

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

DETERMINATION OF PROJECT APPLICATION

WOLLONGONG PRIVATE HOSPITAL

360-364 CROWN STREET AND 9-11 URUNGA PARADE, WOLLONGONG

(MP07_0070)

The Planning Assessment Commission of New South Wales (the Commission), having considered all relevant matters prescribed under Section 75J(2) of the *Environmental Planning and Assessment Act 1979*, including those relevant matters prescribed by Section 75I(2) as contained in the Director General's Environmental Assessment report determine Major Project (MP07_0070) by **granting approval** to the Major Project described in the attached Schedule 1 subject to the conditions of approval in the attached Schedule 2, pursuant to Section 75J(1) of the *Environmental Planning and Assessment Act 1979*.

This approval applies to the plans, drawings and documents cited by the Proponent in their Environmental Assessment, Preferred Project Report and the Proponent's revised Statement of Commitments (Appendix 1), subject to the conditions of approval in the attached Schedule 2.

The reason for the imposition of these conditions are:

- (1) To ensure the site is appropriately managed for the proposed use;
- (2) To adequately mitigate the environmental and construction impacts of the development;
- (3) To reasonably protect the amenity of the local area; and
- (4) To protect the public interest.



Member of the Commission

Member of the Commission

Sydney 18th April, 2011

SCHEDULE 1

Application No.:

MP07_0070

Proponent:

The Planning Group NSW

Approval Authority:

Minister for Planning and Infrastructure

Land:

Lot 7 in DP 661166 and Lot 1 in DP 565056 (360-364 Crown Street), Lot 53, Section 1 in DP 5507 (9 Urunga Parade) and Lot A in DP 381246 (11 Urunga Parade).

Project:

Wollongong Private Hospital, including:

- Demolition of existing buildings and ancillary structures;
- 8 storey development;
- 3 basement levels of parking for 321 vehicles;
- New signalised intersection at Crown Street and Staff Street;
- 154 medical, surgical and maternity inpatient beds, operating theatre suite, general practice, diagnostic, clinical and allied health tenancies, specialist medical consulting suites;
- University teaching centre; and
- Ancillary retail tenancy floor space.

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DEFINITIONS

Advisory Notes	Advisory information relating to the approved project but do not form a part of this approval.
BCA	Building Code of Australia
Construction	Any works, including earth and building works
Council	Wollongong City Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
DECCW	Department of Environment, Climate Change and Water or its successors
Department	Department of Planning and Infrastructure or its successors
Director-General	Director General of the Department of Planning and Infrastructure, or nominee
EA	Environmental Assessment titled <i>360-364 Crown Street Wollongong Proposed Wollongong Private Hospital, Environmental Assessment, dated July 2010, prepared by The Planning Group NSW.</i>
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
Evening	The period from 6pm to 10pm
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval
Minister	Minister for Planning and Infrastructure, or nominee
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
PPR	Preferred Project Report titled <i>360-364 Crown Street Wollongong, Preferred Project and Response to Submissions Report, dated November 2010, prepared by The Planning Group NSW.</i>
Project	The project described in Condition A1, Part A, Schedule 2 and the accompanying plans and documentation described in Schedule 2, Part A, Condition A2.
Proponent	The Planning Group NSW, or anyone else entitled to act on this Approval
POEO Act	Protection of the Environment Operations Act 1997
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build.
RTA	Roads and Traffic Authority
Statement of Commitments	The Proponent's Statement of Commitment in Schedule 3
Subject Site	Lot 7 in DP 661166 and Lot 1 in DP 565056 (360-364 Crown Street), Lot 53, Section 1 in DP 5507 (9 Urunga Parade) and Lot A in DP 381246 (11 Urunga Parade).

SCHEDULE 2

PART A - ADMINISTRATIVE CONDITIONS

A1 *Development Description*

Except as amended by the conditions of this approval, approval is granted only to carrying out the development as described in Schedule 1.

A2 *Development in Accordance with Plans and Documents*

The development will be undertaken in accordance the following drawings and documents:

Environmental Assessment titled <i>360-364 Crown Street Wollongong Proposed Wollongong Private Hospital, Environmental Assessment, dated July 2010, prepared by The Planning Group NSW.</i>			
Preferred Project Report titled <i>360-364 Crown Street Wollongong, Preferred Project and Response to Submissions Report, dated November 2010, prepared by The Planning Group NSW.</i>			
Statement of Commitments at Schedule 3, <i>prepared by The Planning Group NSW, dated November 2010.</i>			
Architectural (or Design) Drawings prepared by Murphy's Architecture Pty Limited			
Drawing No.	Revision	Name of Plan	Date
DA.03	Revision B	SITE ANALYSIS PLAN	20 October 2010
DA.04	Revision B	BASEMENT 1	20 October 2010
DA.05	Revision B	BASEMENT 2	20 October 2010
DA.06	Revision B	BASEMENT 3	20 October 2010
DA.07	Revision B	GROUND FLOOR PLAN	20 October 2010
DA.08	Revision B	LEVEL 1 PLAN	20 October 2010
DA.09	Revision B	LEVEL 2 PLAN	20 October 2010
DA.10	Revision B	LEVEL 3 PLAN	20 October 2010
DA.11	Revision B	LEVEL 4 PLAN	20 October 2010
DA.12	Revision B	LEVEL 5 PLAN	20 October 2010
DA.13	Revision B	LEVEL 6 PLAN	20 October 2010
DA.14	Revision B	LEVEL 7 PLAN	20 October 2010
DA.15	Revision B	PLANT ROOM PLAN	20 October 2010
DA.16	Revision B	SOUTH & EAST ELEVATIONS	20 October 2010
DA.17	Revision B	NORTH & WEST ELEVATIONS	20 October 2010
DA.18	Revision B	SECTIONS	20 October 2010
Landscape Drawings prepared by Context			
L1000	Issue C	LANDSCAPE CONCEPT PLAN GROUND FLORR	15 April 2010
L1001	Issue C	LANDSCAPE CONCEPT PLAN FIFTH FLOOR	15 April 2010
L2000	Issue C	LANDSCAPE CONCEPT PLAN ELEVATIONS	15 April 2010
Civil Drawings prepared by Henry & Hymas			
10024_DA_C100	Revision 01	GENERAL ARRANGEMENT PLAN GROUND FLOOR LEVEL	1 April 2010
10024_DA_C101	Revision 01	GENERAL ARRANGEMENT PLAN BASEMENT LEVEL 1 & BASEMENT LEVEL 3	1 April 2010

10024_DA_C200	Revision 01	STORMWATER MISCELLANEOUS DETAILS & PIT LID SCHEDULE	1 April 2010
10024_DA_C201	Revision 01	OSD TANK PLAN, SECTIONS & DETAILS	1 April 2010
10024_DA_C250	Revision 01	STORMWATER CATCHMENT PLAN POST-DEVELOPMENT	1 April 2010
10024_DA_C251	Revision 01	STORMWATER CATCHMENT PLAN PRE-DEVELOPMENT	1 April 2010
10024_DA_SE01	Revision 01	SEDIMENT & EROSION CONTROL PLAN	1 April 2010
10024_DA_SE02	Revision 01	SEDIMENT & EROSION CONTROL TYPICAL SECTIONS & DETAILS	1 April 2010

except for:

- any modifications which are 'Exempt and Complying Development' or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; or
- otherwise provided by the conditions of this approval

A3 *Inconsistency Between Documents*

In the event of any inconsistency between conditions of this approval and the drawings/documents referred to above including the Statement of Commitments, the conditions of this approval prevail.

A4 *Additional Approvals Required*

Separate applications shall be submitted to the relevant consent authority for consideration for any building identification signage and future fit out and use of the ground floor retail floor space.

A5 *Prescribed Conditions*

The proponent shall comply with the prescribed conditions under Part 6, Division 8A of the Regulation.

A6 *Compliance with the Building Code of Australia*

Work must be carried out in accordance with the requirements of the *Building Code of Australia*.

A7 *Development Expenses*

It is the responsibility of the developer to meet all expenses incurred in undertaking the development, including expenses incurred in complying with conditions imposed under this approval.

A8 *Limits of Approval*

This approval will lapse 5 years from the date of this approval unless the building works associated with the project have substantially commenced.

PART B – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

B1 Wollongong Public Hospital Helipad

The Proponent is to engage a suitably qualified helicopter consultant to demonstrate, to the satisfaction of the Director-General, that the operation and function of the existing Wollongong Public Hospital Helipad will continue to be viable following the construction of the approved development.

B2 Construction Certificate

The stamped drawings must be lodged with the Certifying Authority (Minister for Planning via the Department of Planning, Wollongong City Council, or a private certifier) for a Construction Certificate. The Proponent must supply the Department of Planning with a copy of the Construction Certificate within two days from the date of its issue.

B3 Developer Contributions

A total monetary contribution of \$1,144,285.46 must be paid to Council, pursuant to section 94A and section 94B(2) of the *Environmental Planning and Assessment Act 1979*.

The levy must be paid in cash or bank cheque prior to the issue of a construction certificate for the development. The development is subject to an index to reflect quarterly variations in the Consumer Price Index (CPI) from the date of determination to the date of payment. CPI quarterly figures are released by the ABS on the date after the indexation quarter.

Any party intending to act on this approval should contact Wollongong City Council to determine the indexed contribution amount prior to the date of payment.

B4 Footpath Paving

The developer is responsible for the construction of footpath paving for the entire frontage of the development for the full width of the verge. Footpath paving is to be in accordance with the Wollongong City Council Public Domain Technical Manual. A nominal two percent (2%) minimum 1%, maximum two and a half (2.5%) cross fall is to be provided from property line to back of kerb.

Driveway entry threshold finish from property boundary line to face of kerb: To match footpath and be designed to withstand predicted traffic loadings.

Driveway threshold finish within property boundary line: To contrast with driveway entry.

Details are to be shown on the Landscape Plan and installed to the satisfaction of Wollongong City Council Manager of Works.

B5 Works Authorisation Deed

Prior to the issuing of the construction certificate, the developer shall enter into a Works Authorisation Deed (WAD) for the required road works/traffic control facilities on Crown Street with the RTA.

B6 Crown Street and Staff Street Upgrades

Prior to the issue of a Construction Certificate for the development, the Proponent shall obtain written acceptance from the RTA for the concept layout of the Crown Street/Staff Street signal design and associated access.

B7 Construction Management Plan

A Construction Management Plan shall be prepared in consultation with Council and submitted to the Director General for approval prior to the commencement of works. The Plan shall include, but not be limited to, the following matters which are to be addressed by suitably qualified person(s):

- **Hours of work**, which must be in accordance with the conditions of this approval;

- **Contact details** of the site manager and all principal contractors;
- **Construction Traffic Management Plan**, which is to be developed in consultation with the RTA and is to include:
 - a. identification of a work zone;
 - b. ingress and egress of vehicles to the site;
 - c. management of loading and unloading of materials;
 - d. number and frequency of vehicles accessing the site and construction vehicle routes;
 - e. the times vehicles are likely to be accessing the site;
 - f. access arrangements and traffic control;
 - g. changes to on-street parking restrictions on roads;
 - h. management of construction traffic and car parking demand including preparation and distribution of a Travel Access Guide; and
 - i. management of existing vehicular, pedestrian and cyclist movements / routes around the site throughout the various stages of construction;
- **Erosion and sediment control**, identifying appropriate measures to be installed during construction which shall be designed in accordance with in accordance with the document *Managing Urban Stormwater – Soils & Construction Volume 1 (2004)* by Landcom;
- **A Construction Noise and Vibration Management Plan**, identifying specific activities that will be carried out and associated noise sources, identify all potentially affected sensitive receivers, noise and vibration monitoring reporting and response procedures, description of specific mitigation treatments management measures and procedures to be implemented, and address any other relevant provisions of Australian Standard 2436-1981 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*;
- **A Construction Waste Management Plan**, identifying options for minimising waste in construction; reuse and recycling of materials; the storage, control and removal of construction waste; and
- **Dust control** measures to be implemented to prevent the movement of airborne particles from the site throughout the construction process, and the tracking of material from the site by trucks and other vehicles. This is to include the appropriate use of physically barriers and the dampening of exposed excavated surfaces. The storage and stockpiling areas for material is also to be detailed.

B8 Dilapidation Report

The Proponent shall prepare a dilapidation report of the public infrastructure within the vicinity of the site (including roads, gutters, footpaths, power poles etc.) and of adjoining properties, including the adjacent heritage item at 366 Crown Street, to the satisfaction of Council and/or relevant agencies, prior to the issue of a Construction Certificate.

B9 Stormwater Plan

Detailed storm water and drainage works plans are to be prepared by the Proponent to the satisfaction of Council and the Certifying Authority for approval prior to the issue of a Construction Certificate.

Drainage from the development is not to impact the down stream catchment or downstream properties.

Council should ensure that post development stormwater discharge from the subject site into the RTA drainage system does not exceed the pre-development application discharge.

B10 Tri-generation System

Further consultation with DECCW must be undertaken and information relating to the detailed design of the tri-generation system must be provided to confirm whether the system requires an Environmental Protection Licence under the provisions of the POEO Act, prior to

the issues of the Construction Certificate. If the proposal requires an Environmental Protection Licence then it shall be designed, maintained and operated to meet environmental standards for air and noise emissions that are determined in accordance with applicable DECCW policies.

B11 Crown Street Car Park Boom Gates

To improve queuing space available towards Crown Street and increase the number of cars that are able to exit the site per signal phases, the following amendments to the locations of the Crown Street car park entry/exit boom gates are required:

- (a) The Crown Street car park entry boom gate is to be relocated further east as far as possible, deleting parking spaces 87 and 88 in order to maximise queuing space;
- (b) The Crown Street car park exit boom gate is to be relocated a further two car lengths into the site, adjacent parking space 79 (proposed accessible space) to increase the number of vehicles that are able to exit the site per signal phase; and
- (c) The relocation requirement of the exit boom gate results in vehicular circulation on Basement Level 1 being restricted. In addition to the design amendments required in accordance with Conditions B8(a) and (b), provision is to be made within the car parking layout of Basement 1 to ensure that vehicular circulation is maintained.

B12 Car Parking

A minimum of 321 car parking spaces are to be provided for the development and designed in accordance with Australian Standard AS2890 – Parking Facilities.

B13 Road Traffic Noise

The proposed development should be designed such that road traffic noise from the Crown Street is mitigated by durable materials, in accordance with EPA criteria for new land use developments (*The Environmental Criteria for Road Traffic Noise, May 1999*). The RTA's Environmental Noise Management Manual provides practical advice in selecting noise mitigation treatments.

B14 Road Design

Geometric road design shall be in accordance with RTA Road Design Guide. Pavement design shall be in accordance with the AUSTROADS Pavement Design Guide.

B15 Bicycle Parking and Shower and Change Room Facilities

A minimum 20 bicycle parking spaces are to be provided for the development, including a minimum 5 spaces for visitors located at within an accessible and safe location at ground level in accordance with Australian Standard AS2890.3. All bicycle parking spaces for staff are to be consolidated to Basement Level 1. Showers, lockers and change rooms for staff members are also to be provided. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

B16 Landscaping

A final Landscape Plan is to be prepared in accordance with the requirements of *Wollongong City Council DCP 2009*, Chapter E6 Landscape and the approved Landscape Concept Plan by a suitably qualified landscape designer, and is to be submitted for approval prior to the release of the Construction Certificate. The final Landscape Plan shall address and include:

- (a) Provision and location of common tap(s) and/or an irrigation system to guarantee that landscaping works are adequately watered;
- (b) Preparation and implementation of a landscape maintenance program in accordance with the approved Landscape Plan for a minimum of 12 months to ensure all landscaping works are well established by regular maintenance.

B17 *Street Tree Planting*

To ensure that the streetscapes of both Crown Street and Urunga Parade are adequately vegetated, a minimum of two, 200 litre Cupaniopsis anacardiodes street trees are to be provided to each street frontage in accordance with the Wollongong City Council Public Domain Technical Manual. Dial before you Dig must be consulted prior to any excavation on site. Pot holing must be carried out to determine service location. The location of street tree plantings are to be sited to ensure no conflict occurs with street light poles.

Tree pits must be installed to the satisfaction of Wollongong City Council Manager of Works. Details and are to be reflected on construction certificate plans.

B18 *Tree Protection and Management*

The existing trees to be retained upon the subject property and any trees on adjoining properties shall not be impacted upon during the excavation or construction phases of the development. This will require the installation and maintenance of appropriate tree protection measures, including (but not necessarily limited to) the following:

- (a) Installation of Tree Protection Fencing - Protective fencing shall be 1.8 metre cyclone chainmesh fence, with posts and portable concrete footings;
- (b) Mulch Tree Protection Zone: Areas within a Tree Protection Zone are to be mulched with minimum 75 mm thick 100% recycled hardwood chip/leaf litter mulch; and
- (c) Irrigate: Areas within the Tree Protection Zone are to be regularly watered.

Details and location of protective fencing must be indicated on the architectural and engineering plans to be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate. The person carrying out tree removal is to be in possession of the Determination and approved Landscape Plan at all times.

B19 *Mechanical Ventilation*

All mechanical ventilation systems shall be designed 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.

B20 *Disabled Access*

Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the BCA's Access Policy. All car parking for people with disabilities shall be in accordance with AS2890.6-2009.

B21 *Long Service Levy*

Prior to the issue of a Construction Certificate, evidence of the payment of the long service levy under section 34 of the *Building and Construction Industry Long Service Payment Act 1986* must be provided to the Certifying Authority (or, where such a levy is payable by instalments, the first instalment of the levy), if required.

B22 *Reflectivity*

The light reflectivity from any building materials used on the facades of the building 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. A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

B23 *Sydney Water – Notice of Requirements*

An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, section 73 of the *Sydney Water Act 1994* (Compliance Certificate) prior to certification of any Crown building works.

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

Following application a “Notice of Requirements” will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

B24 *Outdoor Lighting*

All outdoor lighting 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 issue of a Construction Certificate.

B25 *NSW Department of Health – Private Hospital Licence*

The requirements of the NSW Department of Health are to be complied with. An ‘approval in principle’ to operate the private hospital facility is to be obtained from the NSW Department of Health and a copy is to be provided to the Department of Planning and Certifying Authority prior to the issue of a Construction Certificate.

PART C – PRIOR TO COMMENCEMENT OF WORKS

C1 Notice to be Given Prior to Commencement / Excavation

Council shall be given written notice, at least 48 hours prior to the commencement of excavation, shoring or underpinning works on the site for each stage of the project.

C2 Road Occupancy Licence

The Proponent shall apply for, and obtain a Road Occupancy Licence (ROL) from the RTA Traffic Operations Unit (TOU) prior to commencing work within the classified road reserve or within 100m of traffic signals. The application will require a Traffic Management Plan (TMP) to be prepared by a person who is certified to prepare Traffic Control Plans. Should the TMP require a reduction of the speed limit, a Direction to Restrict will also be required from the TOU. The developer shall submit the ROL application 10 business days prior to commencing work. It should be noted that receiving an approval for the ROL within this 10 business day period is dependant upon the RTA receiving an accurate and compliant TMP.

Note: An approved ROL does not constitute an approval to commence works until an authorisation letter for the works has been issued by the RTA Project Manager.

C3 Roads Authority

The RTA will be exercising its powers under Section 64 of the Roads Act, 1993 to become the roads authority for works on Crown Street. Given this, Section 87 and 138 consent under the Roads Act, 1993 shall be obtained from the RTA prior to construction.

C4 Road/Asset Opening Permit

A Road / Asset Opening Permit must be obtained from Council or the RTA prior to carrying out any works within or upon a road, footpath, nature strip or in any public place, in accordance with section 138 of the Roads Act 1993, and all of the conditions and requirements contained in the Road / Asset Opening Permit must be complied with.

C5 Vehicle Cleansing

Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

C6 Utility Services

- (c) Prior to the commencement of work the proponent is to negotiate with the utility authorities (e.g. Energy Australia, Sydney Water Corporation Limited and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the proponent.
- (d) Any necessary alterations to public utility installations being at the proponent's/Demolisher's expense and to the requirements of both Council and the appropriate authorities.

C7 Contact Telephone Number

The proponent shall ensure that a 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development. The contact number shall be forwarded to Council and the Department prior to commencement of works.

C8 *Haulage Routes*

The routes for import of any fill materials or export of any spoil being submitted to and agreed to by the relevant road authorities prior to the commencement of haulage. Unacceptable deterioration or failures within public roads attributable to these operations is to be restored to the requirements of, and at no cost to the road authorities.

PART D – DURING CONSTRUCTION

D1 Ecologically Sustainable Development

The project shall achieve as a minimum a 4 star Green Star design rating and shall implement all ESD principles and design measures outlined in the EA.

D2 Hours of Work

The hours of excavation and work on the development must be as follows:

- All excavation and construction work and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools etc) in connection with the approved development must only be carried out between the hours of:
 - 7.30am and 5:30pm on Mondays to Fridays;
 - 7:30am and 3:00pm on Saturdays; and
 - No work must be carried out on Sundays or public holidays.
- Works may be undertaken outside these hours where:
 - the delivery of materials is required outside these hours by the Police or other authorities;
 - It is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; or
 - the work is approved by the Director General or his nominee.

D3 Site Notice

A site notice(s) shall be prominently displayed at the boundaries of the site for the duration of works for the purposes of informing the public of project details including, but not limited to:

- (1) details of the Builder and Structural Engineer for all stages of the project;
- (2) the approved hours of work;
- (3) 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
- (4) to state that unauthorised entry to the site is prohibited.

D4 Demolition Works

The Proponent shall ensure that all demolition works are carried out in accordance with Australian Standard AS2601-2004: The Demolition of Structures, or its latest version.

D5 Excavation

- (a) To ensure basement excavation works are satisfactorily undertaken, the recommendations provided within the Geotechnical Investigation Report, prepared by Geo-Environmental Engineering, dated 29 March 2010, are to be implemented.
- (b) Prior to excavation works below the level of the base of the footings of adjoining properties and roadways, the owners are to be given at least 7 days notice, including the provision of complete details of the work.

D6 Excavated Material

Any excavated material to be removed from the site is to be assessed, classified, transported and disposed of in accordance with the *EPA's Guidelines: Assessment*,

Classification and Management of Liquid and Non-Liquid Wastes. Following the removal of excavated materials from the site, a DECCW accredited Site Auditor is to issue a site audit statement clearing the site suitable for development.

D7 Noise Control

- (a) All work, including excavation and construction work must comply with the Australian Standard 2436-1981 '*Guide to Noise Control on Construction, Maintenance and Demolition Sites*'.
- (b) Noise and vibration emissions from equipment and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents or businesses and the relevant provisions of *the Protection of the Environment Operations Act 1997* must be satisfied at all times.

D8 Standards and Codes

All building works shall be constructed in accordance with safe work practices and complying with the relevant Australian Standards, Codes of Practice and the Building Code of Australia.

D9 Work Cover Requirements

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.

D10 Hoarding Requirements

- (a) To ensure an appropriate presentation of the site to Crown Street and Urunga Parade during the construction period, temporary artwork shall be provided along any hoarding/fencing proposed to be erected around the subject site.
- (b) The temporary artworks shall inform the general public about the proposed works being undertaken by the proponent.
- (c) No third party advertising is permitted to be displayed on the subject hoarding/fencing.
- (d) 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.

D11 No Obstruction of Public Way

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.

D12 Disposal of Seepage and Stormwater

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

D13 Erosion and Sediment Control

Sediment controls are to be in place for the duration of the works to ensure that no sediment, fines, and like material can enter the waterway or drainage system. The proponent is to carry out works generally in accordance with the Construction Management Plan and controls are to be maintained at design level throughout the duration of the works and are to

be inspected for this purpose at frequent intervals. Any deficiencies are to be immediately made good.

D14 Dust Control Measures

Dust control measures are to be in place or are to be undertaken for the duration of the works to prevent dust from affecting the amenity of the immediate area during construction. The proponent is to carry out works generally in accordance with the Construction Management Plan, and controls are to be maintained at design level throughout the duration of the works and are to be inspected for this purpose at frequent intervals. Any deficiencies are to be immediately made good.

D15 Pedestrian Access During Construction

Pedestrian access along Crown Street and Urunga Parade is to be maintained throughout construction. Alternative routes, including those for persons with disabilities, shall be clearly identified and signposted for the duration of the works, and until such time as the permanent accessible paths are provided.

D16 Setting Out of Structures

The new buildings shall be set out by a registered surveyor to verify the correct position of each structure in relation to property boundaries and the approved alignment levels.

D17 Directional Signage

- (a) Directional signage shall be modified as required to accommodate any altered pedestrian and vehicular movements within the area.
- (b) Particular attention is to be paid to:
 - wheelchair accessible paths of travel;
 - safe road crossing areas including signalised and other designated crossings;
 - key landmarks;
 - access to transport nodes including public transport; and
 - the vehicular entrance and exit driveways and the direction of traffic movement within the site being clearly indicated by means of reflectorised signs and pavement markings.

D18 Traffic Movement

- (a) The design of the internal driveway layout shall ensure that all vehicles can enter and exit the site in a forward direction.
- (b) The cost of all traffic management works shall be borne by the proponent.
- (c) Movement of trucks to and from the site shall be staggered so as to limit access and egress during peak traffic periods.
- (d) The Contractor shall make provisions for safe, continuous movement of traffic and pedestrians in public roads and private roads accessible to the public and erecting traffic warning signs conforming to the Roads and Traffic Authority's General Specifications (RTA Spec. Part G10 "Control of Traffic" and RTA Spec. 3355). Traffic control is to be carried out only by flagmen with certification that they have been trained in accordance with Australian Standard 1742.3 – 2002.

D19 *Approved Plans to be On-Site*

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

D20 *Work on Site to Cease*

- (a) If any unidentified historical archaeological remains or deposits are exposed during the works excavation is to cease immediately in the affected areas and the archaeologist is to undertake an evaluation of the potential extent and significance of such relics. The Heritage Council is to be notified in accordance with section 146 of the NSW Heritage Act, 1977.
 - (b) Should any Aboriginal relics or artefacts be discovered during the course of any works on-site, then work is to cease immediately. Work may only be resumed following written consent being obtained from the Department of Environment, Climate Change and Water.
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PART E – PRIOR TO ISSUE OF OCCUPATION CERTIFICATE / PRIOR TO OPERATIONS

E1 NSW Department of Health – Private Hospital Licence

The requirements of the NSW Department of Health are to be complied with. A licence to operate the private hospital facility is to be obtained from the NSW Department of Health and a copy is to be furnished to the Department of Planning prior to the issue of an Occupation Certificate in order to demonstrate that the development complies with:

- (a) the approval; and
- (b) the NSW Department of Health's requirements for a private hospital facility.

E2 Heritage

Prior to the occupation of the hospital, an interpretive panel is to be installed within the foyer (or another appropriate area of the hospital) providing a brief history of the Cram Family and the site and the details of the donation of the site for use as a health care facility, as well as the continued evolution of this history into the approved private hospital facility.

E3 Sustainable Travel Plan

Prior to occupation of the building, the proposed Work Place Travel Plan is to be integrated into the Sustainable Travel Plan and prepared as one consolidated document in consultation with Wollongong City Council and Transport NSW. The Sustainable Travel Plan is to be implemented to encourage the use of non-car transport modes by students, employees and visitors to the site.

E4 Noise Control – Plant and Machinery

Prior to occupation of the building a report is to be prepared by a qualified acoustic engineer confirming that the installation and performance of the mechanical systems complies with:

- the recommendations of the *Environmental Noise Assessment, prepared by Acoustic Logic Consultancy, dated 25 March 2010*
- the Building Code of Australia;
- Australian Standard AS1668 and other relevant codes;
- the project approval and any relevant modifications; and
- any dispensation granted by the New South Wales Fire Brigade.

E5 Fire Safety Certificate

A Fire Safety Certificate shall be obtained for all the Essential Fire or Other Safety Measures forming part of this approval prior to occupation of the building. A copy of the Fire Safety certificate must be submitted to the relevant authority and Council.

E6 Post-construction Dilapidation Report

The proponent shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, including the adjoining heritage item at 366 Crown Street, infrastructure and roads.

The report is to be submitted to the Department and the Council and is to:

- (a) Compare the post-construction dilapidation report with the pre-construction dilapidation report, identifying the nature and costs of damage (if any) which has occurred during and as a result of construction, and

- (b) Have written confirmation from the relevant authority that there is no adverse structural damage to its infrastructure and roads (as far as reasonably practical) or that satisfactory arrangements have been made to remedy any damage. If this has been unreasonably delayed by the relevant authority, attempts to seek such confirmation shall be given to the satisfaction of the Department.

E7 Structural Inspection Certificate

A Structural Inspection Certificate for any structural work is to be obtained prior to occupation of the building.

E8 Sydney Water

A Compliance Certificate issued under Part 6, Division 9, Section 73 of the Sydney Water Act 1994 shall be obtained prior to occupation of the building.

E9 Road Damage

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 proponent prior to the occupation of the building.

E10 Waste Management

Prior to occupation of the building the proponent must ensure that waste handling works have been completed in accordance with the Waste Management Plan; other relevant approval conditions; and any relevant Council policy.

E11 Crown Street Vehicular Access

- (a) Only one access point to Crown Street from the subject property will be permitted. This shall be via the fourth leg of the proposed signalised intersection at Staff Street west/Crown Street.
- (b) Any other existing access points are to be permanently closed with kerb, gutter and footpath reinstated to match existing.

E12 Crown Street and Staff Street Upgrades

The Proponent shall upgrade the junction of the site access with Crown Street and Staff Street west to provide traffic signals with a no right turn restriction from Crown Street into the proposed development. The proposed traffic signals shall be designed in accordance with the RTA's Traffic Signal Design Manual, 2008 taking into consideration Section 15.11 Signalised Entries to Private Developments. The applicant shall dedicate, at a minimum, via a suitable stratum subdivision, a 20m wide public road reserve for the first 20m of the access from the property boundary into the site, unless an alternative solution can be achieved through the detailed design for the intersection, at no cost to the RTA. In addition, appropriate corner splays shall be dedicated as public road reserve.

E13 Crown Street Car Park Boom Gates

The Crown Street exit boom gate shall be relocated a further two car lengths into the site for the exit adjacent to parking space 79 to improve the queuing space available and to increase the number of vehicles that are able to exit the site per signal phase. The Crown Street entry boom gate shall be relocated to the east as far as possible, deleting parking spaces 87 and 88, in order to maximise the queuing space towards Crown Street. Vehicular circulation on Basement 1 is to be maintained.

E14 Car Park Signage

Pay before you leave signage should be clearly displayed around the car park and pay stations should be located adjacent to lifts.

E15 Advertising Signage

No advertising signage or structures would be allowed within the Crown Street road reserve. The erection of advertising structures shall be in accordance with *State Environmental Planning Policy No.64 – Advertising and Signage*.

E16 Drainage Certificate and Works-As-Executed-Plans

The developer must obtain a certificate of Hydraulic Compliance from a suitably qualified civil engineer using Wollongong Council's M19 form, to confirm that all stormwater drainage and on-site detention works have been constructed in accordance with the approved plans, and submitted to Council. Full works-as-executed plans, prepared and signed by a Registered Surveyor, must also be submitted.

These plans and certification must satisfy all the requirements outlined within Chapter E14 (Stormwater Management) of *Wollongong Development Control Plan 2009*. This information must be submitted to the satisfaction of Council prior to the occupation of the development.

E17 Stormwater Discharge

Council should ensure that post development stormwater discharge from the subject site into the RTA drainage system does not exceed the pre-development application discharge.

E18 Road Design

Geometric road design shall be in accordance with RTA Road Design Guide. Pavement design shall be in accordance with the AUSTROADS Pavement Design Guide.

E19 Development Costs

All roadworks, traffic control facilities and other works associated with this development, including any modifications required to meet RTA standards, will be at no cost to the RTA. All works shall be completed prior to occupation.

PART F – DURING OPERATIONS

F1 Ecologically Sustainable Development

The project shall achieve as a minimum a 4 star Green Star design rating and shall implement all operational and design measures outlined the EA.

F2 Annual Fire Safety Certificate

An annual Fire Safety Statement must be given to Council and the NSW Fire Brigade commencing within 12 months after the date on which the initial Interim/Final Fire Safety Certificate is issued. This must ensure that the essential services installed in the building for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard.

F3 Noise Control – General

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.

F4 Noise Control – Plant and Machinery

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:

- Transmission of “offensive noise” as defined in the *Protection of the Environment Operations Act 1997* to any place of different occupancy.
- 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.
- Notwithstanding compliance with (1) and (2) above, the noise from mechanical plant associated with the premises must not be audible in any habitable room in any residential property between the hours of 12.00 midnight and 7.00am.

F5 Loading and Unloading

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.

F6 Unobstructed Driveways and Parking Areas

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.

ADVISORY NOTES

AN1 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 proponent shall ensure the following matters are complied with:

- 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:
 - at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions; and
 - 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;
- 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.

AN2 Movement of Trucks Transporting Waste Material

The proponent shall notify the Roads and Traffic Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

AN3 Disability Discrimination Act

This application is to comply with the Disability Discrimination Act 1992. The proponent/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.

AN4 Temporary Structures

A Barricade/Hoarding Permit must be obtained prior to the commencement of construction works from the relevant Authority. The permit 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 also be submitted to the relevant Authority to certify the structural adequacy of the design of the temporary Barricades/Hoarding.

AN5 Structural Capability for Existing Structures

The structural capabilities of any existing structure will need to meet the requirements of the BCA and may require engaging a structural engineer.

AN6 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 & Assessment Act, 1979. The determination of 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.
