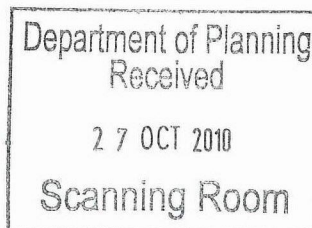


Our Ref: IMS
Contact: Greg Hall
Telephone: (02) 4732 7960



22 October 2010

The Director
Lands and Social Projects
NSW Department of Planning
GPO Box 39
SYDNEY NSW 2001

Att Ms M Fu

Dear Ms Fu,

**Part 3A "Major Project" – Application No. MP 10_0067
Nepean Hospital - Integrated Mental Health Unit
Lot 1 DP 1114090, 35-65 Derby Street, KINGSWOOD**

Thank you for your referral of the Environmental Assessment (EA) for the Part 3A Major Project Application for the proposed Integrated Mental Health Unit .

The following comments are provided for consideration as part of the Department of Planning's assessment and determination of this application.

General Matters

1. The EA has suitably addressed the key issues identified in Council's preliminary comments in relation to the proposal dated 7 June 2010.
2. Drainage from the development should not impact the downstream catchment or downstream properties.

Access, Parking and Traffic

3. The increase in traffic movements as a result of the proposed development is seen as appropriate as it is anticipated that the local road network and surrounding intersection treatments have adequate spare capacity to cater for this increase.
4. The proposed on-site car parking provision is in accordance with Section 2.11 (Car Parking) of *Penrith Development Control Plan 2006*. It is understood that future stages of the hospital redevelopment will entail a multi-deck car park to facilitate increased patronage and relieve existing on-street parking demands. A suitable parking strategy for staff as part of this proposal is therefore recommended in order to alleviate current on-street parking issues surrounding the hospital. The recommendations for implementation on page 45 of the Transport and Accessibility Study prepared by TEF Consulting should be implemented with the development.

5. Ingress and egress of all trucks must be in a forward direction with ample internal storage provided for any queuing and loading activities. All car parking areas must be designed to comply with *Australian Standard 2890.1-2004*.
6. Council officers are concerned that while in the near future there is a proposal to construct a multi deck car park on the hospital site for both staff and visitors there has been no specific time frame or trigger for the construction of the car park to commence.

The site has been the subject of several part 3(A) applications and other proposals that have resulted in the generation of additional car parking demand and the loss of some existing car parking facilities on site.

While each project on it's own may meet the car parking requirement there has been no assessment of the cumulative impact on the car parking needed for the hospital.

The streets surrounding the hospital are permanently used for parking of staff and visitors and the extent of this on street parking has continued to grow.

Council officers would like to see a trigger in the overall development of the hospital site that would require the construction of the multi deck car park on the hospital site to be implemented.

Safety, Security and Crime Prevention

7. It is recommended that the strategies outlined in the Crime Prevention Through Environmental Design Assessment prepared by Woods Barget be implemented .

Enclosed is also the recommended conditions that should be imposed with any approval granted.

Should you have any queries regarding this matter, please contact me on (02) 4732 7960.

Yours faithfully,



Greg Hall
Principal Planner

ATTACHMENT 1: PROPOSED CONDITIONS OF CONSENT

GENERAL

1. The development must be implemented substantially in accordance with the following plans:

Project number 2-20-2077 Drawing number A1000- A1001, A1100, A2201- A2204, A3001-A3004 , A3101-A3102, A8001-A8004, A9301, A9401- A94003, A9501
Revision 1 dated 13/09/10 prepared by Woods Bagot.

Landscape plan prepared by 360 issue B dated 9/9/10

and any supporting information including the various reports that accompanied the application.

2. The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.
3. Any roof plant or equipment is to be positioned so that it cannot be viewed from the street, or alternatively screening measures are to be implemented.

ENVIRONMENTAL MATTERS

4. Erosion and sediment control measures shall be installed **prior to the commencement of works on site** including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

(Note: To obtain a copy of the publication, you should contact Landcom on (02) 98418600).

Certification that the erosion and sediment control measures have been installed in accordance with the approved erosion and sediment control plan (s) for the development and "Managing Urban Stormwater: Soils and Construction 2004" shall be obtained and issued a minimum 2 days before any other site works are to commence, including earthworks and clearing of the site.

The approved sediment and erosion control measures are to be installed **prior to and maintained throughout the construction phase of the development until the landscaping, driveway and on-site parking areas have been completed for the development.** These measures shall ensure that mud and soil from vehicular movements to and from the site does not occur during the construction of the development.

5. All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.

6. All excavated material and other wastes generated as a result of the development are to be re-used, recycled or disposed of in accordance with the waste management plan.

Waste materials not specified in the waste management plan are to be disposed of at a lawful waste management facility. Where the disposal location or waste materials have not been identified in the waste management plan, details shall be provided as part of the waste management documentation.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available .

7. The operating noise level of plant and equipment shall not exceed 5dB(A) above the background noise level when measured at the boundaries of the premises. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.
8. Should during the construction of the development, contaminated material or a contamination related issue arise on the site, a phase 2 environmental assessment is to be prepared by a suitably qualified environmental consultant and is to be submitted to Council . The phase two environmental assessment is to be prepared in accordance with the relevant legislation and EPA guidelines.

Should the phase 2 environmental assessments identify that remediation works are required on the site, then a separate development application is to be submitted for the remediation works in accordance with the relevant legislation and EPA guidelines.

9. Dust suppression techniques are to be employed during construction to reduce any potential nuisances to surrounding properties.

BCA ISSUES

10. Access and sanitary facilities for persons with disabilities are to be provided and maintained in accordance with the requirements of the Building Code of Australia and AS 1428 "Design for Access and Mobility".

11. The owner of a building, to which an essential fire safety measure is applicable, shall provide Penrith City Council with an annual fire safety statement for the building. The annual fire safety statement for a building must:

(a) deal with each essential fire safety measure in the building premises, and

(b) be given:

- ☐ within 12 months after the last such statement was given, or
- ☐ if no such statement has previously been given, within 12 months after a final fire safety certificate was first issued for the building.

As soon as practicable after the annual fire safety statement is issued, the owner of the building to which the statement relates:

- ☐ must also provide a copy of the statement (together with a copy of the current fire safety schedule) to the Commissioner of New South Wales Fire Brigades, and
- ☐ prominently display a copy of the statement (together with a copy of the

current fire safety schedule) in the building.

12. All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:
- (a) complying with the deemed to satisfy provisions, or
 - (b) formulating an alternative solution which:
 - ☐ complies with the performance requirements, or
 - ☐ is shown to be at least equivalent to the deemed to satisfy provision, or
 - (c) a combination of (a) and (b).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/statement for the building.

UTILITY SERVICES

13. A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's website at www.sydneywater.com.au then the "e-developer" icon, or telephone 13 20 92.

The Section 73 Compliance Certificate must be prior to the Occupation of the building.

14. A written clearance is to be obtained from Integral Energy stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

CONSTRUCTION

15. Approved plans, specifications, a copy of the development consent, to be relied upon shall be available on site at all times during construction.

The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- ☐ the name of the Principal Certifying Authority, their address and telephone number,
- ☐ the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- ☐ that unauthorised entry to the work site is prohibited,
- ☐ the designated waste storage area must be covered when the site is unattended, and
- ☐ all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details are to be erected:

- ☐ at the commencement of, and for the full length of the, construction works onsite, and

- ☐ in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed **when the building is occupied**.

16. Prior to the commencement of construction works:

- (a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:
 - a standard flushing toilet connected to a public sewer, or
 - if that is not practicable, an accredited sewage management facility approved by the council, or
 - alternatively, any other sewage management facility approved by council.
- (b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- (c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - must preserve and protect the building from damage, and
 - if necessary, must underpin and support the building in an approved manner, and
 - must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).
- (d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:
 - if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,
 - the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and any such hoarding, fence or awning is to be removed when the work has been completed.

17. Structural details of the nominated building component(s), prepared and/or certified by a professional engineer or other appropriately qualified person, shall be submitted with the Principal Certifying Authority **prior to constructing or erecting that portion of the approved development:**

- a) Footing piers
- b) Footing system
- c) Concrete floor slab
- d) Structural concrete
- e) Wall frame bracing
- f) Roof trusses
- g) Structural steelwork

18. Construction works or subdivision works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- ☐ Mondays to Fridays, 7am to 6pm
- ☐ Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
- ☐ No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside a building/tenancy and do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

ENGINEERING

- 19 Prior to the commencement of works for the building the applicant shall ensure that a Roads Act application, including the payment of appropriate fees, for the following works, has been lodged with, and approved by Penrith City Council (being the Roads Authority under the Roads Act).

Civil design drawings are to be prepared strictly in accordance with Penrith City Council's Design and Construction Guidelines and Construction Specification for Civil Works.

Note:

1. Where Penrith City Council is the Certifying Authority for the development the Roads Act approval for the above works may be issued concurrently with the Construction Certificate.
2. Contact Penrith City Council's **Development Engineering Unit** on (02) 4732 7777 to ascertain applicable fees.

20. Prior to Occupation of the Building the Principal Certifying Authority shall ensure that all civil works have been satisfactorily completed in accordance with the Penrith City Council's Design and Construction Guidelines and Construction Specification for Civil Works, and relevant conditions of the development consent.
21. Prior to Occupation of the Building the Certifying Authority shall ensure that the on-site detention system:
- Has been constructed in accordance with Penrith City Council's Design and Construction Guidelines and Construction Specification for Civil Works and Construction Certificate conditions of development consent.
 - Will operate satisfactorily with regard to any variations or that suitable remedial works have been undertaken.
 - Will operate in accordance with the design intent and Penrith City Council's Design and Construction Guidelines and Construction Specification for Civil Works.

Details of the approved and constructed system/s shall be provided as part of the works-as-executed drawings.

22. Prior to Occupation of the Building a restriction as to user and positive covenant relating to the on-site detention system, shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Penrith City Council's standard wording as detailed in Penrith City Council's Design and Construction Guidelines and Construction Specification for Civil Works.
23. Prior to Occupation of the Building any damage to Council infrastructure not identified in the dilapidation report, as a result of the development shall be restored under the supervision of Penrith City Council. Any rectification works within Derby Street will require a Roads Act application. The application is to be submitted and approved by Penrith City Council prior to such works commencing.
24. Prior to Occupation of the building stormwater drainage from the site shall be discharged to the:
- (a) Existing site drainage system
- The proposed stormwater drainage system shall be designed to ensure no adverse impact on the existing downstream drainage systems.
25. On-site detention shall be provided generally in accordance with the stormwater concept plan lodged for development approval, prepared by Hughes Trueman, reference number 10S234DAC01, revision B dated 08/09/2010.

Engineering plans and supporting calculations for the on-site detention system are to be prepared by a qualified Hydrologic/Hydraulic Engineer.

An operation and maintenance manual shall be prepared.

Prior to the commencement of works the Certifying Authority shall ensure that the on-site detention system has been designed in accordance with Penrith City Council's Design and Construction Guidelines and Construction Specification for Civil Works.

26. All vehicular access, pedestrian access, carparking and manoeuvring areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Penrith City Council's Development Control Plan.

Car parking bays are to be a minimum of 2.6m wide x 5.4m long. Dedicated accessible car spaces are to be in accordance with AS2890.6: 2009.

27. Prior to the commencement of works the Certifying Authority shall ensure that the proposed development is compatible with the recommendations of the Stormwater Report prepared by Mott MacDonald dated September 2010.

28. Prior to the Commencement of Works a dilapidation report of all Council owned infrastructure fronting the development in Derby Street is to be submitted to Penrith City Council. The report is to include, but not limited to, footpaths, kerb and gutter, pavement and street trees and is to extend 20m either side of the development.

29. After completion of all civil works, works-as-executed drawings and compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Penrith City Council's Design and Construction Guidelines and Construction Specification for Civil Works.

An original set of works-as-executed drawings and copies of compliance documentation shall also be submitted to Penrith City Council prior to Occupation of the Building.

30. Linemarking shall be installed indicating directional movements and the location of visitor parking to the satisfaction of the Principal Certifying Authority.

31. Prior to commencement of any works in Derby St a Traffic Control Plan including details for pedestrian management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller.

Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.

LANDSCAPING

32. All landscape works are to be constructed in accordance with the approved landscape plan shall be maintained:
- ☐ in accordance with the approved plan, and
 - ☐ in a healthy state, and in perpetuity by the existing or future owners and occupiers of the property.

If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity, as the vegetation, which died or was removed.