

JRPP No.	2010HCC007
DA No.	1396/2009
Proposed Development	Health Services Facility
Location	85-97 Sparks Road, WOONGARRAH NSW 2259 (Land adjoining MacKillop Catholic College) Lot 7 DP 7738, Lot 8 DP 7738, Lot 16 DP 573234
Owner:	Trustees Roman Catholic Church
Date Of Application:	3 December 2009
Land Area:	118030.00
Existing Use:	XXXX
Applicant	Warnervale Medical Services
Author	Emily Goodworth, Wyong City Council

PROPOSED CONDITIONS

- 1 The development taking place in accordance with the approved development plans drawing reference number 1133, plan nos. DA002, DA004, DA005 & DA007 Revision H and plan nos. DA003, DA006, DA008 – DA010 Revision G, dated 17 May 2010, prepared by MSK Architects except as modified by any conditions of this consent.
- 2 A Construction Certificate is to be issued by the Principal Certifying Authority prior to commencement of any works. The application for this Certificate is to satisfy all of the requirements of the Environmental Planning and Assessment Regulation 2000.
- 3 Prior to the occupation of the building, an application for an Occupation Certificate for the development must be submitted to and approved by the Principal Certifying Authority.

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.

Certificates/Engineering Details

- 4 A Construction Certificate application for this project is to include a list of fire safety measures proposed to be installed in the building. Should Council not have any record of the existing fire safety measures in the building or on the land a separate list of these existing fire safety measures is to be submitted. The lists must describe the extent, capability and basis of design for each measure prior to the issue of a Construction Certificate.

- 5 The proposed earthen batters adjoining the carpark are to be designed by a practising Civil/Structural Engineer to cater for all expected loads in accordance with AS4678 and AS1170 and other relevant codes and standards. Additionally, the batters must be landscaped and stabilised generally in accordance with Appendix A of Development Control Plan 2005 –Chapter 67 Engineering Requirements for Development. Details are to be submitted to the Council/Principal Certifying Authority prior to issue of a Construction Certificate.
- 6 Prior to the issue of any Construction Certificate, the following protocols are to be implemented in relation to tree and vegetation protection:
- Trees and native vegetation proposed for retention are to be clearly identified on all the final approved engineering plans. The location of any threatened species or threatened communities is also to be marked on all plans.
 - Trees and vegetation outside of the development area are to be protected by the erection of 1.8 metre-high man-proof fencing as per the consulting arborist and ecologist's direction and maintained in good working order for the duration of the works.
 - Erection of tree protection fencing is to be confirmed to Council's Development Ecologist in writing by the consultant arborist/ecologist prior to the commencement of any work
 - All fenced tree protection areas and are to be clearly marked as "No Go Area" on all final approved engineering plans.
 - All fenced tree protection areas and are to be clearly marked as "No Go Area" on the fencing itself. No clearing of vegetation or storage of vehicles, fill or materials or access is to occur within No Go Areas.
 - The consultant arborist/ecologist may require other habitat and/or trees to be protected via fencing from time to time. This fencing is to be erected at the appropriate root zone protection limits (as determined by the consultant arborist / ecologist), prior to works being carried out around that particular habitat or tree.
 - The management protocols and requirements within these conditions relating to tree and vegetation retention, protection and rehabilitation are to be included in all contract documentation, plans and specifications used by each civil contractor and sub-contractors.
 - The consultant ecologist and arborist are to induct each civil contractor and sub-contractor in relation to these ecological protocols and requirements.

- 7 Prior to release of any Construction Certificate, the applicant is to prepare and submit to Council's Development Ecologist for approval a Wildlife Management Strategy (WMS) to show how mitigation against native animal welfare issues will be achieved. The WMS is to include the following protocols:
- The consultant ecologist is to identify fauna likely to occur on site and advise on management actions to mitigate any native animal welfare issues;
 - The consultant ecologist is to clearly mark each potential habitat tree required to be removed;
 - The consultant ecologist is to inspect all potential habitat trees prior to removal and identify evidence of fauna use. All clearing of habitat trees is to be done under the direct supervision of a consulting ecologist and/or DEC licensed wildlife carer. When fauna are present, the animals are to be removed and relocated to the adjacent bushland/nest boxes prior to felling or the tree shall be sectionally dismantled under the supervision of the ecologist or wildlife carer before relocating animals to the adjacent bushland/nest boxes;
 - Clearing will commence with the most distant vegetation from secure habitat and progressively work toward the retained bushland in order to allow fauna to disperse;
 - Trees should be slowly lowered or sectionally dismantled using an excavator or similar technique;
 - Any natural hollows removed by the development are to be placed wherever possible as ground hollows within retained bushland under the supervision of the consulting ecologist;
 - Nest boxes are to be provided on a one for one basis for any natural hollow removed by the development and are to be constructed of appropriate durable materials. All nest boxes are to be erected prior to the issue of a Construction Certificate and at least one month prior to vegetation clearance on the site. The monitoring of nest boxes to determine their usage and to carry out repairs or replacement (as required) every six (6) months for a minimum period of three (3) years following erection. Monitoring reports are to be forwarded to Council after each monitoring event.

- 8 Prior to the issue of a Construction Certificate, the applicant is to submit to and gain approval from Council for appropriate methods of disposing of timber, tree waste and other vegetative matter removed through the development activity. Millable timber is to be recycled for use in construction, furniture or fencing or similar or through local saw mills or sawyers. Other tree waste must be woodchip or tub ground or used for firewood. Tree stumps that cannot be reasonably tub ground may be disposed of to a Council approved site. Unless otherwise approved the resultant materials must be used in final landscape works for soil stabilisation, improvements and rehabilitation. It is not permitted to dispose of vegetative matter removed through development activity by burning and the NSW Rural Fire Services is unable to provide a permit to dispose of such material in this manner.

Erosion and Sediment Control – Building Sites

- 9 Prior to the issue of a Construction Certificate, 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 Wyong Shire Council's Development Control Plan 2005 – Chapter 67 – Engineering Requirements for Development or Soils and Construction – Managing Urban Stormwater (Blue Book). Details are to include all major stages of construction and sequences of work together with treatments necessary at these stages. The design plans must be approved by the Principal Certifying Authority or an appropriately Accredited Certifier prior to issue of the Construction Certificate.

Food Act Requirements

- 10 Prior to the issue of a Construction Certificate, detailed plans and specifications for the food handling areas are to be submitted to and approved by Council's Environmental Health Officer- Food.

Roads

- 11 The provision of additional civil works necessary to ensure satisfactory transitions to existing work as a result of work conditioned for the development at no cost to Council. Design plans are to be approved by Council as the Roads Authority prior to the issue of a Construction Certificate.
- 12 The provision at no cost to Council or the RTA of an extension to the Sparks Road (west bound) right hand turn lane in accordance with the RTA Road Design Guide or approved equivalent. Detailed design plan shall be approved by the RTA prior to the issue of a construction certificate.
- 13 The provision at no cost to Council of kerb and guttering, half road construction and associated stormwater systems for the full street frontage of the development in accordance with Council's Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development and the Warnervale Town Centre Development Control Plan 2008. The design must include a minimum 6 metre wide road carriageway width and turning head catering for the 8.8m Medium Rigid Vehicle. Additionally the design must accommodate the amended ultimate Minnesota Road formation described below:

- 4.1m footpath (including 2.5m shared path)
- 1.5m on-road cycleway
- 3.25m northbound lane
- 3.25m southbound lane
- 4.2m combined parking and on-road cycleway eastern side of Minnesota Road extension
- 4.1m footpath (including 2.5m shared path)

The design plans must be approved by Council as the Roads Authority prior to the issue of a Construction Certificate.

- 14 The provision at no cost to Council of a dual lane circulating roundabout at the intersection of the existing Mackillop Close and Minnesota Road, and include transitional works for a fourth leg catering for the future subdivision to the east. The design must be prepared in accordance with Council's Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development and relevant Austroads design manuals. The detailed design plans must be approved by Council as the Roads Authority prior to the issue of a Construction Certificate.
- 15 The provision of a vehicular access crossing in accordance with Council's Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development and Australian Standard AS/NZS2890.1:2004. Detailed design plans must be approved by Council the Roads Authority prior to the issue of a Construction Certificate.
- 16 The provision at no cost to Council of a concrete shared path for the full Minnesota Road frontage adjacent to the development. The shared path shall be 2.5 metre wide in accordance with Council's Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development. Additionally, the design shall detail the provision of pram ramps facilitating pedestrian/cyclist access across the existing Mackillop Close. The design plans must be approved by Council as the Roads Authority prior to issue of a Construction Certificate.
- 17 The completion at no cost to Council of concrete footpaving between the development and the existing bus stops on Sparks Road east of the Minnesota Road intersection. The footpath path within Sparks Road shall be 1.5 metres wide and be designed in accordance with Council's Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development. Additionally, the design shall include the provision of bus shelters and concrete set down areas at each bus stop in accordance with Council's standard requirements. The design plans must be approved by Council as the Roads Authority prior to issue of a Construction Certificate.

- 18 The preparation of a comprehensive road signage and pavement marking plan identifying parking restrictions, internal carpark pavement marking and signage, accesses and traffic management facilities. The plan must include:
- Road signage and pavement marking associated with the roundabout required under this consent.
 - Pavement marking and signage for taxi stand.
 - No Stopping signs placed on the western side of the Minnesota Road extension where the carriageway width does not allow for carparking.

The plan must be submitted to Council for approval by the Local Traffic Committee, prior to issue of the Construction Certificate. Any works in Sparks Road must be approved by the RTA.

- 19 The submission of a plan of management to Council for approval under the Roads Act/Local Government Act for any works for the development that impact on any public roads or public land 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 public areas. Particular attention shall be given to the proximity and operation of the adjacent school. This plan must be certified by an appropriately accredited/qualified person.

Stormwater

- 20 Stormwater drainage works connecting into a public system or public land requires approval from Council under Section 68 of the Local Government Act 1993. All works are to be designed and constructed in accordance with Council's Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development. Design plans must be approved by Council prior to issue of a Construction Certificate.
- 21 The submission of stormwater drainage details generally in accordance with the Water Sensitive Urban Design and Stormwater Management Report prepared by Ryan Consulting Group and accompanying drawings (Job Number 09114 - Sheets DA02 (Rev C, DA03 (Rev C, DA04 (Rev B), DA05 (Rev B) and DA06 (Rev B)), the Engineers Australia publication Australian Runoff Quality and the National Plumbing and Drainage Code AS/NZS3500.3:2003. The design shall be amended to:
- Reflect the approved layout of the development.
 - Provide an impermeable barrier to protect the Minnesota Road carriageway.

Detailed design plans must be approved by the Council/Accredited Certifier prior to issue of a Construction Certificate.

- 22 The submission of a risk assessment undertaken by a suitably experienced consultant in accordance with the Australian Guidelines for Water Recycling (Stormwater Harvesting and Reuse) must be submitted to Council/Accredited Certifier prior to the issue of a construction certificate. Any mitigation measures identified through the risk assessment must be shown on the plans accompanying the construction certificate application.

Trade Waste

- 23 The submission of a trade waste application and subsequent approval by Council to discharge trade waste into the sewerage system prior to issue of the Construction Certificate.

Vehicle Access and Parking

- 24 The design of the carpark and accesses shall be prepared in accordance with AS/NZS2890 parts 1, 2 and 6, and shall include the following:
- The access driveway adjoining the existing roundabout on the existing Mackillop Close shall be geometrically designed to meet the requirements of the relevant Austroads manuals.
 - Provision of a dedicated parking space close to the main entry for mini-bus parking. Space geometry to comply with the standard medium rigid vehicle.
 - The remaining access driveway fronting the Mackillop Close intersection shall be designed exit only, and limited to a left turn only. Additional signage, pavement marking and a raised concrete central median shall be provided to reinforce this requirement. The design of the median must consider the manoeuvring of the largest design vehicle anticipated to access the development.
 - Dedicated area for taxis to stand close to the main entry, with pedestrian links to the main entry.
 - Design of each pedestrian crossing proposed centrally in the carparking modules as a raised threshold.
 - Provision of a turning head generally in the location shown on the approved development plan and catering for an 8.8metre medium rigid vehicle.
 - Amendment to the Colonnade exit/carpark entry, to facilitate B99(AS/NZS 2890.1) Swept Path.

The design shall be approved by the Council/Accredited Certifier prior to issue of a Construction Certificate.

- 25 The lighting design of the carpark and accesses shall be prepared in accordance with AS/NZS1158 and AS4282:1997. Additionally, the following must be considered:
- Adjustment to the lighting at the existing roundabout on the Mackillop Close due to the proposed additional leg.
 - Limiting light spill to the future residential subdivision to the east.
 - Lighting to the bicycle storage area.

The design shall be submitted approved by the Council/Accredited Certifier prior to issue of a Construction Certificate.

- 26 The provision at no cost to Council of concrete paving 2.5 metre wide adjacent to the existing Mackillop Close carriageway, from the intersection with Minnesota Road to the existing pedestrian crossing. It is recommended that the paving is designed in accordance with Council's Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development. The design plans must be approved by Council/Accredited Certifier prior to issue of a Construction Certificate.

Water and Sewer Services/Infrastructure

- 27 Prior to the issue of the Construction Certificate, the applicant must apply under Section 305 of the Water Management Act 2000 to Council as the Water Supply Authority for any works and contributions required for the obtaining of a Section 307 Certificate of Compliance.

Voluntary Planning Agreement

- 28 The Voluntary Planning Agreement is to be executed in accordance with the previously agreed and exhibited terms prior to the issue of the first Construction Certificate.

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.

Approved Plans

- 29 A copy of the stamped approved plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.

Aboriginal Relics

- 30 If Aboriginal engravings or relics are unearthed during construction, all work is to cease immediately and the National Parks and Wildlife Service must be notified. Works may only recommence following endorsement for such from the Department of Environment, Climate Change and Water.

Acoustic

- 31 Construction work may only be undertaken in accordance with the provisions of the Department of Environment, Climate Change and Water "Interim Construction Noise Guideline" as identified below:

Monday to Friday 7.00 am to 6.00 pm.

Saturdays 8.00 am to 1.00 pm.

Work is not to be carried out on Sundays or Public Holidays.

Demolition

- 32 Prior to the demolition and/or removal of existing structures on site, all existing services are to be disconnected, sealed and made safe. The sewer and water service is to be disconnected by a licensed plumber and drainer. A Start Work Docket must be submitted to Council and Council's Plumbing and Drainage Inspector must certify that the works have been undertaken to the satisfaction of Council.

Dilapidation

- 33 The applicant must supply the Consent Authority with a dilapidation report for the adjoining properties, which documents and photographs the condition of buildings and improvements. The report must be submitted to the Consent Authority prior to commencement of work and will be made available by the Consent Authority in any private dispute between the neighbours regarding damage arising from site and construction works.
- 34 A dilapidation report must be submitted to Council as the Roads Authority 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 Council assets in the vicinity of the development.

Dust Control

- 35 Appropriate measures shall be employed by the applicant/owner during demolition, excavation and construction works to minimise the emission of dust and other impurities into the surrounding environment to the satisfaction of the Consent Authority.

- 36 In the event of mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, appropriate measures must be implemented to eliminate the problem to the satisfaction of the Consent Authority.

Ecology/Trees

- 37 Trees marked on the approved plans and any other trees not specifically indicated for removal on the approved plans, are to be retained and not felled, lopped, topped, ring-barked, uprooted, or otherwise wilfully destroyed.
- 38 Prior to the start of works the tree exclusion zone must be constructed and administered to the satisfaction of the Consent Authority in accordance with the endorsed plans including:
- A tree exclusion zone for individual trees and clusters of trees to be retained within open space, road reserves and adjacent to the building envelope.
 - Tree protection measures must be installed in accordance with Council's Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development prior to commencement of work. Documentary evidence from a qualified Arborist / Horticulturist that suitable tree protection measures have been installed may be submitted to the Principal Certifying Authority and Council, or alternatively Council must be notified to undertake an inspection of the works.
- 39 Council's Development Ecologist is to be notified as soon as practicable (and not more than 24 hours after) if a breach of these ecological protection conditions occurs.
- 40 Trees and native vegetation proposed for retention are to be clearly identified on all the final approved engineering plans. All construction contractors and personnel are to be advised of the importance of conserving these No Go Areas as part of their site and OH&S induction program. No clearing of trees or vegetation or storage of vehicles, fill or materials or access is to occur within retained areas.
- 41 The management protocols and requirements within these conditions relating to tree and vegetation retention, protection and rehabilitation are to be included in all contract documentation, plans and specifications used by each civil contractor and sub-contractors. In addition the consultant ecologist and arborist are to induct each civil contractor and sub-contractor in relation to these ecological protocols and requirements.
- 42 Any plant stock used in landscaping must be supplied from provenance specific seed/material collected from within the Tuggerah Lakes catchment area. Non-provenance specific material is prohibited. The Landscape Plan is to integrate with the required Habitat Restoration Plan.

- 43 All services, including water and electricity, must be located, designed and installed to minimise or prevent root damage to retained trees. Methods for the installation of services within the tree's canopy perimeter are contained within Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development and include under boring and excavation by hand.
- 44 Native fauna must be appropriately managed during clearing and construction phases of the approved works. In this regard, an appropriately licensed fauna ecologist is to be employed to advise and supervise the clearing of trees. Where, in spite of precautions, wildlife is injured, the fauna ecologist is to take the necessary action to treat the animal, which may include veterinary treatment or transfer of the animal to a volunteer wildlife carer group such as W.I.R.E.S or Wildlife Arc.
- 45 Trees containing trunk or branch hollows provide habitat and shelter to native wildlife. Removal of hollow bearing trees is to be done under the advice and supervision of an experienced wildlife carer or consultant who holds an appropriate National Parks and Wildlife Services Licence to mitigate against any animal welfare issues. The wildlife carer or consultant ecologist is to inspect all potential habitat trees prior to removal and identify evidence of fauna use. Should a threatened species be positively identified, all clearing works are to cease and the advice of the National Parks and Wildlife must be sought. When fauna are present, the animals are to be removed and suitably relocated by the ecologist prior to felling or the tree shall be sectionally dismantled under the supervision of the ecologist before relocating animals. Wildlife must be relocated locally to an area with adequate resources and provided with a nest box or relocated hollow under instruction from the licensed carer or consultant.

Voluntary wildlife handlers and carers are not to be employed for supervision or initial advice regarding tree clearing for the purposes of this approval.

- 46 Prior to the commencement of any works, the applicant is to engage a suitably qualified and experienced consulting ecologist, arborist and soil erosion consultant to supervise the construction of each stage of the development and to ensure and certify to Council's Development Ecologist that the trees and vegetation are adequately retained and protected during construction. Evidence of this engagement is to be forwarded to Council's Development Ecologist prior to the commencement of works. The consultant ecologist and arborist are to provide reports to Council's Development Ecologist for review certifying how the proposal is meeting tree retention and protection requirements following completion of the following stages of development:
- Following erection of required tree protection fencing (and prior to the issue of a Commencement of any Works).
 - Following induction of each civil contractor and subcontractor.
 - Following initial clearing and excavation/filling of the site.
 - Following provision of services.
 - Following completion of each construction phase (and prior to the issue of an Occupation Certificate).

Englobo

- 47 The development shall not be connected to Council's future water main until Council's Development Construction Engineer has formally accepted the main. A pre-requisite for acceptance will be to successfully comply with Council's Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development for pressure testing of the main, hydrants and valves at the correct height in relation to the finished footpath and markers placed. The hydrant, valves and markers must be protected during dwelling construction by erecting a barrier. Hydrant, valves and markers are to be clearly visible at the completion of the dwelling landscape works. Water meters will not be connected until the mains are accepted. Application can be made to Council's Development Engineer for a temporary water supply once the main is accepted.

Erosion and Sediment Control

- 48 The provision of soil erosion and silt controls on the site in accordance with Council's Policy E1 - Erosion and Sediment Control from Building Sites and Development Control Plan 2005, Chapter 67 – Engineering Requirements for Development and the approved development plans prior to any works commencing on the site. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**
- 49 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.**
- 50 The provision of a single all weather access way incorporating a vehicle shake down device within the property, extending from the kerb and gutter to the building under construction, so as to provide appropriate access to the site which will reduce the potential for erosion to occur and for materials to be tracked onto the road by vehicles. A diversion drain is to be installed to divert runoff from the accessway into a silt fence. These works are to be in accordance with the requirements of Council's Policy E1 - Erosion and Sediment Control from Building Sites. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**
- 51 The downpipes and stormwater drainage being installed and connected to the approved stormwater disposal system immediately after the roof materials are positioned to prevent erosion of the site from roof water. **Note: A Compliance Certificate for the frame cannot be issued until the stormwater drainage system is installed.**

General

- 52 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.

Other Authorities

- 53 Other public authorities may have separate requirements and should be consulted prior to commencement of works in the following respects:
- Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments;
 - AGL Sydney Limited for any change or alteration to gas line infrastructure;
 - Energy Australia for any change or alteration to electricity infrastructure or encroachment within transmission line easements;
 - Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure.

Site Requirements

- 54 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.
- 55 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 reserve. The storage of building materials on Council's recreation reserves and/or road reserves is prohibited. **Note: On the spot fines may be imposed by Council for non-compliance with this condition.**
- 56 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.
- 57 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.

Survey Reports

- 58 To ensure that siting, height and view sharing objectives are achieved, a survey of each floor level must be undertaken by a registered surveyor and submitted to the Principal Certifying Authority prior to the wall frames being erected. The survey is to detail that the boundary setbacks and finished floor levels are in accordance with the approved plans. In the case of roof structures the level of the roof ridge must be confirmed prior to the fixing of the roof cladding.

Waste Management

- 59 During construction, building materials must be re-used, recycled or disposed of in accordance with the Waste Management Plan submitted with the application.
- 60 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.

Prior to Release of Occupation Certificate:

The following conditions must be satisfied prior to the release of an Occupation Certificate.

Bicycle Parking

- 61 To encourage the use of alternate transport modes by staff, secure bicycle parking/storage, change rooms and lockers must be provided to accommodate a minimum of 20 cyclists. Additionally, a minimum of 20 public bicycle storage spaces for patrons must be located in close proximity to the building entrances and be highly visible and well illuminated to minimise the likelihood of theft and vandalism. The installation and dimensions of the facility shall be in accordance with NSW Bicycle Guidelines 2005 and Guide to Traffic Engineering Practice – Bicycles, Part 14 – Austroads. These works must be completed prior to the issue of an Occupation Certificate.

Building Code of Australia

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

Certificates/Engineering Details

- 63 The construction of the landscaped and stabilised structural earthen batters adjoining the carpark. Certification of the construction by a suitably qualified consultant shall be provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.

- 64 The provision of Works as Executed information as identified in Council's Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development prior to issue of the Occupation Certificate. The information is to be submitted in hard copy and in electronic format in accordance with Council's "CADCHECK" requirements. This information is to be approved by Council prior to issue of the Occupation Certificate.
- 65 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 issue of the Occupation Certificate. All works for the development must be approved by Council prior to the issue of a Certificate of Compliance.
- 66 A Subdivision Certificate is to be issued by the Certifying Authority prior to the registration of the plan of subdivision and prior to the issue of an Occupation Certificate. The application for this Certificate is to satisfy all of the requirements of the Environmental Planning and Assessment Regulation 2000.

Dilapidation

- 67 Any damage not shown in the Dilapidation Report submitted to Council before site works had commenced, 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 release of the Occupation Certificate.

Disabled Access

- 68 Access to and throughout the buildings shall comply with the Building Code of Australia, AS1428.1-2001 and the objectives of the *Disability Discrimination Act 1992* (Commonwealth).

External Materials

- 69 The completed development must be in compliance with the external colours and materials submitted with the application and as shown on the materials board / model / photomontage.

Food Act Requirements

- 70 No food handling, (as defined by the NSW Food Act 2003), is permitted in the food premises prior to the issue of the Occupation Certificate.
- 71 All liquid trade waste is required to pass through a basket arrestor with fixed screens, fitted to all floor wastes and sinks, before being discharged into the sewerage system.
- 72 Compliance with the requirements of the New South Wales Food Act 2003, the Food Regulation 2004, and AS4674-2004 – Design, Construction and Fitout of Food Premises, and AS1668, Part 11 – Mechanical Ventilation, for all food preparation and food storage areas, including liquor areas.

- 73 The installation of hand wash facilities with a minimum dimension of 500mm x 400mm providing warm running water through a common mixing spout with hands-free tap operation (consisting of elbow or wrist operated tap levers, foot or hip operated tap levers, or electronic sensor tap operation).

Landscaping

- 74 To ensure landscaping works are properly completed, the landscape designer must provide certification to the Principal Certifying Authority certifying that landscaping has been implemented in accordance with the landscape plan, prior to issue of an Occupation Certificate. Where Council is not the Principal Certifying Authority, a copy of the certificate must be provided for Council's records.

Other Authorities

- 75 Compliance with the General Terms of Approval of the Mine Subsidence Board as outlined in its correspondence dated 9 June 2010
- 76 Compliance with the General Terms of Approval of NSW Rural Fire Service as outlined in its correspondence dated 4 February 2010.

Roads

- 77 All road signage and pavement marking works must be provided in accordance with the plans approved by the Local Traffic Committee and approved by Council prior to issue of the Occupation Certificate.
- 78 All road works on Sparks Road must be approved by the RTA prior to the issue of the Occupation Certificate.
- 79 All additional civil works required to ensure satisfactory transitions to existing work as a result of work conditioned for the development works are to be approved by Council prior to issue of the Occupation Certificate.
- 80 All works within a public road such as kerb and guttering, road pavement, drainage, footpaths, cycleways and vehicular access crossings must be in accordance with Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development and approved by Council as the Roads Authority under the Roads Act 1993, prior to the issue of an Occupation Certificate.
- 81 All works relating to bus servicing facilities must be approved by Council prior to issue of the Occupation Certificate.
- 82 Minnesota Road shall be dedicated to Council as public road, at no cost to Council, from Sparks Road to the northern extent of works, including widening for the proposed roundabout. Details confirming registration of the plan of subdivision must be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

Stormwater

- 83 The construction of the stormwater management system, including water quality control and stormwater harvesting devices. Certification of the construction by a suitably qualified consultant shall be provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.
- 84 A maintenance and operation manual for the constructed stormwater management system must be completed by a suitably qualified consultant and submitted to the Owners Corporation prior to the issue of the Occupation Certificate. Documentary evidence must be provided to the Principal Certifying Authority prior to issue of the Occupation Certificate
- 85 The construction of the carpark and accesses in accordance with AS/NZS2890 parts 1, 2 and 6. Certification of the construction by a suitably qualified consultant shall be provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.

Subdivision Works

- 86 The registration of reciprocal Rights of Carriageway for Mackillop Close, over Lots 7 & 8 in DP 7738 under the relevant provisions of the Conveyancing Act 1919.

Vehicle Access and Parking

- 87 The construction of the carpark and accesses in accordance with AS/NZS 2890 Parts 1, 2 & 6. Certification of the construction by a suitably qualified consultant is to be provided prior to issue of the Occupation Certificate.

Waste Management

- 88 For safety, amenity and maintenance reasons, the waste storage area must be constructed to the following standards:
- Floors must be constructed of concrete, graded and drained to an approved drainage outlet connected to the sewer and finished to a smooth even trowelled surface;
 - Walls must be constructed with solid impervious material and shall be cement rendered internally to a smooth even steel trowelled surface;
 - All intersections between the walls and floors shall be coved with coving having a minimum radius of 25mm;
 - All entry points into the room must be banded to prevent the escape of liquid waste. Banding shall be for 110% of the likely liquid storage waste and constructed in such a manner that does not obstruct the removal of waste receptacles from the room or create a safety risk to users;

- Adequate ventilation shall be provided;
- Adequate lighting shall be provided;
- The ceiling must have a minimum height of 2.1m from floor level and be finished with a smooth faced non-absorbent material capable of being easily cleaned;
- Waste storage areas shall prevent the access of vermin;
- Waste receptacles used shall be compatible with Wyong Council's waste collection service;
- The door to the storage area shall be weatherproof and shall be openable from the inside at all times;
- Hot and cold water hose cocks shall be located inside or within close proximity to the waste storage areas to facilitate cleaning.

Water and Sewer Services/Infrastructure

- 89 All water and sewer works for the development must be approved by Council prior to the issue of an Occupation Certificate.

General

- 90 The development shall comply with those measures outlined in the "Water Conservation and Energy Minimisation Standards" Statement.

Ongoing Operation:

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

Advertising Signs

- 91 No advertisement shall be erected on or in conjunction with the use and/or development without prior development consent unless the advertisement is an 'approved sign' under Development Control Plan 2005, Chapter 50 - Advertising Signs.

Amenity

- 92 All lighting used to externally illuminate buildings, works and uses shall be fitted with cut-off luminaires (baffles), so as to prevent the emission of direct and indirect light onto adjoining roadways, land and premises.
- 93 No sound shall be emitted from any device or from any source or activity that may either impair or impinge upon the use and enjoyment of adjoining properties or properties within the near vicinity, by the occupiers thereof. Noise emissions must comply with EPA and the relevant State/Regional/Local Environment Planning Policy requirements.

- 94 Any security alarm installed on the premises must be fitted with a 'cut-off' device limiting any sounding of the alarm to maximum duration of ten (10) minutes, with no repeat sounding until manually reset; and or 'silently wired' to a security firm.

Ecology/Trees

- 95 All external lighting is to be of a type that minimises overspill into retained vegetated areas.

External Materials

- 96 The external finish must be maintained and any graffiti removed.

Landscaping

- 97 All landscaping is to be maintained to maturity through the use of mulch and watering and allowed to achieve their natural height to the satisfaction of the Consent Authority. Where any approved landscaping dies or is substantially damaged within 5 years of planting, it must be replaced and maintained to maturity.

Safer by Design

- 98 To minimise the opportunity for crime and in accordance with CPTED principles, the development shall incorporate the following measures:
- In order to maintain a safe level of visibility for pedestrians within the development, adequate lighting to AS1158 is to be provided to all common areas including the car park areas, common open space and any common stair access to these areas and pedestrian routes, particularly including the waste storage areas.

This lighting shall ensure consistency to avoid contrasts between areas of shadow/illumination and preferably be solar powered and with an automatic/timed switching mechanism, motion sensor or equivalent for energy efficiency. Such lighting shall be installed and directed in such a manner so as to ensure that no nuisance is created for surrounding properties or to drivers on surrounding streets. Car parking lighting system is to be controlled by sensors to save energy during periods of no occupant usage.
 - Adequate signage is to be provided and maintained to a legible standard within the development to identify pedestrian and vehicular facilities, entry/exit points and direct movement within the development. Clear concise signage using simple text and international language to specify location of telephones/public transport/toilets/ rest areas, expected behaviour (eg. alcohol free zones), emergency help location, alternative walking/cycling routes etc.

- The design, installation and maintenance of landscaping (and associated works) within pedestrian routes around the site shall not impede visibility and clear sight lines along the pedestrian footway from one end to the other.
- The means to isolate the components of each use within each of the buildings shall be incorporated into the development, including the security keying of lifts and doors and other measures for access control.
- The development shall be designed and constructed to minimise the opportunities for concealment or entrapment spaces with the means to isolate components of the development after hours from direct public access.
- The development management shall adopt an ongoing policy of rapid repair of vandalism and graffiti and ensuring that all lighting and external fixtures are in working order. The use of durable and easily maintained external materials and finishes. The installation of sturdy, non corrosive catches, bolt and locks on doors/windows.
- Provision of CCTV system to the interior and exterior of the facility (as outlined on page 39, Section 4.5 of the Statement of Environmental Effects dated May 2010, prepared by JLA).

Stormwater

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

General

- 100 The conference room shall only be used by those health professionals associated with the health services facility during business hours (9.00am to 5.00pm). Any use of the conference room by external parties is to occur outside business hours.
- 101 Any party utilising the conference room after business hours shall cease use of the room by 10.00pm.
- 102 The hydrotherapy pool and rehabilitation gym shall only be used by those health professionals associated with the health services facility and their patients. The hydrotherapy pool and rehabilitation gym are not to be used for public/commercial purposes.