

Development consent

Section 89E of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, under delegation dated 16 February 2015, I approve the development referred to in schedule 1, subject to the conditions in schedule 2.

These conditions are required to:

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



David Gainsford
Executive Director
Priority Projects Assessments

Sydney 15th December 2015

SCHEDULE 1

Application No.:	SSD 6913
Applicant:	Health Administration Corporation
Consent Authority:	Minister for Planning
Land:	Gosford Hospital, No. 60 Holden Street, Gosford
Approved Development:	Gosford Hospital campus, including: • Construction and use of an 11 storey acute services tower building of approximately 37,000 sqm gross floor area linked to the existing main hospital building; • refurbishment works to the main existing hospital building; • mid-block truncation of Hospital Road; • relocation of the existing helipad to the top of the new building; • upgrade works at the intersection of Racecourse Road/Hospital Street; • removal of existing trees; • landscaping; • site preparation and bulk earthworks; • infrastructure works; • hospital signage; and • lot consolidation.

Stage 1 Health and Wellbeing Precinct, including:

- Construction of a multi-storey car park with 803 car spaces;
- construction and use of two buildings of five and six storeys (plus rooftop plant) of approximately 14,685 sqm gross floor area above the multi-storey car park for hospital related health, administration and government services;
- construction of an entry node public plaza and associated retail buildings, and an accessible and covered pedestrian connection between the Health and Wellbeing Precinct and the main entrance to Gosford Hospital;
- construction of a new entry hub at Showground Road;
- closure of Beane Street West between Holden Street and Showground Road;
- closure of Holden Street between Racecourse Road and Ward Street and new public domain and road works;
- public domain and road works in Showground Road;
- site preparation and bulk earthworks;
- infrastructure works;
- hospital signage; and
- lot consolidation and subdivision.

DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Consent holder or person with the benefit of the development consent
Application	The development application and the accompanying drawings plans and documentation described in Condition A2.
BCA	Building Code of Australia
Construction	The demolition of buildings or works, the carrying out of works, including bulk earthworks, and erection of buildings and other infrastructure covered by this consent.
Council	Gosford Council
Certification of Crown Building works	Certification under s109R of the EP&A Act
Certifying Authority	Professionals that are accredited by the Building Professionals Board to issue construction, occupation, subdivision, strata, compliance and complying development certificates under the EP&A Act, Strata Schemes (Freehold Development) Act 1973 and Strata Schemes (Leasehold Development) Act 1986 or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
Department	The Department of Planning and Environment
EIS	Environmental Impact Statement titled <i>Environmental Impact Statement, Gosford Hospital redevelopment (including Stage 1 of the Health and Wellbeing Precinct)</i> prepared by City Plan Services, dated July 2015
EPA	Environment Protection Authority
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
Feasible	Feasible relates to engineering considerations and what is practical to build
Minister	Minister for Planning, or nominee
OEH	Office of the Environment and Heritage
RTS	Response to Submissions prepared by Health Infrastructure submitted 26 October 2015
Reasonable	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.
RMS	Roads and Maritime Services Division, Transport for NSW
Secretary	Secretary of the Department of Planning and Environment
Secretary's approval, agreement or satisfaction	A written approval from the Secretary (or nominee/delegate)
Site	Gosford Hospital (Lot 1 DP 1076023, Lot 101 DP1034362, Lot 1 DP 246244 and Lot 100 DP 1028293 Health and Well Being Precinct Stage 1 (Lot A, B and C DP 316723, Lot 1 DP 157518, Lot B DP 160507, Lot 1 DP 996187, Lots 5, 6 and 7 DP 503890, Lot 1 DP 1050222 and Lots 8 and 9 DP503890
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.
TfNSW	Transport for New South Wales

Zone of Influence	The horizontal distance from the edge of the excavation site or any construction zone (including on-site haulage routes) to twice the maximum excavation depth.
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SCHEDULE 2

A ADMINISTRATIVE 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 project in accordance with the conditions of consent and generally in accordance with the:
- a) State significant development application SSD 6913;
 - b) Environmental Impact Statement except where amended by the Response to Submissions;
 - c) the following drawings, except for:
 - i) any modifications which are 'Exempt or Complying Development'; and
 - ii) as otherwise provided by the conditions of this consent.

Gosford Hospital Redevelopment			
Architectural (or Design) Drawings prepared by Jacobs			
Drawing No.	Revision	Name of Plan	Date
NB98078-NEWB-AR-DG-0014	4	Location Plan	15.06.15
NB98078-NEWB-AR-DG-0051	6	Proposed Site Plan	15.06.15
NB98078-NEWB-AR-DG-009	9	Phasing Plan Phase 1	15.06.15
NB98078-NEWB-AR-DG-0052	4	Phasing Plan Phase 2	15.06.15
NB98078-NEWB-AR-DG-0053	4	Phasing Plan Phase 3	15.06.15
NB98078-NEWB-AR-DG-0054	4	Phasing Plan Phase 4	15.06.15
NB98078-NEWB-AR-DG-0022	11	Overall Plan - Level 1	24.04.15
NB98078-NEWB-AR-DG-0023	11	Overall Plan - Level 2	24.04.15
NB98078-NEWB-AR-DG-0024	11	Overall Plan - Level 3	24.04.15
NB98078-NEWB-AR-DG-0025	12	Overall Plan - Level 4	24.04.15
NB98078-NEWB-AR-DG-0026	11	Overall Plan - Level 5	24.04.15
NB98078-NEWB-AR-DG-0027	11	Overall Plan - Level 6	24.04.15
NB98078-NEWB-AR-DG-0028	11	Overall Plan - Level 7	24.04.15
NB98078-NEWB-AR-DG-0029	11	Overall Plan - Level 8	24.04.15
NB98078-NEWB-AR-DG-0030	12	Overall Plan - Level 9	24.04.15
NB98078-NEWB-AR-DG-0031	11	Overall Plan - Level 10	24.04.15
NB98078-NEWB-AR-DG-0032	11	Overall Plan - Level 11	24.04.15
NB98078-NEWB-AR-DG-0033	11	Overall Plan - Roof Plan	24.04.15
NB98078-NEWB-AR-DG-	9	General Arrangement Section G-G &	24.04.15

7001		Section H-H	
NB98078-NEWB-AR-DG-7002	9	General Arrangement Section I-I & Section J-J	24.04.15
NB98078-NEWB-AR-DG-7003	9	Sections K-K & L-L	24.04.15
NB98078-NEWB-AR-DG-7004	9	Sections M-M & N-N	24.04.15
NB98078-NEWB-AR-DG-7100	9	Site Elevations - East and North	24.04.15
NB98078-NEWB-AR-DG-7101	9	North Elevation	24.04.15
NB98078-NEWB-AR-DG-7102	9	East Elevation	24.04.15
NB98078-NEWB-AR-DG-7103	9	West and South Elevation	24.04.15

Stage 1 Health and Wellbeing Precinct

Architectural (or Design) Drawings prepared by Fitzpatrick and Partners

Drawing No.	Revision	Name of Plan	Date
DA-03	B	Site Plan - Demolition	13.07.15
DA-04	C	Site Plan	09.10.15
DA-05	B	Ground Level	13.07.15
DA-06	B	Level 1	13.07.15
DA-07	B	Level 2	13.07.15
DA-08	B	Level 3	13.07.15
DA-09	B	Level 4	13.07.15
DA-10	B	Level 5	13.07.15
DA-11	B	Level 6 Plaza & Lobby	13.07.15
DA-12	B	Level 7	13.07.15
DA-13	B	Typical Level 8-10	13.07.15
DA-14	B	Level 11	13.07.15
DA-15	B	Plant & Roof	13.07.15
DA-16	B	Roof Plan	13.07.15
DA-17	B	Sections AA & BB	13.07.15
DA-18	B	Sections CC & DD	13.07.15
DA-19	B	Elevations 2 & 4	13.07.15
DA-20	B	Elevations 1 & 3	13.07.15
DA-21	B	Façade Detail 01	13.07.15
DA-22	B	Façade Detail 02	13.07.15
DA-23	B	Façade Detail 03	13.07.15
DA-24	B	Level 6 Walkway	13.07.15
DA-25	B	Materials and Finishes 1	13.07.15
DA-26	B	Materials and Finishes 2	13.07.15
DA-27	B	Materials and Finishes 3	13.07.15
DA-50	A	Accessibility and Levels	09.10.15
DA-51	A	Accessibility and Levels	09.10.15

Landscape Drawings prepared by Spackman Mossop Michaels

Drawing No.	Revision	Name of Plan	Date
L.02	C	Overview Plan	16.06.15
L.03	C	Detail Plan 1	16.06.15
L.04	C	Detail Plan 2	16.06.15
L.05	C	Detail Plan 3	16.06.15
L.06	C	Planting Zone Plan	16.06.15

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 consent 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.

Secretary 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 two months or a timeframe otherwise agreed to by the Secretary, the matter is to be referred to the Secretary for resolution. All areas of disagreement and the position of each party are to be clearly stated to facilitate a resolution. The Secretary'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 1441.

Legal notices

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

PART B PRIOR TO COMMENCEMENT OF WORKS

Certified Plans

- B1. 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 relevant construction works and shall include details as required by any of the following conditions if they apply.

Noise Attenuation Measures

- B2. Prior to commencement of each new stage of construction works, the applicant shall demonstrate to the Certifying Authority that the design of the plant and mechanical services can meet the noise objectives identified in *Gosford Hospital Precinct Redevelopment SSD Acoustic Assessment*, prepared by Acoustic Logic dated 24 June 2015.

Gosford Hospital Campus – Landscape Plan

- B3. Prior to commencement of landscaping works associated with the new acute services tower building, a detailed landscape plan prepared by a suitable qualified landscape architect shall be submitted to the satisfaction of the Secretary, or her nominee, demonstrating suitable landscape arrangements (planting, paving and seating) in the forecourt between the acute services tower building and the existing mental health

building. The landscape plan is to include plant species, paving materials etc. which complement the approved landscaping for the Stage 1 Health and Wellbeing Precinct.

Signage

- B4. Prior to commencement of permanent signage works, final signage details, including finishes, dimensions, illumination and location shall be submitted to the satisfaction of the Certifying Authority.

Outdoor Lighting

- B5. 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 applicable above ground works.

Access for People with Disabilities

- B6. The buildings including connecting pathways and circulation spaces 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

- B7. 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

- B8. 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 commencement of any works. A copy of the report is to be forwarded to the Council.

Road Closure

- B9. A formal application for the closure of Holden Street between Racecourse Road and Ward Street, and Beane Street West between Showground Road and Holden Street, is to be submitted to Council prior to the commencement of any works in the applicable road reserve. The details of the road closures shall be submitted to the satisfaction of the Certifying Authority.

Road Design

- B10. Kerb and gutter, stormwater drainage, full road width pavement including traffic facilities (vehicle crossings) and paved footpaths shall be constructed along the areas where roads works (not including line marking, road signage and pedestrian crossing works) are to be undertaken. All roads and traffic facilities (vehicle crossings) shall be designed to meet the requirements of Council and the RMS (if applicable) and obtain the necessary permits and approvals from the relevant road authority.

- B11. A pavement report for works within a public road reserve shall be submitted with the engineering plans and approved by Council prior to commencement of any applicable works.

Public Domain Works - Racecourse Road

- B12. The line marking and road signage upgrade works to the intersection of Racecourse Road and Hospital Road shall be undertaken generally in accordance with the concept diagram in *Figure 13 – Racecourse Road/Hospital Road Intersection Improvements* in the SSD Civil Engineering Report prepared by Taylor Thompson Whitting (NSW) Pty Ltd Reference 141191, dated 25 June 2015. The final design is to be prepared in consultation with Council and RMS and shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of these proposed works.
- B13. Detailed plans showing a 1.2 m wide concrete pedestrian pathway across the frontage of the site in Racecourse Road between Holden Street and Hospital Road shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of works in Racecourse Road. The location and design of the pedestrian pathway shall be undertaken generally in accordance with the concept diagram in Hospital Access Road to Holden Street Proposed Footpath, prepared by Velocity Drafting, 20144584, Sheets 1 to 5, dated January 2015.

Public Domain Works - Showground Road

- B14. The upgrade works in Showground Road shall be undertaken generally in accordance with the concept diagram in *Figure 14 – Showground Road Health and Wellbeing Precinct Access Improvements Racecourse Road/Hospital Road Intersection Improvements* in the SSD Civil Engineering Report prepared by Taylor Thompson Whitting (NSW) Pty Ltd Reference 141191, dated 25 June 2015. The proposed central median strips at the entrance to the Sydney Trains car park and corridor access location shall be deleted. The final design is to be prepared in consultation with Council and Sydney Trains, and shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of works in Showground Road.
- B15. The applicant shall prepare a Stage 2 (Concept Design) road safety audit accordance with *Austroads Guide to Road Safety Audit Part 6: Road Safety Audit* by an independent TfNSW accredited road safety auditor. Details of consultation with the TfNSW Regional Transport and Traffic Working Group shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of works in Showground Road.
- B16. Prior to commencement of any landscaping works on the eastern side (rail corridor) of Showground Road, written consent shall be obtained from Sydney Trains for any planting below the Sydney Trains overhead transmission line, and submitted to the satisfaction of the Certifying Authority prior to the commencement of works in Showground Road.
- B17. The design and location of a new pedestrian crossing and associated signage and line marking in Showground Road shall be undertaken generally in accordance with *Figure 14 – Showground Road Health and Wellbeing Precinct Access Improvements* in the SSD Civil Engineering Report prepared by Taylor Thomson Whiting, dated 25 June 2015, and detailed plans submitted to the satisfaction of the Certifying Authority prior to the commencement of works in Showground Road.
- B18. Detailed plans showing a 2 m wide concrete pedestrian pathway across the frontage of the Stage 1 Health and Wellbeing Precinct in Showground Road shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of works in Showground Road.

- B19. Detailed engineering plans approved by Council for relevant works in Showground Road shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of works in Showground Road.

Bus Facilities

- B20. A bus stop designed in consultation with TfNSW and the local bus operator shall be provided on both sides of Showground Road in the immediate vicinity of the proposed new hospital entry. The design shall allow for a bus parked at the bus stops to be safely passed by a moving bus in the traffic lane. The final design shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of works in Showground Road.

Car Park and Service Vehicle Layout

- B21. Plans demonstrating compliance with the following traffic and parking requirements shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of the relevant 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.

Structural Details

- B22. Prior to the relevant commencement of works, the applicant shall submit to the satisfaction of the Certifying Authority 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

- B23. 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 construction works that require mechanical ventilation.

Stormwater and Drainage Works Design

- B24. 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 Certifying Authority prior to the commencement of any works. The hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff.

- B25. A nutrient/pollution control report including an operation and maintenance plan in accordance with Council's requirements shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of the relevant works.
- B26. The existing stormwater pipeline over Racecourse Road is to be cleaned and a CCTV undertaken and submitted to Council's drainage assets unit. If the pipeline is required to be reconstructed it shall be undertaken in accordance with the SSD Civil Engineering Report prepared by Taylor Thomson Whiting dated 25 June 2015 and the details submitted to the satisfaction of the Certifying Authority prior to the commencement of works in Racecourse Road.
- B27. Details of the realignment of the stormwater pipeline through the Health and Wellbeing Precinct in accordance with Council's requirements shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of relevant works.

Water and Sewerage Requirements

- B28. An application under Section 68 of the Local Government Act 1993 to carry out water supply work and sewerage work shall be made to Council for any sewerage or water reticulation works and evidence provided to the Certifying Authority prior to commencement of applicable works.
- B29. Plans of any works near or over a sewer main and/or adjacent to as water main demonstrating compliance with Council's guidelines for 'Building Over or Near Council Sewer and Water Mains' shall be submitted to Council prior to commencement of any applicable works.

Storage and Handling of Waste

- B30. The building plans and specifications accompanying the relevant plans submitted to the 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 this premises.

Notice of Commencement of Works

- B31. The Certifying Authority 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

- B32.
- a) Prior to the commencement of any works on the subject site, a Construction Environmental Management Plan (CEMP) that deals with the relevant scope of work shall be submitted to the Certifying Authority. 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 Council;
 - iv) construction noise and vibration management, prepared by a suitably qualified person;
 - v) hazard materials controls;
 - vi) management of dust to protect the amenity of the neighbourhood;
 - vii) erosion and sediment control;
 - viii) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the subject site; and
 - ix) external lighting in compliance with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.
 - 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(s) to the Department and to the Council, prior to commencement of the relevant work.

Noise and Vibration Management Plan

B33. The applicant shall prepare and implement a Construction Noise and Vibration Management Plan and the plan must:

- a) be prepared by a suitably qualified expert;
- b) be prepared in consultation with Council and all noise sensitive receivers where noise levels exceed the construction noise management level, and in accordance with EPA guidelines;
- c) describe the measures that would be implemented to ensure:
 - best management practice is being employed;
 - compliance with the relevant conditions of this approval;
- d) describe the proposed noise and vibration management measures in detail;
- e) include strategies that have been developed to address impacts on noise sensitive receivers where noise levels exceed the construction noise management level, for managing high noise generating works;
- f) describe the consultation undertaken to develop the strategies in e) above;
- g) evaluates and reports on the effectiveness of the noise and vibration management measures; and
- h) include a complaints management system that would be implemented for the duration of the project.

Waste Management Plan during construction

B34.

- a) Prior to the commencement of any works on the subject site, a Construction Waste Management Plan that deals with the relevant scope of work prepared by a suitably qualified person in consultation with the Council, shall be submitted to the Certifying Authority. The Plan shall address, but not be limited to, the following matters:
 - i) recycling of demolition materials including concrete; and
 - ii) removal of hazardous materials and disposal 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 Certifying Authority prior to the removal of any hazardous materials.
- c) The applicant shall submit a copy of the plan(s) to the Department and to the Council prior to commencement of the relevant work.
- d) The applicant must notify the Transport for NSW Transport 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

B35.

- a) Prior to the commencement of any relevant works on the subject site, a Traffic and Pedestrian Management Plan that deals with the relevant scope of work prepared by a suitably qualified person shall be submitted to the Certifying Authority. The Plan must be prepared in consultation with the Council.
- 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) details of bus and pedestrian cyclist routes during each stage of construction;
 - v) assessment of impacts on general traffic and buses;
 - vi) safety assessment of pedestrian and cyclist movements; and
 - vii) pedestrian and traffic management methods.
- c) The applicant shall submit a copy of the final plan(s) to the Council, prior to the commencement of the relevant work.

Utility Services

- B36. 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.
- B37. 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.

Demolition

- B38. 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 Certifying Authority prior to the commencement of works.
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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 am and 5 pm, Monday to Saturday;
 - b) no work on Sundays and public holidays;
 - c) 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; or
 - iii) variation is approved in advance in writing by the Secretary or her nominee.

Road Reserve

- C2. The works within the road reserve that requires approval under the Roads Act shall be constructed in accordance with Council's '*Civil Construction Specification*', *GCC Design Specification for Survey, Road and Drainage Works and Policy D6.46 Erosion Sedimentation Control*.

Erosion and Sediment Control

- C3. 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

- C4. 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

- C5. 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 Certifying Authority.

Site Notice

- C6.
- a) A site notice(s) shall be prominently displayed at the boundaries of the Subject Site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority 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 841 mm x 594 mm (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

- C7.
- 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 adjacent to the subject site 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 and in accordance with the *Aboricultural Impact Assessment Tree Protection Specification* prepared by Tree IQ, dated 28 May 2015.

Construction Noise Management

- C8. 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.
- C9. 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.

- C10. 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 am to 12 pm, Monday to Friday;
 - b) 2 pm to 5 pm, Monday to Friday; and
 - c) 9 am to 12 pm, Saturday.
- C11. 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.
- C12. 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

- C13. Vibration caused by construction at any residence or structure outside the Subject Site must be limited to:
- a) for structural damage vibration, German Standard DIN 4150 Structural Vibration Part 3 - Effects of Vibrations on Structures;
 - 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.
- C14. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.
- C15. These limits apply unless otherwise outlined in a Construction Noise and Vibration Management Plan approved by the Secretary.

Work Cover Requirements

- C16. 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

- C17. A hoarding or fence must be erected between the work site and the public place. The following hoarding/fencing 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.

No obstruction of public way

- C18. The public way (outside of any construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all work on site.

D PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Workplace Travel Plan

- D1. Prior to the final occupation of the new acute services tower building and the Stage 1 Health and Wellbeing Precinct buildings, to be constructed under this consent, the applicant must prepare a Workplace Travel Plan and identify all measures and incentives that would be provided to staff to promote sustainable transport modes, including subsidies and incentives to promote carpooling, car sharing and measures to support the use of public transport. The Workplace Travel Plan must identify mode share targets and proposed travel strategies that target a reduction in private vehicle trips. The Workplace Travel Plan must be submitted to the satisfaction of the Certifying Authority prior to commencement of operations of any facilities constructed under this consent.

Operational Plan – Car Park

- D2. A Car Park Operational Plan for the new car park facility in the Health and Wellbeing Precinct including but not limited to details in relation to who is able to use the car park, and the cost of parking and measures to encourage the use of the facility shall be submitted to the satisfaction of the Certifying Authority prior to commencement of use of the car park facility under this consent.

Bicycle Facilities

- D3. An end-of-trip facility shall be provided in the Stage 1 Health and Wellbeing Precinct building. The number of storage, change room and shower facilities shall comply with the requirements of the *Planning Guidelines for Walking and Cycling*. Details shall be submitted to the satisfaction of the Certifying Authority prior to occupation of the Stage 1 Health and Wellbeing Precinct.
- D4. 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*.

Mechanical Ventilation

- D5. Following completion, installation and testing of all the mechanical ventilation systems, the applicant shall provide evidence to the satisfaction of the Certifying Authority, 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; and
 - d) any dispensation granted by Fire and Rescue New South Wales.

Road Damage

- D6. 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/developer prior to the occupation of the building.

Subdivision

- D7. Prior to occupation or the commencement of use of the new building on the Gosford Hospital campus, the applicant shall provide to the Certifying Authority a consolidation plan for the Gosford Hospital campus in accordance with the *Indicative Consolidation Plan (190170-SK-004)* prepared by ADW Johnson, dated 13 March 2015 registered at NSW Land and Property Information. An easement to drain water 3 m wide over the existing pipeline in Holden Street from Ward Street to the existing drainage system, and

an easement through Lot 25 DP774976 to convey stormwater to Showground Road shall be identified on the plan.

- D8. Prior to occupation or the commencement of use of the new buildings in the Stage 1 Health and Wellbeing Precinct, the applicant shall provide to the Certifying Authority a subdivision plan for the Stage 1 Health and Wellbeing Precinct in accordance with the *Indicative Subdivision Layout Plan (190170-SK-003)* prepared by ADW Johnson, dated 13 March 2015 registered at the NSW Land and Property Information.
- D9. Prior to occupation or the commencement of use, the applicant shall provide to the Certifying Authority a plan of the proposed road closure in accordance with the *Plan of Proposed Road Closure - Holden Street and Beane Street West (190170-SK-001)* prepared by ADW Johnson, dated 13 March 2015 registered at NSW Land and Property Information.

Registration of Easements

- D10. Prior to the issue of a subdivision certificate, the applicant shall provide to the Certifying Authority 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.

On Site Detention – Registration of Restriction and Covenant

- D11. Prior to the registration of the applicable plan of subdivision and an instrument under the Conveyancing Act 1919, proof of the creation of a 'restriction on use of land' and 'positive covenant' over the on-site detention system and/or nutrient/pollution facility shall be submitted to the satisfaction of the Certifying Authority.
- D12. A positive covenant shall be created with Council having the benefit of these covenants and having sole authority to release and modify the covenant must be prepared by the Council's solicitor at the owners cost prior to or with the registration of the plan of subdivision as referenced in condition D7 and D8.

Compliance Certificate

- D13. A Section 307 Compliance Certificate in accordance with the *Water Management Act 2000* must be obtained from the water supply authority (Gosford City Council).

The Section 307 Certificate must be submitted to the Certifying Authority prior to occupation of the new acute services tower building and the Stage 1 Health and Wellbeing Precinct buildings.

Post-construction Dilapidation Report

- D14. Prior to occupation of the new hospital tower building and the Stage 1 Health and Wellbeing Precinct buildings:
- 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 Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the Certifying Authority 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

- D15. Prior to the occupation of the new acute services tower building and the Stage 1 Health and Wellbeing Precinct buildings, 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

- D16. A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to the occupation of the new acute services tower building and the Stage 1 Health and Wellbeing Precinct buildings. 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; and
 - b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

Drainage Plan

- D17. Prior to occupation of the new acute services tower building and the Stage 1 Health and Wellbeing Precinct buildings, the applicant shall submit to Council and the Certifying Authority a works-as-executed drainage plan prepared by a registered surveyor and approved by a suitably qualified and experienced Hydraulic Engineer. The works-as-executed drainage plan shall be to the satisfaction of the Certifying Authority.

Site Remediation

- D18. Prior to the issue of the relevant Occupation Certificate, the site is to be remediated in accordance with the *Remediation Action Plans* prepared by Douglas Partners dated October 2015.

Noise Attenuation

- D19. Prior to the occupation of the new acute services tower building and the Stage 1 Health and Wellbeing Precinct buildings, the details of the acoustic treatments/management controls recommended in the *Acoustic Assessment* prepared by Acoustic Logic dated 24 June 2015 shall be submitted to the Certifying Authority.

E POST OCCUPATION

Noise Control – General

- E1. The use of the premise shall not cause nuisance, or an offensive noise as defined in the Protection of the Environment Operations Act 1997 to any affected receiver.

Noise Control – Plant and Machinery

- E2. Noise associated with the operation of any plant, machinery or other equipment on the site, shall not give rise to any one or more of the following:
- 1) Transmission of “offensive noise” as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy.
 - 2) A sound pressure level at any affected residential property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the premises. The source noise level must be assessed as a LAeq, 15 minute.

- 3) Notwithstanding compliance with (1) and (2) above, the noise from mechanical plant associated with the premises must not exceed 5dB(A) above the background noise level between the hours of 12 midnight and 7 am.

Loading and Unloading

- E3. All loading and unloading, including deliveries to and from the site in connection with the use must be carried out in a manner so as not to cause inconvenience to the public or detrimentally impact the amenity of the locality. All vehicles using the loading area shall enter and exit the site in a forward motion.

Unobstructed Driveways and Parking Areas

- E4. 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.

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 per cent 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.

Ecologically Sustainable Development

- E8. The operation of the development shall implement the ESD principles and design measures outlined within the Environmental Impact Statement prepared by City Plan Services dated July 2015.

Stormwater Detention Facilities

- E9. The maintenance of on-site stormwater detention facilities and nutrient/pollution control facilities shall be undertaken in accordance with the facilities operation and maintenance plan.

ADVISORY NOTES

Regional Transport and Traffic Working Group

AN1. The applicant shall continue to work with Transport for New South Wales through its Regional Transport and Traffic Working Group to address any traffic, transport, parking and pedestrian issues associated with the proposed development.

On-street Parking Restrictions

AN2. The applicant shall provide Council's Local Traffic Committee with details of the desired changes to on-street parking restrictions for all roads within walking distance to the new entry on Showground Road taking into account Council's policy to increase short stay parking in the central area of Gosford.

Appeals

AN3. 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

AN4. 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

AN5. The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Temporary Structures

AN6.

- 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

AN7. 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

AN8.

- a) 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.

- b) 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

- AN9. 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

- AN10. 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.
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