



Business Hours:
8.00am to 5.30pm, Monday to Thursday
8.00am to 5.00pm, Friday

DA No: N0086/12

29 August 2012

MERITON PROPERTY SERVICES PTY LTD
LEVEL 11, 528 KENT STREET
SYDNEY NSW 2000

Dear Sir/Madam

Development Application for Fitout and use of approved building as a child care centre in accordance with the Concept Approval (MP09_0162) and Project Approval (MP10_0177). at 14-18 BOONDAH ROAD WARRIEWOOD NSW 2102.

I am pleased to advise that this application has been approved and I attach for your assistance a copy of the Development Consent, the conditions of approval and a copy of the approved plans.

If building works are involved, prior to proceeding with the proposal, it will be necessary for you to lodge a Construction Certificate Application with either Council or an accredited Certifier.

I take this opportunity to direct your attention to Section C of the Consent which details the matters to be satisfied prior to issue of the Construction Certificate.

Additionally, for your reference, please find enclosed Information Sheets that will assist in providing information you will need to consider for the processes following on from receiving this consent.

If there are any matters relating to this approval which require further explanation, please contact me prior to commencing work on the site.

Enquiries relating to the Construction Certificate application should be directed to Council's Customer Service or your private certifier.

Yours faithfully

Tija Stagni
ACTING PRINCIPAL OFFICER – LAND RELEASE



CONSENT NO: N0086/12
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979 (AS AMENDED)
NOTICE TO APPLICANT OF DETERMINATION
OF A DEVELOPMENT APPLICATION

Applicants Name and Address:

MERITON PROPERTY MANAGEMENT PTY LTD
C/- GENERAL ACCOUNTS PAYABLE LEVEL 11, 528 KENT STREET
SYDNEY 2000

Being the applicant in respect of Development Application No **N0086/12**

Pursuant to section 80(1) of the Act, notice is hereby given of the determination by Pittwater Council, as the consent authority, of Development Application No **N0086/12** for:

Fitout and use of approved building as a child care centre in accordance with the Concept Approval (MP09_0162) and Project Approval (MP10_0177).

At: Lot 502 DP 117 5520 No. 93 MACPHERSON STREET WARRIEWOOD created from the subdivision of 14 - 18 BOONDAH ROAD, WARRIEWOOD

Decision:

The Development Application has been determined by the granting of consent based on information provided by the applicant in support of the application, including the Statement of Environmental Effects, and in accordance with

- **Architectural Plans by Scott & Ryland Architects Dwg No.1, No.3, No.4 dated June 2012 and Dwg No.2 dated August 2012**
- **Statement of Environmental Effects, prepared by Meriton Property Services Pty Limited, dated March 2012**
- **Letter from Meriton Property Services Pty Limited to Pittwater Council dated 1 May 2012**
- **Bushfire Report prepared by Planning for Bushfire Protection Pty Ltd dated 11 August 2010**

as amended in red (shown clouded) or as modified by any conditions of this consent.

The reason for the imposition of the attached conditions is to ensure that the development consented to is carried out in such a manner as to achieve the objectives of the Environmental Planning and Assessment Act 1979 (as amended), pursuant to section 5(a) of the Act, having regard to the relevant matters for consideration contained in section 79C of the Act and the Environmental Planning Instruments applying to the land, as well as section 80A of the Act which authorises the imposing of the consent conditions.

Endorsement of date of consent 29 August 2012

Mark Ferguson
GENERAL MANAGER

Per:

Conditions of Approval

This consent is not an approval to commence building work. The works associated with this consent can only commence following the issue of the Construction Certificate.

Note: Persons having the benefit of development consent may appoint either a council or an accredited certifier as the principal certifying authority for the development or for the purpose of issuing certificates under Part 4A of the Environmental Planning and Assessment Act. When considering engaging an accredited certifier a person should contact the relevant accreditation body to ensure that the person is appropriately certified and authorised to act in respect of the development.

A. Prescribed Conditions:

1. All works are to be carried out in accordance with the requirements of the Building Code of Australia.
2. Critical stage inspections are to be carried out in accordance with clause 162A of the *Environmental Planning & Assessment Regulation 2000*. To allow a Principal Certifying Authority or another certifying authority time to carry out critical stage inspections required by the Principal Certifying Authority, the principal contractor for the building site or the owner-builder must notify the Principal Certifying Authority at least 48 hours before building work is commenced and prior to further work being undertaken.
3. 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, and
 - b. showing 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. stating 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.

4. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
 - a. in the case of work for which a principal contractor is required to be appointed:
 - i. The name and licence number of the principal contractor, and
 - ii. The name of the insurer by which the work is insured under Part 6 of that Act.
 - b. in the case of work to be done by an owner-builder:

- i. The name of the owner-builder, and
 - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.
5. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.
6. The hours of construction are restricted to between the hours of 7.00am and 5.00pm Monday - Friday and 7.00am to 1.00pm on Saturdays. No works are to be carried out on Sundays or Public Holidays. Internal building work may be carried out at any time outside these hours, subject to noise emissions from the building or works not being audible at any adjoining boundary.

B. Matters to be incorporated into the development and maintained over the life of the development:

1. The number of children being cared for on the premises at any time is limited to 32. Any increase in child numbers may require provision of additional on-site parking spaces.
2. The child care centre is to operate from 6am to 8pm, Mondays to Fridays. The outdoor play areas are not to be used before 8am and after 6pm, Mondays to Fridays.
3. No approval has been issued for the erection of business identification signs or advertisements. Business identification sign or advertising signage may be exempt development or subject to a separate Development Application to be lodged with Council for its consideration and determination.
4. Materials and colour schemes are to be in accordance with Condition B10 of the Project Approval MP10_0177.
5. To satisfy the off-street vehicle parking requirements for the development, eight (8) parking spaces, each with a minimum width of 2.6metres, are to be provided. The parking spaces are to be designated for use of the child care centre only. These spaces are to be provided and retained over the life of the development. Parking and manoeuvring spaces shall not encroach on Council's drainage swale.
6. Vehicle restraints are required for the open car parking area to prevent floating vehicles from leaving the site where there is greater than 300mm depth of flooding in a 1%AEP (1-in-100 year ARI) flood event. The vehicle restraints are required to be structurally sound under the likely hydraulic and impact forces up to the PMF level, and must not redirect and/or exclude floodwaters.

7. The minimum floor level of the child care building and the outdoor play areas shall be 5.82m AHD comprising the Probable Maximum Flood level with the 2100 Climate Change Scenario.
 - a) All structural elements below the Probable Maximum Flood level with the 2100 Climate Change Scenario are to be flood compatible in terms of materials used and in the design. The building is to be constructed on piers.
 - b) The building is to remain open in the perimeter fencing except where a suitably qualified engineer has certified that there is no impact to surrounding properties and no increase in flood depth or velocity to Macpherson Street. The suitably qualified engineer is to ensure any perimeter fencing between the floor level and ground level will not impede the flow of floodwaters during a Probable Maximum Flood.
 - c) All building structures are to ensure structural integrity for immersion and the impact of hydraulic forces of floodwaters and debris up to the Probable Maximum Flood level with the 2100 Climate Change Scenario.
 - d) Storage of hazardous materials, electrical items, wiring, fuel lines or any service pipes and connections, items of plant, equipment or stock and any other items which may be susceptible to water damage are to be located above the Flood Planning Level.
8. The post development flood storage commitments reported in the Water Management Report (Stormwater and Environmental Management Plan – Buffer Area 3 – Warriewood Valley 14-18 Boondah Road, Warriewood August 2010 Brown Consulting, Report No. X08066_03C) that forms part of the consent, are to be maintained for the life of the development.
9. A reliable pedestrian access route is to be provided and maintained to allow flood free safe evacuation from the childcare centre and carpark to an evacuation area above the Probable Maximum Flood. The evacuation area may either be the childcare building or elsewhere on the site.
10. The Flood Emergency Response Plan is to be implemented by the childcare centre operator and the practice of flood evacuation procedures are to be undertaken every 3 months with every child in care.
11. TAG/Green Travel Plan submitted in accordance with Condition E2 of this consent is to be implemented by the child care centre operator for the life of the development.
12. Landscaping in accordance with the approved landscape plans is to be maintained for the life of the development.
13. This approval/consent relates only to the new work nominated on the approved consent plans for the fitout of the building and does not approve or regularise any existing buildings or structures within the property boundaries or within Council's road reserve.
14. Where waste water is directed to the Sydney Water sewerage system the installation of in-sink food waste disposal units is prohibited due to the



increased loading placed on the Warriewood Sewage Treatment Plant particularly during wet weather.

15. No water pollution shall result from the operation of any plant or equipment or activity carried out.
16. Dogs are to be restricted to within the building at night and otherwise to be either within a fenced compound on the lot or on a lead. Cats are to be restricted to within the building at night.
17. The construction, fit out and finishing of the kitchen and food handling and storage areas must comply with: Australian Standard 4674 –2004 Design, construction & fit-out of food premises, and The Food Safety Standard 3.2.3 (as part of the Food Standards Code) required by the Food Regulation 2010.
18. Cupboards, cabinets and counter construction must be free of voids, cracks and crevices and designed so they can be easily cleaned and not give harbourage for vermin. They should be fitted a minimum of 150mm above the floor level or situated on a solid plinth a minimum of 75mm in height and meet the same specifications as the floor and be coved.
19. The ceiling over all food handling areas must be non-perforated and finished free of open joints, cracks and crevices. The ceiling shall be finished with a sealant that is of light colour, washable and an impervious material.
20. Drop panel type ceilings are not appropriate for these areas.
21. Hand washbasins must be provided in the food servery/preparation area, preferably installed with hands free taps. A hand wash basin should ideally be located within 5 metres of any food handling and be easily accessible and useable.
22. Hand washbasins must be provided with:
 - (i) an adequate supply of potable warm running water delivered through a single spout;
 - (ii) a supply of liquid soap; and
 - (iii) single use hand towel
23. Premises shall be provided with equipment for cleaning and sanitizing as specified within Tables 4.1 and 4.2 of AS 4674-2004 Design, construction & fit-out of food premises.
24. All service pipes, conduits and electrical wiring shall be either concealed in floors, walls, ceilings or plinths or be fixed on brackets so as to provide at least 25mm clearance between the pipe and the adjacent vertical surface and 100mm between the pipe and the adjacent horizontal surface.
25. All food preparation areas and areas where food is displayed must be suitably protected from the likelihood of contamination

26. All shelving, cupboards, doors and the like must be impervious and easy to clean on all exposed surfaces and as far as practicable be constructed and installed to prevent vermin harbourage.
27. Provision must be made for storage of garbage containers, containers for recyclable material in an external area of the premises or in a room specifically for that purpose.
28. External garbage areas must be provided with a hose tap connected to the water supply, be paved with an impervious material, be graded and drained to sewer and be designed and constructed so they are easy to clean.
29. Roomed garbage areas must have impervious floors that are coved at the floor/wall intersection and be graded and drained to the sewage system. Walls of roomed garbage areas must be smooth and impervious. The room must be ventilated, proofed against pests and be provided with a hose tap connected to the water supply.
30. No odour nuisance, to the public or any adjoining premises, shall be created by the operation of any plant or equipment or any procedures carried out at the premises.
31. No noise nuisance shall be caused through the operation of the business or any plant or equipment at the premises. Noise generated from the premises must not exceed the limits as specified in the NSW Industrial Noise Policy.
32. Sanitary facilities are to comply with the requirements set out within Table F2.3 of the BCA.

C. Matters to be satisfied prior to the issue of the Construction Certificate:

Note: All outstanding matters referred to in this section are to be submitted to the accredited certifier together. Incomplete Construction Certificate applications / details cannot be accepted.

1. Construction details are to be in accordance with the Rural Fire Service requirements and in accordance with Condition F19 of Project Approval MP10_0177.
2. The minimum floor level of the child care building and finished floor level of the outdoor play areas shall be 5.82mAHD comprising the Probable Maximum Flood level with the 2100 Climate Change Scenario, to minimise issues with accessibility between the outdoor play area and the child care centre.
3. Detailed landscape construction plans to be prepared by a registered landscape architect for the child care centre building including outdoor play areas, generally in accordance with Condition C2 of the Project Approval MP10_0177 (as amended).



4. Details are to be submitted for the retaining wall (including design, materials and construction) between the overland swale and car park area and if required, a retaining wall as part of raising the area for the outdoor play area/ child care centre and surrounds with the Construction Certificate application.
5. Civil engineering details of the proposed excavation/landfill are to be submitted to the Accredited Certifier or Council with the Construction Certificate application. Each plan/sheet is to be signed by a qualified practising Civil Engineer who has corporate membership of the Institution of Engineers Australia (M.I.E) or who is eligible to become a corporate member and has appropriate experience and competence in the related field.
6. Erosion and Sediment Management Plan is to be submitted to the Accredited Certifier or Council with the Construction Certificate application. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises shall be undertaken through the installation of erosion control devices such as catch drains, diversion drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams, sedimentation basins. Such plan is to be accompanied by a certification from an appropriately qualified person, that the plans/ details have been designed in accordance with the requirements of the N.S.W. Department of Land and Water Conservations *Urban Erosion and Sediment Control* manual. The plan is to include specific details required to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.
7. A revised Statement of Building Design Compliance demonstrating compliance with the *Education and Care Services National Law Act 2010* and *Education and Care Services National Regulation 2011* is to accompany the Construction Certificate Application.
8. A contribution of \$63,350.80 (for 872m² being the area of the Lot accommodating the child care centre and constitutes commercial space) is to be made pursuant to Section 94 (Warriewood Valley Section 94 Contributions Plan) of the *Environmental Planning and Assessment Act 1979*, for the provision of public infrastructure. The breakdown of the contribution follows:

Element	Contribution	Cashier Code
Traffic & Transport	\$44,698.72	SWTT
Multi-functional creek line corridors (works)	\$12,452.16	SWCW
Community Facilities	\$0.00	SWCF
Public Recreation	\$0.00	SWPR
Pedestrian/Cycleway	\$2,354.40	SWPC
Bushfire Protection	-\$61.04	SWBF
Library Services	\$0.00	SWLS
Plan Management	\$3,906.56	SWPM



Creekline Corridor (Land)	\$0.00	SWCL
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The monetary component of the Developer Contribution is to be paid prior to issue of the Construction Certificate, unless otherwise agreed by Council.

When payment is made, the contribution rates will be adjusted and extracted from the financial model in the *Warriewood Valley Section 94 Contributions Plan Amendment No.16* applicable at the time of payment. The contribution rates are adjusted annually on 1 July each year and are applicable for a 12 month period.

The Warriewood Valley Section 94 Contributions Plan is available at Council's Customer Service Centre, 1 Park Street Mona Vale or on Council's website.

9. Drainage plans including specifications and details showing the site stormwater management are to be submitted to the Accredited Certifier with the Construction Certificate application. Such details are to be accompanied by a certificate from (as appropriate) either a Licensed plumber or qualified practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a Corporate member and has appropriate experience and competence in the related field, that the stormwater management system complies with the requirements of section 3.1.2 Drainage of the Building Code of Australia Housing Provision and AS/NZS 3500.3.2 - Stormwater Drainage. The details shall include disposal of site stormwater.
10. In accordance with Clause 94 of the *Environmental Planning and Assessment Regulation 2000*, plans are to be submitted with the Construction Certificate application demonstrating how the building will be brought into full conformity with fire and spread of fire requirements of the Building Code of Australia. A satisfactory and complete schedule of essential fire safety measures required to be installed within and/or in association with the building including the minimum standard for performance of each measure is to be submitted to the Accredited Certifier or Council prior to release of the Construction Certificate. The schedule is to include a signed statement from a suitably qualified person confirming that all essential fire safety measures as required by the Building Code of Australia have been listed so as to ensure the safety of persons in the building in the event of an outbreak of fire.
11. Structural Engineering details relating to the development are to be submitted to the Accredited Certifier or Council prior to release of the Construction Certificate. Each plan/sheet is to be signed by a qualified practising Structural Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a corporate member and has appropriate experience and competence in the related field.
12. A Schedule of Works prepared by a qualified practising Structural Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a corporate member and has appropriate experience and competence in the related field is to be submitted to the Accredited Certifier or Council in respect of the following items:

- a) The details and location of all intercept drains, provided uphill of the excavation, to control runoff through the cut area.
 - b) The proposed method of disposal of collected surface waters is to be clearly detailed
 - c) Procedures for excavation and retention of cuts, to ensure the site stability is maintained during earthworks.
13. A Certificate from a qualified practising Structural Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a corporate member and has appropriate experience and competence in the related field, certifying the adequacy of the existing structure to support the additional loading is to be submitted to the Accredited Certifier or Council.
14. Drainage plans including specifications and details showing the site stormwater management are to be submitted to the Accredited Certifier with the Construction Certificate application. Such details are to be accompanied by a certificate from (as appropriate) either a Licensed plumber or qualified practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a Corporate member and has appropriate experience and competence in the related field, that the stormwater management system complies with the requirements of section 3.1.2 Drainage of the Building Code of Australia Housing Provision and AS/NZS 3500.3.2 - Stormwater Drainage. The details shall include disposal of site stormwater (if the site is in a known slip area the stormwater disposal system must comply with the recommendations of a Geotechnical Engineers Report). Note: Where Council is the Principal Certifying Authority 3 sets of plans/specifications are to be submitted.
15. Certification from the Accredited Access Adviser that design details and specifications comply with accessibility (Control C5.5 of *Pittwater 21 Development Control Plan*), must be submitted to the Accredited Certifier or with the Construction Certificate.
16. Submission of construction plans and specifications and documentation which are consistent with the approved Development Consent plans, the requirements of Building Code of Australia and satisfy all conditions shown in Part B above are to be submitted to the Principal Certifying Authority.

D. Matters to be satisfied prior to the commencement of works and maintained during the works:

Note: It is an offence to commence works prior to issue of a Construction Certificate.

1. The site is to be fully secured by a fence to all perimeters to the site to prevent unauthorised access both during the course of the works and after hours. A site fence and silt and sediment control fence is to be erected and maintained during the course of works along any street boundary and park/reserve boundary to the site.

2. Access to the site through an adjoining park/reserve is prohibited without the written approval of the Council.
3. A clearly legible *Site Management Sign* is to be erected and maintained throughout the course of the works. The sign is to be centrally located on the main street frontage of the site and is to clearly state in legible lettering the following:
 - The builder's name, builder's telephone contact number both during work hours and after hours.
 - That no works are to be carried out in Council's Road Reserve without the written approval of the Council.
 - That a Road Opening Permit issued by Council must be obtained for any road openings or excavation within Council's Road Reserve associated with development of the site, including stormwater drainage, water, sewer, electricity, gas and communication connections. During the course of the road opening works the Road Opening Permit must be visibly displayed at the site.
 - That no skip bins or materials are to be stored on Council's Road Reserve.
 - That the contact number for Pittwater Council for permits is 9970 1111.
4. A stamped copy of the approved plans is to be kept on the site at all times, during construction.
5. Toilet facilities are to be provided in a location which will not detrimentally affect the amenity of any adjoining residents at or in the vicinity of the work site during the duration of the development.
6. A satisfactory construction traffic management plan (CTMP) prepared by a suitably qualified traffic consultant is required to be submitted to the Private Certifying Authority prior to the commencement of any site works. The plan is to detail:
 - Quantity of material to be transported
 - Proposed truck movements per day
 - Proposed hours of operation
 - Proposed traffic routes, noting that 3 tonne load limits apply to some roads within Pittwater.
7. Facilities shall be made for the parking of construction workers vehicles on site throughout the construction period.
8. Construction access to the property is to be via the approved driveway only.
9. If any Aboriginal Engravings or Relics are unearthed all work is to cease immediately and the Metropolitan Local Aboriginal Land Council (MLALC) and Department of Environment & Climate Change (DECC) are to be notified.
10. No works are to be carried out in Council's Road Reserve without the written approval of the Council.



A Road Opening Permit, issued by Council, must be obtained for any road openings, or excavation within Council's Road Reserve associated with the development on the site, including stormwater drainage, water, sewer, electricity, gas and communication connections. During the course of the road opening works the Road Opening Permit must be visibly displayed at the site. No skip bins or materials are to be stored on Council's Road Reserve.

11. Temporary sedimentation and erosion controls are to be constructed prior to commencement of any work to eliminate the discharge of sediment from the site. Sedimentation and erosion controls are to be effectively maintained at all times during the course of construction and shall not be removed until the site has been stabilised or landscaped to the Principal Certifying Authority's satisfaction. Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.
12. All excavated material is to be removed from the site.
13. The fill material imported to the site is to consist of Virgin Excavated Natural Material (VENM) only, as approved under the Department of Climate Change "General Resource Recovery Exemption". The materials are to be non-contaminated excavated material and soil, rock or similar material.

Putrescible and non-putrescible solid waste (including demolition material) is not permitted.
 - Any fill shall be deposited and works carried out in strict compliance with the NSW Department of Land and Water Conservations *Urban Erosion and Sediment Control* manual.
 - Batters of any fill areas are to be graded to a slope of no more than 3(H):1(V) in accordance with the NSW Department of Land and Water Conservations *Urban Erosion and Sediment Control* manual.
 - No fill is to be introduced within the drip line of canopy trees on the site.
 - No fill is to be introduced in the area of native vegetation or habitat remaining on the site.
14. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
15. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
16. Where excavations extend below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must give the owner of the adjoining property at least seven (7) days written notice of their intention to excavate below the level of the base of the footing and furnish the adjoining property owner with particulars of the proposed work.

17. Waste materials generated through demolition, excavation and construction works are to be minimised by re-use on site, recycling or where re-use or recycling is not practical, disposal at an appropriate authorised waste facility. All waste dockets and receipts regarding demolition, excavation and construction waste are to be retained on site to confirm which facility received the material for recycling or disposal. The ongoing operation of Recycling and Waste Management Services is to be undertaken in accordance with the Waste Management Plan.

E. Matters to be satisfied prior to the issue of Occupation Certificate:

Note: Prior to the issue of an Occupation Certificate the principal certifying authority is to ensure that Council's assets, including road, kerb and gutter and drainage facilities adjacent or near to the site have not been damaged as a result of the works. Where such damage has occurred, it is to be repaired to Council's written satisfaction prior to the issue of an Occupation Certificate or suitable arrangements put in place to effect those repairs at a future date to Council's written satisfaction. Should this process not be followed, Council will pursue action against the principal accredited certifier in relation to the recovery of costs to effect such works.

Note: It is an offence to occupy the building or part thereof to which this consent relates prior to the issue of an Occupation Certificate.

1. Prior to the issue of an Occupation Certificate a certificate by a Registered Surveyor stating that minimum floor level of the child care building and finished floor level of the outdoor play areas are at 5.82mAHd comprising the Probable Maximum Flood level with the 2100 Climate Change Scenario.
2. Prior to the issue of an Occupation Certificate, the operator of the child care centre shall prepare for implementation a location specific sustainable travel plan, known as a Travel Access Guide (TAG) or Green Travel Plan for employees and parents of children using the child care centre to support the use of non-car modes of transport. The TAG/Green Travel Plan is to address how parents who will use the child care centre and reside within vicinity of the child care centre particularly from the '*residential apartment buildings to walk their children to and from the child care centre*'.
3. Prior to the issue of an Occupation Certificate and prior to the use of the building as a child care centre, a Statement of Building Design Compliance is to be submitted to the Principal Certifying Authority demonstrating compliance with the *Education and Care Services National Law Act 2010* and *Education and Care Services National Regulation 2011*.
4. The Certifying Authority is to submit to Council the completed and signed Food Premises Occupation Certificate Fit-Out Form, this form is available at http://www.pittwater.nsw.gov.au/business/commerce_and_industry_premises/information_for_food_premises.
5. Council's Environmental Health Officer is to be contacted (phone: 9970-1111) to make arrangements for an inspection of the premises for verification of

compliance with the form. A minimum of 48 hours notice is required for the inspection.

6. Council is to forward written advice of the result of the inspection in order to confirm that there is no objection to the issuing of the Occupation Certificate.
7. Documentation supplied by Sydney Water regarding evidence of the trade waste agreement must be provided to the certifying authority prior to the issue of the Occupation Certificate.
8. Documentation supplied by a practicing mechanical engineer certifying that all mechanical exhaust ventilation systems, as installed, complies with AS/NZS 1668.1:1998 (Fire and smoke control in multi-compartment buildings) and 1668.2:1991 (Mechanical ventilation for acceptable indoor-air quality), must be provided to the certifying authority prior to the issue of the Occupation Certificate.
9. Certification is to be provided to the Principal Certifying Authority by a qualified experienced practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E.), or who is eligible to become a corporate member and has appropriate experience and competence in the related field, that the drainage/stormwater management system has been installed to the manufacturer's specification (where applicable) and completed in accordance with the engineering plans and specifications required under this consent
10. The certifying authority must be provided with evidence that the food business has been notified with NSW Food Authority. Notification may be done either online at www.foodnotify.nsw.gov.au or by lodging a completed food notification form to Council.
Note: A fee applies when lodging notification forms with Council.
11. An Occupation Certificate application stating that the development complies with the Development Consent, the requirements of the Building Code of Australia and that a Construction Certificate has been issued must be obtained before the building is occupied or on completion of the construction work approved by this Development Consent.
12. A Flood Emergency Response Plan is to be prepared which addresses the emergency response for all floods up to the Probable Maximum Flood with the 2100 Climate Change Scenario. The Flood Emergency Response Plan must address the capability of evacuation as the primary method of flood emergency response. As the period of isolation of the development is expected to greater than 2 hours in a Probable Maximum Flood, high level on-site vertical refuge (sheltering-in-place) may be considered as a secondary or method of last resort only. The evacuation capability assessment must include, and is not limited only to:
 - a) determining ground levels adjacent and around the development and at the evacuation centre for the 20% AEP (1-in-5 year ARI), 5% AEP (1-in-20 year ARI), 1% AEP (1-in-100 year ARI) and Probable

Maximum Flood Level (with the consideration of a 2100 Climate Change Scenario):

- maximum depth of inundation;
 - length of time of inundation at zero depth and above;
 - length of time of inundation at 300mm and above;
 - likely rate of rise of floodwaters from zero to maximum depth of inundation.
- b) An appraisal of the risk exposure posed to children, disabled persons, adults, vehicle occupants during movements to and from the site during a flood evacuation and flood isolation scenarios.
- c) the evacuation time-line from the onset of rainfall to recovery and a return to the development including key trigger levels;
- d) the method by which evacuation trigger levels will be determined (eg. by real-time rainfall, predicted rainfall, water level recorders, etc.);
- e) the method by which occupants will respond to SES emergency management and evacuation messages and communicating such messages to parents;
- f) details of how on-going awareness and evacuation training will be carried out and assured in the long term. This would extend to educating parents on not attempting to drive through floodwaters to pick up children.

Evacuation practice procedures and routes to be maintained during the operation of the childcare centre.

The Flood Emergency Response Plan is to be implemented by the childcare centre operator and the practice of flood evacuation procedures are to be undertaken every 3 months with every child in care.

G. Advice:

1. Failure to comply with the relevant provisions of the *Environmental Planning and Assessment Act, 1979* (as amended) and/or the conditions of this Development Consent may result in the serving of penalty notices (on-the-spot fines) under the summary offences provisions of the above legislation or legal action through the Land and Environment Court, again pursuant to the above legislation.
2. The applicant is also advised to contact the various supply and utility authorities, i.e. Sydney Water, Sydney Electricity, Telstra etc. to enquire whether there are any underground utility services within the proposed excavation area.
3. You are advised to contact Australia Post regarding the required size and location of letterboxes.
4. It is the Project Managers responsibility to ensure that all of the Component Certificates/certification issued during the course of the project are lodged with the Principal Certifying Authority. Failure to comply with the conditions of

approval or lodge the Component Certificates/certification will prevent the Principal Certifying Authority issuing an Occupation Certificate.

5. In accordance with Section 95(1) of the Act, this consent will lapse if the development, the subject of this consent, is not physically commenced within 5 years after the date from which this consent operates.
6. To ascertain the date upon which the determination becomes effective and operates, refer to Section 83 of the *Environmental Planning and Assessment Act, 1979* (as amended).
7. Should any of the determination not be acceptable, you are entitled to request reconsideration under Section 82A of the *Environmental Planning and Assessment Act, 1979*. Such request to Council must be made in writing, together with appropriate fees as advised at the time of lodgement of such request, within 1 year from the date of determination.
8. If you are dissatisfied with this decision, Section 97 of the *Environmental Planning and Assessment Act, 1979*, gives you a right of appeal to the Land and Environment Court within 6 months of the date of endorsement of this Consent.
9. The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Waters sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be appropriately stamped. For Quick Check agent details please refer to the web site at www.sydneywater.com.au then see Building Developing and Plumbing then Quick Check, or telephone 13 20 92.
10. This approval does not prejudice any action in respect of upgrading the building pursuant to the provisions of the Section 121B of the *Environmental Planning and Assessment (Amendment) Act, 1997*.
11. You are reminded of your obligations under the objectives of the *Disability Discrimination Act (DDA)1992*.