

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

APPROVAL OF MAJOR PROJECT NO. 06_0051

(CONSOLIDATED CONSENT FOR INFORMATION ONLY)

(FILE NO. 9041704-7)

I, the Minister for Planning, under the *Environmental Planning and Assessment Act 1979* determine:

- (a) approve the concept plan referred to in Schedule 1 pursuant to Section 75O(1) of the *Environmental Planning and Assessment Act 1979*, subject to the terms and modifications set out in Schedule 1; and
- (b) pursuant to section 75P(1)(c) of the *Environmental Planning and Assessment Act 1979*, that the demolition and preparatory works to ground level on the subject site requires no further environmental assessment, subject to the conditions set out in Schedule 2.

The reasons for the imposition of modifications and conditions are:

- (a) To ensure the strategic planning policies for the site are satisfactorily achieved.
- (b) To encourage good urban design and a high standard of architecture.
- (c) To adequately mitigate the environmental impact of the development.
- (d) To ensure the heritage value of the site is maintained.
- (e) To reasonably protect the local area.

Frank Sartor MP
Minister for Planning

Sydney,

2007

MAJOR PROJECT APPLICATION NO. MP 06_0051**SCHEDULE 1****PART A – TABLE**

Application made by	Health Administration Corporation (HAC) and Northern Sydney and Central Coast Area Health Service (NSCCAHS)
Application made to	Minister for Planning
Major Project Number	06_0051
On land comprising	Royal North Shore Hospital Lot 21 and Lot 22 DP863329 & Lot 102 DP 1075748
Local Government Area	Willoughby City Council
For the carrying out of	Redevelopment of Royal North Shore Hospital (RNSH) as described in Schedule 1, Part C
Capital Investment Value	Approximately \$890 million
Type of development	Concept approval under Part 3A of the Environmental Planning and Assessment Act
Determination made on	13 April 2007
Determination	Concept approval is granted subject to the modifications outlined in Schedule 1, Part C
Date of commencement of approval	This approval commences on the date of the Minister's approval
Date approval is liable to lapse	10 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the EP&A Act

PART B – DEFINITIONS

Act, the	Environmental Planning and Assessment Act 1979
Council	Willoughby City Council
DEC	Department of Environment and Conservation
Department, the	Department of Planning
Director-General, the	Director-General of the Department of Planning (or delegate)
Environmental Assessment (EA)	Royal North Shore Hospital Campus Redevelopment Concept Plan (including accompanying appendices) prepared by Urbis JHD for Burnsbridge Services on behalf of NSW Health dated July 2006
GFA	Gross Floor Area
Heritage Impact Statement (HIS)	Royal North Shore Hospital – Concept Plan Heritage Impact Statement prepared by Godden Mackay Logan Pty Ltd on behalf of Burns Bridge Pty Ltd dated May 2006
Minister, the	Minister for Planning
Modifications of Approval	The Minister's modifications of approval for the concept plan
Preferred Project Report (PPR)	Amended Concept Plan and Preferred Project Report (including supporting documentation) prepared by Urbis JHD for Burnsbridge Services on behalf of NSW Health dated November 2006
Proponent	Health Administration Corporation (HAC) and Northern Sydney and Central Coast Area Health Service (NSCCAHS) or the person proposing the carrying out of development comprising all or any part of the project and includes persons certified by the Minister to be the Proponent
RL	Raised Level
Statement of Commitments	Statement of Commitments on Pages 94 – 99 of the Preferred Project Report
Subject site	The same meaning as the land identified in Part A of this Schedule
WDCP	Willoughby Development Control Plan as adopted on 26 June 2006 as in force on 21 August 2006

MAJOR PROJECT APPLICATION NO. MP 06_0051

PART C – MODIFICATIONS OF APPROVAL

M1 Terms of Approval

M1.1 Concept approval is given for:

- (a) Subdivision of the site into hospital precincts and other development precincts.
- (b) Consolidated hospital redevelopment within Precincts 1, 2 and 8 (hospital development is permitted in other precincts where an application for development is approved or granted).
- (c) A maximum GFA of 178,370m² across the development precincts (Precincts 3, 4, 5, 6 and 7).
- (d) A maximum GFA per development precinct as follows:

Precinct 3	4,000m ²
Precinct 4	46,345m ²
Precinct 5	24,920m ²
Precinct 6	37,365m ²
Precinct 7	65,740m ²
Precinct 8	28,200m ²

Note: GFA is non-transferable between precincts.

- (e) The following minimum and maximum GFA for each broad land use:
 - (i) A maximum of 76,200m² shall be developed for residential use (and a minimum of 42,500m²).
 - (ii) A minimum of 15,000m² shall be developed for the purposes of temporary accommodation, of which:
 - A minimum of 10,000m² shall be developed for the purposes of nursing and student accommodation; and
 - A minimum of 5,000m² shall be developed for the purposes of a short term, hotel style accommodation.

Note: If it can be successfully demonstrated to the Director-General that arrangements are in place for provision of temporary accommodation within the total GFA identified for residential use, as referred to at Modification M1.1(e)(i), this can be subtracted from the minimum total GFA identified for temporary accommodation, as referred to at Modification M1.1(e)(ii).

- (iii) A minimum of 77,500m² shall be developed for employment generating uses.

Despite the above, the total maximum GFA shall not exceed 178,370m².

- (f) The following broad land use distribution across the development precincts:
 - (i) Precinct 3 shall be developed for employment generating land uses only.

- (ii) *Precinct 4 shall be developed for employment generating land uses and may include residential and temporary accommodation.*
- (iii) *Precinct 5 shall be developed for employment generating land uses only.*
- (iv) *Precinct 6 shall be developed for employment generating land uses and may include residential and temporary accommodation.*
- (v) *Precinct 7 shall be developed for residential land uses and may include temporary accommodation and employment generating uses.*
- (g) *Conceptual road design.*
- (h) *Urban design, landscape, open space and heritage design concepts.*
- (i) *Maximum height of building envelopes specified within Figure 28: Illustrative Master Plan, prepared by Cox Richardson, with the Preferred Project Report.*
- (j) *Provision of car parking in accordance with the terms of C.4.1, C.4.2 and C.4.3 of Part C – General Development Guidelines, Willoughby Development Control Plan (WDCP) adopted on 26 June 2006 as in force on 21 August 2006.*
- (k) *Improved amenities and services which may include a mix of financial contributions and works in kind towards open space and community facilities (including provision of child care facilities for a minimum of 180 spaces) and dedication of certain public open space and road infrastructure (refer to Modification M6).*
- (l) *Staged re-opening of Westbourne Street to through vehicular traffic.*

M2 Approved Plans and Documentation

M2.1 The development shall be generally in accordance with the following plans and documentation:

- (a) *Royal North Shore Hospital Campus Redevelopment Concept Plan (including accompanying appendices) prepared by Urbis JHD for Burnsbridge Services on behalf of NSW Health dated July 2006.*

M2.2 Except where amended by the following plans and documentation:

- (b) *Amended Concept Plan and Preferred Project Report (including supporting documentation) prepared by Urbis JHD for Burnsbridge Services on behalf of NSW Health dated November 2006.*
- (c) *Statement of Commitments prepared by Urbis JHD for Burnsbridge Services on behalf of NSW Health dated November 2006.*

M3 Inconsistency Between Plans and Documentation

M3.1 In the event of any inconsistency between modifications of this concept approval and the plans and documentation referred to above, the modifications of this concept approval prevail.

M4 Lapsing of Approval

M4.1 The concept approval will lapse 10 years after the approval date in Part A of Schedule 1 of this project approval unless specified action has been taken in accordance with Section 75Y of the Act.

M4.2 The Director-General may extend this lapse date if the Proponent demonstrates to the satisfaction of the Director-General that the hospital proposal remains current, appropriate and reflective of best practice at the date the approval would otherwise lapse.

M5 Future Applications

M5.1 All applications for development on the subject site are to be generally consistent with the terms of this approval

M5.2 Pursuant to section 75P(1)(a) of the Environmental Planning and Assessment Act 1979 the following environmental assessment requirement applies to any subsequent applications (excluding temporary structures and fixtures – such as the operation of cranes) made under either Part 3A or Part 4 of the Environmental Planning and Assessment Act 1979:

- (a) Where relevant and necessary, an assessment of the proposed development (buildings and/or structures) with particular attention to the implications it may have on existing and anticipated future:
 - (i) *Line(s) of sight of the microwave link(s) (but only development located within Precinct 2 and where it exceeds RL112);*
 - (ii) *Electromagnetic radiation (EMR) impacts upon human health and safety (including employees on-site, residents, construction workers etc);*
 - (iii) *Impacts of electromagnetic interference (EMI) upon electrical equipment and goods, particularly medical equipment and household goods; and*

Note: The objective should be to design buildings (through choice of materials and earthing) in an attempt to reasonably minimise EMI impacts as best as possible.

- (iv) *Mitigation of any potential ghosting and multi-path impacts to signals.*

M6 Planning Agreement(s) (or other legally binding agreement)

M6.1 A legally binding agreement(s) between the Proponent of non-hospital related development, RTA, Council and other agencies shall be prepared and executed prior to or concurrent with the lodgement of any subsequent application for development (excluding hospital development and the approved demolition and preparatory site works to ground level) on the subject site, unless otherwise determined by the Director-General.

M6.2 The agreement(s) may include a combination of financial contributions in the order of \$3.5 million, works in kind and dedication of certain public open space and road infrastructure and should address the following issues:

- (a) *Road network and intersection works.*
- (b) *Traffic management and safety measures.*
- (c) *Improving public transport patronage.*
- (d) *Provision of public open space and community facilities.*
- (e) *Upgrade of landscape, urban design and irrigation within Gore Hill Park.*
- (f) *Any other matters required by the Director-General.*

M7 Building Height

M7.1 The maximum height of envelopes in Precinct 4a at their southern extremity shall be to 11 storeys with a setback of 8 metres (RL116). Beyond the 11th storey and 8 metre setback the envelopes are to be as proposed (i.e. 13 storeys (RL126)).

M7.2 The maximum height of the southern envelope within Precinct 4b shall be to 11 storeys (RL128).

M7.3 The maximum height of the northern envelope within Precinct 4b shall be to 8 storeys (RL110).

M7.4 The maximum height of the envelope in Precinct 5a shall be to 8 storeys (RL116).

M7.5 Where there is a discrepancy between storeys and RL, RL shall prevail.

M8 Setbacks, Streetscape and Building Separation

M8.1 A setback of at least 4 metres from the site boundary must be provided within those precincts adjacent to Herbert Street (i.e. Precincts 4, 5 and 6).

M8.2 A setback of at least 8 metres from the site boundary with Herbert Street must be provided within Precinct 7.

M8.3 Any subsequent applications for development within Precincts 4, 5, 6 and 7 should achieve the following urban design outcomes and principles:

- (a) *Effective transition between public and private space.*
- (b) *Activation of the ground level streetscape.*
- (c) *Articulation and modulation of building façades.*
- (d) *Increased building separation in proportion to building height.*
- (e) *Creation of secondary upper level setbacks.*
- (f) *Minimisation of overshadowing into the streetscape.*
- (g) *Provision of street landscape character (including tree planting).*
- (h) *Any other matters required by the Director-General.*

M9 Public Transport Provision

**Condition M9.1 is deleted and replaced by Conditions M9.1 and M9.1a:
(modified under Section 75W modification MP 06_0051 Mod 1 on 31 January 2008)**

M9.1 ~~The Proponent for development within Precincts 3, 4, 5, 6 and 7 shall seek to enter into an agreement with the RTA, State Transit Authority (STA) and Ministry of Transport (MOT) to facilitate provision of additional bus services and other public transport improvements within and surrounding the site. The final outcome shall accompany the first subsequent application for development within Precincts 3, 4, 5, 6 or 7.~~

M9.1 The proponent for non hospital or non health related development within Precincts 3,4,5,6 and 7 to enter into an agreement with the RTA, STA and MoT to facilitate provision of additional bus services and other public transport improvements within and surrounding the site. The final outcome shall accompany the first subsequent application for non hospital or health related development within Precincts 3,4,5,6 or 7.

M9.1a Any application for health related development shall detail arrangements to facilitate public transport use.

M10 Transport Management and Accessibility Plan (TMAP)

**Condition 10.1 is deleted and replaced by Conditions 10.1 and 10.1A
(modified under Section 75W modification MP 06_0051 Mod 1 on 31 January 2008)**

M10.1 A Transport Management and Accessibility Plan (TMAP) shall be submitted to and approved by the Director-General prior to or concurrent with lodgement of any subsequent application for development (excluding the approved demolition and preparatory site works to ground level).

M10.1 A detailed transport, traffic and accessibility study shall be submitted to and approved by the Director-General prior to or concurrent with the lodgement of any project application for development of the acute hospital and/or community health building. This study shall contain sufficient detail to allow it to be used as part of the TMAP for the site

M10.1a A TMAP shall be submitted to and approved by the Director-General prior to or concurrent with lodgement of any subsequent project application for development (excluding the approved demolition and preparatory site works to ground level, the development referred to in 10.1 above and minor work ancillary to the development in 10.1 above).

M10.2 The TMAP shall be prepared and implemented in consultation with the RTA, State Transit Authority (STA) and Ministry of Transport (MOT) and will be subject to periodic review at appropriate times (as set out within the approved TMAP).

M10.3 The approved TMAP must include provision of a Work Place Travel Plan for each development precinct (excluding those with exclusive residential use) and shall include strategies to promote and encourage public transport use, including (but not limited to) staggered start and finish times for employees and car pooling, so as to minimise the impact upon the road system.

M11 Pedestrian and Cycling Strategy

M11.1 Prior to or concurrent with the lodgement of any subsequent application for development (excluding hospital development and the approved demolition and preparatory site works to ground level) on the subject site, the Proponent shall prepare and implement a site-wide pedestrian and cycling strategy, in consultation with Council and other key stakeholders.

M12 Heritage and Conservation

Conservation Management Plan(s)

M12.1 A Conservation Management Plan(s) (CMP) shall be submitted to and approved by the Director-General, in consultation with NSW Heritage Office, prior to or concurrent with the lodgement of any application for development within Precinct 3 and submitted with any application for development within that precinct.

M12.2 The CMP(s) shall address, as a minimum, the following matters:

- (a) *The historic development of the precinct, its constituent buildings and landscape elements.*
- (b) *Actions and strategies to mitigate impacts and protection of built and landscape heritage items.*
- (c) *Moveable heritage.*
- (d) *Principles and policies for future built development and landscaping (including palette of plant species).*
- (e) *Possible conflicts between footpaths, road works and other infrastructure works.*
- (f) *Effects on potential aboriginal and non-aboriginal archaeological items.*
- (g) *Any other matters requested by the Director-General.*

Site Interpretation

M12.3 Prior to or concurrent with the lodgement of any subsequent application for development on the subject site, an Interpretation Strategy and/or Plan for the subject site should be produced by an experienced heritage practitioner to provide detailed information about the ways in which the heritage significance of the site can be interpreted.

- M12.4 Historic kerb and guttering should be identified and where its removal is unavoidable it should be retained for use in appropriate locations elsewhere on the site.

Landscape Heritage

- M12.5 All subsequent applications for development shall be accompanied by a landscaping plan which identifies significant landscaping features and provides for their future management and maintenance.
- M12.6 Appropriate planting should be provided to buffer proposed development from adjacent sites where necessary and appropriate (e.g. Gore Hill Memorial Cemetery).

M13 Development Staging

- M13.1 Prior to or concurrent with lodgement of any subsequent application for development (excluding hospital development and the approved demolition and preparatory site works) on the subject site, a development staging programme outlining the intended implementation of the concept plan and related applications for development shall be submitted to and approved by the Director-General.
- M13.2 The staging programme shall include:
- (a) *Gross floor area.*
 - (b) *Floor area type.*
 - (c) *Distribution of dwelling mix.*
 - (d) *Provision of public open space.*
 - (e) *Car parking provision.*
 - (f) *Likely timetable for implementation.*
 - (g) *Consent and approval authority roles.*
 - (h) *Any other matters required by the Director-General.*
- M13.3 The staging programme should demonstrate consistency with this approval and prevailing strategic planning policies.
- M13.4 The staging shall consider minimising disruption to the hospital operation and, where possible, provide development near St Leonards Railway Station within the staging programme.

M14 Re-opening of Westbourne Street

- M14.1 The intention of this condition is to allow for monitoring and management of the effects of staging reopening Westbourne Street to vehicular traffic movements to ensure that “rat-running” does not occur. The full or part reopening of Westbourne Street will not alter existing rights of access for the RNS public or private hospital but will merely consist of the staged monitoring of the thoroughfare to ensure it can operate satisfactorily.
- M14.2 Westbourne Street is permitted to be reopened in the following staged manner:
- (a) *Part reopening of Westbourne Street onto Reserve Road (left hand turn only) for hospital drop offs.*
 - (b) *Full reopening of Westbourne Street to all vehicular traffic, with preference for initial access by public transport operators, subject to meeting the operational requirements of these operators.*
- M14.3 The extent to which Westbourne Street shall be permitted to reopen will require detailed plans and documentation to be submitted to and approved by the Director-General.

M14.4 The submitted plans and documentation will need to demonstrate where appropriate:

- (a) *Vehicular traffic movements will not have a detrimental impact upon the existing local road network and will not cause unacceptable congestion at key intersections.*
- (b) *The reopening of Westbourne Street will not create a quicker or more desirable vehicular traffic route between the Pacific Highway/Westbourne Street and the Westbourne Street/Herbert Street intersections.*
- (c) *Justification for timing of each reopening stage as referred to above in the context of implementation of the concept plan.*
- (d) *Any other matters required by the Director-General.*

M15 Herbert Street Pedestrian Overbridge

M15.1 As part of the proposal to realign and refurbish the pedestrian overbridge over Herbert Street its visual appearance shall to be improved in terms of design and visual impact so as to achieve a desirable urban design outcome.

MAJOR PROJECT APPLICATION NO. MP 06_0051**SCHEDULE 2****PART A – TABLE**

Application made by	Health Administration Corporation (HAC) and Northern Sydney and Central Coast Area Health Service (NSCCAHS)
Application made to	Minister for Planning
Major Project Number	06_0051
On land comprising	Royal North Shore Hospital Lot 21 and Lot 22 DP863329 & Lot 102 DP 1075748
Local Government Area	Willoughby City Council
For the carrying out of	Redevelopment of Royal North Shore Hospital (RNSH) as described in Schedule 2, Part C
Capital Investment Value	Approximately \$890 million
Type of development	Project approval under Part 3A of the Environmental Planning and Assessment Act
Determination made on	13 April 2007
Determination	Project approval is granted subject to the conditions outlined in Schedule 2, Part C
Date of commencement of approval	This approval commences on the date of the Minister's approval
Date approval is liable to lapse	5 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the EP&A Act

PART B – DEFINITIONS

Act, the	Environmental Planning and Assessment Act 1979
Conditions of Approval	The Minister's conditions of approval for the project
Council	Willoughby City Council
Department, the	Department of Planning
Director, the	Director of Strategic Assessments
Director-General, the	Director-General of the Department of Planning (or delegate).
Environmental Assessment (EA)	Royal North Shore Hospital Campus Redevelopment Concept Plan (including accompanying appendices) prepared by Urbis JHD for Burnsbridge Services on behalf of NSW Health dated July 2006
Heritage Impact Statement (HIS)	Royal North Shore Hospital – Concept Plan Heritage Impact Statement prepared by Godden Mackay Logan Pty Ltd on behalf of Burns Bridge Pty Ltd dated May 2006
Minister, the	Minister for Planning
Conditions of Approval	The Minister's conditions of approval
Preferred Project Report (PPR)	Amended Concept Plan and Preferred Project Report (including supporting documentation) prepared by Urbis JHD for Burnsbridge Services on behalf of NSW Health dated November 2006
Proponent	Health Administration Corporation (HAC) and Northern Sydney and Central Coast Area Health Service (NSCCAHS) or the person proposing the carrying out of development comprising all or any part of the project and includes persons certified by the Minister to be the Proponent
Statement of Commitments	Statement of Commitments on Pages 94 – 99 of the Preferred Project Report
Subject site	The same meaning as the land identified in Part A of this Schedule

MAJOR PROJECT APPLICATION NO. MP 06_0051**PART C – CONDITIONS OF APPROVAL****PART 1 – ADMINISTRATIVE CONDITIONS****C1 Terms of Approval**

Condition C1.1 is amended to reflect the following:
(modified by Section 75W modification MP 06_0051 Mod 2 on 7 April 2008)

C1.1 Project approval is given for:

- (a) *Demolition of buildings on the site (excluding those items identified within the Heritage Impact Statement (HIS) as having moderate or higher heritage significance and listed in Condition C2) and preparatory site works to ground level.*
- (b) **The placement of temporary demountable buildings on site to facilitate the redevelopment of the hospital.**

C1.2 Excavation (as opposed to demolition) shall not occur until applications relevant for individual precincts and/or buildings have been granted project approval or development consent for redevelopment.

C1.3 Tree removal does not form a part of this project approval.

C1.4 The development shall be generally in accordance with the following plans and documentation:

- (a) *Royal North Shore Hospital Campus Redevelopment Concept Plan (including accompanying appendices) prepared by Urbis JHD for Burnsbridge Services on behalf of NSW Health dated July 2006.*

C1.5 Except where amended by the following plans and documentation:

- (b) *Amended Concept Plan and Preferred Project Report (including supporting documentation) prepared by Urbis JHD for Burnsbridge Services on behalf of NSW Health dated November 2006.*
- (c) *Statement of Commitments prepared by Urbis JHD for Burnsbridge Services on behalf of NSW Health dated November 2006.*

C1.6 In the event of any inconsistency between modifications of this concept approval and the plans and documentation referred to above, the modifications of this concept approval prevail.

C1.7 The project approval will lapse 5 years after the approval date in Part A of Schedule 1 of this project approval unless specified action has been taken in accordance with Section 75Y of the Act.

PART 2 – GENERAL CONDITIONS

Conservation and Heritage

C2 Significant Heritage Buildings

C2.1 The demolition of the following items identified within the Heritage Impact Statement (HIS) as having moderate or higher heritage significance within Precincts 3, 4, 5, 6 and 7 shall not form part of this stage of the approval:

- (a) *Building 3 (Chapel)*
- (b) *Building 7 (Diabetic Unit)*
- (c) *Building 9 (Lanceley Cottage)*
- (d) *Building 10 (Block 3)**
- (e) *Building 19 (Mortuary)**
- (f) *Building 29 (Pavilion Wing)*
- (g) *Building 30 (Pavilion Wing)*
- (h) *Building 31 (RMO Quarters)*
- (i) *Building 32 (Ansto-Body Protein)*
- (j) *Building 33 (Orthotics)*
- (k) *Chimney Stack, Building 21**

* denotes those not currently proposed to be retained under RNSH concept plan

C2.2 Every effort should be made to retain the subject items as long as possible and demonstrate why they cannot be retained and integrated into the subsequent redevelopment proposal. Further details shall be submitted to the Director, together with design documentation, in order to demonstrate the need to demolish these items. Should approval be granted to demolish these items, archival recording must take place in accordance with NSW Heritage Office Guidelines.

Contamination and Remediation

C3 Contamination

C3.1 The exportation of waste (including fill or soil) from the site must be in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the Department of Environment and Conservation's (DEC) *Environmental Guidelines Assessment, Classification and Management of Non-Liquid Wastes*.

C3.2 Any new information which comes to light during demolition, remediation, or preparatory site works which has the potential to alter previous conclusions about site contamination must be immediately notified to the Department and DEC where relevant.

C4 Site Audit

C4.1 The Proponent shall prepare a detailed Site Audit Summary Report and Site Audit Statement and Validation Report. The site audit must be prepared in accordance with the *Contaminated Land Management Act 1997* and completed by a site auditor accredited by the Environmental Protection Authority to issue site audit statements. The site audit must verify that the land is suitable for the proposed uses.

C5 Remediation of Land

- C5.1 The Proponent shall prepare and implement a Remedial Action Plan and a Hazardous Materials Survey. The Remedial Action Plan must be accompanied by a statement from a site auditor accredited by the Environmental Protection Agency to issue site audit statements.

C6 Erosion and Sedimentation Control

- C6.1 An Erosion and Sediment Control Plan (ESCP) or a Stormwater Management Plan (SMP or SWMP) as appropriate shall be prepared and implemented in accordance with the requirements of *Managing Urban Stormwater–Soils & Construction Volume 1 (2004)* by Landcom and other relevant guidance.
- C6.2 This shall be implemented during the works.

Stormwater and Drainage**C7 Stormwater and Drainage Works Design**

- C7.1 Final design plans of the drainage and stormwater drainage systems shall be prepared by a qualified practicing Civil Engineer and in accordance with the requirements of Council's relevant Policies and Guidance. The hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff.

Demolition Works**C8 Statement of Compliance with Australian Standards**

- C8.1 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.

C9 Contact Telephone Number

- C9.1 Prior to the commencement of the works, the Proponent shall forward to the Department and Council a 24 hour telephone number to be operated for the duration of the works.
- C9.2 The Proponent shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development. The telephone number will be made available to the Department, Council and other key stakeholders.

Hazardous Materials**C10 Removal of Hazardous Materials**

- C10.1 All hazardous materials shall be removed from the site and shall be disposed of at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines.

Works Management**C11 Works Management Plan**

- C11.1 Prior to the commencement of works, a Works Management Plan (WMP) shall be prepared by a suitably qualified person in accordance with relevant legislation and guidelines and submitted to and approved by Council and/or the Director of Strategic Assessments where appropriate.
- C11.2 The WMP shall address the following matters where relevant:
- (a) Contact details of site manager,

- (b) *Works traffic, pedestrian management and car parking,*
- (c) *Noise and vibration management,*
- (d) *Air quality,*
- (e) *Stormwater,*
- (f) *Waste management,*
- (g) *Flora and fauna management.*

C11.3 Nothing within this condition precludes the preparation and submission of individual WMPs for any development action within any phase of the works.

PART 3 – DURING WORKS**Contamination****C12 Site Contamination**

- C12.1 An inspection and test program and a contingency plan shall be designed and implemented by the Proponent during the works which provides procedures to be followed in the event that as yet unidentified potentially contaminated material including asbestos is identified.

Site Maintenance**C13 Disposal of Seepage and Stormwater**

- C13.1 Any seepage or rainwater collected on-site during the works shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council. Discharges are to be managed in accordance with the provisions of the Protection of the Environmental Operations Act.

Works Management**C14 Approved Plans to be On-site**

- C14.1 A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Council or the Department.

C15 Site Notice

- C15.1 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 the details of the Proponent, Builder and Structural Engineer. The notice(s) is to satisfy 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 works/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 site is not permitted.*

C16 Protection of Trees – Street Trees

- C16.1 All street trees shall be protected at all times during the works. Any tree on the public footpath, which is damaged or removed during the works, shall be replaced, to the satisfaction of Council.

C17 Protection of Trees – On-site Trees

- C17.1 All trees on the site directly affected by the works 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 the works.

C18 Works Contract Obligations

- C18.1 The procedures for the handling of complaints, the stakeholder consultation process, the specific controls

implemented in relation to works risks and mitigation methods must be clearly embodied within the conditions of contract between the Proponent and the appointed contractor.

C19 Dust Control Measures

C19.1 Adequate measures shall be taken to prevent dust from affecting the amenity of the surrounding area during the works. In particular, the following measures must be adopted:

- (a) *Physical barriers shall be erected at right angles to the prevailing wind direction or shall be placed around or over dust sources to prevent wind or activity from generating dust emissions,*
- (b) *Earthworks and scheduling activities shall be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed,*
- (c) *All materials shall be stored or stockpiled at the best locations,*
- (d) *The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs,*
- (e) *All vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material,*
- (f) *All equipment wheels shall be washed before exiting the site.*

C20 Hours of Work

C20.1 The hours of works, including the delivery of materials to and from the site, shall be restricted as follows:

- (a) *Between 7:00am and 6:00pm, Mondays to Fridays inclusive;*
- (b) *Between 8:00am and 2:00pm, Saturdays;*
- (c) *No work on Sundays and public holidays.*

C20.2 Works may be undertaken outside these hours where:

- (a) *The delivery of materials is required outside these hours by the Police or other authorities;*
- (b) *It is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;*
- (c) *The work is approved through a Works Management Plan (WMP);*
- (d) *The work is approved by the Director-General.*

Condition 21 is inserted to read as follows:
(modified under Section 75W modification MP 06_0051 on 7 April 2008)

C21 Temporary Demountable Buildings

C21.1 The temporary demountable buildings are to be located so as to minimise the impact on existing trees and car parks. Details are to be forwarded to the Director, Strategic Assessments of the Department demonstrating compliance with this condition, prior to placement of the demountable buildings on the site.

C21.2 The temporary demountable buildings are to be removed from the site once the new buildings approved under the Concept Plan approval (MP 06_0051) are occupied.

MAJOR PROJECT APPLICATION NO. MP 06_0051**ADVISORY NOTES****AN1 Long Service Levy**

Under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* any works costing \$25,000 or more is subject to a Long Service Levy. The levy rate is 0.35% of the total cost of works and shall be paid to either the Long Service Payments Corporation or Council. Under Section 109F(1) of the *Environmental Planning and Assessment Act 1979*, this payment must be made prior to commencement of building works.

AN2 Stormwater Drainage Works or Effluent Systems

Works that involve water supply, sewerage and stormwater drainage work or management of waste as defined by Section 68 of the Local Government Act, 1993 require separate approval by Council under Section 68 of that Act. Applications for these works must be submitted on Council's standard Section 68 application form accompanied by the required attachments and the prescribed fees.

AN3 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.

AN4 Noise Generation

Any noise generated during the construction of the development shall not exceed limits specified in any relevant noise management policy prepared pursuant to the *Protection of the Environment Operations Act, 1997* or exceed approved noise limits for the site.

AN5 Use of Mobile Cranes

If necessary, 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 following matters where required shall be complied with:

- (1) 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:
 - (a) At least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions, and
 - (b) 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.

AN6 Remediation and Validation Report

Following the completion of remediation works on the site a Remediation and Validation Report is to be prepared by a suitably qualified environmental consultant. This report, together with a final site audit statement by an Environmental Protection Agency accredited environmental consultant, should include Notice of Completion statement, pursuant to clauses 17(2) and 18 of *State Environmental Planning Policy No.55—Remediation of Land*.

AN7 Temporary Structures

An approval under Section 68 of the Local Government Act 1993 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.

Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Council with the application under Section 68 of the Local Government Act 1993 to certify the structural adequacy of the design of the temporary structures.

AN8 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.