


Project Approval

Section 75J of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation executed on 1 October 2011, I approve the project application referred to in schedule 1, subject to the conditions in schedules 2 and statement of commitments in schedule 3.

These conditions are required to:

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


H Deputy Director-General
Development Assessment & Systems Performance
Department of Planning & Infrastructure

Sydney

13 January

2012

SCHEDULE 1

Application No.:

MP 08_0227

Proponent:

NSW Health Infrastructure

Approval Authority:

Minister for Planning and Infrastructure

Land:

38 Palmerstone Road, Hornsby (Lot A and Lot B in DP 329121, Lot 13 in DP 14774 and Lot 118 in DP 752053)

Project:

Hornsby Ku-Ring-Gai Hospital Mental Health Facility, including:

- a new Adult Acute Mental Health Unit;
- a new Child and Adolescent Mental Health Unit;
- staff office and support facilities for both units;
- a Child and Adolescent Mental Health Unit Community Service;
- 130 car parking spaces, plus the use of 25 car parking spaces in the south-eastern corner of the Hornsby Ku-Ring-Gai Hospital Campus; and
- landscaping and signage.

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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
Certifying Authority	Means the person who is issuing certification under S109R of the EP&A Act and who will be supervising the construction work, as applicable.
Construction Council	Any works, including earth and building works
Day	Hornsby Shire Council
Department	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Director-General	Department of Planning and Infrastructure or its successors
EA	Director General of the Department of Planning and Infrastructure, or nominee
EP&A Act	Environmental Assessment titled "Project Application for New Mental Health Facilities, Hornsby Ku-Ring-Gai Hospital" dated June 2011.
EP&A Regulation	<i>Environmental Planning and Assessment Act 1979</i>
Evening Incident	Environmental Planning and Assessment Regulation 2000
Minister	The period from 6pm to 10pm
Night	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
Project	Minister for Planning and Infrastructure, or nominee
Proponent	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
POEO Act	The project described in Condition A1, Part A, Schedule 2 and the accompanying plans and documentation described in Schedule 2, Part A, Condition A2.
Reasonable and Feasible	NSW Health Infrastructure, or anyone else entitled to act on this Approval
Response to Submission	<i>Protection of the Environment Operations Act 1997</i>
RTA	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.
Subject Site	Response to Submission Report submitted 14 th September 2011
Statement of Commitments	Roads and Traffic Authority
	Lot A and Lot B in DP 329121, Lot 13 in DP 14774 and Lot 118 in DP 752053
	The proponent's Statement of Commitment in Schedule 3

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, and development must be carried out consistently with the Statement of Commitments in Schedule 3.

A2 Development in Accordance with Plans and Documents

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

<i>Environmental Assessment Report and Appendices prepared by Urban Planning Outcomes Pty Ltd on behalf of NSW Health Infrastructure, dated June 2011</i>			
<i>Response to Submissions, including Statement of Commitments prepared by Urban Planning Outcomes Pty Ltd on behalf NSW Health Infrastructure dated 14 September 2011</i>			
Architectural (or Design) Drawings prepared by Hames Sharley Architects including:			
Drawing No.	Revision	Name of Plan	Date
SK10b	B	Ground Floor Plan	17/10/11
SK11	B	First Floor Plan	17/10/11
SK11b	A	Plant Floor Plan	17/10/11
SK18-c	C	Landscape Concept Plan	17/10/11
SK13a	B	Elevations 01	22/06/11
SK13b	B	Elevations 02	22/06/11

except for:

- (1) 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
- (2) otherwise provided by the conditions of this approval.

A3 Inconsistency Between Documents

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

A4 Prescribed Conditions

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

A5 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.

A6 Additional Approvals Required

Separate development applications under Part 4 of the EP&A Act are required for the fit out of any expansion shell areas.

A7 Limits of Approval

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

A8 Car Parking

155 car parking spaces are approved to service the demand generated by the New Mental Health Facility at Hornsby Ku-ring-gai Hospital, including 130 car parking spaces approved as part of this project, and an additional 25 spaces located in the south-eastern corner of the hospital campus approved under Part 5 of the EP&A Act in August 2011 as part of the Hornsby Hospital Mental Health Unit Decanting Works.

PART B – PRIOR TO THE CERTIFICATION OF CROWN BUILDING WORKS

B1 Crown Building Work

Crown building work cannot be commenced unless the Crown building work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws. The proponent shall supply the Department of Planning and Infrastructure with evidence of the certification of the works.

Certification of the works under s109R of the EP&A Act 1979 before commencement can be either for the whole project or a component of the works, reflecting the staging of construction.

B2 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.

B3 Construction Management Plan

A Construction Management Plan shall be prepared and submitted to the certifier prior to the Certification of Crown Building Works. The Plan shall include, but not be limited to, the following matters which are to be addressed by suitably qualified person(s):

- (1) **Hours of work**, which must be in accordance with the conditions of this approval;
- (2) **Contact details** of the site manager and all principle contractors;
- (3) **Traffic management**, which is to be developed in consultation with council and is to include:
 - ingress and egress of vehicles to the site;
 - management of loading and unloading of materials;
 - number and frequency of vehicles accessing the site;
 - the times vehicles are likely to be accessing the site;
 - management of existing vehicular, pedestrian and bicycle movements / routes around the site throughout the various stages of construction;
- (4) **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; and must include:
 - The procedures by which stormwater and waste water deposited or generated on site is to be collected and treated prior to discharge including details of any proposed pollution control device; and
 - The procedures to be adopted for the prevention of run-off loose material and litter from the site onto the public way.
- (5) **Noise and vibration management**, 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 implements, and address any other relevant provisions of Australian Standard 2436-1981 *Guide to Noise Control on Construction, Maintenance and Demolition Sites* and DECCW's *Interim Construction Noise Guideline*.
- (6) **Waste management**, identifying options for minimising waste in construction; reuse and recycling of materials; the storage, control and removal of construction waste.
- (7) **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 physical barriers and the dampening of exposed excavated surfaces. The storage and stockpiling areas for material is also to be detailed.

B4 Stormwater Plan

The proponent is to prepare a detailed storm water and Drainage Works Plan which is to be submitted to the satisfaction of the Certifying Authority prior to the certification of Crown building works.

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

- (a) The OSD system shall be designed for 20 year ARI storm with maximum permissible discharge rate limited to the 5 year ARI discharge prior to the proposed development.

(b) Have a surcharge/inspection grate located directly above the outlet of the OSD.

(c) Connect directly to council's pit located at the intersection of Lowe Road and Palmerstone Road.

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

B5 Access and Movement

An Access and Safety Plan will be prepared to maintain access and use of the site during the construction of the building to ensure the safety of staff, visitors and the public.

B6 Disabled Access

Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the BCA's Access Policy.

B7 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 certification of Crown building works.

B8 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 certification of Crown building works.

B9 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 changes 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.

B10 Car parking

Prior to the certification of crown building works, the proponent is to prepare and submit to the satisfaction of the Director-General, car parking plan(s) for 5 car parking spaces north of Building 2, and car parking plan(s) for 2 car parking spaces north of Building 31 within the Hornsby Ku-ring-gai Hospital Campus.

PART C – PRIOR TO CONSTRUCTION

C1 Notice to be Given Prior to Commencement / Excavation

The council shall be given written notice, at least 48 hours prior to the commencement of any excavation, shoring or underpinning works on the site.

C2 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.

C3 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.

C4 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.

C5 Dilapidation Report

A dilapidation survey of council's assets and adjoining property including photographs and written record must be prepared and submitted to council and adjoining properties prior to the commencement of works. Failure to identify any damage to councils assets and the adjoining properties will render the proponent liable for the costs associated with any necessary repairs.

PART D – DURING CONSTRUCTION

D1 Hours of Work

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

- b) 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) in connection with the approved development must only be carried out between the hours of:
 - 7.00am and 5.00pm on Mondays to Fridays
 - 8.00am and 1.00pm on Saturdays
 - No work must be carried out on Sundays or public holidays.
- b) 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
 - the work is approved by the Director General or his nominee.

D2 Site Notice

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

- (a) Details of the Builder, Certifying Authority and Structural Engineer for all stages of the project;
- (b) The approved hours of work;
- (c) 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
- (d) To state that unauthorised entry to the site is not permitted.

D3 Protection of Trees

All trees, including street trees, shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction of any stage of the project, shall be replaced, to the satisfaction of council.

Note: The applicant is to ensure that no excavation, filling or stockpiling of building materials, parking of vehicles or plant, disposal of cement slurry, waste water or other contaminants occurs within 4 meters of any tree to be retained.

D4 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.

D5 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.

D6 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.

D7 Hoarding Requirements

- (a) No third party advertising is permitted to be displayed on the subject hoarding/fencing.
- (b) The construction site manager shall be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.

D8 Loading and Unloading During Construction

A Works Zone is required if loading and unloading is not possible on site. If a Works Zone is warranted, an application must be made to council prior to commencement of the work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the day to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

D9 No Obstruction of Public Way

The public way (outside of the work area) 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.

D10 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.

D11 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.

D12 Pedestrian Access During Construction

Pedestrian access along Palmerstone Road and Lowe Road, Hornsby 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.

D13 Setting Out of Structures

The new building 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.

D14 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
 - 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.

D15 Traffic Movement

- (a) All loading and unloading associated with works must occur on site.
- (b) All vehicles must enter and leave the site in a forward direction.
- (c) The cost of all traffic management works shall be borne by the proponent.
- (d) No trucks associated with the approved works are permitted to park or stand on public roadways.
- (e) Gates shall be closed between vehicle movements.
- (f) Movement of trucks to and from the site shall be staggered so as to limit access and egress during peak traffic periods.
- (g) The Contractor must make provision 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.

D16 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.

D17 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 National Parks and Wildlife Service.

D18 Excavated Material

Any excavated material to be removed from the site must be assessed, classified, transported and disposed of in accordance with the *EPA's Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes*.

D19 Imported Fill

Any imported fill onto the site being validated to ensure its suitability for the proposed land use from a contamination perspective. Imported fill is to be certified that it is not contaminated, based upon analysis or the known past history of the site from which it is obtained.

D20 Utility Services

- (a) During Construction, 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 developer.
- (b) Any necessary alterations to public utility installations being at the Developer/Demolisher's expense and to the requirements of both council and the appropriate authorities.

D21 Contamination

- (a) Following demolition of building 6, an inspection is to be undertaken by a suitably qualified environmental consultant to determine if soil beneath building 6 is impacted with fibrous asbestos. If the inspection determines that soil beneath building 6 is impacted with fibrous asbestos, the proponent is to prepare and implement a Remedial Action Plan (RAP) addressing the management and remediation of asbestos impacted soils. The RAP is to be prepared by a suitably qualified environmental consultant, in consultation with the Office of Environment and Heritage.

- (b) Fill/soils to be removed offsite for disposal should be classified in accordance with NSW OEH Waste Classification Guidelines, 2008 and should be disposed of at an appropriately licensed landfill facility.
- (c) Should areas of potential soil or groundwater contamination be identified at the site during future works or development, a suitably qualified environmental consultant should be contacted and appropriate investigations undertaken.

PART E – PRIOR TO THE OCCUPATION OF THE BUILDING

E1 Noise Control – Plant and Machinery

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

- (a) the Building Code of Australia
- (b) Australian Standard AS1668 and other relevant codes
- (c) the project approval and any relevant modifications
- (d) any dispensation granted by the New South Wales Fire Brigade.

E2 Fire Safety Certificate

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

E3 Structural Inspection Certificate

A Structural Inspection Certificate or a Compliance Certificate for any structural work is to be submitted to the satisfaction of the Certifying Authority prior to occupation of the building.

E4 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 occupation of the building.

E5 Waste Management

Prior to occupation of the building, the certifying authority 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.

E6 Workplace Travel Plan

Prior to occupation of the building, a Workplace Travel Plan shall be prepared and implemented during the operation of the development to encourage staff to use of non-car travel modes. Further information on workplace travel planning can be found on the Premier's Council for Active Living Website <http://pcal.nsw.gov.au>.

PART F – DURING OPERATIONS

F1 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.

F2 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:

- (a) Transmission of “offensive noise” as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy.
- (b) 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.
- (c) 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.

F3 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.

F4 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:

- (a) 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
 - 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.
- (b) 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.

AN7 *Long Service Levy*

Prior to the issue of a Crown Certification, 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).

AN8 *Vehicular Crossing*

A separate application under the Local Government Act, 1993 and the Roads Act, 1993 must be submitted to council for the installation of a new vehicular crossing and the removal of the redundant crossing. The vehicular crossing must be constructed in accordance with council's Civil Works Design, 2005 and the following requirements:

- (a) Any redundant crossings to be replaced with integral kerb and gutter.
- (b) The footway area to be restored by turfing.
- (c) Approval obtained from all relevant utility providers that

SCHEDULE 3

Statement of Commitments

The following Commitments are made by the applicant in respect to this project.

1.1 General Commitments

- G1 Health Infrastructure and its contractors are committed to the principles of sustainability as defined in the *Environmental Planning and Assessment Act 1979*. The proposed development will incorporate the following measures in support of the principles of ESD:
- Low energy and resource use building design;
 - Optimal use of natural light through responsive building design and materials;
- The construction and operation of the Hornsby Ku-ring-Gai Mental Health facility will be undertaken in accordance with Best Practice environmental management policies in place at the relevant time through the sites development.
- G2 The proponent will obtain all necessary approvals required by State and Commonwealth legislation in undertaking the project.
- G3 The development will comply with the Building Code of Australia, including any alternative solutions permitted by the Code.
- G4 The development and its uses will be in accordance with the approved Project Application as described in this Environmental Assessment.
- G5 Where ambulance entries are located, "lipless" kerbs will be used.

1.2 Prior to Commencement of Works

- P1 Detailed construction design drawings will be submitted to the Director-General of the Department of Planning and Infrastructure prior to the commencement of construction works.
- P2 An Erosion and Sediment Control Plan will be prepared in accordance with the manual 'Soils and Construction 2004' (Bluebook), the approved plans and relevant council requirements and specifications and submitted to the Director and council for information.
- P3 The erosion and sediment control devices will remain in place until the site has been stabilised and revegetated
- P4 A licensed asbestos/hazardous materials contractor will be engaged in accordance with the recommendations in the report by Noel Arnold and Associates dated November 2010 to undertake demolition of any parts of the building suspected of containing asbestos or other contaminant and removal of any asbestos or other contaminants from the site.
- P5 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 is to 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.
 - c) On construction sites where buildings contain asbestos material, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm must be erected in a prominent position visible from the street.

- P6 A Traffic and Pedestrian Management Plan will be prepared that will identify:
- The number and location of car parking spaces required by construction workers,
 - Ingress and egress of vehicles to the site,
 - Loading and unloading, including construction zones,
 - Predicted traffic volumes, types and routes, and
 - Pedestrian and traffic management methods.
- P7 The design of suitable bicycle parking and storage areas will be provided prior to construction. The bicycle storage area will be designed in accordance with Australian Standard AS 2890.3:1993 Parking Facilities – Bicycle parking facilities.
- P8 Internal Driveway/Vehicular Areas
The driveway and parking areas on site must be designed in accordance with Australian Standards 2890.1, 2890.2, 3727 and the following requirements:
- a. Design levels at the front boundary be obtained from council.
 - b. The driveway grade must not exceed 25 percent and changes in grade must not exceed 8 percent.
 - c. Conduit for utility services including electricity, water, gas and telephone be provided.

1.3 During Construction

- D1 Measures to control soil erosion during demolition and construction will be in accordance with currently accepted principles, as described in Managing Urban Stormwater (EPA NSW) and Soil Erosion and Sediment Control (The Institution of Engineers, Australia).
- D2 The Erosion and Sediment Control Plan will be implemented and 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.
- D3 Public ways will at all time to be kept clear of any materials, vehicles, refuse, skips or the like.
- D4 All waste disposal will occur in accordance with the *Protection of Environment Operations Act* and Regulations and EPA Environmental Guideline: Assessment, Classification and Management of Liquid and Non-liquid Wastes (1995).
- All wastes generated by the project shall be beneficially reused, recycled or directed to a waste facility lawfully permitted to accept the materials.
- D5 In the event of any damage being caused to any existing kerb, guttering, stormwater pit, footpath trees and/ or footpath during building operation, the proponent will repair or reimburse council for the full costs of repairing and making good.
- D6 Public reserves, public roadway or private property will not be used for storage or disposal of building materials or waste or excavated materials.
- D7 The design of facilities will permit effective, appropriate and safe use by all people, including those with disabilities and will be in accordance with:
- AS 1428 Part 1.
 - The Building Code of Australia.
- D8 Roads and other traffic based elements will be designed and constructed in accordance with Australian Standards or RTA as applicable.
- D9 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 AS 2890.2:2002 – Off-street commercial vehicle facilities.
- 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.
- e. Accessible parking spaces are to be in accordance with AS/NZS 2890.6:2009

D10 In the event that any historical or Aboriginal relics are uncovered during excavations, all excavation and disturbance to the area will stop immediately and the Office of the Environment and Heritage will be informed in accordance with Section 91 of the *National Parks and Wildlife Act 1974*.

D11 All buildings will be ventilated in accordance with relevant codes.

D12 Plant will be selected and operated in accordance with the DEC Industrial Noise Policy Guidelines and the Protection of the Environment Operations Act. A detailed assessment of plant noise emissions will be conducted once the type and placement of mechanical plant is confirmed.

1.4 Prior to Occupation or Commencement of Use

- O1 A Fire Safety Certificate will be provided to the department for all the Essential Fire or Other Safety Measures forming part of application.
- O2 Guidelines and incentives are to be investigated to encourage use of active and public transport modes particularly among staff.
- O2 Prior to occupation, one (1) full set of works as executed plans, and other supporting documentation will be submitted to the department and council for information purposes only.