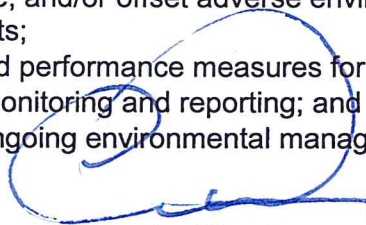

Development consent

Section 89E of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure, under delegation dated 27 February 2013, I grant consent to the staged development application referred to in Schedule 1, subject to the conditions in Schedule 2 and Schedule 3.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts including economic and social impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



Executive Director
Development Assessment Systems & Approvals
Department of Planning and Infrastructure

Sydney 26 MARCH 2013

SCHEDULE 1

Application No.: SSD 5307

Applicant: Health Infrastructure

Consent Authority: Minister for Planning and Infrastructure

Land: Bega Valley Health Services Redevelopment: 1614 Tathra Road, Bega (Lot 1 DP 1176012)

Development: Bega Valley Health Services Redevelopment: Concept Proposal and Stage 1- Construction Enabling works, including:

- A concept proposal for two (2) stages of construction including:
 - a building envelope for a three storey hospital building of approximately 26,000sqm
 - building services and associated works including a Geothermal Energy Storage System
 - new access road and associated car parking
 - a helipad
 - earthworks, civil infrastructure and landscaping
- Stage 1 construction enabling works including:
 - bulk earthworks
 - piling and foundations
 - services location and reticulation
 - a helipad (site works only)

- new access road and associated car parking
- other civil infrastructure and associated works

DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Health Infrastructure, or anyone else entitled to act on this consent
Application	The development application and the accompanying drawings plans and documentation described in Condition A4 of Part A (1) of Schedule 2 and Condition A2 of Part A of Schedule 3.
BCA	Building Code of Australia
Construction	Any works, including earth and building works
Council	Bega Valley Shire Council
Certification of Crown Building works	Certification under s109R of the EP&A Act
Certifying Authority	Means a person who is authorised by or under section 109D of the EP&A Act to issue a construction certificate under Part 4A of the EP&A Act; or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
Day time	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Infrastructure or its successors
Director-General	Director-General of the Department of Planning and Infrastructure, or nominee/delegate
Director General's approval, agreement or satisfaction	A written approval from the Director-General (or nominee/delegate) Where the Director-General's approval, agreement or satisfaction is required under a condition of this approval, the Director-General will endeavour to provide a response within one month of receiving an approval, agreement or satisfaction request. The Director-General may ask for additional information if the approval, agreement or satisfaction request is considered incomplete. When further information is requested, the time taken for the applicant to respond in writing will be added to the one month period.
EEC	Endangered ecological community
Evening	The period from 6pm to 10pm
Environmental Impact Statement (EIS)	Environmental Impact Statement titled <i>Bega Valley Health Services Development Bega: Environmental Impact Statement</i> (including Appendices), prepared by Urbis Pty Ltd, dated September 2012 as amended by Supplementary Submission titled <i>State Significant Development Application- Bega Valley Health Services redevelopment 1614 Tathra Road, Bega (SSD 5307-2012)</i> (including appendices), prepared by Urbis Pty Ltd, dated 12 October 2012.
EPA	Environment Protection Authority, or its successor
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation or Regulation	Environmental Planning and Assessment Regulation 2000

Minister		Minister for Planning and Infrastructure, or nominee
Night time		The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
NOW		NSW Office of Water, or its successor
OEH		Office of the Environment and Heritage, or its successor
PCA		Principal Certifying Authority, or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
Response Submissions (RTS)	to Report	Response to Submissions report titled <i>Bega Valley Health Services Hospital Development SSD 5307-2012: Response to Submissions, prepared by Urbis Pty Ltd dated December 2012, and SEPP 1 Objection prepared by Health Infrastructure dated 12 March 2013.</i>
Reasonable Feasible	and	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build
RMS		Roads and Maritime Services Division, Department of Transport or its successor
Subject Site		Bega Valley Health Services Development: 1614 Tathra Road, Bega (Lot 1 DP 1176012)
Sensitive receiver		Residence, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church) and children's day care facility.

SCHEDULE 2

CONDITIONS OF CONSENT FOR CONCEPT PROPOSAL

PART A – DEVELOPMENT DESCRIPTION

A1 Consent is granted to the 'concept proposal' as described in the Environmental Impact Statement, as amended by the Response to Submissions and the conditions contained in this development consent.

Determination of future Stage 2 application

A2 In accordance with section 89B(3)(a) of the EP&A Act the Stage 2 main construction (building works) are to be the subject of a future development application.

A3 The determination of the future Stage 2 application is to be generally consistent with the terms of development consent SSD 5307_2012 as described in Schedule 1, and subject to the conditions in Part B in **Schedule 2**.

Development in Accordance with Plans and Documents

A4 The applicant shall carry out the project generally in accordance with the:

- a) Environmental Impact Statement, as amended by the Response to Submissions.
- b) The following drawings, except for:
 - i) any modifications which are Exempt or Complying Development;
 - ii) otherwise provided by the conditions of this consent.

Architectural (or Design) Drawings prepared by BVN as follows:			
Drawing No.	Revision	Name of Plan	Date
SK_100		HELIPAD SITING	31.08.2012
SK_101		SITE PLAN	31.08.2012
SK_104		STAGING PLAN	12.10.2012
SK_105		DEVELOPMENT FOOTPRINT AREAS	24.09.2012
SK_107		CONCEPT PLAN BULK AND SCALE	08.10.2012
SK_108		CONCEPT PLAN BULK AND SCALE- ELEVATIONS	08.10.2012

Inconsistency between documents

A5 If there is any inconsistency between the plans and documentation referred to above the most recent plan/and or document shall prevail to the extent of the inconsistency. However, conditions of this consent prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.

Lapsing of approval

A6 This consent will lapse five (5) years from the date of consent unless the works associated with Stage 1 of the project have physically commenced.

Legal notices

A7 Any advice or notice to the consent authority shall be served on the Director-General.

END OF PART A, SCHEDULE 2

PART B - CONDITIONS FOR CONCEPT (CONDITIONS TO BE MET IN FUTURE DEVELOPMENT APPLICATION FOR STAGE 2)

Building Design

- A8 The building shall attain a maximum height of RL38.80m AHD and shall not be inconsistent with the building envelope illustrated on the approved plans referenced in **Condition A4 of Part A Schedule 2**.
- A9 The lower ground floor level of the building is to be no lower than the determined Probable Maximum Flood (RL 20.50m AHD) unless otherwise determined by the Flood Impacts Assessment (refer **Condition C19 of Part C2 of Schedule 3** of this consent).

Landscape Details

- A10 The Stage 2 landscape plan detail should include species indigenous to the area which provide appropriate function (i.e. not a risk to the public from limb fall, or must be able to deliver stormwater quality outcomes) and create the amenity referred to in the Landscape Concept.
- A11 The final landscape plan for the site is to include the following:
- a) Revegetation of the south-eastern corner of the site. The plan shall make provision for planting to assist in reducing the visual impact of the development and in particular, in reducing any potential impacts from any evening and night time illumination of the development including the outdoor car parking areas.
 - b) Habitat Boxes: suitably integration of the habitat boxes into the site landscaping.
 - c) Trees: At least **54 locally indigenous trees** (including River Red Gum *Eucalyptus tereticornis*) to offset the loss of habitat trees.

Rainwater Harvesting

- A12 The Stage 2 application must consider opportunities for the provision of rainwater harvesting. If incorporated into the design, the rainwater harvesting should also be reflected in the MUSIC model developed.

Bicycle Facilities

- A13 A separate and specific **staff** bicycle parking facility must be included in the Stage 2 design. The facility shall be designed with respect to the NSW Planning Guidelines for Walking and Cycling and as referred to in the DGR's for the project. <http://www.planning.nsw.gov.au/planning-guidelines-for-walking-and-cycling>

Bus Stop

- A14 The provision of bus access to the service the site is to be resolved with the service providers and details incorporated in the Stage 2 DA.

Shared user pathway

- A15 Provision for a shared user path (walking and cycling) along the boundary frontage to Bega-Tathra Road should be suitably resolved with Council and details incorporated into the Stage 2 DA, as appropriate.

Geothermal Energy Storage System

- A16 The Stage 2 development application is to include an environmental assessment of the proposed geothermal energy storage system including:
- a) Groundwater Impact Assessment addressing the following:
 - i) the potential impacts of construction and operation of the geothermal system on groundwater and groundwater dependent ecosystems and the nearby watercourses and wetlands;

-
- ii) any proposal to intercept groundwater, or use and extract surface water or groundwater during construction and operation;
 - iii) any potential for the construction and/or operation of the geothermal system to impact on the nearby watercourses and wetlands located on the adjacent Lot 2;
 - iv) any aquifer interference implications; and
 - v) any water licensing requirements.

The assessment is to address potential impacts of the proposal on groundwater and groundwater dependent ecosystems and consider the requirements of the NSW Aquifer Interference Policy (2012). This policy can be accessed at the following link: <http://www.water.nsw.gov.au/Water-management/Law-and-policy/Key-policies/default.aspx>

Note: It is recommended that the proponent consult with Janne Grose, Planning and Assessment Coordinator (Penrith office), Office of Water on (02) 4729 8262 regarding the above assessment requirements.

- b) A Phase 1 Preliminary Contamination Assessment of the site and immediate surrounds to assess the likelihood for contamination to exist on the site from past and present activities and to make recommendations on the need for further investigations and management, as appropriate. The Assessment is to address the statutory provisions of *State Environmental Planning Policy No.55-Remediation of Land*.
- c) Geotechnical Assessment of the site and immediate surround to verify the suitability of the site including surface and subsurface conditions for the construction of the geothermal energy storage system.
- d) An assessment against any relevant Australian Standards and Guidelines.

Obstacle Limitation Surfaces

A17 The final design for the geothermal energy storage system shall take into account Obstacle Limitation Surfaces required for the operation of the helipad, in accordance with the recommendations of the Rehbein Airport Consulting report dated 31 August 2012. Flight path protection requirements should be considered where relevant and incorporated into the Stage 2 DA.

A18 The final design of the eastern wing of the hospital is to take into account the recommendations of the Rehbein Airport Consulting report dated 31 August 2012. In this regard, elements of the building may need to be lit for night helicopter operations.

Bushfire Requirements

A19 The design of the hospital building is to comply with the recommendations in Section 4.4 (Services- Water, Electricity and Gas) and 4.6 (Evacuation) of the Bushfire Constraints Report prepared by ABPP dated May 2012.

Flood Free Access

A20 An alternative access route is to be considered as part of the Stage 2 site planning which allows access to the hospital to remain flood free, including in a Probable Maximum Flood event.

Hospital Emergency response and Evacuation Plan

A21 The Stage 2 DA is to include Hospital Emergency (Response and Evacuation) Outline Plan for the site including to take into account various flood scenarios which may restrict or cut-off access to the site, result in inundation of low lying parts of the site and extended periods of isolation. It is recommended that the Plan also consider the transfer of equipment and patients to other hospitals.

Impact on Spur locations

A22 The Stage 2 DA is to minimise potential impacts on the spur landforms on the site. The application should be accompanied by a Cultural Heritage Impact Assessment identifying the impact to the spur locations present on the site and appropriate mitigation measures to ameliorate such impacts.

Contamination

A23 In accordance with the recommendations in Section 13 of the Preliminary Contamination Assessment dated 30 August 2012 prepared by Coffey Environments, the proponent shall comply with the following, as relevant to the future Stage 2 application:

- a) The dumped material at AEC 3 is to be disposed of to a licensed waste disposal facility.
- b) Further sampling and analysis of this area should be undertaken to confirm the absence of contamination in the residual fill or soils beneath the dumped material.

Hazardous Materials

A24 The Stage 2 DA is to suitably address the requirements of State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and is to include:

- a) description of the proposed storage, use and management of any hazardous materials; and
- b) the measures to be implemented to manage hazards and risks associated with storage of hazardous materials.

END OF PART B, SCHEDULE 2

SCHEDULE 3

CONDITIONS OF CONSENT FOR STAGE 1 WORKS

PART A – DEVELOPMENT DESCRIPTION

A1 Consent is granted to the 'stage 1 works' as described in the Environmental Impact Statement, as amended by the Response to Submissions and the conditions contained in this development consent.

Development in Accordance with Plans and Documents

A2 The applicant shall carry out the project generally in accordance with the:

- a) Environmental Impact Statement, as amended by the Response to Submissions.
- b) The following drawings, except for:
 - i) any modifications which are Exempt or Complying Development;
 - ii) otherwise provided by the conditions of this consent.

Civil and Hydraulic Engineering Design prepared by C & M Consulting Engineers:			
Drawing No.	Revision	Name of Plan	Date
00801_DA100	03	COVER SHEET, DRAWING INDEX, GENERAL NOTES & SITE LAYOUT PLAN	25/9/2012
00801_DA110	03	SITE LAYOUT PLAN	25/9/2012
00801_DA201	03	GENERAL ARRANGEMENT PLAN- SHEET 1 SITE	25/9/2012
00801_DA202	03	GENERAL ARRANGEMENT PLAN- SHEET 2 SITE	25/9/2012
00801_DA203	02	GENERAL ARRANGEMENT PLAN- SHEET 3 – LEVEL 00	25/09/2012
00801_DA204	02	GENERAL ARRANGEMENT PLAN- SHEET 4 – LEVEL 00	25/09/2012
00801_DA221	02	PAVEMENT PLAN & DETAIL	25/09/2012
00801_DA231	03	BULK EARTHWORKS CUT/FILL PLAN	25/09/2012
00801_DA301	03	ROAD LONGITUDINAL SECTION- SHEET 1	25/09/2012
00801_DA302	03	ROAD LONGITUDINAL SECTION- SHEET 2	25/09/2012
00801_DA351	03	SITE SECTIONS-SHEET 1	25/09/2012
00801_DA352	03	SITE SECTIONS-SHEET 2	05/09/2012
00801_DA501	03	GENERAL DETAILS	25/09/2012
00801_DA701	Rev.03	SEDIMENT & EROSION CONTROL PLAN- SHEET 1	25/09/2012
00801_DA702	Rev.03	SEDIMENT & EROSION CONTROL PLAN- SHEET 2	25/09/2012
00801_DA703	Rev.03	SEDIMENT & EROSION CONTROL DETAILS	25/09/2012
Landscape Strategy and Design Statement: Stage One Planning Application prepared by 360 Degrees Landscape Architects Pty Ltd dated 20 September 2012 and the following plan prepared by 360 Degrees Landscape Architects Pty Ltd:			
Drawing No.	Revision	Name of Plan	Date
LS-D-001	B	LANDSCAPE MASTERPLAN	19/9/2012

Site Drainage Supply Concept prepared by Warren Smith & Partners Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
H-02	C02	Site drainage supply concept	03/05/2012
H-08	-	SITE WATER SUPPLY CONCEPT PLAN	UNDATED

Development Expenses

A3 It is the responsibility of the applicant to meet all expenses incurred in undertaking the project, including expenses incurred in complying with conditions imposed under this approval.

Prescribed Conditions

A4 The applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Regulation.

Director-General as Moderator

A5 Where this consent requires further approval from public authorities, the parties shall not act unreasonably in preventing an agreement from being reached. In the event that an agreement is unable to be reached within 2 months or a timeframe otherwise agreed to by the Director-General, the matter is to be referred to the Director-General for resolution. All areas of disagreement and the position of each party are to be clearly stated to facilitate a resolution. The Director-General's resolution of the matter will be binding on the parties.

Long Service Levy

A6 For work costing \$25,000 or more, a Long Service Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.

Legal notices

A7 Any advice or notice to the consent authority shall be served on the Director-General.

END OF PART A, SCHEDULE 3

PART B - PRIOR TO CERTIFICATION OF CROWN BUILDING WORKS

Adjustment/ relocation of Public utilities

- B1 The applicant shall be responsible for all public utility adjustment/relocation works, necessitated by for the project and as required by the various public utility authorities and/or their agents.

Structural Details

- B2 The applicant shall submit to the satisfaction of the PCA structural drawings prepared and signed by a suitably qualified practising Structural Engineer that comply with:
- a) the relevant clauses of the BCA;
 - b) relevant Australian Standards; and
 - c) the development consent.

Car Park and Service Vehicle Layout

- B3 Plans demonstrating compliance with the following traffic and parking requirements shall be submitted to the satisfaction of the PCA:
- a) all vehicles should enter and leave the Subject Site in a forward direction. In the event that site constraints do not permit heavy rigid vehicles to enter and leave the Subject Site in a forward direction, then all reversing movements should be undertaken under the control of certified traffic controllers to ensure public safety when vehicles are reversing;
 - b) car parking associated with the proposal (including queuing areas, grades, turn paths, sight distance requirements, aisle widths, and parking bays) should be in accordance with AS 2890.1-2004, AS2890.6 for accessible spaces and AS 2890.2-2002 for heavy vehicle usage;
 - c) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority or council;
 - d) the swept path of the longest vehicle (including garbage trucks) entering and exiting the Subject Site, as well as manoeuvrability through the Subject Site, shall be in accordance with AUSTROADS; and
 - e) The 'fire egress and maintenance' path (27), when connecting to the south-eastern roundabout, should link to a footpath. This footpath should connect in a clockwise direction around the roundabout and join the footpath running along the right hand side of the most southerly car park. This linkage will provide better connection across the site for maintenance personnel and for fire egress.

END OF PART B, SCHEDULE 3

PART C1 - PRIOR TO CONSTRUCTION OF INFRASTRUCTURE WORKS

Section 138 Consent

- C1 Prior to commencement of infrastructure works, the development shall obtain section 138 consent under the *Roads Act 1993* from Council for all works on Tathra Road.

Construction Plans and Specifications

- C2 Prior to construction of infrastructure works, detailed construction plans and specifications for road, water, sewerage and drainage works are to be approved by Council's Director of Engineering Services of Bega Valley Shire Council or his delegate.

These works shall be designed and specified in conformity to the standards set out in Council's Technical Specifications (or other documents formally adopted by Council for the purpose of specifying standards for construction works, DCP No.2) as current at the date of approval, and sound engineering practice.

These detailed construction plans must include all erosion and sediment control works necessary to ensure that the quality of stormwater discharged from these works, both during and after the construction period, will not result in erosion, sedimentation or pollution of any land or water. These plans shall be in accordance with Council's Development Design Specification D7, Erosion Control and Stormwater Management.

Lodgement of Security

- C3 Prior to construction of infrastructure works, security is to be lodged with Council of an amount of \$100,000.00 (Allocation No.19755.9755.9800) as security for *remedying any defects in any public work* required in connection with this consent (such as road work, kerbing and guttering, footway construction, stormwater drainage, water supply and sewerage works and environmental controls) that arise within six months after the works are completed, and for making good any damage caused to Council property as a consequence of the doing of anything to which the consent relates.

The security lodged with Council shall be either in money or unconditional bank guarantee in a form acceptable to Council.

The funds realised from this security may be paid out by Council to meet any costs referred to in this condition. A Bond Administration Fee may be payable to Council.

Qualifications and insurance of engineering designers (Public Works)

- C4 All public works (such as road work, kerbing and guttering, footway construction, stormwater drainage, water supply and sewerage works and environmental controls) shall be designed by persons holding suitable qualifications for the design of works of this type and current professional indemnity insurance.

Contractor's insurance (Public Works)

- C5 Each contractor engaged in the construction of public works (such as road work, kerbing and guttering, footway construction, stormwater drainage, water supply and sewerage works and environmental controls) must hold current public liability insurance for an amount of not less than \$20,000,000.00 suitably endorsed to note the contractor and Council for their respective rights and interests.

Prior to the commencement of the construction of these public works Council must be provided with evidence of the currency of this insurance.

Roads & Drainage Civil Works

- C6 Design and construction of a suitably appropriate single lane four leg **roundabout** at the intersection of Bega-Tathra Road, Harry Scanes Avenue and the proposed access road to the development site shall be prepared in conformity with the standards specified in the Austroads Guide to Road Design, Part 4B:Roundabouts. The intersection treatment shall include all ancillary works associated with pavement marking, drainage, kerb and gutters, lighting and signage. The design shall ensure that

no water is directed onto the formation of the roadways. The applicant will be required to provide suitable drainage, including structures if necessary, underneath the roadway.

C7 Design (full engineering design plans) and construction of the following roadwork in the proposed **new public road** from its intersection with the Bega-Tathra Road to the intersection of the internal access spine road for the development site:

- a) 150mm upright kerb and gutter along both sides with a width of 11.0 metres between nominal kerb lines,
- b) pavement design in accordance with a minimum design ESA of 5x105
- c) bitumen sealed road pavement extending for the full width between the kerbs and gutters,
- d) all associated stormwater and subsoil drainage works,
- e) grassing of footways,
- f) erection of street name sign, and
- g) all other works necessary to achieve the above.

The design shall also make provision for a safe crossing point at a distance back from the proposed Hospital Drive roundabout within the site.

Note: The safety of pedestrians and cyclists is paramount and as such it is not appropriate to have pedestrians or cyclists negotiating crossing Hospital Drive at the point of the roundabout in order to access the shared path into Bega

C8 Design (full engineering design plans) and construction of the following roadwork on the internal access spine road to the development site on Lot 1 DP 1176012:

- a) 150mm upright kerb and gutter along both sides with a width of 8.0 metres between nominal kerb lines,
- b) pavement design in accordance with a design ESA of 5x105.
- c) bitumen sealed road pavement extending for the full width between the kerbs and gutters,
- d) suitable vehicle turning facility at the end of this road,
- e) all associated stormwater and subsoil drainage works,
- f) grassing of footways,
- g) all other works necessary to achieve the above.

C9 Design and construction of concrete footpath(s) connecting the existing network at Rose Street/Bega-Tathra Road intersection to the development site. It is recommended that the route design be discussed with Council prior to any formal design being submitted:

- a) concrete pavement not less than 1.2 metres wide
- b) minimum concrete thickness 100mm
- c) minimum concrete strength grade 20MPa.

The footpath must provide for safe pedestrian and cycle connection to Hospital Drive and appropriate connections to the new shared pathway internal to the hospital site.

Note: The construction of the footpath must be completed prior to occupation of the Stage 2 building.

C10 All road works shall be designed and constructed to safely and adequately accommodate buses. Provision shall be made to ensure safe, direct, unobstructed and comfortable pedestrian access to the hospital building.

C11 Construction of stormwater drainage works as necessary to convey stormwater flows within the development and downstream. Any design shall be in accordance with Council's Development Design Specification, Stormwater Drainage Design D5.

Note: Appropriate easements shall be created to contain all drainage works that are located outside of roads and drainage reserves.

C12 The Office of Water is to be consulted in relation to the design of the stormwater drainage system and is to be satisfied that the final engineered solution will not degrade the wetlands and associated water courses of the Bega River. Specifically, the proponent shall demonstrate the following:

- That the quality of water discharging from the site into the wetlands will not degrade the wetland's existing water quality, consistent with the NSW Wetlands Management Policy.
- That the quantity of water that is discharged from the site will not degrade the wetlands and adversely alter the hydrology of the wetlands.

The requirements of the Office of Water are to be incorporated into the final stormwater design.

C13 **Compliance Certificate(s)** in relation to the inspection and testing of all public works associated with this consent (such as road work, kerbing and guttering, footway construction, stormwater drainage, water supply and sewerage works and environmental controls) must be obtained either from Council or from an Accredited Certifier to demonstrate that these works have been completed.

C14 These public works must be inspected and tested either by Council's inspector, or by an Accredited Certifier at each of the following stages of construction to confirm compliance with the standards set out in the approved plans and specifications. Any inspection and testing performed by Accredited Certifiers shall be documented by Compliance Certificate(s) for those parts of the public work.

- a) After placement of all signs in accordance with the approved Traffic Control Plan.
- b) After stripping of topsoil from roads and fill areas, all Soil & Water Management Plan controls shall be in place at this stage.
- c) After completion of road subgrade.
- d) After placement and compaction of each layer of gravel pavement material.
- e) Prior to the application of bitumen seal or asphaltic concrete wearing surface.
- f) After laying and jointing of all stormwater pipelines prior to backfilling.
- g) After completion of works.
- h) As otherwise required to confirm that the works are satisfactorily executed and in conformity with environmental controls.

It should be noted that Council charges fees for inspections and Compliance Certificates. These fees must be paid prior to the endorsement of a Final Occupation Certificate/Completion Certificates.

C15 No work shall be carried out within three (3) metres of or adjacent to the carriageway of a public road subject to motor vehicle traffic until Council has approved a satisfactory **Traffic Control Plan** relating to that work, and the Roads and Maritime Services has approved any associated Road Works Speed Limit.

The Traffic Control Plan shall be prepared by a person who is authorised by the Roads and Maritime Services to prepare these plans. The Traffic Control Plan must bear the name, signature and Traffic Control at Worksites Certificate Number of the person who prepared it. All measures described in the Traffic Control Plan shall be implemented and maintained for the duration of any work within or adjacent to the road carriageway.

END OF PART C1, SCHEDULE 3

PART C2 - PRIOR TO CONSTRUCTION OF ANY WORKS

Notice of Commencement of Works

C16 The Certifying Authority and Council shall be given written notice, at least 48 hours prior to the commencement of building works on the subject site.

Lodgement of plans

C17 Plans certified in accordance with section 109R of the EP&A Act **and showing compliance with conditions C18 to C44 below (as appropriate)** are to be submitted to Council and to the Department prior to commencement of the **relevant** Stage 1 works.

Access for Emergency Services

C18 Prior to construction, the development must comply with the recommendations in Section 4.3 (Access for fire fighting operations) of the Bushfire Constraints Report prepared by ABPP dated May 2012 to ensure that adequate internal access for emergency vehicles has been provided.

Flood Impacts Assessment

C19 Prior to construction of site works, the PCA is to be satisfied that the proponent has addressed the following:

- a) Prepared a comprehensive analysis of the flood risk to the site to confirm the most appropriate flood levels, for a range of return periods, and including an assessment of climate change impacts.
- b) Adopted the PMF level as the flood planning level for the site.
- c) Has considered the availability of a suitable access route to the hospital which will remain free of flooding including during a PMF event.

Construction Environmental Management Plan

C20

- a) Prior to the commencement of any works on the subject site, a Construction Environmental Management Plan (CEMP) shall be submitted to the PCA. The Plan shall address, but not be limited to, the following matters where relevant:
 - i) hours of work
 - ii) 24 hour contact details of site manager
 - iii) construction traffic management (refer to Condition C19)
 - iv) construction noise and vibration management (refer to Condition C20)
 - v) dust management (refer to Condition 22)
 - vi) erosion and sediment control (refer to Condition 23)
 - vii) construction waste management (refer to Condition 24)
 - viii) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the subject site
 - ix) external lighting in compliance with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting
 - x) flora and fauna management.
- b) The CEMP is to include management methods, procedures and specific mitigation treatment (including reactive measures) to be implemented in during construction.

-
- c) The CEMP must not include works that have not been explicitly approved in the development consent. In the event of any inconsistency between the consent and the CEMP, the consent shall prevail.
 - d) The applicant shall submit a copy of the CEMP to the Department and to the Council, prior to commencement of work.

Construction Traffic Management Plan

C21

- a) A construction Traffic Management Plan (TMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements, maintenance of existing thoroughfares, and traffic control, should be prepared in consultation with Council prior to the commencement of works for relevant stages.
- b) Associated Traffic Control Plans (TCP) and 'Driver Codes of Conduct' shall be included in the TMPs.
- c) Appropriate signage is to be installed on Tathra Road in accordance with approved TMPs to warn motorists of trucks turning into and out of the site.
- d) A copy of the TMP is to be submitted to the Council.
- e) The Plan is to be implemented for the term of the Stage 1 construction works.

Construction Noise and Vibration Management Plan

C22 Prior to the commencement of works, a Construction Noise and Vibration Management Plan (CNVMP) shall be prepared prior to commencement of construction activities, that includes but is not limited to the following:

- a) Identification of each work area, site compound and access route (both private and public);
- b) Identification of the specific activities that will be carried out and associated noise sources at the premises and access routes;
- c) Identification of all potentially affected sensitive receivers;
- d) The construction noise and vibration objectives identified in accordance with the NSW Interim Construction Noise Guideline and Assessing Vibration: A technical Guideline;
- e) Assessment of potential noise and vibration from the proposed construction methods (including noise from construction traffic) against the objectives identified in (d);
- f) Where the objectives are predicted to be exceeded an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce noise impacts;
- g) Description of management methods and procedures and specific noise mitigation treatments that will be implemented to control noise and vibration during construction, including early erection of operational noise control barriers;
- h) Procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity; and
- i) Measures to monitor noise performance and respond to complaints.
- j) A copy of the Plan shall be provided to the Council prior to construction.

Dust Management Plan

C23 Prior to the commencement of works, a comprehensive Dust Management Plan should be submitted to the EPA for review, including but not limited to the following:

- a) Identification of specific activities that will be carried out and associated dust sources at the premises and access routes;

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- b) Identification of all potentially affected sensitive receivers;
 - c) Description of the management methods and procedures and specific dust mitigation treatments that will be implemented to control dust generated during construction;
 - d) Procedures for notifying residents of construction activities that are likely to affect amenity; and
 - e) Measures to monitor dust performance and respond to complaints.

Sediment and Erosion Control Plan

C24

- a) Prior to commencement of Stage 1 works, the Applicant should submit to the EPA for review, a comprehensive Sediment and Erosion Control Plan. This Plan must be consistent with the requirements of 'Managing Urban Stormwater- Soils and Construction, 4th Edition (2004)' by Landcom.
- b) The Plan is to be accompanied by a site plan detailing the number, type, dimension and location of each sediment and erosion control structure to be constructed.
- c) Erosion and sediment control measures are to be installed prior to any earthworks commencing. Such measures shall be maintained throughout the construction period and cleaned immediately following a storm event.
- d) Prior to the commencement of works, the name, brand and amount of flocculent proposed to be used in any sediment basins prior to release into the surrounding waterways, shall be submitted for the review of the EPA.

Construction Waste Management Plan

C25

- a) Prior to the commencement of any works on the subject site, a **Construction Waste Management Plan** prepared by a suitably qualified person in accordance with EPA Guidelines, shall be submitted to the PCA. The Plan should address, but not be limited to, the following matters:
 - i) Recycling of demolition materials including concrete
 - ii) Removal of hazardous materials and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.
 - iii) Details demonstrating compliance with the relevant legislative requirements, associated with the removal of hazardous waste, particularly the method of containment and control of emission of fibres to the air, are to be submitted to the satisfaction of the PCA prior to the removal of any hazardous materials.

The applicant shall submit a copy of the Plan to the department and to the council, prior to commencement of work

Safety/Health/Amenity

C26 Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site and maintained throughout the development. Each toilet provided shall be:

- a) a standard flushing toilet, and
- b) connected:
 - i) to a public sewer, or

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- ii) if connection to a public sewer is not practicable, to an accredited sewage management facility provided by the council, or
 - iii) if connection to a public sewer or an accredited sewage management facility is not practicable to some other sewage management facility approved by council.

Construction Signage

C27 A sign is to be erected and maintained in a prominent position on the site in accordance with clause 98 A (2) of the Environmental Planning and Assessment Regulation 2000 indicating:

- a) the name, address and telephone number of the principal certifying authority for the work, and
- b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
- c) stating that unauthorised entry to the work site is prohibited.

This condition does not apply to:

- a) building work carried out inside an existing building, or
- b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

C28 The proponent shall comply with any requirements of Council in relation to the erection of a hoarding or protective barrier between the work site and the public place.

Fill Material

C29 Prior to commencement of works, the Applicant shall submit to the EPA a Licence Application for the Scheduled Activity of 'Waste – Application to Land' OR demonstrate to the EPA that the fill material will meet either the Virgin Excavated Natural Material exemption or the Excavated Natural Material exemption.

C30 Prior to the commencement of works the applicant shall demonstrate that the cut and filled proposed on the site will meet either the Virgin Excavated Natural Material exemption or the Excavated Natural Material exemption.

C31 All fill material shall be in accordance with Council's Development Design Specification D6 Site Regrading (D6.07). All works shall be designed and certified by a suitably qualified Engineer. A copy of the design plans and engineers certification shall be submitted to Council for its records.

Utility Services

C32 Prior to the commencement of works the applicant is to negotiate with the utility authorities in connection with the relocation and/or adjustment of the services affected by the construction.

C33 Prior to the commencement of works written advice shall be obtained from the electricity supply authority, an approved telecommunications carrier stating that satisfactory arrangements have been made to ensure provision of adequate services.

Tree protection

C34 Before any site works commence tree exclusion fencing must be installed around all trees to be retained. The fencing must be installed as a circle around each tree; the distance from the centre of the tree to the fence must be 12 x the diameter of the tree at 1.4 metres from the ground, as described in Australian Standard AS4970. The fencing must be inspected by an arborist to ensure that it provides adequate tree protection and must remain in place until the completion of all site works.

Habitat enhancement and removal of trees with hollows

C35 All hollow-bearing trees must be removed after the exclusion fencing has been installed and before any other earth works commence.

Two weeks prior to the removal of the trees, a total of 94 habitat boxes are to be installed on the site to the satisfaction of the project ecologist. A nest box plan including maintenance/monitoring schedule is to be adopted to ensure the boxes are sited appropriately and remain functional.

C36 An ecologist must be present during the tree removal process to protect any fauna inhabiting the hollows.

C37 Prior to the removal of the trees, any fauna identified by the project ecologist is to be allowed sufficient time to relate.

C38 The habitat enhancement recommendations contained in section 5.3 of the Bat Survey Report dated 23 January 2013 prepared by Abel Ecology are to be generally complied with. The final design and location for the nesting boxes is to be developed in consultation with the project appointed landscape architect and is to be suitably integrated into the landscape strategy for the site. A plan complying with the terms of this condition is to be submitted for the approval of Council prior to the commencement of these works.

Note: The proposal for the nesting boxes detailed in Figure 3 of the Bat Survey Report dated 23 January 2013 prepared by Abel Ecology, whereby 25 poles containing 2 nesting boxes each would be located along the eastern boundary of the site is not endorsed as a suitable solution. An alternative solution to suitably integrate the nestboxes within the site and not to consolidate the location along the eastern boundary should be developed.

C39 The batter slopes for excavation recommended in section 7.3 of the 'Report on Geotechnical Investigations' prepared by Douglas Partners dated August 2012 are to be complied with to the satisfaction of the certifying authority.

Advice to Neighbours during construction

C40 Prior to commencement of construction and every three months, the proponent shall advise adjoining owners located on Tathra Road, Glen Mia Drive, Taronga Street and Boundary Road of the proposed construction program, environment management measures and provide a means for residents to provide feedback or complaints.

Cultural Heritage

C41 Prior to the commencement of work, the proponent is to prepare a Cultural Heritage Management Plan. The Plan is to include the following matters, as documented in section 7.0 of the Cultural Heritage Impact Assessment dated August 2012 prepared by RPS:

- a) Salvage and or management of AHIMS Site# 62-6-0724,
- b) Test pitting of Spur 1 & 2 landforms where impact is to occur under the Office of Environment and Heritage's Code of Practice Methodology Guidelines (September 2010),
- c) Opportunity for monitoring by BLALC during trenching and other related construction works to the spur landform, and
- d) Mechanism for ongoing Aboriginal cultural input into the proposed hospital development.

C42 Prior to the commencement of work, all relevant staff (ie contractors and subcontractors) should be made aware of their statutory obligations for heritage under NSW National Parks and Wildlife Act 1974 and the NSW Heritage Act 1977.

Controlled Activity Approval

C43 Prior to the commencement of work, the proponent is to contact the NSW Office of Water to confirm whether a Controlled Activities Approval is required pursuant to the *Water Management Act 2000*.

END OF PART C2, SCHEDULE 3

PART D – DURING CONSTRUCTION OF STAGE 1 WORKS

Hours of Work

- D1 The hours of construction, including the delivery of materials to and from the subject site, shall be restricted as follows:
- a) between 7:00 am and 6:00 pm, Mondays to Fridays inclusive
 - b) between 8:00 am and 5:00 pm, Saturdays
 - c) no work on Sundays and public holidays
 - d) Works may be undertaken outside these hours where
 - i) the delivery of materials is required outside these hours by the Police or other authorities; or
 - ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; or
 - iii) Variation is approved in advance in writing by the Director-General or his nominee.

Erosion and Sediment Control

- D2 All erosion and sediment control measures, are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

Approved Plans to be On-site

- D3 A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the subject site at all times and shall be readily available for perusal by any officer of the department, council or the PCA.
- D4 All road works, traffic control facilities and other works associated with this development including any modifications required to meet RMS standards, will be at no cost to RMS. All works shall be completed prior to occupation.

Protection of Trees

- D5
- a) No street trees are to be trimmed or removed unless it forms a part of this development consent or prior written approval from council is obtained or is required in an emergency to avoid the loss of life or damage to property.
 - b) All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, shall be replaced, to the satisfaction of council.
 - c) All trees on the subject site that are within 15 metres of the work zone and are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.

Construction Noise Management

- D6 The applicant shall schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved in the Construction Noise and Vibration Management Plan:
- a) 8.00 am to 12.00 pm, Monday to Friday
 - b) 2.00 pm to 5.00 pm Monday to Friday

c) 9.00 am to 12.00 pm Saturday

d) 1.00 pm to 4.00 pm Saturday

D7 Wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required they must only be installed where outlined in a Construction Noise and Vibration Management Plan.

D8 Any noise generated during the construction of the development must not be offensive noise within the meaning of the Protection of the Environment Operations Act, 1997 or exceed approved noise limits for the subject site.

Work Cover Requirements

D9 To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel, and work shall be conducted at all times in accordance with relevant Work Cover requirements.

Construction Vehicles

D10 All construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.

No Obstruction of Public Way

D11 The public way (outside of any construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all work on site.

Ground Water Monitoring

D12 Ground water monitoring is to be undertaken prior to and every 6 months during construction activities. The monitoring should be undertaken on a regular basis in order to assess potential impacts on groundwater. Samples should be collected for laboratory analysis twice per year. The ground water quality results should be compared to the background water quality result included in the Geotechnics report prepared by Coffey titled 'Ground Water Assessment, Proposed Bega Valley Hospital, Tathra Road, Bega NSW' dated 5 November 2012.

A copy of the report is to be submitted to the Department for consideration within one (1) month of completion. Following review of the report, the proponent is to comply with any further monitoring requirements.

D13 All groundwater sampling is to be carried out by an experienced ground water professional or environmental scientist in accordance with Australian sampling standards.

Discovery of Historic Archaeological Deposit/Relic

D14 The applicant must ensure that if historic archaeological deposits/relics are discovered, the Heritage Council is notified in writing in accordance with section 146 of the *Heritage Act 1977*. Work must cease in the affected area(s) and a suitably qualified and experienced archaeologist must be contacted to assess the archaeological material. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

END OF PART D, SCHEDULE 3

PART E – AFTER COMPLETION OF STAGE 1 WORKS / OR PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Works as executed plans

E1 Upon completion of all civil construction works, Council shall be provided with one complete copy of the plans clearly marked up to show all variations of the completed works from the approved design in regard to alignment, levels and other details of the works. These plans must show the location and depth of any filling placed on any lot. Works-as-executed plans must be prepared and certified by a Registered Surveyor or Chartered Professional Engineer as a complete and accurate record of the subdivision work.

A complete record of all cadastral information, roads, stormwater drains, water supply and sewerage infrastructure works for this subdivision shall also be provided to Council in an electronic format.

The electronic / digital data must be suitable for inclusion in Council's Geographic Information System with a brief metadata description of the projection, survey control and layers.

The preferred format for this electronic/digital data is as follows:

- a) File format: AutoCAD DWG or DXF files.
- b) Map Projection: MGA94 Zone 55.
- c) Map Layers: To delineate map data into subdivision, water, sewer and drainage.
- d) Survey Control: map point location and name or table format of control points showing name and coordinates used for survey.

Data will need to be resupplied if coordinates are not valid for the surveyed area.

The works as executed plans must be examined and accepted by Council's engineering staff.

- E2 Establishment of inter-allotment drainage easement(s) not less than 1.0 metre wide across Lot 2 in DP 1176012 to contain stormwater drainage works to connect the development to a Council controlled drainage system. The easement(s) shall be established to benefit Lot 1 in DP 1176012. A copy of the plan registered by the NSW Land Titles Office creating this easement shall be provided to the Council to demonstrate compliance with this requirement.
- E3 Establishment of easements to drain sewage not less than 3.0 metres wide in favour of Bega Valley Shire Council to contain sewerage reticulation works that form part of the Council-controlled sewerage system (where not located within a road reserve). A copy of the plan registered by the NSW Land Titles Office creating this easement shall be provided to the Council to demonstrate compliance with this requirement.
- E4 Establishment of easements for services as necessary to provide for the connection of water supply, sewerage, electricity and telecommunications services to lot 1 in DP 1176012 (where not located within a road reserve). A copy of the plan registered by the NSW Land Titles Office creating this easement shall be provided to the Council to demonstrate compliance with this requirement.
- E5 Dedication as Public Road of splay corners 5 metres by 5 metres at the road junction of the Council Public Road with the internal access spine road to the development site. A copy of the plan registered by the NSW Land Titles Office dedicating this land as road shall be provided to the Council to demonstrate compliance with this requirement.
- E6 Dedication as Public Road of such land for road widening as is necessary to contain the constructed road in use (Road 20 wide and var.) over the frontages of lot 1 in DP 1176012. A copy of the plan registered by the NSW Land Titles Office dedicating this

land as road shall be provided to the Council to demonstrate compliance with this requirement.

Conditions to be satisfied prior to commencement of use subject to engineer's certification.

The following matters shall be completed prior to the commencement of use of any part of this development: The satisfactory completion of these works must be evidenced to Council by certification from a suitably qualified and experienced Chartered Professional Engineer (NPER 3 registered) confirming that the works identified in this condition satisfy the specified performance and acceptance criteria, and recognised good engineering practice.

- E7 Construction of stormwater drainage works as necessary to convey runoff from roof and paved areas of the development to public roads or Council controlled drainage systems. Any design shall be in accordance with Council's Development Design Specification, Stormwater Drainage Design D5.
- E8 Construction of stormwater drainage works as necessary to limit the peak stormwater discharge from the development to not exceed calculated flow rates for this site in an undeveloped state for rainfall events of up to a 1 in 2 year average recurrence interval. Any design shall be in accordance with Council's Development Design Specification D5, Stormwater Drainage Design, clause D5.15 – Retarding Basins.

Extended maintenance responsibility

- E9 The developer shall perform all works necessary to maintain all civil engineering works for this development until all other development work has been completed, stabilised, revegetated and buildings (including regional hospital) have been completed for this development site.

Particular attention is required to the regular removal of accumulated material in sediment traps and water quality control ponds.

Prior to the endorsement of the Completion of Engineering Works Certificate, the developer shall lodge with the Council a security deposit or unconditional bank guarantee in a form acceptable to Council, in an amount of \$250,000.00 as security for satisfactory performance of the developer's responsibilities under this condition. The funds realised from this security may be paid out by Council to meet any costs incurred by Council in performing works referred to in this condition. A Bond Administration Fee may be payable to Council.

- E10 A Certificate of Compliance issued under Section 307 of Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000* must be obtained to verify that all the necessary requirements for matters relating to water supply and sewerage for the development have been made with Bega Valley Shire Council.

In the event that development is to be completed in approved stages or application is subsequently made for staging of the development, separate Certificates of Compliance shall be obtained for each stage of the development.

As a precondition to granting a Certificate of Compliance for the development, Bega Valley Shire Council requires the applicant to:

- i) Provide an indicative long term master plan for the complete development of the site.
 - ii) Develop a concept sewerage strategy to accommodate the ultimate proposed development of the site without reducing levels of service to existing customers
- E11 Construct all sewerage works as defined in the Council adopted concept sewerage strategy. The value of the capacity of any works constructed that is greater than the capacity required to service the hospital development alone shall be credited against calculated s64 contributions referred to in **Condition E12** below, along with allowable credits calculated for the closure or change of use of the existing Bega District Hospital.

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- E12 Pursuant to Section 64 of the *Local Government Act* and *Water Management Act 2000*, make payment to Council for contributions in accordance with Council's adopted Development Servicing Plan for Sewerage. This contribution will be determined at the time of Certificate of Compliance application in accordance with Council's adopted Fees and Charges at that time. Note: Council's current contribution towards sewerage is \$9,448.00 (2012/13) per equivalent tenement (ET).
- E13 Develop a concept water supply strategy to accommodate the ultimate proposed development of the site without reducing levels of service to existing customers within Council's Water Supply DSP boundary. The concept water supply strategy shall be submitted to and approved by Council. Note: this may be a staged strategy to accommodate the proposed long term site development.
- E14 Construct all water supply works as defined in the Council adopted concept water supply strategy. The value of the capacity of any works constructed that is greater than the capacity required to service the hospital development alone shall be credited against calculated s64 contributions referred to in **Condition E15** below, along with allowable credits calculated for the closure or change of use of the existing Bega District Hospital.
- E15 Pursuant to Section 64 of the *Local Government Act* and *Water Management Act 2000*, make payment to Council for contributions in accordance with Council's adopted Development Servicing Plan for Water Supply. This contribution will be determined at the time of Certificate of Compliance application in accordance with Council's adopted Fees and Charges at that time. Note: Council's current contribution towards water supply is \$12,430.00 (2012/13) per equivalent tenement (ET).

Vehicular Access

- E16 Direct formal vehicular access to Tathra Road from the subject site is not permitted except via the new Hospital Drive. All existing vehicular access points to Tathra Road shall be physically closed by fencing and re-vegetation the access.
- E17 Prior to any occupation, the developer shall upgrade the junction of Hospital Drive and Tathra Road to be a roundabout in accordance with RMS' supplement to Austroads Guide to Road Design Part 4B: Roundabouts titled Roundabouts-Geometric Design Method.
- E18 Where required, lighting shall be upgraded/provided in accordance with Australian Standard AS/NZS1158.
- E19 Prior to occupation, the developer shall obtain formal notification from Council that the works on Tathra Road were designed and constructed to Council's satisfaction.

Structural Inspection Certificate

- E20 A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the PCA prior to occupation. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) shall be submitted to the approval authority and the council after:
- b) The site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings.
 - c) The drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

Landscaping

- E21 The landscaping shall incorporate local indigenous species. A minimum of fifty-four (54) locally indigenous trees, in addition to locally indigenous herbs and grasses, must be planted to offset the loss of trees removed and is to include the following species:
- a) Trees and Small Trees: *Angophora floribunda*, *Eucalyptus tereticornis*, *Allocasuarina littoralis*

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- b) Herbs and Grasses: *Dichondra repens*, *Lomandra longifolia*, *Poa labillardiere*,
Themeda australis

Outdoor Lighting

E22 All outdoor lighting within the site shall comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.

Number of Car Spaces

E23 A maximum number of 485 car spaces are to be constructed. Details confirming the parking numbers shall be submitted to the satisfaction of the Certifying Authority prior to occupation.

END OF PART E, SCHEDULE 3

PART F – POST OCCUPATION – STAGE 1 WORKS

Loading and Unloading

- F1 All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the subject site at all times.

Unobstructed Driveways and Parking Areas

- F2 All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

Noise Control – Plant and Machinery

- F3 Noise associated with the operation of any plant, machinery or other equipment on the subject site, shall not exceed 5dB(A) above the background noise level when measured at the boundary of the subject site.

END OF PART F, SCHEDULE 3

ADVISORY NOTES

Appeals

AN1. The applicant has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000* (as amended).

Other Approvals and Permits

AN2. The applicant shall apply to the council for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the *Local Government Act 1993* or *Section 138 of the Roads Act 1993*.

Responsibility for other consents / agreements

AN3. The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Movement of Trucks Transporting Waste Material

AN4. The applicant must notify the Roads and Maritime Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the subject site, prior to the commencement of the removal of any waste material from the subject site.

Street Numbering

AN5. Street numbers and the building name(s), if any, will need to be clearly displayed at either end of the ground level frontages in accordance with the council's policy, prior to the occupation of the building(s) or commencement of the use. If street numbers or a change to street numbers is required, a separate application shall be made to the council.

Temporary Structures

- AN6.
- a) An approval under State Environmental Planning Policy (Temporary Structures) 2007 must be obtained from the council for the erection of the temporary structures (where relevant). The application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.
 - b) Structural certification from an appropriately qualified practicing structural engineer must be submitted to the council with the application under State Environmental Planning Policy (Temporary Structures) 2007 to certify the structural adequacy of the design of the temporary structures.

Disability Discrimination Act

AN7. This application has been assessed in accordance with the *Environmental Planning and Assessment Act 1979*. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*. The applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The *Disability Discrimination Act 1992* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act 1992* currently available in Australia.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

AN8.

- a) The *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.
- b) This application has been assessed in accordance with the *New South Wales Environmental Planning & Assessment Act 1979*. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the applicant's responsibility to consult the Department of Sustainability, Environment, Water, Population and Communities to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

Asbestos Removal

AN9. All excavation works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with NOHSC: "Code of Practice for the Safe Removal of Asbestos"

Site contamination issues during construction

AN10. Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination then the applicant must be immediately notified and works must cease. Works must not recommence on site until the consultation is made with the department.
