

Date: 10 December 2009
Responsible Officer: Salli Pendergast
Location: University Ourimbah, 10 Chittaway Road, OURIMBAH NSW 2258
Lot 1 DP 837937
Owner: Department Of Education & Training
Applicant: Department Of Industry And Investment
Date Of Application: 25 September 2009
Application No: DA/1057/2009
Proposed Development: Offices, laboratory & associated carparking
Land Area: 808100.00

CONSENT CONDITIONS

- 1 The development taking place in accordance with the approved architectural plans numbered A02 - A08 all issue A dated 18 August 2009 prepared by John Blackwood Architects, and landscape plans numbered L01/A dated 18.8.09 prepared by Gardenscape Design, the application form and any other supporting documentation submitted as part of the application, except as modified by any conditions of this consent, and any amendments in red.

Prior to Release of Construction Certificate:

The following conditions must be satisfied prior to the release of the Construction Certificate. Conditions may require the submission of additional information with the Construction Certificate Application. Applicants should also familiarise themselves with conditions in subsequent sections and provide plans in accordance with any design requirements contained therein.

No Conditions

Prior to Commencement of Works:

The following conditions must be satisfied prior to the commencement of site works, including any works relating to demolition, excavation or vegetation removal.

Certificates/Engineering Details

- 2 All proposed load bearing retaining walls and structures are to be designed by a practising Civil/Structural engineer in accordance with AS4678, AS3600, AS1170 and other relevant codes and standards.

Erosion and Sediment Control – Design Plans

- 3 Prior to the commencement of Construction, the submission to the Principal Certifying Authority of design plans for the control of soil erosion on the site and the prevention of silt discharge into drainage systems and waterways in accordance with Council's Policy E1 - Erosion and Sediment Control from Building Sites or "Soils and Construction – Managing Urban Stormwater" (Blue Book). The design plans, including information regarding excess spoil stored for a future greenhouse development, must be approved by the Principal Certifying Authority or an appropriately Accredited Certifier prior to the commencement of Construction.

Filling and Haulage

- 4 Prior to the commencement of Construction, the submission to and approval by the Consent Authority of details for the disposal of any spoil gained from the site and / or details of the source of fill, heavy construction materials and proposed routes to and from the site.

Flooding

- 5 The applicant is to provide a flood model / report for the approval of Council under Section 68 of the Local Government Act demonstrating the following:-
 - a) The 50%, 5% and 1% AEP flood levels and average velocity in the area of the proposed carpark and security area.
 - b) Should filling be proposed into the flood storage area of the designated creek, the applicant is to demonstrate no net increase in flood levels. Where this cannot be demonstrated, the proposed carpark and security area is to be constructed clear of the flood storage area. **Under no circumstances is fill is to be placed in the floodway.**

Details are to be provided prior to the commencement of construction.

- 6 Prior to the commencement of Construction the submission to the Principal Certifying Authority of the following information for the shed in the area of the carpark security area;
 - The provision of certification from a practising structural engineer that all sections of the approved structure which is subject to the force of water or debris due to a 1% AEP flood, have been designed to resist the stresses thereby induced. An appropriate factor of safety is to be applied to the forces exerted by the 1% AEP flood before it is used in any structural calculations.
 - All building materials used or located below the 1% AEP flood level must be flood compatible. Plans and specifications detailing the building materials are to be submitted to the Principal Certifying Authority.
 - The storage of all toxic or pollutant substances or other products which may be hazardous or pollute flood waters at a minimum level 500mm above the 1% AEP flood level. Alternatively these materials must be placed within an area protected by bunds constructed to a height such that no flood waters can enter the bunded area if the flood level rose to 500mm above the 1% AEP flood level.
- 7 Approval where required from the Department of **Environment**, Climate Change and Water for works within 40m of designated creek for filling and construction of the carparks and security area.

Roads

- 8 The provision of concrete foot paving in accordance with Council's Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development. The design plans must be approved by the Principal Certifying Authority/appropriately Accredited Certifier prior to commencement of Construction and shall include:-
 - Footpaving from the entry of the main building to the carparking area fronting the main building.
 - Footpaving from the entry of the main building to the carpark on the ring road approximately 200m to the east.
- 9 The design of the carparking area and loading bay fronting the main building is to ensure appropriate sight distance for both pedestrians and vehicles in accordance with AS/NZS 2890.1.
- 10 The submission of a plan of management for any works for the development that impact on road related areas or areas used by the public for the construction phase of the development, prior to that section of work commencing. The plan is to include a Traffic Control Plan and/or a Work Method Statement for any works or deliveries that impact the normal travel paths of vehicles, pedestrians or cyclists or where any materials are lifted over areas used by the public. This plan must be certified by an appropriately accredited/qualified person.

Stormwater

- 11 The provision of a stormwater system with water quality control facilities required to treat stormwater runoff from the development in accordance with Council's Development Control Plan 2005 Draft Chapter 97 - WSUD and Council's Development Control Plan 2005 Chapter 67 - Engineering Requirements for Development. Design plans and supporting calculations must be submitted to and approved by Council under Section 68 of the Local Government Act prior to commencement of Construction and shall include:-
 - Post development storm events are to mimic the 50% AEP pre development storm events. This will include quality, flows and volumes.
 - Water quality for storm events greater than the 50% AEP events are to meet the water quality requirements of Council's Development Control Plan 2005 Draft Chapter 97 – WSUD.
 - Post development storm flows are to match pre development storm flows for a range of storm events up to the 1% AEP design storm event.
 - The detained duration flows for storm events greater than the 50% AEP storm event is to be equal to or less than 4 times the pre development storm flow duration.
 - Modelling to demonstrate water quality outcomes.
 - The number of new stormwater outlets from the area of the main building to the existing creek is to be restricted to one.
 - Outlets to the creeks are to be designed to disperse flows and prevent scouring of the creek banks.

- Subsoil drainage is to be directed to existing or proposed piped drainage systems.
- Outlet from wash down area at the main building is to be connected to sewer and appropriate Trade Waste license obtained.

The above water quality and quantity requirements relate to both sites identified in the proposed development.

- 12 Prior to commencement of Construction the submission to the Principal Certifying Authority of a groundwater study identifying any impacts the proposal may have, including construction methods, development and detail designs of all proposals necessary to mitigate any effects.

Vehicle Access and Parking

- 13 The design of the carpark and accesses in accordance with AS2890.1/2. The design compliant with AS2890 is to be submitted to the Principal Certifying Authority prior to commencement of Construction and shall include:-
 - a) Loading bay in front of the main building suitable for medium rigid vehicles.
 - b) Car space grades in the carpark and security shed area are to be in accordance with AS/NZS2890.1 including the area of the entry ramp from the existing carpark. Where car space grades cannot be obtained in accordance with AS/NZS2890.1 within the entry ramp area, they are to be relocated to the satisfaction of Council.
 - c) Suitable linemarking and signage.
 - d) Disabled spaces in accordance with AS/NZS2890.1
 - e) The proposed fill in the carpark and security area is to be a maximum of 200mm below the 1% AEP flood level.
 - f) Carpark pavement is to be designed to cater for largest design vehicle.
 - g) Carpark surface areas are to bitumen seal.
 - h) The access to the proposed carpark and security area through the existing informal gravel carpark is to be constructed with a pavement suitable for the maximum design vehicle to access the site. It shall have a bitumen sealed surface.
 - i) The carpark area is to display signage indicating the possibility of flooding and flood level markers.

Water and Sewer Services/Infrastructure

- 14 All water and sewer works or works impacting on water and sewer assets are to be designed and constructed to the requirements of Wyong Shire Council as the Water Supply Authority under the Water Management Act 2000. The requirements of Section 306 of the Water Management Act, 2000 which apply to this development, are detailed in the Section 306 requirements letter attached to the consent. All works required in the Section 306 letter must be shown on the design plans. The design plans must be submitted to and approved by Council prior to the commencement of Construction.

Lighting

- 15 Lighting shall be provided to the proposed carpark and security area in accordance with AS/NZS1158.3.1. The lighting shall be designed to avoid any light overspill into retained vegetation areas and to ensure that glare does not adversely impact upon any adjoining property.

Bushfire Protection

- 16 The development is to be carried out in accordance with the Planning for Bushfire Protection Guidelines 2006 and with the Bushfire Assessment Report prepared by Newcastle Bushfire Consulting dated 14/10/2009 including the recommended construction standards, measures and ongoing maintenance.

Trade Waste

- 17 The submission of a trade waste application and subsequent approval by Council to discharge trade waste into the sewerage system prior to commencement of construction.

Erosion and Sediment Control

- 18 The provision of soil erosion and silt controls on the site in accordance with Council's Development Control Plan 2005, Chapter 67 – Engineering Requirements for Development and/or Construction - Managing Urban Stormwater (Blue book) Council's Policy E1-Erosion and Sediment Control from Building Sites, and the approved development plans prior to any works commencing on the site. Erosion and sediment control works are to remain in place until all disturbed areas are stabilised. This includes on-going soil and erosion control for excess spoil stored for a future greenhouse development. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**
- 19 Sand and other materials that could potentially be washed off the site during rain periods are to be stored behind the silt control barrier. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**
- 20 The provision of a metal groyne/s or kerb inlet trap/s to the downstream drainage pit/s of the street drainage system to prevent any silt that may have left the site from entering the drainage system. The build up of silt and debris must be removed from the site on a daily basis. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**

- 21 The display of an appropriate sign to promote the awareness of the importance of the maintenance of sediment control techniques on the most prominent sediment fence or erosion control device, for the duration of the project. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**

Site Requirements

- 22 The provision of a temporary closet on site from the time of commencement of building work to ensure that adequate sanitary provisions are provided and maintained on the building site for use by persons engaged in the building activity. The temporary closet is to be a water closet connected to the sewerage system or approved septic tank or a chemical closet supplied by a licensed contractor.
- 23 In accordance with the requirements of Council's Development Control Plan 2005, Chapter 69 - Controls for Site Waste Management, an on site storage area for reuse, recycling and disposal of materials is to be provided during construction. Concrete, brick, tile and excavation material is to be given first priority for reuse and recycling.
- 24 The provision of a hoarding or safety fence between the work site and the public place in accordance with Work Cover Authority requirements, for the duration of the project. Details to be submitted to the Principal Certifying Authority/appropriately Accredited Certifier unless the hoarding is required within the footpath area where approval from Council under the Roads Act as the Roads Authority is required.
- 25 The Principal Contractor (or Owner/Builder) is to erect a sign in a prominent position on the site (not attached to any tree) identifying the name, address and telephone number of the Principal Certifying Authority (PCA) for the work; the name, address and telephone number (including a number for outside of business hours) of the Principal Contractor for the work (or Owner/Builder); and stating that unauthorised entry to the site is prohibited. The sign must be maintained while the work is being carried out and is to be removed when the work is completed. Appropriate signs can be collected from Council's Customer Service Centre, where Council is the nominated PCA.

Ecology/Trees

- 26 The protection of trees retained on site by fencing or other accepted protection method in accordance with Council's Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development. Such protection measures must be installed prior to commencement of any works and maintained in good order for the duration of the works. No cement wastings, materials or vehicles are to be stored within the protective fence area.

Dilapidation

- 27 A dilapidation report must be submitted prior to the commencement of any works. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, water supply, sewer works, street trees, street signs or any other assets in the vicinity of the development

General

- 28 The developer is responsible for any costs relating to alterations and extensions of existing roads, drainage, Council services and other services for the purposes of the development.
- 29 In accordance with the requirements of Council's Development Control Plan 2005, Chapter 69 - Controls for Site Waste Management, an on site storage area for reuse, recycling and disposal of materials is to be provided during construction. Concrete, brick, tile and excavation material is to be given first priority for reuse and recycling.
- 30 All building materials, plant and equipment must be placed on the site of the development so as to ensure that pedestrian and vehicular access in public places is not restricted and to prevent damage to the road.

Prior To Occupation

Public Art

- 31 Public Art is to be provided on the site as part of the development generally in accordance with Council's DCP Chapter 112 "Public Art". Details of the public art proposal are to be provided to Council's satisfaction. The final art work is to be installed/completed prior to occupation of the building.

Building Code of Australia

- 32 Compliance with the relevant provisions and requirements of the Building Code of Australia.

Certificates/Engineering Details

- 33 The obtaining of a Section 307 Certificate of Compliance under the Water Management Act 2000 for water and sewer requirements for the development from Wyong Shire Council as the Water Supply Authority prior to Occupation. All works for the development must be approved by Council prior to the issue of a Certificate of Compliance.
- 34 Certification from a qualified structural/civil engineer shall be submitted prior to occupation that all retaining structures as built have been constructed in accordance with the submitted plans, accepted practice, and that the structure is stable and capable of catering for all anticipated loads.

Dilapidation

- 35 Any damage not shown in the Dilapidation Report will be assumed to have been caused as a result of the site works undertaken and must be rectified at the applicant's expense, prior to Occupation.

Filling and Haulage

- 36 All external fill to the approved structures is to be graded at batter not exceeding 1:4.
- 37 All filled areas are to be compacted in accordance with AS3798-1996. The submission to the certifying authority of test results and appropriate documentation in accordance with AS3798 prior to Occupation.

Flooding

- 38 All rainwater storage tank(s) must be installed with the stormwater inlet and outlets, air gap for mains water top up at a minimum level of 500mm above the 1% AEP flood. Where the stormwater outlet cannot be located 500mm above the flood level it must be fitted with a non return valve to prevent back flow in accordance with Council's rainwater tank installation guidelines.
- 39 A certificate is to be provided by a registered surveyor indicating that all building minimum floor levels and fill levels have been achieved prior to Occupation.

Plumbing and Drainage

- 40 The provision of the rainwater tanks in the approved locations including plumbing to collect rainwater from the roof area. The tanks to be installed in accordance with the requirements of the National Plumbing and Drainage Code AS/NZS 3500, shall include first flow diversion devices fixed to all inflows, be provided with a functioning pressure pump, and be plumbed to service all toilets, landscaping and auxiliary uses. The tank must be controlled such that supplemental flows from domestic mains do not take place until the tank is at least 80% empty. The provision of rainwater tanks is to include:-
 - a) Proposed tank sizes at the main building are to be demonstrated as suitable with water balance calculations.
 - b) Details of the proposed inground first flush diverter.
 - c) The minimum tank size to be used at the carpark and secure shed area is 2000 litres.
 - d) Rainwater tanks are to be approved by Council under Section 68 of the Local Government Act.

Stormwater

- 41 The stormwater system with water quality control facilities to treat stormwater runoff from the development must be approved by Council under Section 68 of the Local Government Act prior to Occupation.
- 42 The prevention of any obstruction of surface or sub surface drainage that could result in the disruption of the amenity, drainage or deterioration to any other area of the property. Works are to be satisfactorily completed prior to Occupation.

Ongoing Operation:

The following conditions must be satisfied during use / occupation of the development.

Ecology/Trees

- 43 All external lighting is to be of a type that minimises overspill into retained vegetated areas.
- 44 All trees removed must be replaced at a ratio of 2:1 (replace:remove). Species are to include *Corymbia maculata* around Building A (office/laboratories) and a combination of *Eucalyptus saligna*, *Syncarpia glomulifera* and *Glochidion ferdinandi* around the car park and Building B (shed). Plant stock used in revegetation areas must be supplied from provenance specific seed/material collected from within the Tuggerah Lakes catchment area. Non-provenance specific material is prohibited.

Stormwater

- 45 All stormwater treatment devices (including drainage systems, sumps and traps) must be regularly maintained in order to remain effective.

Waste Management

- 46 Arrangements are to be made to the satisfaction of Council for the storage on the site and regular removal of garbage, recycling and trade wastes. In this regard, an area on the subject land must be set aside for the purpose of a waste disposal/collection bin. It must be screen-fenced so as not to be visible from any road related area or thoroughfare. The waste bin area must be provided prior to the commencement of the use permitted by this permit, maintained and used to the satisfaction of the Consent Authority and must not be used for any other purpose.

Landscaping

- 47 The provision and maintenance of landscaping in accordance with Council's Policy Number L1 - Landscape for Category 3 development, including the engagement of an approved landscape consultant and contractor to undertake the construction of the landscaping. All landscaping works are to be completed prior to Occupation.

Safer by Design

- 48 To minimise the opportunity for crime and in accordance with CPTED principles, the development shall incorporate the following:
 - i. In order to maintain a safe level of visibility for pedestrians within the development, adequate lighting to AS1158 is to be provided throughout the site including the new footpath/s.
 - ii. Adequate signage within the development to identify facilities, entry/exit points and direct movement within the development.
 - iii. The means to isolate the private and public components of the building shall be incorporated into the development (ie. measures for access control).
 - iv. Ensure that the development minimises the opportunities for concealment or entrapment spaces.

- v. Ensure the development management adopts an ongoing policy of rapid repair of vandalism and graffiti and ensuring that all lighting is in working order.

Access for People with Disabilities - Disability Discrimination Act

- 49 The building/development must comply with the requirements of the Disability Discrimination Act (DDA). It should be noted that this approval does not guarantee compliance with the DDA and the applicant/owner should investigate their liability under this Act.

Waste Management Plan

- 50 The submitted Waste Management Plan shall be complied with during each relevant stage of the works.