

20 December 2017

Luisa Maguire  
Department of Planning & Environment  
GPO Box 39  
Sydney NSW 2001

Dear Luisa,

**Re: Hornsby Ku-ring-gai Hospital - Redevelopment Stage 2**  
**Property: Palmerston Road, Hornsby**

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Thank you for your letter dated 13 November, 2017 regarding the above matter. Council has reviewed the documentation and plans submitted as part of the application for the Stage 2 re-development of the Hornsby Ku-ring-gai Hospital and provides the following comments:

**Planning**

The subject land is zoned SP2 Infrastructure under the *HLEP*. The objectives of the SP2 zone are:

*To provide for infrastructure and related uses.*

*To prevent development that is not compatible with or that may detract from the provision of infrastructure.*

The zoning permits with development consent the purpose shown on the Land Zoning Map - 'Health Services Facility'.

*HLEP* includes the following definitions:

***health services facility*** means a building or place used to provide medical or other services relating the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following:

- (a) a medical centre,
- (b) community health service facility,
- (c) health consulting rooms,
- (d) patient transport facilities, including helipads and ambulance facilities,
- (e) hospital.

and

***hospital*** means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities for (or that consist of) any of the following:

- (a) day surgery, day procedures or health consulting rooms,
- (b) accommodation for nurses or other health care workers,
- (c) accommodation for persons receiving health care or for their visitors,
- (d) shops, kiosks, restaurants or cafes or take-away food and drink premises,
- (e) patient transport facilities, including helipads, ambulance facilities and car parking,
- (f) educational purposes or any other health-related use,
- (g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),
- (h) chapels,
- (i) hospices,
- (j) mortuaries.

The proposed hospital facility is permissible with development consent pursuant to *HLEP*.

Clause 5.9 of the *HLEP* preserves the amenity of the area through the preservation of trees and vegetation as administered under Hornsby Development Control Plan 2013.

Clause 5.10 of the *HLEP* sets out heritage conservation provisions for Hornsby Shire.

#### Heritage Items

The hospital site is listed as a heritage item (*No. 529 – Collingwood House*) under the provisions of Schedule 5 (Environmental Heritage) of the *Hornsby Local Environmental Plan 2013 (HLEP)*.

The property is also located in the vicinity of heritage listed *Street Trees (No. 528)* located along the roadside of Palmerston Road.

The listed heritage item Collingridge House is a late 1890's stone cottage built by the local artist George Collingridge. In 1954 the cottage was donated to Hornsby Hospital and adaptively re-used as the Hospital Chapel. The unique stone cottage is one of the most notable heritage items in Hornsby of great historical, social and aesthetical value.

The listed street trees in Palmerston Road are a formal avenue of native Brush Box (*Lophostemon confertus*), believed to have been planted around the opening of Hornsby Hospital (1933). The avenue is consistent with the local thematic approach of neighbouring streets and is significant in terms of its historical associations, aesthetical and representative values.

Council's heritage assessment raises concerns over complete demolition of the Original Hospital Buildings (Building 1, 2 and 3) which are historically and aesthetically significant at a moderate level. Although they are not listed heritage items, they are landmark buildings within the Hornsby Hospital site and a visual representation of the history and foundation of the place.

Council would recommend an option be considered to incorporate some of the historic 1933 buildings to be retained within the new design to preserve the social history and aesthetic significance of the place.

The proposed works around Collingridge house (the chapel building) would have a positive impact on the heritage listed item. The proposed expanded curtilage and landscape setting would restore the building to be appreciated in the round. The temporary demountable is not a permanent structure, and therefore will have no lasting heritage impact. Further reasonable conditions are requested to ensure the stability of the property is retained during excavation works within the vicinity.

#### Traffic & Safety

- The Transport and Accessibility Assessment (TAA) has mentioned 14m long gas trucks and Heavy Rigid Vehicles (HRV) to service the hospital with swept paths to show these vehicles can access the site. Council's Traffic Branch requires clarification regarding what type of heavy vehicle is a 14m long gas trucks? Council is unaware of this size HRV.

Council's Traffic Branch also requires a swept path analysis of the 14m long gas truck accessing the gas storage facility with the proper road geometry (showing full width of road with parking occupancy).

- The intersection of Edgeworth David Avenue/Palmerston Road/Myra Street is identified to be operating at a Level of Service (LOS) F. Traffic Branch has concerns with how the additional traffic will access Edgeworth David Ave via Palmerston Rd. There is an alternative route for motorists heading east/south from the hospital via Balmoral Street to access Edgeworth David Avenue and this is likely to be the preferred route when Palmerston Rd is delayed. However, there are existing traffic facilities on Balmoral Street which need to be removed in order to make Balmoral Street an attractive alternative route. Traffic Branch requests the existing traffic facilities on Balmoral Street to be removed as a condition with the hospital redevelopment proposal.
- The TAA has identified that the roundabout intersection of Sherbrook Road/Northcote Road is currently operating at LOS A and predicting to operate at LOS E post development in the PM weekday peak. As a result Traffic Branch requests an upgrade of the existing roundabout intersection of Sherbrook Road/Northcote to a traffic controlled signalised intersection.

## **Recommendations**

Should the Director General recommend approval of the development the following conditions are requested by Council:-

### **1. Approved Plans and Supporting Documentation**

The development must be carried out in accordance with the plans and documentation.

### **2. Building Code of Australia**

All approved building work must be carried out in accordance with the relevant requirements of the Building Code of Australia.

### **3. Sydney Water – Approval**

This application must be submitted to *Sydney Water* for approval to determine whether the development would affect any *Sydney Water* infrastructure, and whether further requirements are to be met.

*Note: Building plan approvals can be obtained online via Sydney Water Tap in<sup>TM</sup> through [www.sydneywater.com.au](http://www.sydneywater.com.au) under the Building and Development tab.*

### **4. Stormwater Drainage - General**

The stormwater drainage system for the development must be designed in accordance with Council's *Civil Works – Design and Construction Specification 2005* and the following requirements:-

- a) Connected to an existing Council piped drainage system with the following requirements :-

- i) A separate Application must be made to Council for 'Approval To Connect Stormwater Drainage Outlet To Council's System' with all fees paid, prior to connecting to Council's drainage system;
- ii) The connection to Council's drainage pit or pipeline in accordance with Councils Design Standard Drawing No. 6 must be inspected by a Council Engineer from Council's Planning Division;

*Note: An inspection booking can be made by calling Council on 9847 6760 quoting the Application reference number commencing **SD***

- iii) Connection to Council's drainage system shall include design and construction of Council's standard kerb inlet pit in accordance with Council's Design and Construction Specification 2005. The Applicant's Engineer must prepare the design of system including location of proposed work in the plan. Three (3) copies of the plan shall be submitted with lodgement and payment of the Application;
- iv) A Traffic Control Plan (TCP) must be prepared by a qualified traffic controller in accordance with the Roads & Traffic Authority's Traffic Control at Worksites Manual 1998 and Australian Standard 1742.3 for all work on a public road. Three (3) copies of the Traffic Control Plan shall be submitted for Council's approval. The TCP must detail the following:-
  - a. Arrangements for public notification of the works;
  - b. Where a drainage connection is proposed within a Classified Road, a copy of the relevant Road Occupation License approved by the Traffic Management Centre with dates and times of proposed Occupations;
  - c. Temporary construction signage;
  - d. Vehicle movement plans;
  - e. Traffic management plans; and
  - f. Pedestrian and cyclist access/safety.
- v) Where public assets and utilities are impacted by proposed works, the Applicant shall relocate or reconstruct the asset or utility in accordance with the relevant standard at the Applicant's cost;
- vi) A Compliance Certificate must be obtained from Council for the connection to Council's drainage system prior to occupation of the development.

## 5. On Site Stormwater Detention and Water Quality

An on-site stormwater detention system must be designed by a chartered civil engineer and constructed in accordance with the following requirements:-

- a) The developing area of the site shall ensure its 5 year average recurrence interval (ARI) runoff reduced to the pre-development site cover rate. The volume of the on-site detention system shall ensure its capable of detaining the 20 year ARI post-development site cover storm;
- b) The water quality treatment system shall be designed and constructed to provide water quality outcomes as per Council's HDCP2013 Section 1C.1.2.i requirements;
- c) Have a surcharge/inspection grate located directly above the outlet;

- d) Discharge from the detention system must be controlled via 1 metre length of pipe, not less than 50 millimetres diameter or via a stainless plate with sharply drilled orifice bolted over the face of the outlet discharging into a larger diameter pipe capable of carrying the design flow to an approved Council system;
- e) Where above ground and the average depth is greater than 0.3 metres, a 'pool type' safety fence and warning signs must be installed; and
- f) Not be constructed in a location that would impact upon the visual or recreational amenity of residents.

## **6. Footpath**

A concrete footpath must be designed across the area impacted of the subject site in accordance Council's *Civil Works Design and Construction Specification 2005* and the following requirements:

- a) The existing footpath being removed.
- b) Pouring of the concrete footpath to the full frontage of the subject site.
- c) Segmental block paving to be constructed along the full width of the footway over the full frontage to the site, including the planting of street trees in suitable grates or bays in the footway area.
- d) Any public utility adjustments to be carried out at the cost of the applicant and to the requirements of the relevant public authority.

## **7. Construction Traffic Management Plan**

In order to enable unencumbered movement of traffic in the public road during construction works, a Construction Management Plan, including a Traffic Management Plan and scaled construction plans prepared by a suitably Chartered and Qualified Chartered Civil Engineer and Qualified Worksite Traffic Controller shall be prepared according to the following requirements:-

- a) The plans shall detail the order of construction works and arrangement of all construction machines and vehicles being used at the same time during all stages.
- b) The CTMP plans shall be in accordance with the approved Development Application plans and the Development Consent conditions.
- c) In order to prevent injury, accident and loss of property, no building materials, work sheds, vehicles, machines or the like shall be allowed to remain in the road reserve area without the written consent of Hornsby Shire Council.
- d) The Plan shall be generally in compliance with the requirements of the Road and Traffic Authority's "Traffic Control at Worksites Manual 1998" and detailing:-
  - i) Public notification of proposed works;
  - ii) Long term signage requirements;
  - iii) Short term (during actual works) signage;
  - iv) Vehicle Movement Plans, where applicable;
  - v) Traffic Management Plans;
  - vi) Pedestrian and Cyclist access and safety;

- e) The plans shall indicate traffic controls including those used during non-working hours and shall provide pedestrian access and two-way traffic in the public road to be facilitated at all times.
- f) The plans shall include the proposed truck routes to and from the site including details of the frequency of truck movements at the different stages of the development. The plan shall also include details of parking arrangements for all employees and contractors.
- g) The Applicant and all employees of contractors on the site must obey any direction or notice from the Prescribed Certifying Authority or Hornsby Shire Council in order to ensure the above.
- h) If there is a requirement to obtain a Work Zone, partial Road Closure or Crane Permit an application to Hornsby Shire Council is to be made prior to the issue the Construction Certificate

## **8. Waste Management Plan**

A minimum 80% reuse/recycling of the demolition waste except where the waste is deemed to be contaminated.

## **REQUIREMENTS PRIOR TO THE COMMENCEMENT OF ANY WORKS**

## **9. Erection of Construction Sign**

- a) A sign must be erected in a prominent position on any site on which any approved work is being carried out:
  - i) Showing the name, address and telephone number of the principal certifying authority for the work;
  - ii) Showing the name of the principal contractor (if any) for any demolition or building work and a telephone number on which that person may be contacted outside working hours; and
  - iii) Stating that unauthorised entry to the work site is prohibited.
- b) The sign is to be maintained while the approved work is being carried out and must be removed when the work has been completed.

## **10. Protection of Adjoining Areas**

A temporary hoarding, fence or awning must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:

- a) Could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic;
- b) Could cause damage to adjoining lands by falling objects; and/or
- c) Involve the enclosure of a public place or part of a public place.

*Note: Notwithstanding the above, Council's separate written approval is required prior to the erection of any structure or other obstruction on public land.*

## **11. Toilet Facilities**

- a) To provide a safe and hygienic workplace, toilet facilities must be available or be installed at the works site before works begin and must be maintained until the works are completed at a ratio of one toilet for every 20 persons employed at the site.
- b) Each toilet must:
  - i) be a standard flushing toilet connected to a public sewer; or
  - ii) be a temporary chemical closet approved under the *Local Government Act 1993*; or
  - iii) have an on-site effluent disposal system approved under the *Local Government Act 1993*.

## **12. Erosion and Sediment Control**

To protect the water quality of the downstream environment, erosion and sediment control measures must be provided and maintained throughout the construction period in accordance with the manual 'Soils and Construction 2004 (Bluebook)', the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sediment control devices must remain in place until the site has been stabilised and revegetated.

*Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning.*

## **13. Appointment of a Project Arborist**

A project arborist with AQF Level 5 qualifications must be appointed to provide monitoring and certification throughout the construction period.

## **14. Installation of Tree Protection**

- a) Tree protection fencing for the trees to be retained must be erected around trees to be retained at a minimum distance based on the trees structural root zone.

## **15. Tree Protection Certification**

To ensure that all tree protection measures are correctly installed, a certificate from the appointed project arborist must be submitted to the Principal Certifying Authority confirming compliance with the tree protection requirements of this consent.

<b>REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION</b>
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## **16. Construction Vehicles**

All construction vehicles associated with the proposed development are to be contained on site.

## **17. Construction Work Hours**

All works on site, including demolition and earth works, must only occur between 7am and 5.30pm Monday to Friday and between 7.30am to 3.30pm Saturdays.

No work is to be undertaken on Sundays or public holidays.

## **18. Demolition**

To protect the surrounding environment, all demolition work must be carried out in accordance with "Australian Standard 2601-2001 – The Demolition of Structures" and the following requirements:

- a) Demolition material must be disposed of to an authorised recycling and/or waste disposal site and/or in accordance with an approved waste management plan;
- b) Demolition works, where asbestos material is being removed, must be undertaken by a contractor that holds an appropriate licence issued by *WorkCover NSW* in accordance with Chapter 10 of the *Occupational Health and Safety Regulation 2001* and Clause 29 of the *Protection of the Environment Operations (Waste) Regulation 2005*; and
- c) On construction sites where any building contain asbestos material, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' and measuring not less than 400mm x 300mm must be displayed in a prominent position visible from the street.

## **19. Environmental Management**

- a) The site must be managed in accordance with the publication '*Managing Urban Stormwater – Landcom (March 2004)*' and the *Protection of the Environment Operations Act 1997* by way of implementing appropriate measures to prevent sediment run-off, excessive dust, noise or odour emanating from the site during the construction of the development.
- b) The development is to be carried out in accordance with the Preliminary Construction Management Plan prepared by APP dated 19/09/17.
- c) The development is to be carried out in accordance with the Noise Impact Assessment prepared by Acoustic Logic dated 15/09/2017 in respect to mitigation of high noise activities.

## **20. Street Sweeping**

To protect the surrounding environment, Street sweeping must be undertaken following sediment tracking from the site along surrounding roads during works and until the site is established.

The street cleaning services must undertake a street 'scrub and dry' method of service and not a dry sweeping service that may cause sediment tracking to spread or cause a dust nuisance.

## **21. Building materials and Site Waste**

The filling or stockpiling of building materials, the parking of vehicles or plant, the disposal of cement slurry, waste water or other contaminants must be located outside the tree protection zones as prescribed in the conditions of this consent.

## **22. Works Near Trees Certification**

- a) The project arborist must submit to the Principal Certifying Authority on a monthly a certificate that the works have been carried out in compliance with the approved plans and specifications for tree protection.
- b) Certification should include a statement of site attendance, the condition of the retained trees, details of any deviations from the approved tree protection measures and their impacts on trees.

Note: Copies of monitoring documentation may be required by the PCA and/or Council.

## **23. Council Property**

To ensure that the public reserve is kept in a clean, tidy and safe condition during construction works, no building materials, waste, machinery or related matter is to be stored on the road or footpath.



## **24. Landfill**

Landfill must be constructed in accordance with Council's 'Construction Specification 2005' and the following requirements:

- a) All fill material imported to the site is to wholly consist of Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the Protection of the Environment Operations Act, 1997 or a material approved under the Department of Environment and Climate Change's general resource recovery exemption.

## **25. Excavated Material**

All excavated material removed from the site must be classified by a suitably qualified person in accordance with the Department of Environment, Climate Change and Water NSW Waste Classification Guidelines prior to disposal to an approved waste management facility and be reported to the principal certifying authority prior to the issue of an Occupation Certificate.

## **26. Noise (Operational)**

All noise generated by the proposed development must be attenuated to prevent levels of noise being emitted to adjacent premises which possess tonal, beating and similar characteristics or which exceeds background noise levels by more than 5dB(A).

## **27. Storage of Flammable and Combustible Goods**

Flammable and combustible liquids must be stored in accordance with Australian Standard 1940 – The Storage and Handling of Flammable and Combustible Liquids. A bund wall must be constructed around all work and liquid storage areas to prevent any spillage entering into the stormwater system. The bunded area must provide a volume equal to 110% of the largest container stored and graded to a blind sump so as to facilitate emptying and cleansing.

## **28. Trade Waste**

Liquid trade waste generated on the site must be discharged in accordance with a trade waste agreement with Sydney Water and by a licensed liquid trade waste contractor.

## **29. Asbestos and Soil Contamination**

Should the presence of asbestos or soil contamination, not recognised during the application process be identified during works, the applicant must immediately notify the Principal Certifying Authority (PCA) and the Appropriate Regulatory Authority (ARA).

**30. Hazardous Materials Report**

Provide a hazardous materials report prepared by a suitably qualified Occupational Hygienist that the site is clear of contamination and suitable for the intended use. The survey is to be undertaken in accordance with the Work Health and Safety Regulation 2011 (NSW) including laboratory analysis for asbestos and lead on the site and within the soil.

**31. Validation Report**

A validation report must be prepared by a suitably qualified environmental consultant in accordance with the NSW Environment Protection Authority's Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites and Contaminated Sites – Sampling Design Guidelines validating that the proposed development site has been remediated and is suitable for its intended use.

**32. Traffic Control Plan Compliance**

The development must be carried out in accordance with the Construction Traffic Management Plan prepared under this consent.

<b>REQUIREMENTS PRIOR TO OCCUPATION</b>
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**33. Sydney Water – s73 Certificate**

A s73 Certificate must be obtained from Sydney Water and submitted to the PCA..

*Note: Sydney Water requires that s73 applications are to be made through an authorised Sydney Water Servicing Coordinator. Refer to [www.sydneywater.com.au](http://www.sydneywater.com.au) or telephone 13 20 92 for assistance.*

**34. Certification of WSUD Facilities**

Prior to occupation a certificate from a Civil Engineer is to be obtained stating that the WSUD facilities have been constructed and will meet the water quality targets as specified in the Hornsby Shire Councils DCP.

**35. Works as Executed Plan**

A works-as-executed plan(s) must be prepared by a registered surveyor and submitted to Council for completed pavements, kerb & gutter, drainage systems, driveways and on-site detention and water quality treatment systems.

**36. Damage to Council Assets**

To protect public property and infrastructure, any damage caused to Council's assets as a result of the construction or demolition of the development must be rectified by the applicant in accordance with Council's Civil Works Specifications. Rectification works must be undertaken prior to the occupation of the building.

**37. Completion of Landscaping**

A certificate must be submitted to the PCA by a practicing landscape architect, horticulturalist or person with similar qualifications and experience certifying that all required landscaping works have been satisfactorily completed in accordance with the approved landscape plans.

*Note: Advice on suitable species for landscaping can be obtained from Council's planting guide 'Indigenous Plants for the Bushland Shire', available at [www.hornsby.nsw.gov.au](http://www.hornsby.nsw.gov.au).*

### **38. Preservation of Survey Marks**

A certificate by a Registered Surveyor must be submitted to the Principal Certifying Authority, certifying that there has been no removal, damage, destruction, displacement or defacing of the existing survey marks in the vicinity of the proposed development or otherwise the re-establishment of damaged, removed or displaced survey marks has been undertaken in accordance with the Surveyor General's Direction No.11 – **"Preservation of Survey Infrastructure"**.

A certificate by a Registered Surveyor must be submitted to the Principal Certifying Authority.

### **39. Creation of Restrictions and Positive Covenants**

The following matter(s) must be nominated on title under s88E of the *Conveyancing Act, 1919*;

Application to be made to Council for *Execution of Legal Documents* for the following;

- a) The creation of an appropriate *"Positive Covenant"* and *"Restriction as to User"* over the constructed on-site detention/retention/water quality treatment systems and outlet works, within the lots in favour of Council in accordance with terms available from Council. The position of the on-site detention system(s) is to be clearly indicated on the title with a Surveyor's Sketch to accompany Dealing documentation ;
- b) To register the on-site detention/retention/water quality treatment systems Positive Covenant and restriction on the use of land *"works-as-executed"* details of the on-site-detention system and water quality treatment system must be submitted verifying that the required storage and discharge rates have been constructed in accordance with the design requirements. The details must show the invert levels of the onsite system together with pipe sizes and grades. The details must be accompanied with electronic copies of all treatment systems' technical specifications and maintenance manuals. Any variations to the approved plans must be shown in red on the *"works-as-executed"* plan and supported by calculations;

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

## **OPERATIONAL CONDITIONS**

### **40. Noise**

All noise generated by the proposed development must be attenuated to prevent levels of noise being emitted to adjacent premises which possess tonal, beating and similar characteristics or which exceeds background noise levels by more than 5dB(A).

### **41. Car Parking**

All car parking must be constructed and operated in accordance with *Australian Standard AS/NZS 2890.1:2004 – Off-street car parking*, and *Australian Standard 2890.2 - 2002 – Off-street commercial vehicle facilities* and the following requirement:

- a) All parking areas and driveways are to be sealed to an all weather standard, line marked and signposted.
- b) Car parking, loading and manoeuvring areas to be used solely for nominated purposes.
- c) Vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads;
- d) All vehicular entry on to the site and egress from the site shall be made in a forward direction.

**42. Traffic Report**

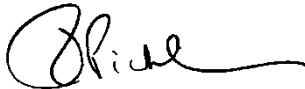
Traffic report is to be provided by the applicant six months after the development is fully operational. The report is to include but not be limited to review of traffic conditions and level of service at key intersection identified in the original traffic assessment report.

**43. Landscape Establishment**

The landscape works must be maintained into the future to ensure the establishment and successful growth of plant material to meet the intent of the landscape design. This must include but not be limited to watering, weeding, replacement of failed plant material and promoting the growth of plants through standard industry practices.

Should you wish to discuss this matter further, please contact Council's Manager Development Assessment, Mr Rod Pickles on telephone 9847 6731.

Yours sincerely



R PICKLES  
Manager Assessments  
Planning Division

TRIM Reference: F2009/00770

20 December 2017

Luisa Maguire  
Department of Planning & Environment  
GPO Box 39  
Sydney NSW 2001

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- (c) *accommodation for persons receiving health care or for their visitors,*
- (d) *shops, kiosks, restaurants or cafes or take-away food and drink premises,*
- (e) *patient transport facilities, including helipads, ambulance facilities and car parking,*
- (f) *educational purposes or any other health-related use,*
- (g) *research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),*
- (h) *chapels,*
- (i) *hospices,*
- (j) *mortuaries.*

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- The TAA has identified that the roundabout intersection of Sherbrook Road/Northcote Road is currently operating at LOS A and predicting to operate at LOS E post development in the PM weekday peak. As a result Traffic Branch requests an upgrade of the existing roundabout intersection of Sherbrook Road/Northcote to a traffic controlled signalised intersection.

## **Recommendations**

Should the Director General recommend approval of the development the following conditions are requested by Council:-

### **1. Approved Plans and Supporting Documentation**

The development must be carried out in accordance with the plans and documentation.

### **2. Building Code of Australia**

All approved building work must be carried out in accordance with the relevant requirements of the Building Code of Australia.

### **3. Sydney Water – Approval**

This application must be submitted to *Sydney Water* for approval to determine whether the development would affect any *Sydney Water* infrastructure, and whether further requirements are to be met.

*Note: Building plan approvals can be obtained online via Sydney Water Tap in™ through [www.sydneywater.com.au](http://www.sydneywater.com.au) under the Building and Development tab.*

### **4. Stormwater Drainage - General**

The stormwater drainage system for the development must be designed in accordance with Council's *Civil Works – Design and Construction Specification 2005* and the following requirements:-

- a) Connected to an existing Council piped drainage system with the following requirements :-

- i) A separate Application must be made to Council for 'Approval To Connect Stormwater Drainage Outlet To Council's System' with all fees paid, prior to connecting to Council's drainage system;
- ii) The connection to Council's drainage pit or pipeline in accordance with Councils Design Standard Drawing No. 6 must be inspected by a Council Engineer from Council's Planning Division;

*Note: An inspection booking can be made by calling Council on 9847 6760 quoting the Application reference number commencing **SD***

- iii) Connection to Council's drainage system shall include design and construction of Council's standard kerb inlet pit in accordance with Council's Design and Construction Specification 2005. The Applicant's Engineer must prepare the design of system including location of proposed work in the plan. Three (3) copies of the plan shall be submitted with lodgement and payment of the Application;
- iv) A Traffic Control Plan (TCP) must be prepared by a qualified traffic controller in accordance with the Roads & Traffic Authority's Traffic Control at Worksites Manual 1998 and Australian Standard 1742.3 for all work on a public road. Three (3) copies of the Traffic Control Plan shall be submitted for Council's approval. The TCP must detail the following:-
  - a. Arrangements for public notification of the works;
  - b. Where a drainage connection is proposed within a Classified Road, a copy of the relevant Road Occupation License approved by the Traffic Management Centre with dates and times of proposed Occupations;
  - c. Temporary construction signage;
  - d. Vehicle movement plans;
  - e. Traffic management plans; and
  - f. Pedestrian and cyclist access/safety.
- v) Where public assets and utilities are impacted by proposed works, the Applicant shall relocate or reconstruct the asset or utility in accordance with the relevant standard at the Applicant's cost;
- vi) A Compliance Certificate must be obtained from Council for the connection to Council's drainage system prior to occupation of the development.

## 5. On Site Stormwater Detention and Water Quality

An on-site stormwater detention system must be designed by a chartered civil engineer and constructed in accordance with the following requirements:-

- a) The developing area of the site shall ensure its 5 year average recurrence interval (ARI) runoff reduced to the pre-development site cover rate. The volume of the on-site detention system shall ensure its capable of detaining the 20 year ARI post-development site cover storm;
- b) The water quality treatment system shall be designed and constructed to provide water quality outcomes as per Council's HDCP2013 Section 1C.1.2.i requirements;
- c) Have a surcharge/inspection grate located directly above the outlet;



- d) Discharge from the detention system must be controlled via 1 metre length of pipe, not less than 50 millimetres diameter or via a stainless plate with sharply drilled orifice bolted over the face of the outlet discharging into a larger diameter pipe capable of carrying the design flow to an approved Council system;
- e) Where above ground and the average depth is greater than 0.3 metres, a 'pool type' safety fence and warning signs must be installed; and
- f) Not be constructed in a location that would impact upon the visual or recreational amenity of residents.

## 6. Footpath

A concrete footpath must be designed across the area impacted of the subject site in accordance Council's *Civil Works Design and Construction Specification 2005* and the following requirements:

- a) The existing footpath being removed.
- b) Pouring of the concrete footpath to the full frontage of the subject site.
- c) Segmental block paving to be constructed along the full width of the footway over the full frontage to the site, including the planting of street trees in suitable grates or bays in the footway area.
- d) Any public utility adjustments to be carried out at the cost of the applicant and to the requirements of the relevant public authority.

## 7. Construction Traffic Management Plan

In order to enable unencumbered movement of traffic in the public road during construction works, a Construction Management Plan, including a Traffic Management Plan and scaled construction plans prepared by a suitably Chartered and Qualified Chartered Civil Engineer and Qualified Worksite Traffic Controller shall be prepared according to the following requirements:-

- a) The plans shall detail the order of construction works and arrangement of all construction machines and vehicles being used at the same time during all stages.
- b) The CTMP plans shall be in accordance with the approved Development Application plans and the Development Consent conditions.
- c) In order to prevent injury, accident and loss of property, no building materials, work sheds, vehicles, machines or the like shall be allowed to remain in the road reserve area without the written consent of Hornsby Shire Council.
- d) The Plan shall be generally in compliance with the requirements of the Road and Traffic Authority's "Traffic Control at Worksites Manual 1998" and detailing:-
  - i) Public notification of proposed works;
  - ii) Long term signage requirements;
  - iii) Short term (during actual works) signage;
  - iv) Vehicle Movement Plans, where applicable;
  - v) Traffic Management Plans;
  - vi) Pedestrian and Cyclist access and safety;

- e) The plans shall indicate traffic controls including those used during non-working hours and shall provide pedestrian access and two-way traffic in the public road to be facilitated at all times.
- f) The plans shall include the proposed truck routes to and from the site including details of the frequency of truck movements at the different stages of the development. The plan shall also include details of parking arrangements for all employees and contractors.
- g) The Applicant and all employees of contractors on the site must obey any direction or notice from the Prescribed Certifying Authority or Hornsby Shire Council in order to ensure the above.
- h) If there is a requirement to obtain a Work Zone, partial Road Closure or Crane Permit an application to Hornsby Shire Council is to be made prior to the issue the Construction Certificate

## **8. Waste Management Plan**

A minimum 80% reuse/recycling of the demolition waste except where the waste is deemed to be contaminated.

## **REQUIREMENTS PRIOR TO THE COMMENCEMENT OF ANY WORKS**

## **9. Erection of Construction Sign**

- a) A sign must be erected in a prominent position on any site on which any approved work is being carried out:
  - i) Showing the name, address and telephone number of the principal certifying authority for the work;
  - ii) Showing the name of the principal contractor (if any) for any demolition or building work and a telephone number on which that person may be contacted outside working hours; and
  - iii) Stating that unauthorised entry to the work site is prohibited.
- b) The sign is to be maintained while the approved work is being carried out and must be removed when the work has been completed.

## **10. Protection of Adjoining Areas**

A temporary hoarding, fence or awning must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:

- a) Could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic;
- b) Could cause damage to adjoining lands by falling objects; and/or
- c) Involve the enclosure of a public place or part of a public place.

*Note: Notwithstanding the above, Council's separate written approval is required prior to the erection of any structure or other obstruction on public land.*

## **11. Toilet Facilities**

- a) To provide a safe and hygienic workplace, toilet facilities must be available or be installed at the works site before works begin and must be maintained until the works are completed at a ratio of one toilet for every 20 persons employed at the site.
- b) Each toilet must:
  - i) be a standard flushing toilet connected to a public sewer; or
  - ii) be a temporary chemical closet approved under the *Local Government Act 1993*; or
  - iii) have an on-site effluent disposal system approved under the *Local Government Act 1993*.

## **12. Erosion and Sediment Control**

To protect the water quality of the downstream environment, erosion and sediment control measures must be provided and maintained throughout the construction period in accordance with the manual 'Soils and Construction 2004 (Bluebook)', the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sediment control devices must remain in place until the site has been stabilised and revegetated.

*Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning.*

## **13. Appointment of a Project Arborist**

A project arborist with AQF Level 5 qualifications must be appointed to provide monitoring and certification throughout the construction period.

## **14. Installation of Tree Protection**

- a) Tree protection fencing for the trees to be retained must be erected around trees to be retained at a minimum distance based on the trees structural root zone.

## **15. Tree Protection Certification**

To ensure that all tree protection measures are correctly installed, a certificate from the appointed project arborist must be submitted to the Principal Certifying Authority confirming compliance with the tree protection requirements of this consent.

<b>REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION</b>
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## **16. Construction Vehicles**

All construction vehicles associated with the proposed development are to be contained on site.

## **17. Construction Work Hours**

All works on site, including demolition and earth works, must only occur between 7am and 5.30pm Monday to Friday and between 7.30am to 3.30pm Saturdays.

No work is to be undertaken on Sundays or public holidays.

## **18. Demolition**

To protect the surrounding environment, all demolition work must be carried out in accordance with "Australian Standard 2601-2001 – The Demolition of Structures" and the following requirements:

- a) Demolition material must be disposed of to an authorised recycling and/or waste disposal site and/or in accordance with an approved waste management plan;
- b) Demolition works, where asbestos material is being removed, must be undertaken by a contractor that holds an appropriate licence issued by *WorkCover NSW* in accordance with Chapter 10 of the *Occupational Health and Safety Regulation 2001* and Clause 29 of the *Protection of the Environment Operations (Waste) Regulation 2005*; and
- c) On construction sites where any building contain asbestos material, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' and measuring not less than 400mm x 300mm must be displayed in a prominent position visible from the street.

## **19. Environmental Management**

- a) The site must be managed in accordance with the publication '*Managing Urban Stormwater – Landcom (March 2004)*' and the *Protection of the Environment Operations Act 1997* by way of implementing appropriate measures to prevent sediment run-off, excessive dust, noise or odour emanating from the site during the construction of the development.
- b) The development is to be carried out in accordance with the Preliminary Construction Management Plan prepared by APP dated 19/09/17.
- c) The development is to be carried out in accordance with the Noise Impact Assessment prepared by Acoustic Logic dated 15/09/2017 in respect to mitigation of high noise activities.

## **20. Street Sweeping**

To protect the surrounding environment, Street sweeping must be undertaken following sediment tracking from the site along surrounding roads during works and until the site is established.

The street cleaning services must undertake a street 'scrub and dry' method of service and not a dry sweeping service that may cause sediment tracking to spread or cause a dust nuisance.

## **21. Building materials and Site Waste**

The filling or stockpiling of building materials, the parking of vehicles or plant, the disposal of cement slurry, waste water or other contaminants must be located outside the tree protection zones as prescribed in the conditions of this consent.

## **22. Works Near Trees Certification**

- a) The project arborist must submit to the Principal Certifying Authority on a monthly a certificate that the works have been carried out in compliance with the approved plans and specifications for tree protection.
- b) Certification should include a statement of site attendance, the condition of the retained trees, details of any deviations from the approved tree protection measures and their impacts on trees.

Note: Copies of monitoring documentation may be required by the PCA and/or Council.

## **23. Council Property**

To ensure that the public reserve is kept in a clean, tidy and safe condition during construction works, no building materials, waste, machinery or related matter is to be stored on the road or footpath.

## **24. Landfill**

Landfill must be constructed in accordance with Council's 'Construction Specification 2005' and the following requirements:

- a) All fill material imported to the site is to wholly consist of Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the Protection of the Environment Operations Act, 1997 or a material approved under the Department of Environment and Climate Change's general resource recovery exemption.

## **25. Excavated Material**

All excavated material removed from the site must be classified by a suitably qualified person in accordance with the Department of Environment, Climate Change and Water NSW Waste Classification Guidelines prior to disposal to an approved waste management facility and be reported to the principal certifying authority prior to the issue of an Occupation Certificate.

## **26. Noise (Operational)**

All noise generated by the proposed development must be attenuated to prevent levels of noise being emitted to adjacent premises which possess tonal, beating and similar characteristics or which exceeds background noise levels by more than 5dB(A).

## **27. Storage of Flammable and Combustible Goods**

Flammable and combustible liquids must be stored in accordance with Australian Standard 1940 – The Storage and Handling of Flammable and Combustible Liquids. A bund wall must be constructed around all work and liquid storage areas to prevent any spillage entering into the stormwater system. The bunded area must provide a volume equal to 110% of the largest container stored and graded to a blind sump so as to facilitate emptying and cleansing.

## **28. Trade Waste**

Liquid trade waste generated on the site must be discharged in accordance with a trade waste agreement with Sydney Water and by a licensed liquid trade waste contractor.

## **29. Asbestos and Soil Contamination**

Should the presence of asbestos or soil contamination, not recognised during the application process be identified during works, the applicant must immediately notify the Principal Certifying Authority (PCA) and the Appropriate Regulatory Authority (ARA).

**30. Hazardous Materials Report**

Provide a hazardous materials report prepared by a suitably qualified Occupational Hygienist that the site is clear of contamination and suitable for the intended use. The survey is to be undertaken in accordance with the Work Health and Safety Regulation 2011 (NSW) including laboratory analysis for asbestos and lead on the site and within the soil.

**31. Validation Report**

A validation report must be prepared by a suitably qualified environmental consultant in accordance with the NSW Environment Protection Authority's Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites and Contaminated Sites – Sampling Design Guidelines validating that the proposed development site has been remediated and is suitable for its intended use.

**32. Traffic Control Plan Compliance**

The development must be carried out in accordance with the Construction Traffic Management Plan prepared under this consent.

<b>REQUIREMENTS PRIOR TO OCCUPATION</b>
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**33. Sydney Water – s73 Certificate**

A s73 Certificate must be obtained from Sydney Water and submitted to the PCA..

*Note: Sydney Water requires that s73 applications are to be made through an authorised Sydney Water Servicing Coordinator. Refer to [www.sydneywater.com.au](http://www.sydneywater.com.au) or telephone 13 20 92 for assistance.*

**34. Certification of WSUD Facilities**

Prior to occupation a certificate from a Civil Engineer is to be obtained stating that the WSUD facilities have been constructed and will meet the water quality targets as specified in the Hornsby Shire Councils DCP.

**35. Works as Executed Plan**

A works-as-executed plan(s) must be prepared by a registered surveyor and submitted to Council for completed pavements, kerb & gutter, drainage systems, driveways and on-site detention and water quality treatment systems.

**36. Damage to Council Assets**

To protect public property and infrastructure, any damage caused to Council's assets as a result of the construction or demolition of the development must be rectified by the applicant in accordance with Council's Civil Works Specifications. Rectification works must be undertaken prior to the occupation of the building.

**37. Completion of Landscaping**

A certificate must be submitted to the PCA by a practicing landscape architect, horticulturalist or person with similar qualifications and experience certifying that all required landscaping works have been satisfactorily completed in accordance with the approved landscape plans.

*Note: Advice on suitable species for landscaping can be obtained from Council's planting guide 'Indigenous Plants for the Bushland Shire', available at [www.hornsby.nsw.gov.au](http://www.hornsby.nsw.gov.au).*

### **38. Preservation of Survey Marks**

A certificate by a Registered Surveyor must be submitted to the Principal Certifying Authority, certifying that there has been no removal, damage, destruction, displacement or defacing of the existing survey marks in the vicinity of the proposed development or otherwise the re-establishment of damaged, removed or displaced survey marks has been undertaken in accordance with the Surveyor General's Direction No.11 – **"Preservation of Survey Infrastructure"**.

A certificate by a Registered Surveyor must be submitted to the Principal Certifying Authority.

### **39. Creation of Restrictions and Positive Covenants**

The following matter(s) must be nominated on title under s88E of the *Conveyancing Act, 1919*;

Application to be made to Council for *Execution of Legal Documents* for the following;

- a) The creation of an appropriate *"Positive Covenant"* and *"Restriction as to User"* over the constructed on-site detention/retention/water quality treatment systems and outlet works, within the lots in favour of Council in accordance with terms available from Council. The position of the on-site detention system(s) is to be clearly indicated on the title with a Surveyor's Sketch to accompany Dealing documentation ;
- b) To register the on-site detention/retention/water quality treatment systems Positive Covenant and restriction on the use of land *"works-as-executed"* details of the on-site-detention system and water quality treatment system must be submitted verifying that the required storage and discharge rates have been constructed in accordance with the design requirements. The details must show the invert levels of the onsite system together with pipe sizes and grades. The details must be accompanied with electronic copies of all treatment systems' technical specifications and maintenance manuals. Any variations to the approved plans must be shown in red on the *"works-as-executed"* plan and supported by calculations;

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

## **OPERATIONAL CONDITIONS**

### **40. Noise**

All noise generated by the proposed development must be attenuated to prevent levels of noise being emitted to adjacent premises which possess tonal, beating and similar characteristics or which exceeds background noise levels by more than 5dB(A).

### **41. Car Parking**

All car parking must be constructed and operated in accordance with *Australian Standard AS/NZS 2890.1:2004 – Off-street car parking*, and *Australian Standard 2890.2 - 2002 – Off-street commercial vehicle facilities* and the following requirement:

- a) All parking areas and driveways are to be sealed to an all weather standard, line marked and signposted.
- b) Car parking, loading and manoeuvring areas to be used solely for nominated purposes.
- c) Vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads;
- d) All vehicular entry on to the site and egress from the site shall be made in a forward direction.

**42. Traffic Report**

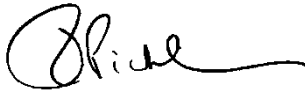
Traffic report is to be provided by the applicant six months after the development is fully operational. The report is to include but not be limited to review of traffic conditions and level of service at key intersection identified in the original traffic assessment report.

**43. Landscape Establishment**

The landscape works must be maintained into the future to ensure the establishment and successful growth of plant material to meet the intent of the landscape design. This must include but not be limited to watering, weeding, replacement of failed plant material and promoting the growth of plants through standard industry practices.

Should you wish to discuss this matter further, please contact Council's Manager Development Assessment, Mr Rod Pickles on telephone 9847 6731.

Yours sincerely



R PICKLES  
Manager Assessments  
Planning Division

TRIM Reference: F2009/00770