

Development consent

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

As delegate of the Minister for Planning, under delegation dated 16 February 2015, I grant consent to the development application referred to in Schedule 1, subject to the conditions in Schedule 2.

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.



David Gainsford
Executive Director
Priority Projects Assessments

Sydney 28 April

2016

SCHEDULE 1

Application No.:	SSD 6980
Applicant:	Health Administration Corporation
Consent Authority:	Minister for Planning
Land:	612 Pittwater Road (Lots A,B,C DP 375728), 620 Pittwater Road (Lot 1 DP 500541) and 624 Pittwater Road (Lot 3 DP 539384).
Development:	Construction of a five-storey Community Health Centre building, pedestrian bridge, and a seven-level car park providing approximately 475 parking spaces.

DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Consent holder or person with the benefit of the development consent.
Application	The development application and the accompanying drawings plans and documentation described in Condition A2.
BCA	Building Code of Australia
BCHC	Brookvale Community Health Centre
Construction	The demolition of buildings or works, the carrying out of works, including bulk earthworks, and erection of buildings and other infrastructure covered by this consent.
Council	Warringah Council
Certification of Crown Building works	Certification under s109R of the EP&A Act
Certifying Authority	Professionals that are accredited by the Building Professionals Board to issue construction, occupation, subdivision, strata, compliance and complying development certificates under the EP&A Act, <i>Strata Schemes (Freehold Development) Act 1973</i> and <i>Strata Schemes (Leasehold Development) Act 1986</i> 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	The Department of Planning and Environment
EEC	Endangered ecological community
Evening	The period from 6pm to 10pm
Environmental Impact Statement (EIS)	<i>Environmental Impact Statement, Brookvale Community Health Centre</i> prepared by SMEC, dated October 2015.
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
Feasible	Feasible relates to engineering considerations and what is practical to build
Minister	Minister for Planning, or nominee
Night time	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
OEH	Office of the Environment and Heritage, or its successor
Reasonable	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
Response to Submissions (RtS)	Response to Submissions letter prepared by Health Infrastructure, dated 5 February 2016 and accompanying attachments
RMS	Roads and Maritime Services Division, Department of Transport or its successor
Secretary	Secretary of the Department of Planning and Environment, or nominee/delegate
Secretary's approval, agreement or satisfaction	A written approval from the Secretary (or nominee/delegate). Where the Secretary's approval, agreement or satisfaction is required under a condition of this consent, the Secretary will endeavour to provide a response within one month of receiving an approval, agreement or satisfaction request. The Secretary 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.
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
Subject Site	612 Pittwater Road (Lots A,B,C DP 375728), 620 Pittwater Road (Lot 1 DP 500541) and 624 Pittwater Road (Lot 3 DP 539384).

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

Development Description

- A1. Except as amended by the conditions of this consent, development consent is granted only to carrying out the development as described in Condition A2.

Development in Accordance with Plans and Documents

- A2. The Applicant shall carry out the development in accordance with the conditions of consent and generally in accordance with the:
- a) *Environmental Impact Statement, Brookvale Community Health Centre* prepared by SMEC, dated October 2015;
 - b) Response to Submissions letter prepared by Health Infrastructure, dated 5 February 2016 and accompanying attachments; and
 - c) following drawings, except for:
 - i) any modifications which are Exempt or Complying Development;
 - ii) as otherwise provided by the conditions of this consent.

Architectural Drawings prepared by McConnel Smith & Johnson			
Drawing No.	Revision	Name of Plan	Date
CHC-BV-AR-SSD-103	3	SITE PLAN – PROPOSED	16/10/15
CHC-BV-AR-SSD-110	14	LOWER GROUND FLOOR AREA PLAN	16/10/15
CHC-BV-AR-SSD-111	14	GROUND FLOOR AREA PLAN	16/10/15
CHC-BV-AR-SSD-112	14	LEVEL 2 AREA PLAN	16/10/15
CHC-BV-AR-SSD-113	14	SECOND FLOOR AREA PLAN	16/10/15
CHC-BV-AR-SSD-114	14	THIRD FLOOR AREA PLAN	16/10/15
CHC-BV-AR-SSD-251	3	ROOF PLAN – SOUTH	16/10/15
CHC-BV-AR-SSD-252	3	ROOF PLAN – NORTH	16/10/15
CHC-BV-AR-SSD-301	10	CARPARK LEVEL 1 FLOOR PLAN	16/10/15
CHC-BV-AR-SSD-302	10	CARPARK LEVEL 2 FLOOR PLAN	29/09/15
CHC-BV-AR-SSD-303	11	CARPARK LEVEL 3 FLOOR PLAN	16/10/15
CHC-BV-AR-SSD-304	10	CARPARK LEVEL 4 FLOOR PLAN	16/10/15
CHC-BV-AR-SSD-305	10	CARPARK LEVEL 5 FLOOR PLAN	16/10/15
CHC-BV-AR-SSD-306	10	CARPARK LEVEL 6 FLOOR PLAN	16/10/15
CHC-BV-AR-SSD-307	8	CARPARK LEVEL 7 FLOOR PLAN	16/10/15
CHC-BV-AR-SSD-401	4	MAIN BUILDING WEST ELEVATION (NORTH END)	16/10/15
CHC-BV-AR-SSD-402	4	MAIN BUILDING WEST ELEVATION (SOUTH END)	16/10/15
CHC-BV-AR-SSD-403	4	MAIN BUILDING EAST ELEVATION (SOUTH END)	16/10/15
CHC-BV-AR-SSD-404	4	MAIN BUILDING EAST ELEVATION (NORTH END)	16/10/15
CHC-BV-AR-SSD-405	4	MAIN BUILDING NORTH & SOUTH ELEVATIONS	16/10/15
CHC-BV-AR-SSD-410	3	CARPARK NORTH ELEVATION	16/10/15
CHC-BV-AR-SSD-411	3	CARPARK WEST ELEVATION	16/10/15
CHC-BV-AR-SSD-412	4	CARPARK EAST ELEVATION	16/10/15

CHC-BV-AR-SSD-413	3	CARPARK SOUTH ELEVATION	16/10/15
CHC-BV-AR-SSD-501	5	BUILDING SECTIONS 1	16/10/15
CHC-BV-AR-SSD-502	4	BUILDING SECTIONS 2	16/10/15
CHC-BV-AR-SSD-503	4	BUILDING SECTION 3A	16/10/15
CHC-BV-AR-SSD-504	4	BUILDING SECTIONS 3B	16/10/15
CHC-BV-AR-SDD-003	2	LANDSCAPE PLAN	09/10/15
CHC-BV-AR-SSD-850	2	MATERIALS & FINISHES	15/09/15
Brookvale Community Health Centre Signage prepared by McConnel Smith & Johnson			
Drawing No.	Revision	Name of Plan	Date
CHC-BV-AR-SSD-802	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-803	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-804	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-805	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-806	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-807	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-808	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-809	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-810	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-811	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-812	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-813	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-814	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-815	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-816	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-817	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-818	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-819	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-820	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-821	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-822	2	SIGNAGE PLAN	15/09/15
CHC-BV-AR-SSD-823	2	SIGNAGE PLAN	15/09/15

Inconsistency between documents

- A3. If there is any inconsistency between the plans and documentation referred to above the most recent 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

- A4. This consent will lapse five years from the date of consent unless the works associated with the development have physically commenced.

Prescribed Conditions

- A5. The Applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Regulation.

Secretary as Moderator

- A6. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development,

either party may refer the matter to the Secretary for resolution. The Secretary's resolution of the matter shall be binding on the parties.

Long Service Levy

- A7. 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

- A8. Any advice or notice to the consent authority shall be served on the Secretary.
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PART B PRIOR TO COMMENCEMENT OF WORKS

Final Design Details – BCHC Facade

- B1. The southern facade of the BCHC building, on the western side of the stairwell block, is to be redesigned to include glazing and metal louvres, consistent with the western façade of the building facing Pittwater Road. The building identification signage is to be relocated to southern elevation of the stairwell block. The design modifications are to be made in consultation with Council and approved by the Secretary prior to commencement of above ground works on the BCHC building.

Certified Plans

- B2. Plans certified in accordance with section 109R of the EP&A Act are to be submitted to the Certifying Authority and the Department prior to commencement of each stage of the construction works and shall include details as required by any of the following conditions.

Site Contamination

- B3. Remediation approved as part of this development consent shall be carried out in accordance with the *Remediation Action Plan for Community Health Centre, 612–624 Pittwater Road, Brookvale NSW*, dated 13 January 2016 and prepared by Parsons Brinckerhoff. A site audit must be carried out by an EPA accredited site auditor prior to the commencement of remediation works.
- B4. Upon completion of the remediation works on the subject site, the Applicant shall submit to the Certifying Authority a site audit report and site audit statement prepared by an EPA accredited site auditor. The site audit report and site audit statement must verify that the land is suitable for the uses proposed as part of this approval.

Future Overhead Bridge Link

- B5. The Applicant shall consult with Roads and Maritime Services and Transport for NSW with regard to final design of the Overhead Bridge Link in accordance with the relevant Roads and Maritime Services standards.

Reflectivity

- B6. The building materials used on the facades of the buildings shall have a maximum normal specular reflectivity of visible light of 20 per cent and shall be designed so as not to result in glare that causes any discomfort or threatens the safety of pedestrians or drivers. A statement demonstrating compliance with these requirements or where compliance cannot

be met a report that demonstrates that the exceedance would not result in glare that causes any discomfort or threatens the safety of pedestrians or drivers is to be submitted to the satisfaction of the Certifying Authority prior to the commencement of above ground works.

Access for People with Disabilities

- B7. The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia. The Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.
- B8. The works that are the subject of this application, that are related to provision of a bus/tax/public transport interchange, must comply with the Accessible Public Transport Disability standards for accessible public transport. They shall comply with AS 1428.1. The certifying authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.

Erosion and Sedimentation Control

- B9. Soil erosion and sediment control measures shall be designed in accordance with the document *Managing Urban Stormwater – Soils & Construction Volume 1* (2004) by Landcom. Details are to be submitted to the satisfaction of the Certifying Authority prior to the commencement of any works.

Pre-Construction Dilapidation Reports

- B10. The Applicant is to engage a qualified structural engineer to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all retained existing and adjoining buildings within the site, infrastructure and roads within the 'zone of influence'. The report shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of any works.

Car Parking and Service Vehicle Layout

- B11. Plans demonstrating compliance with the following traffic and parking requirements shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of relevant above ground works:
- 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 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) the layout of the proposed car parking areas that form part of this approval (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2002 for heavy vehicle usage;
 - c) all demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Pittwater Road;
 - d) appropriate pedestrian advisory signs are to be provided at the egress from the car park;
 - e) all works/ regulatory signposting associated with the proposed development shall be at no cost to the relevant roads authority;
 - f) the swept path of the longest vehicle entering and exiting the Subject Site in association with the new work, as well as manoeuvrability through the Subject Site,

shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.;

- g) the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, is to be addressed;
- h) the width of the exit driveway to William Street is to have a minimum width of 5.5 m in addition to the width required to provide suitable entry for vehicles entering the development including service vehicles; and
- i) the driveway from Pittwater Road is to be designed in accordance with the Australian Standards AS2890.1-2004 and AS2890.2-2002.

B12. Plans indicating line marking and signage, of public roads and footways shall be submitted to the relevant roads authority for approval where required.

Structural Details

B13. Prior to the commencement of works, the Applicant shall submit to the satisfaction of the Certifying Authority structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with:

- a) the relevant clauses of the BCA; and
- b) the development consent.

Mechanical Ventilation

B14. All mechanical ventilation systems shall be installed in accordance with Part F4.5 of the Building Code of Australia and shall comply with the Australian Standards AS1668.2 and AS3666 *Microbial Control of Air Handling and Water Systems of Building*, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of works.

Stormwater and Drainage Works Design

B15. Final drainage design plans of the stormwater drainage and on site detention system, are to be prepared by a suitably qualified engineer generally in accordance with the stormwater concept plan prepared by Taylor Thompson Whiting (ref Job no. 121211K C01-P1, C04-P2) and Stormwater Management Report dated 19-10-15 and Council's On Site Stormwater Detention Technical Specification. The plans are to be submitted to the Certifying Authority prior to the commencement of works.

Storage and Handling of Waste

B16. The building plans and specifications accompanying the relevant plans submitted to the Certifying Authority prior to the commencement of any works shall demonstrate that an appropriate area will be provided within the premises for the storage of garbage bins and recycling containers and all waste and recyclable material generated by this premises. Requirements of these storage areas shall be designed in consultation with Council and shall:

- a) ensure all internal walls of the storage area are rendered to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained with a tap in close proximity to facilitate cleaning;
- b) include provision for the separation and storage, in appropriate categories, of material suitable for recycling; and
- c) include provision for separate storage and collection of organic/food waste.

Road Design

- B17. Kerb and gutter, stormwater drainage, full road width pavement including traffic facilities (vehicle crossings) and paved footpaths shall be constructed along the areas where road works are to be undertaken. All roads and traffic facilities (vehicle crossings) shall be designed to meet the requirements of Council and the RMS (if applicable) and obtain the necessary permits and approvals from the relevant road authority.

Notice of Commencement of Works

- B18. The Certifying Authority and Council shall be given written notice, at least 48 hours prior to the commencement of building or subdivision works on the Subject Site.

Construction Environmental Management Plan (CEMP)

B19.

- a) Prior to the commencement of works on the Subject Site, a CEMP that addresses those works shall be submitted to the Certifying Authority. 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) traffic management, in consultation with the local Council, including a designated off-street car parking area for construction related vehicles;
 - iv) construction noise and vibration management, prepared by a suitable qualified person;
 - v) management of dust to protect the amenity of the neighbourhood;
 - vi) erosion and sediment control;
 - vii) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site;
 - viii) external lighting in compliance with AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting;
 - ix) an *Unexpected Finds Protocol* (UFP); and
 - x) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken within the expanded areas during construction to confirm the contamination status in these areas of the site.
- b) 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.
- c) The Applicant shall submit a copy of the CEMP to the Department and to the Council, prior to commencement of work.

- B20. The CEMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Construction Noise and Vibration Management Plan

B21. The Applicant shall prepare and implement a Construction Noise and Vibration Management Plan (CNVMP) and the plan must:

- a) be prepared by a suitably qualified expert and submitted to the Certifying Authority;
- b) be prepared in consultation with Council and all noise sensitive receivers where noise levels exceed the construction noise management level, in accordance with EPA guidelines;
- c) describe the measures that would be implemented to ensure:
 - i. best management practice is being employed;
 - ii. compliance with the relevant conditions of this consent;
- d) describe the proposed noise and vibration management measures in detail;

- e) include strategies that have been developed to address impacts to noise sensitive receivers where noise levels exceed the construction noise management level, for managing high noise generating works;
- f) describe the consultation undertaken to develop the strategies in e) above;
- g) evaluates and reports on the effectiveness of the noise and vibration management measures; and
- h) include a complaints management system that would be implemented for the duration of the project.

B22. The CNVMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Construction Waste Management Plan

B23.

- a) Prior to the commencement of works on the Subject Site, a Construction Waste Management Plan (CWMP) prepared by a suitably qualified person in consultation with the Council, shall be submitted to the Certifying Authority. The Plan shall address, but not be limited to, the following matters:
 - i) recycling of demolition materials including concrete; and
 - 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.
- b) 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 Certifying Authority prior to the removal of any hazardous materials.
- c) The Applicant shall submit a copy of the plan to the Department and to the Council prior to the commencement of work.
- d) 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.

B24. The CWMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Traffic and Pedestrian Management Plan

B25.

- a) Prior to the commencement of works on the Subject Site, Traffic and Pedestrian Management Plan (TMP) prepared by a suitably qualified person shall be submitted to the Certifying Authority. The Plan must be prepared in consultation with the Council.
- b) The Plan shall address, but not be limited to, the following matters:
 - i) ingress and egress of vehicles to the Subject Site as well as sites sharing ingress and egress;
 - ii) loading and unloading, including construction zones;
 - iii) predicted traffic volumes, types and routes; and
 - iv) pedestrian and traffic management methods.
- c) The Applicant shall submit a copy of the final plan to the Council, prior to the commencement of works.

B26. The TMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Removal and Relocation of Facilities

- B27. Prior to the commencement of construction works in the affected area, the Applicant shall:
- a) negotiate suitable arrangements with Council for the relocation of existing Council advertising bus shelters, including the costs associated with their removal and relocation; and
 - b) negotiate with Rotary in relation to the removal and relocation of the time capsule contained within the footway area on Pittwater Road, adjacent to the site.

Utility Services

- B28. Prior to the commencement of work the Applicant is to negotiate with the utility authorities (e.g. Ausgrid and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the building structure.
- B29. Prior to the commencement of above ground works written advice shall be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.
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PART C DURING CONSTRUCTION

Hours of Work

- C1. The hours of construction, including the delivery of materials to and from the Subject Site, shall be restricted as follows:
- a) between 7 am and 5 pm, Mondays to Fridays inclusive;
 - b) between 7 am and 4 pm, Saturdays; and
 - c) no work on Sundays and public holidays.
- 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 Secretary or his nominee.

Erosion and Sediment Control

- C2. 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 have been stabilised and rehabilitated so that it no longer acts as a source of sediment.

Disposal of Seepage and Stormwater

- C3. Any seepage or rainwater collected on-site during construction or groundwater shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council.

Approved Plans to be On-site

- C4. 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 Certifying Authority.

Northern Beaches Bus Rapid Transit

- C5. The Applicant shall consult with Transport for NSW to address any outstanding transport issues in particular in relation to interface issues associated with the bus operation adjacent to the proposed development.

Road Occupancy Licence

- C6. A Road Occupancy Licence must be obtained from the Transport Management Centre (RMS) for any works that have impact on traffic flows on Pittwater Road during construction activities.

Site Notice

- C7.
- a) A site notice(s) shall be prominently displayed at the boundaries of the Subject Site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer.
 - b) The site notice(s) is to satisfy all but not be limited to, the following requirements:
 - i) minimum dimensions of the notice are to measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30 point type size;
 - ii) the notice is to be durable and weatherproof and is to be displayed throughout the works period;
 - iii) the approved hours of work, the name of the site/ project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/ noise complaint are to be displayed on the site notice; and
 - iv) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the Subject Site is not permitted.

Construction Noise Management

- C8. The development shall be constructed with the aim of achieving the construction noise management levels detailed in the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009). All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the Construction Noise and Vibration Management Plan.
- C9. If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the NSW Industrial Noise Policy), 5 dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise management levels.
- C10. The Applicant shall schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved by the Secretary:
- a) 9 am to 12 pm, Monday to Friday;
 - b) 2 pm to 5 pm Monday to Friday; and
 - c) 9 am to 12 pm, Saturday.

- C11. 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.
- C12. 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.

Vibration Criteria

- C13. Vibration caused by construction at any residence or structure outside the Subject Site must be limited to:
- a) for structural damage vibration, German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and
 - b) for human exposure to vibration, the evaluation criteria presented in British Standard BS 6472 – Guide to Evaluate Human Exposure to Vibration in Buildings (1 Hz to 80 Hz) for low probability of adverse comment.
- C14. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.
- C15. These limits apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved by the Secretary.

Work Cover Requirements

- C16. 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.

Hoarding Requirements

- C17. The following hoarding requirements shall be complied with:
- a) no third party advertising is permitted to be displayed on the subject hoarding/ fencing;
 - b) the construction site manager shall be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application; and
 - c) the applicant shall submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

No obstruction of public way

- C18. The public way (outside of any construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under and circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all works on site.

Discovery of Aboriginal Heritage

- C19. In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). a suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The

Applicant must consult with the Aboriginal community representatives, the archaeologists and OEH to develop and implement management strategies for all projects/sites.

PART D PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Bicycle Spaces

- D1. The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities.

Surveillance

- D2. CCTV shall be provided on the external perimeter of the BCHC building and car park and within Level 1 (ground floor) of the car park (including the bicycle storage area) prior to the occupation of the BCHC.

Mechanical Ventilation

- D3. Following completion, installation and testing of all the mechanical ventilation systems, the Applicant shall provide evidence to the satisfaction of the Certifying Authority, prior to the final occupation of the new building, that the installation and performance of the mechanical systems complies with:
- a) The Building Code of Australia;
 - b) Australian Standard AS1668 and other relevant codes;
 - c) The development consent and any relevant modifications; and
 - d) Any dispensation granted by the New South Wales Fire Brigade.

Road Damage

- D4. The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development is to be met in full by the Applicant prior to the final occupation of the new hospital building.

Compliance Certificate

- D5. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone 13 20 92 for assistance.

The Section 73 Certificate must be submitted to the Certifying Authority prior to occupation of the building.

Post-construction Dilapidation Report

- D6. Prior to final occupation of the new BCHC building:
- a) The Applicant shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining hospital buildings, infrastructure and roads.

- b) The report is to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining hospital buildings, infrastructure and roads, the Certifying Authority must:
 - i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and
 - ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
- c) A copy of this report is to be forwarded to the Council.

Fire Safety Certification

- D7. Prior to the final occupation of the new hospital building, a Fire Safety Certificate shall be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.

Structural Inspection Certificate

- D8. A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to the occupation of the relevant parts of the new hospital building. 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:
- a) The site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings.
 - b) The drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

Signage

- D9. Way-finding signage and signage identifying public car parks for patients and visitors of the BCHC and users of the commuter car park shall be installed prior to occupation of the BCHC.
- D10. Bicycle way-finding signage shall be installed to direct cyclists from footpaths to designated bicycle parking areas prior to occupation of the BCHC.

Stormwater Quality Management Plan

- D11. An Operation and Maintenance Plan is to be prepared to ensure proposed stormwater quality measures remain effective. The Plan must contain the following:
- a) maintenance schedule of all stormwater quality treatment devices;
 - b) record and reporting details;
 - c) maintenance costs and funding arrangements for the maintenance of all stormwater quality treatment devices;
 - d) vegetation species list associated with each type of vegetated stormwater treatment device;
 - e) waste management and disposal;
 - f) traffic control measures (if required);
 - g) relevant contact information;
 - h) renewal, decommissioning and replacement timelines and activities of all stormwater quality treatment devices; and
 - i) Work Health and Safety requirements.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to final occupation.

PART E POST OCCUPATION

Unobstructed Driveways and Parking Areas

- E1. All driveways, footways and parking areas shall be unobstructed at all times. Driveways, footways and car spaces shall not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and shall be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.

B-Line Services Operation

- E2. All feasible measures are to be undertaken on an ongoing basis to prevent the potential queuing of cars from the BCHC access on Pittwater Road into the bus lane, in consultation with Transport for NSW and the RMS.

Noise Control – Plant and Machinery

- E3. Noise associated with the operation of any plant, machinery or other equipment on the Subject Site, shall not exceed 5 dB(A) above the background noise level when measured at the boundary of the sensitive receiver.
- E4. The Applicant shall undertake a noise monitoring program for a minimum period of one week following the commencement of operations on the Site. The monitoring program shall be undertaken by an appropriately qualified person and monitoring reports shall be submitted to the Department within two months of commencement of operations to verify that operational noise levels do not exceed the noise objectives identified in *Brookvale Community Health Centre, Noise and Vibration Impact Assessment*, prepared by Acoustic Logic. Should the noise monitoring program identify any exceedance of the noise criteria referred to above, the Applicant is required to implement appropriate noise attenuation measures so that operational noise levels comply with the criteria.

Loading and Unloading

- E5. 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.

Storage of Hazardous or Toxic Material

- E6. Any hazardous or toxic materials must be stored in accordance with Workcover Authority requirements and all tanks, drums and containers of toxic and hazardous materials shall be stored in a bunded area. The bund walls and floors shall be constructed of impervious materials and shall be of sufficient size to contain 110 per cent of the volume of the largest tank plus the volume displaced by any additional tanks within the bunded area.

Public Way to be Unobstructed

- E7. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.

External Lighting

- E8. External Lighting shall comply with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Upon installation of lighting, but before it is finally commissioned, the Applicant shall submit to the consent authority evidence from a qualified practitioner demonstrating compliance in accordance with this condition.

Removal of Graffiti

- E9. Given the gateway location of this site, all graffiti shall be removed as soon as practicable and ideally within 24 hours of appearing. This should be specified in the Facilities Management Plan.

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 relevant authority 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.

Use of Mobile Cranes

- AN4. The Applicant shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the following matters shall be complied with:
- a) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on-site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council:
 - i) At least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions, and
 - ii) At least four weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
 - b) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30 am without the prior approval of Council.

Temporary Structures

- AN5.
- a) An approval under State Environmental Planning Policy (Temporary Structures) 2007 must be obtained from the Council for the erection of the temporary structures. 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

AN6. 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

AN7.

- 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

AN8. All excavation and demolition 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

AN9. 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.