



*the bushland shire*

*creating a living environment*

# **LATE ITEM ATTACHMENTS**

## **PLANNING MEETING**

**Wednesday, 7 September, 2011  
at 6.30pm**

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### **LATE ITEM INFORMATION MEMO**

- 2 LM12/11 Development Application - Alterations and Additions to Mt Wilga Private Hospital 2A Manor Road and 66 Rosamond Street Hornsby**

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**ATTACHMENT/S**  
**REPORT NO. LM12/11**  
**ITEM 2**  
**1. SCHEDULE 1**

**SCHEDULE 1****GENERAL CONDITIONS**

The conditions of consent within this notice of determination have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the relevant legislation, planning instruments and Council policies affecting the land and does not disrupt the amenity of the neighbourhood or impact upon the environment.

*Note: For the purpose of this consent, the term 'applicant' means any person who has the authority to act on or the benefit of the development consent.*

*Note: For the purpose of this consent, any reference to an Act, Regulation, Australian Standard or publication by a public authority shall be taken to mean the gazetted Act or Regulation, or adopted Australian Standard or publication as in force on the date that the application for a construction certificate is made.*

**1. Approved Plans and Supporting Documentation**

The development must be carried out in accordance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by Council and/or other conditions of this consent:

<b>Plan No.</b>	<b>Title</b>	<b>Drawn by</b>	<b>Dated</b>
3739-DA-001-C	Site Plan	Nettleontribe Partnership Pty Ltd	04.05.11
3739-DA-011	Ground Floor Plan	Nettleontribe Partnership Pty Ltd	01.03.11
3739-DA-012	Roof Plan	Nettleontribe Partnership Pty Ltd	01.03.11
3739-DA-021	Elevations – Sheet 1	Nettleontribe Partnership Pty Ltd	01.03.11
3739-DA-022	Elevations – Sheet 2	Nettleontribe Partnership Pty Ltd	01.03.11
3739-DA-031	Sections – Sheet 1	Nettleontribe Partnership Pty Ltd	01.03.11
3739-DA-033	Site Sections	Nettleontribe Partnership Pty Ltd	01.03.11
11-278 Issue C	Landscape Plan	Site Design Landscape Architects	05.05.11

<b>Document Title</b>	<b>Prepared by</b>	<b>Dated</b>
Site Analysis Plan (Reference No. 3739-DA-002-C)	Nettleontribe Partnership Pty Ltd	04.05.11
Site Masterplan (Reference No. 3739-DA-003-C)	Nettleontribe Partnership Pty Ltd	04.05.11
Shadow Diagrams (Reference No. 3739-DA-041)	Nettleontribe Partnership Pty Ltd	01.03.11
Hydraulic Services Stormwater Sections (Reference No. HDA04/P2)	Whipps-Wood Consulting	February 2011
Hydraulic Services Stormwater Calculations (Reference No. HDA03/P2)	Whipps-Wood Consulting	February 2011

Hydraulic Services Ground Floor Plan (Reference No. HDA02/P2)	Whipps-Wood Consulting	February 2011
Hydraulic Services Site Plan (Reference No. HDA01/P2)	Whipps-Wood Consulting	February 2011
Review of Environmental Status (CES REF: CES051001-AUS-L160511)	Consulting Earth Scientists	16 May 2011
Aboricultural Assessment	rainTree Consulting	February 2010
Heritage Impact Statement	Renovamen	March 2011
Interpretation Strategy	Renovamen	June 2011
Assessment of Traffic and Parking Implications	Transport and Traffic Planning Associates	March 2011
Building Code of Australia Report	McKenzie Group Consulting	7 March 2011
Geotechnical Investigation (Reference: 24634Srpt)	Jeffery and Katauskas Pty Ltd	1 March 2011
Archaeological Management Plan	Akalan Projects Pty Ltd	29 June 2011
Waste Management Plan	Ramsay Health Care	4 February 2011
Waste Management Plan – Construction	Akalan Projects Pty Ltd	Undated
Waste and Site Management Plan	Akalan Projects Pty Ltd	28-02-2011
Ecological Impact Assessment for the removal of one planted <i>Syzygium paniculatum</i> (Magenta Lilly Pilly)	Enviro Ecology	25/05/2011
Bush Fire Safety Compliance Report	Roger Fenwick Bush Fire Consultant	June 2011
Plan of Subdivision Sheet 1 of 3 Issue 5	C.M.S. Surveyors	13/12/10
Plan of Subdivision Sheet 2 of 3 Issue 5	C.M.S. Surveyors	13/12/10
Plan of Subdivision Sheet 3 of 3 Issue 5	C.M.S. Surveyors	13/12/10

## 2. Removal of Existing Trees.

This development consent only permits the removal of trees numbered 1, 2 and 3 as identified in the tree report. The removal of any other trees requires separate approval under Council's Tree Preservation Order.

## 3. Future Development

The plans which show two additional buildings titled 'future development 30 bed ward' does not form part of this development consent. A separate development application is required to be lodged for these works.

### REQUIREMENTS PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

**4. Registered Plan of Subdivision**

A registered plan of subdivision from the *NSW Department of Lands* creating proposed lot 100 must be submitted to Council.

**5. Building Code of Australia**

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

**6. Fire Safety Upgrade**

To ensure the protection of persons using the existing adjoining building and to facilitate egress from this building in the event of a fire, details must be submitted with the application for a construction certificate, detailing what works are necessary (if any) to bring it into compliance with Parts C, D and E of the Building Code of Australia.

**7. Landscaping Plan**

A detailed landscape plan is required to be prepared by a qualified landscape consultant and be submitted and approved by Council. The plan must represent a more formal landscaping arrangement along the fence line between the hospital grounds and the Mt Wilga heritage. The details of the planting are required to indicate:

- a. A hedge with decorative planting in front, with a proportion of species selected for appropriateness in terms of the character of the Federation period. (This does not exclude other native species of shrub, grasses and groundcovers as previously specified).

Suggested species for hedges: *Photinia Glabra 'Rubens'*, *Viburnum tinus*, *Viburnum odoratissimum*, *Camellia japonica*, *Camellia sasanqa*.

Suggested other species for garden bed to boundary (not limited to): *Phormium varieties*, *Yucca varieties*, *Palms*, *Aspidistra elatior*, *Hydrangea sp.*

- b. Significant tree species to be incorporated into the boundary alignment planted at equal centres, reflective of the former delineation between decorative garden and utilitarian garden areas, to be non-invasive but may be non-native. Suggested species could include: *Cypress (eg. Callitris sp.)*, *Pines (eg. Hoop or Kauri Pine)*.
- c. Random specimens of trees must be incorporated into open space or boundary planting areas and could include: *Jacaranda*, *Magnolia grandiflora*, *Palms (Kentia, Alexander varieties)*.
- d. Shade-tolerant plants and tree species must be incorporated on the southern side of the proposed building.

**8. Sydney Water – Quick Check**

The application must be submitted to a *Sydney Water* ‘Quick Check Agent’ or ‘Customer Centre’ for approval to determine whether the development will affect any *Sydney Water* infrastructure, and whether further requirements are to be met.

*Note: Refer to [www.sydneywater.com.au](http://www.sydneywater.com.au) or telephone 13 20 92 for assistance.*

**9. Dilapidation Report**

A ‘Dilapidation Report’ is to be prepared by a ‘Chartered Structural Engineer’ detailing the structural condition of all adjoining properties.

**10. Archaeological Management Plan**

The *Archaeological Management Plan* dated 29 June 2011 and prepared by Akalan Projects Pty Ltd must be revised to correctly reflect the amended definition of “*relic*” as defined by the *Heritage Act*.

**11. Scope of Archaeological Work**

Prior to any works occurring within the high to little to moderate archaeological potential areas, an application under either S140 or S139(4) of the *Heritage Act* must be submitted and approved by the *Office of Environment and Heritage*. The scope of archaeological work on the site must be further discussed with the Office of Environment and Heritage, it being noted that the site contains areas identified of high archaeological significance in the *Conservation Management Plan* (2006) prepared by Gooden Mackay Logan.

**12. Painted Island**

Prior to a Construction Certificate being issued for any works within a public road and/or driveways and car parks, a detailed design for the painted island with BUS ONLY right turn lane on Carrington Road must be provided to Council and approved by the Hornsby Local Traffic Committee. The design of the facilities shall be in accordance with RTA guidelines, technical directions and Austroads standards.

**REQUIREMENTS PRIOR TO THE COMMENCEMENT OF ANY WORKS****13. Erection of Construction Sign**

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

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

*Note: 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.*

**14. Protection of Adjoining Areas**

A temporary hoarding, fence or awning must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:

- a. Could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic.
- b. Could cause damage to adjoining lands by falling objects.
- c. Involve the enclosure of a public place or part of a public place.

*Note: Notwithstanding the above, Council's separate written approval is required prior to the erection of any structure or other obstruction on public land.*

**15. Toilet Facilities**

Toilet facilities must be available or provided at the works site before works begin and must be maintained until the works are completed at a ratio of one toilet for every 20 persons employed at the site. Each toilet must:

- a. be a standard flushing toilet connected to a public sewer; or
- b. be a temporary chemical closet approved under the *Local Government Act, 1993*; or
- c. have an on-site effluent disposal system approved under the *Local Government Act, 1993*

**16. Erosion and Sediment Control**

Erosion and sediment control measures must be provided and maintained throughout the construction period in accordance with the manual '*Soils and Construction 2004 (Bluebook)*', the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sediment control devices must remain in place until the site has been stabilised and revegetated.

*Note: On the spot penalties up to \$1,500 may be issued for any non-compliance with this requirement without any further notification or warning.*

**17. Nominated Heritage Architect**

A heritage architect and an archaeologist must be nominated for the project. The name and experience of these heritage consultants must be submitted to Council and comply with the following requirements:

- a. The building contract selected for the project must ensure that the nominated heritage architect has a contractual role as administrator of the contract for works, driveway and gardens, with the ability to issue instructions to the contractor.



- b. Suitable clauses, prepared in consultation with the nominated heritage consultants, must be included in all contractor and subcontractor contracts to ensure that on-site personnel are aware of their statutory obligations in relation to the relics provisions of the NSW Heritage Act, 1977 and the National Parks and Wildlife Act, 1974 concerning Aboriginal archaeology in the event that any material is disturbed or exposed during site works.
- c. All contractors and relevant personnel engaged in works on the site must be made aware of the existence of potential and historical archaeological remains at the site by way of an induction process undertaken by the nominated archaeologist. The induction must also make the personnel aware of the possibility that more as yet unidentified archaeological remains may still exist and of the requirements of the NSW Heritage Act, 1977 in relation to archaeological relics in the event that they are uncovered.

#### 18. Tree Protection Barriers

Tree protection fencing must be erected around trees numbered 4-7 to be retained at a 4 metre setback. The tree fencing must be constructed of 1.8 metre 'cyclone chainmesh fence'.

### REQUIREMENTS DURING CONSTRUCTION

#### 19. Construction Work Hours

All work on site (including demolition and earth works) must only occur between 7am and 5pm Monday to Saturday.

No work is to be undertaken on Sundays or public holidays.

#### 20. Demolition

All demolition work must be carried out in accordance with *Australian Standard 2601-2001 – The Demolition of Structures* and the following requirements:

- a. Demolition material is to be disposed of to an authorised recycling and/or waste disposal site and/or in accordance with an approved waste management plan.
- b. Demolition works, where asbestos material is being removed, must be undertaken by a contractor that holds an appropriate licence issued by *WorkCover NSW* in accordance with Chapter 10 of the *Occupational Health and Safety Regulation 2001* and Clause 29 of the *Protection of the Environment Operations (Waste) Regulation 2005*.
- c. On construction sites where buildings contain asbestos material, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm must be erected in a prominent position visible from the street.

**21. Environmental Management**

The site must be managed in accordance with the publication *'Managing Urban Stormwater – Landcom (March 2004)* and the *Protection of the Environment Operations Act 1997* by way of implementing appropriate measures to prevent sediment run-off, excessive dust, noise or odour emanating from the site during the construction of the development.

**22. Council Property**

During construction works, no building materials, waste, machinery or related matter is to be stored on the road or footpath. The public reserve is to be kept in a clean, tidy and safe condition at all times.

**23. Landfill**

Landfill must be constructed in accordance with Council's *'Construction Specification, 2005'* and the following requirements:

- a. All fill material imported to the site is to wholly consist of Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or a material approved under the *Department of Environment and Climate Change's* general resource recovery exemption.
- b. A compaction certificate is to be obtained from a geotechnical engineer verifying that the specified compaction requirements have been met.

**24. Excavated Material**

All excavated material removed from the site must be classified in accordance with the *NSW Environment Protection Authority's Environmental Guidelines – Assessment, Classification and Management of Liquid and Non-Liquid Wastes* prior to disposal to an approved waste management facility and reported to the principal certifying authority.

**25. Survey Report – Finished Floor Level**

A report(s) must be prepared by a registered surveyor and submitted to the principal certifying authority prior to the pouring of concrete at each level of the building certifying that:

- a. The building, retaining walls and the like have been correctly positioned on the site.
- b. The finished floor level(s) are in accordance with the approved plans.

**26. Archaeology and Relics**

The following matters must be addressed by the archaeologist nominated for the project:

- a. If substantial intact archaeological deposits and/or State significant relics are discovered, work must cease in the affected area (s) and the *Heritage Council of NSW* must be notified. Additional assessment and approval may be

required prior to works continuing in the affected area(s) based on the nature of the discovery.

- b. In the event of archaeological relics being exposed on the site, the relics must be appropriately documented according to the procedures outlined in the investigation strategy accompanying the application for any excavation permit or exception.
- c. The monitoring archaeologist must make periodic inspections as required of the ground disturbance associated with the proposed building and landscaping works or as directed by the *Office of Environment and Heritage*.
- d. Should any Aboriginal 'objects' be uncovered by the work, excavation or disturbance of the area is to stop immediately and the *Office of Environment and Heritage* is to be informed in accordance with *Section 89A* of the *National Parks and Wildlife Act, 1974* (as amended). Aboriginal 'objects' must be managed in accordance with an approved Aboriginal heritage impact permit under *Section 90* of the *National Parks and Wildlife Act, 1974*.

#### 27. Works near Trees

All required tree protection measures are to be maintained in good condition for the duration of the construction period.

All works (including driveways and retaining walls) within 4 metres of any trees required to be retained (whether or not on the subject property, and pursuant to this consent or the *Tree Preservation Order*), must be carried out under the supervision of an 'AQF Level 5 Arborist' and a certificate submitted to the principal certifying authority detailing the method(s) used to preserve the tree(s).

*Note: Except as provided above, the applicant is to ensure that no excavation, filling or stockpiling of building materials, parking of vehicles or plant, disposal of cement slurry, waste water or other contaminants is to occur within 4 metres of any tree to be retained.*

#### 28. Prevention of the Spread of Weeds

To prevent the spread of weeds and fungal pathogens such as Cinnamon Fungus (*Phytophthora cinnamomi*) and Chytrid Fungus (*Batrachochytrium dendrobatidis*), all machinery must be cleaned of soil and debris before entering the subject site.

#### REQUIREMENTS PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

*Note: For the purpose of this consent, a reference to 'occupation certificate' shall not be taken to mean an 'interim occupation certificate' unless otherwise stated.*

#### 29. Fencing

Fencing must be erected as follows:

- a. The existing metal fence must be removed from the southern boundary. The existing sandstone block wall must be retained and where required, conservation works undertaken to ensure its retention.

- b. Two sandstone entry posts must be erected at the southern driveway entry. The posts must be constructed of sandstone blocks, or sandstone facing, to match the sandstone on the heritage item. The sandstone must have the appearance and similar colour, dimensions to that of the existing stonework.
- c. A timber paling fence may be provided along the eastern common boundary in lieu of the lapped and capped fence detailed on the landscape plan and it must not extend more than 3 metres to the south of Mt Wilga House. A black palisade type fence may be provided forward of the dwelling on the common boundary to maintain view of the heritage listed building.
- d. Any other fencing requires separate development consent.

### **30. Stormwater Drainage**

The stormwater drainage system for the development must be designed and constructed in accordance with Council's *Civil Works – Design and Construction Specification 2005* and the following requirements:

- a. Connected directly to Council's street drainage system.

### **31. On Site Stormwater Detention**

The stormwater drainage system for the development must be designed and constructed and a construction Certificate issued for these works. The stormwater drainage system is to be designed in accordance with Council's *Civil Works – Design and Construction Specification 2005* and the following requirements:

- a. Have a capacity of not less than 16m<sup>3</sup>, and a maximum discharge (when full) of 20.8 litres per second for OSD 1. Have a capacity of not less than 7m<sup>3</sup>, and a maximum discharge (when full) of 13.7 litres per second for OSD 2.
- b. Have a surcharge/inspection grate located directly above the outlet.
- c. Discharge from the detention system must be controlled via a 1 metre length of pipe, not less than 50 millimetres diameter or via a stainless plate with sharply drilled orifice bolted over the face of the outlet discharging into a larger diameter pipe capable of carrying the design flow to an approved Council system.

### **32. Internal Driveway/Vehicular Areas**

The driveway and parking areas on site must be designed, constructed and a Construction Certificate issued in accordance with *Australian Standards 2890.1, 2890.2, 3727, Councils Civil Works Specification* and the following requirements:

- a. Design levels at the front boundary be obtained from Council.
- b. The driveway be a flexible pavement.
- c. The minimum thickness of the AC 10 shall be 40mm. The pavement shall be designed in accordance with Council Civil Works Specification and shall have a minimum thickness of 200mm.

- d. The driveway grade must not exceed 16 percent and changes in grade must not exceed 8 percent.
- e. Parking bays are to be line marked.
- f. The pavement have a kerb to one side and a one-way cross fall with a minimum gradient of 2 percent and a lintel and pit provided at the entrance to Manor Road.
- g. The circulation aisles shall have a minimum width of 5.5m in accordance with AS 2890.1.

### 33. Vehicular Crossing

Prior to the issue of a Construction Certificate for these works a separate application under the *Local Government Act, 1993* and the *Roads Act, 1993* must be submitted to Council for the installation of a new vehicular crossing and the removal of the redundant crossing. The vehicular crossing must be constructed in accordance with Council's *Civil Works Design, 2005* and the following requirements:

- a. Any redundant crossings to be replaced with integral kerb and gutter.
- b. The footway area to be restored by turfing.
- c. The vehicular crossing is to have a minimum width of 6m from the kerb line to 6m inside the property boundary.
- d. Approval obtained from all relevant utility providers that all necessary conduits be provided and protected under the crossing.

*Note: An application for a vehicular crossing can only be made to one of Council's Authorised Vehicular Crossing Contractors. You are advised to contact Council on 02 9847 6940 to obtain a list of contractors.*

### 34. Traffic Control Plan

A Traffic Control Plan (TCP) must be prepared by a qualified traffic controller in accordance with the *Roads & Traffic Authority's Traffic Control at Worksites Manual 1998* and *Australian Standard 1742.3* for all work on a public road and be submitted to Council. The TCP must detail the following:

- a. Arrangements for public notification of the works.
- b. Temporary construction signage.
- c. Permanent post-construction signage.
- d. Vehicle movement plans.
- e. Traffic management plans.
- f. Pedestrian and cyclist access/safety.

**35. Damage to Council Assets**

Any damage caused to Council's assets as a result of the construction of the development must be rectified in accordance with Council's written requirements and at the sole cost of the applicant.

**36. Creation of Easements**

The following matter(s) must be nominated on the plan of subdivision under s88B of the *Conveyancing Act 1919*:

- a. The creation of an appropriate "*Positive Covenant*" and "*Restriction as to User*" over the constructed on-site detention/retention systems and outlet works, within the lots in favour of Council in accordance with Council's prescribed wording. The position of the on-site detention system is to be clearly indicated on the property title.
- b. To register the OSD easement, the restriction on the use of land "*works-as-executed*" details of the on-site-detention system must be submitted verifying that the required storage and discharge rates have been constructed in accordance with the design requirements. The details must show the invert levels of the on site system together with pipe sizes and grades. Any variations to the approved plans must be shown in red on the "*works-as-executed*" plan and supported by calculations.

*Note: Council must be nominated as the authority to release, vary or modify any easement, restriction or covenant.*

**37. Works as Executed Plan**

A works-as-executed plan(s) must be prepared by a registered surveyor and submitted to Council for completed road pavement, kerb & gutter, public drainage systems, driveways and on-site detention system.

**38. Driveway Design**

The driveway must be designed as follows:

- a. The driveway to the proposed parking area is to be regraded to comply with AS/NZS 2890.1:2004.
- b. The driveway must be a minimum of 6m wide, with sight triangles at the boundary line provided in accordance with AS/NZS 2890.1:2004.

**39. Accessible Pedestrian Access Path**

An accessible pedestrian access path must be provided from the new car park to the existing and proposed hospital building.

**40. Island on Carrington Road**

Upon the issuance of NSW Roads and Traffic Authority (RTA) written approval, an island must be painted on Carrington Road at its intersection with Galston Road, and marked with a left turn arrow. Buses are to be allowed the right turn movement by the incorporation of BUS ONLY right turn lane with red pavement marking. The

proposed painted island with BUS ONLY right turn lane is to be constructed in accordance with approved plans approved by the RTA.

**41. Completion of Landscaping**

A certificate must be provided by a practicing landscape architect, horticulturalist or person with similar qualifications and experience certifying that all required landscaping works have been satisfactorily completed in accordance with the approved landscape plans.

**42. Car Parking and Driveways**

All car parking must be constructed in accordance with *Australian Standard AS 2890.1 – 2004 – Off Street Car Parking* and *Australian Standard 2890.2 - 2002 – Off Street Commercial* and the following requirement:

- a. All parking areas and driveways are to be sealed to an all weather standard, line marked and signposted.

**OPERATIONAL CONDITIONS**

**43. Use of Premises**

The development approved under this consent shall be used for a hospital and not for any other purpose without Council's separate written consent.

**44. Noise – Plant and Machinery**

The level of total continuous noise emanating from operation of all the plant, including air conditioning units and processes in all buildings (LA10) (measured for at least 15 minutes) in or on the above premises, must not exceed the background level by more than 5dB(A) when measured at all property boundaries.

**45. Substation**

The proposed substation must comply with the Australia Radiation Protection and Nuclear Safety Agency's (ARPANSA) *Radiation Protection Series* and the National Health and Medical Research Council's *Interim guidelines on limits of exposure to 50/60Hz electric and magnetic fields*, (1989).

**46. Fire Safety Statement - Annual**

On at least one occasion in every 12 month period following the date of the first 'Fire Safety Certificate' issued for the property, the owner must provide Council with an annual 'Fire Safety Certificate' to each essential service installed in the building.

**47. Car Parking and Deliveries**

All car parking must be operated in accordance with *Australian Standard AS 2890.1 – 2004 – Off Street Car Parking* and *Australian Standard 2890.2 - 2002 – Off Street Commercial* and the following requirements:

- a. Car parking, loading and manoeuvring areas to be used solely for nominated purposes.
- b. Vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads;
- c. All vehicular entry on to the site and egress from the site shall be made in a forward direction.

#### **GENERAL TERMS OF APPROVAL – RURAL FIRE SERVICE**

The following conditions of consent are General Terms of Approval from the nominated State Agency pursuant to Section 91A of the *Environmental Planning and Assessment Act 1979* and must be complied with to the satisfaction of that Agency.

#### **48. Asset Protection Zones**

At the commencement of building works and in perpetuity the entire property must be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of '*Planning for Bush Fire Protection 2006*' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

#### **49. Water and Utilities**

Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of '*Planning for Bush Fire Protection 2006*'.

#### **50. Evacuation and Emergency Management**

Arrangements for emergency and evacuation are to comply with section 4.2.7 of '*Planning for Bush Fire Protection 2006*'.

**- END OF CONDITIONS -**

#### **ADVISORY NOTES**

The following information is provided for your assistance to ensure compliance with the *Environmental Planning and Assessment Act, 1979*, *Environmental Planning and Assessment Regulation 2000*, other relevant legislation and Council's policies and specifications. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

#### **Environmental Planning and Assessment Act, 1979 Requirements**

- The Environmental Planning and Assessment Act, 1979 requires:
- The issue of a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Services Branch on 9847 6760.



- A principal certifying authority to be nominated and Council notified of that appointment prior to the commencement of any works.
- Council to be given at least two days written notice prior to the commencement of any works.
- Mandatory inspections of nominated stages of the construction inspected.
- An occupation certificate to be issued before occupying any building or commencing the use of the land.

#### **Tree Preservation Order**

To ensure the maintenance and protection of the existing natural environment, it is an offence to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside 3 metres of the approved building envelope without the prior written consent from Council.

*Note: A tree is defined as a single or multi-trunked wood perennial plant having a height of not less than three (3) metres, and which develops many branches, usually from a distance of not less than one (1) metre from the ground, but excluding any plant which, in its particular location, is a noxious plant declared as such pursuant to the Noxious Weeds Act 1993. This definition of 'tree' includes any and all types of Palm trees.*

*All distances are determined under Australian Standard AS4970-2009 "Protection of Trees on Development Sites".*

Fines may be imposed for non-compliance with Council's *Tree Preservation Order*.

#### **Long Service Levy**

In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, a 'Long Service Levy' must be paid to the *Long Service Payments Corporation* or *Hornsby Council*.

*Note: The rate of the Long Service Levy is 0.35% of the total cost of the work.*

*Note: Hornsby Council requires the payment of the Long Service Levy prior to the issue of a construction certificate.*

#### **Disability Discrimination Act**

The applicant's attention is drawn to the existence of the *Disability Discrimination Act*. A construction certificate is required to be obtained for the proposed building/s, which will provide consideration under the *Building Code of Australia*, however, the development may not comply with the requirements of the *Disability Discrimination Act*. This is the sole responsibility of the applicant.

#### **Advertising Signage – Separate DA Required**

This consent does not permit the erection or display of any advertising signs. Most advertising signs or structures require development consent. Applicants should make separate enquiries with Council prior to erecting or displaying any advertising signage.

**Dial Before You Dig**

Prior to commencing any works, the applicant is encouraged to contact *Dial Before You Dig* on 1100 or [www.dialbeforeyoudig.com.au](http://www.dialbeforeyoudig.com.au) for free information on potential underground pipes and cables within the vicinity of the development site.

**Asbestos Warning**

Should asbestos or asbestos products be encountered during demolition or construction works you are advised to seek advice and information should be prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by *WorkCover NSW*) be engaged to manage the proper handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

[www.nsw.gov.au/fibro](http://www.nsw.gov.au/fibro)

[www.adfa.org.au](http://www.adfa.org.au)

[www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

Alternatively, telephone the *WorkCover* Asbestos and Demolition Team on 8260 5885.

**Covenants**

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this consent. Applicants must rely on their own enquiries as to whether or not the building breaches any such covenant.