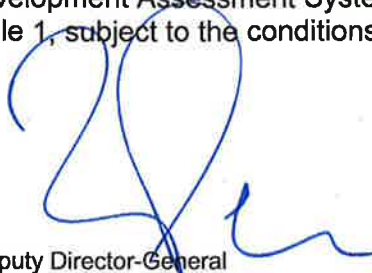


Project Approval

Section 75J of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation dated 14 September 2011, I the Deputy Director General, Development Assessment Systems Performance, approve the Project Application referred to in Schedule 1, subject to the conditions in Schedule 2.



Deputy Director-General
Development Assessment & Systems Performance
Department of Planning & Infrastructure

Sydney

23 August

2012

SCHEDULE 1

Application No.:	MP11_0009
Proponent:	Russo Family Trust
Approval Authority:	Minister for Planning and Infrastructure
Land:	84-86 Kiora Road, Miranda Lot C DP415413
Project:	Project Application approval for the following: • demolition of existing buildings and excavation; • construction of a part 6/ part 7 storey dental hospital comprising: • various specialist dental treatment services, day surgery facilities, and inpatient accommodation; • shop/café on the upper ground floor; • fully automated 3 level basement car stacker containing 40 car spaces; and • two signs along the northern and western façades of the building.

NOTES RELATING TO THE DETERMINATION OF MP11_0009

Responsibility for other approvals/ agreements

The Proponent is responsible for ensuring that all additional approvals and agreements are obtained from other authorities, as relevant

Appeals

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the Act and the Regulation.

Legal notices

Any advice or notice to the approval authority shall be served on the Director General.

DEFINITIONS

Act	means the Environmental Planning and Assessment Act, 1979 (as amended).
Advisory Notes	means advisory information relation to the approved development.
BCA	means the Building Code of Australia.
Principal Certifying Authority	has the same meaning as Part 4A of the Act.
Council	means Sutherland Shire Council.
Department	means the Department of Planning & Infrastructure or its successors.
Director General	means the Director General of the Department or his nominee.
Environmental Assessment (EA)	means the Environmental Assessment Report for the Miranda Dental Hospital development dated November 2011.
Minister	means the Minister for Planning and Infrastructure.
MP 11_0009	means the Major Project described in the Proponent's Environmental Assessment as amended by the Preferred Project Report.
Preferred Project Report (PPR)	means the Preferred Project Report for the Miranda Dental Hospital.
Proponent	means the Russo Family Trust or any party acting upon this approval.
Regulation	means the Environmental Planning and Assessment Regulation, 2000 (as amended).
Subject Site	has the same meaning as the land identified in Part A of this schedule.

End of this Section

SCHEDULE 2

PART A- ADMINISTRATIVE CONDITIONS

A1. Development Description

Development approval is granted only to carrying out the development described in detail below:

Demolition of existing buildings and excavation and construction of a part 6/ part 7 storey dental hospital with a GFA of 1938.5m² comprising:

- various specialist dental treatment services, day surgery facilities, and inpatient accommodation;
- shop/café on the upper ground floor;
- fully automated 3 level basement car stacker containing 40 car spaces; and
- two signs along the northern and western façades of the building.

A2. Development in Accordance with Plans and Documentation

The development will be undertaken in accordance with the Environmental Assessment dated November 2011 prepared by Economia pds and all Appendices, except where varied by

- the Preferred Project Report, and all Appendices,
- the Proponent's Statement of Commitments included in the PPR (Schedule 3); and
- the following drawings:

Architectural (or Design) Drawings prepared by Geoform Design Architects			
Drawing No.	Revision	Name of Plan	Date
1.01	A	Title Sheet	17/04/2012
1.02	A	Site Plan	17/04/2012
2.01	A	Basement Floor Plan	17/04/2012
2.02	A	Lower & Upper Ground Floor Plans	17/04/2012
2.03	A	Level 1 & 2 Floor Plans	17/04/2012
2.04	A	Level 3 & 4 Floor Plans	17/04/2012
2.05	A	Level 5 Floor Plan & Roof Plan	17/04/2012
3.01	A	Context Elevations	17/04/2012
3.02	A	South & West Elevations	17/04/2012
3.03	A	North & East Elevations	17/04/2012
4.01	A	Sections A & B	17/04/2012
4.02	A	Section C	17/04/2012
4.03	A	Sections D & E	17/04/2012
Engineering (or Design) Drawings prepared by EWWF			
Drawing No.	Revision	Name of Plan	Date
SW-00	B	Stormwater Services Site Soil Erosion & Sediment Erosion Plan	26/04/2011
SW-01	C	Stormwater Services Roof Plan Basement Plan	26/04/2011
SW-02	C	Stormwater Services Upper & Lower Ground Plans	26/04/2011
SW-01	C	Stormwater Services Levels 1 to 4 Plans	26/04/2011
SW-01	C	Stormwater Services Sections	26/04/2011

except for:

- any modifications which are 'Exempt and Complying Development' as identified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; and
- otherwise provided by the conditions of this approval.

A3. Inconsistencies between Document

In the event of any inconsistency between conditions of this approval and the drawings / documents referred to above, including the Proponent's Statement of Commitments, the conditions of this approval prevail.

A4. Prescribed Conditions

The Proponent shall comply with the prescribed conditions of approval under Clause 98 of the Environmental Planning and Assessment Regulation 2000 in relation to the requirements of the Building Code of Australia (BCA).

A5. Compliance with Building Code of Australia

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

A6. Lapsing of Approval

This approval shall lapse 5 years after the determination date shown above in this Instrument of Approval, unless the development has been physically commenced.

End of this Section

PART B - GENERAL

B1 Further Approvals

The following shall be subject of separate development applications to Council under Part 4 of the Act (except where exempt and complying development applies):

- shop fit out and use for the café/retail.

B2 Approvals Required under the Roads Act or the Local Government Act

No works, uses or activities shall not be carried out on public land (including a road) adjacent to the development site without approval under the Roads Act 1993 and/or the Local Government Act 1993. An application, together with the necessary fee, shall be submitted and approval granted by Sutherland Shire Council prior to any works, uses or activities commencing on public land.

B3 Costs to Roads and Maritimes Services

All works associated with this approval shall be at no costs to the RMS.

B4 Works or Assets in Public Areas

The proposed development generates a need for works to be undertaken by the Proponent/Developer in the road reserve in conjunction with the development:

- (a) A temporary concrete footpath crossing for construction vehicle access.
- (b) Road pavement construction between the existing sealed pavement and the lip of the proposed kerb and gutter where replacement kerb and gutter or vehicular layback crossings are constructed and where existing pavement has failed fronting the development or fails during the course of the development construction.
- (c) Stormwater drainage work comprised of connection of the proposed development stormwater drainage system to the piped drainage system in either Kiora Road or Urunga Parade.
- (d) Demolition of existing kerb and gutter at the proposed point of access and replacement with a concrete layback crossing.
- (e) Removal of all redundant layback and footpath crossings and reconstruction with integral concrete kerb and gutter.
- (f) Construction of 150mm barrier type kerb and gutter across the full frontages of the site where required,
- (g) The footpath crossing in Urunga Lane to be 10.5m wide.
- (h) Removal and reconstruction of any damaged or cracked sections of kerb and gutter
- (i) Provision of street landscaping.
- (j) Adjustment to public services infrastructure where required.
- (k) Reconstruction of the entire frontage footpaths in Kiora Road North and Urunga Parade to the levels and gradients determined by Council
- (l) Provision of pedestrian kerb ramps at the intersections of Kiora Road North with Urunga Parade and Urunga Parade with Urunga Lane.

An application under the Roads Act, together with the necessary fee, shall be submitted and alignment levels shall be issued by Council prior to the issue of a Construction Certificate. Approval under the Roads Act cannot be granted by a Principal Certifying Authority or by a Private Certifier. Failure to obtain approval may result in enforcement action by Council.

Survey and design plans for the above works shall be prepared by Council's Engineering Division and issued by Council's Civil Assets Manager. A fee quotation may be obtained by submitting a "Detailed Frontage Design" application to Council. The application form can be obtained from Council's web site.

Before seeking a Construction Certificate, for a complete understanding of the requirements and procedures for frontage works or queries relating to the administration, holding and release of the required bond, contact Sutherland Shire Council's Civil Assets Manager.

End of this Section

PART C – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

C1 Streetscape Improvement Plan

Prior to the issue of a Construction Certificate, a streetscape improvement plan shall be submitted to Council for approval and shall include a 4 metre wide awning along the Kiora Road frontage and 3 metre wide awning at the Urunga Parade frontage, and upgraded paving and street furniture, including some low level planting, for the public domain along both Kiora Road and Urunga Parade frontages.

The approved streetscape improvement plan shall be fully completed prior to the issue of an occupation certificate and at no cost to Council.

C2 Management Plan for Treatment of Windows/Glazing to Southern Elevation

Prior to the issue of a Construction Certificate, detailed information is to be submitted to the consent authority demonstrating how the upper two levels of window/glazing that form part of the southern side wall will be treated/modified/replaced to be appropriately fire rated if a building is developed on the adjoining site to the south to RL59.00 and running the full length of the southern common boundary. The information must demonstrate how the modifications will be accommodated by the structural fabric of the building, to meet BCA requirements, and accommodate temporary relocation/closure of facilities affected by such works.

C3 Bicycle Parking and Locker Facilities

Prior to the issue of a Construction Certificate, amended plans shall be submitted incorporating bicycle parking within the development and provision of lockers for staff.

C4 S.94A - Contribution for Miranda Centre Core Commercial Land S94A Levy Plan

Pursuant to s.80A(1) of the Environmental Planning and Assessment Act 1979, and Council's Section 94A Contribution Plan for Miranda Centre Core Commercial Land, a contribution of **\$173,478.16** shall be paid to Sutherland Shire Council towards the cost of works contained in the contribution plan. The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of the Section 94A Development Contributions Plan. The amount payable of monetary s.94 contributions will be indexed on 1 July each year in accordance with the Contribution Plan and the following formula:

$$\text{Current outstanding Contribution} \times \text{current IPD} \div \text{previous year's IPD}$$

Payment shall be made prior to the issue of the Construction Certificate.

The Contributions Plan may be inspected or a copy purchased at the Customer Service Counter in Council's Administration Centre, Eton Street, Sutherland during office hours.

C5 Environmental, Damage and Performance Security Bond

Before the commencement of any works (including demolition) or the issue of a Construction Certificate, the applicant shall provide security to Council against damage caused to any Council property and / or the environment as a consequence of the implementation of this consent. The security may be provided by way of a deposit with the Council or a satisfactory guarantee. A non refundable inspection / administration fee is included in the bond value.

It is the applicant's responsibility to notify Council of any existing damage to public areas in the vicinity of the development site through the submission of a current dilapidation report supported by photographs. This information shall be submitted to Council at least two (2) days **prior** to the commencement of works.

Should any public property and / or the environment sustain damage during the course of and as a result of construction, or if the construction works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage and / or remove the risk. The costs incurred shall be deducted from the security.

A request for release of the security deposit may be made to Council after all works relating to this consent have been completed. Such a request shall be submitted to Council on the 'Bond Release Request Form' signed by the owner or any person entitled to use of the consent.

The value of the bond shall be **\$150,110.00**.

- Bond amount includes a non refundable administration fee of \$110. Where the bond takes the form of a Bank Guarantee, the \$110 administration fee must be paid separately and not included in the bank guarantee.

Use of Bank Guarantee - As bond releases may occur under different timeframes only one bond amount / bond purpose is permitted on a Bank Guarantee. Multiple bonds would require multiply bank guarantees to be lodged.

Note: All enquiries in relation to bonds should be directed to Council's Civil Assets Manager on 9710 0134.

C6 Noise and Vibration

Prior to the issue of a Construction Certificate a detailed Noise and Vibration Assessment shall be undertaken in accordance with the *Interim Construction Noise Guideline* (DECC 2009).

The information from this noise and vibration assessment should also inform the Construction Management Plan (noise and vibration sub plan). Particular attention should be given to identifying any highly significant noisy activities that may be undertaken at the site. This includes, but is not limited to; rock breaking, jack hammering, crushing, pole driving and blasting. The Plan should also detail appropriate management strategies, monitoring programs and mitigation measures to ensure that noise generated from the proposed works is minimise as far as practicable and achieves the desired noise criteria as identified in the noise assessment.

C7 Construction Site Management Plan and Traffic Management Plan

A detailed Construction Management Plan (CMP) shall be prepared for all demolition, excavation and construction works for the site for the duration all stages of the demolition and construction works.

This plan shall fully detail the methods by which each phase of the works is to be accomplished, methods of materials and waste delivery and removal, storage, site office and facility location, cranes, concrete pumping, site elevators, stormwater and groundwater storage, treatment and discharge, hoardings and the like, location of Work Zones together with details relative to the construction of road frontage works, provision for pedestrians during such works and the provision, adjustment, augmentation and/or relocation of public utility services and conduits or the like.

The CMP shall also address the range of construction management matters including but not limited to noise and vibration control, hazardous materials, odour control, site soil and water management. The CMP shall be submitted to the Accredited Certifier for endorsement as part of the Construction Certificate.

In preparing the CMP, the applicant shall liaise with Sutherland Council's Director Engineering where it is proposed to use or occupy any public lands adjoining the site for any of the above purposes.

A Construction Traffic Management Plan (CTMP) shall be prepared for the development having regard to the requirements of the approved Construction Management Plan for all phases and stages of demolition, excavation and construction. The plan shall detail the routes to be employed within the Sutherland Shire, nominate the ultimate destination/s of all demolition and excavation material and identify the proposed traffic control mode for the intersections during the demolition and construction period.

The CTMP shall demonstrate that 3 metre wide access will be maintained at Urunga Lane for through traffic during all stages of construction.

This plan shall be submitted to Sutherland Council's Director Engineering for approval prior to the issue of any Construction Certificate or any demolition.

C8 Nomination of Engineering Works Supervisor

Prior to the issue of a Construction Certificate the applicant shall nominate an appropriately accredited certifier to supervise all public area civil and drainage works to ensure that they are constructed in compliance with Council's current "Specification for Civil Works Associated with Subdivisions and Developments".

The engineer shall:

- a) provide an acceptance in writing to supervise sufficient of the works to ensure compliance with:
 - i) all relevant statutory requirements;
 - ii) all relevant conditions of development consent;
 - iii) construction requirements detailed in the above Specification; and
 - iv) the requirements of all legislation relating to environmental protection;
- b) on completion of the works certify that the works have been constructed in compliance with the approved plans, specifications and conditions of approval; and
- c) certify that the Works As Executed plans are a true and correct record of what has been built.

C9 Sydney Water - Referral Requirements

The plans approved as part of the Construction Certificate shall be submitted to a Sydney Water Quick Check agent or Customer Centre to determine as to whether the development will affect Sydney Water's sewer and water mains, stormwater drains and / or easements, and if further requirements need to be met. Plans will be stamped appropriately.

Please refer to the web site www.sydneywater.com.au for:

- Quick Check agents details - see Building Development and Plumbing then Quick Check; and
- Guidelines for Building Over / Adjacent to Sydney Water Assets - see Building Development and Plumbing then Building and Renovation.

C10 Public Utility Authorities

Arrangements shall be made to the satisfaction of all Utility Authorities and telecommunications providers including cable television network providers in respect to the services supplied to the development by those authorities. The necessity to provide or adjust conduits/ services within the road and footway areas shall be at full cost to the applicant.

C11 Drainage Design - Detailed Requirements

A detailed drainage design shall be prepared in accordance with Sutherland Development Control Plan 2006 (Chapter 8 - Ecologically 'Sustainable Development'; Section 6 - 'Stormwater Management'), "Australian Rainfall and Runoff (1987)", Council's Drainage Design Manual and Council's "On-site Stormwater Detention Policy and Technical Specification" as required.

The design shall include:

- a) A detailed drainage design supported by drainage calculations.
- b) A layout of the drainage system showing existing and proposed pipe sizes, type, class, grades, lengths, invert levels, finished surface levels and location of all pipes with levels reduced to Australian Height Datum.
- c) A longitudinal section of the pipeline/s within the road reserve including existing natural surface levels, design surface levels, design invert levels of the proposed pipeline and the location, size and reduced level of all services to AHD where those services cross the proposed drainage line.
- d) Water from pathways and access drives shall be prevented from entering the road reserve as surface flow. This can be achieved by constructing a box drain at the boundary equipped with a 300mm wide grate and frame to collect the flow or directing the flow to a sag pit within the property.

- e) The rate of discharge of stormwater from the site to a drainage system under Council's control shall be controlled so that it does not exceed the pre-development rate of discharge. Specific certification from the designer to this effect shall be incorporated in the submitted drainage plans / details.

A design certificate issued by an appropriately accredited person to the effect that these design requirements have been met shall accompany the Construction Certificate. Stormwater shall be connected to the existing piped system within the road reserve.

C12 Building Ventilation

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

- a) The Building Code of Australia.
- b) AS 1668 Part 1 - 1998.
- c) AS 1668 Part 2 - 1991.
- d) The Public Health Act - 1991.
- e) The Public Health (Microbial Control) - Regulation 2000.
- f) AS 3666.1 - 2002.
- g) AS 3666.2 - 2002.
- h) AS 3666.3 - 2000.

Details of all mechanical and / or natural ventilation systems, along with specific certification provided by an appropriately qualified person verifying compliance with the abovementioned requirements, shall accompany the Construction Certificate.

C13 Noise Control - Design of Plant and Equipment (Continual Operation)

To minimise the impact of noise from the development, all sound producing plant, equipment, machinery, mechanical ventilation systems and / or refrigeration systems, shall be designed and / or located so that the noise emitted does not exceed the Project Specific Noise level when measured at the most affected point on or within any residential property boundary.

The Project Specific Noise level shall be the most stringent noise level of the Intrusive and Amenity criteria and be calculated in accordance with the provisions of the Department of Environment and Conservation's Industrial Noise Policy.

Note: The method of measurement of sound shall be carried out in accordance with Australian Standard 1055.1.

Details of the acoustic attenuation treatment required to comply with this condition, shall be prepared by a practising acoustic engineer and shall be submitted with the Construction Certificate.

C14 Submission of Fire Safety Schedule

A Fire Safety Schedule shall be issued by an appropriately qualified person and provided to Council as part of the Construction Certificate in accordance with the *Environmental Planning and Assessment Regulation 2000*. This schedule shall distinguish between current, proposed and required fire safety measures, with the minimum standard of performance being indicated for each fire safety measure. The Fire Safety Schedule shall identify each fire safety measure that is a Critical Fire Safety Measures and the intervals at which supplementary fire safety statements shall be given to the Council in respect of each such measure.

C15 Structural Details

Detailed construction drawings, specifications, and other supporting documentation required for a Construction Certificate are to be submitted to the Principal Certifying Authority in accordance with the terms of this Approval and comply with the requirements of the Building Code of Australia.

C16 Noise and Vibration

Prior to the issue of a Construction Certificate, the Proponent must incorporate in the development all the measures recommended in the Noise and Vibration report compiled by Acoustic Logic (Reference 20110256.1/2903A/R2/RL) dated 12 April 2011.

C17 Stray Currents and Electrolysis from Rail Operations

Prior to the issue of a Construction Certificate, the Proponent is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Proponent must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.

C18 Crane Operation and Aerial Operations

Prior to the issuing of a Construction Certificate, the Proponent is to submit to the Rail Authority a plan showing all craneage and other aerial operations for the development and must comply with all RailCorp requirements. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from the Rail Authority confirming that this condition has been satisfied.

C19 Access for People with Disabilities

Prior to the issue of the relevant Construction Certificate, plans shall be submitted to the Principal Certifying Authority demonstrating general compliance with the recommendations of the Access report prepared by BCA Access Solutions dated 18 April 2012.

C20 Long Service Levy

In accordance with Section 109F(i) of the Environmental Planning and Assessment Act a Construction Certificate shall not be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided to Council.

C21 Builders Indemnity Insurance

The Proponent, builder, developer or person who does the work on this development, must arrange builder's indemnity insurance and submit the certificate of insurance in accordance with the requirements of Part 6 of the Home Building Act 1989 to the Principal Certifying Authority for endorsement of the plans accompanying the Construction Certificate.

C22 Waste Management Plan

Prior to the issue of a Construction Certificate for any works (including excavation), a Waste Management Plan is to be prepared and submitted to the Principal Certifying Authority.

The Plan is to include the following:

- (a) the amount of demolition, excavation and construction wastes likely to be generated and how these materials are to be sorted and dealt with;
- (b) the design and construction of the internal roads, driveways, turning circles and other infrastructure required for waste services in the development is in accordance with the stated document;
- (c) all waste generated by the approved development (including residents, businesses and any other activity on the site) are to be collected by a private waste contractor;
- (d) bulky waste items collected by a private waste contractor;
- (e) commitment to providing an on-site caretaker to manage the storage and removal of waste generated by the approved development; and
- (f) commitment to retain the demolition, excavation and construction waste/recycling dockets will be retained on-site to confirm which authorised waste/recycling facilities received the material for recycling or disposal.

The Waste Management Plan is to be implemented prior to commencement of works and during the course of construction.

C23 Car Park Operation Management Plan

Prior to the issue a Construction Certificate, a detailed car park operation management plan shall be submitted to and approved by Council which provides details in regard to:

- details of how staff utilising the car stacker will arrive between 6am and 8am to reduce the potential for queuing beyond the site;
- staff training in use of the car park;
- procedures for booking and use of visitor/patient car parking with priority for persons with a disability;
- valet's duties and responsibilities;
- suitable alternatives to continue to provide a valet service for visitors/patients after 5pm when the valet is off duty;
- vehicular and pedestrian access management;
- safety and security management;
- details of how deliveries will be managed to be restricted to outside of peak hours of 6am to 9am and 3pm to 6pm where possible; and
- ongoing review requirements.

The car park management and operation (including hours of deliveries) to the development must comply with the detailed car parking management plan approved.

C24 Vehicular Collision Mitigation Measures at Urunga Lane

Prior to the issue of a Construction Certificate, a suitably qualified traffic consultant shall review and recommend mitigation measures to limit the potential for vehicular collision as cars reverse onto Urunga Lane and shall be approved by Council. As a minimum, this shall include installation of a convex traffic mirror at the Urunga Lane/Urunga Parade intersection to provide a clear view of traffic along the laneway for vehicles entering Urunga Lane.

C25 Compliance Report

Prior to the issue of the relevant Construction Certificate, the Proponent, or any party acting upon this approval, shall submit to the Principal Certifying Authority a report addressing compliance with all relevant conditions of Part B and C of this approval.

End of this Section

PART D – PRIOR TO COMMENCEMENT OF WORKS

D1 Public Liability Insurance

Prior to the commencement of work or the issue of a Construction Certificate, the owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$10 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works. Evidence of this policy shall be submitted to Council prior to commencement of work or the issue of a Construction Certificate.

D2 Pre-Commencement - Notification Requirements

No works in connection with this development consent shall be commenced until:

- a) A Construction Certificate has been issued and detailed plans and specifications have been endorsed and lodged with Council;
- b) A Principal Certifying Authority has been appointed. Council shall be notified of this appointment along with details of the Principal Certifying Authority, and their written acceptance of the appointment; and
- c) Notice of commencement has been provided to Council 48 hours prior to commencement of construction work on the approved development.

D3 Pre-commencement Inspection

The pre-commencement meeting is to be convened by the Applicant on-site a minimum 5 days prior to any demolition and/or construction activity and between the hours of 8.00 am and 4.30 pm Monday to Friday. Prior to this meeting the relevant sections of the Environmental Site Management Plan (ESMP) must be implemented. The meeting must be attended by a representative of Council's Civil Assets Branch, the PCA, the builder/site manager of the building/civil construction company and where necessary the supervising engineer. The attendance of the owner is required when it is intended to use more than one builder/principal contractor throughout the course of construction.

The purpose of the meeting is to:

- i) Inspect the implementation of relevant sections of the ESMP such as safe passage for pedestrians, the installation of sediment and erosion controls, hoardings, Work and Hoarded Zones;
- ii) Check the installation and adequacy of all traffic management devices;
- iii) Discuss/explain any sections of the development consent that may require clarification or elaboration;
- iv) Confirm that a Construction Certificate has been issued where necessary and all Council fees paid;
- v) Vet the compliance of any special/specific conditions of consent;
- vi) Confirm that the supervising engineer has a copy of Council's Specification for Civil Works Associated with Subdivisions and Developments - January 1996; and,
- vii) Confirm that the builder/site manager/principal contractor has a copy of the Sutherland Shire Development Control Plan 2006 and Environmental Specification 2007.

D4 Sign to be Erected on Site

A rigid and durable sign shall be erected prior to the commencement of work and maintained in a prominent position on the site. The responsibility for this to occur is that of the principal certifying authority or the principal contractor.

The signage, which must be able to be easily read by anyone in any public road or other public place adjacent to the site, must:

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

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

D5 Dilapidation Survey and Report (Private Property)

Prior to the commencement of any demolition or excavation works on site, the Principal Certifying Authority shall be satisfied that a dilapidation report on the visible and structural condition of all structures upon the following lands, has been completed and submitted to Council:

- 50-52 Urunga Parade;
- 88-90 Kiora Road; and
- 90 Kiora Road.

The dilapidation report must include a photographic survey of adjoining properties detailing their physical condition, both internally and externally, including such items as walls ceilings, roof and structural members. The report must be completed by a consulting structural/geotechnical engineer as determined necessary by that professional based on the excavations for the proposal and the recommendations of the submitted geotechnical report and Vibration Impact Report and subsequent reports and addendums. In the event that access for undertaking the dilapidation survey is denied by a property owner, the applicant must demonstrate in writing to the satisfaction of the Principal Certifying Authority that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

Note: A copy of the dilapidation report is to be provided to Council prior to any excavation works been undertaken. The dilapidation report is for record keeping purposes only and may be used by an applicant or affected property owner to assist in any civil action required to resolve any dispute over damage to adjoining properties arising from works.

D6 Geotechnical Report to Railcorp

The Applicant shall provide a Geotechnical Engineering report to RailCorp for review by RailCorp's Geotechnical section prior to the commencement of works. The report shall demonstrate that the development has no negative impact on the rail corridor or the integrity of the infrastructure through its loading and ground deformation and shall contain structural design details/analysis for review by RailCorp. The report shall include the potential impact of demolition and excavation, and demolition- and excavation- induced vibration in rail facilities, and loadings imposed on RailCorp.

D7 Excavation Works

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

End of this Section

PART E – DURING CONSTRUCTION

E1 Access to Urunga Lane

Vehicular access shall be maintained at Urunga Lane for through traffic at all times of construction.

E2 Geotech

All construction works shall comply with the recommendations of the Geotechnical Investigation report prepared by Jeffery and Katauskas Pty Ltd dated 15 April 2011, reference 23955SrptREV1 as submitted with the EA.

E3 Environmental Site Management DCP

All work shall be undertaken in accordance with the objectives and controls in Part 3 of Chapter 8 of Sutherland Shire Development Control Plan 2006 and the Sutherland Shire Environmental Specification 2007 - Environmental Site Management and the approved site management plan.

E4 Permitted Hours for Building and Demolition Work

To minimise the noise impact on the surrounding environment all building and demolition work shall be carried out only between the hours of 7.00am and 6.00pm Monday to Friday inclusive, 8.00am and 3.00pm Saturdays. No work shall be carried out on Sundays and Public Holidays.

E5 Toilet Facilities

Toilet facilities shall to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided:

- a) shall be a standard flushing toilet, and
- b) shall be connected:
 - i) to a public sewer, or
 - ii) if connection to a public sewer is not practicable, to an accredited sewage management facility approved 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 the Council.

The provision of toilet facilities in accordance with this clause shall be completed before any other work is commenced.

E6 Demolition Work

To ensure that demolition of structures is carried out in an environmentally acceptable and safe manner:

- a) The demolition of the existing building shall be carried out strictly in accordance with Australian Standard 2601 - The Demolition of Structures.
- b) It is the applicant's responsibility to notify Council of any existing damage to public areas in the vicinity of the development site through the submission of a dilapidation report supported with suitable photographic records. This information shall be submitted to Council prior to the commencement of work. Any damage other than that noted prior to commencement of the demolition shall be the responsibility of the owner of the property for repair or reinstatement.
- c) The applicant shall ensure that the demolition contractor has a current public risk insurance coverage for a minimum of \$5 million. A copy of the Policy must be submitted to the Council prior to demolition.
- d) If demolition is to commence prior to the issue of a Construction Certificate, the applicant shall submit to Council a Site Management Plan - Demolition for assessment prior to the commencement of any demolition work. This plan shall satisfy the objectives of Council's Environmental Site Management Development Control Plan and shall consider the following:
 - i) What actions and works are proposed to ensure safe access to and from the site and what protection will be provided to the road and footpath area from demolition activities, crossings by heavy equipment, plant and materials deliveries and the like;
 - ii) The proposed method of loading and unloading demolition machines within the site;

- iii) The proposed areas within the site to be used for the storage of demolished material and waste containers during the demolition period;
 - iv) How it is proposed to ensure that soil / demolished material is not transported on wheels or tracks of vehicles or plant and deposited on surrounding roadways;
 - v) The requirements of any site specific Development Control Plan that may affect this development site.
- e) **Pre-Commencement Inspection**
 If demolition is to commence **prior** to the issue of a Construction Certificate, the Builder/principal contractor shall undertake a pre-commencement site inspection with Council's Engineering Compliance Officer and Council's Civil Asset Manager. The purpose of this inspection is to facilitate the implementation of the consent specifically with regard to the impact on the public way and to clarify any matters of concern.

Note: An inspection fee shall be paid to Council prior to the meeting. Please refer to Sutherland Shire Council's Adopted Schedule of Fees and Charges.

E7 Support for Neighbouring Buildings and Roadways

As the excavation associated with the erection of the development extends below the level of the base of the footings of buildings on an adjoining allotment of land and the road reservations, the person causing the excavation to be made:

- a) Shall preserve and protect the building and the road reserves from damage.
- b) If necessary, shall underpin and support the building and the roadway in an approved manner.
- c) Shall, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land or the road reserve, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- d) The owner of the adjoining allotment of land nor Sutherland Shire Council is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

E8 Protection of Public Places

To protect public safety and convenience during the course of constructing the works covered by this consent, the following matters shall be complied with:

- a) If the work involved in the erection or demolition of a building:
 - i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed, inconvenienced, or rendered unsafe; or
 - ii) building involves the enclosure of a public place,
 A hoarding or fence shall be erected between the work site and the public place. In this instance it has been determined that a "B" Class hoarding is required and shall be installed on the Kiora Road North and Urunga Parade frontages of the site.
- b) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- c) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

The hoarding, fence or awning shall be removed and any damage to any public place reinstated to Council's satisfaction when the work has been completed.

E9 Noise Control during Construction and Demolition

To minimise the impact on the surrounding environment the LAeq sound pressure level measured over a period of 15 minutes when the construction or demolition site is in operation, shall not exceed the ambient background level (LA90 15min) by more than 10dB(A) when measured at the nearest affected premises.

E10 Geotechnical and Structural Engineers Reports

A Geotechnical engineer's report shall be prepared relative to the stability and suitability of the existing site materials to support the proposed development and all associated structures and to indicate any constraints to be placed on earthmoving plant and equipment. This report shall make recommendations and form the basis for the production of the Structural Engineer's report and the preparation of structural drawings for the development and for the types of excavation plant and equipment to be employed on the site.

During the course of excavation, should site conditions be encountered that vary from the initial findings, a revised Geotechnical Report shall be prepared that makes amended recommendations relative to the methods of excavation and support of the excavation together with any amended structural works that shall be required for the foundations or the development itself.

All rock anchors within 3m of the road surface of Kiora Road North, Urunga Parade and Urunga Lane are to be removed only following the completion of final stabilisation works.

The report shall be provided to the Accredited Certifier, to be endorsed as forming part of the Construction Certificate. As such, copies shall be provided to the PCA and to Sutherland Shire Council.

A Structural engineer's report shall be prepared based upon the recommendations of the Geotechnical Report. This report shall include details of the methods by which the surrounding roadways, all public utility infrastructure and the abutting developments shall be supported during the course of excavation and construction within the subject site. The report shall also detail methods by which all supports required for all such works shall be removed from the abutting properties and the public road reserve following the completion of construction.

The report shall be provided to the Accredited Certifier to be endorsed as forming part of the Construction Certificate.

E11 Environment Protection and Management

The environment protection and management measures described in the required Environmental Site Management Plan (including sediment controls and tree protection) shall be installed or implemented prior to commencement of any site works and continuously maintained during the period of construction or demolition. These measures shall generally be in accordance with the requirements of Part 3 of Chapter 8 of Sutherland Shire Development Control Plan 2006 and the Sutherland Shire Environmental Specification 2007 - Environmental Site Management.

E12 Dewatering of Excavation

Any water from excavations to be discharged to Council's stormwater system must meet the following criteria:

- a) It shall not contain a concentration of suspended sediment exceeding 50 mg/L.
- b) It shall have a pH of between 6.5-8.
- c) It shall comply with the ANZECC Guidelines for Marine and Freshwater Quality, for Protection of Aquatic Ecosystems (95% protection level).

Water testing shall be carried out to ensure compliance with the above by a suitably qualified environmental scientist, and results provided to Council upon request. A permit may be required to discharge water to Council's stormwater system. Consultation with Council shall be undertaken prior to discharge of any water to stormwater.

E13 Contamination

All works shall be undertaken in accordance with SEPP 55, relevant guidelines and the recommendations of the Stage 2 Contamination Assessment prepared by Environmental Investigations, report no. E1427.1AA and dated 17 November 2011.

End of this Section

PART F – PRIOR TO ISSUE OF OCCUPATION CERTIFICATE OR COMMENCEMENT OF USE

F1 Prior to Occupation or Use of the Development

The Development shall not be occupied or used until:

- a) A Final Occupation Certificate is issued and provided to Council for the development; or
- b) An Interim Occupation Certificate is issued and provided to Council for the development. This shall clearly identify the part of the development to which the Interim Occupation Certificate relates.

F2 Restrictive Covenant to Solar Access Rights

Prior to the issue of an Occupation Certificate, a restrictive covenant shall be created under Section 88B of the Conveyancing Act 1919, removing any solar access rights to the windows/glazing on the southern façade of the building. The covenant shall also require that these windows/glazing be treated/modified/replaced to ensure compliance with relevant BCA requirements, if a building is developed on the adjoining site to the south to RL59.00 along the southern common boundary.

Registered title documents, showing the restriction, must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

F3 Green Travel Plan

Prior to the issue of an Occupation Certificate, the Proponent shall prepare for implementation a location specific detail sustainable work place travel plan for employees and visitors to the site to support the use of non-car modes of transport. The plan shall include the following measures / objectives:

- travel access guide as detailed in the EA;
- encouraging use of public transport by employees and visitors;
- introduction of travel pass scheme to provide reduced cost annual public transport tickets;
- encouraging car pooling;
- raising awareness of health benefits of walking and cycling; and
- encouraging cycling by providing secure bicycle parking including provision of lockers and changing facilities for staff on site.

Notices of the travel access guide are to be installed in entrances and waiting areas of the dental hospital identifying local public transport routes.

F4 Works As Executed Information

Certification shall be provided from a registered surveyor to the effect that:

- a) All civil engineering works required by this development consent have been carried out in accordance with the terms of the development consent and the approved engineering drawings with regard to location and level.
- b) All pipes, pits and detention facilities lay within their relevant existing or proposed easements.
- c) All rights-of-way or positive covenants required by conditions of this development consent have been provided.

F5 Works As Executed Drawings

Certification shall be provided from the supervising engineer acting as an Accredited Certifier, to the effect that:

- a) All civil engineering and stormwater works associated with development have been carried out in accordance with the terms of the development consent, the approved engineering drawings and in the case of public works Council's "Specifications for Civil Works associated with Subdivisions and Developments".
- b) The construction of the drainage system for the proposed development has been carried out generally in accordance with the requirements of the approved stormwater drainage plans, Council's stormwater management policy and guidelines and Council's On-site Detention Policy and has been carried out in order that stormwater runoff downstream is not increased as a result of the development and that all assumptions made during the design remain valid. Works-as-Executed drawings certified in the above manner and containing all relevant information as required by Council's "Specification for Civil Works Associated with

Subdivisions and Developments" shall accompany the Subdivision / Occupation Certificate.

F6 Survey for building levels and location

The Occupation Certificate shall be accompanied by a Certificate from a Registered Surveyor certifying that the building has been built to the reduced levels and boundary setbacks shown on the approved plans.

F7 Works in Roadway

A completion certificate from the supervising civil engineer shall be submitted with Occupation Certificate. This shall certify that all works undertaken in the road reserve have been completed in accordance with the conditions of the required Roads Act approval/s and the conditions of this Development Consent.

F8 Geotechnical Certification

Certification shall be provided from the supervising Geotechnical Engineer to the effect that related works have been carried out and completed in accordance with the recommendations of the geotechnical engineer's report and that any rock anchors utilised to stabilise the excavation works have been removed.

F9 Section 73 Compliance Certificate

A Compliance Certificate under s73 of the Sydney Water Act, 1994, shall be submitted to Council by the PCA prior to the issue of an Occupation Certificate or before the issue of a Subdivision Certificate. Sydney Water may require the construction of works and/or the payment of developer charges.

Advice from Sydney Water:

An application must be made through an authorised Water Servicing Coordinator. For details see the Sydney Water web site at www.sydneywater.com.au/customer/urban/index or by telephone 13 20 92.

Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water / sewer extensions can be time consuming and may impact on other services as well as building, driveway or landscaping design.

F10 Post Construction Dilapidation Report

The Proponent 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 buildings, infrastructure and roads. The report is to be submitted to the Principal Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the Principal Certifying Authority must:

- compare the post-construction dilapidation report with the pre-construction dilapidation report; and
- have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.

A copy of this report is to be forwarded to the Department and Council.

F11 Structural Inspection Certificate

A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Occupation Certificate and/or use of the premises. 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:

- The site has been periodically inspected and the Certifier is satisfied that the Structural Works is deemed to comply with the final Design Drawings.
- The drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

F12 Waste and Recycling Collection Contract

Prior to an Occupation Certificate being issued and/or commencement of the use, whichever is earlier, of the building the owner must ensure that there is a contract with a licensed contractor for the removal of **all trade waste** pertaining to the relevant stage of construction. No garbage is to be placed on the public way e.g. footpaths, roadways, plazas, and reserves at any time.

End of this Section

PART G – DURING OPERATIONS

G1 Car parking provision

The car spaces in the automated basement levels shall be allocated as follows:

Car Parking Space	
Dental Hospital employee car spaces	29
Visitor/Patient car Spaces	10
Retail/Café car spaces	1
Total car spaces	40

G2 Signage At Urunga Parade

Appropriate signage, visible at Urunga Parade shall be provided indicating that visitor/patient parking is available on site free of charge.

G3 Bicycle Facilities

Bicycle parking and lockers facilities for staff shall be provided within the developed in accordance with the approved Construction Certificate Plans.

G4 Annual Fire Safety Statement

An Annual Fire Safety Statement must be provided to Council and the NSW Fire Brigade commencing within 12 months after the date on which the approval authority initial Fire Safety Certificate is received.

G5 Road Signage

All works/regulatory signposting associated with the development shall be carried out at no cost to Council or the Roads and Maritime Services.

G6 External Lighting

All external lights shall be operated and maintained in accordance with the Australian Standard AS4282 - Control of the Obtrusive Effects of Outdoor Lighting so as not to cause a nuisance or adverse impact on the amenity of residents of the surrounding area nor to motorists on nearby roads.

G7 Noise Control - Plant & Equipment (General)

To minimise the impact of noise from the development, all sound producing plant, equipment, machinery, mechanical ventilation or refrigeration systems, shall be operated and maintained in such a manner so that the noise emitted does not exceed a LAeq sound pressure level of 5 dB above the ambient background level when measured at the most affected point on or within any residential property boundary.

Note: The method of measurement of sound shall be carried out in accordance with Australian Standard 1055.1.

G8 Ventilation - Operation

To ensure that adequate ventilation within the building, all mechanical and / or natural ventilation systems shall be operated and maintained in accordance with the provisions of:

- a) The Building Code of Australia.
- b) AS 1668 Part 1 - 1998.
- c) AS 1668 Part 2 - 1991.
- d) The Public Health Act - 1991.
- e) The Public Health (Microbial Control) - Regulation 2000.
- f) AS 3666 - 2002.
- g) AS 3666.2 - 2002.
- h) AS 3666.3 - 2000.

G9 Use of Inpatient 'Studios'

The nurse's station on Level 5 must be staffed whilst any of the inpatient suites (shown as "Studios") are in use for inpatient accommodation. These rooms shall only be used for inpatient accommodation and are not to be converted, used or adapted for any other use, such as storage, overnight staff or specialist accommodation, or the like.

G10 Provision of a Valet for Parking Operations

To ensure that efficient and effective vehicular access to the site is maintained and that access to the visitor spaces in particular is available during trading, a valet shall be employed/contracted on a permanent basis and be stationed onsite generally in the 'stacker' and driveway apron area during trading hours.

G11 Use of Radiation Apparatus

The owner of the practice must ensure that radiation apparatus are registered and those using them are licensed. During the registration process, the radiation apparatus must be tested and certified by an EPA accredited radiation expert. The apparatus must meet the requirements of the publication *Radiation Guideline 6*.

In addition, the structure of the radiology department must ensure that members of the public do not get more than 1 mSv of radiation a year from x-ray apparatus and occupationally exposed persons must not get more than 20 mSv a year. This may require a shielding assessment to be carried out. *Radiation Guideline 7* can provide guidance on radiation shielding design assessment and verification requirements. EPA does not accredit persons to carry out shielding assessments.

End of this Section

ADVISORY NOTES

AN1. Requirements of Public Authorities for Connection to Services

The Proponent shall comply with the requirements of any public authorities (e.g. Energy Australia, Sydney Water, Telstra Australia, AGL, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the Proponent. Details of compliance with the requirements of any relevant public authorities are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of the Construction Certificate.

AN2. Application for Hoardings and Scaffolding

A separate application shall be made to Council for approval under State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007, to erect a hoarding or scaffolding in a public place. Such an application shall include:

- (a) Architectural, construction and structural details of the design.
- (b) Structural certification prepared and signed by a suitably qualified practicing structural engineer.

The Proponent shall provide evidence of the issue of a Structural Works Inspection Certificate and structural certification shall be submitted to the satisfaction of the Principal Certifying Authority prior to the commencement of works.

AN3. Use of Mobile Cranes

The Proponent 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 to the satisfaction of the Principal Certifying Authority:

- (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 4 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 7.30am without the prior approval of Council.

AN4. Construction Inspections

Compliance certificate/s shall be issued by the Principal Certifying Authority and submitted to Council in accordance with the mandatory inspection requirements of the Building Legislation Amendment—Quality of Construction Act, 2002 for each stage of construction, such as the following:

- (a) Foundations,
- (b) Footings,
- (c) Damp proof courses and waterproofing installation,
- (d) Structural concrete, including placing of reinforcement and formwork prior to pouring,
- (e) Structural beam and column framing,
- (f) Timber wall and roof framing, and
- (g) Stormwater disposal.

Any Compliance Certificate issued for the above stages of construction shall certify that all relevant ancillary or dependent work has been undertaken in accordance with the Building Code of Australia and any other conditions of approval.

AN5. Noise Generation

Any noise generated during the construction of the development shall not exceed the limits specified in any relevant noise management policy prepared pursuant to the Protection of the Environment Operations Act 1997, or exceed approved noise limits for the site.

AN6. Temporary Structures

An approval under State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 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.

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 and Places of Public Entertainment) 2007 to certify the structural adequacy of the design of the temporary structures.

AN7. Disability Discrimination Act

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 Proponent/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.

AN8. Commonwealth Environment Protection and Biodiversity Conservation Act 1999

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.

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 Proponent's responsibility to consult Environment Australia 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.

AN9. Street Numbering

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 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 Council.

End of this Section

SCHEDULE 3 – Statement of Commitments

5.0 Revised Statement of Commitments

In response to the submissions received, the following revised Statement of Commitments are made by Russo Family Trust in respect of environmental management, mitigation and monitoring measures that are to be implemented to manage and minimise any potential impacts of the project (revisions are shown in ***bold italics***).

5.1 Traffic and Parking

All access, servicing and internal layout will be provided in accordance with AS 2890.1:2004 and AS 2890.2 – 2002.

Of the 40 on-site car parking spaces 30 will be allocated to staff and 10 to visitors/patients.

A Transport Access Guide (TAG) will be prepared during the CC Stage. It will be located in common areas and will identify such aspects as:

- Local bus stop locations;
- Bus and rail time tables;
- Location of taxi ranks in the locality;
- Location of local services within walking distance such as convenience stores, supermarkets and other retail related areas;
- Location of car share vehicles within reasonable walking distance (if any).

In addition, a car parking management system will be put in place where:

- ***Staff will be directed to arrive between the hours of 6am and 8am.***
- ***Visitors/patients will arrive after 8am.***
- ***For visitors/patients requiring access to the hospital by car, a valet will be available from 8am to 5pm to place all visitor/patients cars into the stacker.***
- ***All visitor/patients, in particular special needs patients, will be made aware of the parking arrangements when making their appointment to visit the dental hospital.***

Along the eastern frontage of the subject site, Urunga Lane will be widened by 900mm to provide sufficient width for two vehicles to pass in the lane.

A Construction Traffic Management Plan (CTMP) will be prepared when more detailed information will be available and a builder is appointed. It will address requirements during each stage (demolition, site preparation, excavation, construction, fit-out and landscaping) and will include consideration of times of operation, truck access routes, site access, average truck frequencies, truck sizes, parking for construction workers, work zone requirements, pedestrian control, traffic management plans and any road occupancy applications.

All construction employee-parking demands will be contained within the site as far as practicable. Investigations will be undertaken as to the staging of the construction activities and these will take into account the need to provide adequate parking for employees prior to the completion of the basement car park. The use of basement car park will be available following their completion. The CTMP will address all relevant matters in detail as discussed above.

The following principles will also underpin the preparation of the CTMP:

- Reliance on Urunga Parade will need to be limited to off-peak times to avoid impacts on queuing effects on approach to the traffic signals at Kiora Road and should not under any circumstances encroach within 10 metres of this intersection to maintain adequate sight lines.
- Reliance on articulated trucks will be avoided as far as practicable.
- A Work Zone will be considered for Urunga Lane and for the first 13 metres of the set-down area (closest to the site).
- Vehicular access to the site during construction will be maintained via Urunga Lane.
- All signage and traffic control plans will need to be in accordance with RMS Traffic Control at Work Sites and AS 1742.

As part of the CTMP a Community Consultation Plan will be prepared in accordance with the details provided in Section 3.4 of this report.

An Air Quality Management Plan will be developed as part of the CTMP. This plan will identify all reasonable and feasible measures to minimise the generation of dust from the premises during demolition and construction.

A Soil and Water Management Plan (SWMP) will be developed as part of the CTMP in accordance with the details provided in Section 3.4 of this report.

5.2 Built Form & Urban Design

The owner of the building accepts that natural light and views from the south facing windows may be short term given that in future it is likely that adjoining site to the south could also be developed to a similar scale of seven (7) storeys.

Windows to the south elevation will be adequately protected from the spread of fire in anticipation of the adjoining site to the south being eventually developed with a similar 7-storey building.

The proponent will work with Council to develop a streetscape improvement plan that details changes to the paving and street furniture, including planting, for the public domain along both Kiora Road and Urunga Parade immediately in front of the subject site. The works will be informed by decisions made in relation to the treatment of footpaths around Westfield Shopping Centre and will be undertaken by the proponent at no cost to government.

5.3 Flood Impact

The driveway slab to the car lift will be shaped to divert overland water flow away from the site by creating an artificial crest in the driveway about 3m behind the kerb line. The critical point is on the northern side of the driveway where the freeboard is approximately 140mm. The crest should be around 160mm higher than the kerb in this location.

A sump pump will be incorporated in the basement in the event that water ever enters the building.

5.4 Geotechnical

The building will be designed and constructed in accordance with the recommendations prepared by Asset Geotechnical and summarised in **Table 4** of the Environmental Assessment.

5.5 Public Domain

Street trees will be planted on the footpath as detailed in the architectural plans submitted with the application.

5.6 Ecologically Sustainable Development (ESD)

The ESD principles identified in the report prepared by Vim Sustainability (refer Section 7.5) will be implemented during the design development process.

5.7 Drainage

A rainwater tank will be provided to capture stormwater runoff for toilet flushing, laundry appliances, irrigation and car washing.

A trash screen is to be provided on the outlet of the last pit prior to the connection to Council's stormwater drainage system in the street.

5.8 Contamination

Given the restricted access within the existing building area an inspection will be carried out once the existing building is demolished to confirm that the subsurface condition of this area is consistent with the remainder of the site.

Should site soils require excavation and disposal from the site, then these soils should be classified in accordance with the DECCW (2009) *Waste Classification Guidelines*.

Any soils to be imported onto the site for the purpose of back-filling excavated areas will be Virgin Excavated Natural Materials (VENM) and will also require validation testing in accordance with the relevant EPA/DECC regulatory guidelines to confirm soil suitability for the proposed land use.

A Hazardous Materials Assessment will be carried out prior to any site demolition.

5.9 Noise and Vibration

In relation to construction noise emissions, a detailed assessment of noise emissions from construction activities will be undertaken at Construction Certificate Stage **in accordance with the Interim Construction Noise Guideline 2009. The information from this noise and vibration assessment will also inform the Construction Management Plan through a noise and vibration sub plan in accordance with the details outlined in Section 3.4 of this report.**

Notwithstanding this, the following general recommendations in order to limit noise and vibration emissions will be adopted:

- During excavation – use of ripping where possible rather than hammering; and,
- Use bored piles rather than any driven piles where possible.

5.10 Social Impacts

In order to minimise and negative social impacts from job losses for the current operational cosmetic surgeon and the existing bottle shop staff, possibilities for employment of these people by MDH will be explored.

5.11 Environmental Protection

Once construction of the radiology practice is complete the owner of Miranda Dental Hospital will ensure that radiation apparatus are registered and those using them are licensed. During the registration process, the radiation apparatus will be tested and certified by an EPA accredited radiation expert.

The structure of the radiology department will also ensure that members of the public do not get more than 1 mSv of radiation a year from x-ray apparatus and occupationally exposed persons will not get more than 20 mSv a year (this may require a shielding assessment to be carried out).

5.12 Servicing Infrastructure

The drinking water main available for connection on the southern side of Urunga Parade will be upsized from the existing 100mm to a 150mm main.

Should the development generate trade wastewater, the property owner will submit an application for permission to discharge trade wastewater to the sewerage system before business activities commence.

Prior to the commencement of any physical works, the property owner/developer will engage a Water Servicing Coordinator to get a Section 73 Certificate and manage the servicing aspects of the development.

5.13 Accessibility

Requirements and recommendations to achieve compliance with the Premises Standards, Building Code of Australia and Australian Standards for accessibility identified in the Accessibility Report will be adopted in the proposed development.