



2 July 2018

Wyvern Health Pty Ltd
Bureau Srh Studio 3 2 Verona Street
PADDINGTON NSW 2021

Dear Sir/Madam

Application Number: DA2017/0385
Address: Lot 2 DP 1145029 , 2 / 1145029 Myoora Road, TERREY HILLS NSW 2084
Proposed Development: Construction of a Private Hospital with associated car parking signage and landscaping

Please find attached the Notice of Determination for the above mentioned Application.

Please be advised that a copy of the Assessment Report associated with the application is available on Council's website at www.northernbeaches.nsw.gov.au

Please read your Notice of Determination carefully and the assessment report in the first instance.

If you have any further questions regarding this matter please contact the undersigned on 1300 434 434 or via email quoting the application number, address and description of works to council@northernbeaches.nsw.gov.au

Regards,

A handwritten signature in blue ink, appearing to read "Steve Finolaf".

(STEVE FINOLAF)
Peter Robinson

Executive Manager Development Assessment

Attn:

NOTICE OF DETERMINATION

Application Number:	DA2017/0385
Determination Type:	Development Application

APPLICATION DETAILS

Applicant:	Wyvern Health Pty Ltd
Land to be developed (Address):	Lot 2 DP 1145029 , 2 / 1145029 Myoora Road TERREY HILLS NSW 2084
Proposed Development:	Construction of a Private Hospital with associated car parking signage and landscaping

DETERMINATION - APPROVED

Consent Authority	Sydney Planning Panel - North
Made on (Date)	02/07/2018
Consent to operate from (Date):	02/07/2018
Consent to lapse on (Date):	02/07/2023

Detail of Conditions

The conditions, which have been applied to the consent, aim to ensure that the Environmental Impacts of Development are minimised and the Health and Safety of the community is maintained in accordance with the relevant standards and the Building Code of Australia.

Note:

If the works are to be certified by a Private Certifying Authority, then it is the certifier's responsibility to ensure all outstanding fees and bonds have been paid to Council prior to the issue of the Construction Certificate or as otherwise specified by Consent conditions.

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
Site Survey Plans (Reference: 38442)	10 April 2017	Norton Servey Partners
DA000 and DA001 - Revision 02	28 April 2017	Bureau SRH Architecture
Site Plan - DA100 - Revision 03	22 August 2017	Bureau SRH Architecture
Basement Floor Plan - DA200 - Revision 03	28 April 2017	Bureau SRH Architecture
Lower Ground Floor Plan - DA210 - Revision 03	28 April 2017	Bureau SRH Architecture
Ground Floor Plan - DA211 - Revision 03	28 April 2017	Bureau SRH Architecture
Level 01 Floor Plan - DA212 - Revision 03	28 April 2017	Bureau SRH Architecture
Level 02 Floor Plan - DA213 - Revision 03	28 April 2017	Bureau SRH Architecture
Roof Plan - DA214 - Revision 02	28 April 2017	Bureau SRH Architecture
Elevations Sheet 01 - DA310 - Revision 03	28 April 2017	Bureau SRH Architecture
Elevations Sheet 02 - DA311 - Revision 02	28 April 2017	Bureau SRH Architecture
Sections - DA320 - Revision 03	28 April 2017	Bureau SRH Architecture
Signage Details - DA340 - Revision 01	28 April 2017	Bureau SRH Architecture
Materials and Finishes - Revision 02	28 April 2017	Bureau SRH Architecture

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Species Impact Statement	18/12/2017	Narla Environmental
Accessibility Assessment Report BCA 2016	21 April 2017	Sydney Plan Services
Noise Impact Assessment - Revision 1	20 April 2017	Acoustic Logic
Arboricultural Impact Assessment Report	31 July 2017	Urban Arbor

and Plans		
Building Code Of Australia Assessment	August 2017	City Plan Services
Biodiversity Management Plan (as amended by the relevant conditions of consent)	August 2017	Narla Environmental Pty Ltd
Cultural Heritage Assessment	April 2017	Narla Environmental Pty Ltd
Fire Engineering Capability Statement for DA Submission	21 April 2017	Olsson Fire & Risk Consulting Engineers
Flora and Fauna Assessment	August 2017	Narla Environmental Pty Ltd
Geotechnical Assessment	August 2017	Martens Consulting Engineers
Hydrogeological Assessment	August 2017	Martens Consulting Engineers
NCC Section J - Design Intent Statement	28 April 2017	ADP Consulting Engineering
Roof Stormwater Report	26 April 2017	ADP Consulting Engineering
Development Application Infrastructure Report	11 April 2017	ADP Consulting Engineering
Service Infrastructure Review & Due Diligence	11 April 2017	ADP Consulting Engineering
Wyvern Private Hospital Operational Management Plan	4 August 2017	QH Australia
Preliminary Site Investigation	April 2017	Martens Consulting Engineers
Stormwater Management Report	April 2017	Martens Consulting Engineers
Traffic and Parking Impact Assessment of New Private Hospital	27 April 2017	Mc Laren Traffic Engineering & Road Safety Consultants
Bushfire Assessment including the amended by supplementary information	18/08/2017	Peterson Bushfire Experts
Waterways Impact Statement	August 2017	Narla Environmental Pty Ltd

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

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

Landscape Plans		
Drawing No.	Dated	Prepared By
SK 01 - Revision - G	August, 2017	Carmichael Studios
SK 02 - Revision -M	August, 2017	Carmichael Studios
SK 03 - Revision - J	August, 2017	Carmichael Studios



SK 04 - Revision - H	August, 2017	Carmichael Studios
SK 05 - Revision_H	August, 2017	Carmichael Studios
SK 06A - Revision- F	August, 2017	Carmichael Studios
SK 06B - Revision-B	August, 2017	Carmichael Studios
SK 07A - Revision -C	August, 2017	Carmichael Studios
SK 07B- Revision- C	August, 2017	Carmichael Studios
SK 07C - Revision-D	August, 2017	Carmichael Studios

Waste Management Plan		
Drawing No.	Dated	Prepared By
New Private Hospital Ongoing Waste Management	March 2017	Daniels Heath

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. (DACPLB01)

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
Ausgrid	Response Ausgrid Referral	11 May 2017
NSW Office and Environment & Heritage	NSW OEH Response	31 May 2018
NSW Rural Fire Service	Referral - RFS - 2/1145029 Myoora Road Terrey Hills	12 September 2017

(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 Department, Authority or Body's. (DACPLB02)

3. New Development Application Required

This consent is for the construction of the base building for the hospital only. A separate Development Application (other than that permitted under Complying Development) is to be lodged for the internal fit-out of the hospital.

Reason: To ensure the required approvals are obtained for the hospital fit-out.

4. No Approval for any Signage above the parapet / roof line

No approval is granted under this Development Consent for the erection of any advertising or business identification signage located above the roof/parapet line. All signage above the roof/parapet shall be deleted.

Reason: Compliance with Warringah Local Environment Plan. (DACPLB07)



5. 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 (DACPLB09)

6. 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.

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) 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.
- (c) 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.
- (d) 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.
- (e) 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.
- (f) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (g) No building, demolition, excavation or material of any nature and no hoist, plant and machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (h) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (i) 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.

- (j) 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.

- (k) 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. (DACPLB10)

7. Allocation of Parking Spaces

A total of 136 parking spaces shall be provided within the site, with three (3) disabled parking spaces to be in accordance to AS2890.6:2009.

Reason: To ensure correct allocation of parking within the site. (DACTRBOC2)

FEES / CHARGES / CONTRIBUTIONS

8. Policy Controls

Northern Beaches Council Section 94A Development Contribution Plan

The proposal is subject to the application of Council's Section 94A Development Contributions Plan.

The following monetary contributions are applicable:

Northern Beaches Council Section 94 Development Contributions Plan		
Contribution based on a total development cost of \$ 22,043,000.00		
Contributions	Levy Rate	Payable
Total Section 94A Levy	0.95%	\$ 209,408.50
Section 94A Planning and Administration	0.05%	\$ 11,021.50
Total	1%	\$ 220,430.00

The amount will be adjusted at the time of payment according to the quarterly CPI (Sydney - All Groups Index). Please ensure that you provide details of this Consent when paying contributions so that they can be easily recalculated.

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 Northern Beaches Council's Development Contributions Plan.

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.

10. **Works Bonds**

(a) Construction, Excavation and Associated Works Bond (Crossing/Kerb)

A Bond of \$55,000 as security against any damage or failure to complete the construction of any vehicular crossings, kerb and gutter and any footpath works required as part of this consent.

(b) Construction, Excavation and Associated Works Bond (Pollution)

A Bond of \$10,000 as security to ensure that there is no transmission of material, soil etc off the site and onto the public road and/or drainage systems.

(c) Construction, Excavation and Associated Works Bond (Failure to Remove Waste)

A bond of \$10,000 as security against damage to Council's road(s) fronting the site caused by the transport and disposal of materials and equipment to and from the site.

(d) Construction, Excavation and Associated Works Bond (Maintenance for civil works)

The developer/applicant must lodge with Council a Maintenance Bond of \$5,500 for the construction of driveways and footpath. The Maintenance Bond will only be refunded on completion of the Maintenance Period, if work has been completed in accordance with the approved plans to the satisfaction of Council.

(Note: This bond may be refunded and replaced by the Maintenance Bond upon submission to Council of the final Compliance Certificate or Subdivision Certificate.)

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.warringah.nsw.gov.au/your-council/forms).

Reason: To ensure adequate protection of Council's infrastructure. (DACENZ01)

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

11. **On-site Stormwater Detention Compliance Certification**

Drainage plans detailing the provision of On-site Stormwater Detention in accordance with Warringah Council's "On-site Stormwater Detention Technical Specification" and the concept drawing by Martens and Associates, project no. P1605687 drawing number PS02 - A000 issue C, A050 issue B, E100 issue C, E200 issue B dated 26/6/2017.

The On-site Stormwater Detention system is to be designed and constructed such that the post developed runoff does not exceed the 'state of nature' (0% fraction impervious) pre-developed runoff for all storms up to and including the 1 in 100 year ARI storm event.

Stormwater runoff from the development is to be collected and piped to Council's stormwater drainage pipeline within the public roadway in accordance with Council's requirements.

A Construction Certificate pursuant to Section 109C of the Environmental Planning and Assessment Act 1979 must be issued by a C3 and C15 Accredited Certifier, ensuring that the stormwater drainage design complies with all requirements of this condition.

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

Reason: To ensure appropriate provision for the disposal of stormwater and stormwater management arising from the development. (DACENC03)

12. **Submission of Engineering Plans for Civil Works in the Public Road Reserve**

Engineering plans are to be submitted to Council for approval under the provisions of Sections 138 and 139 of the Roads Act 1993. The submission is to include four (4) copies of Civil Engineering plans for the design and construction of four (two(2) x 6 metre wide and two(2) x 3 metre wide) vehicle crossings and 1.5 metre wide concrete footpath and associated layback works which are to be generally in accordance with the Development Application and Council's specification for engineering works – AUS-SPEC #1 and Council's Minor Works Specification. Vehicle crossings are to be constructed in accordance with Council's standard 'Normal' driveway profile.

The Fee Associated with the assessment and approval of the plans is to be in accordance with Council's Fees and Charges.

The developer/applicant must lodge with Council a \$55,000 security bond against any failure to construct the driveways and footpath to Council requirements.

The Maintenance Bond of \$5,500 must be lodged with Council upon completion of the above works. The maintenance bond will only be refunded on completion of the Maintenance Period, if work has been completed in accordance with the approved plans and to the satisfaction of Council.

All costs related to the re-location of any underground utility services, electric light poles, power poles, etc in the course of undertaking the civil works are to be borne by the applicant/developer.

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.

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

Reason: Ensure engineering works are constructed in accordance with relevant standards. (DACENC08)

13. **Vehicle Driveway Gradients**

Driveway gradients within the private property are not to exceed a gradient of 1 in 4 (25%) with a transition gradient of 1 in 10 (10%) for 1.5 metres prior to a level parking facility. Access levels across the road reserve are to comply with the allocated vehicle profile detailed in Council's Minor Works Policy.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the

issue of the Construction Certificate.

Reason: To ensure suitable vehicular access to private property. (DACENC13)

14. Stormwater Quality System

The Stormwater Quality System must be amended to ensure annual TSS, TN, TP and GP loads do not increase compared to a "natural conditions" pre development scenario. The treatment system must incorporate a rainwater capture/reuse system. MUSIC modelling must be completed to demonstrate compliance with the objectives of this condition.

The Stormwater and Coastal Upland Swamp Recharge Systems must be designed to complement each other to ensure any changes to the natural hydrology and water quality of the Coastal Upland Swamp Endangered Ecological Community are avoided.

The detailed designs must be prepared by suitably qualified Civil Engineer, who has membership to the Institution of Engineers Australia, National Engineers Register (NER) and submitted to the Council for approval prior to issue of any Construction Certificate.

Reason: Protection of the receiving environment

15. Coastal Upland Swamp Recharge System

A Coastal Upland Swamp Recharge System must be prepared based on the data and recommendations as provided in the Hydrogeological Assessment prepared by Martens Consulting Engineers dated August 2017 and Species Impact Statement prepared by Narla Environmental dated December 2017 and as per any requirement of this condition.

The Coastal Upland Swamp Recharge System shall be designed to ensure existing upstream groundwater and surface is intercepted and directed to the Coastal Upland Swamp. The recharge system must mimic the pre-development hydrological regime and be designed based on the outputs of the Water Balance Model.

A groundwater barrier is to be implemented downslope of the existing Coastal Upland Swamp to replicate site conditions prior to the excavation undertaken along the downstream boundary of the site. This barrier is to be incorporated into the design of the proposed bio-retention swale to be constructed along the south east corner of the site.

All building basement subsoil systems are to be designed to ensure site groundwater levels are not lowered in the vicinity of the Coastal Upland Swamp or capture groundwater flows generated upslope of the site that would otherwise drain to the swamp.

The Coastal Upland Swamp Recharge System designs must be prepared by suitably qualified Civil Engineer, who has membership to the Institution of Engineers Australia, National Engineers Register (NER) and approved by the appointed ecologist. The designs and model are to be submitted to the Council for approval prior to issue of the Construction certificate.

Reason: Protection of the receiving environment

16. Amendment to the On Site Detention System Design

The design of the On Site Detention (OSD) System shall be amended to comply with the following:

a) Post development flows are to be reduced back to predevelopment levels for all storm events (min. 1yr ARI to 100yr ARI) and durations (min. 5 minutes to 6hrs). The minimum rate of

detention is to be 250m³/ha of developable area.

b) Detailed modelling of the proposed OSD system is to be completed using the outlet/basin configuration that is proposed to be utilised (ie not a theoretical system or contrived equivalent). The modelling is to demonstrate compliance with a). The modelling is to compare pre and post development flows for the site itself as well as all upstream external catchments.

The designs and model must be prepared by suitably qualified Civil Engineer, who has membership to the Institution of Engineers Australia, National Engineers Register (NER). The designs and model are to be submitted to the Council for approval prior to issue of any Construction certificate.

Reason: Protection of the Downstream Environment and Coastal Upland Swamp EEC

17. **Water Balance Model**

A detailed water balance model is to be developed for the pre and post development catchments draining to the existing Coastal Upland Swamp (i.e. for the site itself and all upstream external catchments). The model is to predict both surface and groundwater flows, frequency and volume. The modelling is to demonstrate maintenance of the pre development conditions (i.e. within +/- 10%) and shall be incorporated in the Coastal Swamp Recharge System.

The model must be prepared by suitably qualified Civil Engineer, who has membership to the Institution of Engineers Australia, National Engineers Register (NER). The model shall be submitted to the Council for approval prior to issue of any Construction certificate.

Reason: Protection of the Downstream Environment and Coastal Upland Swamp EEC

18. **Temporary Dewatering**

Discharge of construction stage dewatering from the site must not occur until the above water quality parameters are met.

Parameter	Criterion	Method
Oil and grease	None visible	Visual inspection
pH	6.5- 8.5	Probe/meter
Total Suspended Solids (TSS)	<50mg/L	Meter/grab sample m as NTU

Note: The correlation between NTU and TSS must be established by a NATA accredited laboratory prior to the commencement of dewatering activities.

All records of discharges from the site and monitoring results are to be documented and kept on site. Copies of all records shall be provided to the appropriate regulatory authority, including Council, upon request.

Water must be discharged to the nearest stormwater pit in accordance with Council's Auspec1 Design Manual and must not spread over any road, footpath and the like. Discharge to the kerb and gutter will not be accepted.

Reason: Protection of the receiving environment

19. **Site Contamination**

During site preliminary works if areas of the site are found to be contaminated then a contamination action plan is to be prepared and submitted to the Certifier

All stockpiles of potentially contaminated soil must be stored in a secure area on the site (no greater than 48 hours) so as not to cause pollution or public health risk until disposed of at a waste facility.

All contaminated soil removed from the site must be disposed of at a waste facility that can lawfully receive that waste and must be done in accordance with all relevant Acts, Regulations and Guidelines. Copies of all test results and disposal dockets must be retained for at least 3 years and be made available to authorised Council officers on request.

Note: The following Acts and Guidelines applied at the time of determination:

- i) Protection of the Environment Operations Act 1997; and
- ii) Environment Protection Authority's Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999).

Reason: To protect the Environment and the public and site workers (DACHPCPC6)

20. **Landscaping**

No *Grevillea* hybrids are to be used in the landscaping for this development due to risk of hybridization with local *Grevillea caleyi*.

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

Reason: To ensure compliance with the requirements of the Threatened Species Conservation Act 1995 (DACNEC02)

21. **Application for a Biodiversity Stewardship Agreement**

In accordance with letters (including voluntary offer) from the applicant Wyvern Health Pty Ltd (letter dated, 21 February 2018) and property owner, Wyvern Terrey Hills Property (Letter dated, 8 June 2018) to Northern Beaches Council, a Biodiversity Stewardship Agreement (BSA) is to be entered into with respect to:

- i) the 0.95 hectares area (at a minimum) of land identified as "Proposed Conservation Area" on the map in Figure 28 of the Species Impact Statement version 1.0 dated 18 December 2017 (SIS),
- ii) biodiversity credits generated from that land with respect to Plant Community Type 1786 (Red Bloodwood–Silvertop Ash–Stringbark open forest on ironstone in the Sydney region), *Grevillea caleyi*, Eastern Pygmy-possum (*Cercartetus nanus*) and any other species credits species identified on the site during the assessment of that land.

Unless agreed in writing from Council's Bushland & Biodiversity section (or its successor) or the Chief Executive of the Office of Environment and Heritage (or its successor), the land owner must submit an application for the agreement to the Biodiversity Conservation Trust within six months of development consent being granted.

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

Reason: To compensate for the loss for the loss of threatened species habitat associated with the development and to conserve remaining threatened biodiversity on the land in accordance with the *Biodiversity Conservation Act 2016* (DACNEC04)

22. **Bushland Covenant**

Retained bushland is to be protected, conserved, rehabilitated and managed through the use of a Section 88e (*Conveyancing Act 1919*) Instrument in which Northern Beaches Council shall be named as the sole authority to release or modify the restriction.

The instrument is to be written and registered on the title so that the owners are bound to manage and protect the area in perpetuity according to the approved Biodiversity Management Plan and Species Impact Statement (Narla Environmental - December 2018) prepared for the development. The instrument must identify that vegetation removal and management within the APZs is to meet the requirements in Appendices 2 and 5 of Planning for Bush Fire Protection 2006 and the NSW Rural Fire Service's document Standards for asset protection zones of IPAs and OPAs.

This instrument is to be approved by Councils Bushland & Biodiversity section prior to lodgement with the NSW Department of Lands.

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

Reason: Management and protection of bushland. (DACNEC05)

23. **Project Ecologist**

A Project Ecologist is to be employed for the duration of the approved works to ensure all bushland protection measures are carried out according to the conditions of consent.

The Project Ecologist will provide certification that requirements identified in the approved Biodiversity Management Plan and Species Impact Statement (Narla Environmental - December 2017) are carried out. The Project Ecologist will ensure that all conditions relating to biodiversity management of the property are fully implemented. The Project Ecologist is to be a vegetation management specialist and must have relevant industry accreditation including:

- Accreditation in the Application of the Biodiversity Assessment Method 2017, OR
- Practising Member to the NSW Ecological Consultants Association

Reason: To ensure bushland management. (DACNEC07)

24. **Soil and Water Management Plan**

A Soil and Water Management Plan (SWMP) shall be prepared by a suitably qualified Civil Engineer, who has membership to the Institution of Engineers Australia, National Engineers Register (NER) and implemented onsite prior to commencement. The SWMP must meet the requirements outlined in the Landcom publication Managing Urban Stormwater: Soils and Construction - Volume 1, 4th Edition (2004) and Council's Water Management Policy.

The SWMP must include the following as a minimum:-

- Site boundaries and contours;
- Vehicle access points, proposed roads and other impervious areas (e.g. parking areas and site facilities)

- o Location of all drains, pits, downpipes and waterways on and nearby the site;
- o Planned stages of excavation, site disturbance and building;
- o Stormwater management and discharge points;
- o Dewatering management activities and discharge points. Reference must be made to the dewatering requirements as provided in this consent.
- o Location of environmentally sensitive receivers such as the Coastal Upland Swamp EEC.
- o Integration with onsite detention/infiltration;
- o Sediment control basin locations and volume (if proposed);
- o Proposed erosion and sediment controls and their locations;
- o Location of washdown and stockpile areas including covering materials and methods;
- o Vegetation management including removal and revegetation;
- o A schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.
- o Inspection and maintenance program;
- o North point and scale.

All Site drainage and sediment and erosion control works and measures as described in the SWMP, and any other pollution controls, as required by these conditions, shall be implemented prior to commencement of any other works at the Site.

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

Reason: To promote the long-term sustainability of ecosystem functions (DACNEC11)

25. Utilities and Services

Utility and service lines are not to be located within riparian zones, unless they:

- a) Do not require access tracks for maintenance or other purposes; and
- b) Do not restrict existing vegetation or rehabilitation.

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

Reason: Environmental Protection, Monitoring and Enhancement (DACNEC16)

26. Revised Biodiversity Management Plan

A revised biodiversity management plan shall be prepared and submitted for the site and incorporating all amendments identified in the draft report '*Managing Bushfire Mitigation and Asset Protection Zones*' (Narla 26 March 2018).

The revised Biodiversity Management Plan is to be submitted to Council's Bushland and Biodiversity section for approval prior to issue of the Construction Certificate.

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

Reason: Compliance with concurrence conditions issued by OEH.

27. 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. (DACPLC02)

28. **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. Light colours such as off white, cream, silver or light grey colours are 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. (DACPLC03)

29. **Construction Traffic Management Program**

A Construction Management Program shall be submitted to the Certifying Authority prior to the issue of a Construction Certificate. This to be submitted through an 'Application to Implement a Traffic Management Plan' The program shall detail:

- (a) The proposed method of access to and egress from the site for construction vehicles, including access 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;
- (b) The proposed phases of construction works on the site, and the expected duration of each construction phase;
- (c) 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;
- (d) The proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process;
- (e) 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;
- (f) The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period;
- (g) 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;
- (h) 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;
- (i) Proposed protection for Council and adjoining properties;
- (j) The location and operation of any on-site crane;

Reason: To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the construction process in a manner that respects adjoining owner's property rights and protects amenity in the locality, without unreasonable inconvenience to the community. (DACTRCPC1)

30. **Pedestrian sight distance at property boundary**

A pedestrian sight triangle of 2.0 metres by 2.5m metres, in accordance with AS2890.1:2004 is to be provided at the vehicular access to the property and where internal circulation roadways intersect with footpaths or other pedestrian access areas. This requirement is to be reflected on the Construction Certificate plans and any supporting documentation for the endorsement of the Principal Certifying Authority prior to the release of the Construction Certificate.

Reason: To maintain pedestrian safety. (DACTRCPC2)

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

31. **Public Liability Insurance - Works on Public Land**

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note, and provide protection for Northern Beaches Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land. (DACEND01)

32. **Tree protection**

(a) Existing trees which must be retained

i) All trees not indicated for removal in the Arboricultural Impact Assessment Report dated 27 April 2017 prepared by Urban Arbor, unless exempt under relevant planning instruments or legislation

ii) Trees located on adjoining land

(b) Tree protection

i) No tree roots greater than 50mm diameter are to be cut from protected trees unless authorised by the Project Arborist on site.

ii) All structures are to bridge tree roots greater than 50mm diameter unless directed otherwise by the Project Arborist on site.

iii) All tree protection to be in accordance with the recommendations of the Arboricultural Impact Assessment Report dated 27 April 2017 prepared by Urban Arbor and 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. (DACLAC01)

33. **Project Arborist**

i) A Project Arborist with minimum qualification equivalent to AQF Level 5 is to be appointed prior to commencement of works.

ii) The Project Arborist is to oversee all tree protection measures, removals and works adjacent to protected trees as outlined in the Arboricultural Impact Assessment Report dated 27 April 2017 prepared by Urban Arbor.

iii) The Project Arborist is to familiarize themselves with and ensure compliance as relevant with, any other environmental requirements regarding trees conditioned under this consent.

Reason: Environmental protection (DACLADPC1)

34. **Establishment of a Biodiversity Stewardship Site**

Unless agreed in writing from Council's Bushland & Biodiversity section (or its successor) or the Chief Executive of the Office of Environment and Heritage (OEH) (or its successor), the biodiversity stewardship agreement and related actions must be implemented in accordance with the following timing:

- i) Prior to the issue of a construction certificate or any vegetation clearing or onsite building works, the biodiversity stewardship agreement must be entered into and details demonstrating this are to be provided to the Principal Certifying Authority and Council.
- ii) Within six months of the issue of a construction certificate, or prior to the issue of the occupation certificate, whichever is earlier, the total Fund deposit (TFD) for the biodiversity stewardship site is to be paid into the Biodiversity Stewardship Payments Fund and all credits created by the biodiversity stewardship agreement must be retired in accordance with section 6.21(5) of the *Biodiversity Conservation Act 2016* and details demonstrating achievement of these objects are to be provided to the Principal Certifying Authority, the Council and OEH.

Details demonstrating compliance are to be provided to the Principal Certifying Authority, Council and OEH

Reason: To compensate for the loss of threatened ecological communities and threatened species habitat associated with the development and to conserve remaining threatened biodiversity on the land (DACNEC04)

35. **Installation and Maintenance of Sediment and Erosion Control**

Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004).

Techniques used for erosion and sediment control on site are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and the site is sufficiently stabilised with vegetation.

Reason: To protect the surrounding environment from the effects of sedimentation and erosion from the site (DACNED06)

36. **Delineation of the Asset Protection Zones**

Prior to the commencement of any vegetation clearing or onsite building works, the extent of the Inner Protection Areas and of the Outer Protection Areas of the Asset Protection Zones must be surveyed, delineated on the ground and documented on the site survey plan by a registered surveyor.

Asset protection zones (APZs) and their boundaries are to be established in accordance with the additional bushfire assessment information, including revised Figure 4, provided by Peterson Bushfire in letter dated 18 August 2018, as follows:

- as two outer protection areas (OPAs) in the locations specified in revised Figure 4
- as an Inner Protection Area (IPA) within a distance of no more than 50 metres from the walls of

the hospital building on the north-western and south-western elevations of the hospital building, or to the boundary, where vegetation is identified by the approved Biodiversity Management Plan as Coastal Upland Swamp

- where the vegetation is identified by the approved Biodiversity Management Plan as Coastal Upland Swamp, it will remain not cleared or otherwise modified, except for a 'defendable space' to a maximum distance of 10 metres horizontally from the walls of the hospital building.

Prior to the commencement of any onsite building works or commencement of vegetation clearance/modification, the extent of the Asset Protection Zone must be fenced as follows:

- The fence shall conform to the specification for bush protection fencing, consisting of 1150mm high galvanised hinge joint fencing (8/115/30) (Stocktite or similar) fixed to fence with 3x strands 3.15mm galvanised fencing wire. Posts are to be capped, 50mm round galvanised pipe at 3m centres. End posts are to be stayed with galvanised pipe stay every 15m. Inline stays are to be fixed to 50mm post. Posts are to be concreted into the ground.
- This fence is to be constructed prior to any construction works.
- The alignment of the fence should avoid significant habitat features including large rock outcrops and cliffs.

Any proposed alternative fence designs and alignment must be agreed by Council's Bushland & Biodiversity section (or its successor) in writing.

Details demonstrating compliance are to be submitted to Council's Bushland & Biodiversity section and the Principal Certifying Authority.

Reason: Compliance with Bushland Protection and NSW Rural Fire Services Bushfire Safety Authority (DACNED02)

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

37. **Vehicle Crossings**

The provision of four vehicle crossings in accordance with Warringah Council Drawing No A4-3330/1 Normal and specifications. An Authorised Vehicle Crossing Contractor shall construct the vehicle crossing and associated works within the road reserve in plain concrete. All redundant laybacks and crossings are to be restored to footpath/grass.

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

Reason: To facilitate suitable vehicular access to private property. (DACENE05)

38. **Civil Works Supervision**

All civil works approved in the Construction Certificate are to be supervised by an appropriately qualified and practising Civil Engineer.

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

Reason: To ensure compliance of civil works with Council's specification for engineering works. (DACENE06)

39. **Footpath Construction**

The applicant shall construct a 1.5 metre wide concrete footpath for the full width of the Myoora Road frontage. The works shall be in accordance with the following:

- (a) All footpath works are to be constructed in accordance with Council's minor works policy

(b) Council is to inspect the formwork prior to pouring of concrete to ensure the works are in accordance with Council's specification for footpath.

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

Reason: To ensure compliance of footpath works with Council's specification for engineering works. (DACENE07)

40. **Layback Construction**

Four laybacks are to be constructed in accordance with Warringah Council Drawing No A4-2276 and specifications.

Reason: To ensure suitable vehicular access to private property. (DACENE08)

41. **Maintenance of Road Reserve**

The public footways and roadways adjacent to the site shall be maintained in a safe condition at all times during the course of the work.

Reason: Public Safety. (DACENE09)

42. **Waste Management During Development**

The reuse, recycling or disposal of waste during works must be done generally in accordance with the Waste Management Plan for this development.

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

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

43. **Trees Condition**

During the construction period the applicant is responsible for ensuring all protected trees are maintained in a healthy and vigorous condition. This is to be done by ensuring that all identified tree protection measures are adhered to. In this regard all protected plants on this site shall not exhibit:

- (a) A general decline in health and vigour.
- (b) Damaged, crushed or dying roots due to poor pruning techniques.
- (c) More than 10% loss or dieback of roots, branches and foliage.
- (d) Mechanical damage or bruising of bark and timber of roots, trunk and branches.
- (e) Yellowing of foliage or a thinning of the canopy untypical of its species.
- (f) An increase in the amount of deadwood not associated with normal growth.
- (g) An increase in kino or gum exudation.
- (h) Inappropriate increases in epicormic growth that may indicate that the plants are in a stressed condition.
- (i) Branch drop, torn branches and stripped bark not associated with natural climatic conditions.

Any mitigating measures and recommendations required by the Arborist are to be implemented.

The owner of the adjoining allotment of land is not liable for the cost of work carried out for the purpose of this clause.

Reason: Protection of Trees. (DACLAE03)

44. **Protection of rock and sites of significance**

a) All rock outcrops outside of the area of approved works are to be preserved and protected at all times during demolition excavation and construction works.

b) Should any Aboriginal sites be uncovered during the carrying out of works, those works are to cease and Council, the NSW Office of Environment and Heritage (OEH) and the Metropolitan Local Aboriginal Land Council are to be contacted.

Reason: Preservation of significant environmental features (DACLAEOG1)

45. **Works Environment Protection Plan and Environment Protection Induction**

A Works Environment Protection Plan (WEPP) is to be prepared and must be kept in the site office. All construction staff must be inducted by the Project Ecologist with an induction record being maintained and available onsite at all times.

Personnel conducting the site induction will be able to:-

(a) Be familiar with the names and contact details of relevant people and authorities in the event of any environmental or site management emergency that may arise.

(b) Be familiar with the presence of environmentally significant areas within and surrounding the site.

(c) Be familiar with the location of trees with hollows and the importance of tree hollows to a variety of wildlife species and the protection and significance of tree hollows.

(d) Be familiar and aware of the presence of weed locations, spoil mounds and the potential of weed infections and weed seed propagules accidentally being introduced to the site.

(e) Identify threatened species of fauna that may venture into the subject site.

(f) Identify threatened species of fauna that may be cryptic such as the Eastern Pygmy Possum, Red-crowned Toad and Heath Monitor, etc.

(g) Be familiar with animal welfare issues and procedures should human-wildlife interactions take place during the construction phase.

(h) Have an understanding of flora and fauna management issues.

(i) A certificate demonstrating compliance must be prepared by the Project Ecologist and submitted to the Certifying Authority prior to the issue of the Occupation Certificate.

Reason: Protection of Bushland. (DACNEE03)

46. **Installation and Maintenance of Sediment Control**

Measures used for erosion and sediment control on building sites are to be adequately maintained at all times and must be installed in accordance with Council's Specifications for Erosion and Sediment Control. All measures shall remain in proper operation until all development activities have been completed and the site fully stabilised.

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

Reason: To protect the environment from the effects of sedimentation and erosion from development sites.

47. **On-street Work Zone**

The applicant shall lodge an application for a work zone for the frontage of the site to Council for consideration and approval. The provision of a work zone will require approval from Warringah Traffic Committee. Application forms for work zones are available on Council's website or at the Customer Service section at Council's administration building. Applications shall be lodged at least 4 weeks prior to work commencing.

Reason: To ensure works vehicles do not impact on parking, traffic flows and pedestrian

thoroughfares. (DACTREDW1)

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

48. **Authorisation of Legal Documentation Required for On-site Stormwater Detention**

The original completed request forms (Department of Lands standard forms 13PC and/or 13RPA) must be submitted to Council, with a copy of the Works-as-Executed plan (details overdrawn on a copy of the approved drainage plan), hydraulic engineers certification and Compliance Certificate issued by an Accredited Certifier in Civil Works.

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

Reason: To create encumbrances on the land. (DACENF01)

49. **Registration of Encumbrances for On-site Stormwater Detention**

A copy of the certificate of title demonstrating the creation of the positive covenant and restriction for on-site storm water detention as to user is to be submitted.

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

Reason: To identify encumbrances on land. (DACENF02)

50. **Restriction as to User for On-site Stormwater Detention**

A restriction as to user shall be created on the title over the on-site stormwater detention system, restricting any alteration to the levels and/or any construction on the land. The terms of such restriction are to be prepared to Council's standard requirements, (available from Warringah Council), at the applicant's expense and endorsed by Council prior to lodgement with the Department of Lands. Warringah Council shall be nominated as the party to release, vary or modify such restriction.

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 modification to the on-site stormwater detention structure is not carried without Council's approval. (DACENF04)

51. **Stormwater Disposal**

The stormwater drainage works shall be certified as compliant with all relevant Australian Standards and Codes by a suitably qualified person.

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

Note: The following Standards and Codes applied at the time of determination:

- (a) Australian/New Zealand Standard **AS/NZS 3500.3** - 2003 - Plumbing and drainage - Stormwater drainage
- (b) Australian/New Zealand Standard **AS/NZS 3500.3** - 2003/Amdt 1 - 2006 - Plumbing and drainage - Stormwater drainage
- (c) National Plumbing and Drainage Code.

Reason: To ensure appropriate provision for the disposal of stormwater arising from the development. (DACENF05)

52. On-Site Stormwater Detention Compliance Certification

Upon completion of the on-site stormwater detention (OSD) system, certification from a consulting engineer and a "work as executed" (WAE) drawing certified by a registered surveyor and overdrawn in red on a copy of the approved OSD system plans are to be provided to Council. Additionally a Compliance Certificate is to be issued by an Accredited Certifier in Civil Works registered with the Institute of Engineers Australia, stating that the works are in accordance with the approved plans.

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 stormwater disposal is constructed to Council's satisfaction. (DACENF10)

53. Positive Covenant for On-site Stormwater Detention

A positive covenant shall be created on the title of the land requiring the proprietor of the land to maintain the on-site stormwater detention structure in accordance with the standard requirements of Council. The terms of the positive covenant are to be prepared to Council's standard requirements, (available from Warringah Council), at the applicant's expense and endorsed by Warringah Council's delegate prior to lodgement with the Department of Lands. Warringah Council shall be nominated as the party to release, vary or modify such covenant.

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 ongoing maintenance of the on-site stormwater detention system. (DACENF12)

54. Creation of Positive Covenant and Restriction as a User

Where any conditions of this Consent require the creation of a positive covenant and/or restriction as a user, the original completed request forms, (Department of Lands standard forms 13PC and/or 13RPA), shall be submitted to Warringah Council for authorisation.

A certified copy of the documents shall be provided to Warringah Council after final approval and registration has been affected by the "Department of Lands".

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of a Interim / Final Occupation Certificate.

Reason: To identify encumbrances on land. (DACENF14)

55. Positive Covenant for Stormwater Quality Devices

A positive covenant shall be created on the title of the land requiring the proprietor of the land to maintain the stormwater quality devices. The terms of the positive covenant are to be prepared to Council's standard requirements, (available from Council), at the applicant's expense and endorsed by the Northern Beaches Council's delegate prior to lodgement with the Department of Lands.

The Northern Beaches Council shall be nominated as the party to release, vary or modify such covenant.

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

Reason:

Reason: To ensure ongoing maintenance of the stormwater quality system

56. **Stormwater Quality Operation and Maintenance Plan**

An Operation and Maintenance Plan is to be prepared to ensure proposed stormwater quality measures remain effective.

The Plan must contain the following:

- a) Inspection and maintenance schedule of all stormwater quality treatment devices
- b) Record keeping and reporting requirements
- c) Funding arrangements for the maintenance of all stormwater quality treatment devices
- d) Waste management and disposal
- e) Traffic control measures (if required)
- f) Relevant contact information
- g) Renewal and replacement requirements of all stormwater quality treatment devices
- h) Work Health and Safety requirements

Details demonstrating compliance shall be submitted to the Principal Certifying Authority prior to the release of the Occupation Certificate.

Reason: Protection of the receiving environment

57. **Works as Executed Drawings**

Works as Executed Drawings for all stormwater quality devices must be prepared in accordance with Council's Guideline for Preparing Works as Executed Data for Council Stormwater Assets.

The drawings shall be submitted to the Principal Certifying Authority prior to the release of the Occupation Certificate.

Reason: Protection of the receiving environment

58. **Certification of Water Management Systems**

A certificate from a suitably qualified Civil Engineer, who has membership to the Institution of Engineers Australia, National Engineers Register (NER) stating that the following systems have been installed in accordance with the Construction Certification Plans.

- o Onsite Detention System;
- o Coastal Upland Swamp Recharge System; and
- o Stormwater Quality System

The certificate shall be submitted to the Principal Certifying Authority prior to the release of the Occupation Certificate.

Reason: Protection of the Downstream Environment and Coastal Upland Swamp EEC

59. **Mechanical Ventilation certification**

Prior to the issuing of any interim/final occupation certificate, certification is to be provided from the installer of the mechanical ventilation system that the design, construction and installation of

the mechanical ventilation system is compliant with the requirements of AS1668 The use of mechanical ventilation.

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

Reason: To ensure that the mechanical ventilation system complies with the design requirements. (DACHPFPOC4)

60. **Required Planting**

- i) Planting is to undertaken in accordance with the approved Landscape Plans.
- ii) Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To maintain environmental amenity. (DACLAF01)

61. **Positive Covenant for Stormwater Quality System**

A positive covenant shall be created on the title of the land requiring the proprietor of the land to maintain the stormwater quality system in accordance with the standard requirements of Council, the manufacturer and as required by the Stormwater Quality Operation and Maintenance Plan.

The terms of the positive covenant are to be prepared to Council's standard requirements, (available from Council), at the applicant's expense and endorsed by the Northern Beaches Council's delegate prior to lodgement with the Department of Lands. The Northern Beaches Council shall be nominated as the party to release, vary or modify such covenant.

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 ongoing maintenance of the on-site stormwater detention system (DACNEFPOC1)

62. **Registration of Encumbrances for Stormwater Quality System**

A copy of the certificate of title demonstrating the creation of the positive covenant and restriction for stormwater quality system as to user is to be submitted.

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

Reason: Reason: To identify encumbrances on land (DACNEFPOC2)

63. **Restriction as to User for Stormwater Quality System**

A restriction as to user shall be created on the title over the stormwater quality system, restricting any alteration to system. The terms of such restriction are to be prepared to Council's standard requirements, (available from Northern Beaches Council), at the applicant's expense and endorsed by Council prior to lodgement with the Department of Lands. Northern Beaches Council shall be nominated as the party to release, vary or modify such restriction.

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 modification to the on-site stormwater detention structure is not carried without Council's approval (DACNEFPOC3)

64. Installation of Rainwater Tanks

Rainwater tanks shall comply with the following:

1. Be fitted with a first-flush device that causes initial rainwater run-off to bypass the tank and must drain to a landscaped area. The first flush device will not be permitted to connect to the stormwater system
2. Have a sign affixed to the tank stating the contents is rainwater
3. Be constructed or installed in a manner that prevents mosquitoes breeding, such as the use of mesh to protect inlets and overflows
4. Have its overflow connected to an existing stormwater drainage system that does not discharge to an adjoining property, or cause a nuisance to adjoining owners
5. Pumping equipment must be housed in a soundproof enclosure
6. Where the rainwater tank is interconnected to a reticulated water supply, it must be installed in accordance with Plumbing Code of Australia, particularly backflow/cross connection prevention requirements.

A certificate from a licenced plumber shall be submitted to the Principal Certifying Authority prior to the release of the Occupation Certificate.

Reason: To conserve potable water (DACNEFPOC4)

65. 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)

66. Garbage and Recycling Facilities

All internal walls of the storage area shall be rendered to a smooth surface, covered at the floor/wall intersection, graded and appropriately drained to the sewer with a tap in close proximity to facilitate cleaning.

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

Reason: To prevent pollution of the environment and to protect the amenity of the area.
(DACPLF03)

67. Sydney Water

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au <<http://www.sydneywater.com.au>> then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

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 compliance with the statutory requirements of Sydney Water. (DACPLF08)

68. **Speed humps at internal roadway and at property boundary**

Speed humps in accordance to Australian Standards AS2890.1:2004 is to be provided inside of the property boundary to control vehicle speeds. Speed humps shall be installed every 50m within the internal roadway to maintain positive vehicle speeds. 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 safety at property boundary and carpark. (DACTRFPOC1)

69. **On-Street Parking**

The applicant is to apply in writing to Council for a No Stopping zone 4m on each side of the two-way driveway servicing building 01, and the single existing driveway from the main entrance of the hospital and the two-way driveway servicing building 02. This will be subject to approval from the Northern Beaches Local Traffic Committee, with all signposting work undertaken at no cost to Council. 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 correct and safe allocation of on-street parking. (DACTRFPOC2)

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

70. **Maintenance period for civil works under the provisions of the Roads Act 1993 and Environmental Planning and Assessment Act 1979**

A Maintenance Period of six (6) months shall apply to the driveway and footpath construction works located in, on or over a public road as approved under the provisions of Section 139 of the Roads Act 1993 and Section 80A of the Environmental Planning and Assessment Act 1979, after it has been completed and approved in writing by the appropriate Roads Authority. In that period the applicant shall be liable for any part of the work which fails to perform in the manner outlined in Roads Authority's specifications, or as would be reasonably be expected under the design conditions.

Reason: To ensure works are appropriately constructed and repaired where defective. (DACENG01)

71. **Maintenance of Stormwater Quality System**

The stormwater quality system must be maintained at all times in accordance with the Stormwater Quality Operation and Maintenance Plan, manufacturers specifications and as necessary to achieve the required stormwater quality targets for the development.

Reason: Protection of the receiving environment

72. **Noise pollution**

The ventilation systems shall not create *offensive noise* under the Protection of the Environment Operations Act 1997. The council may require the owner or occupier of the premises to engage the services of a suitably qualified professional to undertake an acoustic assessment of the system/s in the event concerns regarding the emission of 'offensive noise' are raised and/or

justified by Council.

Reason: To protect the acoustic amenity of neighbouring properties and the public (DACHPGOG6)

73. **Landscape maintenance**

- i) Trees shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilized as required at the time of planting.
- ii) If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Landscape Plan.

Reason: To maintain local environmental amenity

74. **Fertiliser**

No fertilisers are to be spread on any portion of any Lot at any time.

Reason: To ensure bushland and riparian zone management (DACNEG01)

75. **Exotic Plant Species/Weeds**

All exotic plant species, noxious and environmental weeds are to be managed continuously and are not to be imported to the site.

Only certified weed free and contaminant free mulch is to be used on the site, as they may contain weed seeds and viable vegetative matter and other contaminants, which may impact adversely on the vegetation, soil, water quality or ecology of the site.

Reason: To ensure bushland and riparian management (DACNEG05)

76. **Vegetation Management within Asset Protection Zones**

Vegetation removal within the APZs is to meet the requirements in Appendices 2 and 5 of *Planning for Bush Fire Protection 2006* and the NSW Rural Fire Service's document *Standards for Asset Protection Zones*. Vegetation removal must be undertaken to the minimum extent possible in accordance with the approved Biodiversity Management Plan and identified in the terms of the positive covenant on use under Section 88E of the *Conveyancing Act 1919* OR a planning agreement under subdivision 2 of Part 7 of the *Environmental Planning and Assessment Act 1979*.

No other clearing of native vegetation is permitted outside the construction footprint, APZs and the fire access track approved for this development.

Details demonstrating compliance are to be submitted to Council's Bushland & Biodiversity section and the Principal Certifying Authority prior to occupation certificate.

Reason: To ensure that the development complies with the bushfire safety authority issued by the NSW Rural Fire Service on 12 September 2017, while minimising environmental impact in accordance with the planning panel's requirement that there be "satisfactory agreement on the maintenance measures within the Biodiversity Management Plan to address the manner in which Asset Protection Zones are managed to ensure the ongoing retention of biodiversity values and creation of a positive covenant to ensure these measures are implemented over the

life of the development" (DACNEDPC1)

77. Implementation of Biodiversity Management Plan

All requirements in the approved Biodiversity Management Plan are to be implemented prior, during and post construction.

Details demonstrating pre-construction compliance are to be certified by the project ecologist and submitted to the Certifying Authority prior to the issue of the Construction Certificate and prior to issue of occupation certificate.

Reason: Biodiversity/Vegetation Conservation and Management. (DACNEGOG2)

78. Certification of ongoing work

A Bush Regeneration contract is to be entered into to ensure that works required by the approved Biodiversity Management Plan to occur post Occupation Certificate are adequately completed. The bush regeneration company is to certify that such a contract has been entered into.

Reason: Bushland management.

79. Biodiversity Monitoring and Reporting

The project ecologist must undertake all monitoring and reporting in accordance with the approved Biodiversity Management Plan. Copies of annual reporting are to be provided to Council.

Reason: Ongoing Biodiversity Management

80. Visitors Sign

A sign, legible from the street, shall be permanently displayed to indicate that visitor parking is available on the site and the visitor car parking spaces shall be clearly marked as such.

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 that visitors are aware that parking is available on site and to identify those spaces to visitors. (DACPLG04)

81. No Illumination

No consent is given or implied for any form of illumination or floodlighting to any sign or building or other external areas other than that approved.

Reason: To ensure appropriate forms of illumination that are consistent with Council's controls, and do not interfere with amenity of nearby properties. (DACPLG13)

82. Commercial Waste Collection (DACPLG18)

Waste and recyclable material, generated by this premises, must not be collected between the hours of 10pm and 6am on any day.

Reason: To protect the acoustic amenity of surrounding properties.(DACPLG18)

83. Loading and Unloading

All loading and unloading of vehicles and the delivery of goods must be carried out wholly within the site.

Reason: To ensure that deliveries can occur safely within the site and does not adversely affect traffic or pedestrian safety and amenity. (DACPLG20)

84. **Deliveries**

No deliveries, loading or unloading associated with the premises are to take place between the hours of <INSERT> and <INSERT> on any day.

Reason: To protect ensure the acoustic amenity of surrounding properties. (DACPLG21)

85. **Commercial Waste and Recycling Storage**

Commercial waste and recycling material/storage bins must be stored in a separate area to the residential waste and recycling material/storage bins.

Reason: To ensure that commercial waste and residential waste is not mixed and is properly managed. (DACPLG25)

Right to Review by the Council

You may request Council review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979 if it is NOT integrated or designated development. Any request to review the application must be made and determined within 6 months from the date of determination.

NOTE: A fee will apply for any request to review the determination.

Right of Appeal

If you are dissatisfied with this decision Section 97 of the Environmental Planning & Assessment Act 1979 may give you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.

Signed On behalf of the Consent Authority



(STEVE FINOLANI)

Name *Acting* Peter Robinson
Executive Manager Development Assessment

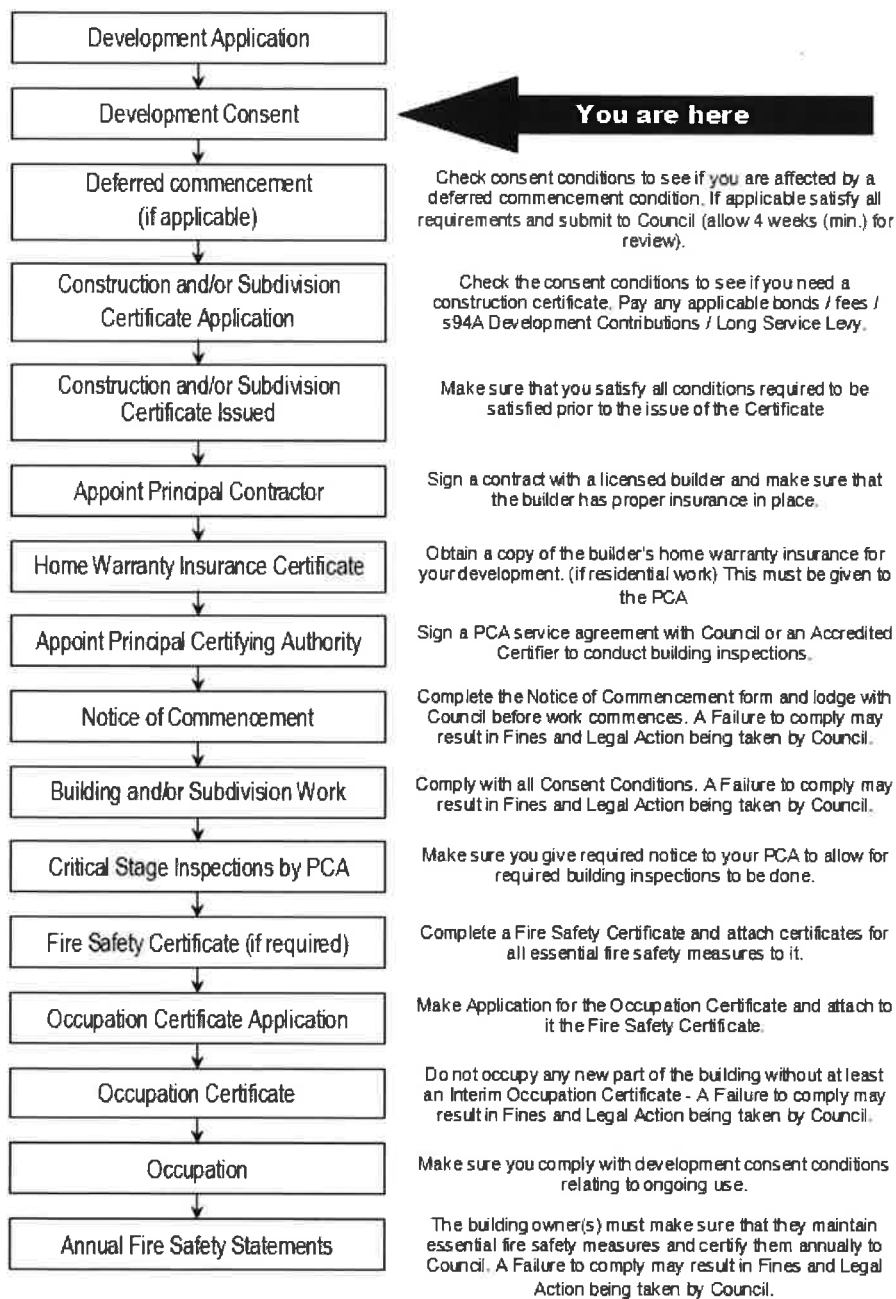
Date 02/07/2018

NOTE: Signed by Northern Beaches Council in accordance with the Environmental Planning and Assessment Act 1979 and EP&A Regulation 2000 as determined by the Sydney North Planning Panel on 02/07/2018.

GENERAL ADVICE

Advisory Notes (General)

Where are you in the development process?



Note: The advice within this document is provided in good faith as a guide to assist applicants understand the broad process and will not detail every step or every requirement for demolition, building construction works or subdivision required or business operating requirements under New South Wales or Commonwealth Legislation. If you require clarification or have any questions, please contact your Certifier or Council's Planning and Development Enquiries Team.

The attached Notice of Determination includes conditions of consent which must be complied with.

(Note: A failure to gain approval prior to the works being carried out is a serious breach of the Environmental Planning & Assessment Act 1979 which attracts penalties and may also result in legal action.)

Building Certification

The Environmental Planning and Assessment Act 1979 provides that:

- Building work cannot occur unless a construction certificate has been issued;
- Occupation of building works cannot occur unless an occupation certificate has been issued
- Subdivision cannot be registered until a subdivision certificate has been issued
- Mandatory Inspection for building work must be completed

Please refer to process chart for more detail.

(Note: A failure to gain approval prior to the works being carried out is a serious breach of the Environmental Planning & Assessment Act 1979 which attracts penalties and may also result in legal action.)

Certification Services

Construction Certificates / Occupation Certificates / Subdivision Certificates / Strata Certificates, can be issued by Council or an accredited private certifier (Note Council must be the Principal Certifying Authority (PCA) for subdivisions).

Council is well placed to provide Certification Services. Council can issue Construction Certificates and act as your Principle Certifying Authority at competitive rates. Please visit our web site www.northernbeaches.nsw.gov.au or speak to our Customer Service Officers if you have any further questions about our Certification Services or if you wish to use Council as your certifier.

Charges Associated with the Development Consent

All bonds, fees, (s94A) Development Contributions or the Long Service Levy detailed within the Notice of Determination are required to be paid prior to the issuing of any Construction Certificate.

Bonds are released after:

1. 'Final Occupation Certificate' has been received by Council; and
2. Final inspection by a Council Officer where:
 - o the development is complete
 - o damage has not been caused to council assets during the works
 - o conditions of development consent have been met.

The bond will be released to the person or business who paid the bond to Council (The name that appears on the original receipt)

Acceptable Form of Security Bonds

Council will accept bank guarantee (in a form acceptable to Council) in lieu of cash and is required prior to the issue of a construction certificate.

Modifications to the consent

If you seek to make any changes to the development (which may include internal / external configuration of the building, variation to facades, site layout or any changes to the proposed operation or use), the modifications may require the submission and approval of an application to modify the development consent prior to the issuing of a Construction Certificate and prior to the works being

carried out. The proposed changes should be discussed with the PCA.

(Note: A failure to gain approval prior to the works being carried out is a serious breach of the Environmental Planning & Assessment Act 1979 which attracts penalties and may also result in legal action.)

Other Matters not detailed within the Notice of Determination

The Notice of Determination does not stipulate every requirement that must be completed to satisfy New South Wales and Commonwealth legislation.

You should check, as may be relevant, with other authorities including but not limited to:

- Workcover NSW for work safety and asbestos requirements
- Sydney Water – Quick Check Agent for the provision of water and sewer services
- Energy & Gas suppliers for utility services
- Department of Fair Trading for advice about builders and licensing
- Building Professionals Board for advice about private certifiers
- NSW Roads and Maritime Services for works on state roads only
- Human Rights and Equal Opportunity Commission for access issues
- NSW Land and Property Information for Land Title matters
- Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments;

Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact Telstra's Network Integrity Team on Phone Number 1800810443.

(1) if the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to the proposed works must be submitted

to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing, whichever occurs first; and
(2) The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

Model

If you submitted a model with the application it must be collected from the Council offices within fourteen (14) days of the date of this determination. Models not collected will be disposed of by Council.

Trade waste agreement

A Trade Waste Agreement must be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system. Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises'.

Waste collection

Liquid and solid wastes generated on the site must be collected, transported and disposed of in accordance with the requirements of the Protection of the Environment Operations Act 1997. Records must be kept of all waste disposal from the site.

Material to be removed from the site must be source separated on site to maximise recycling, and the material disposed of to an appropriate disposal and recycling facility in accordance with the approved Waste Management Plan.

Aboriginal Heritage

If in undertaking excavation or works and any Aboriginal site or object is, or is thought to have been found, all works are to cease immediately and the applicant is to contact the Aboriginal Heritage Officer for Warringah Council, and the Cultural Heritage Division of the Department of Environment and Climate Change (DECC).

On-Site Sewage Management System

This approval does not authorise the installation or operation of a new or modification of an existing on-site wastewater management system. An On-Site Sewage Management System must not be installed or operated unless an 'Approval to Install an On Site Sewage Management System' is obtained from Warringah Council.

Cost of Works

The applicant shall bear the cost of all works associated with the development that occurs on Council's property.

Relocation of stormwater drainage

Council is not responsible for the cost of relocating Council's stormwater drainage pipes through the subject property.

Tree preservation

Where tree work has not been approved by this Development Consent the developer is notified that a general Tree Preservation Order applies to all trees in the Northern Beaches Local Government Area. This order prohibits the ringbarking, cutting down, topping, lopping, pruning, transplanting, injuring, or wilful destruction of such trees except without the prior written consent of Council.

Storage bins on footpath and roadway

Approval is required from Council prior to the placement of any storage bin on Council's footpath and/or roadway.

Protection of Public Places

(1) If the work involved in the erection or demolition of a building:

- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
- (b) building involves the enclosure of a public place,

a hoarding and site fencing must be erected between the work site and the public place.

(2) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

(3) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

(4) Any such hoarding, fence or awning is to be removed when the work has been completed.

(5) No access across public reserves or parks is permitted.

Note: Prior to the erection of any temporary fence or hoarding over property owned or managed by Council, written approval must be obtained.

Road Opening Permit

The developer/applicant is to obtain a "Road Opening Permit" from Council and pay all appropriate charges prior to commencement of any work on Council property. The developer/applicant shall be responsible for all public utilities and services in the area of the work, and as such shall notify all relevant Authorities, and bear all costs associated with any repairs and/or adjustments as those Authorities may deem necessary.

Special Permits

Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely on the property. The applicant, owner or builder must apply for specific permits available from Council. A minimum of forty-eight (48) hours notice is required for all permits except work zones, which may require additional assessment time.

- Permit for on-street mobile plant

Restrictions apply to the hours of operation and the area of operation for on street mobile plant equipment (for example cranes, concrete pumps, cherry pickers). Separate permits are required for each occasion and each piece of equipment. It is the responsibility of the applicant, owner and builder to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.

- Hoarding Permit

Permits are required to erect Class A, Class B and Class C hoardings. If an 'A' Class hoarding is to alienate a section of Council's property, that section will require a permit for the occupation of Council's property.

- Storage of building materials and building waste containers (skips) on Council's property

Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given.

- Kerbside restrictions, work zones

Existing kerbside restrictions apply. An application must be made to Council for the alteration of existing kerbside restrictions or the provision of a construction zone.

Other permits may include out of construction hours permits.

Licensing requirements for removal of bonded asbestos

Anyone who removes, repairs or disturbs bonded asbestos must hold a bonded or a friable asbestos licence, or a demolition licence in accordance with Workcover requirements and the Occupational Health and Safety Act 2000.

Pool Access

Access to pools are required to be restricted by a child resistant barrier in accordance with the regulations prescribed in all relevant Acts, Regulations and Australian Standards including:

- (i) Swimming Pools Act 1992;
- (ii) Swimming Pools Amendment Act 2012;
- (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

It is your responsibility as a land owner to ensure any fencing is maintained.

Dewatering

Where dewatering works are required on the development site during construction, the developer/applicant must apply for and obtain a bore license from the NSW Department of Water and Energy. The bore license must be obtained prior to commencement of dewatering works.

Requirement to Notify about New Contamination Evidence

Any new information revealed during works that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to Council and the Principal Certifying Authority.

Flood Evacuation Plan

If your site is on flood prone land you may wish to consider the preparation of a flood evacuation plan.

Generally a Flood Evacuation Plan would be prepared by suitably qualified Engineer (e.g. Hydraulic) with a number of years experience in flood management and who is eligible for Membership to the Australian Institute of Engineers.

Some matters that you may wish to consider (but not limited to) include:

- (i) a route of evacuation to higher ground and / or point of shelter
- (ii) depth of water for a Possible Maximum Flood event surrounding the building
- (iii) details of 'last chance' evacuation water levels / times for evacuation prior to floodwaters surrounding the building
- (iv) provide details of flood warning systems and protocols
- (v) details of how this information will be distributed and people educated for users of the site.

You may seek to discuss this with the State Emergency Service of NSW.

Utility Service Requirements

Where development requires the installation of, or the relocation of utility services being (but not limited to) gas, water, electricity and telecommunications, the installation of, or the relocation of utility services shall be conducted in accordance with the requirements of the relevant service provider / authority (unless stipulated by any other condition of the consent or will result in damage to threatened or endangered species defined under the Threatened Species Conservation Act 1995).

Plant & Equipment Kept Within Site

All plant and equipment used in the erection of the building, including concrete pumps, wagons, lifts, mobile cranes, etc, shall be situated within the boundaries of the site and so placed that all concrete slurry, water, debris and the like shall be discharged onto the building site, and is to be contained within the site boundaries. This does not prevent any requirement to comply with the Protection of the Environment Operations Act.

Lighting

Illumination of the site is to be arranged in accordance with the requirements of Australian Standard 4282 - 1997 Control of the obtrusive effects of outdoor lighting so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises.

Silt and Sediment Control

During any onsite demolition, excavation and construction works, the site should be maintained in accordance with "The Blue Book - Managing Urban Stormwater (MUS): Soils and Construction".

In managing the site provision shall be made throughout the period of works to prevent transmission of soil to the public road, drainage system, any riparian lands or off site in any manner. Upon completion of the development, any measures to prevent the transition of soil off site to remain in place until the site is stabilised.

A failure to prevent the transmission of silt and sediment and / or causing, water pollution, air pollution, noise pollution or land pollution may result in a breach of the Protection of the Environment Operations Act and orders, penalties and prosecutions may occur.

Maintenance of Sediment and Erosion Control Erosion and sediment controls are to be adequately maintained and monitored at all times, particularly after periods of rain.

Reason: To avoid erosion and sedimentation impacts that will result in an adverse change in watercourse or riparian land condition

Installation and Maintenance of Sediment and Erosion Control

Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: soils and construction (2004).

Techniques used for erosion and sediment control on site are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and the site is sufficiently stabilised with vegetation.

Reason: To protect the surrounding environment from the effects of sedimentation and erosion from the site

Dividing Fences Act 1991

The construction and maintenance of side boundary fences is to be agreed upon by all adjoining property owners of the fence. Works are to be in accordance with the Dividing Fences Act 1991.

OTHER MATTERS

Child Care Centres

A license to operate a child care centre must be obtained from the NSW Department of Community Services prior to the commencement of the use of the child care centre.

Disability Access

This decision does not ensure compliance with the Commonwealth Disability Discrimination Act 1992. Applicants are strongly advised to investigate their requirements under that Act

Food Premises

Food premises are required to comply with the requirements of the Food Act 2003, the Food Standards Code and Australian Standards.

The proprietor of a food business must notify the NSW Food Authority of the details of the business. Notification may be done either online at www.foodnotify.nsw.gov.au or by lodging a completed NSW Food Authority notification form to the NSW Food Authority or Council.

Wheel washing facility

All trucks leaving the site, having had access to unpaved or contaminated areas, shall depart via a wheel wash facility in order to prevent mud, dust or debris from being deposited on Council's roads. The wheel wash facility shall be constructed prior to any truck movements occurring. Water from the wheel wash facility must not cause pollution. Any direction of Council with regard to cleaning trucks or the clean up of road pavements adjoining the site shall be complied with immediately.

Monitoring State of Roadways

The applicant shall monitor the state of roadways leading to and from the site and shall take all necessary steps to clean up any adversely impacted road pavements as directed by Council.

Storage of Dangerous Goods

Prior to the storage of any "dangerous goods" on the premises, a copy of a license obtained from the Chemical Safety Branch of Work Cover Authority must be submitted to Council.

Storage of Flammable and Combustible Liquids

Flammable and combustible liquids must be stored in accordance with Australian Standard 1940 The Storage and Handling of Flammable and Combustible Liquids.

Noise and Vibration

The premises, including operation of vehicles, shall be conducted so as to avoid offensive noise or vibration and cause no interference to adjoining or nearby occupants. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

Hairdressing/Beauty Treatment/ Skin penetration Requirements

The premises must comply with the following requirements before the commencement of business:

- i) A hand wash basin with warm water delivered through a common spout must be provided in the treatment area. The hand wash basin must be provided with liquid soap and paper towel.
- ii) The wall behind the hand wash basin from the floor to a height of 450mm above the top of the washbasin and from the centre of the washbasin to a distance of 140mm beyond each side of the wash basin, must be finished with a material that is durable, smooth, impervious to moisture and capable of being easily cleaned (eg tiles).
- iii) The premises must be provided with washing, drainage, ventilation and lighting that are adequate for the carrying out of hairdressing/beauty treatment/skin penetration procedures.
- iv) The floor coverings must be smooth and impervious.

- v) All furniture, shelves and fittings must be constructed of, or covered with a material that is smooth, impervious to moisture and capable of being easily cleaned.
- vi) Adequate lockers must be provided for the storage of employees clothing and personal effects.
- vii) The premises must be provided with facilities that are adequate for the purpose of storing of hairdressing/beauty treatment/skin penetration appliance and utensils.
- viii) The premises must be provided with a sink sullied with hot and cold water for washing equipment.

Food Premises Construction Requirements

The food premises must comply with the following specific construction requirements:

Solid walls must be provided in all food handling areas (solid includes brick, cement and foam filled preformed panels);

ix) Walls in food preparation and wash up areas must be finished with a smooth and impervious surface to a height of at least 2 metres.

x) Hand wash basins must be provided with warm water delivered through a common spout with taps that are hands free operation;

xi) Coving with a radius of 25mm must be provided between all floor and wall joints in food handling areas;

xii) The open space between the top of the coolroom and the ceiling must be fully enclosed and kept insect and pest proof;

xiii) The coolroom must be able to be opened from the inside with out a key and fitted with an alarm that can only be operated from within the coolroom;

xiv) The doors to the toilet air lock and toilet compartment must be tight fitting and self closing;

xv) The rear external door must be self closing or be provided with a fly screen that is self closing;

xvi) Where cooking or extensive heating processes or such other processes as may be specified are carried out in food preparation areas, an approved mechanical ventilation system shall be installed and operated in accordance with AS 1668 part 1 & 2.

Legionella Control

Cooling towers, warm water systems, water cooling systems must be registered with the Council. Details of registration are to be provided to the Council prior to operation.

Pool/Spa Safety

Owners of properties with swimming pools and spa's must meet safety compliance and registration requirements. Provisions also apply when renting/selling properties. Details are available from the Division of Local Government.

Grease Trap

Contact Sydney Water to determine what trade waste provisions you are required to provide to your food premises. Should a grease trap be required by Sydney Water, it must be located in an area that is easily accessible for the removal of waste water and must not be installed in any kitchen, food preparation or food stage area. The design and location of the grease trap should also not impede on any commercial right of way or pedestrian access.

Bandicoot/Penguin

Long-nosed Bandicoots & Little Penguins – Best Practices for Residents Residents are encouraged to follow a number of *Best Practices* to assist with the protection and management of the endangered populations of Long-nosed Bandicoots and Little Penguins:

- Long-nosed Bandicoots, Little Penguins and other native animals should never be fed as it may cause them nutritional problems, hardship if supplementary feeding is stopped, and it may increase predation.
- Feral cats or foxes should never be fed or food left out where they can access it, such as rubbish bins without lids or pet food bowls, as these animals present a significant threat to Long-nosed Bandicoots, Little Penguins and other wildlife.
- The use of insecticides, fertilisers, poisons and/or baits should be avoided on the property.

Garden insects will be kept in low numbers if Long-nosed Bandicoots are present.

- When the North Head Long-nosed Bandicoot Recovery Plan is released it should be implemented where relevant.
- Dead Long-nosed Bandicoots or Little Penguins should be reported by phoning Manly Council on 9976 1500 or Department of Environment and Conservation on 9960 6266.
- Please drive carefully as vehicle related injuries and deaths of Long-nosed Bandicoots and Little Penguins have occurred in the area. Care should also be taken at night in the drive way when moving cars as bandicoots will seek shelter beneath vehicles.
- Cat/s and or dog/s that currently live on the property should be kept indoors at night to avoid disturbance/death of native animals. Ideally, when the current cat/s and/or dog/s that live on the property no longer reside on the property it is recommended that they not be replaced by new dogs or cats.
- Report all sightings of feral rabbits, feral or stray cats and/or foxes to N B Council.