

Project Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation executed on 14 September 2011 and effective from 1 October 2011, I approve the project application referred to in schedule 1, subject to the conditions in schedule 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.



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

Sydney

26 July

2012

SCHEDULE 1

Application No.:

MP 11_0012

Proponent:

Health Infrastructure

Approval Authority:

Minister for Planning and Infrastructure

Land:

Port Macquarie Base Hospital Campus
(Lot 23 in DP1099567)

Project:

Port Macquarie Base Hospital Expansion, including:

- construction of a part two and part four storey addition to the main hospital building and refurbishment works to the existing hospital building to accommodate seven operating theatres, 69 beds, 61 treatment bays and two procedure rooms, a new Central Sterilising Services Department (CSSD), a new Cardiac Catheter Suite, storage areas and support service areas
- demolition of 1,500 sqm of floorspace
- 12 new surgical beds (refurbishment of existing hospital)
- refurbishment of the existing Emergency Department to provide an Urgent Care Centre
- refurbishment to provide an eight bed Emergency Medical Unit
- construction of a new loading dock and a new emergency access/ambulance parking area

- reconfiguration of the existing at-grade car park in the vicinity of the former emergency department entrance
 - landscaping works
 - bulk earthworks
 - utility works including sewer augmentation works and two new substations
 - the removal of 89 trees.
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DEFINITIONS

Advisory Notes	Advisory information relating to the approval but do not form a part of this approval
Proponent	Health Infrastructure, or anyone else entitled to act on this approval
Application	The major project application and the accompanying drawings plans and documentation described in Condition A1.
BCA	Building Code of Australia
Construction	Any works, including earth and building works
Council	Port Macquarie Hastings Council
Certification of Crown Building works	Certification under s109R of the EP&A Act
Certifying Authority	Means a person who is authorised by or under section 109D of the Act to issue a construction certificate under Part 4A of the Act; or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Infrastructure or its successors
Director-General	Director-General of the Department of Planning and Infrastructure, or nominee
Director General's approval, agreement or satisfaction	A written approval from the Director- General (or nominee)
Evening	The period from 6pm to 10pm
EA	Environmental Assessment titled <i>Port Macquarie Base Hospital Expansion Major Project Application MP 11_0012 Environmental Assessment</i> prepared by <i>Architectus</i> , dated <i>February 2012</i>
EPA	Environment Protection Authority, or its successor
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation or Regulation	Environmental Planning and Assessment Regulation 2000
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval
Minister	Minister for Planning and Infrastructure, or nominee
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
NOW	NSW Office of Water, or its successor
OEH	Office of the Environment and Heritage, or its successor
PCA	Principal Certifying Authority, or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
PPR	Preferred Project Report in letter <i>Port Macquarie Base Hospital Expansion Major Project MP 11_0012, Preferred Project Report</i> prepared by <i>Health Infrastructure</i> , dated 12 June 2012
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build
RMS	Roads and Maritime Services Division, Department of Transport or its successor
RtS	Response to Submissions titled <i>Port Macquarie Base Hospital Expansion Major Project Application MP 11_0012 Response to Submissions</i> prepared by <i>Architectus</i> , dated May 2012
Subject Site	Lot 23 in DP1099567
Sensitive receiver	Residence, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church) and children's day care facility.

SCHEDULE 2

PART A - ADMINISTRATIVE CONDITIONS

TERMS OF APPROVAL

Development Description

A1. Except as amended by the conditions of this approval, development approval is granted only to carrying out the development as described in Schedule 1.

Development in Accordance with Plans and Documents

A2. The proponent shall carry out the project generally in accordance with the:

- (a) Environmental Assessment titled *Port Macquarie Base Hospital Expansion Major Project Application MP 11_0012 Environmental Assessment* prepared by *Architectus*, dated February 2012;
- (b) Response to Submissions titled *Port Macquarie Base Hospital Expansion Major Project Application MP 11_0012 Response to Submissions* prepared by *Architectus*, dated May 2012;
- (c) Preferred Project Report in letter *Port Macquarie Base Hospital Expansion Major Project MP 11_0012, Preferred Project Report* prepared by *Health Infrastructure*, dated 12 June 2012; and
- (d) The following drawings, except for:
 - (i) any modifications which are Exempt' or Complying Development;
 - (ii) as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; or
 - (iii) otherwise provided by the conditions of this approval.

Architectural (or Design) Drawings prepared by HASSELL			
Drawing No.	Revision	Name of Plan	Date
AR 0012	04	SITE PLAN	19.06.2012
AR 0020	02	DEMOLITION PLAN – SITE	25.01.2012
AR 0021	02	DEMOLITION PLAN – LEVEL 1 - 3	25.01.2012
AR 2010	02	LEVEL 1 – DEPARTMENTAL PLAN	12/06/2012
AR 2011	01	LEVEL 2 – DEPARTMENTAL PLAN	20/12/2011
AR 2012	01	LEVEL 3 – DEPARTMENTAL PLAN	20/12/2011
AR 0103	03	GENERAL ARRANGEMENT PLAN – LEVEL 4	08.02.2012
AR 0700	02	FAÇADE TYPES – REFERENCE PLAN	25.01.2012
AR 0125	02	ELEVATIONS – SHEET 1	25.01.2012
AR 0127	02	ELEVATIONS – SHEET 1	25.01.2012
AR 0128	02	ELEVATIONS – SHEET 2	25.01.2012
AR 0129	02	ELEVATIONS – SHEET 3	25.01.2012
AR 0145	02	SECTIONS – SHEET 1	25.01.2012
AR 0146	02	SECTIONS – SHEET 2	25.01.2012
AR 0147	02	SECTIONS – SHEET 3	25.01.2012
Landscape Drawings prepared by HASSELL			
Drawing No.	Revision	Name of Plan	Date
1000	04	LANDSCAPE SITE PLAN	01-06-12
1003	02	ATRIUM SPILL OUT SPACE (LEVEL 1)	27-01-12
1004	02	INTERNAL COURTYARD (LEVEL 1)	27-01-12
1005	02	ROOF TERRACE (LEVEL 3)	27-01-12

Inconsistency between documents

A3. If there is any inconsistency between the plans and documentation referred to above and the Statement of Commitments in Schedule 3, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this approval prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.

Development Expenses

- A4. It is the responsibility of the Proponent to meet all expenses incurred in undertaking the project, including expenses incurred in complying with conditions imposed under this approval.

Limits of Approval

- A5. This approval will lapse five years from the date of approval unless the building works associated with the project have physically commenced.
- A6. This approval does not approve any works outside of the extent of works area identified in Drawing No. AR 0012, Revision 04, Site Plan, dated 19.06.2012.

Prescribed Conditions

- A7. The Proponent shall comply with all relevant prescribed conditions of development approval under Part 6, Division 8A of the Regulation.

Long Service Levy

- A8. For work costing \$25,000 or more, a Long Service Leave Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.

Legal notices

- A9. Any advice or notice to the approval authority shall be served on the Director-General.

Biodiversity Offset

- A10. Within three months of the date of this approval the proponent is to:
- (a) demonstrate to the satisfaction of the Director-General that an appropriate site for compensatory planting or vegetation conservation has been identified and an agreement with the land owner to undertake the planting and its ongoing management or manage the vegetation in accordance with a vegetation management plan has been entered into, to the satisfaction of the Office of Environment and Heritage; or
 - (b) enter into a Biobanking Agreement with the Office of Environment and Heritage or obtain a Biobanking Statement that identifies the necessary credits that will need to be acquired to offset the tree removal on the site and a copy submitted to Director-General.

Note: If the proponent proceeds with (a), a vegetation management plan must be registered on title to ensure the conservation of the compensatory planting or identified vegetation in perpetuity in accordance with Condition E1. If the proponent proceeds with (b), a Biobanking statement must be acquired and relevant credits retired in accordance with Condition E1.

PART B – PRIOR TO CERTIFICATION OF CROWN BUILDING WORKS

Ecologically Sustainable Development

- B1. The project shall be designed to target a 4 star green star rating and all design measures shall be identified in relevant construction plans.

Noise Attenuation Measures

- B2. Prior to certification of Crown building works, the Proponent shall incorporate the recommendations of the *Port Macquarie Base Hospital Acoustic Assessment of Expansion* Report prepared by *Acoustic Logic*, dated 16 January 2012, in the detailed design drawings and submit to the department documentation demonstrating that the noise impacts have been mitigated and the noise generated by the project would not exceed the following levels at the closest receivers:
- (a) 49dB LAeq (15min) during the daytime, 46dB LAeq (15min) during the evening and 44dB LAeq (15min) during the night time for residential receivers to the north of the site at Deakin Close;

- (b) 44dB LAeq (15min) during the daytime, 39dB LAeq (15min) during the evening and 36dB LAeq (15min) during the night time for residential receivers to the north-east of the site at Toorak Court;
- (c) 35dB LAeq (15min) during the noisiest one hour period for the affected hospital wards (internal).

Reflectivity

- B3. The visible light reflectivity from building materials used on the facades of the buildings shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place.

Outdoor Lighting

- B4. All outdoor lighting shall be designed to comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.

Access for People with Disabilities

- B5. The building must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia. The Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on relevant plans prior to the certification of Crown Building works.

Erosion and Sedimentation Control

- B6. Soil erosion and sediment control measures shall be designed in accordance with the document *Managing Urban Stormwater-Soils & Construction Volume 1* (2004) by Landcom. Details are to be submitted to the satisfaction of the Certifying Authority prior to the certification of Crown Building works.

Pre-Construction Dilapidation Reports

- B7. The Proponent is to engage a qualified structural engineer to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all retained existing and adjoining buildings, infrastructure and roads. The report shall be submitted to the satisfaction of the Certifying Authority prior to the certification of Crown Building works. A copy of the report is to be forwarded to the department and to the council.

Bicycle Spaces

- B8. The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities except that:
- (a) all bicycle parking for staff / employees of any land uses must be Class 2 bicycle facilities, and
 - (b) all bicycle parking for visitors of any land uses must be Class 3 bicycle rails.

Traffic and Parking Details

- B9. Plans are to identify the following traffic and parking details:
- (a) all vehicles should enter and leave the Subject Site in a forward direction. In the event that site constraints do not permit heavy rigid vehicles to enter and leave the Subject Site in a forward direction, then all reversing movements should be undertaken under the control of certified traffic controllers to ensure public safety when vehicles are reversing;
 - (b) car parking associated with the proposal (including queuing areas, grades, turn paths, sight distance requirements, aisle widths, and parking bays) should be in accordance with AS 2890.1-2004 and AS 2890.2-2002 for heavy vehicle usage;
 - (c) appropriate pedestrian advisory signs are to be provided at the egress from the car park and loading dock;
 - (d) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority; and

- (e) the swept path of the longest vehicle (including garbage trucks) entering and exiting the Subject Site, as well as manoeuvrability through the Subject Site, shall be in accordance with AUSTROADS
 - (f) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority.
- B10. Details demonstrating compliance with these requirements shall be submitted to the satisfaction of the Certifying Authority prior to the certification of Crown Building works.

Mechanical Ventilation

- B11. All mechanical ventilation systems shall be installed 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. Details shall be submitted to the satisfaction of the Certifying Authority prior to certification of Crown Building works for above ground works.

Stormwater & Drainage

- B12. Final design plans of the stormwater drainage systems, prepared by a qualified practicing professional and in accordance with the requirements of council shall be submitted to the certifier prior to the certification of Crown Building works. The hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff.

Compliance Certificate – Notice of Requirements

- B13. An application shall be made to Council for a Compliance Certificate under Section 306 of the Water Management Act 2000 prior to the certification of Crown Building works.

Following application a “Notice of Requirements” will advise of water and sewer extensions to be built and charges to be paid, prior to the commencement of works.

PART C – PRIOR TO COMMENCEMENT OF WORKS

Demolition

- C1. The demolition work shall comply with the provisions of Australian Standard AS2601: 2001 *The Demolition of Structures*. The work plans required by AS2601: 2001 shall be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance shall be submitted to the satisfaction of the PCA prior to the commencement of works.

Excavation Works

- C2. The PCA and council shall be given written notice, at least 48 hours prior to the commencement of excavation, shoring or underpinning works on the Subject Site.

Structural Details

- C3. Prior to the commencement of construction, the Proponent shall submit to the satisfaction of the PCA structural drawings prepared and signed by a suitably qualified practising Structural Engineer that comply with:
- (a) the relevant clauses of the BCA,
 - (b) confirm that the footings and/or concrete slabs adjacent to sewer lines or stormwater easements do not impose any additional loads on the infrastructure; and
 - (c) the development approval.

Construction Environmental Management Plan

- C4. Prior to the commencement of any works on the Subject Site, a Construction Environmental Management Plan (CEMP) shall be submitted to the PCA.
- (a) The Plan shall address, but not be limited to, the following matters where relevant:

- (i) hours of work;
 - (ii) 24 hour contact details of site manager;
 - (iii) traffic management;
 - (iv) construction noise and vibration management, prepared by a suitably qualified person;
 - (v) management of dust to protect the amenity of the neighbourhood;
 - (vi) erosion and sediment control;
 - (vii) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site; and
 - (viii) external lighting in compliance with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting;
- (b) The CEMP must not include works that have not been explicitly approved in the development approval. In the event of any inconsistency between the approval and the CEMP, the approval shall prevail.
 - (c) The Proponent shall submit a copy of the CEMP to the department and to the council, prior to commencement of work.

Waste Management Plan During Construction

- C5. Prior to the commencement of any works on the Subject Site, a Construction Waste Management Plan prepared by a suitably qualified person in consultation with the council, shall be submitted to the PCA. The Plan shall address, but not be limited to, the following matters:
 - (a) minimising waste in construction;
 - (b) reuse and recycling of demolition materials including concrete;
 - (c) storage, control and removal of construction waste;
 - (d) removal of hazardous materials and disposal to an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works
- C6. Details demonstrating compliance with the relevant legislative requirements, associated with the removal of hazardous waste, particularly the method of containment and control of emission of fibres to the air, are to be submitted to the satisfaction of the PCA prior to the removal of any hazardous materials.
- C7. The Proponent shall submit a copy of the Plan to the department and to the council, prior to commencement of work.

Construction Traffic & Pedestrian Management Plan

- C8. Prior to the commencement of any works on the Subject Site, a Construction Traffic and Pedestrian Management Plan, prepared by a suitably qualified person, shall be submitted to the PCA. The Plan must be endorsed by council and shall address, but not be limited to, the following matters:
 - (a) ingress and egress of vehicles to the Subject Site;
 - (b) loading and unloading, including construction zones;
 - (c) predicted traffic volumes, types of vehicles, routes, and the times vehicles are likely to be accessing the site;
 - (d) pedestrian and traffic management methods, including access arrangements;
 - (e) changes to on-street parking restrictions on roads; and
 - (f) management of car parking demand during construction including preparation and distribution of a Travel Access Guide;
- C9. The Proponent shall submit a copy of the final Plan to the council, prior to the commencement of work.

Utility Services

- C10. Prior to the commencement of work the Proponent is to negotiate with the utility authorities (e.g. Ausgrid and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure.

Contact Telephone Number

- C11. 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.

Haulage Routes

- C12. 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, if required. 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.

Water, Sewer and Stormwater Infrastructure

- C13. All public water, sewer and stormwater infrastructure necessary to service the development must be designed and constructed in accordance with council's AUSPEC Specifications. Construction details must be submitted to council for endorsement prior to the commencement of works.
- (a) All connections to the sewer main shall be directly to a new or existing manhole and shall be located in an accessible location and not within one metre of any structures, including retaining walls.

PART D – DURING CONSTRUCTION**Ecologically Sustainable Development**

- D1. The project shall implement any relevant construction measures to target a 4 star green star rating and these shall be reflected in construction management plans.

Erosion and Sediment Control

- D2. All erosion and sediment control measures, are to be effectively implemented and 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 a source of sediment.

Disposal of Seepage and Stormwater

- D3. Any seepage or rainwater collected on-site during construction shall not be pumped to the street stormwater system unless separate prior approval is given in writing by council.

Approved Plans to be On-site

- D4. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Subject Site at all times and shall be readily available for perusal by any officer of the department, council or the PCA.

Site Notice

- D5. A site notice(s) shall be prominently displayed at the boundaries of the Subject Site for the purposes of informing the public of project details including, but not limited to the details of the Builder, PCA and Structural Engineer.
- D6. The site notice(s) is to satisfy all but not be limited to, the following requirements:
- (a) minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
 - (b) the notice is to be durable and weatherproof and is to be displayed throughout the works period;
 - (c) the approved hours of work, 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) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the Subject Site is not permitted.

Protection of Trees

- D7. All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction, shall be replaced, to the satisfaction of council.
- D8. All trees on the Subject Site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.

Hours of Work

- D9. The hours of construction, including the delivery of materials to and from the Subject Site, shall be restricted as follows:
- (a) between 7:00 am and 6:00 pm, Mondays to Saturdays inclusive;
 - (b) no work on Sundays and public holidays;
 - (c) works may be undertaken outside these hours where:
 - (i) the delivery of materials is required outside these hours by the Police or other authorities;
 - (ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
 - (iii) variation is approved in advance in writing by the Director General or his nominee.

Construction Noise Management

- D10. Construction shall be undertaken in accordance with the construction noise objective.
- (a) The construction noise objective for the Project is to manage noise from construction activities so it does not exceed:
 - (i) 54 dB $L_{Aeq}(15min)$ during the daytime at the closest residential property boundary to the north of the site at Deakin Close at a height of 1.5 metres above ground level;
 - (ii) 54 dB $L_{Aeq}(15min)$ during the daytime at the closest residential property boundary to the north-east of the site at Toorak Court at a height of 1.5 metres above ground level; and
 - (iii) 45 dB $L_{Aeq}(15min)$ during the daytime at any internal hospital location.
 - (b) The Proponent shall implement all feasible noise mitigation and management measures with the aim of achieving the construction noise objective.
 - (c) Any activities that have the potential for noise emissions that exceed the objective must be identified and managed in accordance with a Construction Noise and Vibration Management Plan.
 - (d) If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the NSW Industrial Noise Policy), 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise objective.
 - (e) The Proponent shall schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved in the Construction Noise and Vibration Management Plan.
 - (i) 9.00 am to 12.00 pm, Monday to Friday;
 - (ii) 2.00 pm to 5.00 pm Monday to Friday; and
 - (iii) 9.00 am to 12.00 pm, Saturday
 - (f) Wherever practical, and where sensitive receivers may be affected, piling activities are to be completed using bored piles. If driven piles are required they must only be installed where outlined in a Construction Noise and Vibration Management Plan.
- D11. Any noise generated during the construction of the development must not be offensive noise within the meaning of the *Protection of the Environment Operations Act, 1997* or exceed approved noise limits for the Subject Site.

Vibration Criteria

- D12. Vibration caused by construction at any residence or structure outside the Subject Site must be limited to:
- (a) for structural damage vibration, German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and
 - (b) for human exposure to vibration, the evaluation criteria presented in British Standard BS 6841- Guide to Evaluate Human Exposure to Vibration in Buildings (1Hz to 80 Hz) for low probability of adverse comment.
- D13. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.
- D14. Limits in D12 and D13 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan.

Standards and Codes

- D15. 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.

Work Cover Requirements

- D16. 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.

Hoarding Requirements

- D17. The following hoarding requirements shall be complied with:
- (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.

No obstruction of public way

- D18. The public way (outside of any construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all work on site.

Dust Control Measures

- D19. 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.

Pedestrian Access During Construction

- D20. Pedestrian access along Wrights Road is to be maintained as far as feasible 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.

Setting Out of Structures

- D21. The new buildings shall be set out by a registered surveyor to verify the correct position of each structure in relation to property boundaries and the approved alignment levels.

Directional Signage

- D22. Directional signage shall be modified as required to accommodate any altered pedestrian and vehicular movements within the area. Particular attention is to be paid to:

- (a) wheelchair accessible paths of travel;
- (b) safe road crossing areas including signalised and other designated crossings;
- (c) key landmarks;
- (d) access to transport nodes including public transport; and
- (e) 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.

Traffic Movement

D23. The following traffic movement requirements shall be complied with:

- (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, where feasible. In the event that site constraints do not permit heavy rigid vehicles to enter and leave the site in a forward direction, then all reversing movements should be undertaken under the control of certified traffic controllers to ensure public safety when vehicles are reversing;
- (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.

Excavated Material

D24. Any excavated material to be removed from the site being assessed, classified, transported and disposed of in accordance with the EPA's Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes.

Imported Fill

D25. Any imported fill brought onto the site must be 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.

Works on Public Property / Public Infrastructure Works

D26. Any works on public property or infrastructure asset works to be accepted by council shall be inspected and approved by council at relevant points during construction including prior to the commencement of those works and shall be undertaken in accordance with council's AUSPEC Specifications for Provision of Public Infrastructure.

PART E – PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Vegetation Management Plan/Biodiversity Offset

- E1. Prior to the operation of the facilities the subject of this approval, the proponent shall provide evidence to the Director-General that they have:
- (a) completed the compensatory planting and registered a vegetation management plan on the land title of the relevant planting site; or
 - (b) registered a vegetation management plan on the land title of the relevant site where conservation will be undertaken; or
 - (c) retired the credits required in accordance with the endorsed Biobanking Statement or Agreement.

Emergency Evacuation Plan

- E2. Prior to the operation of the facilities the subject of this approval, an Emergency Evacuation Plan shall be prepared in accordance with *Planning for Bush Fire Protection 2006* and a copy submitted to the department and council.

Travel Management Plan and Transport Access Guide

- E3. Prior to the operation of the facilities the subject of this approval, a Travel Management Plan shall be prepared for staff and visitors. The Travel Management Plan shall include the Transport Management Strategy Recommendations identified in the *Traffic and Parking Report Port Macquarie Base Hospital Redevelopment Stage 1* prepared by *Taylor Thomson Whitting (NSW) Pty Ltd*, dated 10 May 2012, to reduce reliance on private car use, and include greater promotion of and provision of incentives to support car pooling and providing the necessary cycleway connections to support bicycle travel.

Traffic Calming Measure

- E4. The proponent shall consult with council's traffic engineers on appropriate traffic calming measures to be installed at the main hospital entrance to reduce speeds of exiting vehicles. The measures are to be installed prior to the operation of the facilities the subject of this approval.

Alternatively, the proponent is to demonstrate to the satisfaction of the Director-General that the existing signage and road design is adequate in limiting vehicular traffic to safe speeds.

Treatment of Vehicular Entry

- E5. In order to improve the appearance of the building when viewed from the street, any part of the walls and ceilings of vehicular entry points that are visible from the street shall be finished in high quality materials and no service ducts or pipes are to be visible.

Mechanical Ventilation

- E6. Following completion, installation and testing of all the mechanical ventilation systems, the Proponent shall provide evidence to the satisfaction of the PCA, prior to the occupation of the building, 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; and,
- (d) Any dispensation granted by the New South Wales Fire Brigade.

The report shall also demonstrate that the noise mitigation measures installed ensure noise generated by the proposal do not exceed levels identified in Condition B2 at the closest residential receivers and hospital wards.

Road Damage

- E7. 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/developer prior to occupation of the building.

Note: Should the cost of damage repair work not exceed the road maintenance bond, council will automatically call up the bond to recover the costs. Should the repair costs exceed the bond amount, a separate invoice will be issued.

Registration of Easements

- E8. Prior to the operation of the facilities the subject of this approval, the Proponent shall provide to the PCA evidence that all matters required to be registered on title including easements and asset protection zones required by this approval, approvals, and other approvals have been lodged for registration or registered at the NSW Land and Property Information.

Compliance Certificate

- E9. A Certificate of Compliance under the provisions of section 307 of the Water Management Act must be obtained prior to occupation.

Fire Safety

- E10. The proponent shall demonstrate to the Certifying Authority that the existing water service connection point in Wrights Road has been reconfigured to provide water supply to the hospitals fire hydrant and fire sprinkler services.
- E11. A Fire Safety Certificate shall be obtained for all the Essential Fire or Other Safety Measures forming part of this approval, including identification of all Asset Protection Zones and associated reduction of bushfire fuel measures, prior to occupation of the building. A copy of the Fire Safety certificate must be submitted to the relevant authority and council.

Structural Inspection Certificate

- E12. A Structural Inspection Certificate for any structural work is to be obtained prior to the operation of the facilities the subject of this approval.

Post-construction Dilapidation Report

- E13. The Proponent shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works.
- (a) This report to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.
 - (b) The report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:
 - (i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions and
 - (ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
 - (c) A copy of this report is to be forwarded to the department and council.

Waste Management

- E14. Prior to the operation of the facilities the subject of this approval, the Proponent must ensure that waste handling works have been completed in accordance with the Waste Management Plan; other relevant approval conditions; and any relevant council policy.

Stormwater Drainage System

- E15. Prior to occupation of the facilities the subject of this approval, works-as-executed plans of the stormwater drainage system, certified by a registered surveyor and a qualified practising civil engineer, verifying that the drainage system has been constructed in accordance with the design and relevant standards, shall be submitted to council.

Public Assets/Infrastructure

- E16. Prior to occupation of the facilities the subject of this approval, works-as-executed plans shall be submitted to council in accordance with council's AUSPEC Specifications for any public asset or infrastructure works.
- E17. Any public asset or infrastructure works shall be certified as compliant with council's AUSPEC Specifications by a practicing Civil Engineer or Registered Surveyor.

PART F – DURING OPERATIONS**Asset Protection Zones**

- F1. An asset protection zone shall be provided in perpetuity between the hospital building and the western property boundary within the extent of works area (identified in Drawing No. AR 0012).

- F2. A 22 metre asset protection zone shall be provided in perpetuity to the north within the extent of works area (identified in Drawing No. AR 0012).
- F3. The asset protection zones required by conditions F1 and F2 shall be managed as inner protection areas in accordance with *Planning for Bush Fire Protection 2006* and NSW Rural Fire Service's *Standards for asset protection zones* document.

Ecologically Sustainable Development

- F4. The project shall implement any relevant operational measures to target a 4 star green star rating.

Annual Fire Safety Certification

- F5. The owner of the building shall certify to the council every year 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 and that all Asset Protection Zones are being managed and maintained. This purpose of this condition is to ensure that there is adequate safety of persons in the building in the event of fire and for the prevention of fire, the suppression of fire and the prevention of spread of fire.

Loading and Unloading

- F6. All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the Subject Site at all times.

Unobstructed Driveways and Parking Areas

- F7. 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.

Noise Control – Operational

- F8. The use of the premises shall not cause a nuisance, or an offensive noise as defined in the *Protection of the Environment Operations Act 1997*, to adjoining properties or the public.

Noise Control – Plant and Machinery

- F9. Noise associated with the operation of any plant, machinery or other equipment on the Subject Site, shall not exceed 5dB(A) above the background noise level when measured at the boundary of the Subject Site.

Storage of Hazardous or Toxic Material

- F10. Any hazardous or toxic materials must be stored in accordance with Workcover Authority requirements and all tanks, drums and containers of toxic and hazardous materials shall be stored in a bunded area. The bund walls and floors shall be constructed of impervious materials and shall be of sufficient size to contain 110% of the volume of the largest tank plus the volume displaced by any additional tanks within the bunded area.

Public Way to be Unobstructed

- F11. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.

External Lighting

- F12. External Lighting shall comply with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Upon installation of lighting, but before it is finally commissioned, the Proponent shall submit to the approval authority evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.

ADVISORY NOTES

Appeals

AN1 The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation, 2000 (as amended).

Other Approvals and Permits

AN2 The Proponent shall apply to the council for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the *Local Government Act, 1993* or *Section 138 of the Roads Act, 1993*.

Responsibility for other approvals / agreements

AN3 The Proponent is solely responsible for ensuring that all additional approvals and agreements are obtained from other authorities, as relevant.

Movement of Trucks Transporting Waste Material

AN4 The Proponent must notify the Roads and Maritime Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the Subject Site, prior to the commencement of the removal of any waste material from the Subject Site.

Temporary Structures

AN5

- a) An approval under State Environmental Planning Policy (Temporary Structures) 2007 must be obtained from the council for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.
- b) Structural certification from an appropriately qualified practicing structural engineer must be submitted to the council with the application under State Environmental Planning Policy (Temporary Structures) 2007 to certify the structural adequacy of the design of the temporary structures.

Disability Discrimination Act

AN6 This application has been assessed in accordance with the Environmental Planning and Assessment Act 1979. No guarantee is given that the proposal complies 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.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

AN7

- a) 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.
- b) 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 the Department of Sustainability, Environment, Water, Population and Communities 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.

Asbestos Removal

AN8 All excavation works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with NOHSC: "Code of Practice for the Safe Removal of Asbestos"

Site contamination issues during construction

AN9 Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination then the Proponent must be immediately notified and works must cease. Works must not recommence on site until the consultation is made with the department.

Impact of Below Ground (sub-surface) Works – Non-Aboriginal Relics

AN10 If any archaeological relics are uncovered during the course of the work, then all works shall cease immediately in that area and the OEH Heritage Branch contacted. Depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the *NSW Heritage Act 1977* may be required before further works can continue in that area.

Discovery of Aboriginal Heritage

AN11 If Aboriginal objects are uncovered during work, excavation or disturbance of the area, work must stop immediately. The Environmental Protection and Regulation Group of the OEH is to be contacted. Aboriginal archaeological excavation must be co-ordinated with any proposed investigation of non-indigenous material.

SCHEDULE 3

PROPONENT'S STATEMENT OF COMMITMENTS

3.1 Geotechnical and contamination

The recommendations of the Geotechnical Investigation and Preliminary Contamination Assessment (dated November 2011) are to be adopted.

3.2 Bushfire protection

The proposed development is to adopt the recommendations of the Bushfire Threat Assessment Report prepared by BCA Check Pty Ltd (dated February 2012).

3.3 Aboriginal cultural heritage

If any Aboriginal archaeological relics are uncovered during the course of the work, then all work shall cease immediately in that area and the National Parks and Wildlife Service (NPWS) shall be contacted. The Proponent shall comply with any requirement made by NPWS to cease work for the purpose of archaeological recording.

3.4 Non-Aboriginal cultural heritage

If any archaeological relics are uncovered during the course of the work, then all work shall cease immediately in that area and the NSW Heritage Office shall be contacted. Depending on the possible significance of the relics, an archaeological assessment and excavation permit under the NSW Heritage Act 1977 may be required before further works can continue in that area. The Proponent shall comply with any requirement made by the NSW Heritage Office to cease work for the purpose of archaeological recording.

3.5 Arboricultural Method Statement

The Arboricultural Method Statement at Section 4 of the Arborist's Report (dated 19 December 2011) must be adopted.

3.6 Fire engineering

The proposed development is to adopt the Fire Engineering Strategy (dated 12 December 2011) and any updates to this required at detailed design stage.

3.7 Noise and vibration

The proposed development is to comply with the recommended construction and operational noise controls and the vibration controls under Section 7 of the Acoustic Assessment (dated 16 January 2012).

3.8 Ecological protection

To reduce the potential for ecological impact, the proposed development is to adopt the following ecological protection measures as recommended by the Ecological Assessment Report (dated January 2012):

- (a) Minimise vegetation clearance to the development footprint through delineation of designated construction areas and access tracks to protect native vegetation located adjacent to areas of impact.
- (b) Prior to and during removal of Koala feed trees, implement measures to avoid impacting on individuals including pre-clearance inspection of trees for Koalas.
- (c) Ensure an ecologist is present during vegetation removal to relocate any identified fauna to a safe location, conduct post-clearing inspection of potential tree hollows and rescue any injured fauna.
- (d) Implement erosion and sediment control measures in accordance with an Environmental Management Plan (EMP) to prevent sedimentation of surrounding vegetation.
- (e) Control weeds in accordance with an EMP during and following construction to avoid the spread of weeds.
- (f) Compensatory planting of Koala feed trees at a minimum ratio of 2:1 and in a suitable location. Due to limited space availability within the PMBH site, an appropriate off-site location will need to be identified to accommodate compensatory planting that cannot be located within the confines of the PMBH. A Biobanking Assessment report is to be prepared and submitted to the Department of Planning and Infrastructure prior to issue of a Construction Certificate.

3.9 Demolition management plan

Demolition will be undertaken in accordance with the requirements of the relevant Australian Standard AS2601-2001. The demolition of structures is to be incorporated into the Occupational Health and Safety Act 2000 administered by Work Cover NSW.

A Hazardous Materials Management Plan will be prepared prior to demolition commencing.

The proponent commits to preparing a demolition management plan prior to the commencement of any demolition works on site. The demolition is to include measures to manage the following potential impacts:

- Demolition vehicle movements;
- Dust;
- Noise;
- Demolition waste including hazardous wastes.

Site erosion and sediment control in accordance with "Managing Urban Stormwater (EPA, NSW) and Soil and Erosion Control (The Institution of Engineers Australia).

3.10 Water main connection

Prior to issue of a Construction Certificate, documentation will be prepared on behalf of Health Infrastructure and submitted to Council for formal approval of a new water main connection for the hospital potable water. The new connection will be to the existing 300mm main located on the western boundary of the Port Macquarie Hospital site.

3.11 Construction management plan

The proponent commits to preparing a construction management plan prior to the commencement of any construction works on site. The plan will include:

- Construction hours;
- Air Quality/dust control procedures;
- Noise Management procedures;
- Construction vehicle movements and construction staff parking;
- Waste Management Plan;
- Community safety plan;
- Arrangements for temporary pedestrian and vehicle access;
- Koala management measures including:
 - minimise vegetation clearance through delineation of designated construction areas and access tracks to protect native vegetation located adjacent to areas of impact;
 - prior to and during removal of Koala feed trees, implement measures to avoid impacting on individuals including pre-clearance inspection of trees for Koalas;
 - ensure an ecologist is present during the removal of trees to conduct post-clearing inspections of trees and rescue injured fauna if required;
 - install signage notifying personnel of Koalas in the area to warn against potential injury via cars or machinery; and
 - brief all personnel about the presence of Koalas and the potential impacts prior to the commencement of work.
- Storage and handling of materials;
- Environmental training and awareness;
- Contact and complaints handling procedures; and
- Emergency preparedness and response.

3.12 BCA compliance

All works shall comply with the relevant sections of the Building Code of Australia (BCA).

3.13 Transport Management Plan

Prior to Occupation Certificate, a Transport Management Plan will be prepared which will investigate future opportunities to reduce car usage to and from the site. This may include, but not necessarily be limited to:

- Provision of incentive schemes for hospital staff – for example subsidised bus tickets;
- Promotion amongst staff of the merits of walking and bicycle riding, particularly relevant for any staff that may live near the hospital;
- Discussions with local bus agencies for provision of more frequent bus services with faster and more direct destinations. For example, a shuttle bus between the Port Macquarie Town Centre and the Hospital;
- Establishment of a waiting list for parking space for new hospital staff. Therefore new staff will not have a space until one becomes available;
- Discussions with the local authority (Port Macquarie Hastings Council) on the possibility to improve pedestrian and cycle path connections to and from the site.
- Opportunity for bicycle parking and storage facilities.

3.14 NSW Health Infrastructure Technical Standard TS11

As part of sustainable measures for the design documentation, delivery and performance of service engineering systems the development shall comply with NSW Health Infrastructure TS11 Technical Standards.