

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2019/1439
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Responsible Officer:	Lashta Haidari
Land to be developed (Address):	Lot 2 DP 1020015, 49 Frenchs Forest Road East FRENCHS FOREST NSW 2086
Proposed Development:	Alterations and additions to an existing medical centre
Zoning:	Warringah LEP2011 - Land zoned B7 Business Park
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	CCA Estates Pty Ltd
Applicant:	CCA Estates Pty Ltd

Application Lodged:	13/12/2019
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Other
Notified:	06/01/2020 to 28/01/2020
Advertised:	Not Advertised
Submissions Received:	1
Clause 4.6 Variation:	Nil
Recommendation:	Approval

Estimated Cost of Works:	\$ 1,757,315.00
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PROPOSED DEVELOPMENT IN DETAIL

The Development Application seeks consent for alterations and additions to the existing Medical Centre for use as a specialist cancer treatment centre (Northern Beaches Cancer Care Centre).

The proposal includes an extension at the rear of the site to provide for a backup Linear Accelerator. The ground floor extension will be in line with the rear (western) basement wall for structural support. The proposed extension of the first floor will result in an increase of approximately 7sqm. The proposed extension will equate to an increase in GFA of 42sqm.

Specifically, the proposal involves the following works:

- Installation of a backup Linear Accelerator through all three levels of the premises (basement, ground floor and first floor). The Linear Accelerator will be accessed only through the ground floor.
- Rear extension of the ground floor to be in line with the basement walls below for structural support.
- Rear extension of the first floor in the north-western corner of the existing premises to be in line with the new ground floor extension below to ensure the Linear Accelerator has adequate space within the premises.
- Removal of two car parking spaces in the basement of the premises to cater for the Linear Accelerator.
- Internal reconfiguration of the first floor and ground floor to allow for the Linear Accelerator.
- Slight relocation of existing main entrance to align with the proposed relocation of the Reception Area.

Additionally, the proposal seeks approval for extended construction hours for four (4) weekends, to allow for construction on Saturdays and Sundays between 7.00am and 4.00pm.

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Warringah Development Control Plan - B4 Site Coverage

Warringah Development Control Plan - C3 Parking Facilities

Warringah Development Control Plan - D1 Landscaped Open Space and Bushland Setting

SITE DESCRIPTION

Property Description:	Lot 2 DP 1020015 , 49 Frenchs Forest Road East FRENCHS FOREST NSW 2086
Detailed Site Description:	The subject site is known as "Building 4" (Lot 2) at 49 Frenchs Forest Road East, Frenchs Forest within the <i>Forest</i>

Central Business Park, which comprises 9 commercial office type buildings and one vacant lot. The site has frontage to a private unnamed internal road adjoining Frenchs Forest Road East and has an area of 1,267sqm.

Vehicular access to the site is from Frenchs Forest Road East via two driveways, an eastern “Entry” driveway and a western “Exit” driveway.

The adjoining lot to the east at No.39 Frenchs Forest Road East, which is known as the he “*Parkway Hotel Site*”, has a recent approval for a new Hotel, Dan Murphy’s bottle shop, a 100 room motel and 271 carparking spaces.

Map:



SITE HISTORY

A search of Council’s records has revealed that there are several applications have been approved within the site since the original approval was granted.

Development Application No: DA2000/5403 was approved for an office/ industrial building, associated car parking and landscaped area. It should be noted that when this approval was granted the subject site was known as Lot 2 in Lot 1, DP 108202.

Application No. 6949-01-2016 under the provision of Complying Development Certificate was approved on 23 December 2016 for use and fit-out of existing building (Ground Level) for specialist medical centre.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

Section 79C 'Matters for Consideration'	Comments
Section 79C (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument	None applicable.
Section 79C (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.
Section 79C (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 79C (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clauses 54 and 109</u> of the EP&A Regulation 2000, Council requested additional information and has therefore considered the number of days taken in this assessment in light of this clause within the Regulations. No additional information was requested.</p> <p><u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent.</p> <p><u>Clauses 93 and/or 94</u> of the EP&A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This matter has been addressed via a condition of consent.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This clause is not relevant to this application.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p>
Section 79C (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report.</p> <p>(ii) The proposed development will have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) The proposed development will have a detrimental economic impact on the locality considering the nature of</p>

Section 79C 'Matters for Consideration'	Comments
	the existing and proposed land use.
Section 79C (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Public Exhibition” in this report.
Section 79C (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the relevant Development Control Plan.

As a result of the public exhibition process council is in receipt of 1 submission/s from:

Name:	Address:
Herbert Smith Freehills	MLC Centre Martin Place SYDNEY NSW 2000

The following issues were raised in the submissions:

- There is no justified need for the proposed development and the basis for assessment is inadequate
- Non-compliance's with the Warringah Development Control Plan 2011 (WDCP) in terms of site coverage, parking and landscaped open space
- The Statement of Environmental Effects (SEE) does not provide sufficient details and justification for departures from WDCP
- There are no proposed restrictive condition(s)

The relevant matters raised within the submissions have been considered and are addressed as follows:

- **There is no justified need for the proposed development and the basis for assessment is inadequate**

The submission received states that the application does not does not address the need for the

proposed development and does not include an adequate assessment of potential environmental impacts arising from the proposed development. The submission especially notes that additional justification should be provided for the installation of a back-up cancer treatment linear accelerator.

Comment:

The applicant within the SEE, prepared by Tomasy Planning, states that the additional treatment machine is to be used as a back-up for the existing Linear Accelerator and would be used when required only. That is, the treatment machines will not operate at the same time, and the additional Linear Accelerator will only be utilised when the other is being replaced, serviced, malfunctioning or is otherwise out of use.

The information provided within the SEE is considered adequate for the assessment of the application under S4.55 of the EPA and Act 1979.

This issue does not warrant refusal or requesting more information on the application.

- **Non-compliance's with the Warringah Development Control Plan 2011 (WDCP) in terms of site coverage, parking and landscaped open space**

The submission states that development exhibits a number of significant non-compliances with the WDC

The submission has quoted legislation and relevant Court cases to emphasis that significant weight shou

Comment:

The issues raised have been discussed at length under the WDCP section of this report. In summary, it has been found that the development is consistent with the objectives of these controls and the non-compliances in relation to the Site Coverage and Landscape Open Space are supported in this instance.

The parking requirement for the development is stipulated under the provision of Appendix 1 of WDCP 2011. An assessment of carparking, having regard to location of the site, and the existing building has been undertaken by the assessment officer and Councils Traffic Section. In summary, the amount of car parking is considered to be sufficient for the development, based on the operational characteristics of the use, as addressed elsewhere in this report, subject to special conditions in this regard.

Therefore, the specific issues raised in relation to non-compliance's with the DCP should not be given determining weight.

- **The Statement of Environmental Effects does not provide sufficient details and justification for departures from the WDCP**

The submission received states that the SEE submitted with the application lacks details and provides inadequate justification in relation to the departures from WDCP.

Comment:

The SEE submitted with the DA describes the proposed development and provides information for Council to determine whether the proposal complies with all relevant controls. Council undertakes its own assessment of the proposal and considers the SEE provided by the applicant. In this regard, the information provided by the applicant is not always agreed with or relied upon. Where Council cannot complete the assessment due to insufficient or inadequate information, the applicant may be requested to provide amended or additional details. In this regard, the SEE submitted with the application provides adequate details to allow for the complete and proper assessment of the application.

Accordingly, this issue does not warrant the refusal of the application.

- **Restrictive Condition(s)**

The submission states that should the application be accepted by Council, despite the issues raised, the following conditions should be imposed on the proposed development that includes (but not limited to):

- limit the number of staff members at any one time (e.g. a maximum of 10 staff, as per current operations)
- limit the number of patients at any one time (e.g. a maximum of 4 patients, as per current operations)
- limit the operation of the back-up Linear Accelerator (LA) (e.g. no operation of the back-up LA while the existing LA is in use)
- a combination of any of the above

It is concurred with that conditions restricting the use of the development to the above requirement is required to ensure the development and parking is adequate for the use and the site/estate.

This issue is addressed by conditions.

REFERRALS

Internal Referral Body	Comments
Building Assessment - Fire and Disability upgrades	<p>The application has been investigated with respects to aspects relevant to the Building Certification and Fire Safety Department. There are no objections to approval of the development subject to inclusion of the attached conditions of approval and consideration of the notes below.</p> <p>Note: The proposed development may not comply with some requirements of the BCA and the Premises Standards. Issues such as this however may be determined at Construction Certificate Stage.</p>
Environmental Health	General Comments

Internal Referral Body	Comments
(Industrial)	<p>Proposed alterations and additions to a commercial/industrial building operating as a medical facility. The addition of new medical machinery and first floor extension with application to construct outside of standard hours - one month of extended construction hours are proposed, inclusive of Saturday and Sunday 7.00 am to 4.00 pm.</p> <p>Environmental Health focused on the noise and dust to be created by concrete cutting.</p> <p>Standard construction or industrial noise periods limit operations to 1pm on a Saturday and no operations on Sunday. The applicant gave information to support their request for alternative hours.</p> <p>An acoustic report prepared by Renzo Tonin & Associates -1 November 2019; TL204-01F01 - stated sound pressure levels are expected to be 2 dB(A) above Noise Management Levels at the closest residence if mitigation measures are being used. The acoustic report supported by a Construction Management Plan propose those mitigation measures to be the form of wooden hoarding (walls) and plywood or plasterboard ceiling. As well as create an acoustic barrier, this will also help manage dust.</p> <p>The surrounding area, although residential, is a busy thoroughfare for traffic during most times of the day everyday. Noise levels in this area are expected/predicted to be higher than a typical residential area during the day.</p> <p>Environmental Health recommended that the application be approved, but consideration should be given to the hours of construction being shifted by one hour each day of the weekend to be: 7:00 am to 5 pm Saturday and 8:00 am to 4 pm Sunday.</p> <p>Recommendation</p> <p>APPROVAL - subject to conditions</p>
Landscape Officer	<p>The plans indicate that the existing building expands to the western (rear) boundary, adjoining another building.</p> <p>Some planting at the rear will be affected by the works, however provided that any removed material is replanted, no objections are raised to the proposal.</p> <p>Recommended conditions are as per below.</p>
NECC (Development Engineering)	<p>No objections are raised to the proposed development.</p>
Strategic and Place Planning	<p>The Application is for alterations and additions to an existing Medical Centre and approval to construct outside standard construction hours. The alterations and additions involve an extension of the western (rear) boundary at the ground level and first floor. The extension proposed to be contained within the existing roof plan. The construction hours propose a total of four weekends, inclusive of Saturday and Sunday 7.00am to 4.00pm.</p> <p>The application is supported as this will contribute towards additional jobs (short-term construction jobs) for the precinct. In addition, the uses will support the new Northern</p>

Internal Referral Body	Comments
	Beaches Hospital, the Greater Sydney Commission's vision for a health and education precinct, and encourage employment growth in the area.
Traffic Engineer	<p>The application is for alterations and minor additions to an existing Cancer Treatment centre that provides an additional treatment space to be used as a back up to the existing treatment facility</p> <p>Parking :</p> <p>The proposal removes two existing parking spaces and based on the current usage this would be acceptable. The DCP requirement is for 33, however this is based on a general medical practice usage and not the specialised facility use as described. This is deemed satisfactory subject to the conditions provided for the consent.</p> <p>This will be subject to ongoing management of the Work Place Travel Plan. A condition ensure that the plan is implemented and adhered to at all times. An ongoing review process will be required and the date is to be provided to Council to ensure the effectiveness of the plan A condition will be added to require a bi-annual report on the management of the Work Place travel plan and car park operation.</p> <p>Traffic:</p> <p>The proposed traffic generation rates and assumptions are deemed acceptable.</p> <p>Servicing:</p> <p>There is no change proposed to the servicing of the development.</p> <p>Support/Non-Support:</p> <p>Council's Transport Network team supports the application with conditions to address:</p> <ul style="list-style-type: none"> - Access - Parking - Construction activity

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.
Concurrence – NSW Roads and Maritime Services (s100 – Dev. on proposed classified road)	The application was referred to Transport for NSW (former RMS), whom has advised by letter dated 17 January 2020 that they raise no objection to the proposed development.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and

operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP 55 - Remediation of Land

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for commercial purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the commercial land use.

SEPP (Infrastructure) 2007

Ausgrid

Clause 45 of the SEPP requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Comment:

The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

Roads and Maritime Service (RMS)

Clause 104 and Schedule 3 of the SEPP requires certain development(s) are referred to Transport for NSW (Former RMS) as the subject site is close proximity to Warringah Road and Fresnchs Forest Road.

The application was referred to the Transport NSW who did not raise any objection to the proposal.

Warringah Local Environmental Plan 2011

Is the development permissible?	Yes
After consideration of the merits of the proposal, is the development consistent with: aims of the LEP?	Yes

zone objectives of the LEP?	Yes
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Principal Development Standards

Standard	Requirement	Proposed	% Variation	Complies
Height of Buildings:	On merit (No set height limit for the location)	No change to the existing height of the building	N/A	Yes

Compliance Assessment

Clause	Compliance with Requirements
4.6 Exceptions to development standards	Yes
5.3 Development near zone boundaries	Yes
5.8 Conversion of fire alarms	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes

Warringah Development Control Plan

Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
B4 Site Coverage	33.3% (422m ²)	45.8% (580m ²)	37.4%	No
B5 Side Boundary Setbacks	Nil	No changes to existing side setback of 3m	N/A	N/A
B7 Front Boundary Setback	10m	No changes to existing front setback	N/A	N/A
B9 Rear Boundary Setback	Merit Assessment	2.3m acceptable on merit, as it is consistent with other development within the complex	N/A	Yes
D1 Landscaped Open Space (LOS) and Bushland Setting	33.3% (422m)	21.1% (267m ²)	36.6%	No

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
B4 Site Coverage	No	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
B5 Side Boundary Setbacks	Yes	Yes
B7 Front Boundary Setbacks	Yes	Yes
B10 Merit assessment of rear boundary setbacks	Yes	Yes
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	No	Yes
C4 Stormwater	Yes	Yes
C5 Erosion and Sedimentation	Yes	Yes
C6 Building over or adjacent to Constructed Council Drainage Easements	Yes	Yes
C7 Excavation and Landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	Yes	Yes
D1 Landscaped Open Space and Bushland Setting	No	Yes
D3 Noise	Yes	Yes
D6 Access to Sunlight	Yes	Yes
D7 Views	Yes	Yes
D8 Privacy	Yes	Yes
D9 Building Bulk	Yes	Yes
D10 Building Colours and Materials	Yes	Yes
D11 Roofs	Yes	Yes
D12 Glare and Reflection	Yes	Yes
D14 Site Facilities	Yes	Yes
D18 Accessibility and Adaptability	Yes	Yes
D20 Safety and Security	Yes	Yes
D21 Provision and Location of Utility Services	Yes	Yes
D22 Conservation of Energy and Water	Yes	Yes
D23 Signs	N/A	N/A
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes
E2 Prescribed Vegetation	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E10 Landslip Risk	Yes	Yes

Detailed Assessment

B4 Site Coverage

Description of non-compliance

The proposed development has a site coverage of 580m² or 45.8% of the site area. The proposed development will result in a 20sqm or 1.6% increase in site coverage compared the existing site coverage.

Therefore, the existing development is non-compliant and the proposal will marginally increase the extent of non-compliance.

Merit consideration

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *To provide opportunities for the provision of landscaping and the enhancement of existing native vegetation.*

Comment:

The extent of non-compliance is 20m² (being 1.6%) which is considered to be minor, having regard to the setting and location of the existing building and the surrounding uses within the complex. The site will continue to provide landscape areas as per the existing situation.

- *To minimise the bulk and scale of development.*

Comment:

The site is not affected by a numerical maximum height limit or storey limit, therefore building bulk and scale is controlled by balancing landscaping and site coverage with the remaining land which is able to be used for parking, access and ancillary elements, outside the building footprint. The proposal relates to alterations and additions to the existing medical centre and the extent the extension to the ground and first level is relatively minor and will not alter the bulk and scale significantly to great extend.

- *To reduce the stormwater runoff, preventing soil erosion and siltation of the natural drainage network.*

Comment:

The existing building is being retained and the existing landscape areas within the site will continue reduce runoff, prevent soil erosion and maintain a landscape setting consistent with the business park location.

- *To limit impervious areas and encourage natural drainage into the sub-surface.*

Comment:

The building site coverage and ancillary impervious areas are consistent with development on adjacent development within the complex and will not create an unreasonable impact on natural drainage.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WLEP 2011 / WDCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

C3 Parking Facilities

The development has been assessed for carparking as follows:

Use	Appendix 1 Calculation	Required	Provided	Difference (+/-)
Medical Centre	4 spaces per 100 sqm GFA	33 spaces for 815m ²	19	-14 spaces
Total				

The proposal requires 33 spaces under Appendix 1 of WDCP 2011 (being 4 spaces per 100m² GFA), and provides 19 spaces, which represents a 14 space shortfall. It is noted that the existing Medical Centre development does not comply with carparking, requiring 31 spaces, but providing 21 spaces (10 space shortfall).

The applicant submitted a Traffic Report seeking to justify the shortfall. The justification provided within the Traffic Report states that the nature of the proposed use is that patients enter the site by appointment only and there is a maximum of four (4) patients on site at any one time. This, combined with a maximum of 10 staff on site at any one time, equates to a maximum of 14 spaces to be used at any time. Furthermore, the report indicates that the operation of the premises is not proposed to change as a result of the installation of the additional Linear Accelerator and therefore, there will be no increased demand for parking on the site. Therefore, technically there are an additional five (5) spaces on the site that will not be required for the use of the premises.

The application was reviewed by Transport for NSW (former RMS) and Council's Traffic Engineer, whom have raised no objection to the proposed development subject to condition which limits the staff and patients number to ensure the appropriate balance of parking is maintained at all times.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WLEP 2011 / WDCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

D1 Landscaped Open Space and Bushland Setting

Description of non-compliance

In accordance with Part D1 of the WDCP 2011, a minimum of 33.3% of the site area is to be dedicated as Landscaped Open Space (LOS), which is equivalent to 422m².

The existing building has a LOS of 23.7% (300m²) and the proposed development has an LOS of 267sqm (21.1%) of site area as LOS, hence the proposal involves a small additional loss of LOS.

Merit consideration

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *To enable planting to maintain and enhance the streetscape.*

Comment:

The subject site provides for LOS within the front of the site, which will remain unchanged as result of the proposed development, which will continue to maintain and enhance the unmade road within the complex.

- *To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.*

Comment:

As discussed, the LOS spaces within the front of the building will remain unchanged, and whilst there is reduction of the LOS at the rear of the building, the LOS for the site is consistent with other development within this complex.

- *To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.*

Comment:

The LOS within the front of the site will remain unchanged and the height, bulk and scale of the building is consistent with other development within the complex.

- *To enhance privacy between buildings.*

Comment:

The building is not close to any residential development and therefore will not create any unreasonable privacy impacts.

- *To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.*

Comment:

The building has appropriate landscape buffer around the building for a landscape setting to suit

- *To provide space for service functions, including clothes drying.*

Comment:

The landscaped areas on the site are not intended for service function use for medical centre.

- *To facilitate water management, including on-site detention and infiltration of stormwater.*

Comment:

The reduced landscape open space area will not have a detrimental impact on runoff and OSD

management.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WLEP 2011 / WDCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly effect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Northern Beaches Section 7.12 Contributions Plan 2019

The proposal is subject to the application of Northern Beaches Section 7.12 Contributions Plan 2019.

A monetary contribution of \$17,573 is required for the provision of new and augmented public infrastructure. The contribution is calculated as 1% of the total development cost of \$1,757,315.

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;
- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant Development Consent to DA2019/1439 for Alterations and additions to an existing medical centre on land at Lot 2 DP 1020015, 49 Frenchs Forest Road East, FRENCHS FOREST, subject to the conditions printed below:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

1. **Approved Plans and Supporting Documentation**

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
DA-000, DA-001, DA-010, DA-400, DA-420, and DA-920 (issue A)	25/10/2019	Become
DA-050, DA-051, DA-052, DA-100, DA-101, DA-102 (issue B)	25/10/2019	Become

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Building Code of Australia Compliance Assessment Report	25/10/2019	AE and D
Acoustic Letter of Support for Extended Construction Hours	1 November 2019	Renzo Tonin and Associates
Construction Management Plan	28 October 2019	Northern Beaches cancer care

c) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

d) The development is to be undertaken generally in accordance with the following:

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.

2. **Compliance with Other Department, Authority or Service Requirements**

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

Other Department, Authority or Service	EDMS Reference	Dated
Transport for NSW	Response Transport for NSW	17 January 2020

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website www.northernbeaches.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies.

3. **No Approval for any Signage**

No approval is granted under this Development Consent for signs (as defined under Warringah Local Environment Plan 2011 and State Environmental Planning Policy No. 64). A separate Development Application for any signs (other than exempt and signs permitted under Complying Development) must be submitted for the approval prior to the erection or display of any such signs.

Reason: Control of signage. (DACPLB06)

4. **Prescribed Conditions**

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);
- (c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
 - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
 - (i) in the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of that Act,
 - (ii) in the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in

progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
 - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
 - (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative requirement.

5. General Requirements

- (a) Unless authorised by Council:
Building construction and delivery of material hours are restricted to:
- 7.00 am to 5.00 pm inclusive Monday to Friday,
 - 8.00 am to 1.00 pm inclusive on Saturday,
 - No work on Sundays and Public Holidays.
 - Saturday and Sunday between 7.00am and 4.00pm (For 4 weeks only from the date of commencement)

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

- (b) Should any asbestos be uncovered on site, its demolition and removal must be carried out in accordance with WorkCover requirements and the relevant Australian Standards.
- (c) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (d) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area

affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.

- (e) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (f) Prior to the release of the Construction Certificate, payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
- (g) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (h) No skip bins, building materials, demolition or excavation waste of any nature, and no hoist, plant or machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (i) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (j) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.
- (k) Prior to the commencement of any development onsite for:
 - i) Building/s that are to be erected
 - ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
 - iii) Building/s that are to be demolished
 - iv) For any work/s that is to be carried out
 - v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

- (l) A "Road Opening Permit" must be obtained from Council, and all appropriate charges paid, prior to commencement of any work on Council property. The owner/applicant shall be responsible for all public utilities and services in the area of the work, shall notify all relevant Authorities, and bear all costs associated with any repairs and/or adjustments as those Authorities may deem necessary.
- (m) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.
 - (1) Child resistant fencing is to be provided to any swimming pool or lockable cover to any spa containing water and is to be consistent with the following;

Relevant legislative requirements and relevant Australian Standards (including but not limited) to:

- (i) Swimming Pools Act 1992

- (ii) Swimming Pools Amendment Act 2009
 - (iii) Swimming Pools Regulation 2008
 - (iv) Australian Standard AS1926 Swimming Pool Safety
 - (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
 - (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.
- (2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.
 - (3) Filter backwash waters shall be conveyed to the Sydney Water sewerage system in sewered areas or managed on-site in unsewered areas in a manner that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.
 - (4) Swimming pools and spas must be registered with the Division of Local Government.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

6. **Sewer / Water Quickcheck (Crown Land Only)**

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre prior to works commencing to determine whether the development will affect any Sydney Water asset's sewer and water mains, stormwater drains and/or easement, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- Quick Check agents details - see Building Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building Developing and Plumbing then Building and Renovating.
- Or telephone 13 20 92.

Reason: To ensure compliance with the statutory requirements of Sydney Water.

7. **Work Place Travel Plan**

The operator of the premise is to submit an initial copy of the approved Work Place Travel Plan to Council and provide subsequent reporting bi-annually to Council to demonstrate compliance with the approved Work Place Travel Plan.

Reason: To ensure ongoing management of staff parking and travel options (DACTRBOC1)

FEES / CHARGES / CONTRIBUTIONS

8. **Policy Controls**

Northern Beaches 7.12 Contributions Plan 2019

A monetary contribution of \$17,573.15 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan 2019. The

monetary contribution is based on a development cost of \$1,757,315.00.

The monetary contribution is to be paid prior to the issue of the first Construction Certificate or Subdivision Certificate whichever occurs first, or prior to the issue of the Subdivision Certificate where no Construction Certificate is required. If the monetary contribution (total or in part) remains unpaid after the financial quarter that the development consent is issued, the amount unpaid (whether it be the full cash contribution or part thereof) will be adjusted on a quarterly basis in accordance with the applicable Consumer Price Index. If this situation applies, the cash contribution payable for this development will be the total unpaid monetary contribution as adjusted.

The proponent shall provide to the Certifying Authority written evidence (receipt/s) from Council that the total monetary contribution has been paid.

The Northern Beaches Section 7.12 Contributions Plan 2019 may be inspected at 725 Pittwater Rd, Dee Why and at Council's Customer Service Centres or alternatively, on Council's website at www.northernbeaches.nsw.gov.au

This fee must be paid prior to the issue of the Construction Certificate. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To provide for contributions in accordance with the Contribution Plan to fund the provision of new or augmented local infrastructure and services.

9. Security Bond

A bond (determined from cost of works) of \$10,000 and an inspection fee in accordance with Council's Fees and Charges paid as security to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection).

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, details demonstrating payment are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at www.northernbeaches.nsw.gov.au).

Reason: To ensure adequate protection of Council's infrastructure.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

10. Building Code of Australia Report

The works and fire safety measures as detailed and recommended in the Building Code of Australia Compliance Assessment Report prepared by AED Group, dated 25/10/2019, Report No. 9781 - Rev 2.0 are to be taken into consideration as part of the assessment for the

Construction Certificate.

Details demonstrating implementation and compliance are to be submitted to the Principal Certifier prior to the issue of the Construction Certificate.

Reason: To ensure adequate provision is made for Health, Amenity, access and Fire safety for building occupant safety.

11. **Compliance with Standards**

The development is required to be carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with appropriate standards.

12. **External Finishes to Roof**

The external finish to the roof shall have a medium to dark range in order to minimise solar reflections to neighbouring properties. Any roof with a metallic steel finish is not permitted.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure that excessive glare or reflectivity nuisance does not occur as a result of the development.

13. **Construction Traffic Management Plan**

As a result of the site constraints, limited vehicle access and parking, a Construction Traffic Management Plan (CTMP) and report shall be prepared by an suitably accredited person and submitted to and approved by the Northern Beaches Council Traffic Team prior to issue of any Construction Certificate.

The CTMP must address following:

- The proposed phases of construction works on the site, and the expected duration of each construction phase;
- The proposed order in which works on the site will be undertaken, and the method statements on how various stages of construction will be undertaken;
- Make provision for all construction materials to be stored on site, at all times;
- The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period;
- The proposed method of access to and egress from the site for construction vehicles, including access routes and truck routes through the Council area and the location and type of temporary vehicular crossing for the purpose of minimising traffic congestion and noise in the area, with no access across public parks or reserves being allowed;
- The proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site. Wherever possible mobile cranes should be located wholly within the site;
- Make provision for parking onsite. All Staff and Contractors are to use the basement parking once available.
- Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity

- of the site are not permitted unless approved by Council prior.
- Include a Traffic Control Plan prepared by a person with suitable RMS accreditation for any activities involving the management of vehicle and pedestrian traffic.
 - The proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process. It must also specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.
 - Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.
 - Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities, such as (but not limited to) concrete pours, crane lifts and dump truck routes. These communications must be documented and submitted to Council prior to work commencing on site.
 - The proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles shall be directed to the sediment control system within the site;
 - Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
 - The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified and practising Structural Engineer, or equivalent;
 - Proposed protection for Council and adjoining properties; and
 - The location and operation of any on site crane; and

The CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’ Manual – “Traffic Control at Work Sites”.

All fees and charges associated with the review of this plan is to be in accordance with Council’s Schedule of Fees and Charges and are to be paid at the time that the Construction Traffic Management Plan is submitted.

Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems (DACTRCPC1)

14. **Waste Management Plan**

A Waste Management Plan must be prepared for this development. The Plan must be in accordance with the Development Control Plan.

Details demonstrating compliance must be provided to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure that any demolition and construction waste, including excavated material, is reused, recycled or disposed of in an environmentally friendly manner.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

15. Tree protection

- (a) Existing trees which must be retained
 - i) All trees not indicated for removal on the approved plans, unless exempt under relevant planning instruments or legislation
 - ii) Trees located on adjoining land
- (b) Tree protection
 - i) No tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a qualified Arborist on site.
 - ii) All structures are to bridge tree roots greater than 25mm diameter unless directed otherwise by a qualified Arborist on site.
 - iii) All tree protection to be in accordance with AS4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures.
 - iv) All tree pruning within the subject site is to be in accordance with WDCP2011 Clause E1 Private Property Tree Management and AS 4373 Pruning of amenity trees
 - v) All tree protection measures, including fencing, are to be in place prior to commencement of works.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

16. Survey Certificate

A survey certificate prepared by a Registered Surveyor at the following stages of construction:

- (a) Commencement of perimeter walls columns and or other structural elements to ensure the wall or structure, to boundary setbacks are in accordance with the approved details.
- (b) At ground level to ensure the finished floor levels are in accordance with the approved levels, prior to concrete slab being poured/flooring being laid.
- (c) At completion of the roof frame confirming the finished roof/ridge height is in accordance with levels indicated on the approved plans.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To determine the height of buildings under construction comply with levels shown on approved plans.

17. Construction Noise Mitigation Measures

Construction works to not produce noise exceeding 52 dB(A) Leq (15min) at the nearest sensitive receiver during approved hours in the periods of 1 pm to 5 pm on Saturday and anytime on Sunday.

Acoustic attenuation measures to be installed as per the recommendations in the 'Northern Beaches Cancer Care Construction Management Plan' dated 28 October 2019 and the acoustic assessment by Renzo Tonin & Associates dated 1 November 2019 - TL204-01F01.

Reason: minimise impact on the adjacent residences (DACHPEDW5)

18. Implementation of Construction Traffic Management Plan

Implementation of Construction Traffic Management Plan. All works and construction activities are to be undertaken in accordance with the approved Construction Traffic Management Plan (CTMP). All controls in the CTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate RMS accreditation. Should the implementation or effectiveness of the CTMP be impacted by surrounding major development not encompassed in the approved CTMP, the CTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved CTMP is to be kept onsite at all times and made available to Council on request

Reason: to ensure compliance of the developer/builder in adhering to the Construction Traffic Management procedures agreed and are held liable to the conditions of consent.
(DACTREDW1)

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

19. Required Planting

Any plants removed during the works to the rear of the building are to be replaced along the rear boundary with similar plants in minimum pot size 200mm

Reason: To maintain environmental amenity.

20. Removal of All Temporary Structures/Material and Construction Rubbish

Once construction has been completed all silt and sediment fences, silt, rubbish, building debris, straw bales and temporary fences are to be removed from the site.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure bushland management. (DACPLF01)

21. Operational Management Plan

An Operational Management Plan (OMP) is required to be prepared and submitted to Council detailing the operation of the development. The OMP shall include, but not be limited to the following:

- The premises is to be occupied by no more than a total of 10 staff at any one time;
- The premises is to be occupied by no more than a total of 4 patients at any one time.
- Patients are to be appointment only.
- The backup Linear Accelerator to be only used as a back-up for the existing Linear Accelerator and will not operate at the same time as the existing Linear Accelerator.
- Management of car parking areas and the location and content of directional Signage.
- Complaints and Noise management.
- Truck delivery times and methods of control to manage the sequencing of the loading docks.
- Waste management.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Reason: To ensure that the development operates with minimum disruption to the surrounding

area (DACTRFPOC2)

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

22. **Hours of Operation**

The hours of operation are to be restricted to:

- Monday to Friday – 8.00am to 4.00pm

Upon expiration of the permitted hours, all service (and entertainment) shall immediately cease, no patrons shall be permitted entry and all customers on the premises shall be required to leave within the following 30 minutes.

Reason: Information to ensure that amenity of the surrounding locality is maintained.

23. **Staff and Patients Occupancy**

The premises is to be occupied by no more than a total of 10 staff and 4 patients (which is to be appointment only) at any one time.

Reason: Ensure adequate staff/ Patients parking is available at all times.

In signing this report, I declare that I do not have a Conflict of Interest.

Signed



Lashta Haidari, Principal Planner

The application is determined on 20/03/2020, under the delegated authority of:



Steven Findlay, Manager Development Assessments