

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

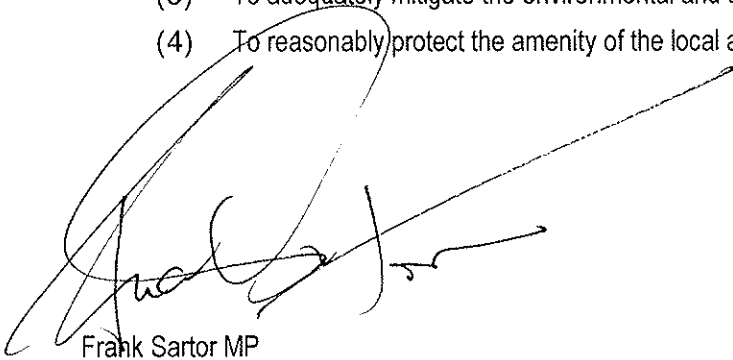
DETERMINATION OF MAJOR PROJECT NO. 06_0129

(FILE NO. 9042562 – 1)

I, the Minister for Planning, pursuant to Section 75J of the *Environmental Planning & Assessment Act, 1979*, determine Major Project No. 06_0129 referred to in the attached Schedule 1, by **granting approval** subject to the conditions of approval in the attached Schedule 2.

The reasons for the imposition of conditions are:

- (1) To encourage good urban design and a high standard of architecture.
- (2) To ensure the site is suitable for the proposed development and appropriately remediated.
- (3) To adequately mitigate the environmental and construction impacts of the development.
- (4) To reasonably protect the amenity of the local area.



Frank Sartor MP
Minister for Planning

Sydney,



2007

SCHEDULE 1

PART A — TABLE

Application made by:	Health Administration Corporation
Application made to:	Minister for Planning
Major Project Number:	06_0129
On land comprising:	Lots 1-16 in DP 873, Lot A in DP 102993, Lot B in DP 102993, Lot C in DP 420405 and Lot X 102994.
Local Government Area	Auburn City Council
For the carrying out of:	Redevelopment of Auburn as described in Condition A1, Part A, Schedule 2.
Capital Investment Value	Approximately \$139 million
Type of development:	Project approval under Part 3A of the EP&A Act
Determination made on:	26 January 2007
Determination:	Project approval is granted subject to the conditions in the attached Schedule 2.
Date of commencement of approval:	This approval commences on the date of the Minister's approval.
Date approval is liable to lapse	5 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the EP&A Act.

PART B — DEFINITIONS

In this approval the following definitions apply:

Act means the Environmental Planning and Assessment Act, 1979 (as amended).

Arthur Stone Annexe means the land bounded by Hargrave Road, Water Street and Auburn Road, Auburn and legally described as Lots 1-4 (inclusive) in DP 873.

Auburn Hospital Environmental Assessment means the document titled *Auburn Hospital Project Application and Environmental Assessment* (including accompanying Appendices) prepared by LFA (Pacific) Pty Ltd for NSW Health and dated September 2006. **BCA** means the Building Code of Australia.

Council means Auburn City Council.

Department means the Department of Planning or its successors.

Director means the Director of the Strategic Assessments Branch of the Department of Planning.

Director General means the Director General of the Department of Planning

Executive Director means the Executive Director of the Strategic Sites and Urban Renewals Division within the Department of Planning.

Main Hospital Site means the land bounded by Hargrave Road, Water Street, Hevington Road, and Norval Street, Auburn and legally described as Lots 5-16 (inclusive) in DP 873, Part Lot A in DP 102993, Lot B in DP 102993, Lot C in DP 420405 and Lot X 102994.

Major Project No. 06_0129 means the project described in Condition A1, Part A, Schedule 2 and the accompanying plans and documentation described in Condition A2, Part A, Schedule 2.

Minister means the Minister for Planning.

Project means development that is declared under Section 75B of the Act to be a project to which Part 3A of the Act applies.

Proponent means the person proposing the carry out of development comprising all or any part of the project, and includes persons certified by the Minister to be the proponent.

Regulations means the Environmental Planning and Assessment Regulations, 2000 (as amended).

RTA means the Roads and Traffic Authority.

Statement of Commitments means the Statement of Commitments (as they apply to this project) made by the Proponent dated December 2006.

Subject Site has the same meaning as the land identified in Part A of this schedule.

SCHEDULE 2

CONDITIONS OF APPROVAL

MAJOR PROJECT APPLICATION NO. MP 06_0129

PART A – ADMINISTRATIVE CONDITIONS

A1 *Development Description*

Project Approval is granted only to the carrying out of the following development:

- (1) Staged demolition of existing structures and removal of site vegetation;
- (2) Site preparation including excavation and decontamination;
- (3) Construction of a new 23, 000m² (approx) 184-bed five (5) storey hospital accommodating an emergency department, medical and surgical in-patients, and paediatric, maternity, new born care and high dependency patients;
- (4) Associated site infrastructure including a total of 150 temporary car parking spaces on the Arthur Stone Annexe and Main Hospital Site;
- (5) Retention of the existing single storey Geriatric / Aged Day Care Service Building on the Arthur Stone Annexe;
- (6) Establishment of new site access and cross over locations; and
- (7) Implementation of soft and hard landscaping.

A2 *Development in Accordance with Plans and Documentation*

The development shall be in accordance with the following plans and documentation:

Auburn Hospital Environmental Assessment			
Architectural (or Design) Drawings prepared by Suturs Architects Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
A-DA-001	1	Existing Survey	August 2006
A-DA-002	1	Site Plan – Masterplan	August 2006
A-DA-003	1	External Works Plan 1	August 2006
A-DA-004	1	External Works Plan 2	August 2006
A-DA-005	1	Arthur Stone – Site Plan Existing Survey	August 2006
A-DA-011	1	Demolition Plan Stage 1A	August 2006
A-DA-012	1	Demolition Plan Stage 1B	August 2006
A-DA-013	1	Arthur Stone Demolition and New Car Parking Plan	August 2006
A-DA-100	1	Basement Floor Plan	August 2006
A-DA-101	1	Lower Ground Floor Level	August 2006
A-DA-102	2	Ground Floor Level	June 2006
A-DA-103	1	First Floor Level	August 2006
A-DA-104	1	Second Floor Level	August 2006
A-DA-105	1	Third Floor Plan	August 2006
A-DA-106	1	Plantroom Level Plan	August 2006

A-DA-107	1	Roof Plan	August 2006
L-131	2	Stage 1 Building Works Landscape Plan	August 2006
L-132	2	External Works 2 Landscape Plan	August 2006
L-133	2	Arthur Stone New Carparking Landscape Plan	August 2006
A-DA-201	1	Sections	August 2006
A-DA-202	1	Sections	August 2006
A-DA-203	1	Sections	August 2006
A-DA-301	1	Elevations	August 2006
A-DA-302	1	Elevations	August 2006

Except for where amended by the following plans and documentation:

Preferred Project Report for Auburn Hospital Project Plan Application (December 2006) prepared for NSW Health by LFA (Pacific) Pty Ltd.

Statement of Commitments

A3 Inconsistency between plans and documentation

In the event of any inconsistency between conditions of this project approval and the plans and documentation referred to above, the conditions of this project approval prevail.

A4 Lapsing of Approval

The project approval will lapse 5 years after the approval date in Part A of Schedule 1 of this project approval unless specified action has been taken in accordance with Section 75Y of the Act.

A5 Prescribed Conditions

The proponent shall comply with the prescribed conditions of project approval under Section 75J(4) of the Act.

A6 Compliance with Relevant Legislation and Australian Standards

The proponent shall comply with all relevant Australian Standards and Codes (including Building Code of Australia) and obtain all necessary approvals required by State and Commonwealth legislation in undertaking the project described in Condition A1, Part A, Schedule 2 of this approval.

A7 Compliance Report

The proponent, or any party acting upon this approval, shall submit to Council upon its request a three monthly report addressing compliance with all relevant conditions of this approval.

PART B—PRIOR TO COMMENCEMENT OF WORKS

Design Details

B1 Details of Material, Colours and Finishes

Final design details of the proposed external materials and finishes, including schedules and a sample board of materials and colours, shall be submitted to and approved by the Director prior to the commencement of construction works.

B2 Reflectivity

The visible light reflectivity from building materials used on the facades of the buildings shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place.

B3 Outdoor Lighting

All outdoor lighting shall comply, where relevant, with AS/NZ 1158.3: 1999 *Pedestrian Area (Category P) Lighting* and Australian Standard AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*.

Remediation, Demolition and Earthworks

B4 Stage 2 Detailed Investigation

Prior to the commencement of construction works, a Stage 2 Detailed Investigation, including field investigations and laboratory analysis, shall be prepared and submitted to the Director for approval.

The Stage 2 Detailed Investigation shall also include additional test bores within the building footprint, subsequent to the demolition of existing buildings, for both site assessment purposes and to confirm the provisional waste classification.

The Stage 2 Detailed Investigation shall also investigate and determine the presence of hazardous building materials, including but not limited to, asbestos, lead paint, and PCB-containing light fittings. Appropriate removal and disposal measures shall be recommended.

Note: Nothing precludes staged detailed investigations to coincide with any proposed staged construction program.

B5 Underground Storage Tanks

Prior to commencement of construction works, additional investigations shall be undertaken by the proponent to determine the presence of the underground storage tank(s), connected infrastructure and associated contamination. Should the tank(s) be present, the proponent shall remove the tank(s) and validate the resulting excavation, in accordance with the recommendations made in the Stage 2 Geotechnical Report titled, "*Report on Preliminary Contamination Assessment*" dated October 2006 and prepared by Douglas Partners Pty Ltd.

B6 Groundwater Assessment

In the event that the underground storage tank(s) and its infrastructure indicate subsurface contamination, the proponent shall prepare and submit a groundwater assessment to the Director for approval.

B7 Remediation of Land

Based on the results of the Stage 2 Detailed Investigation, the detailed management plan committed to by the proponent shall be upgraded to a Remedial Action Plan and must be accompanied by a statement from a site auditor accredited by the Department of Environment and Conservation (Environmental Protection Agency) to issue site audit statements. The Hazardous Building Materials Investigation and Remedial Action Plan shall be submitted to the Director prior to commencement of construction works.

Upon completion of the remediation works on the site, the proponent shall submit a detailed Site Audit Summary Report and Site Audit Statement and Validation Report to the Director. The site audit must be prepared in accordance with the Contaminated Land Management Act 1997 and completed by a site auditor accredited by the Department of Environment and Conservation (Environmental Protection Agency) to issue site audit statements.

B8 *Dilapidation Reports*

Prior the commencement of demolition works, a Dilapidation Report detailing the current structural condition of the existing and adjoining infrastructure (i.e.: kerb, guttering, stormwater pits, footpath trees and / or footpaths) shall be prepared and endorsed by a qualified structural engineer.

The Dilapidation Report shall also detail the current structural condition of the existing Water Street properties immediately adjoining the Main Hospital site (i.e. those properties between the Water Street access handle and the Hargrave Road / Water Street and Hevington Road / Water Street intersections) and the two properties immediately north of the Arthur Stone Annexe fronting Hargrave Road and Auburn Road.

A second Dilapidation Report shall be prepared by a suitable qualified person at the completion of the works to ascertain if any structural damage has occurred to the adjoining infrastructure and / or properties. The Report shall be compared with the earlier report to ascertain whether any damage has occurred and accordingly whether the proponent must repair or reimburse Council and / or property owners for any damage.

Stormwater**B9 *Stormwater and Drainage Works Design***

Final design plans of the stormwater drainage systems shall be prepared in accordance with Council's Stormwater Drainage Development Control Plan prior to the commencement of construction works. The hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff.

Traffic**B10 *Hevington Street Signage***

The proponent shall install No parking signs for a distance of not less than 5 metres from the southern edge of the vehicular crossing on the western side of Hevington Road. No parking signage shall also be installed for a distance of not less than 15 metres on the eastern side of Hevington Road northwards from the point opposite the northern limit of the vehicular crossing.

The costs incurred by the installation of the signage shall be fully borne by the proponent.

NB: It should be noted the distances specified above exclude allowances for existing driveway cross overs to residential properties.

B11 *Construction Traffic*

The Traffic and Pedestrian Management Plan committed to by the proponent in the Statement of Commitments shall identify the number and location of car parking spaces required by construction workers, in addition to those matters already specified. The Plan shall prohibit the use of the Hospital's on-site car parking by construction workers. Notwithstanding this, further hospital land can be used for construction parking during various phases of development.

B12 *Car Parking Layout*

The minimum number of on-site car spaces to be provided for the development shall not exceed 273, including those required for people with disabilities. Details confirming the parking numbers and configuration shall be submitted to the satisfaction of the Executive Director or his delegate prior to the commencement of construction works.

Landscaping**B13 *Landscape Plan***

In order to ensure an appropriate landscaping response at the Water Street entry, a revised landscaping plan incorporating the following:

- (1) Extent of hardscape materials;
- (2) Schedule of proposed materials;
- (3) Proposed planting zones and tree locations; and
- (4) Full range of proposed species.

shall be submitted to and approved by the Director prior to the commencement of construction works.

PART C—DURING CONSTRUCTION

Site Maintenance

C1 Erosion and Sediment Control

All erosion and sediment control measures are to be effectively 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 source of sediment.

C2 Disposal of Seepage and Stormwater

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

C3 Dust Control Measures

Adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:

- (1) Physical barriers shall be erected at right angles to the prevailing wind direction or shall be placed around or over dust sources to prevent wind or activity from generating dust emissions,
- (2) Earthworks and scheduling activities shall be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed,
- (3) All materials shall be stored or stockpiled at the best locations,
- (4) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs,
- (5) All vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material,
- (6) All equipment wheels shall be washed before exiting the site using manual or automated sprayers and drive-through washing bays,
- (7) Gates shall be closed between vehicle movements and shall be fitted with shade cloth, and
- (8) Cleaning of footpaths and roadways shall be carried out regularly.

Noise and Vibration

C4 Construction Noise Management

The proponent shall:

- (1) Schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved in the Noise and Vibration Management Plan committed to in the Statement of Commitments:
 - (a) 9.00 am to 12.00 pm, Monday to Friday;
 - (b) 2.00 pm to 5.00 pm Monday to Friday; and
 - (c) 9.00 am to 12.00 pm, Saturday
 - (2) Ensure that 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 approved in the Noise and Vibration Management Plan.
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PART D – PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Engineering

D1 *Fire Safety Certificate*

A Fire Safety Certificate shall be furnished to Council for all the Essential Fire or Other Safety Measures forming part of this approval.

An Annual Fire Safety Statement must be provided to Council and the NSW Fire Brigade commencing within 12 months after the date on which the approval authority initial Fire Safety Certificate is received.

D2 *Easements*

Prior to occupation of the new hospital, the relevant documentary easements for access must be created and registered over the appropriate lots in the development to provide for public access, services, drainage, use of plant equipment, loading areas and service rooms, repairs, maintenance or any other encumbrances and indemnities required for joint or reciprocal use of part or all of the subject site.

Heritage

D3 *Archival Recording and Site Interpretation Strategy*

Prior to occupation, copies of the archival recording and site interpretation strategy shall be provided to Council and the Department. The site interpretation strategy shall require the retention of the horse trough currently located on the corner of Water Street and Auburn Road in-situ, or identify suitable alternative locations on either the Main Hospital Site or Arthur Stone Annexe.

Works As Executed Plans

D4 *Works As Executed Plans*

Prior to occupation, one (1) full set of works as executed plans, and other supporting documentation including further studies and revised plans required by this approval, shall be submitted to Council for information purposes only.

ADVISORY NOTES

AN1 *Self Certification by Crown Authorities*

Self-certification can be made by the Crown or on behalf of the Crown under Section 116G(2) of the Environmental Planning and Assessment Act 1979.

Where the Crown building provisions are used under Section 116G(1) of the Environmental Planning and Assessment Act 1979 the Crown is not required to obtain a construction certificate or appoint a principal certifying authority nor does it require an occupation certificate to be obtained (Section 109M of the Environmental Planning and Assessment Act 1979).

The Crown Authority undertaking the building work may contract a Council or an accredited certifier to undertake the BCA assessment of the proposed building. The Crown can then certify the building relying upon this advice. The certification is not to be confused with certification under Part 4A of the Environmental Planning and Assessment Act 1979.

AN2 *Requirements of Public Authorities for Connection to Services*

The proponent shall comply with the requirements of any public authorities (e.g. Energy Australia, Sydney Water, Telstra Australia, AGL, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the proponent.

AN3 *Application for Hoardings and Scaffolding*

A separate application shall be made to Council for approval under Section 68 of the *Local Government Act, 1993*, to erect a hoarding or scaffolding in a public place. Such an application shall include:

- (1) Architectural, construction and structural details of the design in accordance with Council's policies.
- (2) Structural certification prepared and signed by a suitably qualified practising structural engineer.

AN4 *Use of Mobile Cranes*

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

- (1) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council:
 - (a) At least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions, and
 - (b) At least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (2) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.

AN5 *Roads Act, 1993*

A separate application shall be made to Council for approval under Section 138 of the *Roads Act, 1993* to undertake any of the following:

- (1) erect a structure or carry out a work in, on or over a public road, or
 - (2) dig up or disturb the surface of a public road, or
 - (3) remove or interfere with a structure, work or tree on a public road, or
 - (4) pump water into a public road from any land adjoining the road, or
 - (5) connect a road (whether public or private) to a classified road.
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AN6 *Stormwater Drainage Works or Effluent Systems*

Works that involve water supply, sewerage and stormwater drainage work or management of waste as defined by Section 68 of the Local Government Act, 1993 require separate approval by Council under Section 68 of that Act. Applications for these works must be submitted on Council's standard Section 68 application form accompanied by the required attachments and the prescribed fees.

AN7 *Temporary Structures*

An approval under Section 68 of the *Local Government Act 1993* 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.

Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Council with the application under Section 68 of the *Local Government Act 1993* to certify the structural adequacy of the design of the temporary structures.

AN8 *Excavation – Historical Relics*

Should any historical relics be unexpectedly discovered then all excavations or disturbance to the area is to stop immediately and the Heritage Council of NSW shall be informed in accordance with Section 146 of the *Heritage Act, 1977*.

AN9 *Long Service Levy*

Under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* any work costing \$25,000 or more is subject to a Long Service Levy. The levy rate is 0.35% of the total cost of the work and shall be paid to either the Long Service Payments Corporation or Council. Under section 109F(1) of the Environmental Planning & Assessment Act, 1979 this payment must be made prior to commencement of building works.

AN10 *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*

The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.

This application has been assessed in accordance with the New South Wales *Environmental Planning and Assessment Act, 1979*. This assessment has not involved any assessment of the application of the Commonwealth legislation. It is the proponent's responsibility to consult Environment Australia to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.
