

JRPP No	2012STH025
DA Number	147/13
Local Government Area	Eurobodalla Shire Council
Proposed Development	Alterations and additions to hospital
Street Address	2 River Street MORUYA
Applicant/Owner	NSW Health Infrastructure
Number of Submissions	none
Recommendation	Approval with Conditions
Report by	Bryan Netzler – Development Assessment Officer



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Assessment Report and Recommendation

DA147-13/ JRPP Ref 2012STH025

1. Consideration by Joint Regional Planning Panel

The Joint Southern Region Planning Panel is the determining authority for this DA pursuant to Part 4 of State Environmental Planning Policy (State and Regional Development) 2011, as the proposed development is a Crown development for a health services building with a capital investment value of more than \$5 Million. The capital investment value of the project, as estimated by the Applicant, is \$8,323,000 (excl. GST).

2. Executive Summary

- i. Council is in receipt of a Development Application (DA) from NSW Health Infrastructure for the construction of a new 20 bed acute rehabilitation unit and ancillary works at Moruya Hospital, Lots 1 & 4, Section 7, DP 758710, 2 River Street, Moruya. The proposed development has a Capital Investment Value of \$8,323,000 million.
- ii. This DA involves the proposed construction of a new 20 bed acute rehabilitation unit added to the existing Moruya District Hospital building together with ancillary works
- iii. The subject site is zoned **R3 Medium Density Residential** under the Eurobodalla Local Environmental Plan 2012. The proposal is prohibited in this zone, however a 'hospital' is permissible in the R3 zone under the *State Environmental Planning Policy (Infrastructure) 2007* (Infrastructure SEPP).
- iv. The proposed development was notified for a period of 14 days between 9 October 2012 and 24 October 2012. During this period no submissions were received.
- v. The Application was referred to relevant external bodies for comment, including the Marine Parks Authority, which raised no objection to the proposal subject to conditions of consent.
- vi. The proposed development has been assessed against the relevant matters for consideration pursuant to Section 79C of the Environmental Planning and Assessment Act 1979, including suitability of the site and the public interest, and is considered satisfactory. The proposed development is considered satisfactory with regard to key issues such as built form, access, traffic impacts, stormwater, sea level rise and environmental issues subject to the imposition of suitable conditions of consent to satisfactorily control the development.
- vii. In light of the above, it is recommended that the Southern Joint Regional Planning Panel approve the DA subject to the imposition of suitable conditions of consent. Recommended conditions are provided at Attachment 1 to this report.

3. Background and History

3.1 Pre-application discussions

The applicant met with Council Officers prior to lodging the application to discuss the merits of the development.

At the meeting of the 7 August 2012 the following issues were identified and required to be considered as part of the submission:

- Development standards (height); justification for exceeding the maximum building height
- Flood & sea level rise
- Sewer, water, stormwater
- Contributions
- Car parking and access
- Environmental issues; riparian, endangered ecological communities

3.2 Amendments during the process

The application has not been amended during the assessment process.

3.3 Development Application History

The Moruya Hospital is a long time established use on the site and has a large number of previous development consents and applications which are applicable to this site. A brief summary is as follows:

- Extension to hospital by use of demountable buildings issued 22 August 1991
- Extension to hospital by use of demountable building issued 3 October 1991
- Addition of dental clinic issued 6 April 1992
- Addition of dental clinic to hospital issued 5 May 1992
- Alterations and additions to hospital issued 18 December 1992
- Alterations and additions to community health building issued 23 December 1992
- Alterations & additions to hospital issued 21 January 1993
- Alterations and additions to community health building issued 1 February 1993
- Transportable 4 bedroom accommodation unit issued 9 July 2002
- Plant room addition to hospital issued 11 June 2004
- Modular building, addition & site works issued 21 December 2007

4. Adequacy of applicant's submission

In relation to the Statement of Environmental Effects, plans and other documentation submitted with the application, the applicant has provided adequate information to enable an assessment of this application.

5. Subject site and locality

The subject is located on the northern side of River Street known as 2 River Street, Moruya. This site comprises Lots 1 & 4, Section 7, DP 758710 and has a total area of approximately 2.9 hectares, with a frontage to River Street of approximately 264 metres.

The land has a fall of approximately 10 metres from the River Street to the edge of the Moruya River (north to the south). Pedestrian access and vehicle access is provided from River Street.

The site is currently occupied by the Moruya District Hospital which is a public hospital under supervision of GSAHS - Greater Southern Area Health Services. It is part of the Southern NSW Local Health District.

The site is occupied by the hospital complex comprising the main hospital building that incorporates the emergency department, and outbuildings including oncology and renal, community health, administration, other structures and facilities, and a helipad.

The site is located on the western boundary of the residential area of Moruya. Moruya Hospital is located approximately 1 km west of the Moruya Town Centre.

The site enjoys good vehicular access, with access to the regional road network of the Princes Highway.

The site is not listed as an item of heritage significance.

There are no restrictive covenants or easements on the title.

Immediate surrounding area

To the immediate north of the site is the Moruya River. Albert Stewart Park is located to the immediate east. To the south, River Street separates the site from single storey residential housing and agricultural land is located to the west.

The Moruya town centre is located approximately 1km east of the site.



Fig. 1 Aerial photograph of subject site

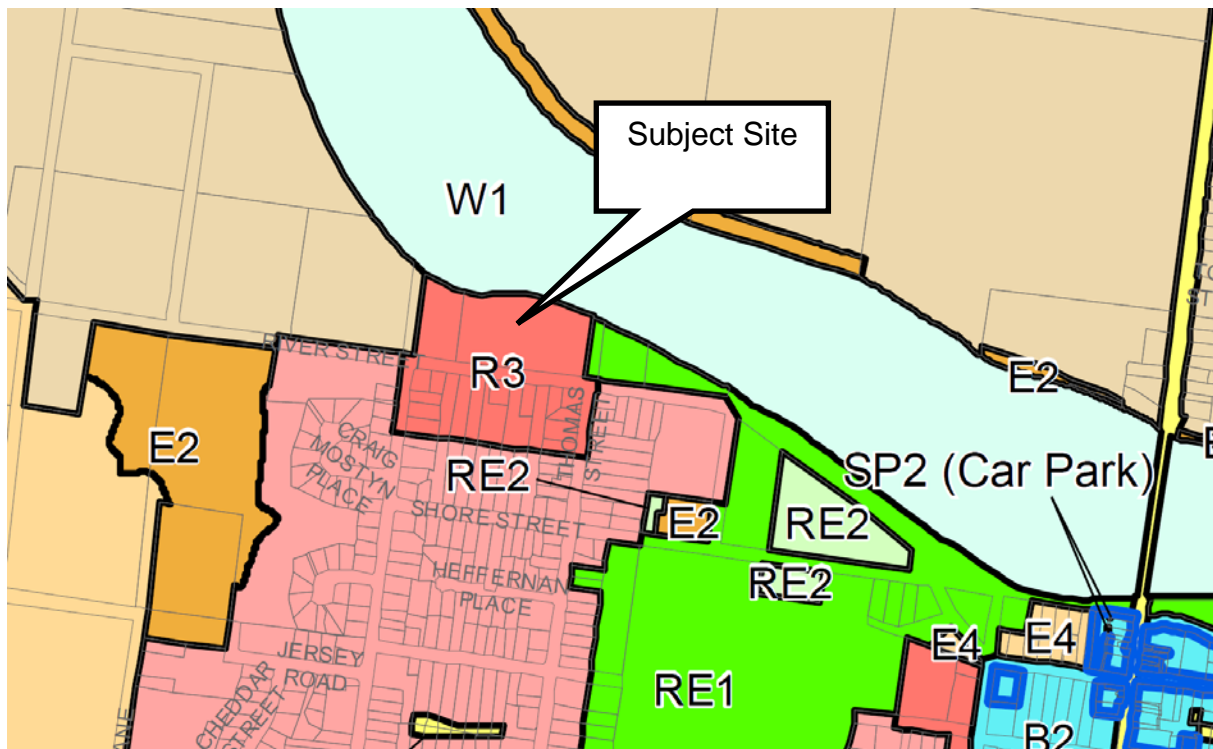


Fig.2 Zoning Map

6. Purpose of rehabilitation unit

As part of the submitted SEE, the Project Architects have stated:

The 20-bed acute rehabilitation unit will provide rehabilitation for predominantly older adult patients recovering from surgery, those with acquired brain injury including from stroke, those with degenerative diseases and those with multidimensional health needs and medical conditions associated with disabilities and psychosocial problems. The service would cater for both fast and slow stream patients, including geriatric evaluation and maintenance patients, with maximum flexibility required in the beds provided.

The new facility will provide acute inpatient bedrooms with support rehabilitation areas such as group and consult rooms and gym facilities. The service will be supported and will work closely with the current acute inpatient facilities and outpatient support services with a commonality in staffing to help promote a continuum of care. The model of care for the Moruya service will focus on a multi-disciplinary approach to care which involves the establishment of a care plan developed with both the patient and their carer/s.

7. Early Stages

It is noted that there are other development works proposed to the hospital (that will not form part of the Development Application) that will be undertaken in accordance with the State Environment Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) under Part 5 of the Environment Planning and Assessment Act 1979. The proposed early works include:

- Earthworks;
- Relocation of existing gas and oxygen tanks;
- Temporary site access, truck parking, truck turning area and waste storage areas;
- New driveway access to River Street to facilitate service access via new carpark ;
- New car park for 15 car spaces ; Site restoration and landscaping;

- Swale with filter strip and stormwater rip rap distributor from carpark allowing for overland flow.

8. Proposal

The application proposes the addition of a new 20 bed acute rehabilitation unit and ancillary works to Moruya Hospital. More specifically the application can be summarised as follows:

- Construction of a new 20 bed acute rehabilitation unit;
- Site excavation, benching, and retaining walls;
- Demolition of part of existing hospital building;
- New footpath from helipad to emergency department;
- New loading dock associated with the rehabilitation unit;
- New loading bay for oncology and renal departments and associated widening to the existing driveway;
- Landscaping;
- Proposed stormwater outlet to the Moruya River

8.1 Building form

The new unit will be located on the north-western corner of the existing hospital.

The unit extends the axis of the main hospital building and pushes out two building forms to the north separated by a void. The building will sit on piers and incorporate a skillion roof.

Overall maximum building height is approximately 12.3 metres.

The predominant height expressed to River Street is similar to the existing hospital buildings and will be setback behind the existing hospital.

Building design is contemporary with a mix of materials including brick veneer to match the existing building and pre-fabricated metal cladding.

8.2 Demolition

Demolition of part of the existing hospital building to allow for the extension of the acute rehabilitation unit to the existing hospital.

8.3 Car Parking

No additional car spaces are provided as part of the application however 15 new car spaces are proposed in the south-west corner of the site to be constructed as part of the early works application. A detailed assessment against Council's parking provisions is provided in the latter sections of the report.

8.4 Layout

Ground floor

The ground floor contains the rehabilitation staff pod and consultation rooms and includes a waiting area workstations and offices. Public access is only via lift.

A large terrace is also proposed at this level with a minimum setback of approximately 4.9 metres from the top of the bank of the Moruya River. Stair access to the terrace is available from the first floor of the Rehabilitation Unit.

First Floor

General public access to the rehabilitation unit is provided at first floor level via an internal connection through the existing hospital building.

The first floor contains the clinical and functional areas comprising:

- Inpatient;
- Therapy;
- Core support spaces;
- Clean linen loading dock

A kitchen and dining/lounge area is proposed in the north-western corner of the proposal with direct access to a terrace comprising an area of approximately 29m².

These areas are organised into two building forms surrounding a light void and connected by a circular walkway which patients can use as a walking route to assist their rehabilitation.

This level will have a minimum setback to the top of the bank of the Moruya River of approximately 4.75 metres.

Rooftop

Contains plant and lift over-run. Access to this area is only via stairs.

General

- Two storey extension located at the rear of the hospital to provide for an additional 20 beds with ensuite facilities for patients
- The proposed new addition is located in the north-west corner of the existing hospital building setback approximately 36 metres from River Street (requires the partial demolition of the existing hospital to allow access to the unit through the existing hospital).
- Extension is linked via a passage to the existing hospital at ground levels.
- Extension to be finished in a mix of brick veneer to match the existing building and pre-fabricated metal cladding.
- Includes a new loading dock to the acute rehabilitation unit building and a new loading bay to the existing oncology and renal building.
- The proposed stormwater system includes a proposed stormwater outlet to Moruya River, comprising a headwall and rip distributor and gross pollutant trap. The stormwater discharge at this point will be collected from the new acute rehabilitation unit building and the loading dock.
- A landscape plan which includes the introduction of beds of native grasses supported by sleepers; areas of gravel under the proposed building, planter beds of shade loving species along pathway from the helipad to emergency department building; proposed trees and shrubs surrounding the building and riparian planting along the riverbank; and new pathways with seating.

9. Planning Controls

The planning controls that relate to the proposed development are:

- a) State Environmental Planning Policy (State and Regional Development) 2011
- b) State Environmental Planning Policy (Infrastructure) 2007
- c) Eurobodalla Local Environmental Plan 2012
- d) Residential Zones Development Control Plan
- e) Parking and Access Code

An assessment of the proposed development under the relevant planning controls is provided below:

a) State Environmental Planning Policy (State and Regional Development) 2011

SEPP (State and Regional Development) 2011 identifies development classified as “Regional Development”, which requires referral for determination to a Joint Regional Planning Panel (JRPP) in accordance with Clause 20 of the SEPP.

The Development Application is classified as Regional Development as the Capital Investment Value of the application is more than \$5 million for a Crown Application. Accordingly, Council is responsible for the assessment of the application, and determination is by the Southern Joint Regional Planning Panel.

b) State Environmental Planning Policy (Infrastructure) 2007

The proposed development is a Health Services Facility for the purposes of Clause 57 of this SEPP being:

“a facility used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes the following:

- (a) day surgeries and medical centres,*
- (b) community health service facilities,*
- (c) health consulting rooms,*
- (d) facilities for the transport of patients, including helipads and ambulance facilities,*
- (e) hospitals.*

Clause 57(1) in turn states that *“Development for the purpose of health services facilities may be carried out by any person with consent on land in a prescribed zone.”*

The list of relevant “prescribed” Standard Instrument zones in Clause 56 of the SEPP include R3 Medium Density Residential. The site is zoned R3 under the Eurobodalla LEP 2012 and therefore the development is permissible with consent under the SEPP.

The aim of the SEPP is to *facilitate the effective delivery of infrastructure across the State by:*

- (a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and*
- (b) providing greater flexibility in the location of infrastructure and service facilities, and*
- (c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and*
- (d) identifying the environmental assessment category into which different types of infrastructure and services development fall, and*
- (e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and*
- (f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.*

Assessment of the development application has deemed that the above aims as relevant to the proposal have been satisfied.

The Infrastructure SEPP requires consultation/referral to a number of external agencies. In this case the only agency required to be consulted was the Batemans Bay Marine Park Authority, and its response is referred to later in this report. Schedule 3 of the SEPP specifies criteria for when traffic generating development applications are to be referred to the Roads and Traffic Authority of NSW. A hospital with 200 or more beds is required to be referred, however as the proposal is only for 20 additional beds the application was not referred.

c) State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 requires the Consent Authority to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development. The following table is a summary of the matters for consideration under the SEPP.

SEPP 55 – Matters for consideration		Response Yes / No
Does the proposal involve re development of the site or a change of land use ?		Yes
Is the development going to be a sensitive land use (eg residential, educational, recreational, childcare or hospital) ?		Yes
Does information available to the consent authority indicate that any of the following activities have occurred on the site? Acid/alkali plant and formation, agricultural/ horticultural activities, airports, asbestos production or disposal, chemical manufacture, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating, and heat treatment premises, engine works, explosive production, gas works, iron and steel works, landfill, metal treatment, mining and extractive industries, oil production and storage, paint formulation, pesticide manufacture, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage or treatment, wood preservation.		No
Is the site on Council's Contaminated Lands database?		No
Is the site subject to EPA clean-up order or other EPA restrictions?		No
Has the site been the subject of known pollution incidents or illegal dumping?		No
Does the land adjoin any contaminated land/ previously contaminated land?		No
Details of contaminated investigations carried out at the site?	Douglas Partners – Report on Geotechnical Investigation – Aug 2012	

d) Eurobodalla Local Environmental Plan 2012

The land is zoned R3 Medium Density Residential under the provisions of Eurobodalla Local Environmental Plan (LEP) 2012.

The proposed use of the land is for a 'hospital'. Under the zoning of the land, R3 Medium Density Residential, 'hospital' is not listed as a permissible use in the zone.

However in accordance with Section 36 of the EP&A Act 1979 the Infrastructure SEPP prevails over the LEP where there is inconsistency between the two instruments. The LEP contains no provision to suggest it overrides the SEPP.

The site is currently an operational hospital providing a wide range of regional health services for the community. The proposal is considered to be a suitable form of development and is not inconsistent with the objectives of the zone.

The objectives of the zone are:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To encourage tourist and visitor accommodation in areas of demand subject to controls to ensure the adequate protection of a permanent residential housing supply and amenity*
- *To encourage walking, cycling and the use of public transport.*

The LEP contains a building height limit of 8.5 metres that applies to part of the proposal. The proposal exceeds this by up to two metres, however the development is considered not to compromise the height objectives of the LEP.

e) Residential Zones Development Control Plan (DCP)

Section 79C of the EP&A Act provides that the consent authority must take into consideration certain matters including the provision of any DCP.

An assessment against the relevant provisions of the DCP was undertaken and despite the variation to the building height envelope, the proposal is not inconsistent with the DCP.

f) Parking and Access Code

Pursuant to the provisions of the Code, a new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land.

The car parking requirements of the Code are deemed to have been satisfied as discussed later in this report.

10. Public Notification

The application was advertised by way of letters to adjoining properties, newspaper and signs on site for a period of 14 days between 9 October 2012 and 24 October 2012. During this period no submissions were received.

11. External Referrals

The subject Development Application was referred to a number of parties, including the following public agency in accord with the requirements of the Infrastructure SEPP.

11.1 Marine Parks Authority

The application was referred to the Marine Parks Authority who offered no objection and advised the following:

Riparian Vegetation – *The riparian vegetation along much of the Moruya River has been heavily modified and disturbed over many years. As a fourth order watercourse, NSW Office of Water Guidelines 2012 recommend a 40 m vegetated riparian zone (VRZ) however much of the existing*

hospital site lies within this area. Due to the disturbed nature of the riparian zone along this section of the river we acknowledge that restoring a buffer of this size is unfeasible.

The proposed additions will extend to 4.75 metres from the top of the bank at their closest point to the river. However to fully ensure that any potential impacts upon the river are mitigated we strongly support the measures outlined in Appendix H - Landscape Report and Appendix N – Riparian assessment report. Particularly; steps taken to preserve the existing remnant riparian vegetation, and further enhancement through the planting of trees and shrubs native to the area and the removal of weeds.

Sewage management – If the proposed development is to be connected to the existing reticulated sewage system the determining authority should ensure that the system is of an adequate capacity to cope with expected increases in volume.

Future sea level rise and flood level management – The proposal will include excavation and filling within the VRZ, with excavations into granite bedrock and no filling within the 1 in 100 year flood level. The fill will consist of granite materials excavated on site. We note that it is considered unlikely that the weathered rock materials affected by the proposal will erode significantly as a result of short term flood events minimising potential impacts upon the Moruya River.

Stormwater management - The proposed stormwater management system outlined for the proposal include upgrades to stormwater control and treatment measures; such as the inclusion or upgrade of gross pollutant traps and rip/ rap distributers at stormwater outlets which are supported by the MPA. Water quality within the receiving waters of the Moruya River tributaries must be maintained during high rainfall events as required under the POEO Act.

Sediment and erosion control - In terms of the site as a whole, and disturbance of sediment during the construction phase of the development and the design, management and implementation of pollution controls must be consistent with “Managing Urban Stormwater: Soils and Construction” (NSW Landcom, 2004), (Blue Book), to ensure containment of sediment to the immediate work site. All sediment control measures must be regularly inspected and cleaned out and/or repaired as necessary, and all collected silt disposed of appropriately. Stockpiles should also have adequate sediment control measures in place and be located away from the adjacent waterway.

The determining authority must ensure proposed sediment collection basin is designed to have the capacity to address an 85th percentile rain fall event in line with best practice given the sensitivity of the receiving waters.

Further it is important to implement all of the small management principles to avoid impacts. These will include sound design principles such as minimising bare soil, separating ‘clean’ and dirty water areas and diversion of off-site clean water. To further prevent these impacts the amount of sediment generated by the developed site should be minimised post construction by stabilising and re-vegetating the site as soon as possible.

Water Quality - To maintain the water quality of the Moruya River the determining authority should ensure that all proposed mitigation measures and recommendations, in terms of riparian buffers, sediment and erosion control measures and on-going stormwater management, outlined in the Statement of Environmental Effects are adhered to.

During the construction phase any groundwater or stormwater leaving the site and entering the receiving waters of the Moruya River should comply with the water quality benchmarks for estuaries of the catchments within the Batemans Marine Park (Moruya River catchment) as expressed

in the NSW Water Quality Objectives (WQOs) developed in accordance with the ANZECC 2000 Guidelines on Water Quality. (Further info is available at <http://www.environment.nsw.gov.au/ieo/>).

Any water discharged from the proposed subdivision and delivered to the Moruya River should meet these water quality requirements as required under the Protection of the Environment and Operations (POEO) Act.

Exposure of Potential Acid Sulphate Soils (PASS) – *We note that the environmental risk of PASS being exposed during excavation works is low however all measures must be taken to ensure that should PASS occur soils are treated in accordance with ASSMAC 1998 guidelines and disposed of at an appropriate waste facility.*

12. Internal Referrals

The subject Development Application was referred to the following internal sections of Council:

12.1 Engineering

The application was referred to Council's Engineers who advised no objection subject to conditions.

12.2 Traffic Committee

The application was referred to Council's Traffic Committee for consideration. Parking provisions were discussed. The Committee noted that the associated traffic report indicated that there was sufficient parking provided to cater for the needs of the whole hospital precinct. There was some discussion regarding the general parking demand within the area appearing to exceed the supply during busy periods. However the Committee agreed that this type of parking demand was common at many hospitals throughout the state. The Committee agreed that it was better for the local area that the available state government funds be spent on hospital wards and facilities rather than additional parking. Footpath linkages were discussed. The Committee agreed that there appeared to be a missing footpath lining from the parking along River Street located at the western end of the site. The Committee recommended that a 1.5m wide concrete footpath should be provided from the western most parking space in River Street linking eastwards to join the existing pathway – a distance of approximately 100m. It has been confirmed in writing by NSW Health that this will be part of the Early Works application hence has not been condition on the consent.

12.3 Liquid Trade Waste

The application was considered by Council's Liquid Trade Waste Officer who advised no objection to the proposal.

13. Assessment

As assessment of the key issues relating to the proposed development is presented below:

13.1 Hospital Expansion

The proposed works including the internal refurbishment are for the purpose of improving the standard of facilities provided on site. The background outline of development consents applicable to the site demonstrate that the capacity of the hospital needs to be increased particularly given the previous consents for demountable and transportable buildings approved on the site. Further the demographic and socio-economic factors as identified in the *South Coast Regional Strategy 2006 - 2031* provides justification of the need for the development.

13.2 Impact of Works on Residential Properties

It is considered that the scale and extent of the proposed works are consistent with the scale of the existing building and will not impact adversely on residential properties due to their location. The closest residential properties are located on the south side of River Street. These are separated by River Street and the existing hospital building. There will be no impact to these properties through overshadowing, overlooking or the impact of visual bulk.

13.3 Appropriateness of Built Form

The concept proposes a variation to the maximum permitted height in the ELEP2012. Whilst the proposed addition is a maximum height of 12.32 metres at its northern end, this area is not the subject of building height control as referred to in the ELEP. The 8.5 metre maximum height control only takes effect at 30 metres from the river. At this point due to the upward slope of the land the proposed building height is 2 metres above the 8.5 metre limit which reduces to zero at 52 metres from the river bank.

The existing hospital building (maximum RL 17967) to the east of the proposed building is higher than the proposed building (maximum RL 17218) as shown on the Roof Plan.

The height of the addition is considered satisfactory due to the site's topography and the relationship to adjoining properties.

There will be minimal loss of views from residential properties along River Street to the river as a result of the building addition. The anticipated visual impact of the building addition as viewed from the river will be minimal.

It is considered that the design and detailing of the building is appropriate. The first floor will be elevated on piers and will 'float' above the riverbank, giving the appearance of a more light weight structure. The ground floor of the building addition is recessed into the slope, facilitated by excavation works. The setting of the building addition will be softened by landscaping, comprising a combination of planting and river gravel. The proposed terrace will visually break up the vertical dominance of piers.

The shadow diagrams submitted with the application demonstrate that there will be minimal impact to the existing hospital buildings and outdoor amenity areas, and certainly no impact to any neighbouring properties.

The proposal involves the use of white colorbond roof cladding which is contrary to the requirements of the Residential Zones DCP. Given the roof is likely to be visible and cause glare issues for nearby residents it is appropriate to require as a condition of consent a revised plan showing a hue with a solar absorbance rating of greater than 0.421. This accords with the DCP's requirements.

There will be no loss of visual privacy for the nearby residential area.

The site is located within the R3 Medium Density Residential Zone and therefore it is subject to the same building height controls as nearby residential development. Existing dwellings on River Street are set at a much higher elevation than the hospital. The hospital site slopes down to the river. The implication of site topography for compliance with the building height control is that without stepping the building down the slope the building exceeds the height control. It is important for the hospital to be situated all at one level, from an accessibility point of view, and to allow optimal functional relationship of the hospital services.

In relation to the building height development standard, Clause 4 of the ELEG2012 requires concurrence of the Director General to be obtained. Pursuant to Planning Circular PS 08-003 as issued by the NSW Department of Planning this concurrence obligation has been delegated to Council. However, further to this under Section 36 of EP&A Act the Infrastructure SEPP is deemed to override the need for this obligation to be fulfilled.

13.4 Car Parking and Access

A Traffic and Parking Statement has been prepared for the proposed development by AECOM.

Parking provision

Parking for the proposed development is being separated out from the rehabilitation unit and is not part of this Application. However for information purposes only, the details of proposed parking are provided in a Parking and Traffic Statement prepared by consultants, AECOM.

The requirements for parking for the proposed development are set in Council's Parking and Access Code.

At the pre-lodgement meeting held it was noted by Council that the *"The nose to kerb parking spaces on the north side of River Street are attributed to the hospital, however the parallel parking on the south side of River Street are excluded."* Council also requested that calculation of carparking demand should be done for the whole site and it should factor in the parking rates for separate uses such as community services, physiotherapy, health consulting rooms and dental clinic.

Existing parking provision (whole site)

Total formal spaces on site (excluding loading zones) = 85

Total formal spaces off site (north side of River Street) = 70

Total = 155

Based on the Eurobodalla DCP parking requirements, the hospital is currently required to provide a total of 79 parking spaces. This includes:

- 29 visitor spaces (85 beds);
- 45 staff spaces (134 staff);
- 5 practitioner spaces (5 practitioners).

Therefore the existing facility provides 76 parking spaces over and above the number required in the DCP.

Parking requirements with the proposed development (whole site) have been based on an additional 45 full time equivalent staff (including no additional practitioners):

Visitor = 35 spaces (105 beds)

Staff = 60 spaces (179 staff)

Doctors = 5 spaces (5 doctors)

Total = 100

Demand for on -site car spaces: $100 - 85 = 15$

The Early Works Application will provide an additional 15 car spaces in a new carpark adjacent to River Street in the south-west corner of the site.

The Moruya Hospital is therefore consistent with the parking requirements in the DCP with on-site parking spaces alone. Any additional parking demand will be more than covered by the 70 spaces attributed to Moruya Hospital on-street.

Loading Bay

The loading bay is considered appropriate subject to compliance with the proposed plans and compliance with relevant conditions of consent.

13.5 Environmental Impacts

Impact on Riparian Areas

The site of the proposed works is located in a Riparian Corridor. There is existing riparian vegetation situated along the 'top of bank' of the Moruya River.

The proposed additions are located within the Riparian Buffer of the Moruya River. As a major waterbody a buffer of 40m (measured from the top of bank) is required

The existing hospital complex already encroaches into the 40 metre riparian zone from 'top of bank' of the river. The proposed acute rehabilitation unit building will encroach into this zone up to a minimum of 4.750 metres from the top of the bank. The Water Management (General) Regulation 2011 provides exemptions for public authorities for 'controlled activity approval', which means that Terms of Approval are not required to be sought from the NSW Office of Water and the Application is not treated as Integrated Development in relation to the Water Management Act 2000.

The Riparian Assessment report considers the proposed development in respect of the Guidelines for Riparian Corridors under the Water Management Act 2000. The report addresses each objective of the guideline in turn.

Eurobodalla LEP 2012 contains a clause relating to riparian areas and waterways, and the site is mapped in relation to this clause. The Riparian Assessment considers each objective in relation to this clause.

The Riparian Assessment also includes an assessment of significance under Part 5A of the EP&A Act. The outcome of this assessment concluded that the development would be unlikely to significantly impact on Endangered Ecological Communities (EECs) or affect critical habitat. Therefore a Species Impact Statement is not required for the proposal.

A number of recommendations were made to mitigate the impacts of the development relating to vegetation and habitat management, filling, sediment control, stormwater and landscaping. These will be implemented via conditions of consent.

Impact on Endangered Ecological Communities

The existing riparian vegetation along the riverbank was studied by the consultant in their Riparian Assessment and assessed in relation to Tozer et al (2006) and the Final Determinations of the NSW Scientific Community to ascertain if there was an Endangered Ecological Community (EEC).

The results of this assessment following a 7-part test was that the riparian vegetation supports two EECs, namely:

- Southeast Lowland Swamp Woodland; and
- Floodplain Swamp Forest.

These communities were assessed as highly disturbed. The result of the 7-part test was that a Species Impact Statement was not required.

Rehabilitation of riparian vegetation

The Landscape Plan shows proposed tree planting to strengthen the riparian corridor at the river bank.

Impact on water quality and aquatic habitat

The proposed development works include a proposed stormwater outlet to the Moruya River.

A Sediment and Erosion Control Plan and Drainage Plan have been prepared for the proposed development. It is concluded in the Riparian Assessment that the proposal will include appropriate stormwater and erosion control and treatment measures

An assessment of the environmental constraints of the land has concluded that there will be no impediment to the development of the land with incorporation of the recommended mitigation measures. Furthermore, that the impact of the development on the environment has concluded that the impacts will be minimal.

13.6 Flood and Sea Level Rise

In relation to flood and sea level rise, Council's Development Engineer has provided the following advice:

The proposed additions are located on flood affected land. Emergency service facilities are required to design to the Probable Maximum Flood (PMF) level as outlined in the recently adopted Council's Moruya Floodplain Code 2012. It is noted the emergency services functions within the hospital are located on the first floor well above the PMF level. It is also noted that the first floor level is set to maintain direct connectivity with the existing hospital infrastructure.

The ground floor will house ancillary medical services including day rooms, which is proposed to be below the PMF level, but above the 1 in 100 year flood level, including freeboard. It is noted that the building footprint will intrude into the floodplain planning area, however no filling will occur within the flood area (i.e. below the 1 in 100 year flood planning level), with the building to be built on piers. As the structure is within the flood area the building must be designed to cater for the flood loads. Council's Moruya Floodplain Code 2012 was prepared in accordance with the principles and strategies of the DIPNR Flood Development Manual (FDM) 2005 relating to the management of flood liable land in accordance with Section 733 of the Local Government Act 1993. Consistent with the FDM, restrictions on critical emergency response and recovery facilities and infrastructure are included in the Code. These aim to ensure that these facilities and the infrastructure can fulfill their emergency response and recovery functions during and after a flood event. Examples include evacuation centres and routes, hospitals and major utility facilities.

As the ground floor level is below the PMF, the proposal will need to be assessed by the applicant having regard to the objectives of the Moruya Floodplain Code. The applicant should include information that demonstrates that these facilities and the infrastructure can fulfill their emergency response and recovery functions or demonstrate that the facilities below the PMF are not applicable to these functions. The applicant should refer to the risk management framework in accordance with the NSW Flood Development Manual 2005, including an emergency management plan for the evacuation of the ground floor (people and property) in the event of a major flood. To ensure the emergency management operations of the first floor are maintained during the PMF, the applicant should also consider the structural design of the building is compliant with the PMF event

It is considered that the matters raised by Council's Engineers can be addressed via conditions on the consent and it the proposal is generally consistent with the objectives of the Moruya Floodplain Code.

13.7 Sewer/Stormwater Management

The proposed stormwater management system outlined for the proposal include upgrades to stormwater control and treatment measures

The sewer is currently located within the footprint of the proposed additions and will need to be relocated or replaced to accommodate the new works. This will be required as a condition of consent.

13.8 Development Contributions

According to the NSW Department of Planning Circular D6 the Council is only entitled to apply contributions to drainage and upgrading of local roads for development that involves health services. As the development is providing a drainage response that does not impact or use Council's drainage infrastructure it would be unreasonable and inconsistent with the guidelines setout in the D6 Circular to require a contribution for this. In relation to the local road network there is no specific S94 Plan that is applicable to the development, and further to this, no upgrade of the local road network is required to accommodate the additional traffic that may be generated. The proposed development will deliver a substantial material public benefit and an exemption from application of S94 charges is consistent with the principles set out in the D6 Circular.

Council in its capacity as a Water Supply Authority under the Water Management Act 2000 requires Water and Sewer Headworks charges to be applied for the purposes of meeting the increased demand for the reticulated services and supporting infrastructure required to service the development. A condition of consent is proposed to be imposed for the purposes of obtaining payment of the headworks fees.

14 Section 79C Consideration

Heads of Consideration 79c	Comment	Complies
<p><i>a. the provisions of :</i></p> <p><i>(i) any environmental planning instrument (EPI)</i></p> <p><i>(ii) any development control plan</i></p> <p><i>(iii) the regulations</i></p>	<p>The provisions of the relevant EPIs relating to the proposed development are summarised in Section 9 of this report.</p> <p>The proposal is permissible and determined pursuant to the requirements of the SEPP (State and Regional Development) 2011 and SEPP (Infrastructure) 2007.</p> <p>The proposal is deemed not to be inconsistent with the R3- Medium Density Zone objectives outlined under Eurobodalla Local Environmental Plan 2012, the Residential Zones DCP and Parking & Access Code apply to the site.</p> <p>The proposed development is consistent with the desired future character of the Hospital and is compliant with all the numerical requirements for</p>	Yes

	car parking. A detailed assessment of the application is provided under Section 13 of this Report.	
<i>b. the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality</i>	An assessment of the key issues is provided in Section 13 of this Report and it is considered that the likely impacts of the development, including traffic, environmental issues, noise, parking and access and the like, have been satisfactorily addressed and that the proposal will result in beneficial social impacts for the community.	Yes
<i>c. the suitability of the site for the development</i>	The proposal has been designed taking into consideration the site's constraints and access arrangements. The site is therefore considered suitable for the proposed development.	Yes
<i>d. any submissions made in accordance with this Act, or the regulations</i>	No submissions were received during the notification process.	Yes
<i>e. the public interest</i>	The proposed development is for the purpose of an acute rehabilitation unit which will cater for the needs of visitors and staff of the Hospital. The proposal is therefore considered to be in the public interest.	Yes

15 General Comments

- The application has been assessed against the matters for consideration listed in Section 79C of the Environmental Planning and Assessment Act 1979 and is considered to be satisfactory. Overall, it is considered that the proposed development satisfactorily addresses its impacts and the proposal is in the public interest.
- The proposal is not inconsistent with the objectives of the Eurobodalla Local Environmental Plan 2012, the relevant sections of the Residential Zones DCP and Council's Parking & Access Code. It is considered satisfactory with regard to relevant matters such as built form, access, traffic impacts, stormwater drainage, and environmental issues.
- The application was publicly notified for a period of 14 days, and no submissions were received.

16 Conclusion

The proposal is permissible with consent pursuant to its urban zoning under the Infrastructure SEPP. There are no significant environmental impacts of the proposal and the proposal provides social, health and economic benefits for the area by the provision and extension of Moruya Hospital for sub-acute rehabilitation purposes.

No public submissions or objections were received to the proposal.

The development proposal is a Crown Development Application and pursuant to Section 89 of the EP&A Act, a Consent Authority cannot either, refuse the application except with the approval of the

Minister, or, impose a condition of consent except with the agreement of the Applicant or the Minister.

As the application is a Crown Development Application, the conditions of consent have also deleted reference to BCA Construction and Occupation Certificates. Any conditions normally required to be complied with prior to issue of a Construction Certificate will be required to be complied with prior to commencement of building works.

17 Recommendation

The subject Development Application for alterations and additions to Moruya Hospital at 2 River Street, Moruya (Lots 1 & 4, Section 7, DP 758710) be approved by the Southern Region Joint Regional Planning Panel subject to the conditions held at Attachment 1.

ATTACHMENT 1

Conditions of Development Consent No. 147/13

1. **Approved Plans**

This development must be carried out in accordance with the plans stamped and numbered 13/147 and supporting specifications and documentation as listed below, or as modified by these conditions or as noted in red by Council on the approved plans. All building work must be carried out in accordance with the requirements of the *Building Code of Australia*.

Drawing	Description	Sheets	Issue
SK1050	Demolition Site Plan	1	D
SK1051	Proposed Site Plan	1	F
SK1150	Site Analysis Plan	1	C
SK2250	Ground Floor Plan	1	C
SK2251	First Floor Plan	1	C
SK2252	Plant Room	1	C
SK2253	Roof Plan	1	C
SK3050	Elevations 01	1	D
SK3051	Elevations 02	1	D
SK3150	Sections 01	1	C
-	Landscape Plan	1	C

Note: Any alteration to the plans and/or documentation may require the lodgment of an application to modify the consent under s96 of the Environmental Planning and Assessment Act (EPA Act) 1979, or a fresh development application. Your Principal Certifying Authority should be consulted prior to any works contrary to this consent being carried out.

Where there is an inconsistency between the documents lodged with this application and the following conditions, the conditions shall prevail to the extent of that inconsistency. [2.05]

2. **Demolition**

- a) Building demolition works are to be carried out in accordance with AS 2601 (2001) – *The Demolition of Structures*.
- b) All demolition works must be carried out totally within the allotment boundaries and must not extend onto footpath area, public roadway or adjoining properties.
- c) Storage of materials is not permitted on the public footpath area or roadway unless an approved hoarding is provided.
- d) All damage arising from any part of the existing building being removed is to be made good and any necessary repairs and renovations are carried out within six (6) months. The existing site to be left in a clear, clean condition with all existing plumbing and drainage lines terminated to the satisfaction of Council's Plumbing and Drainage Inspector.

Note: Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.[21.01]

3. **Vehicle Direction**
All vehicles to enter and exit the development in a forward direction to avoid possible conflict with through traffic on River Street.^[14.25]
4. **Loading and Unloading**
All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the site at all times.

PRIOR TO COMMENCEMENT OF BUILDING WORKS

5. **External Cladding Colours and Materials**
Prior to commencement of building works details of the proposed external materials and finishes, including schedules and a sample board of materials and colours shall be submitted for approval by Council. The external roof cladding must have a solar absorbance rating of 0.421 or greater (e.g. Zinalume, Galvanised Iron, Colourbond Surfmist do not qualify).
6. **Relocate/Replace Sewer Main**
The proposed building addition is located such that it would be constructed over a Council sewer main. The following alternative works are required to ensure that the risk of sewer blockages beneath the proposed building is minimised or eliminated:
 - a. Replace the sewer within the footprint of the proposed building and at least 3m upstream and 3m downstream with a new 225mm diameter sewer. Construct sewer access chambers at the junction of the existing 150mm sewer and the new 225mm sewer at both junctions. Concrete encase the new 225mm diameter sewer in accordance with The Sewerage Code of Australia (Water Services Association of Australia) Drawing SEW-1205 Type 12 support; or
 - b. Relocate the sewer to be clear of the proposed building footprint.
7. **Relocation/ replacement of the sewer main.**
Plans are to be submitted to Council prepared by a suitably qualified engineer in accordance with Council's water and sewer design standards. The plans are to incorporate the proposed footing design, traversing the new and redundant mains, designed in accordance with "Building and Development Near Council's Sewer Mains" Policy. The location of the proposed and existing sewer main, and proposed building, are to be verified by a registered surveyor. All levels are to be shown in Australian Height Datum (AHD) and are to include the top of sewer main and bottom of footings along the alignment of the sewer mains. The assessment is subject to fees in accordance with Council's Fees and Charges Policy.
8. **Road Work Bond**
Prior to the commencement of building works, payment to Council of a bond of \$5000 for Council roads used for access. The bond shall be used by Council to repair any damage caused to Council roads by construction activities or shall be refunded upon completion of construction, subject to a satisfactory inspection by Council.
9. **External Lighting**
All external lighting shall be installed and operated in accordance with the Australian Standard AS1158.1 'Lighting for roads and public spaces' and AS4282:1997 'Control of the obtrusive effects of outdoor lighting'.

10. ***Vegetation and Habitat Management***

- a. All vegetation to be retained will need to be appropriately protected during the construction phase of the proposal.
- b. Plantings of Swamp Oak, Coastal Grey Box, Sweet Pittosporum, Kurrajong and other suitable trees and shrubs characteristic of the Lowland Grassy Woodland and Swamp Oak Floodplain Forest should be planted, where suitable, within the Vegetation Riparian Zone (VRZ). The plantings should be essentially ornamental in nature, however they will contribute to the integrity of the VRZ and the existing remnant riparian vegetation. It is not intended that the entire VRZ be planted, rather that some plantings are included for ecological and aesthetic reasons.
- c. Weed control activities shall be undertaken within the remnant riparian vegetation in the VRZ. Weed control should prioritise the shrub weeds Large Leaved Privet, African Boxthorn, Small Leaved Privet, New Zealand Laurel, Canary Island Date Palm, and Wild Tobacco Bush and in the groundcover Trad, Japanese Honeysuckle, Asparagus Fern, Mother-of-millions, Cape Daisy and Stonecrop. The other weeds are already too prolific to be manageable without a massive effort and are already widespread in adjoining lands. The objective of the weed control is to remove or control serious noxious and environmental weeds which are not yet prolific within the site and are manageable within the medium term.
- d. Known weed or invasive species shall not be planted for landscaping purposes.

11. ***Filling***

The fill used for the proposal should be clean fill consistent with relevant regulations so as to avoid any potentially adverse impacts on the environment and particularly on receiving waters.

12. ***Flood Emergency Plan During Construction***

A site-specific Flood Emergency Plan to be prepared and implemented as necessary prior to commencement of any works on the site.

13. ***Sediment Control***

Appropriate sediment and erosion control measures should be implemented prior to the commencement of construction work for the proposal and retained in place until exposed areas of soil are stabilised and/or revegetated.

14. ***Stormwater***

The stormwater management system for the proposal shall be designed and maintained so as to avoid any potentially adverse impacts on the environment and particularly on receiving waters.

15. ***Disabled access & facilities***

Access and facilities for people with disabilities must (as a minimum) be provided in accordance with the relevant provisions of Part D3 and F2 of the Building Code of Australia and AS1428.1 (Design for Access & Mobility) – General requirements), AS1428.4 (Tactile Indicators) and 2890.1 (Car Parking).

PRIOR TO COMMENCEMENT OF WORKS

16. *Erosion and Sedimentation Control*

Install such measures as are necessary to effectively control soil erosion on the site and prevent silt discharge into drainage systems and waterways in accordance with Council's Policy - Council's Soil and Water Management Code. These controls are to remain in place until the development is completed and/or disturbed areas are stabilised. In this regard, warning signs (minimum of two) to promote the awareness of the importance of the maintenance of sediment control techniques have been supplied with this consent. You are required to attach the signs to sedimentation fences with wire ties on the most prominent sediment fence or erosion control device, spaced every 20m, for the duration of the project.

Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.

17. *Site Waste Management*

A site rubbish enclosure must be provided prior to commencement of any work for the period of the proposed work and remain in place for the duration of all works. All waste materials from the site must be disposed of at an authorised waste facility.

DURING CONSTRUCTION

18. *Loading and Unloading of Construction Vehicles*

All loading and unloading associated with construction must be accommodated on-site. If this is not feasible, an application may be made for the provision of a construction zone, during the specified hours of work.

19. *Excess Fill*

Any excess clean fill removed from the site is to be taken to either:

- (a) a public waste disposal facility;
- (b) a site approved by Council.

If option (b) is to be used the persons enacting this consent are to advise Council, in writing, of the chosen site and are not to commence any dumping until written approval is granted.

Note: Council may carry out random inspections and take photographic records to ensure the integrity of the fill. [11.14]

20. *Approved Plans to be On-Site*

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of Council or the Principal Certifying Authority. [2.22]

21. *Hours of Operation – NOISE*

Construction and demolition work on the site shall only be carried out between the hours of 7.00am and 6.00pm on Monday to Friday inclusive, and 8.00am to 5.00pm on Saturdays. No construction or demolition activity on Sundays and Public Holidays if audible at any residential premise or other sensitive noise receptor. [20.01]

22. *Setting Out of Structures*

The buildings shall be set out by a registered surveyor to verify the correct position of each structure in relation to property boundaries and the approved alignment levels. The registered surveyor shall submit a plan to Council certifying that the works have been carried

out in accordance with the approved development application prior to proceeding past the relevant stage of construction.[23.05]

23. **Water Quality**

During the construction phase any groundwater or stormwater leaving the site and entering the receiving waters of the Moruya River shall comply with the water quality benchmarks for estuaries of the catchments within the Batemans Marine Park (Moruya River catchment) as expressed in the NSW Water Quality Objectives (WQOs) developed in accordance with the ANZECC 2000 Guidelines on Water Quality. (Further info is available on the OEH website at <http://www.environment.nsw.gov.au/ieo/>).

Any water discharged from the proposed development and delivered to the Moruya River should meet these water quality requirements as required under the Protection of the Environment and Operations (POEO) Act.

24. **Acid Sulphate Soil**

In the event that acid sulphate materials are identified during the course of excavation measures must be taken to ensure that the soils is treated in accordance with ASSMAC 1998 Guidelines and disposed of at an appropriate waste facility.

PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

25. The development shall not be used or occupied until all requirements of this consent have been satisfied.

26. **Water/Sewer Developer Contributions**

Prior to the issue of a Subdivision/Occupation Certificate the developer/consent holder will have to be eligible to obtain a Section 307 Certificate of Compliance under the Water Management Act 2000. To be eligible, the developer/consent holder will have to contribute:

- a) \$88 120 for the augmentation of water supply mains and storage within Eurobodalla Shire; and
- b) \$95 850 for the augmentation of sewerage works within Eurobodalla Shire

The above contribution rates are applicable for a period of three (3) months from the date of this notice. These rates are reviewed periodically, if not paid within the three (3) month time frame contributions are to be paid at the rate applicable at the time of payment. [3.11]

27. **Water Supply – Backflow Prevention**

Prior to connecting to Council's reticulated potable water supply, a Backflow Protection and Cross Connection Survey is to be conducted in accordance with Council's Backflow Prevention Policy, AS 3500.1 and NSW Code of Practice Plumbing and Drainage. A copy of the Plumbing Survey is to be submitted to Council prior to occupation.

A backflow prevention device suitable to the degree of hazard is to be installed in accordance with the before mentioned Policy and Codes.

If a testable backflow prevention device is installed then a Backflow Prevention Device Inspection and Maintenance Report Initial Test Certificate is to be lodged with Council within two (2) days of installation.

The standard meter connection fee nominated in Council's fees and charges includes connection of the water meter only. [5.12]

28. **Water & Sewer Inspections**

All plumbing and drainage works (water supply, sanitary plumbing and drainage, stormwater drainage and hot water) are to comply with Plumbing and Drainage Act 2011 and the Plumbing Code of Australia. Works must only be installed by a licensed person and must be inspected and given final clearance from Council prior to occupation.

The following inspections are required to be carried out by Council in regard to the installation of plumbing and drainage works. Inspections may be arranged by contacting Council's Compliance Unit:

- (a) Sanitary drainage under hydrostatic test and prior to backfilling trenches or covering;
- (b) Hot and cold water plumbing under pressure test prior to covering;
- (c) Internal stackwork under hydrostatic test prior to covering; and
- (d) The installation of the septic tank and any sullage trenches prior to backfilling or covering.
- (e) Issue of final satisfactory inspection.

29. **Stormwater**

Prior to the commencement of use of the development, stormwater construction is to conform to the approved plans. A Works as Executed plan of the plumbing and drainage work is to be provided to and approved by Council at the completion of the work.[6.06]

30. **Flood Action Plan**

Council has adopted a Policy to restrict the development of the land by reason of the likelihood of flooding. Prior to occupation or commencement of use of the development, a Flood Action Plan, including details of evacuation procedures, is to be submitted to and approved by Council. Evidence of implementation of the Flood Action Plan will also be necessary prior to occupation or commencement of use of the development.

As the ground floor level is below the Probable Maximum Flood (PMF), the proposal will need to be assessed by the applicant/consent holder having regard to the objectives of the Moruya Floodplain Code. The applicant/ consent holder should include information that demonstrates that these facilities and the infrastructure can fulfill their emergency response and recovery functions or demonstrate that the facilities below the PMF are not applicable to these functions. The applicant should refer to the risk management framework in accordance with the NSW Flood Development Manual 2005, including an emergency management plan for the evacuation of the ground floor (people and property) in the event of a major flood. To ensure the emergency management operations of the first floor are maintained during the PMF, the applicant/ consent holder must also consider the structural design of the building is compliant with the PMF event. [7.03]

ADVISORY NOTES

i. **Sea Level Rise Liability**

This land may be subject to sea level rise and this development has been assessed using the best available information regarding the likelihood of inundation and/or coastal erosion at the date of determination. The infrastructure in this locality (such as sewer, water, stormwater and roads) may also be subject to sea level rise. At the granting of consent there is no commitment or intention by Council to improve or maintain infrastructure should this be impacted by sea level rise in the future.

If the land is impacted by sea level rise in the future, Council will not, pursuant to Section 733 of the Local Government Act 1993, incur any liability in respect of the granting of this consent.[7.13]

ii. ***Underground Utility Services Check***

The applicant shall contact the "Dial Before You Dig" service on telephone (02) 1100, fax number 1300-652-077 or email mocsinfo@mocs.com.au, prior to the commencement of excavation, to ascertain the presence and type of underground utility services in the vicinity of the development.

iii. ***WorkCover Requirements***

The applicant may contact the WorkCover Authority of NSW, 6/248 Carp St, Bega Telephone No: (02) 6491-6600 for further information on safe construction methods or visit its website www.workcover.nsw.gov.au.

iv. ***Discovery of a Relic***

If Aboriginal relics or objects are uncovered during work, excavation or disturbance of the area, any such activity must stop immediately. The Environmental Protections and Regulation Group of the Office of Environment and Heritage is to be immediately contacted. Depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the NSW Heritage Act 1977 may be required before further works can continue in that area.[13.07]

v. ***BCA Compliance***

This Development Application has been subject to a merit based assessment. The plans lodged and approved have not been assessed against the provisions of the Building Code of Australia (BCA).

vi. ***Water & Sewer Supply Payment***

You should contact Council prior to payment to determine the rate of contribution as such rates are revised at least annually. Staging of payments is permitted if staging of development is approved by the terms of this consent.

vii. ***Disability Discrimination Act 1992***

This application has been assessed in accordance with the Environmental Planning and Assessment Act, 1979. It does not imply that the proposal complies with the Disability Discrimination Act 1992.