

# ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

## DETERMINATION OF PROJECT APPLICATION

### REDEVELOPMENT OF A DAY SURGERY

1A NORTHCOTE ROAD, HORNSBY

(MP No. 09\_0199)

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\_0157) 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

Member of the Commission

31 day January, 2011

Sydney

### SCHEDULE 1

Application No.:

MP 09\_0199

Proponent:

Sydney Adventist Hospital

Approval Authority:

Minister for Planning

Land:

Lot 391 and 392 in DP 816195, and Lot 38 in DP 7033

Project:

Sydney Adventist Hospital Day Surgery Hornsby Redevelopment including:

- Demolition of existing buildings onsite;
- Excavation for, and construction of, car parking for 139 spaces over two levels (basement and lower ground);
- Staged construction of a new 6,237m<sup>2</sup> hospital building, including ancillary support services; and
- Provision of landscaping and construction of associated physical infrastructure.

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## DEFINITIONS

<b><i>Advisory Notes</i></b>	Advisory information relating to the approved project but do not form a part of this approval.
<b><i>BCA</i></b>	Building Code of Australia
<b><i>Certifying Authority</i></b>	Has the same meaning as Part 4A of the EP&A Act.
<b><i>Construction</i></b>	Any works, including earth and building works
<b><i>Council</i></b>	Hornsby Shire Council
<b><i>Day</i></b>	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
<b><i>DECCW</i></b>	Department of Environment, Climate Change and Water or its successors
<b><i>Department</i></b>	Department of Planning or its successors
<b><i>Director-General</i></b>	Director General of the Department of Planning, or nominee
<b><i>EA</i></b>	Environmental Assessment titled Ingham Health Research Institute, dated June 2010
<b><i>EP&amp;A Act</i></b>	<i>Environmental Planning and Assessment Act 1979</i>
<b><i>EP&amp;A Regulation</i></b>	Environmental Planning and Assessment Regulation 2000
<b><i>Evening</i></b>	The period from 6pm to 10pm
<b><i>Incident</i></b>	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
<b><i>Minister</i></b>	Minister for Planning, or nominee
<b><i>Night</i></b>	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
<b><i>Response to Submissions</i></b>	Response to Submissions dated 11 November 2010
<b><i>Project</i></b>	The project described in Condition A1, Part A, Schedule 2 and the accompanying plans and documentation described in Schedule 2, Part A, Condition A2.
<b><i>Proponent</i></b>	Sydney Adventist Hospital, or anyone else entitled to act on this Approval
<b><i>POEO Act</i></b>	<i>Protection of the Environment Operations Act 1997</i>
<b><i>Reasonable and Feasible</i></b>	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.
<b><i>RTA</i></b>	Roads and Traffic Authority
<b><i>Subject Site</i></b>	Lot 391 & 392 in DP 816195, and Lot 38 in DP 7033.
<b><i>Statement of Commitments</i></b>	The Proponent's Statement of Commitment in Appendix 1

## 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:

<b><i>Environmental Assessment Report and Appendices prepared by JBA Planning on behalf of Sydney Adventist Hospital, dated August 2010</i></b>			
<b><i>Submissions Report and Appendices prepared by JBA Planning on behalf Sydney Adventist Hospital dated November 2010</i></b>			
<b>Architectural (or Design) Drawings prepared by Morris Bray Architects including:</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
A/EA-100	B	Stage 1 – Site Plan	13.07.10
A/EA-101	C	Stage 1 – Floor Plan – Lower Ground	04.11.10
A/EA-102	C	Stage 1 – Floor Plan – Ground	04.11.10
A/EA-103	B	Stage 1 – Floor Plan – Upper Ground	13.07.10
A/EA-104	B	Stage 1 – Floor Plan – Level 1	13.07.10
A/EA-105	B	Stage 1 – Floor Plan – Level 2	13.07.10
A/EA-106	B	Stage 1 – Floor Plan – Level 3	13.07.10
A/EA-107	C	Stage 1 – Sections	04.11.10
A/EA-108	B	Stage 1 – North & East Elevation	13.07.10
A/EA-109	B	Stage 1 – South & West Elevations	13.07.10
A/EA-200	B	Stage 2 – Site Plan	13.07.10
A/EA-201	C	Stage 2 – Floor Plan – Lower Ground	04.11.10
A/EA-202	C	Stage 2 – Floor Plan – Ground	04.11.10
A/EA-203	B	Stage 2 – Floor Plan – Upper Ground	13.07.10
A/EA-204	B	Stage 2 – Floor Plan – Level 1	13.07.10
A/EA-205	B	Stage 2 – Floor Plan – Level 2	13.07.10
A/EA-206	B	Stage 2 – Floor Plan – Level 3	13.07.10
A/EA-207	C	Stage 2 – Section	04.11.10
A/EA-208	B	Stage 2 – North & East Elevations	13.07.10
A/EA-209	B	Stage 2 – South & West Elevations	13.07.10

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 and the drawings/documents referred to above, the conditions of this approval prevail.

**A4      *Additional Approvals Required***

A separate application shall be submitted to the consent authority for consideration for any building identification signage.

**A5      *Prescribed Conditions***

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

**A6      *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 (attached as Appendix 1).

These conditions of approval do not relieve the Proponent of its obligations under the EP&A Act or any other Act.

**A7      *Compliance with the Building Code of Australia***

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

**A8      *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.

## PART B – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

### **B1      *Construction Certificate***

The stamped drawings must be lodged with the Certifying Authority (Hornsby Shire 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.

### **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***

Prior to the issue of a Construction Certificate, a Construction Management Plan shall be prepared. 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 physically 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 and submit detailed storm water and drainage works plan to the satisfaction of the Certifying Authority for approval prior to the issue of a construction certificate.

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 design storm for the storage volume of the proposed OSD for the development is to be a 50 year Average Recurrence Interval (ARI) with the permissible site discharge from the developed site being limited to a 5 year ARI discharge rate for the site pre-development conditions;
- (b) Have a surcharge/inspection grate located directly above the outlet of the OSD. The pipe line from the surcharge pit shall be designed for a 20 year ARI and connected in Council Drainage System.

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      *Long Service Levy (if required)***

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).

#### **B8      *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.

#### **B9      *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.

#### **B10     *Contamination***

Prior to the issue of a Construction Certificate, a Phase 2 Contamination Assessment will be undertaken to identify the presence of any sub-surface contaminants. The Assessment is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.



## **PART C – PRIOR TO CONSTRUCTION**

### **C1      *Notice to be Given Prior to Commencement / Excavation***

- (c) The Certifying Authority and 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.
- (d) The Certifying Authority is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the Certifying Authority via the notice under Section 81A of the *Environmental Planning and Assessment Act 1979*.

### **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      *Utility Services***

- (a) 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 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.

### **C4      *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.

### **C5      *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.

### **C6      *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 Council's 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:

- (a) 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 6.00pm 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 – Street Trees***

All 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.

### **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      *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.

## **D7      *Hoarding Requirements***

- (a) To ensure an appropriate presentation of the site to the public domain 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, the site's history and heritage significance.
- (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.

## **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     *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.

## **D12     *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.

## **D13     *Pedestrian Access During Construction***

Pedestrian access along Palmerstone Road, Northcote Road and Balmoral Street 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.

## **D14     *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.

## **D15     *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.

## **D16     *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 shall 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.

**D17      *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.

**D18      *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.

**D19      *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*.

**D20      *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 obtained.

## **PART E – PRIOR TO ISSUE OF OCCUPATION CERTIFICATE / PRIOR TO OPERATIONS**

### ***E1 Noise Control – Plant and Machinery***

Prior to the issue of an Occupation Certificate for 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 Acoustic Report – Revision 3 (SLR Heggies, 11 November 2010)
- (b) the Building Code of Australia
- (c) Australian Standard AS1668 and other relevant codes
- (d) the project approval and any relevant modifications
- (e) 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 the Occupation Certificate for 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 issue of the Occupation Certificate.

### ***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 the issue of the Occupation Certificate for the building.

### ***E5 Waste Management***

Prior the issue of the Occupation Certificate being issued, 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.

## **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.

## APPENDIX 1

### Statement of Commitments

In accordance with Part 3A of the *Environmental Planning and Assessment Act 1979*, the following are the commitments made by the SAN to manage and minimise potential impacts arising from the proposal. These commitments replace the draft commitments included with the EAR. Revisions made to commitments aim to address issues raised during the public exhibition period.

#### 4.1 Traffic Management

The SAN commit to the following:

- Investigating the provision of a dedicated pedestrian crossing on either Northcote Road or Palmerston Road.
- Preparation (in accordance with the Premier's Council for Active Living and Travel Access Guides) and adoption of a Green Travel Plan to encourage travel by non-car means.
- Preparation and adoption of a construction traffic management plan prior to issue of a construction certificate.
- Installing bicycle locking points adjacent to the entry of the building on Palmerston Road prior to issue of occupation certificate.
- Designing and constructing the layout of the car park in accordance with AS2890.1 and AS2890.2.

#### 4.2 Ecologically Sustainable Development

The SAN commit to implementing the ESD initiatives as set out within SBE's ESD Statement (July 2010), including:

- Preparation of a Construction Waste Management Plan and Operational Waste Management Plan prior to issue of a Construction Certificate (CC).
- Preparation of Water Sensitive Urban Design (WSUD) strategy prior to issue of a CC.
- Preparation of a Building User's Guide prior to issue of the Occupation Certificate (OC).
- Provision of other key measures as outlined in the ESD Statement (July 2010).

The SAN commit to achieving at a minimum a 4 star Green Star rating (under the Green Building Council of Australia's Green Star Healthcare V1 Design tool).

#### 4.3 Contamination

The SAN commit to the following:

- Preparation of a Hazardous Materials Survey prior to demolition of any structures.
- Further investigations of filling materials and surface soils undertaken prior to commencement of excavation works.
- Undertaking a waste classification assessment for the removal of any filling or soils from the site, in accordance with current waste classification guidelines.
- Compliance with the recommendations of the Phase 1 Contamination Report prepared by Douglas Partners (June 2010).

#### 4.4 BCA and Accessibility

BCA:

The SAN commit to providing a development which is compliant with the BCA 2010 and developing alternative solutions where practicable as outlined in the BCA Report prepared by McKenzie Group (July 2010).

Fire Safety:

The SAN commit to constructing a building in accordance with the BCA, and where required to developing alternative solutions which comply with the relevant performance requirements of the BCA 2010.

Energy Efficiency

The SAN commit to providing a development that at a minimum complies with Part J of the BCA 2010.

Accessibility

The SAN commits to providing a development which has an equitable and accessible environment for all and complies. The development will comply with the recommendations of the

Access Review (June 2010) in order to achieve optimum compliance with the following standards:

- AS 1428.1 – (80% of people with disabilities accommodated)
  - AS1428.2 – (90% of people with disabilities accommodated)
  - AS1735.12- (Lifts, Escalators and Moving Walks – Facilities for Persons With Disabilities)
  - - Building Code of Australia
  - - Disability Discrimination Act
  - - Hornsby Shire Access & Mobility DCP
- 3-4% of total parking will be designated as accessible parking and be reasonably located adjacent to the passenger lifts.
  - The width of the entry ramp between handrails will be a minimum of 1200mm and provide a 1500mm long mid landing where there is a 180 degree turn.
  - Accessible car bays will comply with AS2890.6 (2.4m wide accessible car bay with a 2.4m wide shared zone).

## 4.5 Construction Management

The SAN commit to implementing the following plans during the construction phase. The following documents will be prepared prior to the commencement of works:

- Construction traffic management plan
- Construction waste management plan
- Construction noise and vibration management control plan
- Erosion and sedimentation control plan
- Demolition plan

## 4.6 Wind Amelioration

The SAN commit to providing windbreak elements to the Doctor's Terrace and Cafe Outdoor Terrace as outlined in the Wind Impact Assessment prepared by Heggies (July 2010).

## 4.7 Waste Management

The SAN commits to general compliance with the provisions of the Waste Management Plan prepared by Morris Bray Architects (July 2010) during construction, including:

- Preparation of a Demolition Plan and Waste Tracking System (WTS) prior to commencement of works;
- Preparation of an Erosion and Sedimentation Control Plan prior to issue of a construction certificate; and
- A detailed Operational Waste Management Plan prior to issue of a construction certificate.

## 4.8 Tree Protection

The SAN commits to implementing the recommendations of the Arborist Report prepared by Treescan (June 2010), including:

- The incorporation of appropriate measures during construction to protect those trees to be retained as part of the development.

## 4.9 Utilities

The SAN commits to liaise and obtain approval from all relevant service providers in regard to the provision of utility services to the site.

## 4.10 Noise

### Construction and Demolition

The SAN commit to preparing and implementing a comprehensive site and activity-specific Construction Noise and Vibration Management Plan, incorporating such noise control measures as outlined within the Environmental Assessment – Acoustics Report prepared by Heggies (November 2010).

The SAN commit to investigating and implementing (where feasible and practical) noise mitigation measures in order to minimise disturbance to the operations of the adjoining Sleep Disorder Clinic.

### Operation

The SAN commit to complying with the following noise criteria at the closest offsite receivers during the operation of the development:

- Day 45 dBA (previously 47 dBA)
- Evening 40 dBA (previously 44 dBA)
- Night 36 dBA (previously 40 dBA)

The SAN commit to undertake noise emissions compliance testing during the occupation certificate stage of the project to verify compliance with the above noise criteria.

## 4.11 Hazards

The SAN commit to:

- Monitoring the cylinder condition and content/use on a regular basis;
- Developing and adopting procedures for the safe management and use of the resuscitation equipment;
- Training staff in the appropriate use of the resuscitation equipment;
- Employing a registered and approved biological hazards waste contractor for the collection of contaminated and biological waste generated by the operation of the development;
- Training staff to dispose of contaminated and potentially contaminated wastes (including biological hazard wastes) into the appropriate receptacles for collection by the biowastes and contaminated wastes contractor; and
- Erecting signs on all discharge points to sewer indicating that “Non-Hazardous Wastes Only” shall be discharged to sewer points.

## 4.12 Consultation

The SAN commit to preparing and implementing a Stakeholder Consultation Strategy throughout the detailed design and construction stage.

The SAN commit to continue to liaise with NSW Health (NSCCAHS) and the Hornsby Ku-ring-gai Hospital to ensure there will be minimal disruption during the construction of the hospital and to explore potential opportunities that may present the selves as the two campuses embark on their redevelopment projects.

The SAN commit to liaising with the adjoining Sleep Disorder Clinic as part of the detailed design and demolition/construction phase of the development.