COUNCIL ASSESSMENT REPORT

Panel Reference	PPS - 2018CCI034
DA Number	902/2019/JP
LGA	The Hills Shire Council
Proposed Development	Construction of a Three Storey Health Services Facility (Medical Centre) with Basement Parking
Street Address	121-123 Wrights Road, Castle Hill, Lots 102 and 102, DP 1042656
Applicant/Owner	Group His Pty Ltd Australia's Sun International (Sydney) Pty Ltd
Consultant/s Town Planner: Architect: Landscaping: Engineers: Acoustic: Traffic: Geotechnical: Quantity Surveyor:	 PCN Urban (Phillip C. North) Group HIS Ltd Site Design and Studios Greenview Consulting Day Design Pty Ltd Andrew Wiersma AssetGeo James W Ford QS
Date of DA lodgement	30 November 2018
Number of Submissions	One
Recommendation	Approval subject to conditions
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011	Development with a CIV over $5 million which is a private infrastructure or a community facility (health services facility) - $7,512,249.00
List of all relevant s4.15(1)(a) matters	• State Environmental Planning Policy (State and Regional Development 2011) • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No. 55 – Remediation of Land • The Hills Local Environmental Plan 2012 (2019) • Draft LEP 2020 • The Hills DCP 2012: o Part B Section 2 – Residential o Part D Section 5 – Kellyville Rouse Hill Release Area o Part C Section 1 – Parking o Part C Section 3 – Landscaping
List all documents submitted with this report for the Panel's consideration	• Copy of Submission
Report prepared by	Eamon Murphy Senior Town Planner
Report date	19 November 2020

Summary of s4.15 matters Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?	**Yes**
Legislative clauses requiring consent authority satisfaction Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? *e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP*	**Yes**
Clause 4.6 Exceptions to development standards If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	**NA**
Special Infrastructure Contributions Does the DA require Special Infrastructure Contributions conditions (S94EF)? *Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions*	**NA**
Conditions Have draft conditions been provided to the applicant for comment?	**Yes**

EXECUTIVE SUMMARY

The key issues that need to be considered by the Panel in respect of this application are:

- The panel was briefed on 19 September 2019. The main issue discussed was that the design was not consistent with the prevailing built form of neighbouring and nearby buildings. The Panel advised that it required a design that better reflects the area's built form and responds sympathetically to the prominent corner location.
- The proposal was subsequently redesigned with an improved architectural outcome provided.
- Assessment of the application against the relevant planning framework and consideration by technical staff (waste, engineering, health, developer contributions, landscaping, fire safety and traffic) has not identified any issues of concern that cannot be dealt with by conditions of consent.
- The application was notified on two occasions both for a period of 14 days. One submission was received during the first notification period. The issues raised are addressed in the report and do not warrant refusal of the application.
- This report recommends that the Panel approve the application subject to the recommended conditions.

BACKGROUND

The subject site is comprised of two vacant allotments located on the corner of Wrights Road (to the north) and Green Road (to the west). The site has a primary frontage on Wrights Road of 33.73m, with a depth ranging from 32.72m to 35.29m, with a total area of 1,350m^2. The site gently slopes from the rear south eastern corner to the front corner at the intersection of Wrights Road and Green Road, with a total cross fall of approx. 1.5m.over approx. 47.5m. The proposal includes the consolidation of both lots, No. 121 and No. 123 Wrights Road, Lots 101 and 102, into one development lot. The immediate locality comprises a mixture of residential, community service and commercial facilities. Some of those services include a dental surgery, children's doctor surgery, medical centre, a child care centre, supermarkets, shopping centre, community centre and a school (see figure 1).

Figure 1: Locality

The site is zoned R3 Medium Density Residential under The Hills Local Environmental Plan 2019.

The proposed development was lodged on 30 November 2018. In December 2018 the applicant was requested to submit additional information with respect to waste and environmental health matters.

In April 2019 a further letter was sent to the applicant requesting additional information with respect to landscaping, engineering and planning matters.

The original proposal was briefed to the Panel on 19 September 2019. The panel advised the applicant that the design was not consistent with the prevailing built form of neighbouring and nearby buildings (see figure 2.).

The Panel advised that it required a design that better reflects the area's built form and responds sympathetically to the prominent corner location. The applicant was advised to redesign the proposal.

Figure No. 2: Original Design

On 18 November 2019, the applicant submitted draft amended architectural plans for review.

A further letter was sent to the applicant with feedback on the amended design, particularly on the bulk and scale of the proposal, on 9 December 2019.

On 13 February 2020 a meeting was held with Council staff and the applicant to discuss design issues.

The proposal was subsequently significantly amended and additional information and amended architectural and engineering plans were submitted on 20 April 2020 (see figure 3). The Development Application was subsequently renotified.

Figure No. 3: Amended Design

On 1 May 2020, a letter was sent to the applicant clarifying outstanding engineering matters.

Amended architectural and engineering plans were submitted by the applicant on 28 July 2020.

On 31 August 2020 a letter was sent to the applicant with respect to outstanding engineering and landscaping matters. A further meeting was requested with the applicant to discuss outstanding matters.

A meeting was held with Council staff and the applicant to discuss remaining engineering and landscaping matters on 7 September 2020.

On 22 October 2020 amended plans were submitted by the applicant. The plans now demonstrate a satisfactory built form outcome and all other outstanding matters have been satisfied.

DETAILS AND SUBMISSIONS

Owner:	Australia's Sun International (Sydney) Pty Ltd
Zoning:	R3 Medium Density Residential
Area:	1,350m^2
Existing Development:	Vacant lots
Section 7.12 Contribution	$68,293.17
Exhibition:	Not required
Notice Adjoining Owners:	Yes, 14 days on two occasions.
Number Advised:	13
Submissions Received:	One

PROPOSAL

The proposed Development Application is for the construction of a three storey health services facility (medical centre), and basement parking.

The proposed medical centre is permitted with consent in the R3 Medium Density Residential zone under The Hills LEP 2019 and SEPP (Infrastructure) 2007.

The site will be accessed from Wrights Road. A right turn entry off Wrights Road into the proposed development will be prohibited. Vehicles will instead be required to perform a U-turn manoeuvre at the Wrights Road/Morris Grove roundabout in order to enter the site's driveway. A No Right Turn sign will be required.

The proposal includes the following:

- Ground floor: Area to accommodate up to four (4) consulting rooms and an ancillary pharmacy, a reception and waiting area, an administration area, ancillary coffee bar, toilets, fire stairs and elevator. The medical centre is also proposed to have pedestrian access through the ground floor via both Wrights Road and Green Road.
- First floor: Area to accommodate up to four (4) consulting rooms, toilets, kitchenette, fire stairs and elevator.
- Second floor: General area for administration, storage, meeting rooms, kitchenette, toilets and staff areas.
- Basement level (accessed via Wrights Road) includes parking for twenty seven (27) car spaces, including visitor, disabled and staff parking. Also includes delivery bay, bin storage area, storage room, plant room, fire stairs and elevator.
- Associated site landscaping works.
- Consolidation of Lots 101 & 102, DP 1042656, Wrights Road, Castle Hill.
- The proposed hours of operation of the medical centre are as follows:
  Monday – Friday:
  9am – 5:30pm
  Saturday:
  9am- 12pm
  Sunday: Closed all day
- The proposal does not include any signage and the signage shown on the building perspective is indicative only (see figure 3.). Any future signage would be subject to a separate approval.
- It is also noted that the proposed future consulting rooms and pharmacy will also be subject to separate approvals.

ISSUES FOR CONSIDERATION

1. State Environmental Planning Policy (State and Regional Development) 2011

Schedule 7 of SEPP (State and Regional Development) 2011 specifies the referral requirements to a Planning Panel:

Private infrastructure and community facilities over $5 million
Development that has a capital investment value of more than $5 million for any of the following purposes—

(a) air transport facilities, electricity generating works, port facilities, rail infrastructure facilities, road infrastructure facilities, sewerage systems, telecommunications facilities, waste or resource management facilities, water supply systems, or wharf or boating facilities,

(b) affordable housing, child care centres, community facilities, correctional centres, educational establishments, group homes, ***health services facilities*** *or places of public worship.*

The proposed development is defined as a health services facility and has a Capital Investment Value of $7,512,249.00 and therefore requires referral to, and determination by, the Sydney Central City Planning Panel.

2. State Environmental Planning Policy (Infrastructure) 2007 (Permissibility)

Division 10 of SEPP (Infrastructure) 2007 stipulates that "health services facilities" are permissible in prescribed zones. The relevant provisions are outlined as follows:

health services facility *has the same meaning as in the Standard Instrument.*

prescribed zone *means any of the following land use zones or a land use zone that is equivalent to any of those zones:*

(a) RU4 Primary Production Small Lots,
(b) RU5 Village,
(c) RU6 Transition,
(d) R1 General Residential,
(d1) R2 Low Density Residential,
(e) R3 Medium Density Residential,
(f) R4 High Density Residential,
(g) R5 Large Lot Residential,
(g1) B1 Neighbourhood Centre,
(h) B2 Local Centre,
(i) B3 Commercial Core,
(j) B4 Mixed Use,
(k) B5 Business Development,
(l) B6 Enterprise Corridor,
(m) B7 Business Park,
(m1) B8 Metropolitan Centre,
(n) SP1 Special Activities,
(o) SP2 Infrastructure.

Clause 57 (1) states:

> *(1) Development for the purpose of health services facilities may be carried out by any person with consent on land in a prescribed zone.*

The proposed medical centre falls into the group term of health services facility. The land is zoned R3 Medium Density Residential which is a prescribed zone under SEPP (Infrastructure) 2007. Accordingly, the proposal is considered permissible with regard to SEPP (Infrastructure) 2007.

3. State Environmental Planning Policy No. 55 – Remediation of Land

This Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspects of the environment.

Clause 7 of the SEPP states:

1) A consent authority must not consent to the carrying out of any development on land unless:

> *it has considered whether the land is contaminated, and*
>
> *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
>
> *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Council's Environmental Health Officer has reviewed the site investigation prepared by Asset Asset Geotechnical Pty Ltd, report number 5166-R1, dated 26 September 2018.

The review concludes that, given that the site is vacant, the site is considered low risk of contamination present on site and the site is suitable for the proposed development. It is recommended that a condition that requires, should information come to light during construction works which has the potential to alter the above conclusion about site contamination, that Council's Environment and Health section should be immediately notified. (refer condition No.13)

Subject to the condition recommended by Council's Environmental Health section above, the site is suitable for its intended use.

4. Compliance with Local Environmental Plan 2019

The applicant seeks consent for the medical centre under SEPP (Infrastructure) 2007 however it is noted that a health services facility is permissible with consent in R3 Medium Density Residential zone under LEP 2019.

a. Zone Objectives

The objectives of the R3 Medium Density Residential zone are as follows:

- *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 medium density residential development in locations that are close to population centres and public transport routes.*

It is considered that the proposed development is consistent with the stated zone objectives. The proposal will provide a land use that provides facilities and services to meet the day to day needs of residents.

The development has been redesigned to provide a built form outcome that better responds to the prevailing streetscape character. The proposed medical centre will present an appropriate bulk and scale on the corner site that respond to the site's opportunities and constraints. The site also provides adequate landscaping across the site.

The proposal ensures that the area is provided with services to support the growth of the locality and to align with the principles of urban consolidation that seek to ensure the efficient use and provision of community infrastructure development at strategic locations. The proposal does not result in any discernible amenity impact to adjoining properties.

The subject lot is within close proximity to a B2 Local Zone and the immediate locality comprises a mixture of residential, community service and commercial facilities. Some of those services include a dental surgery, a children's doctor surgery, a child care centre, supermarkets, shopping centre, community centre and a school. The proposal is generally consistent and compatible with these sites and the wider area.

b. LEP 2012 – Development Standards

The following addresses the relevant principal development standards of the LEP:

CLAUSE	REQUIRED	PROVIDED	COMPLIES
Building Height	10 metres	9.52m	Yes
Minimum Lot Size	$450m^2$	$1,350m^2$	Yes

c. Miscellaneous Provisions

Clause 6.3 Public utility infrastructure

Clause 6.3 of LEP 2019 relates to the provision of infrastructure and states that:

development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.

While the site is vacant, both lots were approved as part of subdivision approval (2302/2001/ZA) in which sewer and drainage infrastructure was provided as part of the required works. The site also has access to other utility services such as gas, electricity and reticulated water supply.

5. Compliance with Development Control Plan 2012

The proposed development has been assessed against the relevant development controls under Part B Section 2 – Residential, Part D Section 5 – Kellyville Rouse Hill Release Area, Part C Section 1 – Parking and Part C Section 3 – Landscaping.

The subject lot is subject to the provisions of Part D Section 5 Kellyville/Rouse Hill Release Area. Clause 3.3 (setbacks) of Part D Section 5 Kellyville/Rouse Hill Release Area states that for corner lots the primary frontage should provide a setback of 4.5m and the secondary frontage a setback of 2m. The proposed setbacks are approximately 5.2m to the primary frontage (Wrights Road) and 4.49m to the secondary frontage (Green Road). The setbacks are generally consistent with the setbacks of residential buildings on Wrights Road.

The proposed development achieves compliance with the relevant requirements of the development controls with the exception of the following:

DEVELOPMENT STANDARD	DCP REQUIREMENTS	PROPOSED DEVELOPMENT	COMPLIANCE
Part C Section 1 – Parking Clause 2.1 General Parking Requirements	Medical Centres, Health Consulting Rooms: 3 spaces per consulting room plus 1 space per support employee *Retail (pharmacy): 1 space per 18.5m^2 GLFA	Proposed medical centre will comprise of the following: 8 x consulting rooms (24 spaces) 3 x support staff (3 spaces) Total required = 27 spaces Total required if ancillary pharmacy included: 29 spaces *1 x future pharmacy (2 x spaces) Total provided: 27 spaces	No, refer to discussion below.

a) Part C Section 1 – Parking

Clause 2.1 General Parking Requirements

It is noted that the parking is fully compliant for the medical centre component (27 car spaces), which is being proposed with this Development Application, and that the shortfall only occurs as a result of the pharmacy parking requirements being taken into account (which would then require 29 car spaces). However the use of the area notated as a pharmacy is not being proposed or approved as part of this Development Application and is only a potential future use. Any future proposal for a pharmacy, or any other ancillary use, would still require a separate approval where the parking needs would also be assessed against the parking controls. Notwithstanding this, the future pharmacy use has still been considered as part of this proposal with respect to required parking.

The DCP requires 3 spaces per consulting room plus 1 space per support employee for medical centres and 1 space per 18.5m^2 GLFA for any ancillary retail (pharmacy).

The proposal requires 29 car spaces however provides 27 car spaces which is a variation to the required DCP car spaces and a shortfall of 2 spaces.

The applicant has provided the following justification for the variation:

The variation/ perceived shortfall equates to the pharmacy area only. The use of the indicated area as a pharmacy is not being approved as part of this DA and any future proposal for a pharmacy would require a separate approval where the parking needs would be assessed. With that in mind its worth considering the following in relation to the parking impact of a future pharmacy on the development –

- *The area allocated for the pharmacy is very small; any pharmacy built there will be truly ancillary and will derive all of its business from medical hub patients only and therefore not represent increase visitor patient demand on the site.*
- *The business model of such a small pharmacy necessitates it will likely be run by only 1 staff person, and will be run inside of Medical Centre hours (not general retail pharmacy hours).*
- *For the reasons stated above, the allocation of 1 space per 18.5m^2 GLFA probably presents an oversupply for this particular Pharmacy. A figure of one (1) car space may be more accurate under a merit assessment.*
- *Whilst not needing to prove satisfaction of parking demands for the pharmacy in this application, if the figure of one (1) car space as stated above was accepted as a satisfactory demand (at least theoretically), then the pharmacy can be shown to already (or at least somewhat already) be served by the current DA parking provision as 1 of the 3 staff support spaces currently allocated to the Medical Hub was already intended for the pharmacist (such is the nature of the integrated 'Hub Healthcare 'Model').*

Comment:

The relevant objectives of this clause of the DCP are:

(i) To provide sufficient parking that is convenient for the use of residents, employees and visitors of the development.

While the application theoretically complies with the DCP parking requirements for medical centres, if the potential future pharmacy is considered, the application would not comply, with a minor shortfall of two car spaces. The applicant has indicated that it could be operated by one of the support staff already included in the medical centre parking requirements. In addition, it is also possible that the use of that space may not be utilised as a pharmacy. Given the nature of the use, with appointments being generally required for patients, the number of spaces would be more than adequate for the proposed use. The minor variation will not result in any adverse impacts on the surrounding area, create congestion or inconvenience local residents. The parking arrangements provide sufficient and convenient parking for the medical centre's patients as per the objectives.

The variation is considered minor and satisfactory in this instance.

6. Issues Raised in Submissions

The proposal was notified, on two occasions, for 14 days. One submission was received during the first notification period. The issues raised in the submissions are summarised below.

ISSUE/OBJECTION	COMMENT	OUTCOME
Concerns over potential overlooking from the medical centre to property to the south. Obscured glazing should be used	The placement of windows on the southern elevation has been minimised. The three (3) windows on the southern elevation are high-sill style with a sill height of 1.8m from the FFL. All three windows will also have obscured glazing. There is also significant landscaping screening proposed along the southern boundary which will also assist with maintaining privacy. There is not expected to be any privacy impacts from the proposed developments and it is considered that the privacy and amenity of adjoining residents will be maintained.	A condition is recommended with respect to the obscured glazing. (Refer Condition No. 1)
Concerns raised over patients parking in Saintly Court cul de sac. There is already an issue with people parking from William Clark school, the children's doctor and people who catch the bus. often our family and friends who visit have to park some distance away. Where will staff park?	The proposal provides a basement carpark for use by both staff and patients. The medical centre on its own requires 27 car spaces and provides 27 spaces. If the future pharmacy is considered then a shortfall of two spaces would occur however it is considered that the number of spaces would be satisfactory as, given the nature of the use, and with appointments being generally required for patients, that the number of spaces would be more than adequate for the proposed use. It would not be expected that patients or staff would need to park on adjoining streets. It is therefore considered that the proposed basement carpark provides adequate parking for patients and staff.	The issue does not warrant refusal or amendment to the proposal.
What will be the hours of operation? Concerns raised over operating times prior to 7am and beyond 10pm .	The proposed hours are as follows: Monday – Friday: 8am – 6pm for Staff	The issue does not warrant refusal or amendment to the proposal. The above hours of

ISSUE/OBJECTION	COMMENT	OUTCOME
	9am – 5:30pm for Patients Saturday: 8:30am- 12pm for Staff 9am- 12pm for Patients Sunday: Closed all day These hours are considered acceptable given the residential nature of the surrounding area.	operation will be conditioned. (Refer Condition No.56)
Concerns raised whether any drug rehabilitation services will be provided close to residential properties.	The proposed facility is most likely to house a combination of Primary Care (General Practitioner), Allied and Specialist Health care (Chiropractor, Physiotherapist, Audiology, Speech Pathology etc.) across the two patient floors *(Level 3 is admin only). The facility is not designed or intended for drug rehabilitation services (either as inpatient, day patient or outpatient). The applicant has indicated that they are happy to have a condition imposed prohibiting this particular service if the panel deems it necessary.	The issue does not warrant refusal or amendment to the proposal.
Will there be any radiation or X-ray services, if so, what is the safety measures being taken.	While medical imaging services are not proposed with this application, they could theoretically be one of the future tenants, although the applicant has indicated that this is an unlikely outcome. However if it were to be proposed it would require a separate approval and any medical Imaging fitout would be subject to stringent guidelines and standards (including for radiation shielding).	The issue does not warrant refusal or amendment to the proposal.

ISSUE/OBJECTION	COMMENT	OUTCOME
Will noisy garbage bin removals operate early or late? Will there be alarms, beepers in roller doors in operation, if so, what time. I object to late and early roller doors beeping and who will deactivate the alarm. Every week the community centre alarm goes off and no one turns it off, what security is planned? I object to any additional noise as a result of alarms and door buzzers.	The waste collection will occur in the designated area within the basement thus mitigating any potential noise impacts to adjoining residences. The waste collection, and deliveries, will also be restricted to the following times: Monday to Friday – 8.00am to 6.00pm; and Saturdays – 9.00am – 12.00pm A comprehensive Environmental Noise Assessment (Acoustic) Report and a Construction Noise and Vibration Management Plan has been submitted by the applicant and reviewed by Council's Environmental Health section. Conditions have been recommended requiring compliance with the noise suppressant components as outlined in the acoustic report.	The issue does not warrant refusal or amendment to the proposal. (Refer Conditions Nos. 58, 59, 61, 63 and 66).

BUILDING COMMENTS

No objection is raised to the proposal subject to conditions.

SUBDIVISION ENGINEERING COMMENTS

No objection is raised to the proposal subject to conditions.

TRAFFIC MANAGEMENT COMMENTS

No objection is raised to the proposal subject to conditions.

TREE MANAGEMENT COMMENTS

No objection is raised to the proposal subject to conditions.

ENVIRONMENTAL HEALTH COMMENTS

No objection is raised to the proposal subject to conditions.

WASTE MANAGEMENT COMMENTS

No objection is raised to the proposal subject to conditions.

FORWARD PLANNING COMMENTS

No objection is raised to the proposal subject to conditions.

CONCLUSION

The proposal has been assessed having regard to the provisions of Section 4.15 of the Environmental Planning and Assessment Act, 1979, State Environmental Planning Policy (Infrastructure) 2007, State Environmental Planning Policy No. 55 – Remediation of Land, Local Environmental Plan 2012 and The Hills Development Control Plan and is considered satisfactory.

The proposed development responds and contributes to the context of the built environment surrounding it. The proposal will be in context with the surrounding developments and consistent with the zoning based on future desired outcomes for this region. The bulk, scale and height of the proposed development has been modelled to ensure compatibility with other existing and proposed buildings in the immediate and surrounding locality. The proposed building is in keeping with the bulk and scale of the precinct whilst taking into consideration the current existing form of various neighbouring properties.

The issues raised in the submissions are addressed in the report and do not warrant refusal of the application. Relevant conditions are recommended to address concerns where necessary

Accordingly approval subject to conditions is recommended.

IMPACTS:

Financial

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

The Hills Future - Community Strategic Plan

The proposed development is consistent with the planning principles, vision and objectives outlined within “Hills 2026 – Looking Towards the Future” as the proposed development provides for satisfactory urban growth without adverse environmental or social amenity impacts and ensures a consistent built form is provided with respect to the streetscape and general locality.

RECOMMENDATION

The Development Application be approved subject to the following conditions.

GENERAL MATTERS

1. Development in Accordance with Submitted Plans (as Amended)

The development being carried out in accordance with the following approved plans and details, as amended in red, stamped and returned with this consent except where amended by other conditions of consent.

Amendments in red:

- The windows on the southern elevation are to have obscured glazing.
- Tree size 45L to 75L
- Raised Masonry Planter Box – See Condition No. 2
- Raised garden bed to the southern setback is to be narrowed to be constructed outside of the stormwater swale - See Condition No. 2

REFERENCED PLANS AND DOCUMENTS

DRAWING NO.	DESCRIPTION	REVISION	DATE
200	Site Roof Plan	17	21/10/2020
200.1	Landscape Area Plan	10	21/10/2020
202	Basement Level	19	29/10/2020
203	Ground Floor Plan	18	21/10/2020
204	Level 1 Floor Plan	17	21/10/2020
205	Level 2 Floor Plan	18	21/10/2020
300	North & South Elevation	17	21/10/2020
301	East & West Elevation	17	21/10/2020
400	Sections 1 & 2	15	21/10/2020
401	Sections 3 & 4	15	21/10/2020
402	Sections 5 & 6	15	21/10/2020
1176	Landscape Plan (L-01-03)	C	21/10/2020

No work (including excavation, land fill or earth reshaping) shall be undertaken prior to the issue of the Construction Certificate, where a Construction Certificate is required.

2. Planting Requirements and Soil Depths

All trees planted as part of the approved landscape plan are to be minimum 75 litre pot size. All shrubs planted as part of the approved landscape plan are to be minimum 200mm pot size. Groundcovers are to be planted at 5/m^2.

Additional Planting Requirements:

- If the approved three (3) *Banksia integrifolia* to the Green Road and Wright's Road corner are likely to interfere with views of signage, they are to be relocated elsewhere within the Green Road and Wrights Road boundary setbacks.
- Raised garden bed to the Southern setback with TOW of 90.17 is to be narrowed to be constructed outside of the stormwater swale. The swale is to be implemented between it and the mulched path as located on Ground Floor Drainage Plan prepared by Greenview Consulting Revision 4 dated 21/10/20. Swale is to be planted with *Juncus usitatus* to match the swales either side of the approved driveway.
- A masonry raised planted box is to be constructed in the area as marked up in red on Ground Landscape Plan prepared by Site Design Studios Revision C dated 21/10/20 to provide an additional 200mm to ensure a minimum of 500mm of soil depth over the basement slab for the proposed shrub planting. For all planting on slab and planter boxes for the development, the following minimum soil depths are to be provided:
    - 1.2m for large trees or 800mm for small trees;
    - 650mm for shrubs;
    - 300-450mm for groundcover; and
    - 200mm for turf.
    - *Note: this is the soil depth alone and not the overall depth of the planter.*

- *Photinia* 'Red Robin' hedge planting is to be continued along the extent of Wrights Road where the approved plans indicate a gap in the hedge near the Green Road and Wrights road corner.
- A minimum of three (3) *Banksia integrifolia* proposed to the Southern Boundary are to be substituted for one of the following shade tolerant species and be provided in minimum 75 litre pot size:
    - *Elaeocarpus eumundi* – Eumundi Quandong
    - *Elaeocarpus reticulatus* – Blueberry Ash
    - *Waterhousea floribunda* – Weeping Lilly Pilly

3. Separate Development Application for Occupations

A separate Development Application is required for the occupation and fit out of the future pharmacy.

The application is required to provide assessment against:

- Local Environmental Plan 2019; and
- The Hills Development Control Plan 2012

The above assessments should specifically address the following:

- Proposed use and its Permissibility
- Hours of Operation
- Delivery Details
- Staff Numbers
- Signage, and
- Parking Provision

Where allowed, any fit out works required for the approved individual medical consultancy rooms shall be carried out subject to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 requirements.

4. Separate application for signs

A separate application is to be submitted to, and approved by, Council prior to the erection of any signage or signage structures.

5. Protection of Public Infrastructure

Adequate protection must be provided prior to work commencing and maintained during building operations so that no damage is caused to public infrastructure as a result of the works. Public infrastructure includes the road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the site. The certifier is responsible for inspecting the public infrastructure for compliance with this condition before an Occupation Certificate or Subdivision Certificate is issued. Any damage must be made good in accordance with the requirements of Council and to the satisfaction of Council.

6. Vehicular Access and Parking

The formation, surfacing and drainage of all driveways, parking modules, circulation roadways and ramps are required, with their design and construction complying with:

- AS/ NZS 2890.1
- AS/ NZS 2890.6
- AS 2890.2
- DCP Part C Section 1 – Parking

- Council's Driveway Specifications

Where conflict exists the Australian Standard must be used.

The following must be provided:

- All driveways and car parking areas must be prominently and permanently line marked, signposted and maintained to ensure entry and exit is in a forward direction at all times and that parking and traffic circulation is appropriately controlled.
- All driveways and car parking areas must be separated from landscaped areas by a low level concrete kerb or wall.
- All driveways and car parking areas must be concrete or bitumen. The design must consider the largest design service vehicle expected to enter the site. In rural areas, all driveways and car parking areas must provide for a formed all weather finish.
- All driveways and car parking areas must be graded, collected and drained by pits and pipes to a suitable point of legal discharge.

7. Minor Engineering Works

The design and construction of the engineering works listed below must be provided for in accordance with Council's Design Guidelines Subdivisions/ Developments and Works Specifications Subdivisions/ Developments.

Works within an existing or proposed public road, or works within an existing or proposed public reserve can only be approved, inspected and certified by Council. The application form for a minor engineering works approval is available on Council's website and the application and inspection fees payable are included in Council's Schedule of Fees and Charges.

a. Driveway Requirements

The design, finish, gradient and location of all driveway crossings must comply with the above documents and Council's Driveway Specifications.

The proposed driveway/s must be built to Council's heavy duty standard.

The driveway must be 6m wide at the boundary splayed to 8m wide at the kerb.

The driveway must be a minimum of 6m wide for the first 6m into the site, measured from the boundary.

Specifically, unless additional driveway crossings are clearly shown on the approved plans, only one driveway crossing is approved/ permitted.

A separate vehicular crossing request fee is payable as per Council's Schedule of Fees and Charges.

b. Disused Layback/ Driveway Removal

All disused laybacks and driveways must be removed and replaced with kerb and gutter together with the restoration and turfing of the adjoining footpath verge area. Specifically, this includes the removal of any existing laybacks, regardless of whether they were in use beforehand or not.

c. Footpath Verge Formation

The grading, trimming, topsoiling and turfing of the footpath verge fronting the development site is required to ensure a gradient between 2% and 4% falling from the boundary to the top of kerb is provided. This work must include the construction of any retaining walls necessary to ensure complying grades within the footpath verge area. All retaining walls and associated footings must be contained wholly within the subject site. Any necessary adjustment or

relocation of services is also required, to the requirements of the relevant service authority. All service pits and lids must match the finished surface level.

d. Service Conduits

Service conduits to each of the proposed new lots, laid in strict accordance with the relevant service authority's requirements, are required. Services must be shown on the engineering drawings.

8. Recycled Water – Rouse Hill/ Sydney Water

The subject site must be connected to Sydney Water's Rouse Hill Recycled Water Scheme, unless written evidence from Sydney Water is submitted advising that this service is not available.

9. Process for Council Endorsement of Legal Documentation

Where an encumbrance on the title of the property is required to be released or amended and Council is listed as the benefiting authority, the relevant release or amendment documentation must be submitted along with payment of the applicable fee as per Council's Schedule of Fees and Charges. Sufficient time should be allowed for the preparation of a report and the execution of the documents by Council.

10. Road Opening Permit

Should the subdivision/ development necessitate the installation or upgrading of utility services or any other works on Council land beyond the immediate road frontage of the development site and these works are not covered by a Construction Certificate issued by Council under this consent then a separate road opening permit must be applied for and the works inspected by Council's Maintenance Services team.

The contractor is responsible for instructing sub-contractors or service authority providers of this requirement. Contact Council's Construction Engineer if it is unclear whether a separate road opening permit is required.

11. Construction Certificate

Prior to construction of the approved development, it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued by Council or a Registered Certifier. Plans submitted with the Construction Certificate are to be amended to incorporate the conditions of the Development Consent.

12. Building Work to be in Accordance with BCA

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

13. Contamination

Any new information, that may come to light during construction works, which has the potential to alter previous conclusions about site contamination, shall be immediately notified to Council's Manager – Environment and Health.

14. Litter Control

A sufficient number of litter bins must be provided on the premises for litter disposal.

15. Acoustic Requirements

The recommendations of the Acoustic Assessment and Report prepared by Day Design Pty Ltd, referenced as Report Number 6695-1.1R, dated 25 March 2019 and submitted as part of the Development Application are to be implemented as part of this approval. In particular:

- Section 6.0 – Noise control recommendations – Mechanical Plant;
- Section 6.1 – General Specifications;
- Section 6.2 Carbon Monoxide Monitoring System;
- Section 6.3 Lined Ductwork;

- Section 6.4 – Silencers; and
- Section 6.5 Nominal Plant Room Area Barrier

16. Control of Noise from Trucks

The number of trucks waiting to remove fill from the site must be managed to minimise disturbance to the neighbourhood. No more than one truck is permitted to be waiting in any of the streets adjacent to the development site.

17. Clinical Waste

A yellow sharps container that complies with AS 4031-1992 must be provided at the premises for the storage and disposal of clinical and sharps waste. Clinical and sharps waste must be collected and disposed of by an authorised waste contractor in accordance with the Protection of the Environment Operations (Waste) Regulation 2005.

18. Management of Construction and/or Demolition Waste

Waste materials must be appropriately stored and secured within a designated waste area onsite at all times, prior to its reuse onsite or being sent offsite. This includes waste materials such as paper and containers which must not litter the site or leave the site onto neighbouring public or private property. A separate dedicated bin must be provided onsite by the builder for the disposal of waste materials such as paper, containers and food scraps generated by all workers. Building waste containers are not permitted to be placed on public property at any time unless a separate application is approved by Council to locate a building waste container in a public place.

Any material moved offsite is to be transported in accordance with the requirements of the Protection of the Environment Operations Act 1997 and only to a place that can lawfully be used as a waste facility. The separation and recycling of the following waste materials is required: metals, timber, masonry products and clean waste plasterboard. This can be achieved by source separation onsite, that is, a bin for metal waste, a bin for timber, a bin for bricks and so on. Alternatively, mixed waste may be stored in one or more bins and sent to a waste contractor or transfer/sorting station that will sort the waste on their premises for recycling. Receipts of all waste/recycling tipping must be kept onsite at all times and produced in a legible form to any authorised officer of the Council who asks to see them.

Transporters of asbestos waste (of any load over 100kg of asbestos waste or 10 square metres or more of asbestos sheeting) must provide information to the NSW EPA regarding the movement of waste using their WasteLocate online reporting tool www.wastelocate.epa.nsw.gov.au.

19. Disposal of Surplus Excavated Material

The disposal of surplus excavated material, other than to a licenced waste facility, is not permitted without the previous written approval of Council prior to works commencing on site. Any unauthorized disposal of waste, which includes excavated material, is a breach of the Protection of the Environment Operations Act 1997 and subject to substantial penalties. Receipts of all waste/ recycling tipping must be kept onsite at all times and produced in a legible form to any authorised officer of the Council who asks to see them.

20. Construction of Basement Bin Store

All work involving construction of the basement bin store must comply with the requirements below. Storage facility must be provided for a minimum number of 14 x 240 litre bins.

1. The bin store must be of adequate size to comfortably store and manoeuvre the minimum required number of bins as specified above.
2. The layout of the bin store must ensure that each bin is easily accessible and manoeuvrable in and out of the bin store with minimal or no manual handling of other bins. A minimum 1.5m wide clear floor aisle should be provided between the two columns of bins to comfortably achieve this.

3. The walls of the bin store must be constructed of brickwork.
4. The floor of the bin store must be constructed of concrete with a smooth non-slip finish, graded and drained to sewer.
5. The bin store must have a waste servicing door, with a minimum clear floor width of 1.5m. The door must be located to allow the most direct access to the bins by collection contractors. Acceptable waste servicing doors are single or double swinging doors and roller doors.
6. All doors of the bin store, when fully opened, must be flush with the outside wall and must not block or obstruct car park aisles or footways. All doors must be able to be fixed in position when fully opened.
7. The bin store must be adequately ventilated (ventilated).
8. The bin store must be provided with a hose tap (hot and cold mixer), connected to a water supply, to facilitate bin washing. If the tap is located inside the bin store, it is not to conflict with the space designated for the placement of bins.
9. The bin store must be provided with an internal light (artificial) such as automatic sensor lights.
10. The bin store must have appropriate waste and recycling signage, mounted in a visible location on an internal wall, and is to be permanently maintained by the business.
11. Finishes and colours of the bin store are to complement the design of the development.

Bin Measurements (mm)

240L: 735mm (d), 580mm (w) 1080mm (h)

21. No Right Turn Entry Off Wrights Road

Vehicles are not permitted to perform a right turn entry into the subject site from Wrights Road. A sign must be installed at the entrance of the driveway advising of this.
If vehicles entering and exiting the medical centre give rise to traffic conflicts, and/or any complaints are received and verified with respect to traffic as a result of the medical centre, the applicant/owner may be directed to provide alternative measures to mitigate any traffic issues at no cost to Council and to the satisfaction of Council's Traffic Section.

22. Irrigation

An automatic watering system is to be installed as a minimum to all planter boxes and areas of garden which fall over the basement slab. Details including backflow prevention device, location of irrigation lines and sprinklers, and control details are to be communicated to Council or Private Certifier prior to issue of the construction certificate

23. Access and Loading for Waste Collection

Minimum vehicular access and loading facilities must be provided, designed and constructed in accordance with AS2890.2-2002, for the standard 6.4m long Small Rigid Vehicle. The following exceptions and additional requirements are applicable.

1. All manoeuvring and loading areas for waste collection vehicles must be prominently and permanently line marked, signposted and maintained to ensure entry and exit to the site is in a forward direction at all times and that loading and traffic circulation is appropriately controlled.

2. Pedestrian paths around the areas designated for manoeuvring and loading of waste collection vehicles must be prominently and permanently line marked, signposted and maintained (where applicable) for safety purposes.

3. The requirement for reversing is limited to a single reverse entry manoeuver into the designated service bay. The service bay must allow additional space for access and loading and have appropriate signage such as no parking at any time.

4. All manoeuvring areas for waste collection vehicles must have a minimum clear headroom of 2.8m (3.5m preferred). All manoeuvring areas outside of this area where the clear headroom is less than 2.8m must have flexible striker bars and warning signs as per AS2890.1 to warn waste collection contractors of the low headroom area.

5. The loading area must have a sufficient level of lighting, and allow additional space for access and loading (e.g. wheeling bins to the back of the collection vehicle for rear load collection).

6. Access to restricted loading areas (i.e. via roller shutter doors, boom gates or similar) should be via scanning from the cab of small rigid vehicles, remote access or other measure to ensure there is no requirement for collection contractors to exit the cab.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

24. Stormwater Management

Water sensitive urban design elements, consisting of rainwater tank, Ocean guard and PSorb StormFilters are to be located generally in accordance with the stormwater concept plan 'Civil Design' prepared by Greenview Consulting Drawing 180847 Revision DA C03 Revision 5 dated 29/10/2020 plans and information submitted with the application.

Detailed plans for the water sensitive urban design elements must be submitted for approval. The detailed plans must be suitable for construction, and include detailed and representative longitudinal and cross sections of the proposed infrastructure.

The detailed design must reflect the stormwater concept plan and the following necessary changes:

a. The runoff from the roof area to be directed to the rainwater tank, and then the overflow to the WSUD pit.

b. The entire site area must be graded, collected and drained by pits and pipes towards the 1200mm WSUD pit.

c. A junction pit must be provided within the site connecting the outlet from the WSUD pit with the public street drainage pit.

The design must be accompanied, informed and supported by detailed water quality and quantity modelling. The modelling must demonstrate a reduction in annual average pollution export loads from the development site in line with the following environmental targets:

- 90% reduction in the annual average load of gross pollutants
- 85% reduction in the annual average load of total suspended solids
- 65% reduction in the annual average load of total phosphorous
- 45% reduction in the annual average load of total nitrogen

All model parameters and data outputs are to be provided.

The design and construction of the stormwater management system must be approved by either Council or an accredited certifier. A Compliance Certificate certifying the detailed

design of the stormwater management system can be issued by Council. The following must be included with the documentation approved as part of any Construction Certificate:

- Design/ construction plans prepared by a suitably qualified engineer.
- Sub-catchment plan associated with the MUSIC model.
- A maintenance schedule.

27. Stormwater Pump/ Basement Car Park Requirements

The stormwater pump-out system must be designed and constructed in accordance with AS/ NZS 3500.3:2015 - Plumbing and Drainage - Stormwater drainage. The system must be connected to the Onsite Stormwater Detention system before runoff is discharged to the street (or other point of legal discharge) along with the remaining site runoff, under gravity. All plans, calculations, hydraulic details and manufacturer specifications for the pump must be submitted with certification from the designer confirming compliance with the above requirements.

28. Security Bond – Road Pavement and Public Asset Protection

In accordance with Section 4.17(6) of the Environmental Planning and Assessment Act 1979, a security bond of $190,000.00 is required to be submitted to Council to guarantee the protection of the road pavement and other public assets in the vicinity of the site during construction works. The above amount is calculated at the per square metre rate set by Council's Schedule of Fees and Charges, with the area calculated based on the Wrights Road frontage of the subject site plus an additional 50m on either side (145m) multiplied by the width of the road (14m). The bond must be lodged with Council before a Construction Certificate is issued.

The bond is refundable upon written application to Council and is subject to all work being restored to Council's satisfaction. Should the cost of restoring any damage exceed the value of the bond, Council will undertake the works and issue an invoice for the recovery of these costs.

29. Security Bond Requirements

A security bond may be submitted in lieu of a cash bond. The security bond must:

- Be in favour of The Hills Shire Council;
- Be issued by a financial institution or other accredited underwriter approved by, and in a format acceptable to, Council (for example, a bank guarantee or unconditional insurance undertaking);
- Have no expiry date;
- Reference the development application, condition and matter to which it relates;
- Be equal to the amount required to be paid in accordance with the relevant condition;
- Be itemised, if a single security bond is used for multiple items.

Should Council need to uplift the security bond, notice in writing will be forwarded to the applicant 14 days prior.

30. Erosion & Sediment Control Plan

Submission of an Erosion and Sediment Control Plan to the Principal Certifier, including details of:

a) Allotment boundaries

b) Location of the adjoining roads

c) Contours

d) Existing vegetation

e) Existing site drainage

f) Critical natural areas

g) Location of stockpiles

h) Erosion control practices

i) Sediment control practices

j) Outline of a maintenance program for the erosion and sediment controls

(NOTE: For guidance on the preparation of the Plan refer to 'Managing Urban Stormwater Soils & Construction' produced by the NSW Department of Housing).

31. Section 7.12 Contribution

Pursuant to section 4.17 (1) of the Environmental Planning and Assessment Act 1979, and The Hills Section 7.12 Contributions Plan, a contribution of **$68,293.17** shall be paid to Council. This amount is to be adjusted at the time of the actual payment in accordance with the provisions of the Hills Section 7.12 Contributions Plan.

The contribution is to be paid prior to the issue of the Construction Certificate.

You are advised that the maximum percentage of the levy for development under section 7.12 of the Act having a proposed construction cost is within the range specified in the table below;

Proposed cost of the development	**Maximum percentage of the levy**
Up to $100,000	Nil
$100,001 - $200,000	0.5 %
More than $200,000	1%

32. Waste and Recycling Collection Contract

There must be a contract with a licenced contractor in place at all times for the removal and lawful disposal of all waste generated on site. Written evidence of a valid and current collection and disposal contract must held on site at all times and produced in a legible form to any authorised officer of the Council who asks to see it.

PRIOR TO WORK COMMENCING ON THE SITE

33. Property Condition Report – Public Assets

A property condition report must be prepared and submitted to Council recording the condition of all public assets in the direct vicinity of the development site. This includes, but is not limited to, the road fronting the site along with any access route used by heavy vehicles. If uncertainty exists with respect to the necessary scope of this report, it must be clarified with Council before works commence. The report must include:

- Planned construction access and delivery routes; and
- Dated photographic evidence of the condition of all public assets.

34. Traffic Control Plan

A Traffic Control Plan is required to be prepared and approved. The person preparing and approving the plan must have the relevant accreditation to do so. A copy of the approved plan must be submitted to Council before being implemented. Where amendments to the plan are made, they must be submitted to Council before being implemented.

A plan that includes full (detour) or partial (temporary traffic signals) width road closure requires separate specific approval from Council. Sufficient time should be allowed for this to occur.

33. Erosion and Sedimentation Controls

Erosion and sedimentation controls shall be in place prior to the commencement of site works and maintained throughout construction activities, until the site is landscaped and/or suitably revegetated. These requirements shall be in accordance with *Managing Urban Stormwater – Soils and Construction (Blue Book)* produced by the NSW Department of Housing.

This will include, but not be limited to a stabilised access point and appropriately locating stockpiles of topsoil, sand, aggregate or other material capable of being moved by water being stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.

34. Site Water Management Plan

A Site Water Management Plan is to be prepared. The plan shall be in accordance with *"Managing Urban Stormwater - Soils and Construction" (Blue Book)* produced by the NSW Department of Housing. The plan is to be kept on site at all times and made available upon request.

35. Erosion & Sediment Control Plan Kept on Site

A copy of the Erosion and Sediment Control Plan must be kept on site at all times during construction and available to Council on request.

36. Construction Waste Management Plan Required

Prior to the commencement of works, a Waste Management Plan for the construction of the development must be submitted to and approved by Council. The plan should be prepared in accordance with The Hills Development Control Plan 2012 Appendix A. The plan must comply with the waste minimisation requirements in the relevant Development Control Plan. All requirements of the approved plan must be implemented during construction of the development.

DURING CONSTRUCTION

37. Standard of Works

All work must be carried out in accordance with Council's Works Specification Subdivisions/ Developments and must include any necessary works required to make the construction effective. All works, including public utility relocation, must incur no cost to Council.

38. Hours of Work

Work on the project to be limited to the following hours: -

Monday to Saturday - 7.00am to 5.00pm;

No work to be carried out on Sunday or Public Holidays.

The builder/contractor shall be responsible to instruct and control sub-contractors regarding the hours of work.

39. Stockpiles

Stockpiles of topsoil, sand, aggregate or other material capable of being moved by water shall be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.

40. Dust Control

The emission of dust must be controlled to minimise nuisance to the occupants of the surrounding premises. In the absence of any alternative measures, the following measures must be taken to control the emission of dust:

- Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the construction work;
- All dusty surfaces must be wet down and suppressed by means of a fine water spray. Water used for dust suppression must not cause water pollution; and
- All stockpiles of materials that are likely to generate dust must be kept damp or covered.

41. Construction and Fit-out of Food Premises

To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation areas, all work involving construction or fitting out of the premises shall comply with the requirements of *Australian Standard AS 4674-2004 – Design, construction and fit-out of food premises* and the provisions of the Food Standards Code (Australia). This includes, but is not limited to:

- The intersection of floors with walls and exposed plinths in food preparation, storage and servery areas are to be coved.
- All walls are to be solid construction. Solid construction is defined as brick, concrete blocks, autoclaved aerated concrete or preformed panels that are filled with suitable material.
- Pipes and conduits adjacent to walls are to be set a minimum of 25mm off wall face with brackets. Pipes and conduits entering floors, walls or ceilings are to be fitted with a flange and all gaps fully sealed.
- Hand wash basins:
    - Must be provided, not obstructed and accessible at bench height and no further than 5 metres from any place where open food is handled or prepared; and
    - Must be fitted with a tap that operates hands free with a permanent supply of warm running potable water delivered through a single outlet.

Note: Copies of *AS 4674-2004* may be obtained from www.saiglobal.com by visiting the website: www.saiglobal.com and copies of the Food Safety Standards Code (Australia) may be obtained from Food Standards Australia New Zealand by visiting the following website www.foodstandards.gov.au.

42. Rock Breaking Noise

Upon receipt of a justified complaint in relation to noise pollution emanating from rock breaking as part of the excavation and construction processes, rock breaking will be restricted to between the hours of 9am to 3pm, Monday to Friday.

Details of noise mitigation measures and likely duration of the activity will also be required to be submitted to Council's Manager – Environment and Health within seven (7) days of receiving notice from Council.

43. Construction Noise

The emission of noise from the construction of the development shall comply with the *Interim Construction Noise Guideline published by the Department of Environment and Climate Change (July 2009).*

PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

44. Sydney Water Requirements

Section 73 Certificate must be submitted to the Principal Certifier before the issuing of an Occupation Certificate. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Make early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Building and developing > Developing your land > water Servicing Coordinator or telephone 13 20 92.

45. Landscaping Prior to Issue of any Occupation Certificate

Landscaping of the site shall be carried out prior to issue of an Occupation Certificate. The Landscaping shall be either certified to be in accordance with the approved plan by an Accredited Landscape Architect or be to the satisfaction of Council's Manager Environment and Health. All landscaping is to be maintained at all times in accordance with THDCP Part C, Section 3 – Landscaping and the approved landscape plan.

46. Completion of Engineering Works

An Occupation Certificate must not be issued prior to the completion of all engineering works covered by this consent, in accordance with this consent.

47. Property Condition Report – Public Assets

Before an Occupation Certificate is issued, an updated property condition report must be prepared and submitted to Council. The updated report must identify any damage to public assets and the means of rectification for the approval of Council.

48. Consolidation of Allotments

All allotments included in this consent must be consolidated into a single allotment before an Occupation Certificate is issued. A copy of the registered plan must be submitted to Council.

49. Pump System Certification

Certification that the stormwater pump system has been constructed in accordance with the approved design and the conditions of this approval must be provided by a hydraulic engineer.

50. Creation of Restrictions/ Positive Covenants

Before an Occupation Certificate is issued the following restrictions/ positive covenants must be registered on the title of the subject site via dealing/ request document or Section 88B instrument associated with a plan. Council's standard recitals must be used for the terms:

a. Restriction/ Positive Covenant – Water Sensitive Urban Design

The subject site must be burdened with a positive covenant that refers to the water sensitive urban design elements referred to earlier in this consent using the "water sensitive urban design elements" terms included in the standard recitals.

b. Positive Covenant – Stormwater Pump

The subject site must be burdened with a restriction and a positive using the "basement stormwater pump system" terms included in the standard recitals.

c. Positive Covenant – Onsite Waste Collectionn

The subject site must be burdened with a positive covenant relating to onsite waste collection using the "onsite waste collection" terms included in the standard recitals.

51. Water Sensitive Urban Design Certification

An Occupation Certificate must not be issued prior to the completion of the WSUD elements conditioned earlier in this consent. The following documentation must be submitted in order to obtain an Occupation Certificate:

- WAE drawings and any required engineering certifications;
- Records of inspections;
- An approved operations and maintenance plan; and

- A certificate of structural adequacy from a suitably qualified structural engineer verifying that any structural element of the WSUD system are structurally adequate and capable of withstanding all loads likely to be imposed on them during their lifetime.

Where Council is not the PCA a copy of the above documentation must be submitted to Council.

52. Food shop registration requirements

Prior to the issue of any Occupation Certificate, the food business shall be registered with The Hills Shire Council. To register with Council please complete and submit the 'registration of food business' form which is available on Council's website.

53. Regulated Systems

To ensure that adequate provision is made for ventilation of the building all mechanical and/or natural ventilation systems shall be designed, constructed and installed in accordance with the provisions of:

a) Australian/New Zealand Standard AS/NZS 1668.1:1998 – The use of ventilation and air conditioning in buildings – fire and smoke control in multi-compartment buildings;
b) Australian Standard AS 1668.2 – 2002 - The use of ventilation and air conditioning in buildings – ventilation design for indoor air contaminant control;
c) Australian/New Zealand Standard AS/NZS 3666.1:2011 – Air handling and water systems of buildings – Microbial control – Design, installation and commissioning;
d) Australian/New Zealand Standard AS/NZS 3666.2:2011 – Air handling and water systems of buildings - Microbial Control - Operation and maintenance;
e) Australian/New Zealand Standard AS/NZS 3666.2:2011 – Air handling and water systems of buildings - Microbial Control – Performance based maintenance of cooling water systems; and
f) Public Health Regulation 2012.

The regulated system is to be registered with Council by submitting an Application for Registration of Regulated Water Cooling/Warm Water Systems, available on Council's website www.thehills.nsw.gov.au prior to commissioning.

54. Acoustic Compliance Report

The acoustic consultant shall progressively inspect the installation of the required noise suppressant components as recommended in report numbered 6695-1.1R prepared by Day Design Pty Ltd dated 25 March 2019. Certification is to be provided.

55. Food Premises Final Inspection

Prior to the issue of any Occupation Certificate, the food premises shall be inspected by an Authorised Officer of The Hills Shire Council under the Food Act 2003, to determine compliance with the Food Act 2003, Food Safety Standards and Australian Standard 4674:2004: Design Construction and Fit-out of Food Premises.

THE USE OF THE SITE

56. Hours of Operation

The hours of operation being restricted to the following: -

- Monday to Friday: 9am to 5.30pm
- Saturday: 9am to 12pm
- Sunday: Closed

Any alteration to the above hours of operation will require the further approval of Council.

57. Grease Trap (Food Premises)

Sydney Water shall be contacted with regards to grease trap requirements.

58. Offensive Noise
The use of the premises, building services, equipment, machinery and ancillary fittings shall not give rise to “offensive noise” as defined under the provisions of the *Protection of the Environment Operation Act 1997*.

59. Noise to Surrounding Area
There shall be no amplified music or speakers external to the building.

60. Lighting
Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the *Australian Standard AS 4282:1997 Control of Obtrusive Effects of Outdoor Lighting.*

61. Final Acoustic Report
Within three months from the issue of an Occupation Certificate, an acoustical compliance assessment is to be carried out by an appropriately qualified person, in accordance with the NSW EPA's - Industrial Noise Policy and submitted to Council’s Manager - Environment and Health for consideration.

This report should include but not be limited to, details verifying that the noise control measures as recommended in the acoustic report submitted with the application are effective in attenuating noise to an acceptable noise level and that the activities does not give rise to “offensive noise” as defined under the *Protection of the Environment Operation Act 1997*.

62. Hours of operation for waste collection, delivery / dispatch of goods
Delivery of goods and pick up of waste shall be restricted to the following times;

Monday to Friday – 8.00am to 6.00pm; and

Saturdays – 9.00am – 12.00pm

63. Offensive Noise - Acoustic Report
The use of the premises and/or machinery equipment installed must not create offensive noise so as to interfere with the amenity of the neighbouring properties.

Should an offensive noise complaint be received and verified by Council staff, an acoustic assessment is to be undertaken (by an appropriately qualified consultant) and an acoustic report is to be submitted to Council’s Manager – Environment and Health for review. Any noise attenuation measures directed by Council’s Manager - Environment and Health must be implemented.

64. Waste and Recycling Management
To ensure the adequate storage and collection of waste from the use of the premises, all garbage and recyclable materials emanating from the premises must be stored in the designated basement bin store, which must include provision for the storage of all waste generated on the premises between collections. Arrangement must be in place in all areas of the development for the separation of recyclable materials from garbage.

65. Waste and Recycling Collection
All waste generated onsite must be removed at regular intervals. Waste collection should be limited to not more frequent than once weekly for garbage and fortnightly for recyclables. The collection of waste and recycling must not cause nuisance or interfere with the amenity of the surrounding area. Garbage and recycling must not be placed on public property for collection. All waste must be collected onsite from the basement service bay. Waste collection vehicles servicing the development are not permitted to reverse in or out of the site.

66. Operational Noise Level Limits

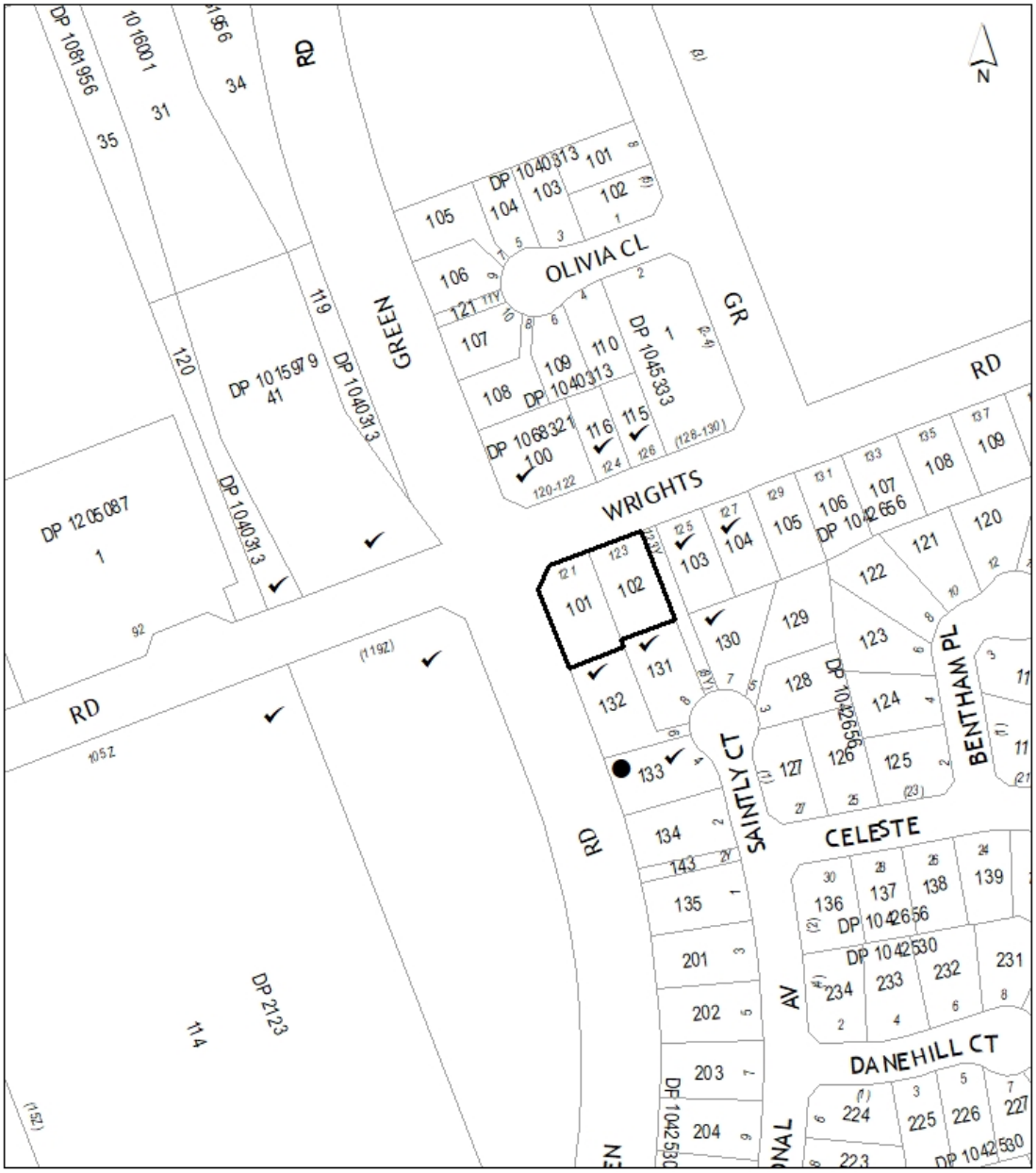
The Operational Noise Limits for the Development shall be in accordance with the noise limits as outlined in the Environmental Noise Assessment Report, prepared by Day Design Pty Ltd, report numbered 6695-1.1R and dated 25 March 2019. This noise limit is;

Location	**Day (7:00am – 6:00pm)**
At the property boundary of the Medical Centre	48dB(A)Leq (15min)

ATTACHMENTS

1. Locality Plan
2. Aerial Photograph
3. LEP Zoning Map
4. LEP Height Map
5. Site Plan
6. Basement Plan
7. Ground Floor Plan
8. First Floor Plan
9. Second Floor Plan
10. Elevations (East & West)
11. Elevations (North & South)
12. Sections (1 & 2)
13. Sections (3 & 4)
14. Sections (5 & 6)
15. Street Analysis Plan
16. Building Perspectives
17. Shadow Diagrams
18. Landscape Plan

ATTACHMENT 1 – LOCALITY PLAN



SUBJECT SITE

PROPERTIES NOTIFIED

SUBMISSIONS RECEIVED

THE HILLS Sydney's Garden Shire

THE HILLS SHIRE COUNCIL

THE HILLS SHIRE COUNCIL DOES NOT GIVE ANY GUARANTEES CONCERNING THE ACCURACY, COMPLETENESS OR CURRENCY OF THE TEXTUAL INFORMATION HELD IN OR GENERATED FROM ITS DATABASE

BASE CADASTRE COPYRIGHT LAND & PROPERTY INFORMATION NSW (LPI). CADASTRE UPDATE INCLUDING COUNCIL GENERATED DATA IS SUBJECT TO THSC COPYRIGHT.

ATTACHMENT 2 – AERIAL PHOTOGRAPH

SUBJECT SITE

THE HILLS Sydney's Garden Shire

THE HILLS SHIRE COUNCIL

THE HILLS SHIRE COUNCIL DOES NOT GIVE ANY GUARANTEES CONCERNING THE ACCURACY, COMPLETENESS OR CURRENCY OF THE TEXTUAL INFORMATION HELD IN OR GENERATED FROM ITS DATABASE

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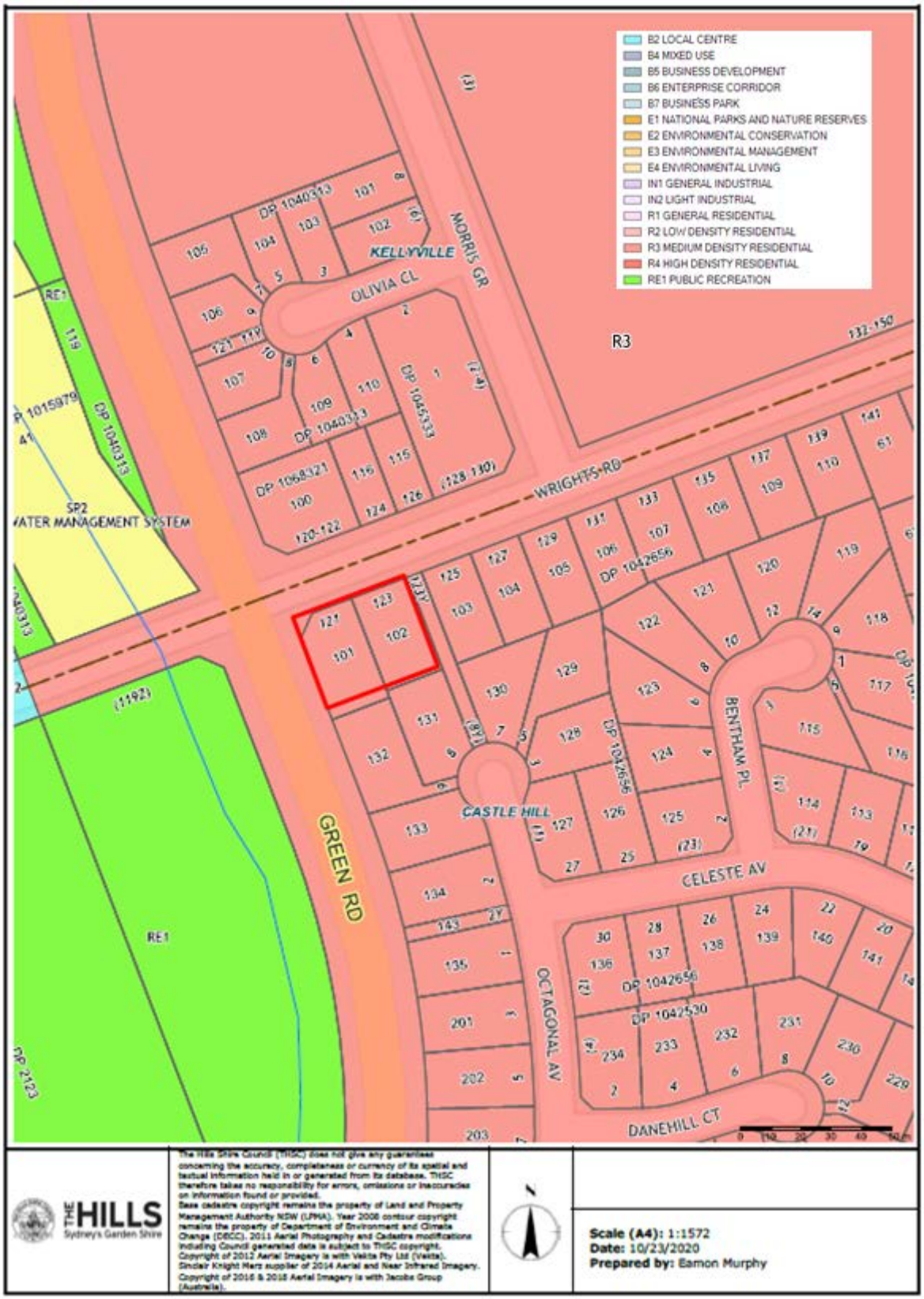
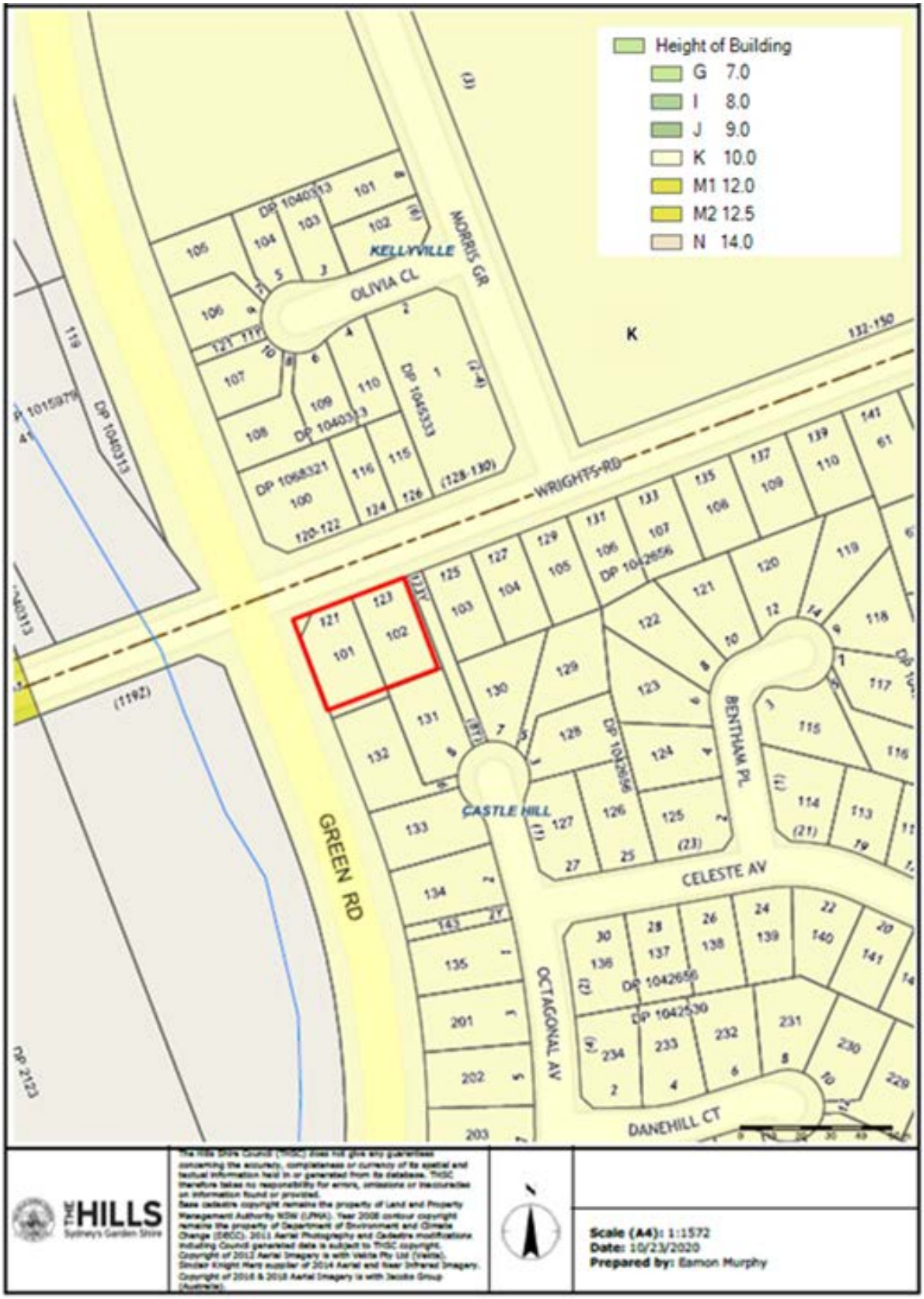
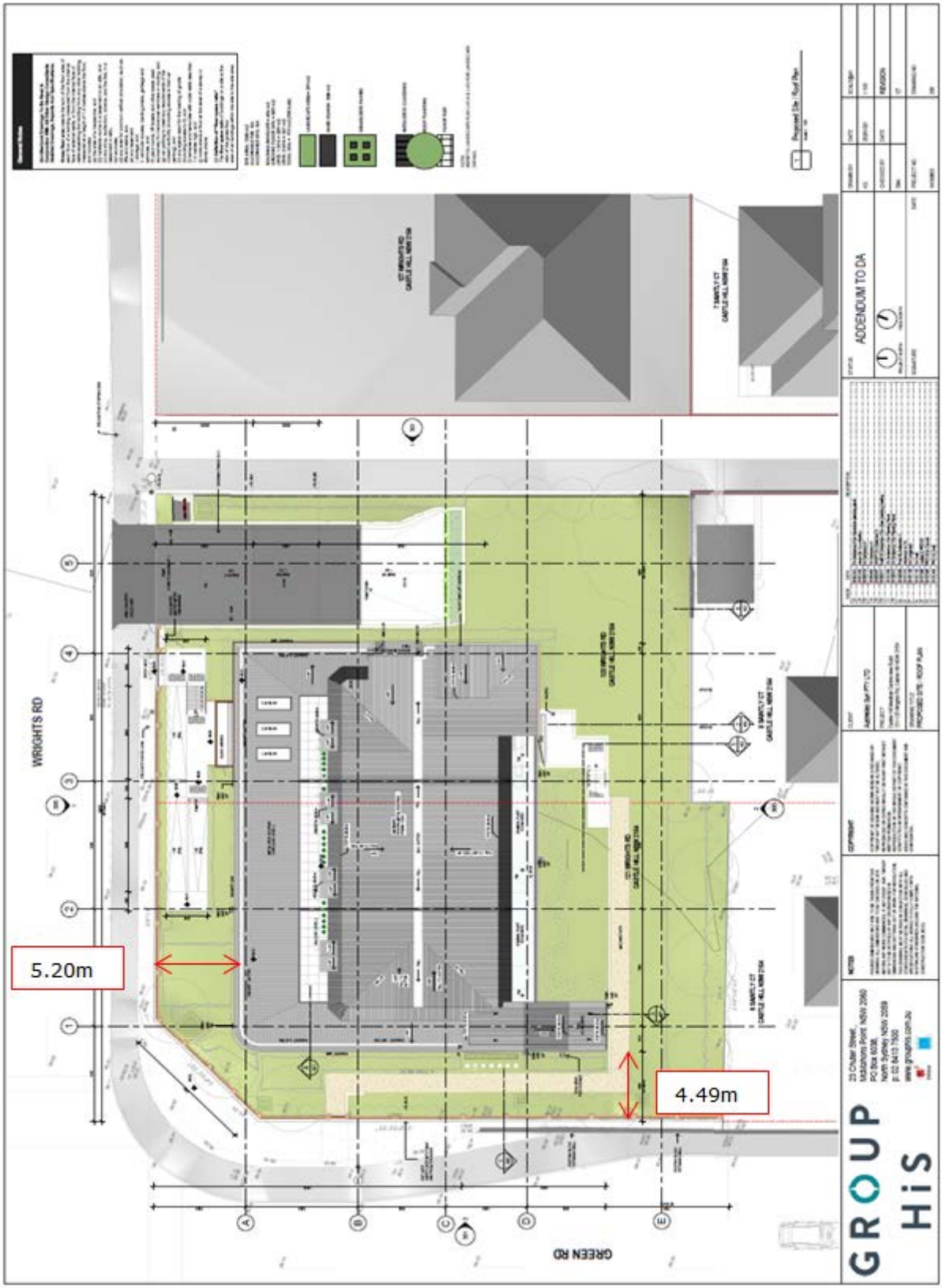
ATTACHMENT 3 – ZONING MAP



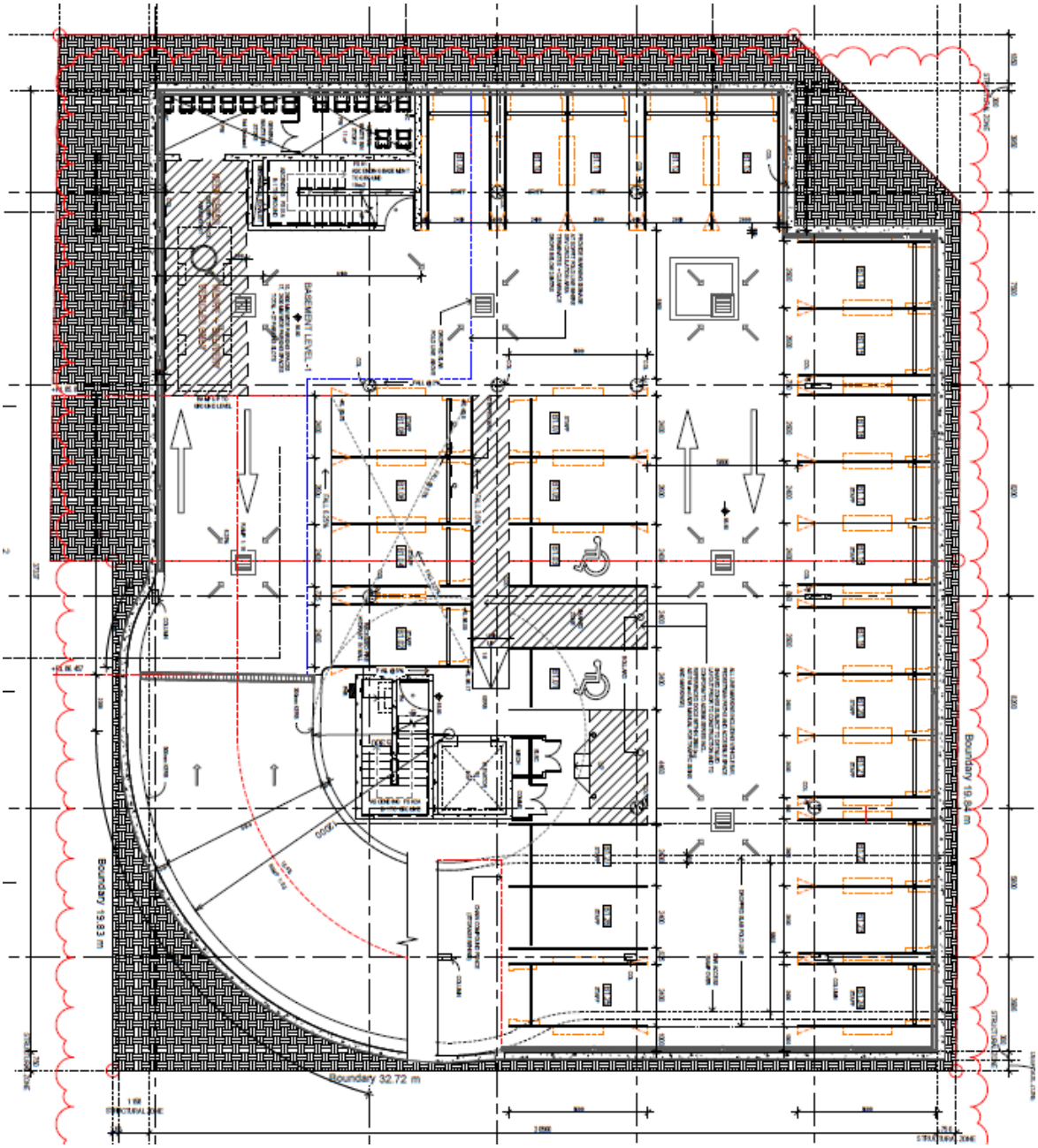
ATTACHMENT 4 – HEIGHT OF BUILDINGS MAP



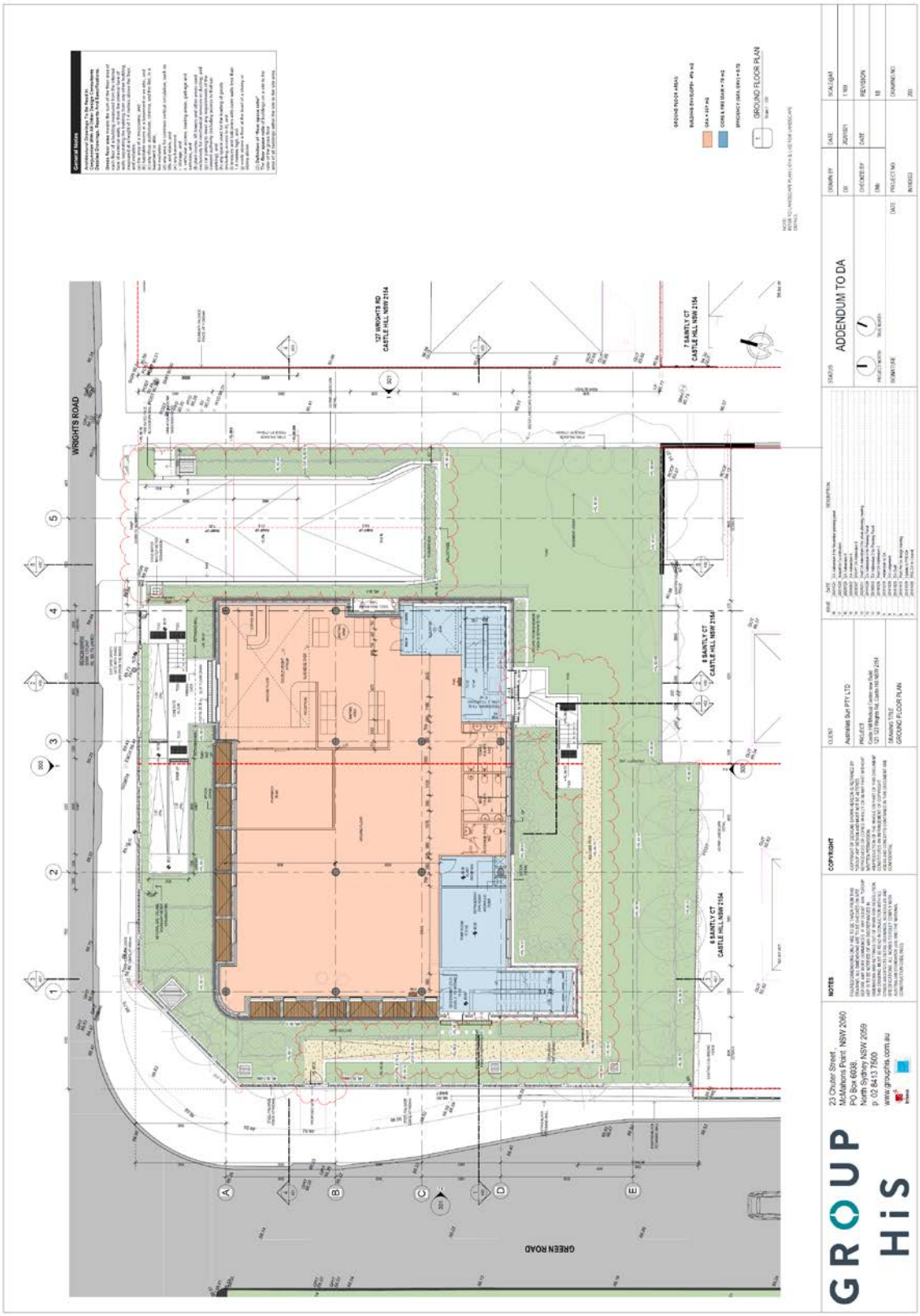
ATTACHMENT 5 – SITE PLAN



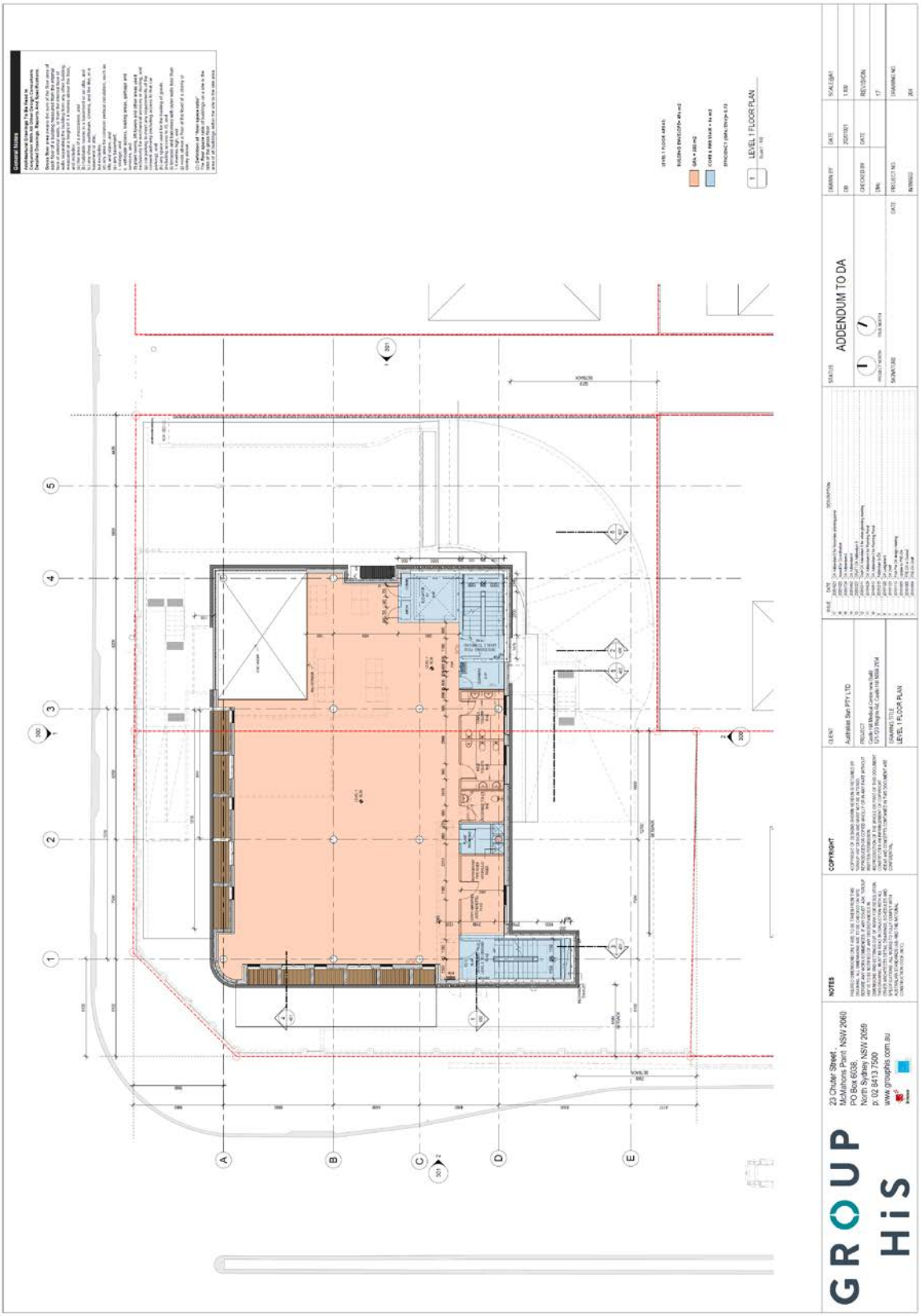
ATTACHMENT 6 – BASEMENT PLAN



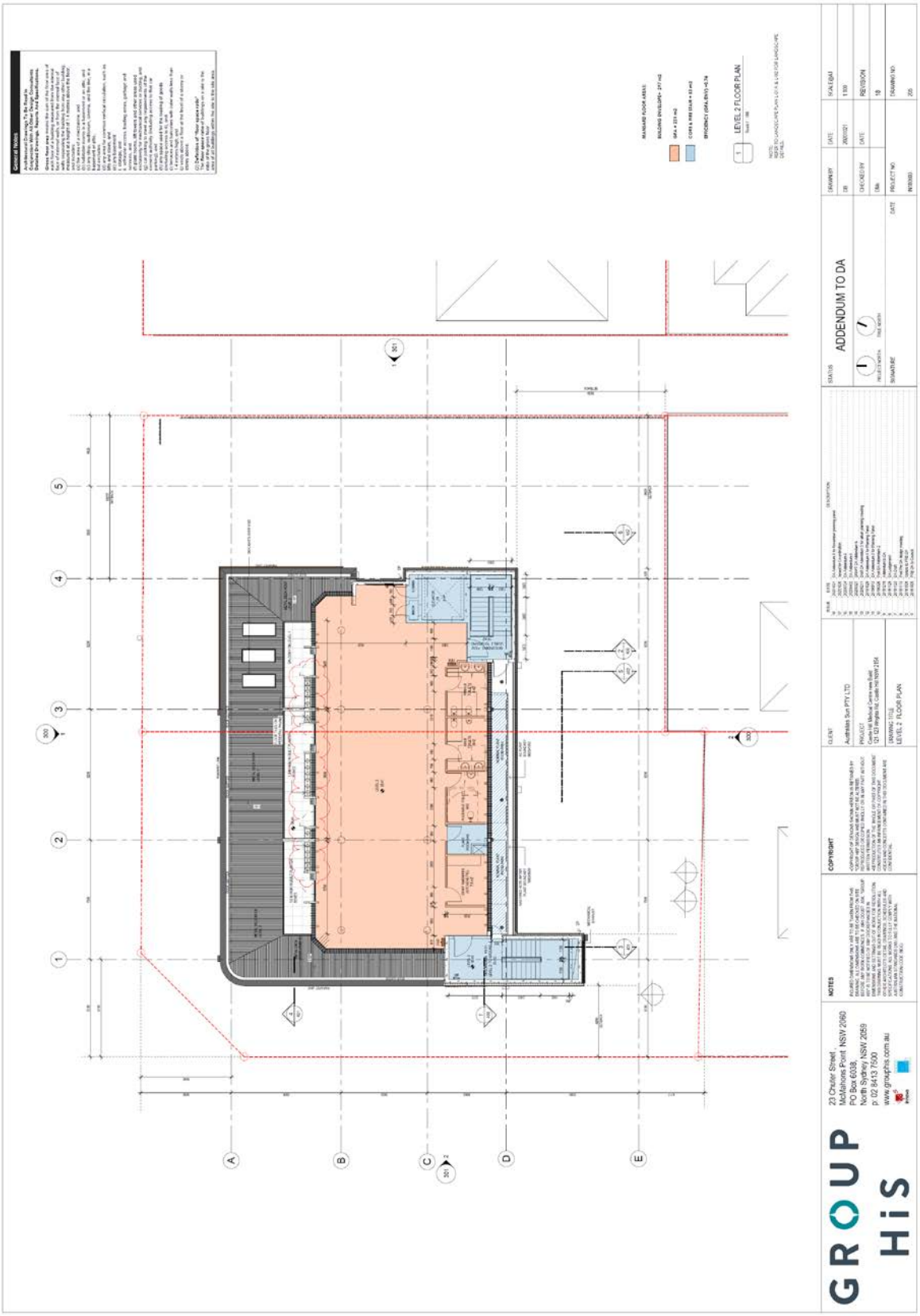
ATTACHMENT 7 – GROUND FLOOR PLAN



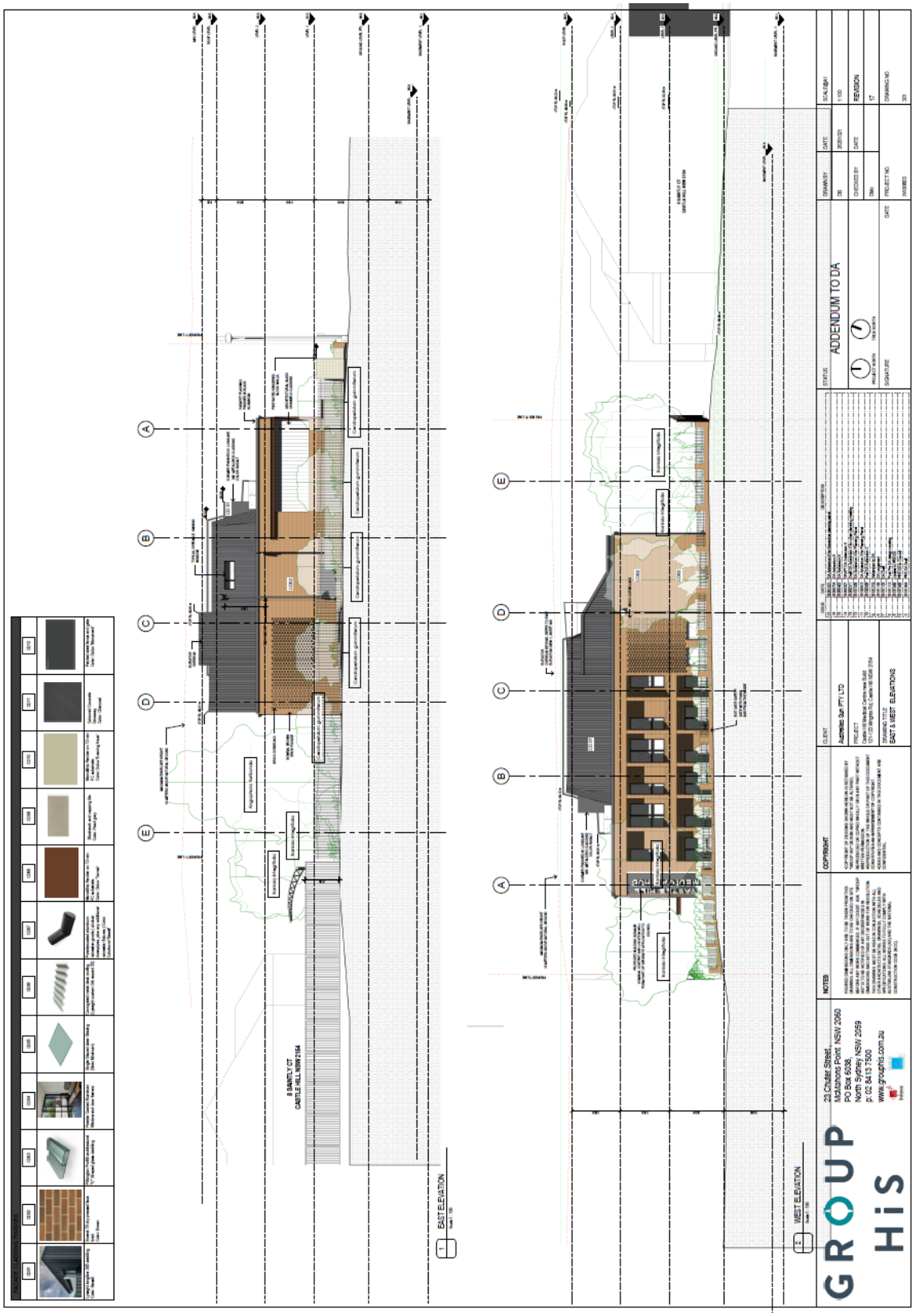
ATTACHMENT 8 – FIRST FLOOR PLAN



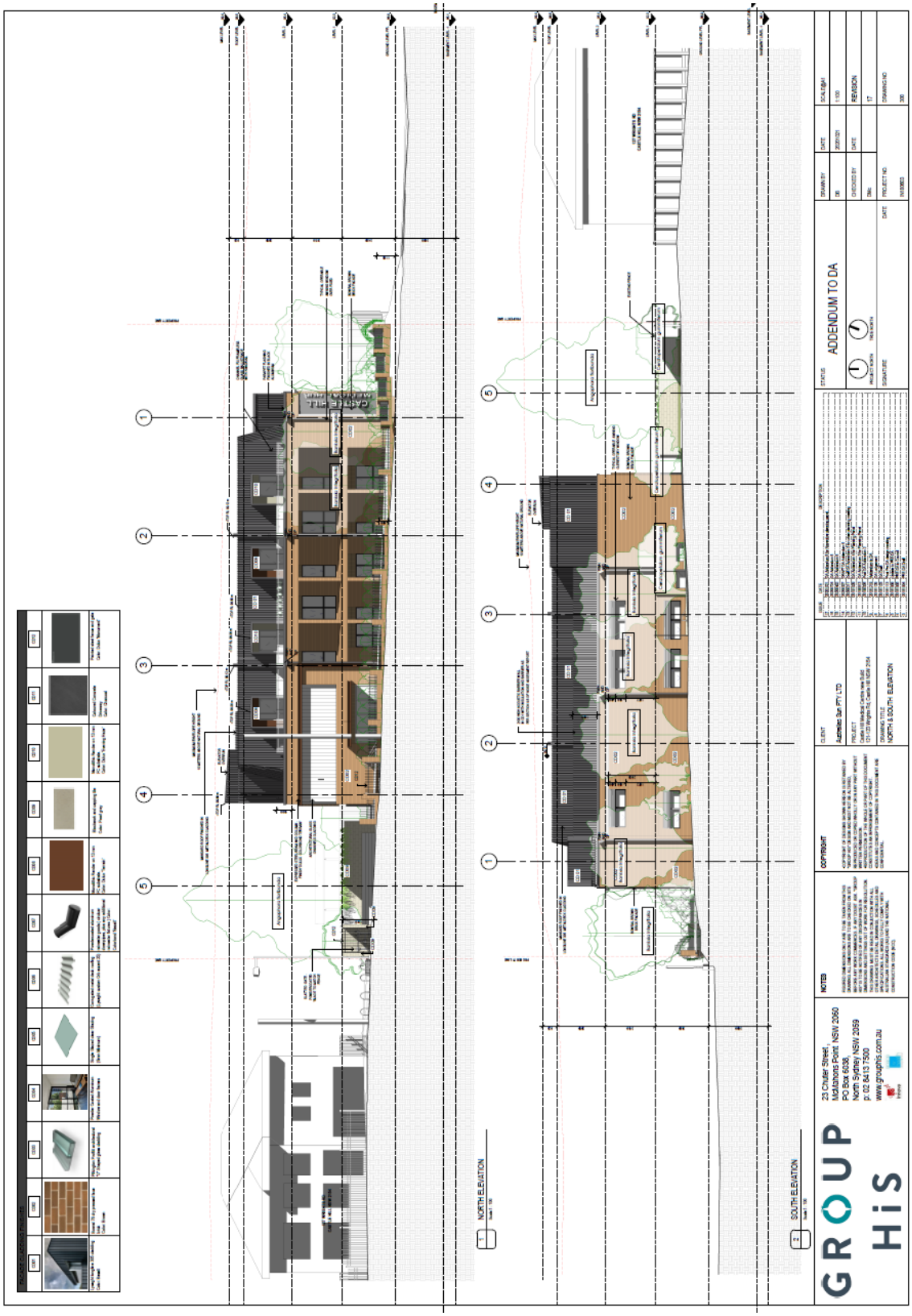
ATTACHMENT 9 – SECOND FLOOR PLAN



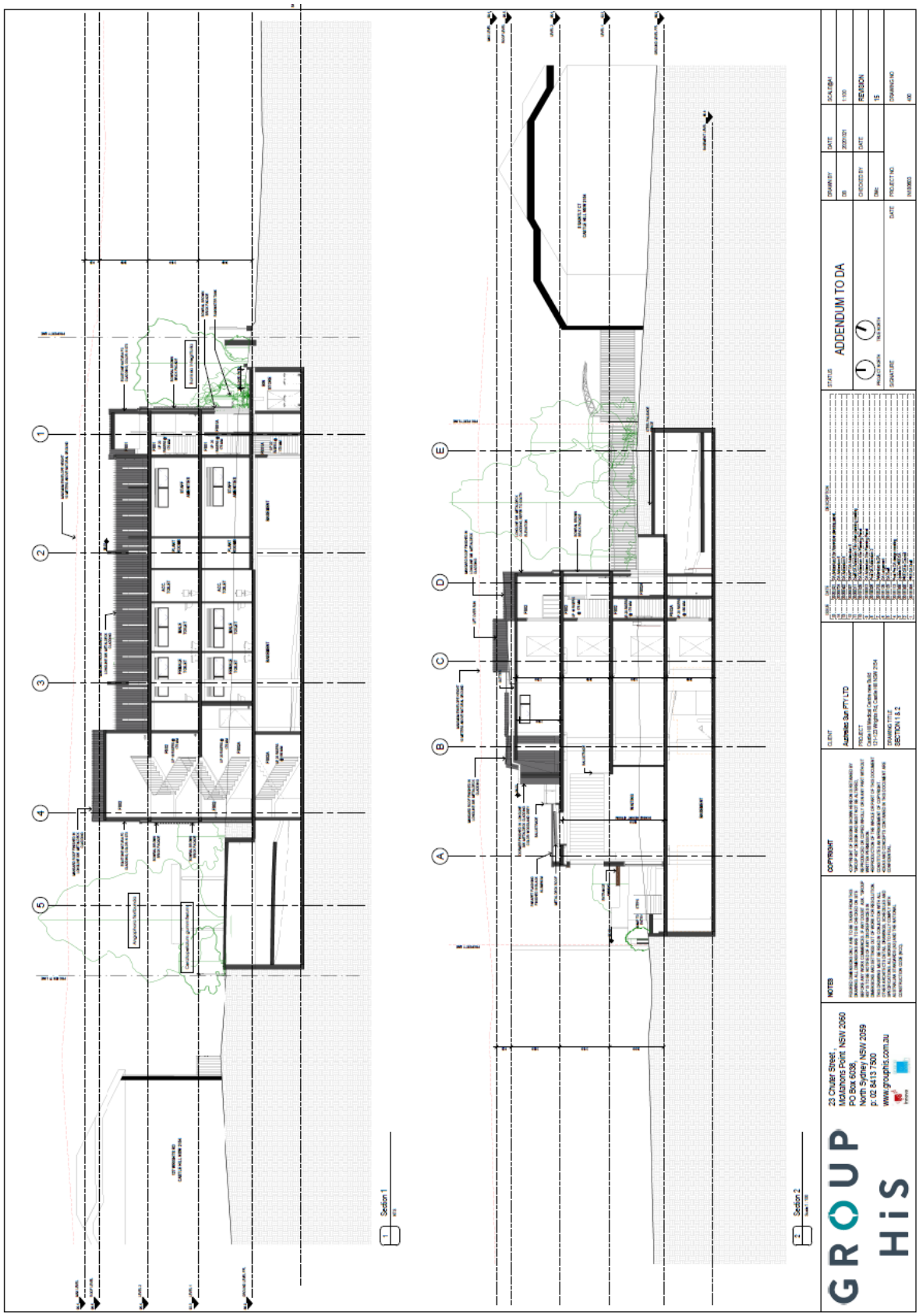
ATTACHMENT 10 – ELEVATIONS (EAST & WEST)



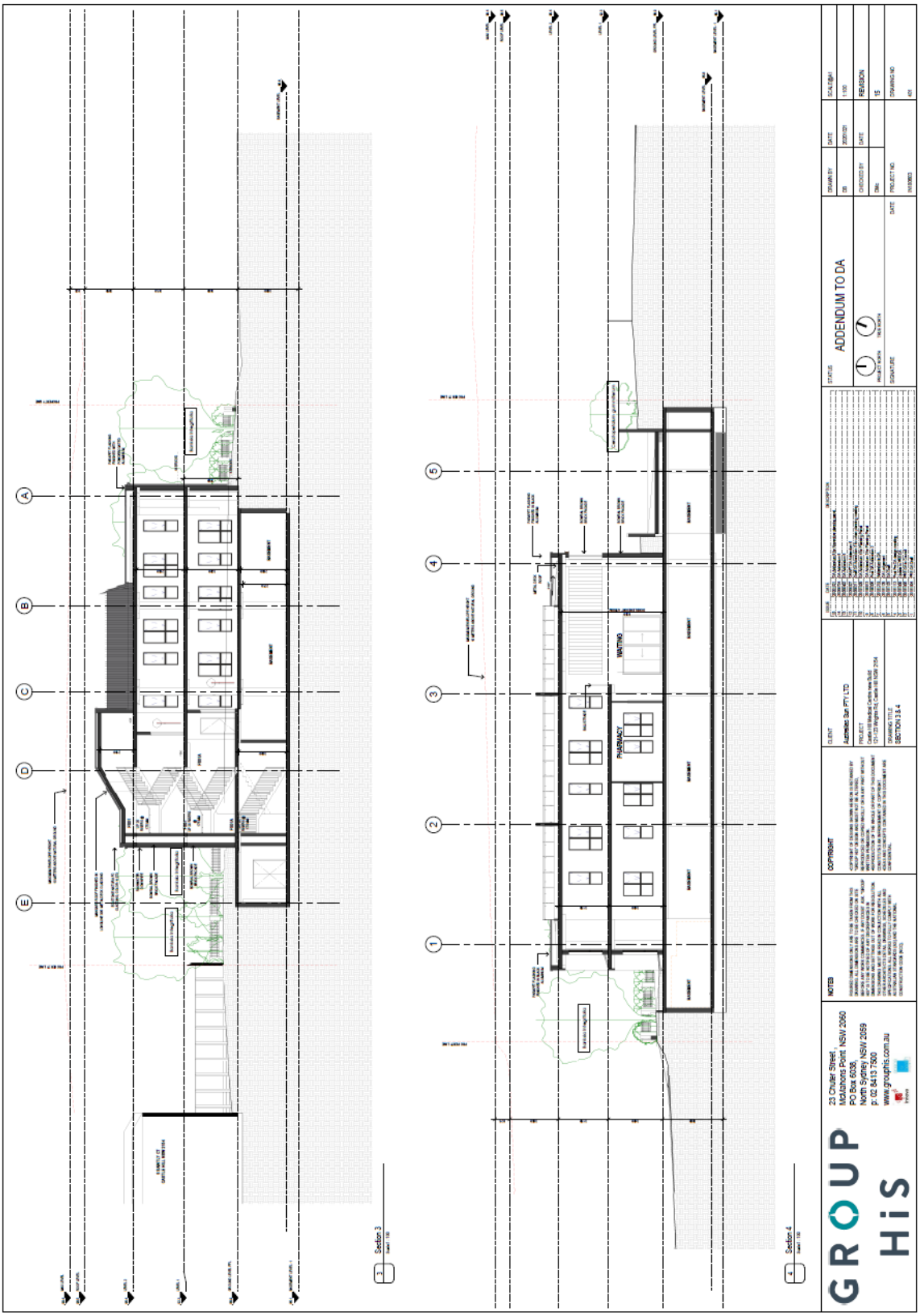
ATTACHMENT 11 – ELEVATIONS (NORTH & SOUTH)



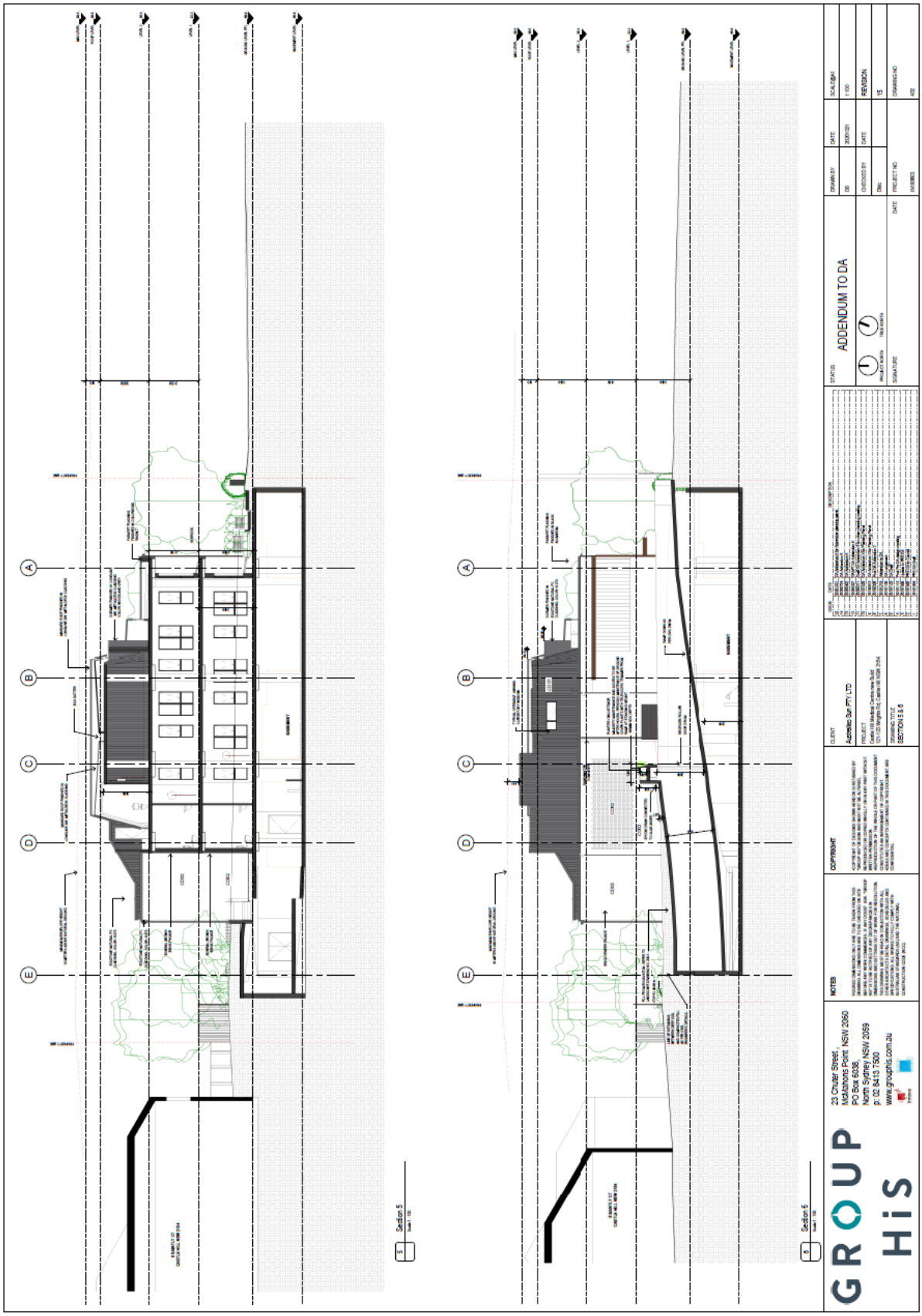
ATTACHMENT 12 – SECTIONS 1 & 2



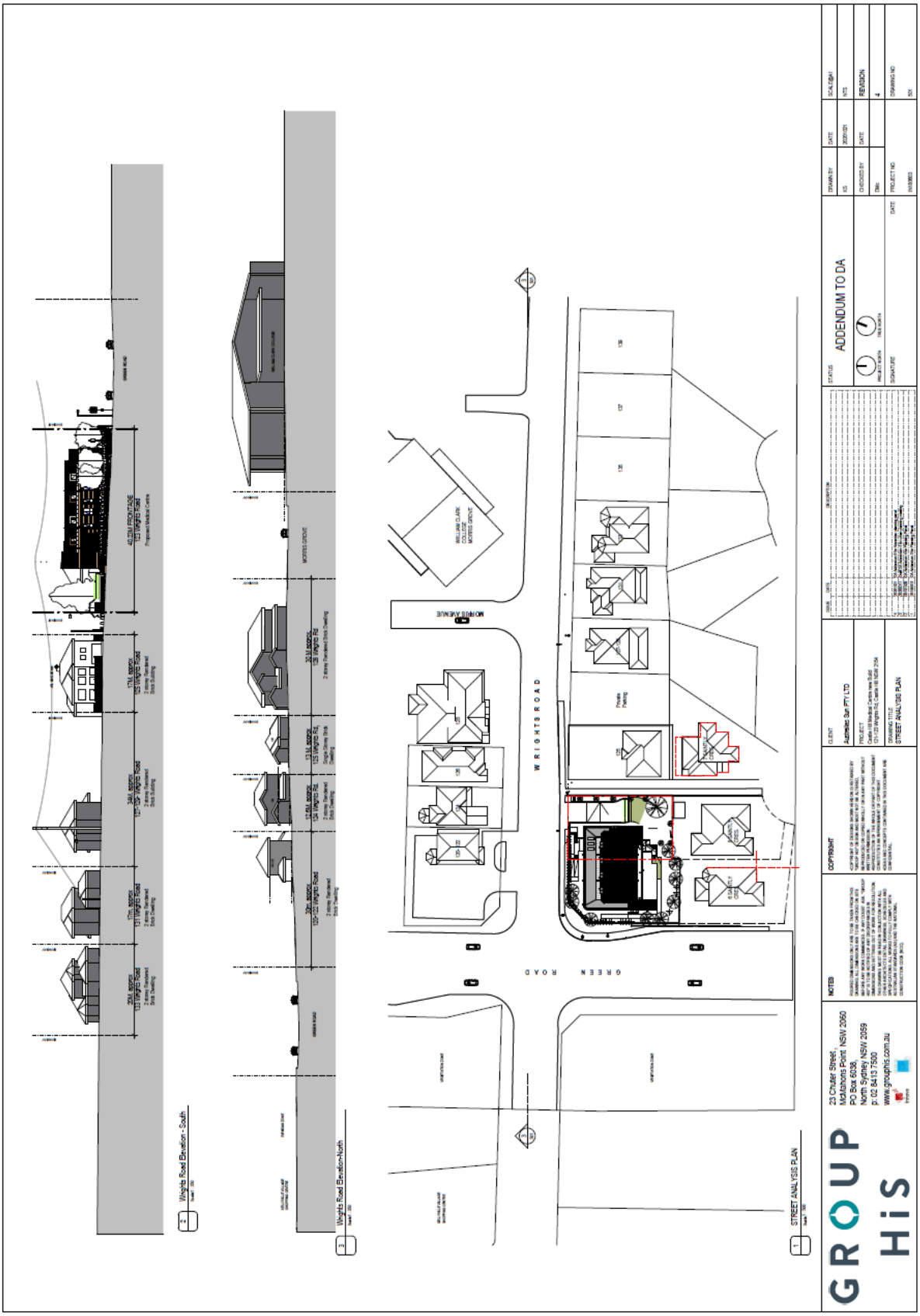
ATTACHMENT 13 – SECTIONS 3 & 4



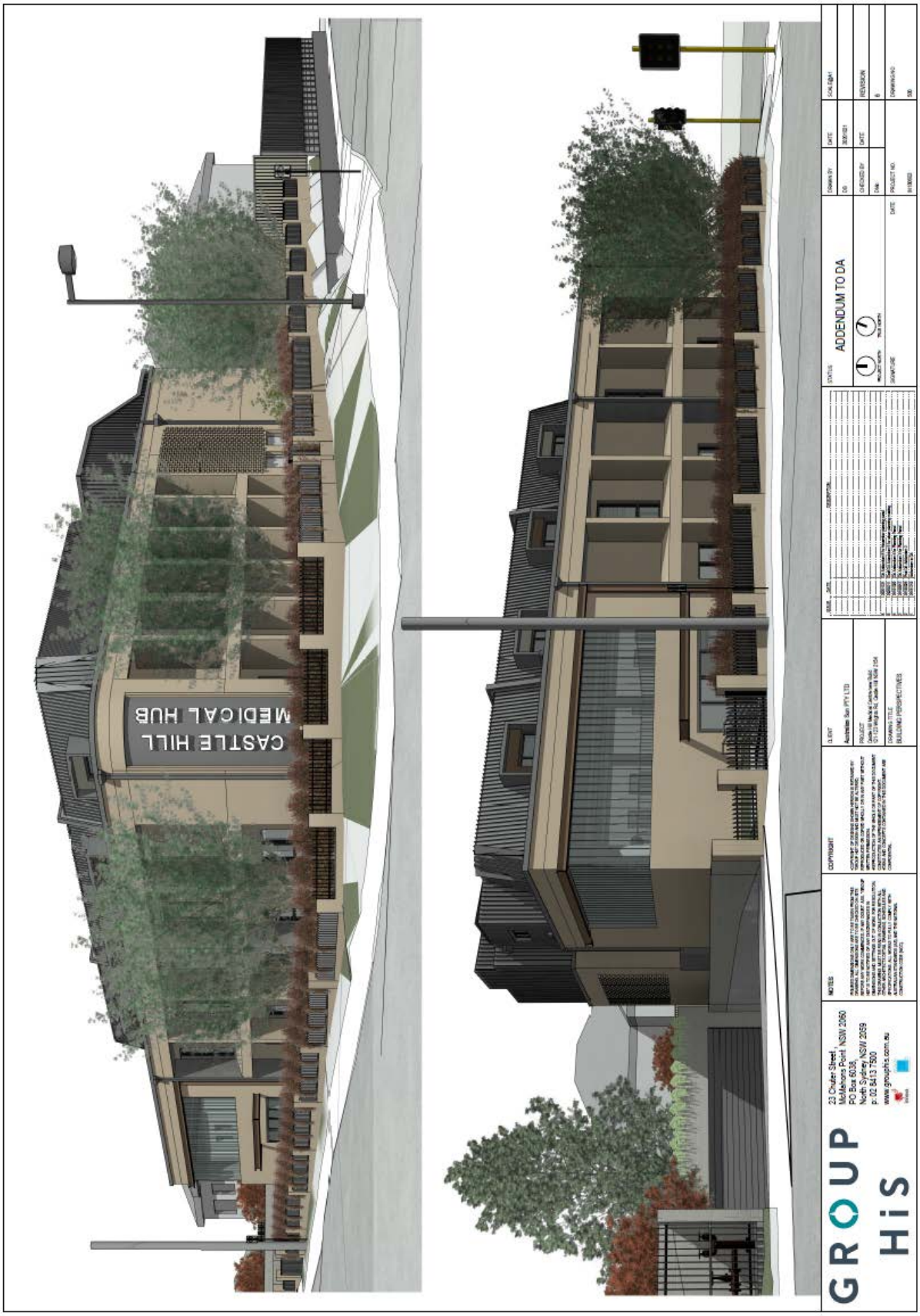
ATTACHMENT 14 – SECTIONS 5 & 6



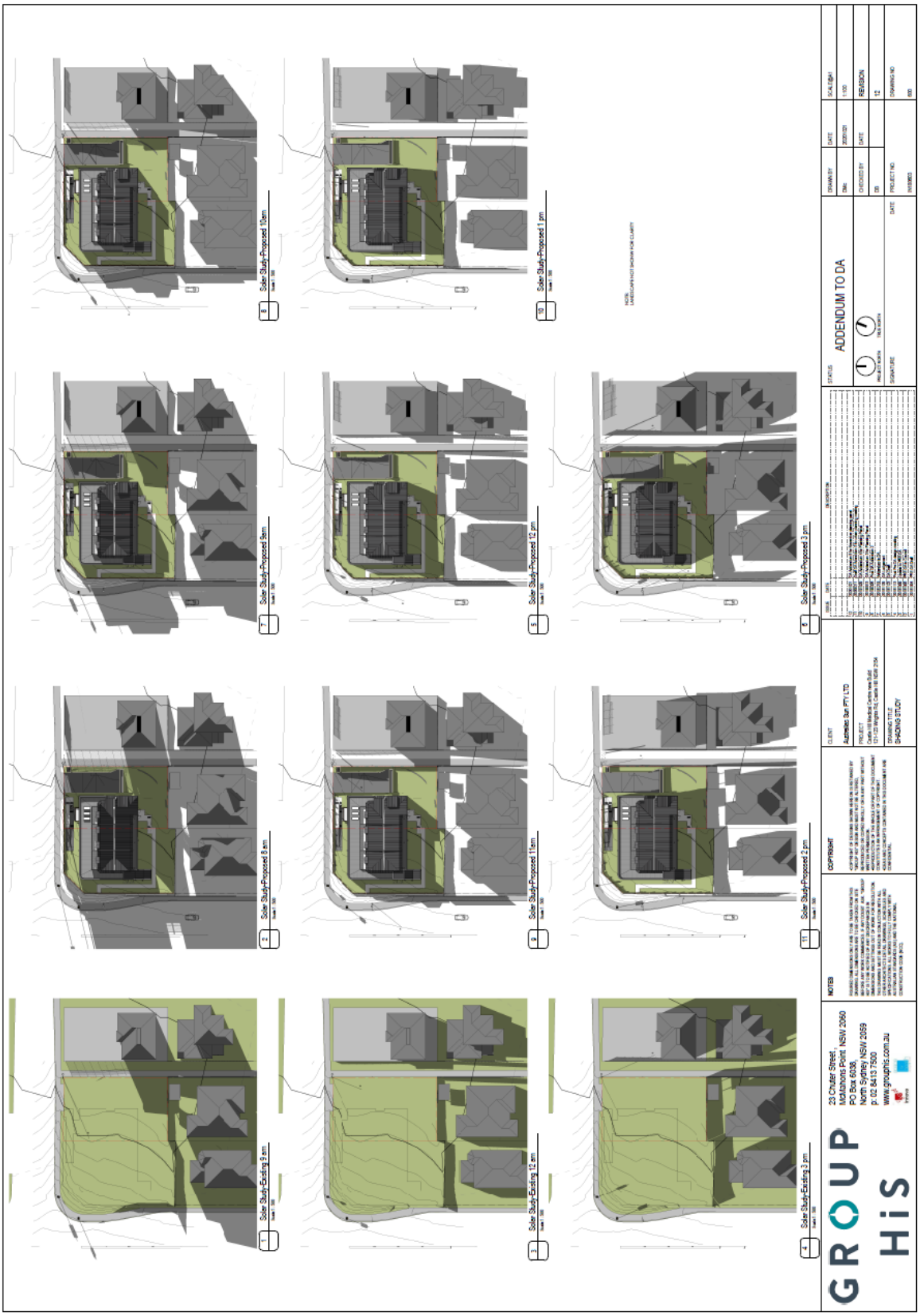
ATTACHMENT 15 – SITE ANALYSIS PLAN



ATTACHMENT 16 – BUILDING PERSPECTIVES



ATTACHMENT 17 – SHADOW DIAGRAMS



ATTACHMENT 18 – LANDSCAPE PLAN