the total project canopy area is 46.17m <sup>2</sup> . The proposed canopy coverage represents and improvement from the	<b>Compliant.</b>

Condition	Comment	Compliance
	existing site conditions and an appropriate response considering the wider Southern Enterprise precinct and the proposed uses on the site. Extensive landscaping is proposed on the podium rooftop, however a green roof on Level 7 is not possible due to solar panel and plant equipment requirements.	
<p>B13. Future development application(s) must demonstrate that the development achieves deep soil in accordance with the Sydney Development Control Plan (SDCP) 2012, to a minimum area of 10 per cent of the total site area after dedication or provide appropriate justification for any shortfall with consideration of Section 5.8.3.6.2 of the SDCP 2012 and the competitive design process for the development.</p>	<p>The proposed deep soil zone at the Bourke Road frontage is 92m<sup>2</sup>, which equates to 3.1% of the site area. A large soil zone (118m<sup>2</sup>) that is akin to deep soil is located under the podium overhang area (north-western portion of the site). As outlined in the Landscape Design report (Appendix R), this area will allow for significant tree planting as:</p> <ul style="list-style-type: none"> <li>▪ This portion of the site has adequate sunlight access, as it north facing and the podium overhang area is 7m above ground level.</li> <li>▪ The podium overhang area is not deep and will allow for infiltration of water during a rain event.</li> <li>▪ This area is unimpeded by basement below, allowing for deep soil planting.</li> <li>▪ The access ramps in this area will be permeable timber decking and will be elevated above the landscaped areas, to allow for additional rainwater infiltration.</li> </ul> <p>The combined deep soil landscaped area is therefore 7.06%. This design outcome is positive outcome for the site, considering the development is constrained by a narrow street frontage, requirements for vehicle and parking access to service the hospital use, and laneway dedications required by Sydney DCP 2012. The design of the building is also constrained by the floor plates required to operate as a health care facility. The site was subject to a design competition process, where competitors were required to maximise deep soil planting in accordance with the Sydney DCP 2012 provisions.</p>	<b>Compliant.</b>
<p>B14. Future development application(s) must be accompanied by a Traffic Impact Assessment (TIA), prepared by a suitably qualified professional, that assesses the traffic, transport and pedestrian impacts on the road and footpath networks and nearby intersection capacity. The TIA must also address:</p> <p>(a) traffic generation impact and any necessary road infrastructure upgrades to adjoining and nearby roads and intersections;</p> <p>(b) vehicle and pedestrian safety within and around the site;</p> <p>(c) loading / unloading and servicing;</p> <p>(d) capacity, operation and access of ambulance / emergency vehicle facilities;</p> <p>(e) on-site car parking provision, location, access and operation;</p> <p>(f) the impact of the removal of any existing on-street car parking spaces; and</p> <p>(g) pedestrian and bicycle infrastructure and facilities.</p>	<p>A Transport and Accessibility Impact Assessment and Construction Traffic Management Plan been prepared by Positive Traffic (Appendix T). The TIA assesses operational traffic impacts as well as providing preliminary assessment of construction traffic impacts. A Green Travel Plan has been prepared by TTPA (Appendix U) to promote and encourage sustainable travel, reducing the reliance on private cars for both visitors and staff to the site.</p>	<b>Compliant.</b>
<p>B15. Future development application(s) must include a Green Travel Plan (GTP), prepared by a suitably qualified professional, which identifies opportunities to maximise and encourage sustainable transport choices for future staff, patients and visitors.</p>	<p>A Green Travel Plan has been prepared and is attached at <b>Appendix U</b>.</p>	<b>Compliant.</b>
<p>B16. Prior to the submission of any subsequent development application, the Applicant must consult with Council to identify the final vehicle access arrangements for the 'Stage 2 (long term)' vehicle access arrangements concept design.</p>	<p>The Project team met with Council on 4 October 2023 to discuss the proposal. To ensure minimal travel time to the site for ambulances in the event of an emergency, it is proposed that the one-way arrangement would follow an anti-clockwise direction. The swept paths</p>	<b>Compliant.</b>

Condition	Comment	Compliance
	prepared by Positive Traffic demonstrate the safe and efficient flow of traffic in an anti-clockwise direction in the future laneway scenario.	
B17. Prior to the submission of the any subsequent development application, the Applicant must consult with Council to finalise the grading and levels of the surrounding future laneway network.	The Project team met with Council on 4 October 2023 to discuss the proposal. Council has been consulted regarding the grading and levels of the surrounding future laneway network.	<b>Compliant.</b>
B18. Future development application(s) must demonstrate that the Council endorsed vehicle access arrangements and levels have been incorporated into the design of the development.	<p>The Project team met with Council on 4 October 2023 to discuss the proposal. The proposed development seeks to deliver the identified DCP laneway along the western and southern boundary of the site. In the short term, the 6m wide laneway will allow for two-way movement. Following the competition of the laneway, it is anticipated that a one-way laneway would be delivered to allow for manoeuvring space for two vehicles to pass.</p> <p>The proposed laneway has been designed in accordance with the Sydney Streets Code 2021 and the Public Domain Manual 2021.</p>	
<p>B19. Future development application(s) must prepare, in consultation with Sydney Trains, and submit the following in accordance with Transport for NSW Asset Standards Authority's Development Near Rail Tunnels:</p> <p>(a) geotechnical and structural report/drawings that meet Sydney Trains' requirements, including actual borehole testing conducted on the site closest to the rail corridor;</p> <p>(b) construction methodology with construction details pertaining to structural support during excavation. Note: Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.</p> <p>(c) cross sectional drawings showing the rail corridor, sub-soil profile, proposed basement excavation and/or structural design of sub-ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor</p> <p>(d) detailed survey plan showing the relationship of the proposed development with respect to Sydney Trains' easement and rail corridor land.</p> <p>(e) a Finite Element Analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor, if required by Sydney Trains.</p> <p>(f) a Monitoring Plan (including instrumentation and the monitoring regime during excavation and construction phases), if required by Sydney Trains.</p>	The SSDA package will be referred to Sydney Trains for their comment during the assessment phase of the SSDA.	<b>Compliant.</b>
<p>B20. Future development application(s) must:</p> <p>(a) demonstrate the car parking spaces have been designed and provided in accordance with the latest version of the Australian Standards for staff, visitors and patient transport and generally consistent with the approach used to calculate car parking in the EIS; and</p> <p>(b) include details identifying a minimum 50 per cent of staff car parking spaces being designed to be electric vehicle ready and between 15 and 25 per cent of visitor spaces being fitted with Level 2 (or higher) chargers.</p>	<p>The Traffic Impact Assessment (<b>Appendix T</b>) demonstrates the compliance with the relevant Australian Standards regarding staff, visitor, and patient parking numbers.</p> <p>The Sydney LEP 2012 does not contain a parking criteria for "hospital" use, the only criteria is for "health consulting rooms and medical centres" being 2 spaces per consulting room. The RTA Guide to Traffic Generating Developments parking rate for private hospitals would equate to an 'unconstrained' provision of 110 spaces.</p> <p>It is proposed to provide 77 spaces which is 70% of the indicative constrained parking provision and is compliant with Council's constrained parking strategy to reduce reliance on travel by private motor vehicle.</p> <p>The proposed car parking areas design and light vehicle access driveways have been reviewed for compliance with AS2890.1 / AS2890.6 and were found to be satisfactory. All parking space widths, lengths, aisle widths and ramp grades comply with AS2890.1.</p> <p>50% of staff car parking spaces have been designed to be electric vehicle ready.</p>	<b>Compliant.</b>

Condition	Comment	Compliance
B21. Future development application(s) must include an assessment of bicycle and motorcycle parking need and include bicycle and motorcycle parking and end-of-trip facilities in accordance with the latest version of the Australian Standards	The Green Travel Plan ( <b>Appendix U</b> ) includes an assessment of bicycle and motorcycle parking needs as well as identifying the number of end of trip facilities required.	<b>Compliant.</b>
B22. Future development application(s) must include a Public Art Strategy (PAS) that: (a) is prepared in consultation with Council; (b) includes a public art budget, for the inclusion of public art within the development; and (c) must consider the Green Square Public Art Strategy.	As outlined in the Public Art Strategy (Appendix P) and the Architectural Plans (Appendix G), opportunities for public art to be integrated into the landscape zones at the Bourke Road frontage. This location will allow the art to be highly visible whilst creating a welcoming and communal outdoor space.  The Strategy outlines the opportunity for 3-5 small to medium sculptural elements or integrated seating elements to be installed towards the front of the site.	<b>Compliant.</b>
B23. Future development application(s) must demonstrate how the principles of ecologically sustainable development (ESD) have been incorporated into the design, construction and ongoing operation of the new building.	An ESD Report has been prepared ( <b>Appendix S</b> ) demonstrates how the principles of ecologically sustainable development have been incorporated into the design, construction and operation of the mental health hospital.	<b>Compliant.</b>
B24. Future development application(s) must demonstrate that the building would achieve a minimum 5-star Green Star Design and As-Built rating or an alternative certificate process that will meet or exceed the relevant industry recognised building sustainability and environmental performance standards.	The proposed development will be targeting Green Star Buildings Credit 35 (Impacts to Nature), refer to Section 6.2.3 and Appendix S.	<b>Compliant.</b>
B25. Future development application(s) must consider the opportunity for the incorporation of green/ biodiversity roofs and walls as part of the new building.	The proposed design has incorporated a range of landscaping treatment through the Bourke Road frontage, the level 4 terrace area and internal atrium spaces. The proposed roof plan includes large areas of solar panels and plant equipment and therefore a green roof was not possible at this location.	<b>Generally compliant.</b>
B26. Future development application(s) must be accompanied by a Noise and Vibration Impact Assessment (NVIA), prepared by a suitably qualified professional, including (but not limited to): (a) quantitative assessment of the main noise generating sources and activities during operation; and (b) any management and mitigating measures necessary to ensure the amenity of future sensitive land uses on the site and neighbouring sites is protected during the operation of the development.	A Noise and Vibration Impact Assessment has been prepared by ACOR and is provided at <b>Appendix W</b> . ACOR conclude that subject to the implementation of the above mitigation measures, the proposed development is expected to comply with all relevant requirements and will not have an adverse noise impact to the nearest affected noise-sensitive receivers.	<b>Compliant.</b>
B27. Future development application(s) must include an Operational Waste Management Plan prepared in accordance with Council's waste management guidelines to address storage, collection, and management of waste and recycling within the development.	An Operational Waste Management Plan has been prepared to support this application and can be found at <b>Appendix FF</b> .	<b>Compliant.</b>
B28. Future development application(s) must include an operational lighting plan, considering the lighting strategy for the site including laneways, parking, service area(s), landscaping and building interface.	A detailed lighting plan will be prepared by the future tenant of the mental health hospital for the future fit out development application.	<b>Generally compliant.</b>
B27. An Operation Flood Emergency Management Plan must be submitted that: (b) includes advice from the NSW State Emergency Service. (g) options to evacuate the site, prepared in consultation with SES, and the associated risk;	Enstruct have prepared an Operational Flood Emergency Management Plan (OFEMP) in consultation with the NSW State Emergency Service (SES), refer to Appendix CC. The OFEMP provides recommendations for procedures for personnel onsite to follow to maximise their safety and reduce risk of death and injury due to flooding and flood water.  An Operational Flood Emergency Management Pan has been prepared and is attached at <b>Appendix CC</b> .	<b>Compliant.</b>
B29. Future development application(s) must be accompanied by a detailed Flood Impact Assessment (FIA), prepared by a suitably qualified Engineer (who is included in the National Professional Engineers Register, administered by the Institution of	This Application is accompanied by a Flood Impact Assessment ( <b>Appendix BB</b> ). An Operational Flood Emergency Management Plan is provided at <b>Appendix CC</b> .	<b>Compliant.</b>

Condition	Comment	Compliance
<p>Engineers Australia), including management and mitigation measures and emergency response plan(s). The FIA, including the recommended PMF level must:</p> <p>(a) be prepared in accordance with the NSW Floodplain Development Manual, existing Council and Government studies and guidance;</p> <p>(b) identify and assess pre and post development scenarios for the most critical flood behaviour such as peak flood depth, velocity, flood hazards and rate of rise, including flood constraints and risks on the site, new streets and adjoining properties and the potential impacts of climate change for the full range of events, up to and including the PMF;</p> <p>(c) propose management and mitigation measures including emergency management and evacuation; and</p> <p>(d) include a preliminary detailed Operational Flood Emergency Management Plan prepared in accordance with the Floodplain Development Manual (FDM) to manage the risk to life and property damage during the full range of flood events, emergency evacuation to the nearest hospital and procedures for site isolation.</p>	<p>The proposed health centre is classified as a critical facility within the City of Sydney Interim Floodplain Management Policy and therefore all habitable floor levels are required to be at least at the PMF level (10.4mAHD).</p> <p>All entrance levels to the basement including the vehicle ramp, stairwells, ventilation and lifts have been designed to be protected from flooding during a PMF event. By ensuring all the entries to the basement are at the PMF level, Enstruct conclude the floor level of the basement is acceptable.</p>	
<p>B30. Future development application(s) must demonstrate that the development has been designed to incorporate the following requirements:</p> <p>(a) no habitable hospital or medical facility floorspace (including lifts and relevant electrical equipment) is provided below the PMF level;</p> <p>(b) all entrance levels to the basement, including the vehicle ramp, stairwells, ventilation, lifts, and fire exits etc are protected from flooding during a PMF event;</p> <p>(c) all entrances to the building are equal to or higher than the PMF;</p> <p>(d) any structure located below the PMF comprises flood compatible materials; and</p> <p>(e) essential services infrastructure is located above the flood planning level.</p>	<p>The proposed design ensures that all habitable floor levels are at the PMF level (10.4mAHD). The Architectural plans demonstrate compliance with these requirements (<b>Appendix G</b>).</p>	<b>Compliant.</b>
<p>B31. A preliminary detailed Operation Flood Emergency Management Plan must be submitted that:</p> <p>(a) has been prepared by a suitably qualified Engineer (who is included in the National Professional Engineers Register, administered by the Institution of Engineers Australia);</p> <p>(b) includes advice from the NSW State Emergency Service noting the limitations described in the NSW Floodplain Development Manual Appendix N, section N7;</p> <p>(c) addresses the provisions of the Floodplain Risk Management Guidelines (EHG);</p> <p>(d) incorporates the following:</p> <p>(i) the flood emergency management protocols for operational phase of the development, including any emergency evacuation to the nearest hospital and procedures for site isolation;</p> <p>(ii) predicted flood levels within the site and within the adjoining road system and other public land expected to be used by patients, staff, occupants and visitors;</p> <p>(iii) the predicted duration of flood inundation within the site and within the adjoining road system for the full range of flooding events;</p> <p>(iv) what system of monitoring of flood events would occur, including who would be responsible for the monitoring and warning;</p>	<p>Enstruct have prepared an Operational Flood Emergency Management Plan (OFEMP) in consultation with the NSW State Emergency Service (SES), refer to Appendix CC. The OFEMP provides recommendations for procedures for personnel onsite to follow to maximise their safety and reduce risk of death and injury due to flooding and flood water.</p> <p>During a PMF event, the isolation period has shown to vary up to approximately 12 hours. As outlined in the OFEMP, in this instance, staff and patients will remain on site for the duration of the site being isolated. The proposed hospital has an on-site kitchen, which will have adequate supplies of food and water for the isolation period. There will be reserve supplies of linen and consumables.</p> <p>The Chief Warden will remain in contact with the authorities and monitor local and government radio stations to receive and share updates on the flood situation with site occupants. Staff remaining would continue to provide patient care at an appropriately reduced capacity. The kitchen staff will be notified by the Chief Warden on the number of people on site and expected duration of isolation to plan for and prepare meals and supply water.</p> <p>The proposed laneway grading has been undertaken at a high level for the precinct to ensure flood and stormwater characteristics have been accurately determined.</p>	<b>Compliant.</b>

Condition	Comment	Compliance
<p>(v) strategies such as early or pre-emptive closure or management measures for relevant tenants of the building, including under what scenarios the hospital and other tenants would be closed and the frequency of closures due to flooding events and notification of closures;</p> <p>(vi) clear emergency management triggers and responses, including the authority for measuring and issuing such a direction that the trigger has been reached, the intended length of the warning times;</p> <p>(vii) details of flood warning time and flood notification;</p> <p>(viii) details of assembly points and flood free routes where required;</p> <p>(ix) clear roles and responsibilities for emergency flood management within the development;</p> <p>(x) clear messaging and communication protocols;</p> <p>(xi) clear requirements that the Plan be regularly reviewed; and</p> <p>(xii) details of awareness training for employees, contractors, visitors, occupants, patients and caregivers and induction of new staff members</p> <p>(e) details minimum floor space per person for periods of isolation;</p> <p>(f) details access to on-site systems to provide power, water and sewerage services during and beyond the event for the full range of flooding;</p> <p>(g) identifies options to evacuate the site, prepared in consultation with SES, and the associated risk;</p> <p>(h) details any Shelter-in-Place strategy, including how patients, staff, visitors and tenants would be safely sheltered for extended periods if the shelter in place cannot otherwise be demonstrated to be short term (less than six hours);</p> <p>(i) details any arrangements to ensure that vehicles are restricted from leaving the basement and entering high risk flood waters;</p> <p>(j) identifies personnel on site at all times who are responsible (including for all tenants within the building and what specific measures would be implemented to ensure coordinated and ongoing management is provided) for implementing the Operation Flood Emergency Management Plan, evacuating the site or the Shelter-in-Place strategy.</p>		
<p>B32. Future development application(s) must include a Stormwater Concept Design and stormwater management plan prepared by a suitably qualified and experienced Civil Engineer (who is included in the National Professional Engineers Register, administered by the Institution of Engineers Australia). The Stormwater Concept Design must include:</p> <p>(a) a certified stormwater drainage design complying with Council's Sydney Streets Technical Specifications, Part A4 Stormwater Drainage Design;</p> <p>(b) Council's Sydney Streets Technical Specifications, Standard Drawings;</p> <p>(c) Council's Sydney Streets Technical Specifications, Part B10: Stormwater Drainage Construction;</p> <p>(d) Council's Stormwater Drainage Manual; and</p> <p>(e) all relevant Australian Standards.</p>	<p>A Stormwater Concept Design and a Stormwater Management Plan have been prepared and are attached at <b>Appendix AA</b>.</p>	<p><b>Compliant.</b></p>
<p>B33. Future development application(s) must comply with the requirements of Sydney Water with regard to the on-site detention (OSD) of stormwater and include evidence of Sydney Water's requirements.</p> <p>Where an OSD is not required by Sydney Water, requirements from Council must be addressed and evidence of Council's requirements must be included in future application(s)</p>	<p>An onsite detention (OSD) tank has been designed in accordance with advice from Sydney Water. The OSD tank will be located along the south western boundary of the site (underneath the proposed laneway), refer to the Civil Drawings prepared by Northrop at <b>Appendix SS</b>. The OSD tank will have an effective volume of 57m<sup>3</sup> and an internal storage height of 0.99m.</p>	<p><b>Compliant.</b></p>

Condition	Comment	Compliance
<p>B34. Future development application(s) must include a MUSIC Link report and a stormwater quality assessment report prepared by a suitably qualified practicing civil engineer (NER) demonstrating compliance with Council's targets and parameters. The report must include a response to all stormwater quality improvement devices' structural integrity, treatment train and their treatment properties and must align with the MUSIC Link report.</p>	<p>The proposed stormwater management system has incorporated water quality treatment devices and meets or exceeds the Water Sensitive Urban Design (<b>WSUD</b>) targets set by Section 3.7.3 of the SDCP 2012.</p> <p>A MUSIC Link report and a stormwater quality assessment report have been prepared and accompany this application at <b>Appendix AA</b>.</p>	<p><b>Compliant.</b></p>
<p>B35. Future development application(s) must include Public Domain Levels and Gradients Concept Design for the new streets and site frontages. The submission must be prepared in accordance with the Council's Public Domain Manual, Sydney Streets Technical Specifications and Standard drawings.</p>	<p>Details regarding Public Domain Levels and Gradients Concept Design for the laneways can be found at <b>Appendix SS</b>. The submission has been prepared in accordance with the Council's Public Domain Manual, Sydney Streets Technical Specifications and Standard drawings.</p>	<p><b>Compliant.</b></p>
<p>B36. Future development application(s) (other than for demolition or excavation) must include a Public Domain Concept Design plan showing all site frontages, including the future new roads design.</p> <p>The Plan must be prepared in accordance with the Public Domain Manual, Sydney Street Technical Specification, and the Council's Sydney Streets Code. The Plan must include liaison with all relevant public utility authorities, Transport for NSW and the City of Sydney to achieve a feasible design in accordance with relevant Australian Standards and Austroads.</p>	<p>The project civil engineers, architects and flood engineers have collaborated to design the final Public Domain Concept Design showing all site frontages, including the future new roads design. The submission has been prepared in accordance with the Council's Public Domain Manual, Sydney Streets Technical Specifications and Standard drawings.</p>	<p><b>Compliant.</b></p>
<p>B37. Future development application(s) must include an appropriate assessment of impacts of the development on Aboriginal and non-Aboriginal heritage values and archaeology, prepared by a suitably qualified professional. The assessments must consider the recommendations of the:</p> <p>(a) 'Aboriginal Cultural Heritage Assessment' prepared by Urbis and dated 10 June 2022; and</p> <p>(b) 'Historical Archaeological Impact Assessment' prepared by Urbis and dated 10 June 2022.</p>	<p>An Aboriginal Cultural Heritage Assessment Report has been prepared and attached at <b>Appendix GG</b>. Urbis Heritage conclude that, subject to the implementation of the unexpected finds policy and ongoing consultation with the Registered Aboriginal Parties, the site is suitable for development.</p>	<p><b>Compliant</b></p>
<p>B38. Future development application(s) must include a Utility Services Infrastructure Assessment (USIA), prepared by a suitably qualified professional, which must:</p> <p>(a) be prepared in consultation with relevant agencies and service providers;</p> <p>(b) address the existing capacity and any augmentation requirements of the development for the provision of utilities; and</p> <p>(c) consider any impacts on existing and proposed trees and landscaping.</p>	<p>A Utility Services Infrastructure Assessment has been undertaken and is attached at <b>Appendix UU</b>. Based on ACOR's assessment of the sewer, water, electrical and communication infrastructure available in the vicinity of the site, there is sufficient capacity to support the proposed development. ACOR will continue to coordinate with the relevant authorities during the next stage of design.</p>	<p><b>Compliant.</b></p>
<p>B39. Future development application(s) must include a Reflectivity Analysis, prepared by a suitably qualified professional that demonstrates the external treatments, materials and finishes of the development do not cause adverse or excessive glare.</p>	<p>A Reflectivity Report has been prepared by Surface Design (<b>Appendix QQ</b>) to assess the potential for disability glare to pedestrians and drivers. Surface Design have assessed the proposed development from four viewpoints for drivers and pedestrians. Surface Design conclude the proposal is expected to comply with all relevant glare and reflectivity requirements and will not have an adverse impact to the surrounding drivers or pedestrians.</p>	<p><b>Compliant.</b></p>
<p>B40. Future development application(s) must include a Structural Report, prepared by a suitably qualified professional that demonstrates the proposal can be constructed in accordance with the Building Code of Australia.</p>	<p>A Structural Report has been prepared to support this application (see <b>Appendix OO</b>).</p>	<p><b>Compliant.</b></p>
<p>B41. Future development application(s) must include a Disability Access Review to address an appropriate degree of accessibility in accordance with the Disability (Access to Premises - buildings) Standards 2010 (the Premises Standards).</p>	<p>Blackett Macguire and Goldsmith have prepared an Access Statement (Appendix M) that reviews the proposed design against the provisions of the Disability (Access to Premises) Standard 2010, the applicable National Construction Code 2022 as well as the provisions of the relevant Australian Standards.</p> <p>It includes site-specific comments relevant to the proposed development and the matters that will need to be addressed at the detailed design stage, including accessibility to/from</p>	<p><b>Compliant.</b></p>

Condition	Comment	Compliance
	the building. Overall, it concludes the proposal can achieve compliance with the relevant access provisions of the BCA and the Access to Premises Standard.	
B42. Future development application(s) must include an assessment against the NSW Aquifer Interference Policy 2012, if it potentially involves dewatering.	A Geotechnical Report has been addressed the requirements of the NSW Acquirer Interference Policy 2012 and is provided at <b>Appendix X</b> .	<b>Compliant.</b>
B43. Future development application(s) must include an Aviation Impact Assessment, prepared by a suitably qualified professional, to assess the potential aviation impact(s) of building height and construction works, including crane height.	An Aviation Report has been prepared to support this application and is provided at <b>Appendix NN</b> .	<b>Compliant.</b>
<p>B44. Future development application(s) must include a preliminary Construction Management Plan, prepared by a suitably qualified professional, to provide an analysis and assessment of the impacts of construction including (but not limited to):</p> <p>(a) Construction Pedestrian and Traffic Management Plan (CPTMP), prepared in consultation with Transport for NSW, detailing construction vehicles routes and numbers, hours of construction, access arrangements, traffic control measures, pedestrian and cyclist links / routes, cumulative construction impacts and independent road safety audit(s) (if required);</p> <p>(b) Construction Noise and Vibration Impact Assessments (CNVMP) providing a quantitative assessment of the main noise generating sources and activities during construction, impacts of construction noise/vibration on surrounding sensitive receivers and relevant management and mitigation measures to reduce adverse impacts due to construction noise and vibration;</p> <p>(c) Community Consultation and Engagement Plans;</p> <p>(d) Construction Waste Management Plan;</p> <p>(e) Geotechnical Assessment Report, which details proposed excavation and management and mitigation measures; and</p> <p>(f) Acid Sulfate Soil Management Plan (if required).</p>	The construction associated with the project will be staged and managed in accordance with the preliminary Infrastructure Delivery, Management and Staging Plan at <b>Appendix KK</b> . Prior to construction works commencing, the Principal Contractor will develop a Construction Pedestrian and Traffic and Management Plan which	<b>Compliant.</b>
<p>B45. Future development application(s) for demolition, excavation and/or detailed design of the development must be accompanied by a Detailed Site Investigation Report (DSI), including an assessment of potential site contamination, prepared by a suitably qualified professional, and Remedial Action Plan (RAP) to demonstrate compliance with the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 4. The DSI and RAP must consider the recommendations of the:</p> <p>(a) 'Framework Remediation Action Plan EP2515.002_v3' prepared by EP Risk and dated 04 July 2022;</p> <p>(b) 'Detailed Site Investigation EP2515.001_v3' prepared by EP Risk and dated 04 July 2022; and</p> <p>(c) 'Interim advice 02: Review of Revised Detailed Site Investigation and 'Framework' Remedial Action Plan for 28-32 Bourke Road, Alexandria, NSW' prepared by Horwood Environmental Consultants 24 June 2022.</p>	A Detailed Site Investigation has been prepared and is provided at <b>Appendix DD</b> . A Remediation Action Plan has been prepared and is found at <b>Appendix EE</b> . Following the implementation of the remediation strategy, subsequent validation works and associated activities outlined in the RAP, EP Risk conclude the site can be made suitable for the proposed commercial land use.	<b>Compliant.</b>
B46. Future development application(s) must ensure that land proposed to be dedicated to Council is suitably remediated so as not to be encumbered by a Long Term Environmental Management Plan or as otherwise agreed in the planning agreement with Council relating to the redevelopment site as referenced in condition B3.	A Remediation Action Plan has been prepared and can be found at <b>Appendix EE</b> . Following the implementation of the remediation strategy, subsequent validation works and associated activities outlined in the RAP, EP Risk conclude the site can be made suitable for the proposed commercial land use.	<b>Compliant.</b>
B47. Future development application(s) must consider the potential to encounter acid sulfate soils and provide any necessary management and mitigation measures.	A Salinity Assessment has been prepared by EP Risk ( <b>Appendix Y</b> ). EP Risk conclude the site is not mapped within a salinity area and the salinity of the underlying aquifer ranges between 369 mg/L and 613 mg/L indicating the aquifer is relatively fresh and low salinity. Overall, based on the data obtained from the desktop review and the site inspection undertaken by EP Risk, the likelihood of salinity is considered to be very low.	<b>Compliant.</b>

Condition	Comment	Compliance
<p>B48. Development contributions will be required in accordance with the City of Sydney Development Contributions Plan 2015, as determined in the relevant future development application(s).</p>	<p>Clause 6.14 of the LEP specifies the maximum additional FSR (above that shown in the FSR Map) that a site may potentially achieve if “equivalent” community infrastructure is included with the development. Clause 6.14 further defines “equivalent” community infrastructure as:</p> <p><i>“development at Green Square for the purposes of recreation areas, recreation facilities (indoor), recreation facilities (outdoor), public roads, drainage or flood mitigation works.”</i></p> <p>The City uses a dollar rate to establish the minimum cost so that it is equivalent to the additional floor space being achieved under clause 6.14.</p> <p>The total dollar value of the community infrastructure package is calculated based on the type of use and amount of additional floor space proposed under clause 6.14 of Sydney LEP 2012.</p>	<p><b>Noted.</b></p>
<p>B49. Future development application(s) must demonstrate consistency with the relevant planning agreement with Council relating to the redevelopment site.</p>	<p>Following consultation with Council's Planning Agreement's team, there is in-principle support for the following public benefit offer at the site:</p> <ul style="list-style-type: none"> <li>▪ A 2.4m wide strip of land along the site's frontage to Bourke Road for the purpose of footpath widening</li> <li>▪ A 3m wide lane along the site's western boundary contributing towards a 6m wide lane (it is noted that the concept proposal will allocate an additional 3 m strip of land within the site along the western boundary to enable two-way vehicle movement into and out of the site).</li> <li>▪ A 3m wide lane along the site's southern boundary, contributing towards a 9m wide lane.</li> </ul> <p>These conversations are ongoing with Council and this agreement will be executed imminently.</p>	<p><b>Compliant.</b></p>