

Wyong Shire Council

## **ORDINARY COUNCIL MEETING**

### **ENCLOSURES**

Wednesday, 12 February, 2014



**WYONG SHIRE COUNCIL**  
**ENCLOSURES TO THE**  
**ORDINARY COUNCIL MEETING**  
**TO BE HELD IN THE COUNCIL CHAMBER,**  
**WYONG CIVIC CENTRE, HELY STREET, WYONG**  
**ON WEDNESDAY, 12 FEBRUARY 2014 ,**  
**COMMENCING AT 5.00PM**

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**PLANNING REPORTS**

<b>2.1</b>	<b>DA 420/2013 - Service station, drive through takeaway food restaurant (McDonald's), four (4) light industrial units and associated three (3) lot subdivision</b>	
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## DRAFT CONDITIONS OF APPROVAL

### Approved Plans

- 1 The development is to be undertaken in accordance with the approved development plans and specifications listed below, and supporting documentation, except as modified by any conditions of consent and any amendments in red made to the approved plans:

Title	Drawing No.	Revision	Date	Drawn By
Site Plan	DA046 - 01	O	06.11.13	WA Brown Building P/L
Site Plan – Service station	DA046 - 02	K	20.09.13	WA Brown Building P/L
Site Plan - Industry	DA046 - 03	G	07.11.13	WA Brown Building P/L
Service Station Plan	DA046 - 04	3	16.09.13	WA Brown Building P/L
Service Station Elevation	DA046 – 05 DA046 – 06	4	20.09.13	WA Brown Building P/L
Service Station Canopy Plan	DA046 - 07	2	10.09.13	WA Brown Building P/L
Canopy Roof Plan	DA046 - 08	2	10.09.13	WA Brown Building P/L
Canopy Elevations	DA046 – 10 DA046 - 11	2	10.09.13	WA Brown Building P/L
Signage 7 Eleven	DA046 – 12 DA046 - 13	2	10.09.13	WA Brown Building P/L
Industrial Units Floor	DA046 -15	D	16.09.13	WA Brown Building P/L
Industrial Units Elevation	DA046 - 16	E	16.09.13	WA Brown Building P/L
Overall Site Plan	MOD513 - A001	E	13.09.13	Richmond Ross
Site Plan	MOD513 - A002	E	13.09.13	Richmond Ross
COD Unit Details	MOD513 - A026	-	Feb 2013	Richmond Ross
Easement Plan	MOD513 - A050	D	13.09.13	Richmond Ross
Floor Plan (restaurant)	MOD513 - A100	B	20.08.13	Richmond Ross
Side and Rear Elevations (restaurant)	MOD513 - A200	B	31.05.13	Richmond Ross
Drive Thru and Front Elevations (restaurant)	MOD513 - A201	B	31.05.13	Richmond Ross
External Finishes Schedule	MOD513 - A202	-	Mar 2013	Richmond Ross
Site Signage Plan (restaurant)	MOD513 - SG010 & SG020	A	31.05.13	Richmond Ross

Pylon Sign Details (restaurant)	MOD513 - SG021	-	April 2013	Richmond Ross
Signage Details (restaurant)	MOD513 - SG022	-	April 2013	Richmond Ross
Side and Rear Signage Details (restaurant)	MOD513 – SG200	A	31.05.13	Richmond Ross
Drive Thru and Front Signage Elevations	MOD513 – SG201	A	31.05.13	Richmond Ross
Plan of Subdivision	238548 –DP-001-H - Sheet 1 of 1	-	undated	David Ian Turner
Cover Sheet	SS13-2610 - 000	B	17.09.13	Site Image
Landscape Plan	SS13-2610 - 101	C	17.09.13	Site Image
Landscape Details	SS13-2610 - 501	B	17.09.13	Site Image

## STAGE 1 – SUBDIVISION

### Certificates – Application and Approval

- 2 A Construction Certificate is to be issued by the Principal Certifying Authority prior to commencement of any construction works. The application for this Certificate is to satisfy all of the requirements of the Environmental Planning and Assessment Regulation 2000.
- 3 An application for a Subdivision Certificate must be submitted to and approved by the Council/Certifying Authority prior to endorsement of the plan of subdivision.
- 4 Where conditions of this consent require approval from Council under the Roads Act 1993, Local Government Act 1993 or Water Management Act 2000, a completed Subdivision Construction Certificate application form must be lodged with Council and be accompanied by detailed design drawings and supporting information. Upon submission to Council, fees and charges will be calculated in accordance with Council's Management Plan. The fees and charges must be paid prior to Council commencing the design assessment.

### Prior to Release of Construction Certificate:

***The following conditions must be satisfied prior to the release of the Construction Certificate. Conditions may require the submission of additional information with the Construction Certificate Application. Applicants should also familiarise themselves with conditions in subsequent sections and provide plans in accordance with any design requirements contained therein.***

### Roadworks - Design Requirements

- 5 Where conditions of this consent require approval from Council as the Roads Authority, a Subdivision Construction Certificate application must be lodged with Council and be accompanied by detailed design drawings and supporting information.

Upon submission to Council, fees and charges will be calculated in accordance with Council's Management Plan. The fees and charges must be paid prior to Council commencing the design assessment.

- 6 Where conditions of this consent require approval from Council as the Roads Authority with the concurrence of the RTA, a completed Subdivision Construction Certificate application form must be lodged with Council and be accompanied by detailed design drawings and supporting information. Fees and charges calculated in accordance with Council's Management Plan and must be paid prior to the issue of any consent under the Roads Act 1993. Prior to approval, the developer will be required to enter into a Works Authorisation Deed (WAD) with the RTA for any works and traffic control on State roads.
- 7 The submission to Council of Civil Works design drawings and specifications detailing the following design requirements:
  - Pacific Highway - kerb and guttering for the full street frontage of the development and parallel to the property boundary. The required kerb alignment shall ensure a minimum 3.5m travel lanes northbound and a 2 metre wide road shoulder
  - Pacific Highway - pavement design to the satisfaction of the RMS.
  - Pacific Highway - road pavement construction adjoining the proposed kerb and guttering to the satisfaction of the RMS.
  - London Drive – “Keep Clear” pavement marking provided opposite the driveway nearest the Pacific Highway.
  - London Drive - “No Stopping” signs provided on the both sides of the road between the Pacific Highway and the western boundary of the development.
  - London Drive – Eastern vehicle access crossing.
  - Street stormwater drainage systems.
  - Street lighting in accordance with AS/NZS 1158.
  - Pavement marking & signage.
  - Any associated works to ensure satisfactory transitions to existing infrastructure
  - Adjustment of services as required

Required design drawings are to be prepared in accordance with Council's Civil Works Design Guideline and Civil Works Construction Specification and must be approved by Council as the Roads Authority prior to the issue of a Construction Certificate.

- 8 The submission of a comprehensive road signage and pavement marking design drawings identifying parking restrictions, accesses and traffic management facilities to Council for approval by the Local Traffic Committee prior to issue of the Construction Certificate.
- 9 Prior to the commencement of detailed design works within any public road, contact should be made with the National Community Service “Dial before you Dig” on 1100 regarding the location of underground services in order to prevent injury, personal liability and even death. Enquiries should provide the property details and the nearest cross street/road.
- 10 The submission to the Council as the Roads Authority of a detailed design Road Safety Audit for the external driveway crossings and intersections in London Drive. An audit team with at least one (1), Level 3 Road Safety Auditor (recognised on the NSW Register of Road Safety Auditors) shall prepare the audit report. Any deficiencies identified within the audit must be resolved in consultation with Council prior to the approval of design drawings.

### Vehicle Access and Parking - Design Requirements

- 11 The submission to the Accredited Certifier of a detailed car parking design. The design shall include:
  - Pavement marking, appropriate signage and physical controls detailed for the carpark, access driveway and circulation roads.
  - ‘Physical’ access provided from London Drive to service the proposed McDonalds
  - Pavement design able to withstand anticipated vehicle loading.
  - Appropriate sight distance available for vehicles entering and exiting the site.
  - All ingress to the subject allotments / proposed developments shall be from London Drive.

The design drawings shall be prepared in accordance with the requirements of AS/NZS 2890 – Parts 1, 2 and 6, and be approved by the Accredited Certifier prior to the issue of a Construction Certificate.

### Water and Sewer Services - Design Requirements

- 12 All water and sewer works or works impacting on water and sewer assets must be designed and constructed to the requirements of Council as the Water Supply Authority. The requirements are detailed in the Section 306 Notice of Requirements letter attached to this consent. **Note:** The Section 306 Notice contains requirements associated with the development that must be completed prior to the issue of the Construction Certificate.

## Road and Maritime Services

- 13 The Works Authorisation Deed (WAD) shall be executed prior to issue of any Construction Certificate for the proposed development.

As road works are required on a State road, RMS will require the developer to enter into a Works Authorisation Deed (WAD) with RMS. In this regard the developer is required to submit concept and detailed design plans and all relevant additional information, as may be required in RMS's WAD documentation, for each specific change to the classified (State) road network and/or any traffic control signals for RMS's assessment and final decision concerning the work.

Please note that the WAD process, including acceptance of design documentation and construction, can take a considerable amount of time. The developer should be aware of this and allow sufficient lead time within the project development program to accommodate this process. It is therefore suggested that the developer work through the process as soon as possible with RMS

## Prior to Commencement of Works:

***The following conditions must be satisfied prior to the commencement of site works, including any works relating to demolition, excavation or vegetation removal.***

### Demolition Requirements

- 14 Prior to the demolition of nominated structures on site, all existing site services are to be disconnected, sealed and made safe. With regard to any sewer and water, service is to be disconnected by a licensed plumber and drainer with a Start Work Docket submitted to Council's Plumbing and Drainage Inspector as the Water and Sewer Authority. Romondis Customer Service Centre are also to be contacted on telephone number 1300 126 278 to arrange for the collection of the garbage bins.
- Any demolition work carried out is to be carried out in accordance with the requirements of AS 2601-2001 – The Demolition of Structures.
- 15 Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work, must be undertaken by a person who carries on a business of such removal work in accordance with a licence issued under the provisions of Clause 318 of the *Occupational Health and Safety Regulation 2001*.
- The person having the benefit of the consent must provide the Principal Certifying Authority with a copy of a signed contract before any development pursuant to the consent commences.
  - Any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed and if so, must specify the landfill site (that may lawfully receive asbestos) to which the material is to be delivered for disposal. Upon completion of these works, the Council is to be supplied with disposal receipts within seven (7) days to verify that this requirement has been complied with.

## Erosion and Sediment Control Requirements

- 16 Prior to the commencement of construction an initial Erosion and Sediment Control Plan (ESCP) prepared in accordance with the latest edition of the Landcom Publication 'Soils and Constructions- Volume 1' (The Blue Book) shall be provided to the Principal Certifying Authority. This plan shall be modified and updated during construction to reflect any changes due to the on-ground/site conditions. A copy of any modifications or updates to the ESCP shall be provided to the PCA and provided to Council upon request.

Erosion and sediment controls shall be monitored, maintained and adapted in accordance with the most recent ESCP until the site is fully stabilised and landscaped. Failure to comply with this condition may result in fines under the provision of the Protection of the Environment Operations Act.

## Roads - Preconstruction Requirements

- 17 Prior to commencing any works upon public roads the developer and their contractor will be required to:
- Obtain a copy of the Council approved Civil Works plans and pavement design (if applicable).
  - Obtain a copy of Council's Civil Works Design Guideline and Civil Works Construction Specification. This is Council's Specification for Civil Works and is available on Council's web site.
  - Arrange a meeting on-site with Council's Principal Development Construction Engineer on (02) 4350 5555.
- 18 Prior to works associated with the development commencing, a Plan of Management is to be submitted to and approved by Council as the Roads Authority for any works or deliveries that impact on any public roads or public land as a result of the construction of the development. The plan must include a Traffic Control Plan prepared by a person holding Roads and Traffic Authority (RTA) accreditation for selecting and modifying traffic control plans. Fees and charges are applicable to the review and approval of the required management plan in accordance with Council's Plan of Management.
- 19 Prior to works associated with development commencing, a dilapidation report must be prepared and submitted to Council as the Roads Authority. The required dilapidation report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, water supply, sewer works, street trees, street signs or any other Council assets in the vicinity of the development. **Note:** The report will be used by Council to determine the extent of damage arising from site and construction works.

## Site Requirements

- 20 Prior to works associated with the development commencing, the Principal Contractor (or Owner/Builder) is to erect a suitable sign in a prominent position on the development site (not attached to any tree) identifying the name,



address and telephone number of the Principal Certifying Authority (PCA) for the work, the name, address and telephone number (including a number for outside of business hours) of the Principal Contractor for the work (or Owner/Builder) and stating that unauthorised entry to the site is prohibited. The required sign is to be maintained for the duration of works associated with the development. Appropriate signs can be collected from Council's Customer Service Centre, where Council is the nominated Principal Certifying Authority with respect to the development.

- 21 Prior to works associated with the development commencing, suitable toilet facilities must be available or be provided upon the development site, with the required toilet facility(s) maintained until development works are completed at a ratio of one (1) toilet plus one (1) additional toilet for every twenty (20) persons employed at the site. Each toilet must:
- be a standard flushing toilet connected to a public sewer system; or
  - have an on-site effluent disposal system approved under the Local Government Act 1993, or be a temporary chemical closet approved under the Local Government Act 1993, supplied by a suitably licensed contractor.
- 22 Prior to works associated with the development commencing, a suitable metal waste skip (with self-closing lid or secure covering) or lined mesh steel cage(s) is to be provided upon the development site for the duration of the construction phase of the development.. The required waste receptacle is to be suitably emptied at appropriate times during the construction phase of the development.
- 23 Prior to works associated with the development commencing, a suitable hoarding or safety fence between the work site and the public place is to be provided in accordance with Work Cover Authority requirements. The required hoarding/fencing is to remain in place during the construction phase of the development. Should the hoarding/fencing be required to be provided within the road reserve area, approval from Council under the Roads Act as the Roads Authority is required to be obtained prior to its erection.

### **Road and Maritime Services**

- 24 As part of the road construction in Pacific Highway, the developer shall apply for, and obtain a Road Occupancy Licence (ROL) from RMS Traffic Operations Unit (TOU) prior to commencing work within the classified road reserve or within 100m of traffic signals. The application will require a Construction Traffic Management Plan (CTMP) to be prepared by a person who is certified to prepare Construction Traffic Management Plans. Should the CTMP require a reduction of the speed limit, a Speed Zone Authorisation will also be required from the TOU. The developer shall submit the ROL application 10 business days prior to commencing work. It should be noted that receiving an approval for the ROL within this 10 business day period is dependent upon RMS receiving an accurate and compliant TMP.

Note: An approved ROL does not constitute an approval to commence works until an authorisation letter for the works has been issued by RMS Project Manager.

- 25 The conditions of approval do not guarantee RMS's final consent to the specific road work, traffic control facilities and other structures works, for which it is responsible, on the road network. RMS must provide a final consent for each specific change to the classified (State) road network and/or any traffic control signals prior to the commencement of any work.
- 26 The Construction Traffic Management Plan (CTMP) shall be prepared and include a Vehicle Movement Plan and Traffic Control Plan. It shall be prepared with the intention of causing minimal impact to the operation of the road network during construction. The CTMP shall be submitted to RMS and Council for review and approval prior to any construction activities occurring onsite.

### **Tree Protection**

- 27 Prior to any physical works associated with the development commencing and for the duration of construction works, the following protocols are to be implemented to ensure tree and vegetation protection upon the development site:
- Trees marked for retention are to be protected by the erection of 1.8 metre-high chain wire interlocking fencing in accordance with AS 4970-2009 - Protection of Trees on Development Sites.
  - Erection of tree protection measures is to be confirmed in writing to Council's Development Arborist prior to commencement of works, or alternatively Council must be notified to undertake an inspection of the works.
  - All fenced tree protection areas are to be clearly marked as "No Go Area" on the fencing itself.
  - No clearing of vegetation or storage of vehicles or machinery, waste, fill or materials or unauthorised access is to occur within the fenced tree protection areas.

## **During Construction Works:**

***The following conditions must be satisfied during construction works.***

### **Services/Utility Requirements**

- 28 The developer is solely responsible for any costs relating to alterations and extensions of existing roads, drainage, water and sewer infrastructure and other utilities for the proposed development.
- 29 Other public authorities may have separate requirements and should be consulted prior to commencement of works in the following respects:
- Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments;
  - AGL Sydney Limited for any change or alteration to gas line infrastructure;

- Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements;
- Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure.

### **Road and Maritime Services**

- 30 The engineering works associated with the subject development shall be undertaken at full cost to the developer.

### **Site Requirements**

- 31 Construction or demolition works involved with the development may only be carried out between the hours of 7.00 am and 5.00 pm Monday to Saturday with no construction or demolition works associated with the development permitted to be carried out at any time on a Sunday or a public holiday.
- 32 During the construction phase of the development, all building materials, plant and equipment must be placed on the site of the development in order to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure.

### **Waste Management Requirements**

- 33 During the construction phase of the development, all building materials must be re-used, recycled or disposed of in accordance with the Waste Management Plan submitted with the subject application.

### **Potentially Contaminated Land Requirements**

- 34 During the construction phase of the development, any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and required remediation must be notified to Council immediately upon discovery.

## **Prior to Release of Subdivision Certificate:**

*The following conditions must be satisfied prior to the release of a Subdivision Certificate.*

### **Subdivision– Compliance Requirements**

- 35 The certification by a Registered Surveyor, prior to issue of a Subdivision Certificate that all construction has been effected within the appropriate property, easement boundaries and rights of carriageway. The certification shall be accompanied by a copy of the final subdivision or easement plan, with the distances from the boundaries to the edges of these structures endorsed in red thereon and signed by the surveyor.
- 36 The plan of subdivision and Section 88B instrument shall establish the following title encumbrances with Council being nominated as the sole authority to release, vary or modify each encumbrance unless specifically noted otherwise.

Wherever possible the extent of the land affected shall be defined by bearings and distances shown on the plan of subdivision:

- 'Right of Carriageways' as identified on the approved development plans.
- 'Easement to Drain Water' as identified on the approved development plans.
- 'Easement for Services' as required.
- 'Signage Easement' as required.

The encumbrances must be shown on the final plan of subdivision and Section 88B instrument, and be approved by Council with the Subdivision Certificate.

- 37 The provision of Works as Executed information as identified in Council's Civil Works Design Guideline and Civil Works Construction Specification prior to issue of the Subdivision Certificate. The information is to be submitted in hard copy and in electronic format in accordance with Council's 'CADCHECK' requirements. This information is to be approved by Council prior to issue of the Subdivision Certificate.
- 38 All subdivision works must be approved by Council prior to the issue of a Subdivision Certificate.
- 39 Prior to issue of a Subdivision Certificate the provision of written confirmation from the relevant service authorities that satisfactory arrangements have been made for the provision of the following services to each lot:
- telecommunications
  - electricity supply
  - gas supply
  - national broadband network
  - water supply
  - sewerage

The location of services must be shown on a copy of the final subdivision plan, with the distances from the boundaries to each service endorsed in red thereon.

- 40 Prior to the issue of a Subdivision Certificate, the resultant materials associated with demolition must be removed from site.
- 41 Legal and physical access to the subdivision is to be provided to Council's satisfaction prior to issue of the Subdivision Certificate.

## Water and Sewer Services/Infrastructure – Compliance Requirements

- 42 Prior to the issue of a Subdivision Certificate, all water and sewer works for the development must be approved by Council as the Water and Sewer Authority.

### Ongoing Operation:

*The following conditions must be satisfied during use / occupation of the development.*

No Stage 1 Conditions

## STAGE 2 – BUILDING CONSTRUCTION WORKS

### Certificates – Application and Approval

- 43 A Construction Certificate is to be issued by the Principal Certifying Authority prior to commencement of any construction works. The application for this Certificate is to satisfy all of the requirements of the Environmental Planning and Assessment Regulation 2000.
- 44 Prior to the occupation or use of the building/structure, an application for an Occupation Certificate for the development must be submitted to and approved by the Principal Certifying Authority.
- 45 Where conditions of this consent require approval from Council under the Roads Act 1993, Local Government Act 1993 or Water Management Act 2000, a completed Subdivision Construction Certificate application form must be lodged with Council and be accompanied by detailed design drawings and supporting information. Upon submission to Council, fees and charges will be calculated in accordance with Council's Management Plan. The fees and charges must be paid prior to Council commencing the design assessment.

### Prior to Release of Construction Certificate:

*The following conditions must be satisfied prior to the release of the Construction Certificate. Conditions may require the submission of additional information with the Construction Certificate Application. Applicants should also familiarise themselves with conditions in subsequent sections and provide plans in accordance with any design requirements contained therein.*

### Liquid Trade Waste Requirements

- 46 Prior to the issue of the Construction Certificate, the developer must submit a trade waste application for approval to Council as the Water and Sewer Authority in order to discharge liquid trade waste into the sewerage system.

### Roadworks - Design Requirements

- 47 Where conditions of this consent require approval from Council as the Roads Authority, a Subdivision Construction Certificate application must be lodged with Council and be accompanied by detailed design drawings and supporting information.

Upon submission to Council, fees and charges will be calculated in accordance with Council's Management Plan. The fees and charges must be paid prior to Council commencing the design assessment.

- 48 Where conditions of this consent require approval from Council as the Roads Authority with the concurrence of the RTA, a completed Subdivision Construction Certificate application form must be lodged with Council and be accompanied by detailed design drawings and supporting information. Fees and charges calculated in accordance with Council's Management Plan and must be paid prior to the issue of any consent under the Roads Act 1993. Prior to approval, the developer will be required to enter into a Works Authorisation Deed (WAD) with the RTA for any works and traffic control on State roads.
- 49 The submission to Council of Civil Works design drawings and specifications detailing the following design requirements:
- London Drive & Pacific Highway – Full footway formation at 4% from the top of kerb to the property boundary for the full street frontages of the development.
  - London Drive & Pacific Highway – Concrete footpath 2.0 metres wide for the full street frontages of the development.
  - Pacific Highway - Exit only (left out) driveway crossing designed and constructed in accordance with the Austroads Guide to Road Design 2009 (with RMS supplements) and relevant Australian Standards, to Council requirements.
  - Pacific Highway - A "No Left Turn" sign provided on the southern side of the exit to legally prohibit entry to the development.
  - Pacific Highway - Swept paths demonstrating that the largest design vehicle likely to service the subject allotments can exit wholly within the kerbside lane of the Pacific Highway.
  - London Drive – Western vehicle access crossing.
  - Pavement marking & signage.
  - Street trees at a maximum of 15.0 metre spacing.
  - The restoration of any vehicle access rendered redundant by the development, to standard kerb and footpath formation.
  - Any associated works to ensure satisfactory transitions to existing infrastructure.
  - Adjustment of services as required.

Required design drawings are to be prepared in accordance with Council's Civil Works Design Guideline and Civil Works Construction Specification and must be approved by Council as the Roads Authority prior to the issue of a Construction Certificate.

- 50 The submission of a comprehensive road signage and pavement marking design drawings identifying parking restrictions, accesses and traffic management facilities to Council for approval by the Local Traffic Committee prior to issue of the Construction Certificate.
- 51 Prior to the commencement of detailed design works within any public road, contact should be made with the National Community Service “Dial before you Dig” on 1100 regarding the location of underground services in order to prevent injury, personal liability and even death. Enquiries should provide the property details and the nearest cross street/road.
- 52 The submission to the Council as the Roads Authority of a detailed design Road Safety Audit for the external driveway crossings and intersections in both London Drive & Pacific Highway. An audit team with at least one (1), Level 3 Road Safety Auditor (recognised on the NSW Register of Road Safety Auditors) shall prepare the audit report. Any deficiencies identified within the audit must be resolved in consultation with Council prior to the approval of design drawings.
- 53 The submission to the Accredited Certifier a ‘finalised’ Road Safety Audit for the internal circulation roads, loading areas, pedestrian measures, internal car parks etc. An audit team with at least one (1), Level 3 Road Safety Auditor (recognised on the NSW Register of Road Safety Auditors) shall prepare the audit. Any deficiencies identified within the audit shall be resolved in accordance with the hierarchy of control commencing with eliminating the deficiency. A copy of the ‘finalised’ report shall be forwarded to Council for record

### **Stormwater Drainage - Design Requirements**

- 54 The submission to the Accredited Certifier of a detailed stormwater management plan featuring:
- Stormwater runoff from all new impervious areas and subsoil systems directed to London Drive.
  - Suitably sized galvanised box section across the footpath area to connect to the existing kerb and guttering.
  - Drainage pit at the boundary line.
  - The provision of stormwater quality control facilities to treat stormwater in accordance with the Engineers Australia publication Australian Runoff Quality – A Guide to Water Sensitive Urban Design prior to entering Council’s stormwater drainage system.
  - Any discharged stormwater from the development to Pacific Highway shall not exceed the capacity of the Pacific Highway drainage system.

The plans must be prepared in accordance with *AS/NZS3500.3:2004* and Council’s Civil Works Design Guideline and Civil Works Construction Specification, and be approved by the Accredited Certifier prior to issue of the Construction Certificate.

The plans may be generally based (with required amendments) on the submitted concept stormwater drainage plans by Richmond & Ross (refer Series No. MOD513, Drawing No. C005, Amendment D, dated 18/12/2013 including the SPEL Puraceptor unit), which are to be advanced as necessary for Construction Certificate issue purposes.

### **Structural Design Requirements**

- 55 Prior to the issue of a Construction Certificate, suitable detailed design drawings for all retaining wall structures on the site are to be provided for the approval of the Accredited Certifier. Such design drawings are to be prepared by a suitably qualified Registered Structural Engineer in accordance with the requirements of AS 4678-2002 - *Earth Retaining Structures*. All retaining walls must be contained wholly within the property and designed so as to accommodate possible surcharge loading from vehicles or structural improvements within the adjoining property.
- 56 Prior to the issue of a Construction Certificate, a construction management plan for the construction of the retaining wall is required to be provided for the approval of the Accredited Certifier. Such management plan shall be certified by the retaining wall Design Engineer and detail the construction methodology to ensure workers safety and the structural stability of the adjoining properties. Where required, an authority to enter the adjoining property must accompany the required management plan if the construction methodology or temporary protection works encroach into any adjoining property

### **Vehicle Access and Parking - Design Requirements**

- 57 The submission to the Accredited Certifier of a detailed car parking design. The design shall include:
- Pavement marking, appropriate signage and physical controls detailed for the carpark, access driveway and circulation roads.
  - Pavement design able to withstand anticipated vehicle loading.
  - All vehicles able to enter and exit the site in a forward direction.
  - Appropriate sight distance available for vehicles entering and exiting the site.
  - All ingress to the subject allotments / proposed developments shall be from London Drive.
  - Revised longitudinal driveway profile detailing the correct design vehicle servicing the proposed Industrial building. The profile shall show the locations and levels of the 4 loading area.
  - Revised turning templates for the fuel tanker detailing deliveries to and from the underground storage tank locations. The location of these tanks shall ensure minimal traffic impact through the site.
  - An additional accessible car space to service the industrial units.



The design drawings shall be prepared in accordance with the requirements of AS/NZS 2890 – Parts 1, 2 and 6, and be approved by the Accredited Certifier prior to the issue of a Construction Certificate.

- 58 The submission to the Accredited Certifier of lighting design drawings for the carpark and public places. The design shall be prepared in accordance with the requirements of AS/NZS 1158 and AS 4282-1997, including the provision of current best practice energy efficient lighting and be approved by the Accredited Certifier prior to issue of a Construction Certificate.

### **Water and Sewer Services - Design Requirements**

- 59 All water and sewer works or works impacting on water and sewer assets must be designed and constructed to the requirements of Council as the Water Supply Authority. The requirements are detailed in the Section 306 Notice of Requirements letter attached to this consent. **Note:** The Section 306 Notice contains requirements associated with the development that must be completed prior to the issue of the Construction Certificate.

## **Prior to Commencement of Works:**

***The following conditions must be satisfied prior to the commencement of site works, including any works relating to demolition, excavation or vegetation removal.***

### **Demolition Requirements**

- 60 Prior to the demolition of nominated structures on site, all existing site services are to be disconnected, sealed and made safe. With regard to any sewer and water, service is to be disconnected by a licensed plumber and drainer with a Start Work Docket submitted to Council's Plumbing and Drainage Inspector as the Water and Sewer Authority. Romondis Customer Service Centre are also to be contacted on telephone number 1300 126 278 to arrange for the collection of the garbage bins.
- Any demolition work carried out is to be carried out in accordance with the requirements of AS 2601-2001 – The Demolition of Structures.
- 61 Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work, must be undertaken by a person who carries on a business of such removal work in accordance with a licence issued under the provisions of Clause 318 of the *Occupational Health and Safety Regulation 2001*.
- The person having the benefit of the consent must provide the Principal Certifying Authority with a copy of a signed contract before any development pursuant to the consent commences.
  - Any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed and if so, must specify the landfill site (that may lawfully receive asbestos) to which the material is to be delivered for disposal. Upon completion of these works, the Council is to be supplied with disposal receipts within seven (7) days to verify that this requirement has been complied with.

## Erosion and Sediment Control Requirements

- 62 Prior to the commencement of construction an initial Erosion and Sediment Control Plan (ESCP) prepared in accordance with the latest edition of the Landcom Publication 'Soils and Constructions- Volume 1' (The Blue Book) shall be provided to the Principal Certifying Authority. This plan shall be modified and updated during construction to reflect any changes due to the on-ground/site conditions. A copy of any modifications or updates to the ESCP shall be provided to the PCA and provided to Council upon request.

Erosion and sediment controls shall be monitored, maintained and adapted in accordance with the most recent ESCP until the site is fully stabilised and landscaped. Failure to comply with this condition may result in fines under the provision of the Protection of the Environment Operations Act

## Site Requirements

- 63 Prior to works associated with the development commencing, the Principal Contractor (or Owner/Builder) is to erect a suitable sign in a prominent position on the development site (not attached to any tree) identifying the name, address and telephone number of the Principal Certifying Authority (PCA) for the work, the name, address and telephone number (including a number for outside of business hours) of the Principal Contractor for the work (or Owner/Builder) and stating that unauthorised entry to the site is prohibited. The required sign is to be maintained for the duration of works associated with the development. Appropriate signs can be collected from Council's Customer Service Centre, where Council is the nominated Principal Certifying Authority with respect to the development.
- 64 Prior to works associated with the development commencing, suitable toilet facilities must be available or be provided upon the development site, with the required toilet facility(s) maintained until development works are completed at a ratio of one (1) toilet plus one (1) additional toilet for every twenty (20) persons employed at the site. Each toilet must:
- be a standard flushing toilet connected to a public sewer system; or
  - have an on-site effluent disposal system approved under the Local Government Act 1993, or be a temporary chemical closet approved under the Local Government Act 1993, supplied by a suitably licensed contractor.
- 65 Prior to works associated with the development commencing, a suitable metal waste skip (with self-closing lid or secure covering) or lined mesh steel cage(s) is to be provided upon the development site for the duration of the construction phase of the development.. The required waste receptacle is to be suitably emptied at appropriate times during the construction phase of the development.

- 66 Prior to works associated with the development commencing, a suitable hoarding or safety fence between the work site and the public place is to be provided in accordance with Work Cover Authority requirements. The required hoarding/fencing is to remain in place during the construction phase of the development. Should the hoarding/fencing be required to be provided within the road reserve area, approval from Council under the Roads Act as the Roads Authority is required to be obtained prior to its erection.

### **Erosion and Sediment Control Requirements**

- 67 Prior to the commencement of construction an initial Erosion and Sediment Control Plan (ESCP) prepared in accordance with the latest edition of the Landcom Publication 'Soils and Constructions- Volume 1' (The Blue Book) shall be provided to the Principal Certifying Authority. This plan shall be modified and updated during construction to reflect any changes due to the on-ground/site conditions. A copy of any modifications or updates to the ESCP shall be provided to the PCA and provided to Council upon request.

Erosion and sediment controls shall be monitored, maintained and adapted in accordance with the most recent ESCP until the site is fully stabilised and landscaped. Failure to comply with this condition may result in fines under the provision of the Protection of the Environment Operations Act

### **Protection of Adjoining Property Requirements**

- 68 Prior to works associated with the development commencing, the owner of the adjoining property affected by the proposed excavation and/or structural protective works, must be given written notice of the intention to commence works. The required notice must be accompanied by details of the proposed work at least seven (7) days prior to the commencement of proposed excavation and/or structural protective works.
- 69 Prior to works associated with the development commencing, the applicant must supply the Principal Certifying Authority with a dilapidation report for the adjoining properties, which documents and photographs the condition of buildings and other improvements. The report must be submitted to and approved by the Principal Certifying Authority prior to the commencement of any works. **Note:** The report is to be made available by the Principal Certifying Authority in any private dispute between neighbours regarding damage arising from construction works upon the development site.

### **Tree Protection**

- 70 Prior to any physical works associated with the development commencing and for the duration of construction works, the following protocols are to be implemented to ensure tree and vegetation protection upon the development site:
- Trees marked for retention are to be protected by the erection of 1.8 metre-high chain wire interlocking fencing in accordance with AS 4970-2009 - *Protection of Trees on Development Sites*.

- Erection of tree protection measures is to be confirmed in writing to Council's Development Arborist prior to commencement of works, or alternatively Council must be notified to undertake an inspection of the works.
- All fenced tree protection areas and are to be clearly marked as "No Go Area" on the fencing itself.
- No clearing of vegetation or storage of vehicles or machinery, waste, fill or materials or unauthorised access is to occur within the fenced tree protection areas.

## **During Construction Works:**

*The following conditions must be satisfied during construction works.*

### **Services/Utility Requirements**

- 71 The developer is solely responsible for any costs relating to alterations and extensions of existing roads, drainage, water and sewer infrastructure and other utilities for the proposed development.
- 72 Other public authorities may have separate requirements and should be consulted prior to commencement of works in the following respects:
- Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments;
  - AGL Sydney Limited for any change or alteration to gas line infrastructure;
  - Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements;
  - Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure.

### **Road and Maritime Services**

- 73 The engineering works associated with the subject development shall be undertaken at full cost to the developer.

### **Site Requirements**

- 74 Construction or demolition works involved with the development may only be carried out between the hours of 7.00 am and 5.00 pm Monday to Saturday with no construction or demolition works associated with the development permitted to be carried out at any time on a Sunday or a public holiday.

- 75 During the construction phase of the development, all building materials, plant and equipment must be placed on the site of the development in order to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure.

#### **Waste Management Requirements**

- 76 During the construction phase of the development, all building materials must be re-used, recycled or disposed of in accordance with the Waste Management Plan submitted with the subject application.

#### **Potentially Contaminated Land Requirements**

- 77 During the construction phase of the development, any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and required remediation must be notified to Council immediately upon discovery.

### **Prior to Release of Occupation Certificate:**

*The following conditions must be satisfied prior to the release of an Occupation Certificate.*

#### **Building Code of Australia – Compliance Requirements**

- 78 Prior to the issue of an Occupation Certificate, the building shall be completed in accordance with the relevant provisions and requirements of the Building Code of Australia.

#### **Dangerous and Hazardous Goods – Compliance Requirements**

- 79 The fuel tanks shall be installed in accordance with AS 1940-1993 - *The Storage and Handling of Flammable and Combustible Liquids* and shall be licensed by WorkCover NSW. A copy of the compliance certificate and WorkCover NSW Dangerous Goods licence shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate.

#### **Dilapidation Rectification Requirements**

- 80 Prior to the issue of an Occupation Certificate, any damage not shown in the Dilapidation Report submitted to and approved by the Principal Certifying Authority prior to site works commencing, will be assumed to have been caused as a result of the site works undertaken with respect to the development and must be rectified at the applicant's expense.

#### **Lighting Requirements**

- 81 Prior to the issue of an Occupation Certificate, suitable lighting shall be provided in accordance with the requirements of AS/NZS 1158 and AS/NZS 2890.1.

**Plumbing and Drainage - Compliance Requirements**

- 82 Prior to the issue of an Occupation Certificate, the provision of rainwater tank storage, in accordance with the requirements the National Plumbing and Drainage Code AS/NZS 3500 and Council's Development Control Plan 2013. The rainwater tanks must be located in such a position as to maximise rainwater collection and shall include, but not be limited to, the retention of water on-site incorporating first flow diversion devices fixed to all inflows, provided with a functioning pressure pump, and plumbed to service all toilets and at least one outdoor tap for each stage of the development. The tank must be controlled such that supplemental flows from domestic mains do not take place until the tank is at least 80% empty.

**Roads – Compliance Requirements**

- 83 All road signage and pavement marking works must be completed in accordance with the plans approved by the Local Traffic Committee and approved by Council as the Roads Authority prior to the issue of any Occupation Certificate.
- 84 The provision of any additional civil works required to ensure satisfactory transitions to existing work as a result of work conditioned for the development works are to be approved by Council as the Roads Authority prior to issue of the Occupation Certificate.
- 85 Any road works and or traffic control facilities within a state road must be completed in accordance with the approved Civil Works design drawings and RTA Works Authorisation Deed, and be jointly approved by Council as the Roads Authority and the RTA prior to the issue of any (interim or final) Occupation Certificate.
- 86 The submission to the Council as the Roads Authority of certification from an Accredited Service Provider (ASP) that the street lighting installation has been completed in accordance with AS/NZS 1158 and AS 4282-1997, the approved design drawings and will achieve a minimum of twenty (20) year design life. The certification must be received by Council prior to the issue of the Occupation Certificate.

**Stormwater – Compliance Requirements**

- 87 The construction of the stormwater management system in accordance with the approved Stormwater Management Plan and AS/NZS 3500.3-2004. Certification of the construction by a suitably qualified consultant shall be provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.
- 88 Prior to the issue of an Occupation Certificate, stormwater generated from roof areas of the building and any overflows from rain water tanks installed in conjunction with the development, is to be disposed to Council's street gutter drainage system in London Drive. Where provided, the existing kerb stormwater connection is to be utilised.

**Vehicle Access and Parking – Compliance Requirements**

- 89 The construction of the carpark and accesses in accordance with AS/NZS 2890 - Parts 1, 2 & 6. Certification of the construction of the carpark and associated accesses by a suitably qualified consultant shall be provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.
- 90 Prior to the issue of any Occupation Certificate, extinguishment of the 'Restriction on the Use of Land' created under Deposited Plan No. 1100416 preventing vehicular access from Pacific Highway. No written objection to the egress arrangement to Pacific Highway has been provided from the Roads and Maritime Services.

**Water and Sewer Services/Infrastructure – Compliance Requirements**

- 91 Prior to the issue of an Occupation Certificate, all water and sewer works for the development must be approved by Council as the Water and Sewer Authority.
- 92 The obtaining of a satisfactory final plumbing & drainage inspection advice or Section 307 Certificate of Compliance under the *Water Management Act 2000* for water and sewer requirements for the development from Wyong Shire Council as the Water Supply Authority, prior to issue of the Occupation Certificate. All works for the development must be approved by Council prior to the issue of a Certificate of Compliance.

**Road and Maritime Services**

- 93 All road works under the WAD shall be completed prior to issuing of any Occupation Certificate for any lot on which development may occur.

**Traffic control signs**

- 94 A traffic signage plan is to be provided showing the location of:
- i. No Stopping signs on both sides of London Drive for the full extent of the development, and,
  - ii. No left turn signage on Pacific Highway and,
  - iii. Keep clear markings on London Drive at the access to the development,

The plan with the above required signage and linemarking is to be submitted for referral to the Local Traffic Committee for endorsement prior to issuing of an Occupation Certificate.

**Landscaping Requirements**

- 95 Prior to the issue of an Occupation Certificate, to ensure landscaping works are properly completed, the landscape designer must provide certification to the Principal Certifying Authority certifying that landscaping has been implemented in accordance with the approved landscape plan (Plan reference ss13 – 2610 101 issue C dated 11/11/2013) as amended by any conditions of this consent.

- 96 Prior to the issue of an Occupation Certificate, a detailed maintenance schedule for all landscaping areas associated with the development is to be provided to and approved by the Principal Certifying Authority.

**Statutory Certificate Requirements**

- 97 Prior to the occupation of the building occurring, an application for an Occupation Certificate for the development must be submitted to and approved by the Principal Certifying Authority. Occupation of the development without an Occupation Certificate is an offence under the provisions of the Environmental Planning and Assessment Regulation, 2000.
- 98 Prior to the Issue of an Occupation Certificate, a Final Fire Safety Certificate, as required by Clause 153 of the Environmental Planning and Assessment Regulation, 2000, certifying that all the Fire Safety Measures within the building have been designed and installed in accordance with the relevant standard of performance as nominated by the Fire Safety Schedule issued with the Construction Certificate, is to be supplied for the approval of the Principal Certifying Authority. Such Final Fire Safety Certificate is also to be displayed within a prominent location within the building such as the main entry.

**Waste Management Requirements**

- 99 For safety, amenity and maintenance reasons, the waste storage area must be constructed to the following standards prior to the issue of an Occupation Certificate:
- Floors must be constructed of concrete, graded and drained to an approved drainage outlet connected to the sewer and finished to a smooth even trowelled surface;
  - Walls must be constructed with solid impervious material and shall be cement rendered internally to a smooth even steel trowelled surface;
  - All intersections between the walls and floors shall be coved with coving having a minimum radius of 25mm;
  - All entry points into the room must be bunded to prevent the escape of liquid waste. Bunding shall be for 110% of the likely liquid storage waste and constructed in such a manner that does not obstruct the removal of waste receptacles from the room or create a safety risk to users;
  - Adequate ventilation shall be provided;
  - Adequate lighting shall be provided;
  - The ceiling must have a minimum height of 2.1 metres from floor level and be finished with a smooth faced non-absorbent material capable of being easily cleaned;
  - Waste storage areas shall prevent the access of vermin;



- Waste receptacles used shall be compatible with Wyong Council's waste collection service;
- The door to the storage area shall be weatherproof and shall be openable from the inside at all times; and
- Hot and cold water hose cocks shall be located inside or within close proximity to the waste storage areas to facilitate cleaning.

**Food Act Requirements**

- 100 No food handling, (as defined by the NSW Food Act 2003), is permitted in the food premises prior to the issue of the Occupation Certificate.
- 101 All liquid trade waste is required to pass through a basket arrestor with fixed screens, fitted to all floor wastes and sinks, before being discharged into the sewerage system.
- 102 Compliance with the requirements of the New South Wales Food Act 2003, the Food Regulation 2010, and AS4674–2004 – Design, Construction and Fitout of Food Premises, and AS1668, Part 11 – Mechanical Ventilation, for all food preparation and food storage areas, including liquor areas.
- 103 The installation of hand wash facilities with a minimum dimension of 500mm x 400mm providing warm running water through a common mixing spout with hands-free tap operation (consisting of elbow or wrist operated tap levers, foot or hip operated tap levers, or electronic sensor tap operation).

**Bicycle Parking Requirements**

- 104 Prior to the issue of an Occupation Certificate, to encourage the use of alternate transport modes by staff, secure bicycle storage, change rooms and lockers must be provided to accommodate cyclists. Additionally, public bicycle storage spaces for patrons must be located in close proximity to the building entrances and be highly visible and well illuminated to minimise the likelihood of theft and vandalism. The installation and dimensions of the facility shall be in accordance with NSW Bicycle Guidelines 2005 and Guide to Traffic Engineering Practice – Bicycles, Part 14 – AustRoads. These works must be completed prior to the issue of an Occupation Certificate.

**Accessible Parking**

- 105 A shared accessible parking space is to be provided for the future occupants and visitors associated with the light industrial units Lot 103 within close proximity of the light industrial building.

## Ongoing Operation:

*The following conditions must be satisfied during use / occupation of the development.*

### Dangerous and Hazardous Goods Storage/Handling Requirements

- 106 Dangerous goods must be stored in accordance with the requirements of NSW WorkCover Authority dependent on quantities to be stored. Any flammable or combustible liquids must be stored in accordance with AS 1940 - *The Storage and Handling of Flammable and Combustible Liquids*.
- 107 The storage and handling of flammable and combustible liquids must be in accordance with the requirements of AS 1940-1993 - *The Storage and Handling of Flammable and Combustible Liquids*.

### Spill Clean Up Requirements

- 108 Sufficient supplies of appropriate adsorbent materials and /or other spill clean up equipment shall be kept on site to recover any liquid spillage. Liquid spills must be cleaned up using dry methods only.

### Stormwater – Ongoing Maintenance Requirements

- 109 All stormwater treatment devices (including drainage systems, sumps and traps) must be regularly maintained in order to remain effective.

### Delivery / Waste Management

- 110 Deliveries and Waste Management collection times shall be provided in accordance with the submitted Noise Impact Assessment and outside of peak trading times in order to minimise traffic impact through the site. Deliveries to the McDonalds restaurant shall be provided by a 14 metre Pallet Truck.

### Crime Prevention Through Environmental Design – NSW Police

- 111 The development is to be carried out in accordance with the Crime Reduction Opportunity and Recommendations from the NSW Police dated June 2013 as outlined below:

#### Surveillance

- Should both venues operate as a 24 hour facility, then CCTV should be supplemented with a certified security guard to protect staff, patrons, the building and neighbouring properties.
- All entry points should be designed so as to maximise surveillance opportunities to and from these areas from both inside as well as outside. All entries should display a height marker in order to identify the height of an apparent offender.

- Where ram raid break and enters are considered a potential risk, anti raid bollards can be installed in front of the glass area of entry points, such that a car would be prevented from breaching the glass wall of both McDonalds and the Service Station/Convenience Store.
- For CCTV to be effective it must be vandal resistant and able to clearly identify and record faces, shapes and colours.
- TV monitors should enable staff to monitor activities on the camera.
- Recording equipment should be installed away from the counter area to avoid tampering.

### **Lighting**

- Adequate and uniform lighting be ensured for the full car park area. This will enhance surveillance opportunities of the CCTV system during hours of darkness and the safety of staff and customer/s.
- A lighting maintenance policy to be established for the development ensuring that broken lights are repaired within 24hrs.
- Luminaries (light covers) should be vandal resistant.

### **Territorial Re-enforcement**

- Warning signs should be strategically posted around the complexes to warn intruders of what security treatments have been implemented to reduce opportunities for crime. 'Warning: Trespassers will be prosecuted', 'Warning: No large amounts of money kept on premises', 'Warning: these premises are under electronic surveillance'.

There is no information within the plans which indicate what maintenance policies will be included within this development. A maintenance policy needs to be established.

- A graffiti management plan needs to be incorporated into the maintenance plan for the development. Research has shown that the most effective strategy for reducing graffiti attacks is the quick removal of such material generally with a forty-eight hour period.

### **Space / Activity Management**

- It is advised that if security guards are to be implemented at the location, that regular patrols are made of the car park both late at night and during the early hours of the morning.
- As similar developments have been targeted for steal from motor vehicle offences, it is recommended that the car park area is secured and monitored to minimise the opportunity for intruders to access such areas.

- To minimise the opportunity for offenders to travel at unacceptable speeds within the car park, the installation of speed calming devices on the exit points and within the car park is recommended.
- Corraling of the carp park to minimise the opportunity for cars to congregate.
- Bicycle racks should be located in a highly visible area near the main entry or parking: maintaining a separation between bicycle and vehicular traffic with landscaping and bike paths. A low hedge or wall around the racks would visibility screen bicycles, but not persons attempting to steal or vandalism.

**Access Control**

- Trees and shrubs should be trimmed to reduce concealment opportunities and increase visibility to and from the school.
- Remove obstacles and rubbish from boundaries, footpaths, driveways and car parks and buildings to restrict concealment and preventing offenders scaling both complexes.
- Maintain clear sightlines between street, neighbouring properties and the buildings.

**Restrictions on Use Requirements**

- 112 Loading bays shall be kept unobstructed when not in use.
- 113 All waste generated on the premises shall stored in a manner so that it does not pollute the environment.
- 114 Garbage/recycling bins must not be permitted to encroach the carpark or vehicle manoeuvring areas.
- 115 All lighting shall be designed so as to ensure that glare does not adversely impact upon any adjoining property.

**Site Appearance, Maintenance and Security Requirements**

- 116 Maintenance of all buildings, surrounds and parking areas within the site shall be carried out in such a manner to render the site to be neat, tidy and clean at all times.
- 117 The owner/operator(s) of the site must maintain the required CCTV for the life of the development so that at all times the CCTV provides high-quality images of all public areas within the site.
- 118 The owner/operator(s) must effectively manage any incidences of anti-social behaviour or nuisance on the site by implementing appropriate responses to such incidences if they occur. The owner/operator(s) must also take appropriate measures after any such incident to reduce the likelihood of such incidences reoccurring on the site.

- 119 All site landscaping is to be maintained for the life of the development in accordance with the approved landscape plan, as amended by the conditions of this consent, and with the approved maintenance schedule.
- 120 All on-site vehicle parking areas, markings, driveways and manoeuvring areas are to be maintained for the life of the development.

**Advertising Sign Requirements**

- 121 The proposed advertising sign/s erected shall be in accordance with the approved plans and shall not be altered or modified without the prior separate consent of Council.
- 122 The approved advertising sign/s must be constructed and maintained in a presentable and satisfactory state of repair for the life of the development.

**NSW Roads and Maritime Services**

- 123 Signs shall be constructed entirely within private property and shall not encroach or overhang, into the road reserve. Additionally, the signs visible from a public place must not have / use:
- Flashing lights.
  - Electronically changeable messages.
  - Animated display, moving parts or simulated movement.
  - Complex displays that hold a driver's attention beyond "glance appreciation".
  - Displays resembling traffic signs or signals, or giving instruction to traffic by using words such as 'halt' or 'stop'.
  - A method of illumination that distracts or dazzles.
- 124 Scheduled maintenance and repairs for the stormwater treatment/oil containment device (SPEL Purceptor) must be undertaken in accordance with the current operation and maintenance manual to ensure effective operation of the system. On an annual basis, documentation must be provided to Wyong Shire Council confirming that maintenance and repairs have been undertaken, and whether the system is operating in an effective manner.
- 125 All noise control measures recommended in the acoustic report "Noise Impact Assessment Commercial Development McDonalds Family Restaurant, 7/11 Service Centre and Bulky Goods Warehouses, 1 London Drive Wyong NSW", report reference number 13-1738-R1, dated September 2013 by Reverb Acoustics are to be implemented.
- 126 An acoustic assessment must be undertaken within the first 6 months of occupation to confirm that the acoustic amenity of the surrounding properties has not been unreasonably impacted upon.
- 127 All waste generated on the premise shall be stored in a manner so that it does not pollute the environment.
- 128 All waste generated on the premise shall be transported to a facility which is licensed to receive that material.

PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 1 of 1 sheets

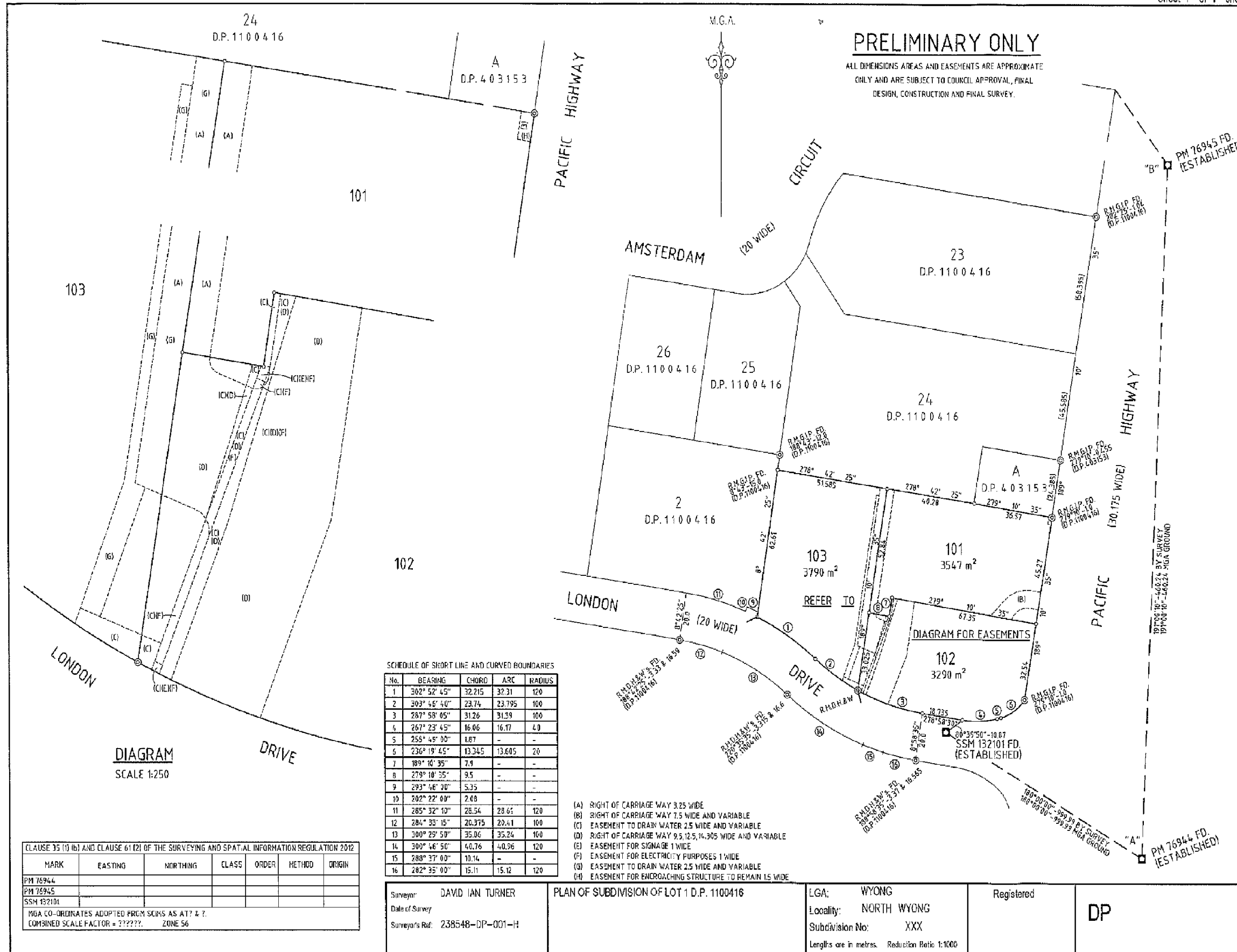


DIAGRAM  
SCALE 1:250

SCHEDULE OF SHORT LINE AND CURVED BOUNDARIES

No.	BEARING	CHORD	ARC	RADIUS
1	302° 52' 45"	32.215	32.31	120
2	302° 46' 40"	23.74	23.795	100
3	287° 58' 05"	31.26	31.39	100
4	267° 23' 45"	16.06	16.17	40
5	255° 48' 00"	1.87	-	-
6	236° 19' 45"	13.345	13.605	20
7	189° 10' 35"	7.9	-	-
8	279° 18' 35"	9.5	-	-
9	293° 48' 20"	5.35	-	-
10	202° 22' 00"	2.68	-	-
11	285° 32' 10"	28.54	28.65	120
12	284° 33' 15"	20.375	20.41	100
13	300° 29' 59"	35.86	35.24	100
14	300° 46' 50"	40.76	40.36	120
15	288° 37' 00"	10.14	-	-
16	282° 35' 00"	15.11	15.12	120

- (A) RIGHT OF CARRIAGE WAY 3.25 WIDE
- (B) RIGHT OF CARRIAGE WAY 7.5 WIDE AND VARIABLE
- (C) EASEMENT TO DRAIN WATER 2.5 WIDE AND VARIABLE
- (D) RIGHT OF CARRIAGE WAY 9.5, 12.5, 14, 30.5 WIDE AND VARIABLE
- (E) EASEMENT FOR SIGNAGE 1 WIDE
- (F) EASEMENT FOR ELECTRICITY PURPOSES 1 WIDE
- (G) EASEMENT TO DRAIN WATER 2.5 WIDE AND VARIABLE
- (H) EASEMENT FOR ENCROACHING STRUCTURE TO REMAIN 1.5 WIDE

MARK	EASTING	NORTHING	CLASS	ORDER	METHOD	ORIGIN
PM 75944						
PM 75945						
SSM 132101						

MGA CO-ORDINATES ADOPTED FROM SCRS AS AT 7 & 7.  
COMBINED SCALE FACTOR = 777777. ZONE 56

Surveyor: DAVID IAN TURNER  
Date of Survey:  
Surveyor's Ref: 238548-DP-001-H

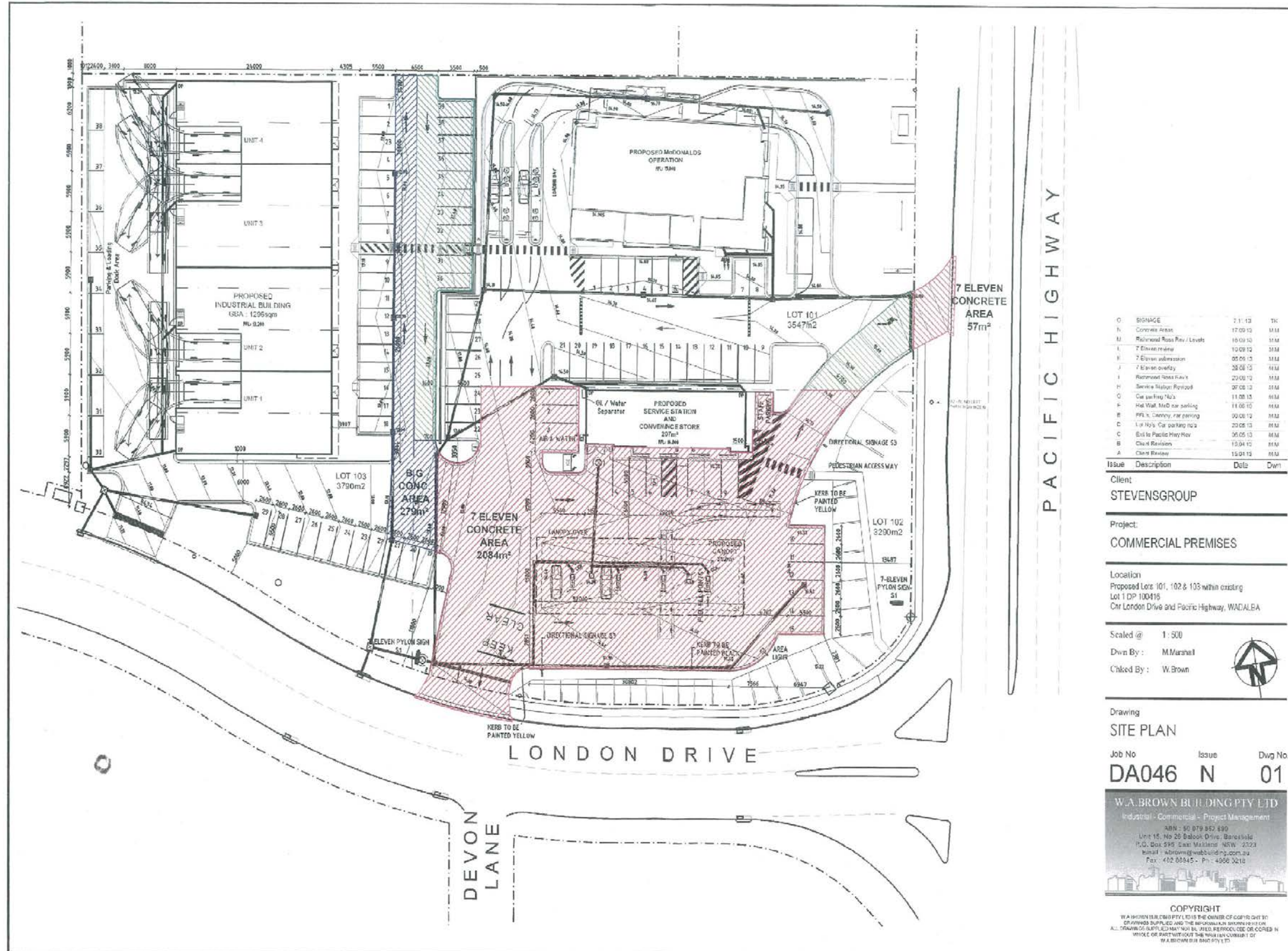
PLAN OF SUBDIVISION OF LOT 1 D.P. 1100416

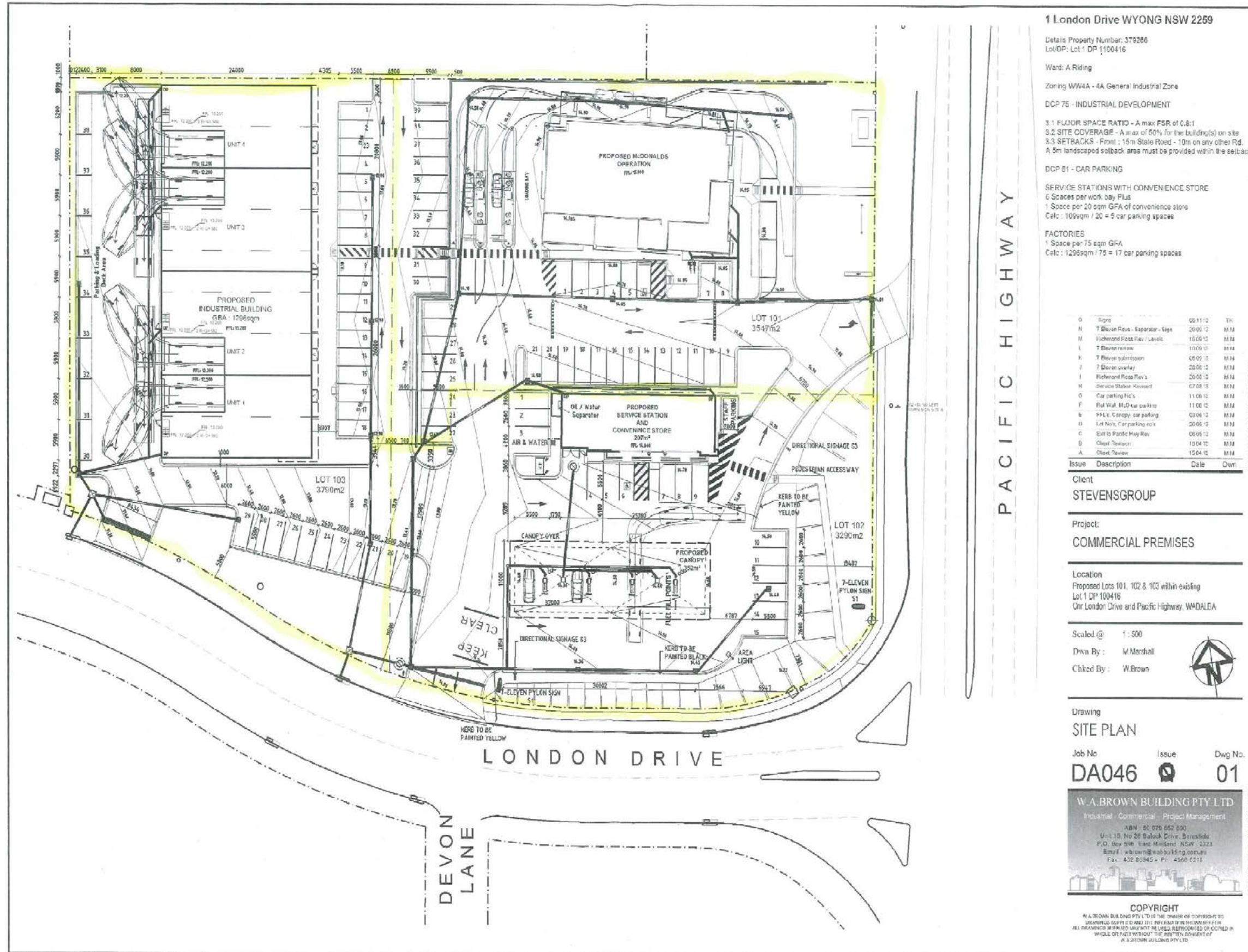
LGA: WYONG  
Locality: NORTH WYONG  
Subdivision No: XXX  
Lengths are in metres. Reduction Ratio 1:1000

Registered

DP

10	20	30	40	50	Table of mm	80	100	110	120	130	140
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**1 London Drive WYONG NSW 2259**

Details Property Number: 379266  
 Lot/DP: Lot 1 DP 1100416

Ward: A Riding

Zoning WW4A - 4A General Industrial Zone

DCP 75 - INDUSTRIAL DEVELOPMENT

- 3.1 FLOOR SPACE RATIO - A max FSR of 0.8:1
- 3.2 SITE COVERAGE - A max of 50% for the building(s) on site
- 3.3 SETBACKS - Front: 15m State Road - 10m on any other Rd.  
 A 5m landscaped setback area must be provided within the setback.

DCP 81 - CAR PARKING

SERVICE STATIONS WITH CONVENIENCE STORE

- 6 Spaces per work bay Plus
- 1 Space per 20 sqm GFA of convenience store
- Calc: 109sqm / 20 = 5 car parking spaces

FACTORIES

- 1 Space per 75 sqm GFA
- Calc: 1296sqm / 75 = 17 car parking spaces

Issue	Description	Date	Own
0	Sign	00/11/10	TH
N	7 Eleven Revs - Separator - Sign	20/05/10	MM
M	Richmond Road Rev / Levels	16/06/10	MM
L	7 Eleven revamp	03/09/10	MM
K	7 Eleven submission	06/09/10	MM
J	7 Eleven overlay	28/09/10	MM
I	Richmond Road Rev's	20/02/10	MM
H	Service Station Revamp	07/02/10	MM
G	Car parking P.O.s	11/06/10	MM
F	Rid Wal. M.D car parking	11/06/10	MM
E	PKL's Canopy car parking	03/04/10	MM
D	Lot 101, Car parking rev	20/05/10	MM
C	Exit to Pacific Hwy Rev	08/06/10	MM
B	Client Review	10/04/10	MM
A	Client Review	15/04/10	MM

Client

**STEVENS GROUP**

Project:

**COMMERCIAL PREMISES**

Location

Proposed Lots 101, 102 & 103 within existing  
 Lot 1 DP 100416  
 On London Drive and Pacific Highway, WADALDA

Scaled @ 1:500

Drawn By: M.Marshall

Checked By: W.Brown



Drawing

**SITE PLAN**

Job No.      Issue      Dwg No.

**DA046**      **01**

**W.A.BROWN BUILDING PTY LTD**

Industrial - Commercial - Project Management  
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 P.O. Box 516, Waco, Midland NSW 2323  
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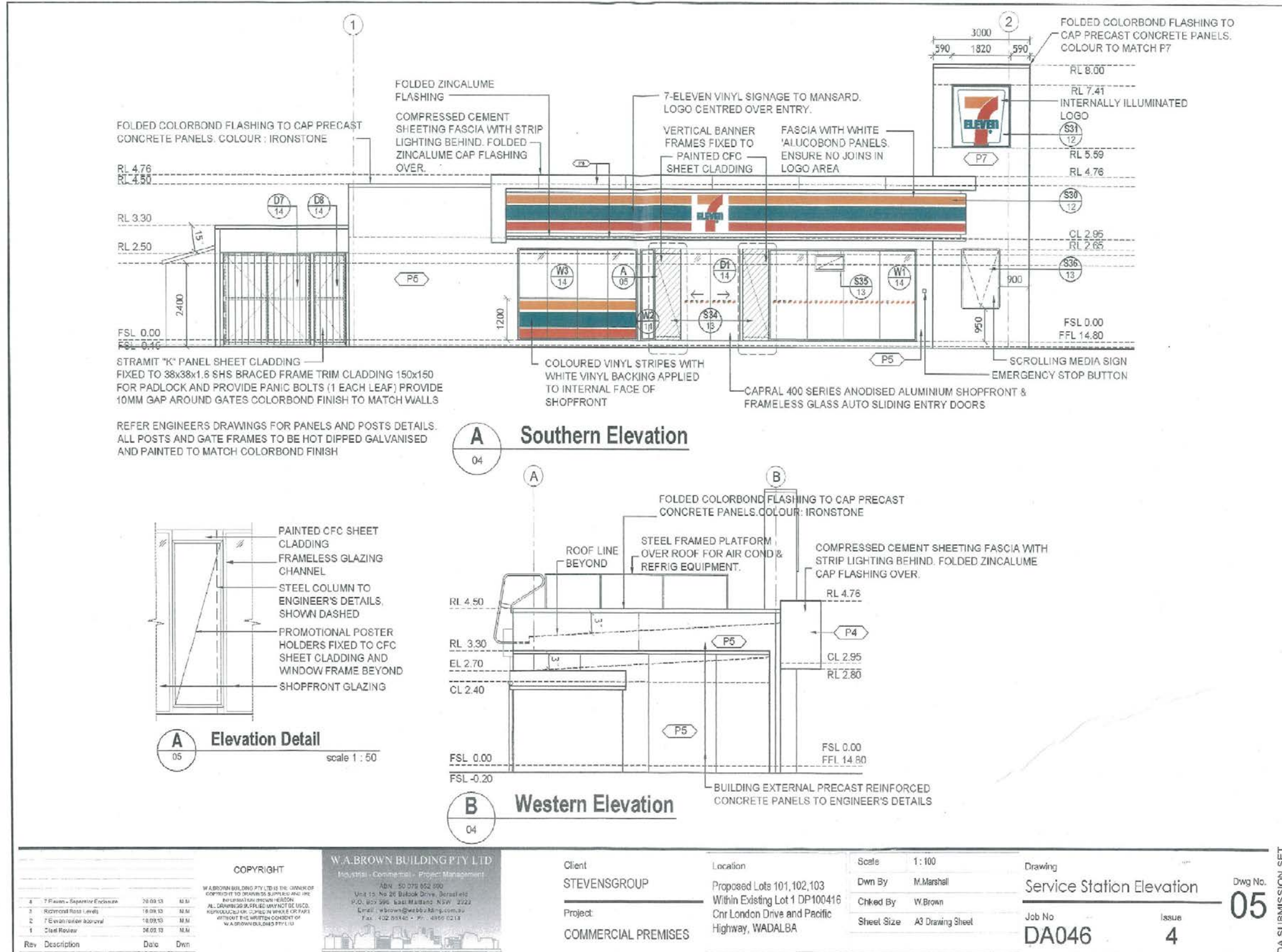


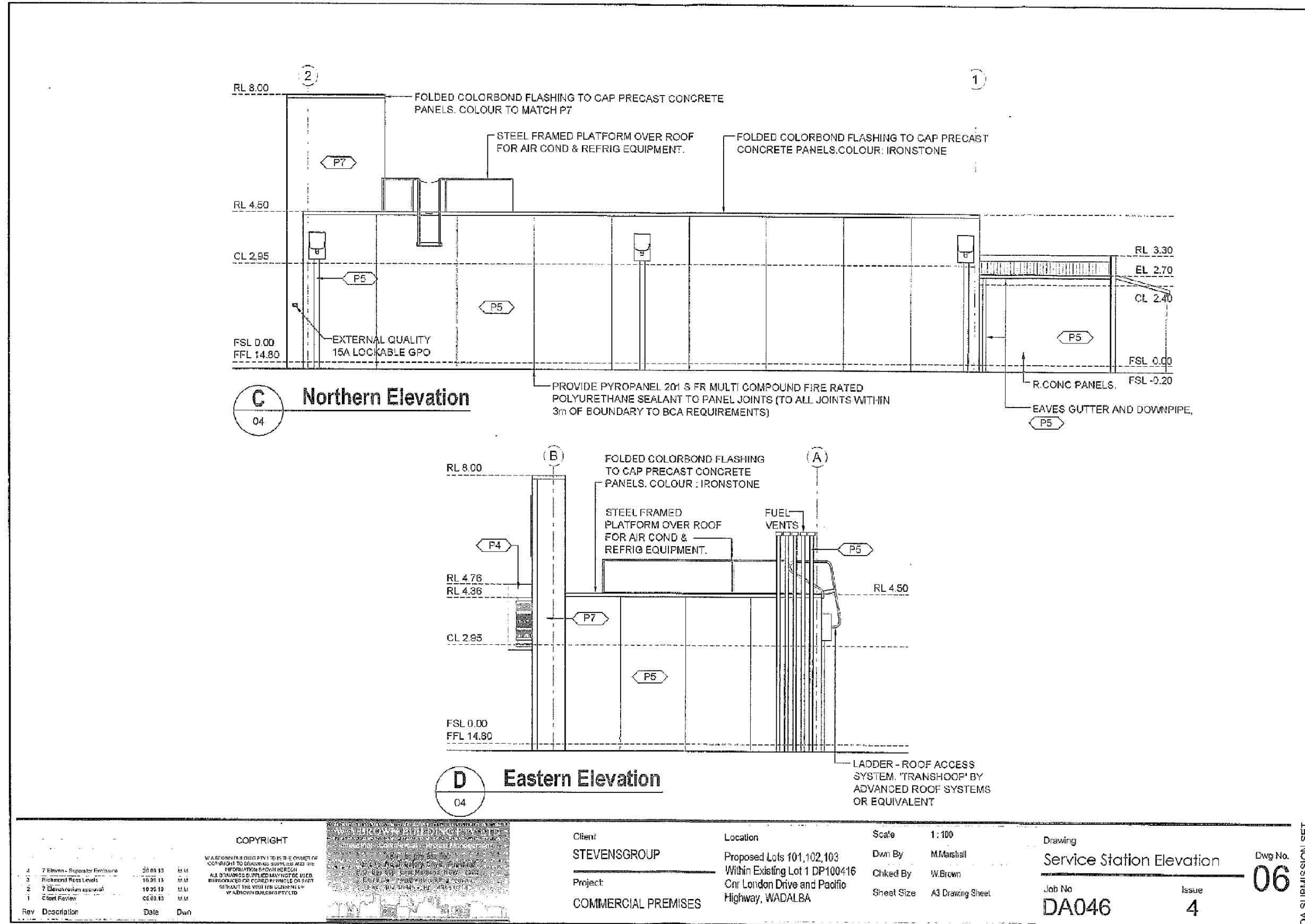
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DA SUBMISSION SET

A3 DRAWING SHEET

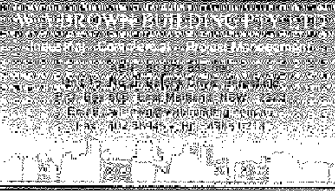






Rev	Description	Date	Dwn
4	7 Elevation - Separator Enclosure	28.09.13	M.M.
3	Richmond Pits Levels	15.05.13	M.M.
2	7 Elevation - separator	10.05.10	M.M.
1	Client Review	05.09.13	M.M.

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 W.A. BROWN BUILDING PTY LTD



Client: STEVENSGROUP  
 Project: COMMERCIAL PREMISES

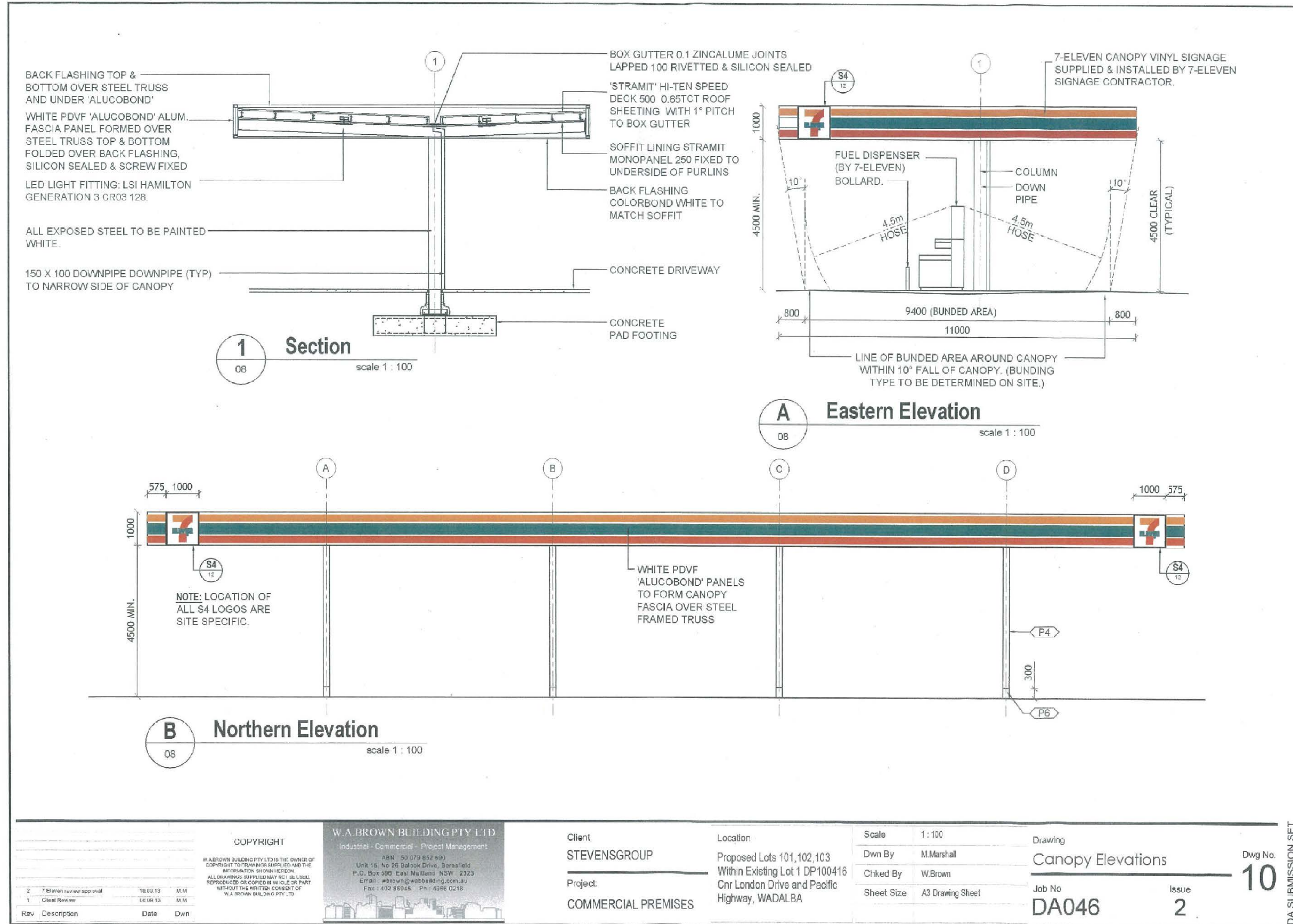
Location: Proposed Lots 101,102,103  
 Within Existing Lot 1 DP100416  
 Cnr London Drive and Pacific  
 Highway, WADALBA

Scale: 1:100  
 Dwn By: M.Marshall  
 Chkd By: W.Brown  
 Sheet Size: A3 Drawing Sheet

Drawing: Service Station Elevation  
 Job No: DA046  
 Issue: 4

Dwg No. 06

DA SUBMISSION SET



Rev	Description	Date	Dwn
2	7-Eleven logo approval	10.09.13	M.M.
1	Client Review	02.09.13	M.M.

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 Industrial - Commercial - Project Management  
 ABN: 30 079 857 893  
 Unit 15, No 28 Balook Drive, Berala NSW 2123  
 P.O. Box 596 East Maitland NSW 2323  
 Email: wabrown@wabbuilding.com.au  
 Fax: 402 86945 - Ph: 4988 0218

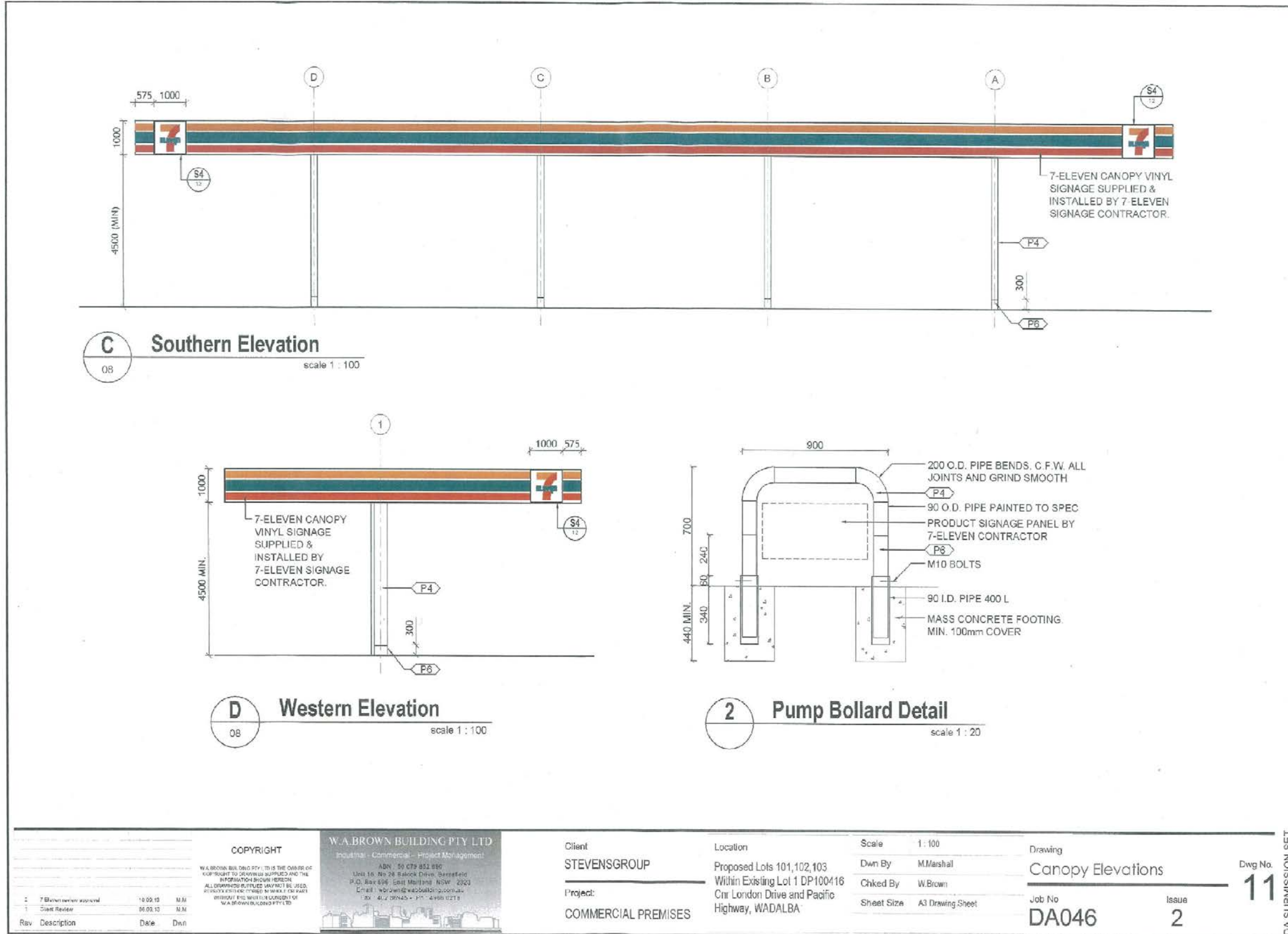
**Client**  
 STEVENSGROUP  
**Project**  
 COMMERCIAL PREMISES

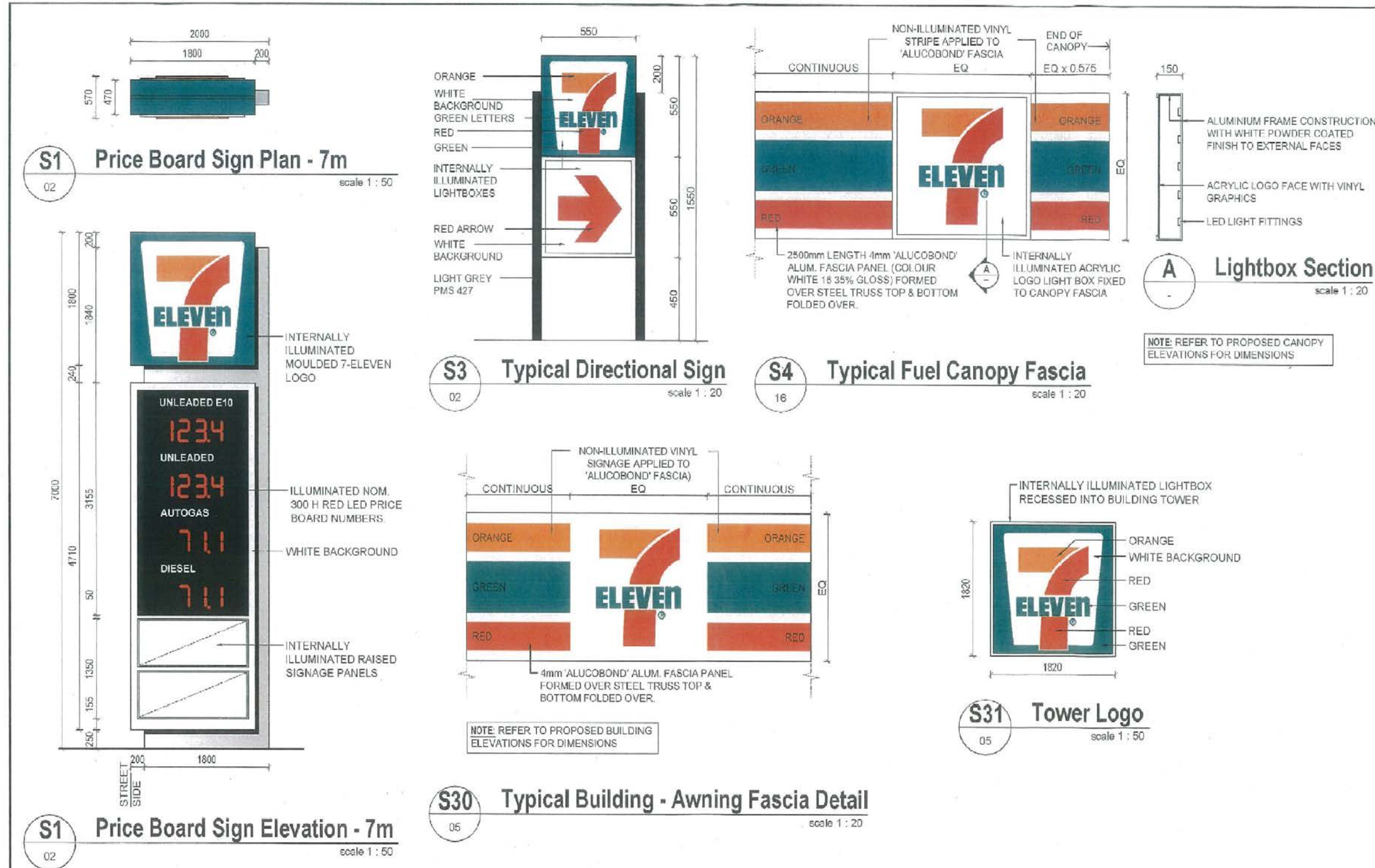
**Location**  
 Proposed Lots 101, 102, 103  
 Within Existing Lot 1 DP100416  
 Cnr London Drive and Pacific Highway, WADALBA

**Scale** 1 : 100  
**Dwn By** M.Marshall  
**Chkd By** W.Brown  
**Sheet Size** A3 Drawing Sheet

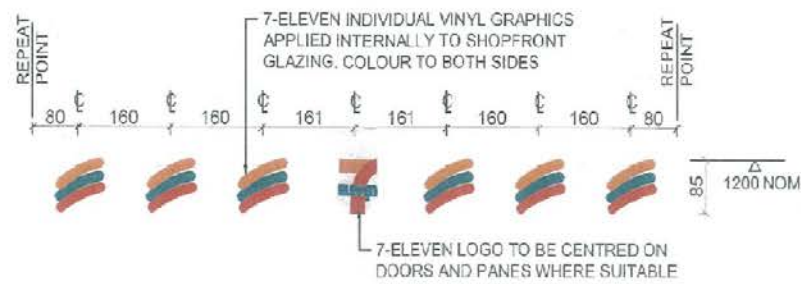
**Drawing**  
 Canopy Elevations  
**Job No**  
 DA046  
**Issue**  
 2

**Dwg No.**  
 10  
**DA SUBMISSION SET**

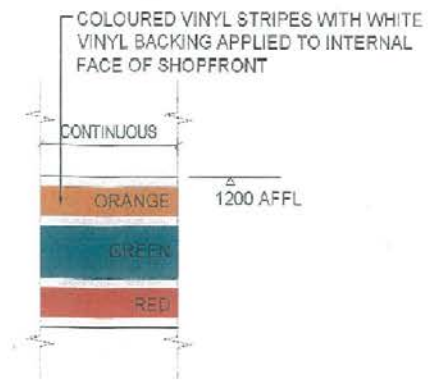




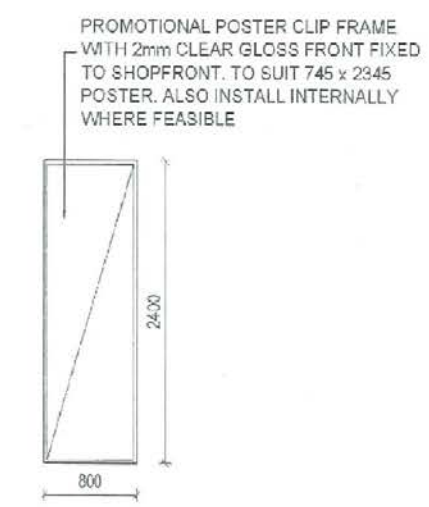
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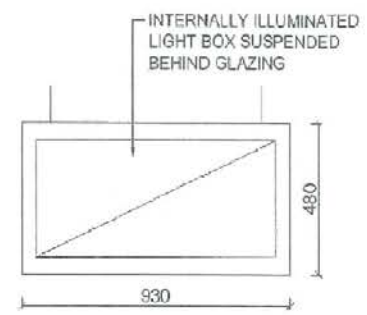
**S32** Window Decals  
05 scale 1 : 10



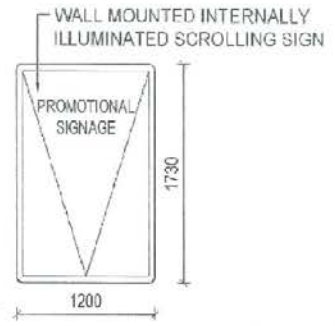
**S33** Typical Window Film Detail  
05 scale 1 : 50



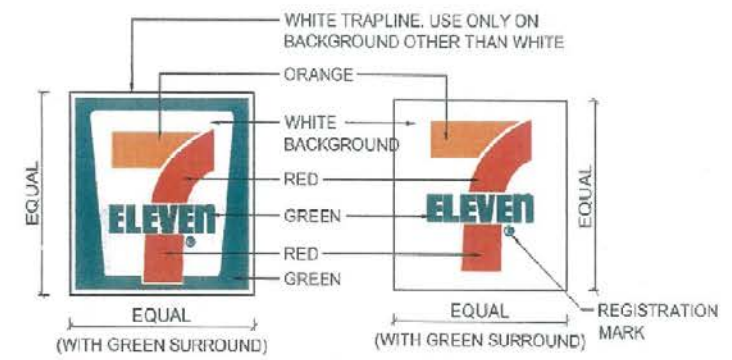
**S34** Entry Poster Holder  
05 scale 1 : 50



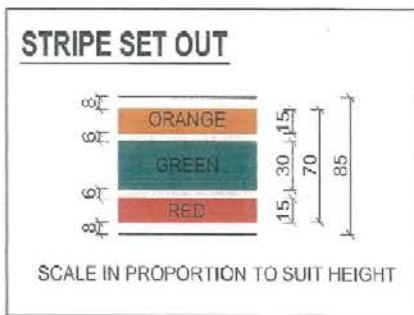
**S35** Suspended Sign  
05 scale 1 : 20



**S36** Scrolling Sign  
05 scale 1 : 50



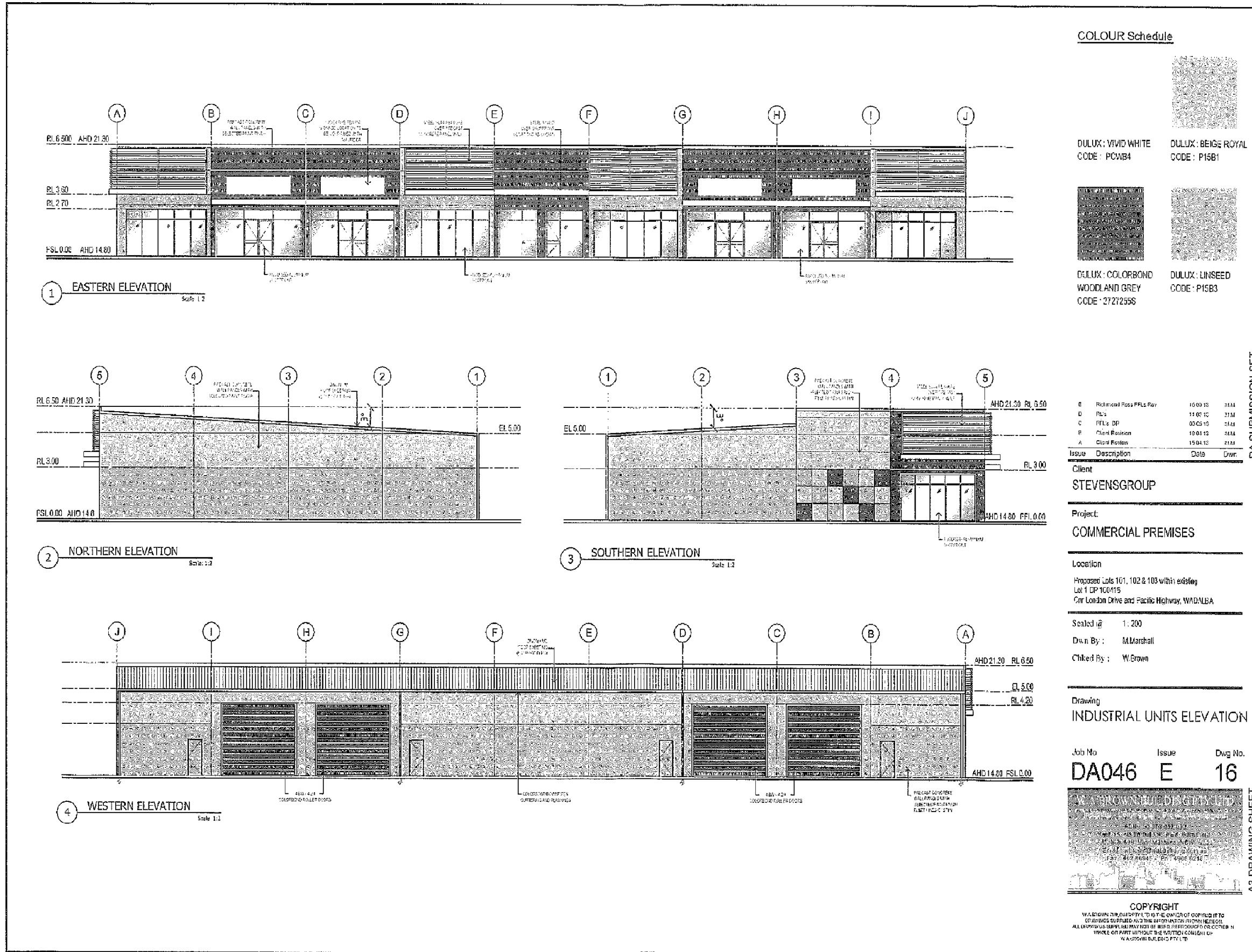
**S90** Standard 7-Eleven Square Logo  
N.T.S



COLOUR LEGEND			
COLOUR	PANTONE	3M COLOUR REF.	
		NON-ILLUM.	ILLUM.
ORANGE	PMS 165	7725-14	3630-13
GREEN	PMS 341	7725-56	3630-26
RED	PMS 485	7725-13	3830-13

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DA SUBMISSION SET





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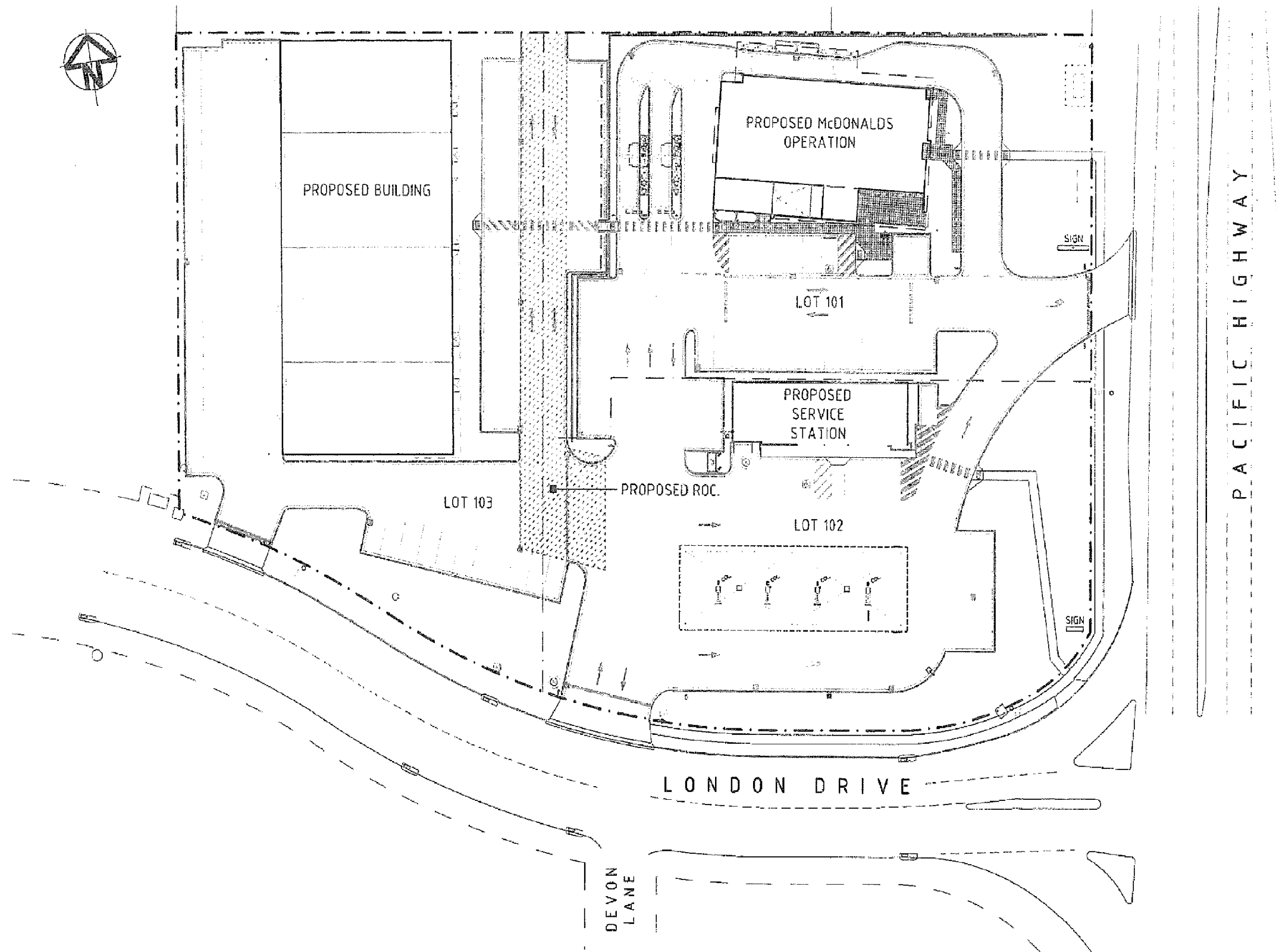
PROPOSED McDONALDS OPERATION AT:

CNR PACIFIC HIGHWAY & LONDON DRIVE

WADALBA NSW 2259

STAGE: AMENDED DEVELOPMENT APPLICATION - SEPT 2013





**NOTES**

- DO NOT SCALE THIS DRAWING
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- ALL DISCREPANCIES AND OMISSIONS ON SITE MUST BE REPORTED TO RICHMOND+ROSS FOR THEIR COMMENTS OR APPROVAL PRIOR TO COMMENCING WORK.

○ SKETCH	
● DA	
○ AMENDED DA	
○ BA/CC	
○ TENDER	
○ CONSTRUCTION	
○ AS-BUILT	

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NO	AMENDMENT	DATE	INT
A	SUBDIVISION BOUNDARY AMENDED	13-03-13	PK
B	PACIFIC HIGHWAY EXIT AMENDED	09-04-13	PK
C	CHANGED LOT NO. MOD513 SITE	31-05-13	JK
D	SERVICE STATION AMENDED	19-08-13	PK
E	SERVICE STATION AMENDED	13-09-13	SH

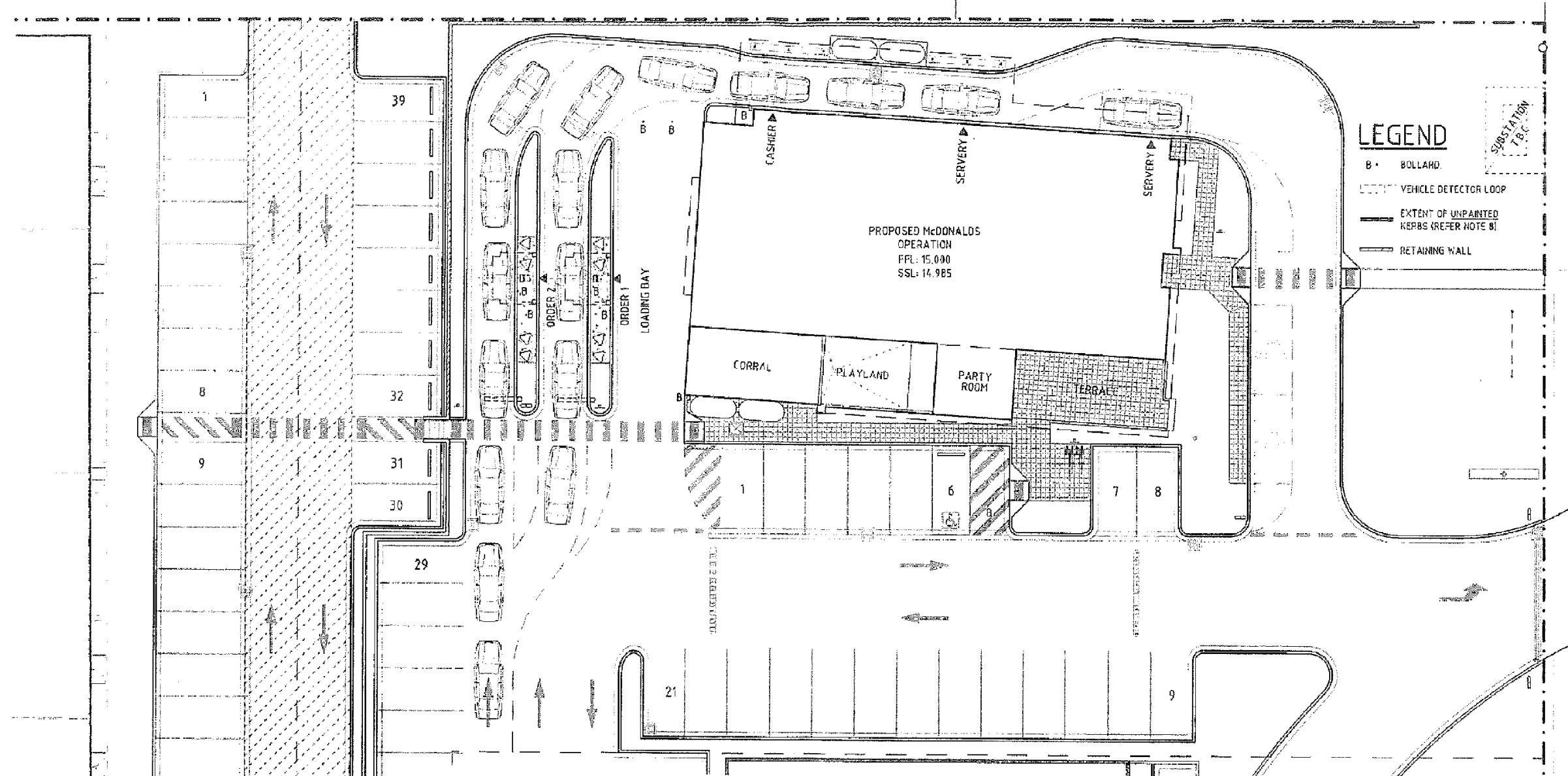
**PROPOSED McDONALDS OPERATION AT CORNER PACIFIC HIGHWAY & LONDON DRIVE WADALBA NSW 2259**

**OVERALL SITE PLAN**

○ UNMODIFIED MASTER DRAWING	DRAWN	PK
● PROJECT SPECIFIC DRAWING	CHECKED	PR
	MODIFIED	FEB 2013
DWG REVISION	SCALE	1:500
SERIES	DRAWING NO	AMDT
<b>MOD513</b>	<b>A001</b>	<b>E</b>

PROJECT CONSULTANT ARCHITECTURAL 130053

**Richmond+ross** PTY LIMITED  
CONSULTING ENGINEERS AND PROJECT LEADERS  
48/34 COTI 163 435  
38 WILLOUGHBY ROAD, CROWS NEST, NSW 2065  
TEL: 1021 8480 9600 FAX: 1021 9423 1224



**LEGEND**

- B • BOLLARD
- ▭ VEHICLE DETECTOR LOOP
- EXTENT OF UNPAINTED KERBS (REFER NOTE 6)
- RETAINING WALL

**NOTES**

1. BUILDING GFA = 415.96 SQ.M. SEATING CAPACITY: DINING ROOM = 75 SEATS. TERRACE = 26 SEATS.
2. ALL PAVEMENT LINEMARKINGS SHALL BE WHITE EXCEPT WHERE NOTED. DO NOT PROVIDE A CONTINUOUS BORDER AROUND THE PERIMETER OF CHEVRON MARKING.
3. ANGLED LINEMARKING SHALL BE ADOPTED TO PEDESTRIAN WALKWAYS BETWEEN CAR SPACES AND WHERE SHOWN ON PLAN.
4. PERPENDICULAR LINEMARKING SHALL BE ADOPTED FOR PEDESTRIAN CROSSINGS.
5. THE ACCESSIBLE PARKING SPACE SHALL BE DELINEATED WITH A LINEMARKED PERIMETER AND THE INTERNATIONAL SYMBOL IN ACCORDANCE WITH AS1429.1 AND AS SPECIFIED.
6. THE TOP AND VERTICAL FACE OF KERBS SHALL BE PAINTED YELLOW IN ALL AREAS WHICH COULD BE TRAFFICKED BY PEDESTRIANS. THE DRIVE THRU LANE MAY BE EXCLUDED IF APPROPRIATE SIGNAGE IS PROVIDED. REFER TO SIGNAGE SCHEDULE.
7. WHEELSTOPS SHALL BE AVOIDED AND ONLY INSTALLED ON COMPLETION OF A RISK ASSESSMENT AND WHERE ALTERNATIVE PROTECTION DEVICES ARE UNSUITABLE. WHEELSTOPS SHALL BE PAINTED YELLOW, CENTRED ON THE CAR SPACE AND INSTALLED IN ACCORDANCE WITH AS2890.1.
8. WHEELSTOP SPACING SHALL BE 620 FROM FACE OF KERB INCREASE TO 820 AGAINST HIGH KERBS OR WALLS. WHEELSTOPS SHALL BE 1850 LONG.
9. CAR PARK ENTRY AND EXITS SHALL BE DESIGNED IN ACCORDANCE WITH LOCAL AUTHORITY REQUIREMENTS AND AS2890.1.
10. HATCHED AREAS DENOTE PEDESTRIAN SIGHT LINES IN ACCORDANCE WITH AS2890.1 CLAUSE 3.2.4, WHICH SHALL BE KEPT CLEAR OF OBSTRUCTIONS BELOW A HEIGHT OF 1400.
11. SPEED HUMP AS SPECIFIED. INSTALL SPEED HUMPS AS FOLLOWS: BEFORE PEDESTRIAN WALKWAYS, BEFORE INTERSECTIONS WITH LIMITED SIGHT DISTANCE, AT A MAX. SPACING OF 50 METRES BETWEEN SPEED HUMPS. REFER TO CIVIL DRAWINGS FOR DETAILS.
12. PROVIDE 4 X 5000 LITRE CAPACITY RAINWATER HARVESTING TANKS WHERE SHOWN NOMINAL SIZE 2800L X 1175W X 1860H.

NOTES	
1. DO NOT SCALE THIS DRAWING	3. FIGURE DIMENSIONS ARE TO BE USED CONTACT RICHMOND+ROSS FOR CLARIFICATION IF DIMENSIONS NOT CLEAR
2. THE DRAWING SHOWS DESIGN INTENT ONLY ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION OR PRODUCTION CONSTRUCTION DETAILS TO BE CONFIRMED BY CONTRACTOR/MANUFACTURER	4. ALL DISCREPANCIES AND OMISSIONS ON SITE MUST BE REPORTED TO RICHMOND+ROSS FOR THEIR COMMENTS OR APPROVAL PRIOR TO COMMENCING WORK

SKETCH	
DA	
AMENDED DA	
BA/CE	
TENDER	
CONSTRUCT ON	
AS-BUILT	

NO	AMENDMENT	DATE	BY
A	PACIFIC HIGHWAY EXIT AMENDED	09-04-13	PK
B	MOD513 STORE	31-05-13	JK
C	NOTE 1 AMENDED	04-06-13	PK
D	SERVICE STATION AMENDED	19-08-13	PK
E	SERVICE STATION AMENDED	13-09-13	SH

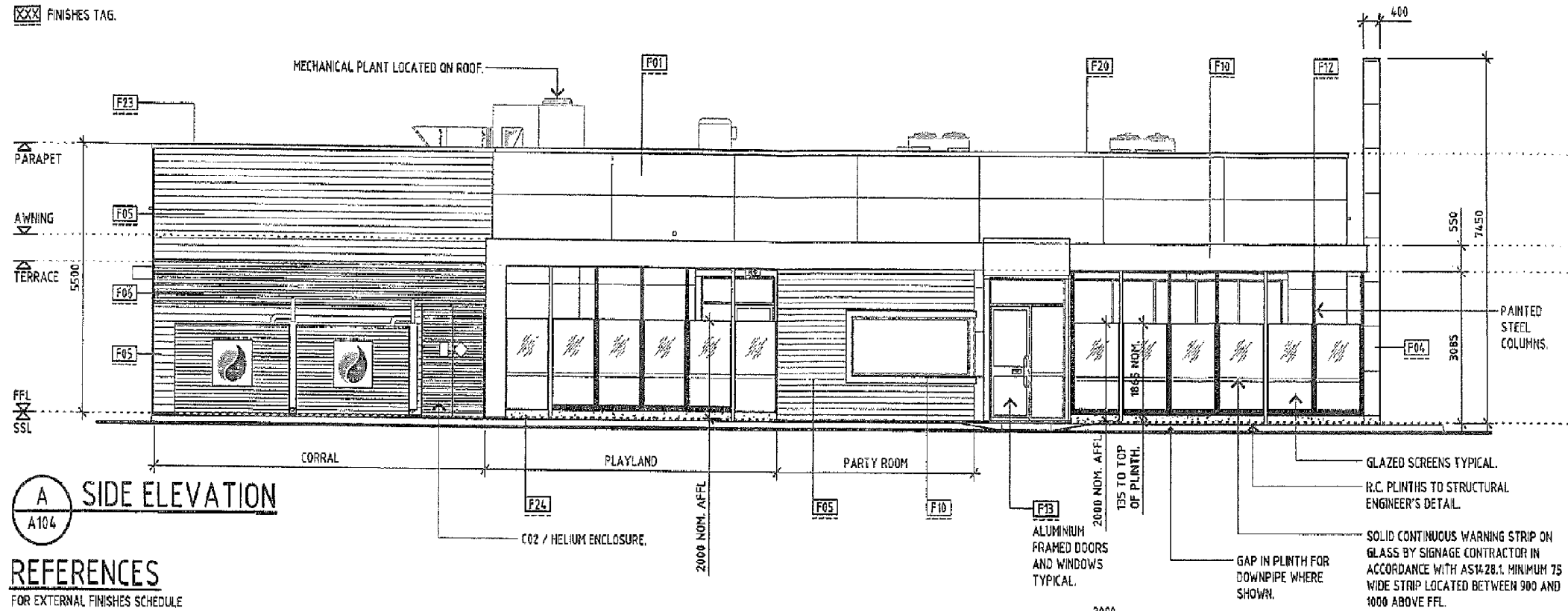
**PROPOSED McDONALDS OPERATION**  
**AT CORNER PACIFIC HIGHWAY**  
**& LONDON DRIVE**  
**WADALBA NSW 2259**  
**SITE PLAN**

UN-MODIFIED MASTER DRAWING	DRAWN	PK
PROJECT SPECIFIC DRAWING	CHECKED	PR
DWG REVISION	MODIFIED	FEB 2013
SERIES	SCALE	1:250
MOD513	DRAWING NO.	A002
	4/10T	E

PROJECT CONSULTANT ARCHITECTURAL 130053  
**Richmond+Ross** PTY LIMITED  
 CONSULTING ENGINEERS AND PROJECT LEADERS  
 ABN 34 226 456 436  
 38 WILKINSBY ROAD, CROWS NEST, NSW 2065  
 TEL: 021 9490 9600 FAX: (02) 8430 1224

**LEGEND**

XXX FINISHES TAG.

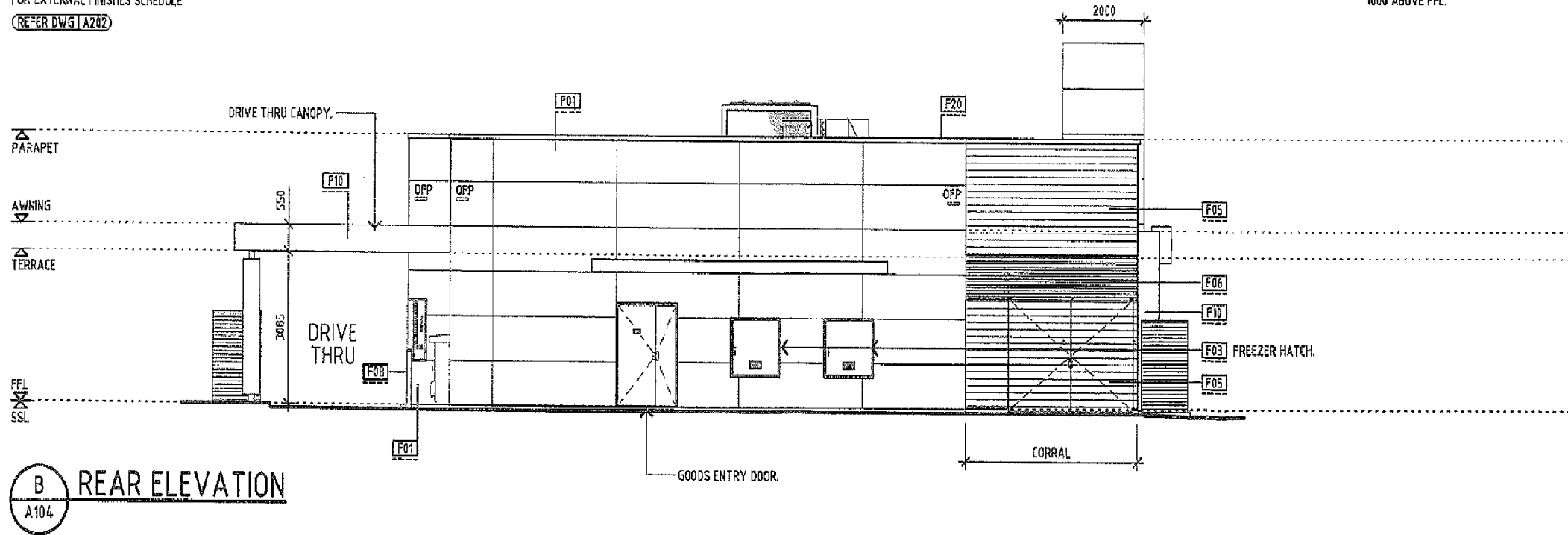


**A SIDE ELEVATION**  
A104

**REFERENCES**

FOR EXTERNAL FINISHES SCHEDULE

(REFER DWG | A202)



**B REAR ELEVATION**  
A104

NOTES.

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SKETCH	
DA	
AMENDED DA	
BA/CC	
TENDER	
CONSTRUCTION	
AS-BUILT	

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NO.	AMENDMENT	DATE	BY
A	DA ISSUE	15-04-13	PK
B	MODS/SJ STORE	31-05-13	JK

**PROPOSED McDONALDS OPERATION**  
AT CORNER PACIFIC HIGHWAY  
& LONDON DRIVE  
WADALBA NSW 2259  
SIDE AND REAR ELEVATIONS

UNINDEXED MASTER DRAWING	DRAWN	PK
PROJECT SPECIFIC DRAWING	CHECKED	PK
DWG REVISION	MODIFIED	MAR 2013
SERIES	SCALE	1:100
MOD513	DRAWING NO.	A200
	AMT.	3

PROJECT CONSULTANT ARCHITECTURAL 130053  
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CONSULTING ENGINEERS AND PROJECT LEADERS  
MOR 34 001 488 438  
36 WILLOWBUSH ROAD, CROWS NEST, NSW 2066  
TEL: 1021 6400 6900 FAX: 1021 0438 1224

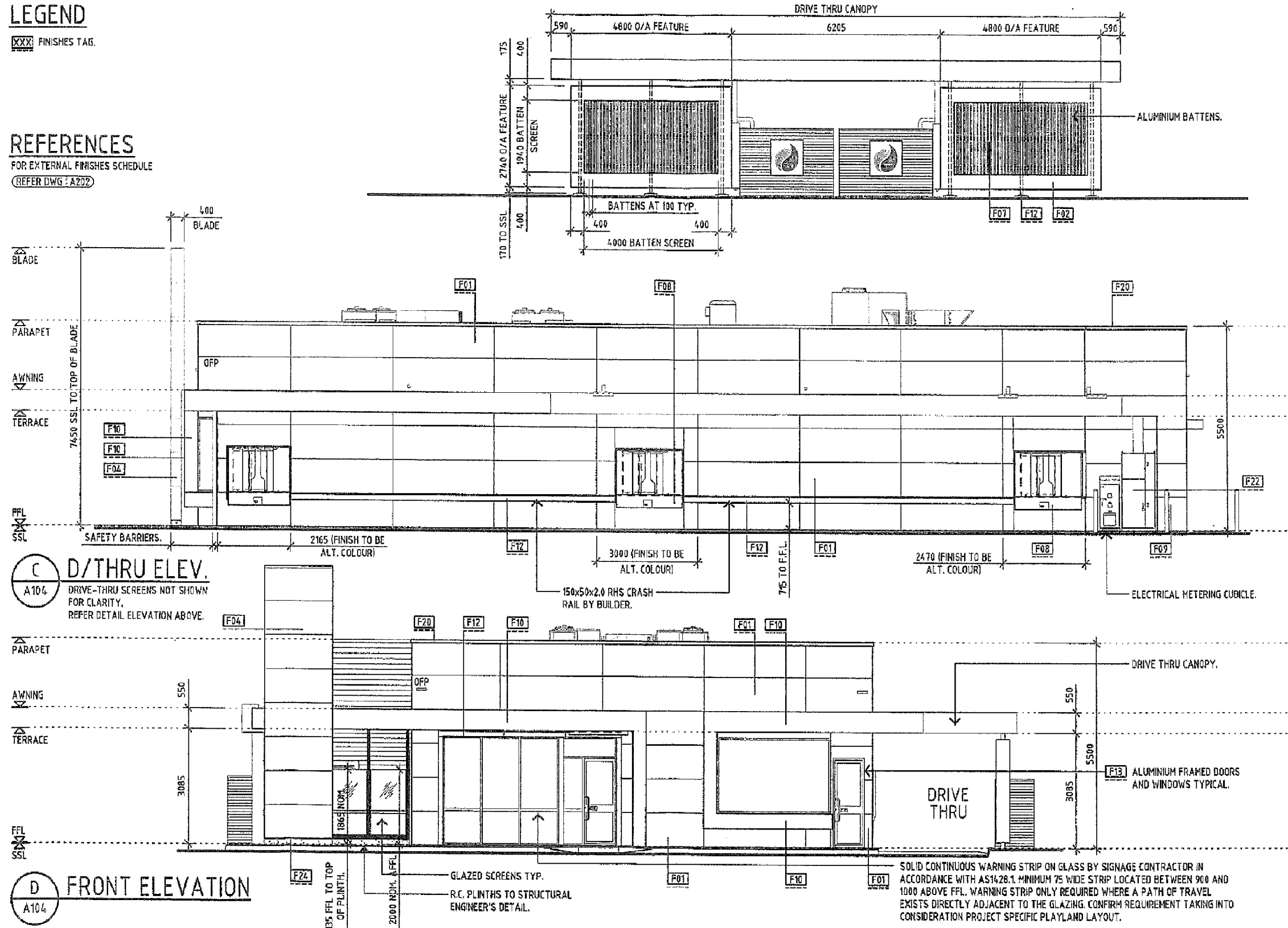
**LEGEND**

XXX FINISHES TAG.

**REFERENCES**

FOR EXTERNAL FINISHES SCHEDULE

(REFER DWG: A202)



**C D/THRU ELEV.**  
A104  
DRIVE-THRU SCREENS NOT SHOWN FOR CLARITY. REFER DETAIL ELEVATION ABOVE.

**D FRONT ELEVATION**  
A104

**NOTES:**

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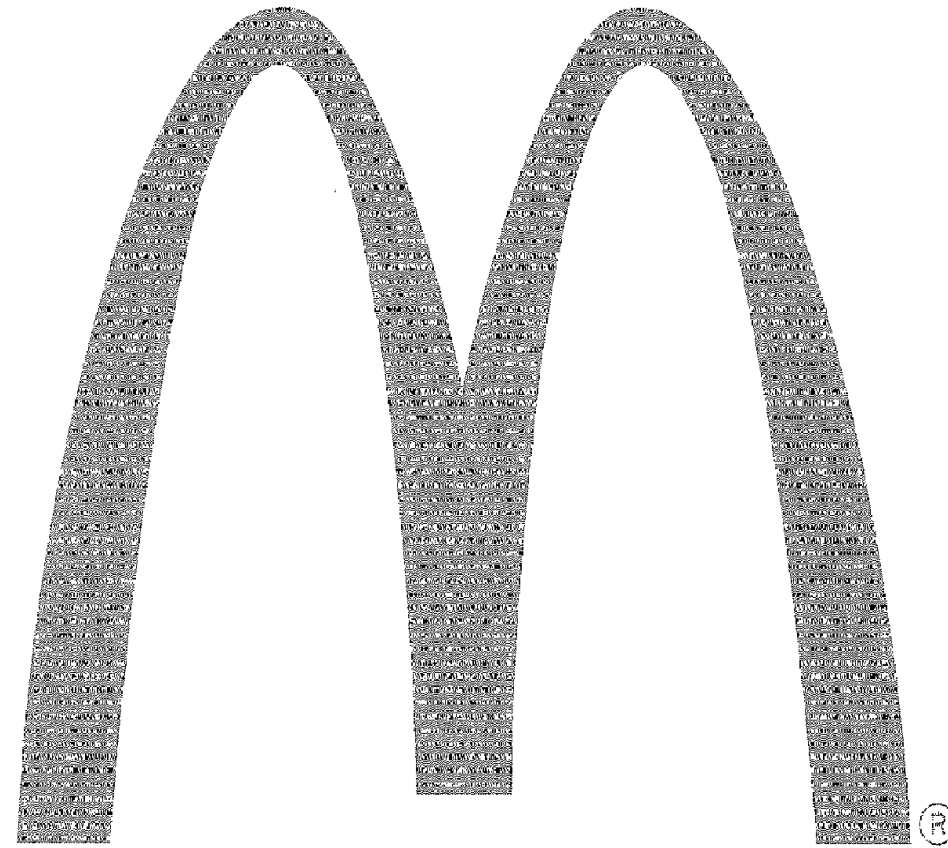
SKETCH	DA	AMENDED DA	BA/CC	TENDER	CONSTRUCTION	AS-BUILT

NO.	AMENDMENT	DATE	INIT
A	DA ISSUE.	10-04-13	PK
B	ME0513 STORE.	31-05-13	JK

**PROPOSED McDONALDS OPERATION**  
AT CORNER PACIFIC HIGHWAY & LONDON DRIVE  
WADALBA NSW 2259  
DRIVETHRU AND FRONT ELEVATIONS

UNMODIFIED MASTER DRAWING	DRAWN	PK
PROJECT SPECIFIC DRAWING	CHECKED	PR
DWG REVISION	MODIFIED	SEPT 2412
SERIES	SCALE	1:100
MOD513	DRAWING NO.	A201
	AMDT.	B

PROJECT CONSULTANT ARCHITECTURAL 03093  
**Richmond+Ross** Pty Limited  
CONSULTING ENGINEERS AND PROJECT MANAGERS  
ABN 34 001 455 439  
36 WILLOUGHBY ROAD, CROWNS NEST, NSW 2069  
TEL: (02) 8450 9800 FAX: (02) 8438 1224



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A.B.N. 43 008 496 928, PH. 02 9875 6666, FX. 02 9875 6801

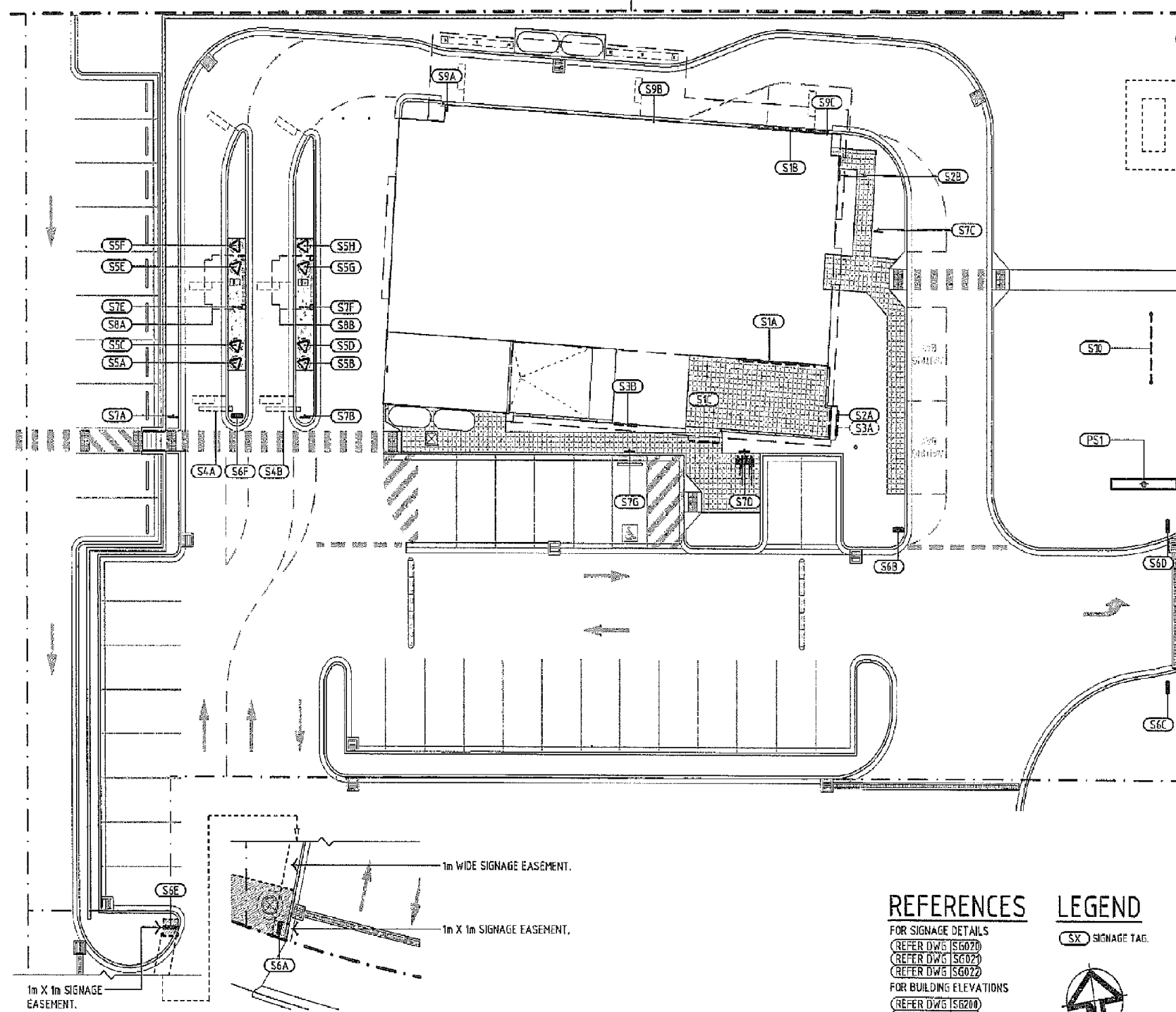
**PROPOSED McDONALDS OPERATION AT:**

CNR PACIFIC HIGHWAY & LONDON DRIVE

WADALBA NSW 2259

**STAGE: SIGNAGE APPLICATION - MAY 2013**

SIGNAGE SCHEDULE		ILLUMINATION
TAG	DESCRIPTION	
PS1	PYLON SIGN, 12.0m O/A HEIGHT, 4.343 X 3.50m HEAD.	YES
S1A, S1B	WALL SIGN, 5.00 X 0.51m HIGH, WORDING: "McDONALDS".	
S1C	ENTRY CLIP, 2.100 X 0.150m HIGH NON-ILLUMINATED FASCIA WITH 20mm PUSH THROUGH ILLUMINATED LETTERING: "McDONALDS".	
S2A, S2B	WALL SIGN, 1.371 X 1.200m HIGH "M" LOGO FIXED TO WALL/BLADE.	
S3A, S3B	WALL SIGN, 1.435 X 0.51m HIGH, WORDING: "McCAFE" FIXED TO WALL/BLADE.	
S4A, S4B	HEIGHT CLEARANCE GANTRY.	
S5A, S5B	ROTATING NUTRITIONAL INFORMATION BOARD.	
S5C, S5D	ROTATING PRESELL TRANSILITE.	
S5E, S5F, S5G, S5H	ROTATING MENU BOARD.	
S6A	DIRECTIONAL SIGN, 0.7 X 2.3m HIGH, DOUBLE SIDED, WORDING: "WELCOME / WELCOME".	
S6B, S6C, S6D	DIRECTIONAL SIGN, 0.7 X 2.3m HIGH, DOUBLE SIDED, WORDING: "THANKYOU / NO ENTRY".	
S6E	DIRECTIONAL SIGN, 0.7 X 2.3m HIGH, SINGLE SIDED, WORDING: "DRIVE THRU".	
S6F	DIRECTIONAL SIGN, 0.7 X 2.3m HIGH, SINGLE SIDED, WORDING: "DRIVE THRU" & "ANY LANE, ANY TIME".	
S7A, S7B, S7C	NO PEDESTRIAN ACCESS SIGN AS SPECIFIED.	NO
S7D	BIKE RACK AS SPECIFIED.	
S7E, S7F	STOP SIGN AS SPECIFIED.	
S7G	ACCESSIBLE PARKING AS SPECIFIED.	
S8A, S8B	WORDING: "1. ORDER HERE". REFER DWG. AD25.	
S9A, S9B, S9C	INFORMATION SIGNS WORDING: "2. PAY HERE" / "3. PICK UP HERE".	
S10	FLAGPOLES AND BANNER.	
S11	WARNING SIGN FOR CONFINED SPACES AS SPECIFIED, 0.45 X 0.30m. LOCATION AND NUMBER OF SIGNS SHALL BE DETERMINED BY THE McDONALD'S DEVELOPMENT MANAGER TO SUIT SITE SPECIFIC REQUIREMENTS.	



**PART SITE SIGNAGE PLAN**  
DETAIL AT VEHICULAR CROSSING FROM LONDON DRIVE.

**REFERENCES**

- FOR SIGNAGE DETAILS
  - (REFER DWG. SG020)
  - (REFER DWG. SG021)
  - (REFER DWG. SG022)
- FOR BUILDING ELEVATIONS
  - (REFER DWG. IS6200)
  - (REFER DWG. IS6201)

**LEGEND**

- (SX) SIGNAGE TAG.
- 

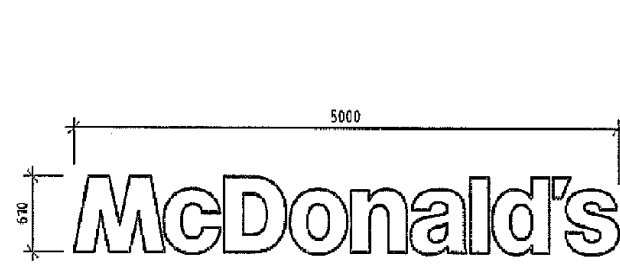
NOTES.		
1. DO NOT SCALE THIS DRAWING.	3. FIGURE DIMENSIONS ARE TO BE USED. CONTACT RICHMOND+ROSS FOR CLARIFICATION IF DIMENSIONS NOT CLEAR.	
2. THE DRAWING SHOWS DESIGN INTENT ONLY. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION OR PRODUCTION. CONSTRUCTION DETAILS TO BE CONFIRMED BY CONTRACTOR / MANUFACTURER.	4. ALL DISCREPANCIES AND DIMENSIONS ON SITE MUST BE REPORTED TO RICHMOND+ROSS FOR THEIR COMMENTS OR APPROVAL PRIOR TO COMMENCING WORK.	

NO.	AMENDMENT	DATE	INT.
A	HOUSE STORE, SIGN S10 REMOVED	31-05-19	JK

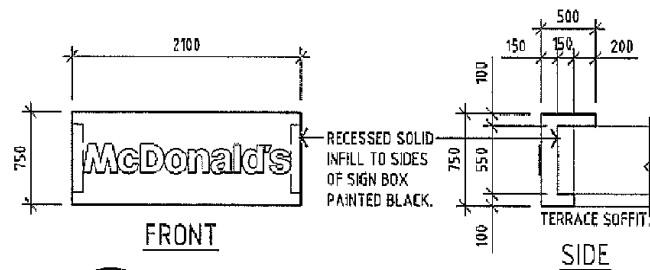
**PROPOSED McDONALDS OPERATION**  
AT CORNER PACIFIC HIGHWAY & LONDON DRIVE  
WADALBA NSW 2259  
SITE SIGNAGE PLAN

UNREVISIONED MASTER DRAWING	DRAWN	PK
PROJECT SPECIFIC DRAWING	CHECKED	PR
DWG REVISION	MODIFIED	APR 2019
SHEET	SCALE	1:250
MOD513	DRAWING NO.	SG010
	AMDT.	A

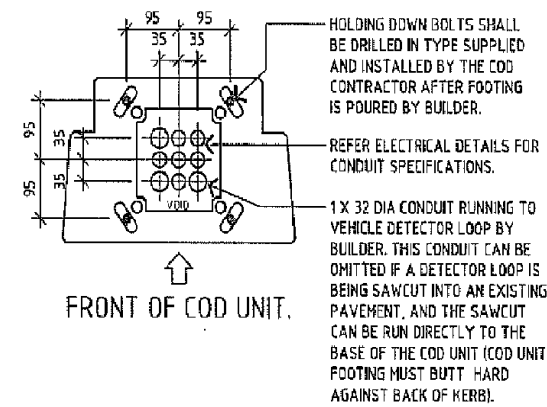
PROJECT CONSULTANT ARCHITECTURAL 180053  
**Richmond+Ross** PTY LIMITED  
CONSULTING ENGINEERS AND PROJECT LEADERS  
AEN 84 001 415 438  
38 WILKINSHAY ROAD, CROWS NEST, NSW 2066  
TEL : 1921 9450 9500 FAX : 1921 9453 1224



**S1A S1B WALL SIGN**  
SG200 SG201  
INDIVIDUAL POLYCARBONATE LETTERING, INTERNALLY ILLUMINATED, WHITE LETTERS.



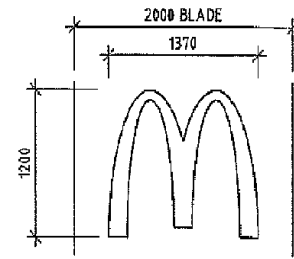
**S1C ENTRY CLIP**  
SG200



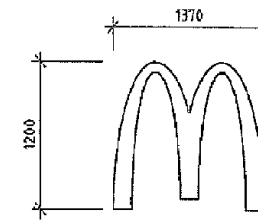
**COD UNIT BASE PLATE DETAIL**  
SCALE 1:10

NOTES:

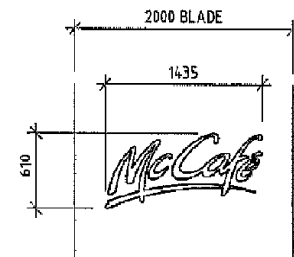
- DO NOT SCALE THIS DRAWING.
- THE DRAWING SHOWS DESIGN INTENT ONLY. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION OR PRODUCTION. CONSTRUCTION DETAILS TO BE COVERED BY CONTRACTOR/MANUFACTURER.
- FIGURE DIMENSIONS ARE TO BE USED. CONTACT RICHMOND+ROSS FOR CLARIFICATION IF DIMENSIONS NOT CLEAR.
- ALL DISCREPANCIES AND OMISSIONS ON SITE MUST BE REPORTED TO RICHMOND+ROSS FOR THEIR COMMENTS OR APPROVAL PRIOR TO COMMENCING WORK.



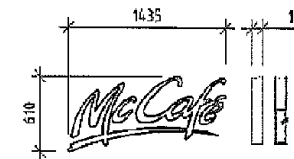
**S2A BLADE SIGN**  
SG200  
YELLOW FLAT FACE POLYCARBONATE LOGO, INTERNALLY ILLUMINATED, YELLOW LOGO ON SOLID RED BACKGROUND.



**S2B WALL SIGN**  
SG200  
YELLOW FLAT FACE POLYCARBONATE LOGO, INTERNALLY ILLUMINATED, YELLOW LOGO ON MAIN BUILDING WALL.

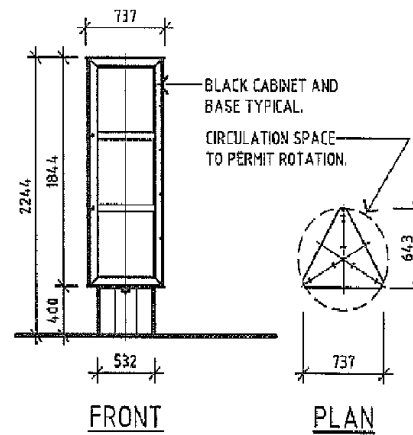


**S3A BLADE SIGN**  
SG200  
INDIVIDUAL HALO ILLUMINATED REVERSE PAN FABRICATED ALUMINIUM CHANNEL LETTERS. BRUSHED ALUMINIUM FINISH.

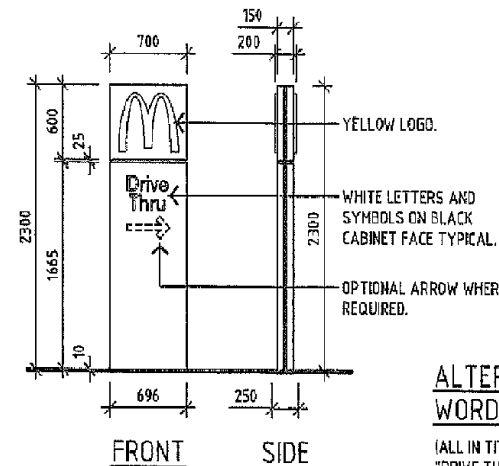


**S3B WALL SIGN**  
SG200  
INDIVIDUAL HALO ILLUMINATED REVERSE PAN FABRICATED ALUMINIUM CHANNEL LETTERS. BRUSHED ALUMINIUM FINISH.

**NOTE**  
SIGNS S3A & B WILL REQUIRE REMOTE TRANSFORMERS. TRANSFORMERS SHALL BE CONCEALED AND ACCESSIBLE VIA ACCESS PANELS AS LOCATED ON REFLECTED CEILING PLAN.



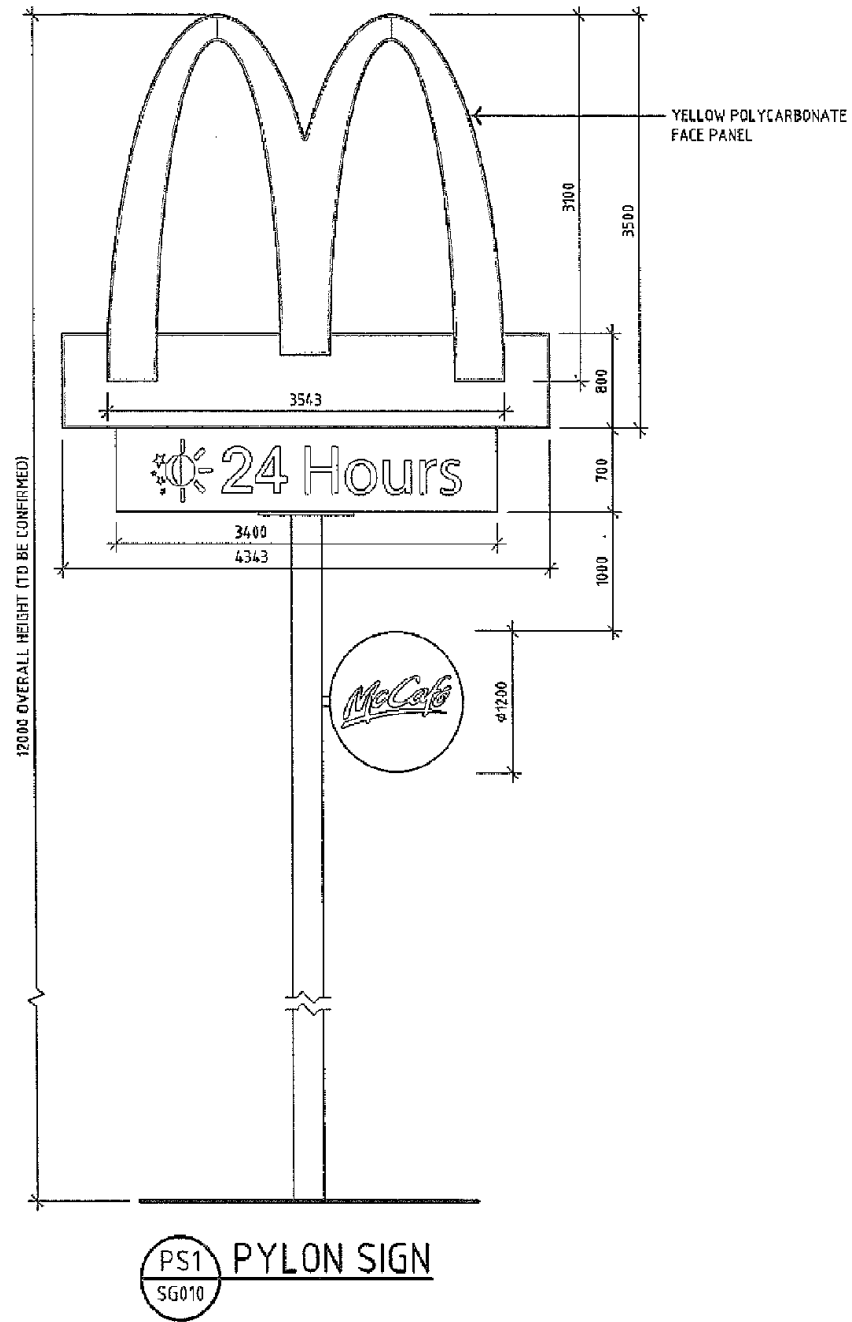
**S5 ROTATING MENUBOARD / TRANSLITE**  
SG010



**S6 DIRECTIONAL SIGN**  
SG010

**ALTERNATIVE WORDING**  
(ALL IN TITLE CASE):  
"DRIVE THRU",  
"NO ENTRY",  
"THANK YOU",  
"ANY LANE, ANY TIME"

<ul style="list-style-type: none"> <li>SKETCH</li> <li>DA</li> <li>AMENDED DA</li> <li>BA/CC</li> <li>TENDER</li> <li>CONSTRUCTION</li> <li>AS-BUILT</li> </ul>	© 2013 McDonald's	<table border="1"> <thead> <tr> <th>NO.</th> <th>AMENDMENT</th> <th>DATE</th> <th>INT.</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>MOD513 STORE, SIGN S10 REMOVED</td> <td>31-05-13</td> <td>JK</td> </tr> </tbody> </table>	NO.	AMENDMENT	DATE	INT.	A	MOD513 STORE, SIGN S10 REMOVED	31-05-13	JK	PROPOSED McDONALDS OPERATION AT CORNER PACIFIC HIGHWAY & LONDON DRIVE WADALBA NSW 2259 SIGNAGE DETAILS	<table border="1"> <tr> <td>UNMODIFIED MASTER DRAWING</td> <td>DRAWN</td> <td>PK</td> </tr> <tr> <td>PROJECT SPECIFIC DRAWING</td> <td>CHECKED</td> <td>PR</td> </tr> <tr> <td>DWG REVISION</td> <td>MODIFIED</td> <td>APR 2013</td> </tr> <tr> <td>SERIES</td> <td>SCALE</td> <td>1:50</td> </tr> <tr> <td>MOD513</td> <td>DRAWING NO.</td> <td>SG020</td> </tr> <tr> <td></td> <td>AMDT.</td> <td>A</td> </tr> </table>	UNMODIFIED MASTER DRAWING	DRAWN	PK	PROJECT SPECIFIC DRAWING	CHECKED	PR	DWG REVISION	MODIFIED	APR 2013	SERIES	SCALE	1:50	MOD513	DRAWING NO.	SG020		AMDT.	A	PROJECT CONSULTANT ARCHITECTURAL 130053 <b>Richmond+Ross</b> PTY LIMITED CONSULTING ENGINEERS AND PROJECT LEADERS 48/24 BRIDGE ROAD, CROWS NEIGH, NSW 2025 TEL: 102 9600 9600 FAX: 102 9426 1224
NO.	AMENDMENT	DATE	INT.																												
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PROJECT SPECIFIC DRAWING	CHECKED	PR																													
DWG REVISION	MODIFIED	APR 2013																													
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MOD513	DRAWING NO.	SG020																													
	AMDT.	A																													



NOTES.	
1. DO NOT SCALE THIS DRAWING.	3. FIGURE DIMENSIONS ARE TO BE USED. CONTACT RICHMOND-ROSS FOR CLARIFICATION IF DIMENSIONS NOT CLEAR.
2. THE DRAWING SHOWS DESIGN INTENT ONLY. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION OR PRODUCTION. CONSTRUCTION DETAILS TO BE CONFIRMED BY CONTRACTOR/MANUFACTURER.	4. ALL DISCREPANCIES AND OMISSIONS ON SITE MUST BE REPORTED TO RICHMOND-ROSS FOR THEIR COMMENTS OR APPROVAL PRIOR TO COMMENCING WORK.

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<input type="checkbox"/> AMENDED DA	
<input type="checkbox"/> BA/CC	
<input type="checkbox"/> TENDER	
<input type="checkbox"/> CONSTRUCTION	
<input type="checkbox"/> AS-SUILT	


NO.	AMENDMENT	DATE	BY


PROPOSED McDONALD'S OPERATION  
 AT CORNER PACIFIC HIGHWAY  
 & LONDON DRIVE  
 WADALBA NSW 2259  
 PYLON SIGN DETAILS

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DWG REVISION	MODIFIED	APR 2013
SERIES	SCALE	1:50
MOD513	DRAWING NO.	SG021
	A/MDT.	-

PROJECT CONSULTANT ARCHITECTURAL 130053  
**Richmond-Ross** PTY LIMITED  
 CONSULTING ENGINEERS AND PROJECT LEADERS  
 30 WILLOUGHBY ROAD, CROWS NEST, NSW 2066  
 TEL : 002 8490 9600 FAX : 002 8438 1224

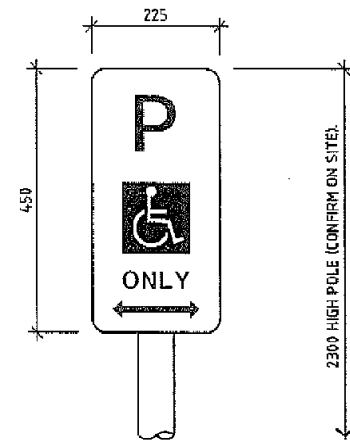
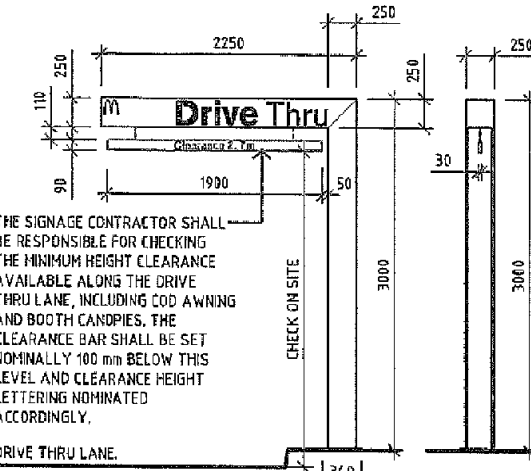
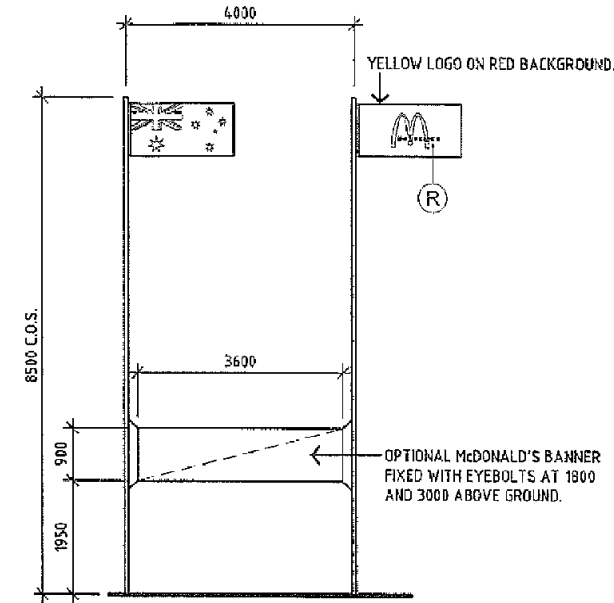
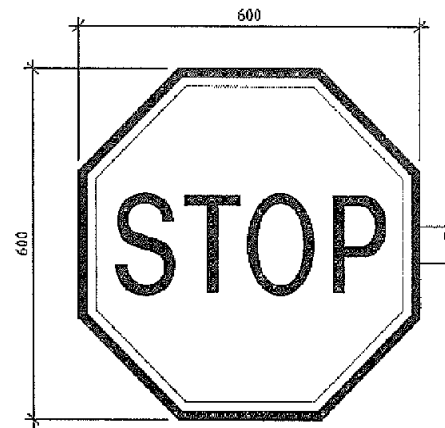
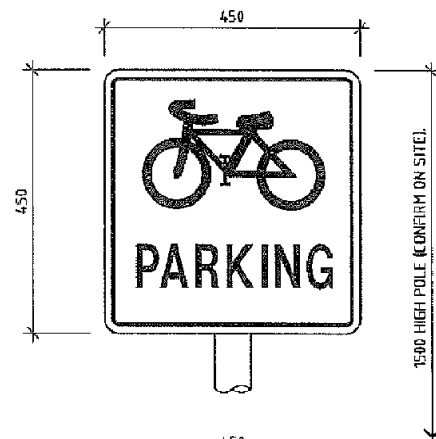


**NOTE**  
 WHERE SIGNS OR FLAGPOLES ARE LOCATED NEAR TO POWERLINES THEN REQUIRED CLEARANCES SHALL BE CONFIRMED WITH THE RELEVANT AUTHORITIES.

**NOTE**  
 SIGN S08 IS DETAILED WITH THE COD UNIT DETAILS. (REFER DWG 1 A026)

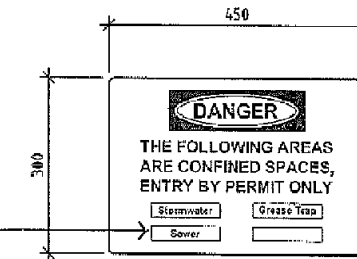
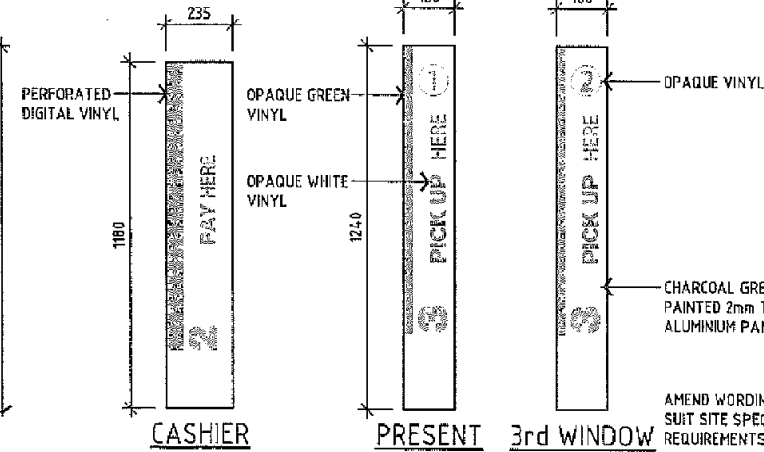
**NOTE**  
 DEPENDING ON LOCATION WITHIN SITE, S7 SIGNAGE SHOULD BE SET A MINIMUM OF 2m ABOVE TOP OF KERB TO PREVENT OBSTRUCTION TO OCCASIONAL PEDESTRIANS, OR TO REDUCE INTERFERENCE FROM PARKED VEHICLES. IF THIS DOESN'T APPLY, SIGNAGE HEIGHTS SHALL BE SET AS NOTED.

**REFERENCES**  
 FOR CARPARK SIGNAGE (REFER SPEC 123.E.8)



**S10 FLAG POLES**  
 SG010 SCALE 1:100

**S4 HEIGHT CLEARANCE GANTRY**  
 SG010 SCALE 1:50



**S7 CAR PARK SIGNAGE**  
 SG010 NON-ILLUMINATED ALUMINIUM REFLECTIVE SIGN ON GALVANISED STEEL POLE TYPICAL.

**S09 WALL SIGN**  
 SG010 SCALE 1:20

**S11 WALL SIGN**  
 SG010 NON-ILLUMINATED ALUMINIUM PANEL WITH VINYL GRAPHICS.

**NOTES:**

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SKETCH	NO	AMENDMENT	DATE	INT
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CONSTRUCTION				
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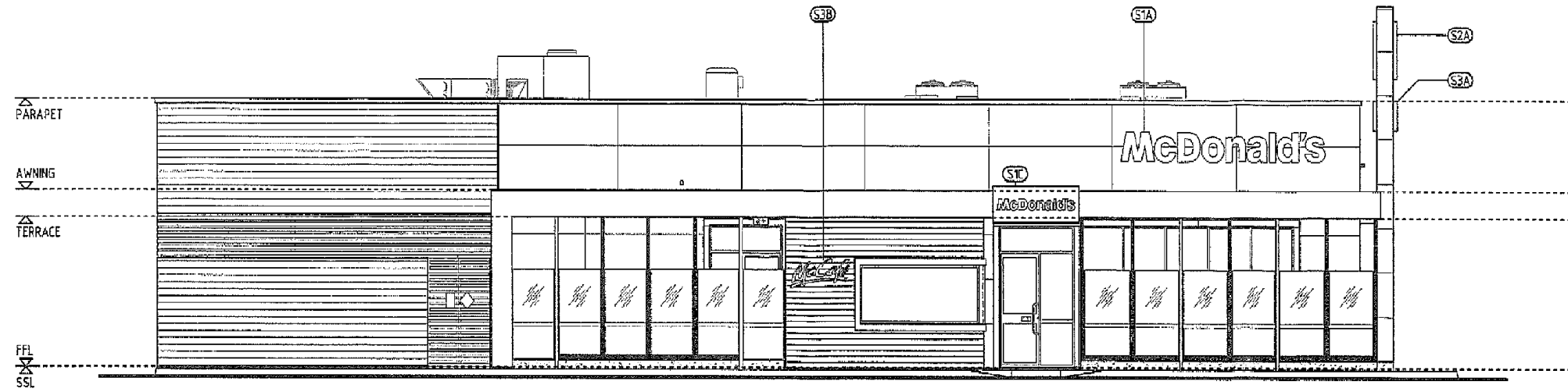
PROPOSED McDONALDS OPERATION AT CORNER PACIFIC HIGHWAY & LONDON DRIVE WADALBA NSW 2259 SIGNAGE DETAILS

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PROJECT SPECIFIC DRAWING	CHECKED	PR
DWG REVISION	MODIFIED	APR 2015
SERIES	SCALE	1:50 UNL.
MOD513	DRAWING NO	SG022
	AMOT	-

PROJECT CONSULTANT ARCHITECTURAL 130053  
**Richmond+Ross** PTY LIMITED  
 CONSULTING ENGINEERS AND PROJECT LEADERS  
 ABN 24 201 445 446  
 33 WILLOUGHBY ROAD, CROWS NEST, NSW 2065  
 TEL: (02) 9490 9600 FAX: (02) 5438 1224

**LEGEND**

(SX) SIGNAGE TAG.

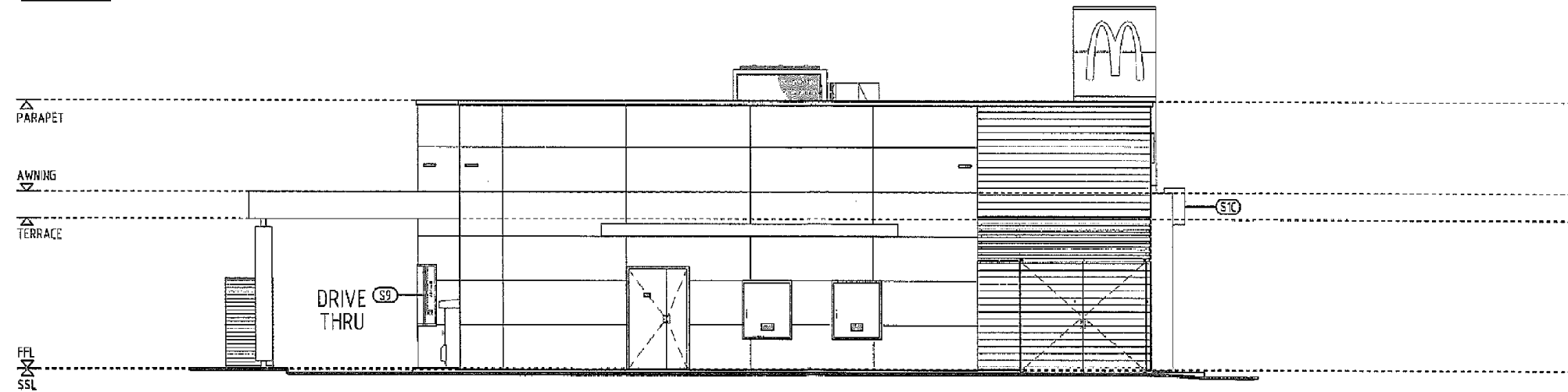


**A SIDE ELEVATION**  
A104

**REFERENCES**

FOR EXTERNAL FINISHES SCHEDULE

(REFER DWG | A202)



**B REAR ELEVATION**  
A104

NOTES	
1. DO NOT SCALE THIS DRAWING.	3. FIGURE DIMENSIONS ARE TO BE USED. CONTACT RICHMOND+ROSS FOR CLARIFICATION IF DIMENSIONS NOT CLEAR.
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<input type="checkbox"/> BA/CC	
<input type="checkbox"/> TENDER	
<input type="checkbox"/> CONSTRUCTION	
<input type="checkbox"/> AS-BUILT	

NO.	AMENDMENT	DATE	INT.
A	MCB513 STORE	31-05-13	JK

PROPOSED McDONALD'S OPERATION  
AT CORNER PACIFIC HIGHWAY  
& LONDON DRIVE  
WADALBA NSW 2259  
SIDE AND REAR SIGNAGE ELEVATIONS

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MOD513	SG200	A

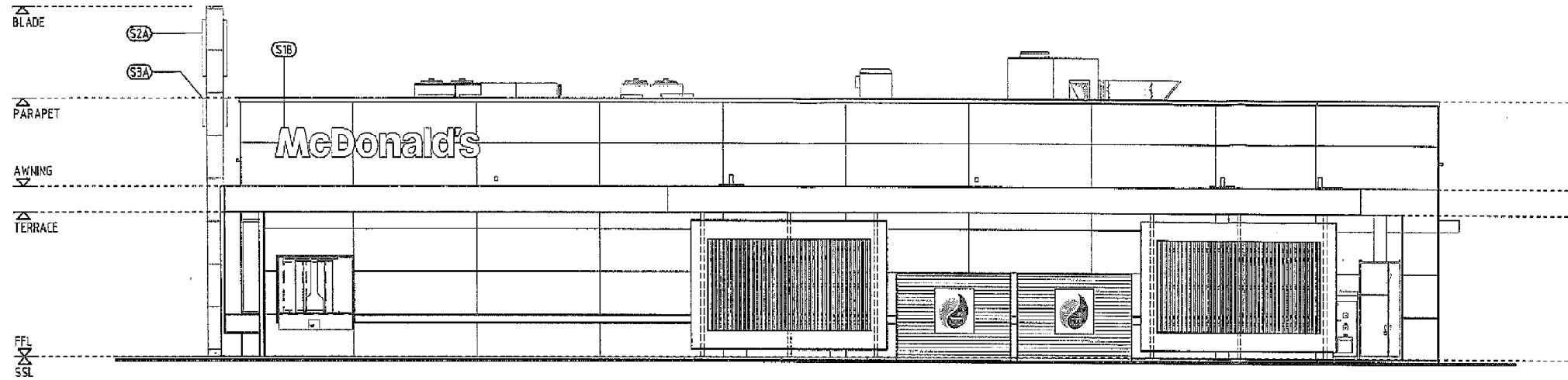
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**Richmond+Ross** PTY LIMITED  
CONSULTING ENGINEERS AND PROJECT LEADERS  
ABN 24 001 451 433  
33 WILKINSHAY ROAD, CROWNS HESL, NSW 2005  
TEL : 1001 9490 5600 FAX : 1001 9438 1224

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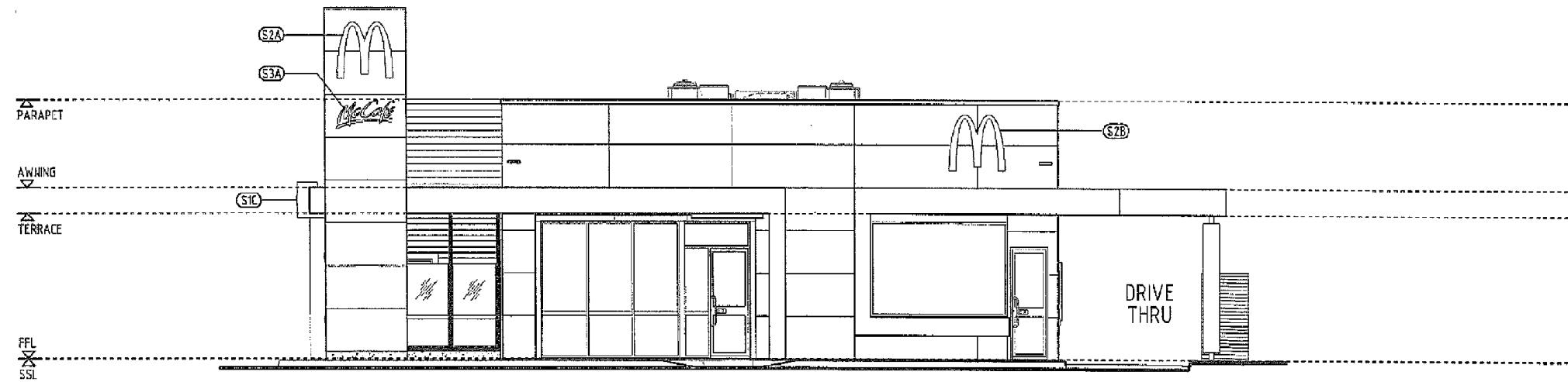
(SX) SIGNAGE TAG

**REFERENCES**

FOR EXTERNAL FINISHES SCHEDULE  
(REFER DWG | A202)



**C D/THRU ELEV.**  
A104 DRIVE-THRU SCREENS NOT SHOWN FOR CLARITY. REFER DETAIL ELEVATION ABOVE.



**D FRONT ELEVATION**  
A104

NOTES	
1. DO NOT SCALE THIS DRAWING.	3. FIGURE DIMENSIONS ARE TO BE USED. CONTACT RICHMOND-ROSS FOR CLARIFICATION IF DIMENSIONS NOT CLEAR.
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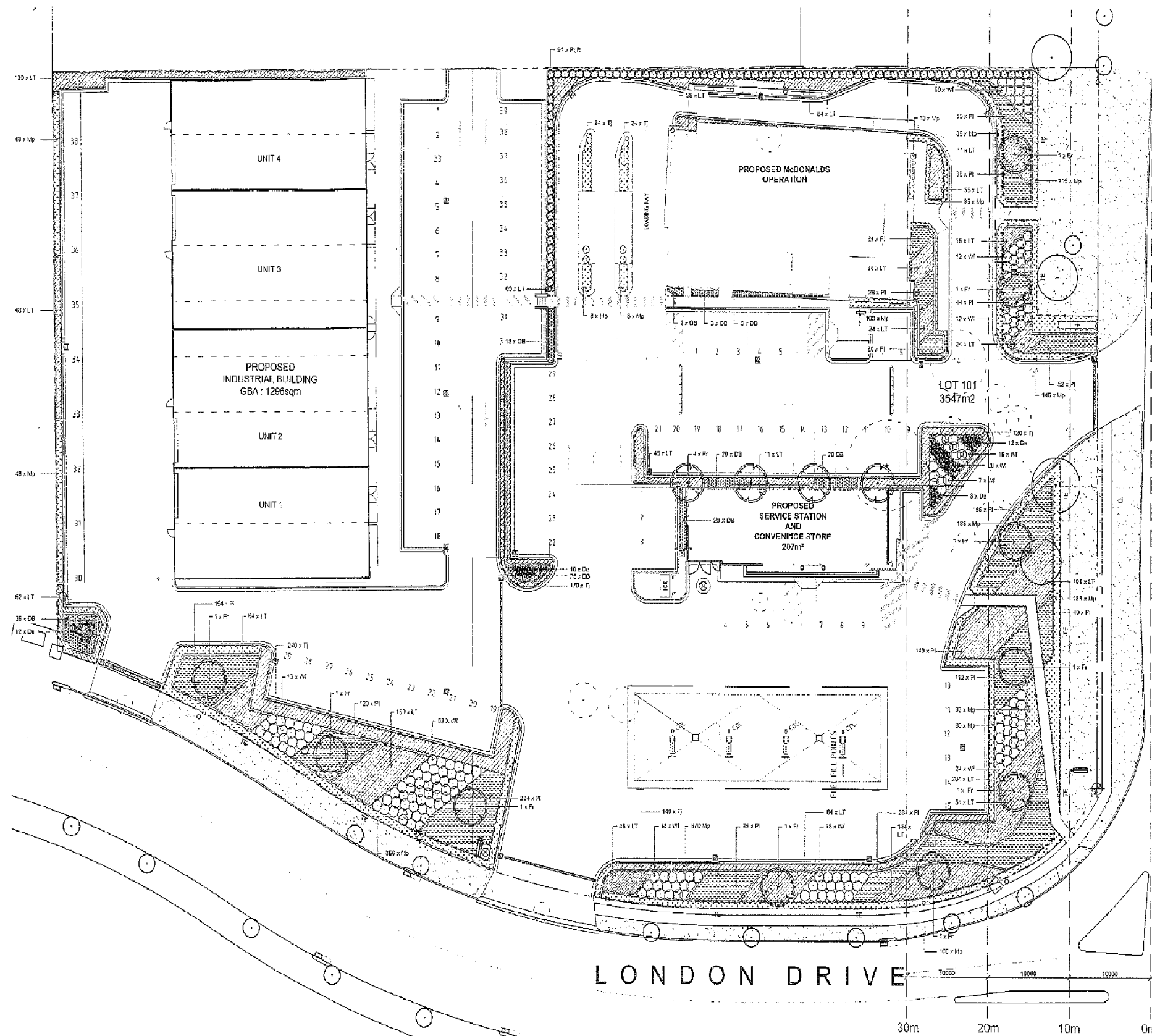
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**PROPOSED McDONALDS OPERATION**  
AT CORNER PACIFIC HIGHWAY & LONDON DRIVE  
WADALBA NSW 2259  
DRIVETHRU AND FRONT SIGNAGE ELEVATIONS

UNCHECKED MASTER DRAWING	DRAWN	PK
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DWG REVISION	MODIFIED	PIAR 2013
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PROJECT CONSULTANT ARCHITECTURAL 130053  
**Richmond+Ross** PTY LIMITED  
CONSULTING ENGINEERS AND PROJECT LEADERS  
38 WILLOUGHBY ROAD, GROUND NEST, NSW 2205  
TEL: 1023 9469 0600 FAX: 1021 0458 1224



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LEGEND

- Site Boundary
- Existing Tree to be Retained
- Tree to be Removed
- Proposed Trees (Refer to plant schedule)
- Shrubs & Accents (Refer to plant schedule)
- Grasses & Groundcovers (Refer to plant schedule)
- Grasses & Groundcovers (Refer to plant schedule)
- Turf
- Timber Edge

CLASSIFICATION

Stevens Group

COMMERCIAL PREMISES  
 Wadalba, NSW  
 Cnr London Drive & Pacific Hwy

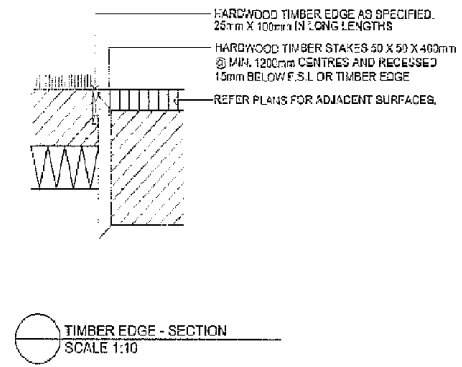
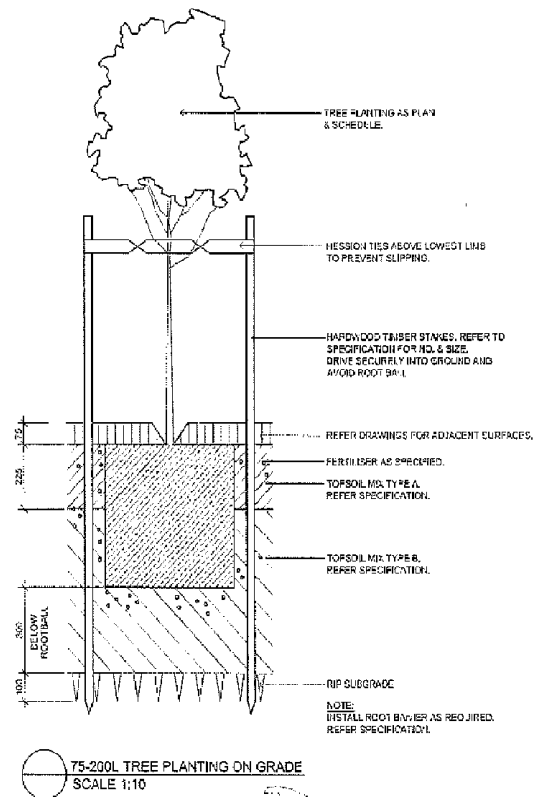
SITE IMAGE

DEVELOPMENT APPLICATION  
 Landscape Plan

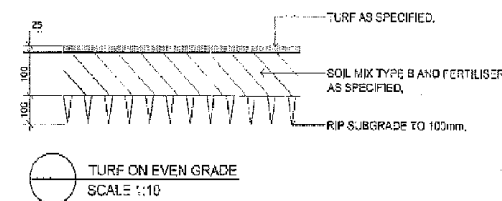
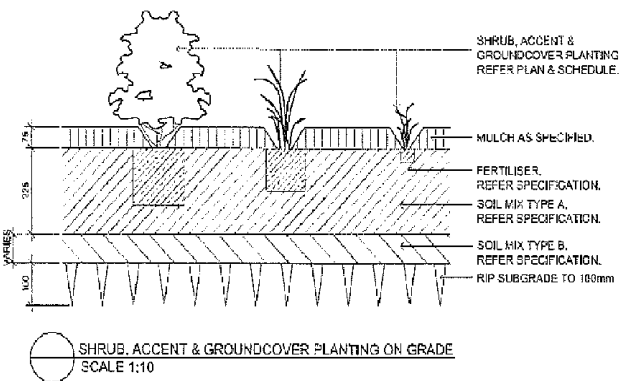
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 Job Number: SS13-2610  
 Date: 12/08/2018

NOT FOR CONSTRUCTION

A1



PLANT SCHEDULE					
Symbol	Botanic Name	Common Name	Mature H x W (m)	Pot Size	Quantity
<b>TREES</b>					
Fr	<i>Fraxinus raywood</i>	Claret Ash	0 x 4	100L	14
<b>SHRUBS AND ACCENTS</b>					
De	<i>Dorothy excelsa</i>	Gymea Lily	2 x 2	300mm	42
PgR	<i>Phoraria glabra 'Rubens'</i>	Pharina	3 x 4	200mm	91
Wf	<i>Westringia fruticosa</i>	Coastal Rosemary	2 x 2	300mm	282
<b>GROUNDCOVERS AND GRASSES</b>					
DB	<i>Dianella breeze</i>	Paroo Lily	0.7 x 0.7	150mm	149
Mp	<i>Myoporum parviflorum</i>	Creeeping Boobialla	0.3 x 0.5	150mm	2223
LT	<i>Lomandra longifolia</i>	Tanika	0.5 x 0.5	150mm	1500
PI	<i>Poa labillardieri</i>	Tussock Grass	0.8 x 0.5	150mm	1539
Tj	<i>Trachelospermum jasminoides</i>	Star Jasmine	0.2 x 0.6	150mm	524



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Symbol	Description	Quantity
DB	Dianella breeze	149
Mp	Myoporum parviflorum	2223
LT	Lomandra longifolia	1500
PI	Poa labillardieri	1539
Tj	Trachelospermum jasminoides	524
Fr	Fraxinus raywood	14
De	Dorothy excelsa	42
PgR	Phoraria glabra 'Rubens'	91
Wf	Westringia fruticosa	282

LEGEND

Site File

Client: Stevens Group

Project: COMMERCIAL PREMISES Wedelba, NSW On London Drive & Pacific Hwy

SITE IMAGE

Scale: 1:500  
Date: 15/07/2013  
Author: [Name]  
Title: [Title]  
Project: [Project Name]  
Client: Stevens Group  
Drawing Number: [Number]

DEVELOPMENT APPLICATION  
Drawing Name: Landscape Details &

Scale: AS SHOWN  
Drawing Number: 501 B

NOT FOR CONSTRUCTION  
A1

# Wyong Local Environmental Plan 2013

## ATTACHMENT 1

### Amendments – Post Section 68 Submission

#### 1. INSTRUMENT – WYONG LEP 2013

##### (a) Land Use Table

- Minor amendments to wording of objectives – no change to intent.
- *Agriculture*: Remove agriculture as a land use permissible with consent in RU1 zone, as all other sub-group terms are listed. [Council request](#)
- *Airstrips*: Now permissible in IN1 General Industrial zone. [DP&I amendment](#)
- *Crematoria*: No longer prohibit this land use in IN1 General Industrial zone and IN2 Light Industrial zone. [Council request](#)
- *Bulky goods premises*: Now permissible in B2 Local Centre and B3 Commercial Core zones. [DP&I amendment](#)
- *Education establishments*: This land use is not listed as permissible in the B7 Business Park zone, as this use is currently permissible under *SEPP (Infrastructure) 2007*. [DP&I amendment](#)
- *Farm stay accommodation*: Now a prohibited use in the R3 Medium Density Residential zone. [DP&I amendment](#)
- *Horticulture and viticulture*: Remove from RU1 as a land use permissible without consent. These land uses are mandated permissible with consent under the group term “*Intensive plant agriculture*”. [Council request](#)
- *Landscaping material supplies*: Now permissible in B2 Local Centre and B3 Commercial Core zones. [DP&I amendment](#)
- *Plant nurseries*: Now permissible in B2 Local Centre zone. [DP&I amendment](#)
- *Port facilities*: Now a permissible use in IN1 General Industrial and IN2 Light Industrial zone. [DP&I amendment](#)
- *Research stations*: Now a prohibited use in the RU1 Primary Production, RU2 Rural Landscape, and RU5 Village zones as this use is permissible under *SEPP (Infrastructure) 2007*. [DP&I amendment](#)
- *Respite day care centres*: Now a permissible use in IN1 General Industrial zone and IN2 Light Industrial zone as respite day care centres must be permitted wherever a child care centre is permitted. [DP&I amendment](#)
- *Rural supplies*: Now permissible in B2 Local Centre zone. [DP&I amendment](#)
- *Timber yards*: Now permissible in B2 Local Centre and B3 Commercial Core zones. [DP&I amendment](#)
- *Waste or resource management facilities*: Prohibit this land use in the RU5 Village zone. [DP&I amendment](#)
- *Waste or resource transfer stations*: Permit this land use in the RU5 Village zone. [DP&I amendment](#)

##### (b) Clauses

###### ▪ **General**

A number of amendments have been made to clauses in accordance with updated settled model local clauses or wording deemed more appropriate by the New South Wales Parliamentary Counsel's Office (Parliamentary Counsel). These are not described below. Major amendments implemented since the most recent report to Council on 12 June 2013 are described below.

▪ **Clause 1.3 – Land to which Plan applies**

Prior to making the Plan, DP&I amended this standard clause as follows, to recognise the deferral of the Westfield's Tuggerah site (new text identified in red): [DP&I amendment](#)

**1.3 – Land to which Plan applies**

- (1) This Plan applies to the land identified on the Land Application Map.
- (1A) **Despite subclause (1), this Plan does not apply to the land identified as "Deferred matter" on the Land Application Map.**

▪ **Clause 1.8 – Repeal of planning instruments applying to land**

Prior to making the Plan, DP&I amended this standard clause as follows, to recognise the deferral of the Westfield's Tuggerah site (deleted text identified by ~~strikethrough~~, new text identified in red): [DP&I amendment](#)

**1.8 Repeal of planning instruments applying to land**

- (1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed.

~~**Note.** The following local environmental plans are repealed under this provision:~~

~~*Wyong Local Environmental Plan 1991*~~

- (2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other land cease to apply to the land to which this Plan applies.

**Note.** However, *Wyong Local Environmental Plan 1991* continues to apply to the land identified as "Deferred matter" under clause 1.3 (1A).

▪ **Clause 1.8A – Savings provision relating to development applications**

Wyong LEP 2013 did not include this important standard savings provision, therefore Council requested that this be inserted as follows: [Council request](#)

**1.8A Savings provision relating to development applications**

*If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.*

**Note.** However, under Division 4B of Part 3 of the Act, a development application may be made for consent to carry out development that may only be carried out if the environmental planning instrument applying to the relevant development is appropriately amended or if a new instrument, including an appropriate principal environmental planning instrument, is made, and the consent authority may consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable.

▪ **Clause 1.8B – Amendment of SEPP**

Prior to making the Plan, DP&I inserted the following clause, as a housekeeping exercise to amend certain *State Environmental Planning Policy (Major Development) 2005* maps applicable to the South Wallarah Peninsula: [DP&I amendment](#)

**1.8B Amendment of SEPP**

- (1) *State Environmental Planning Policy (Major Development) 2005* is amended by omitting Part 15 of Schedule 3.
- (2) Each map adopted by *State Environmental Planning Policy (Major Development) 2005* that is specified in Column 1 of the following table is declared by this Plan to be amended or replaced, as the case requires, by the

map specified opposite in Column 2 of the table as approved by the Minister on the making of this Plan:

Column 1	Column 2
<b>Name of map being amended or replaced</b>	<b>Name of amending or replacement map</b>
<u>State Environmental Planning Policy (Major Development) 2005 South Wallarah Peninsula Land Application Map</u> (SEPP_MD_SWP_LAP_001_20101007)	<u>State Environmental Planning Policy (Major Development) 2005 South Wallarah Peninsula Land Application Map</u> (SEPP_MD_SWP_LAP_001_015_20131219)
<u>State Environmental Planning Policy (Major Development) 2005 South Wallarah Peninsula Land Zoning Map</u> (SEPP_MD_SWP_LZN_001_20101007)	<u>State Environmental Planning Policy (Major Development) 2005 South Wallarah Peninsula Land Zoning Map</u> (SEPP_MD_SWP_LZN_001_015_20131219)
<u>State Environmental Planning Policy (Major Development) 2005 South Wallarah Peninsula Height of Buildings Map</u> (SEPP_MD_SWP_HOB_001_20101007)	<u>State Environmental Planning Policy (Major Development) 2005 South Wallarah Peninsula Height of Buildings Map</u> (SEPP_MD_SWP_HOB_001_015_20131219)
<u>State Environmental Planning Policy (Major Development) 2005 South Wallarah Peninsula Height of Buildings Map</u> (SEPP_MD_SWP_HOB_002_20101007)	<u>State Environmental Planning Policy (Major Development) 2005 South Wallarah Peninsula Height of Buildings Map</u> (SEPP_MD_SWP_HOB_002_003_20131219)
<u>State Environmental Planning Policy (Major Development) 2005 South Wallarah Peninsula Heritage Map</u> (SEPP_MD_SWP_HER_001_20101007)	<u>State Environmental Planning Policy (Major Development) 2005 South Wallarah Peninsula Heritage Map</u> (SEPP_MD_SWP_HER_001_003_20131219)
<u>State Environmental Planning Policy (Major Development) 2005 South Wallarah Peninsula Additional Permitted Uses Map</u> (SEPP_MD_SWP_APU_001_20101007)	<u>State Environmental Planning Policy (Major Development) 2005 South Wallarah Peninsula Additional Permitted Uses Map</u> (SEPP_MD_SWP_APU_001_003_20131219)
<u>State Environmental Planning Policy (Major Development) 2005 South Wallarah Peninsula Land Reservation Acquisition Map</u> (SEPP_MD_SWP_LRA_001_20101007)	<u>State Environmental Planning Policy (Major Development) 2005 South Wallarah Peninsula Land Reservation Acquisition Map</u> (SEPP_MD_SWP_LRA_001_015_20131219)

▪ **Clause 4.1A – Exceptions to minimum lot sizes for certain split zones**

Note: Originally Clause 4.1B – Variation to minimum lot sizes for environmental benefits. As part of Council's Section 68 submission to the DP&I, Council requested that this clause be amended as follows (deleted text identified by ~~strikethrough~~, new text identified in red): **Council request**

**4.1B Variation to minimum lot sizes for environmental benefits**

- (1) *The objective of this clause is to:*
  - (a) *secure key conservation land by allowing greater subdivision potential of R5 or E4 land,*
  - (b) *ensure adequate infrastructure, facilities and services are provided to cater for the increase in lots created.*
- (2) *This clause applies to each lot (an original lot) that contains:*
  - (a) *land in Zone R5 Large Lot Residential or Zone E4 Environmental Living, and*
  - (b) *land in either or both Zone E2 Environmental Conservation or Zone E3 Environmental Management not less than the area calculated as follows:*

$$\text{Area of E2 and E3 Zone MIN} = (A - [B/2]) \times 5$$

Where:

**A** is the number of resulting lots containing land in Zone R5 Large Lot Residential or Zone E4 Environmental Living excluding any lot that contains more than 2 hectares of land in these zones.

**B** is the total area (in hectares) of Zone R5 Large Lot Residential or Zone E4 Environmental Living in all resulting lots excluding lots containing more than 2ha of land in these zones.



**Area of E2 and E3 Zone MIN** is the minimum area in hectares of any part of the original lot that is in Zone E2 Environmental Conservation or Zone E3 Environmental Management.

- (3) Despite clause 4.1, development consent may be granted to subdivide an original lot to create resulting lots if:
- (a) *the area of any part of a resulting lot that is:*
    - (i) *in Zone R5 Large Lot Residential is not less than 1ha, or*
    - (ii) *in Zone E4 Environmental Living is not less than 0.5 hectares.*
  - ~~(a) the area of any part of a resulting lot that is in Zone R5 Large Lot Residential or Zone E4 Environmental Living is not less than 0.5 hectares.~~
  - (b) *all land in Zone E2 Environmental Conservation or Zone E3 Environmental Management in the original lot is contained within one resulting lot.*
- (4) Before granting consent to development in accordance with this clause, the consent authority must be satisfied that:
- (a) *the subdivision is desirable for achieving key conservation outcomes in the long term, and*
  - (b) *any resulting lot containing land in either or both Zone E2 Environmental Conservation or Zone E3 Environmental Management will be managed for conservation in the long term, and*
  - (c) *for resulting lots containing land in Zone R5 Large Lot Residential or Zone E4 Environmental Living, the following services are available or that adequate arrangements have been made to make them available when required:*
    - i) *the supply of water,*
    - ii) *the supply of electricity,*
    - iii) *the disposal and management of sewage,*
    - iv) *stormwater drainage or on-site conservation,*
    - v) *suitable road access, and*
  - (d) *any resulting lot containing land in Zone E2 Environmental Conservation or Zone E3 Environmental Management will not be used for residential accommodation, tourist or visitor accommodation or eco-tourist facilities.*
- (5) *In this clause:*  
**resulting lot** means a lot created in accordance with subclause (3).

Prior to making the Plan, DP&I amended the clause to the following: DP&I amendment

#### **4.1A Exception to minimum lot size for certain split zones**

- (1) *The objectives of this clause are as follows:*
  - (a) *to provide for the subdivision of lots that are within more than one zone but cannot be subdivided under clause 4.1,*
  - (b) *to ensure that the subdivision occurs in a manner that promotes suitable land use and development.*
- (2) *This clause applies to each lot (an original lot) that contains:*
  - (a) *land in Zone R5 Large Lot Residential or Zone E4 Environmental Living, and*
  - (b) *land in Zone E2 Environmental Conservation or Zone E3 Environmental Management.*
- (3) *Despite clause 4.1, development consent may be granted to subdivide an original lot to create other lots (the resulting lots) if:*
  - (a) *any part of a resulting lot that contains land in Zone R5 Large Lot Residential has an area of at least 1 hectare, and*
  - (b) *any part of a resulting lot that contains land in Zone E4 Environmental Living has an area of at least 0.5 hectares, and*
  - (b) *one of the resulting lots:*

- (i) contains all of the land in Zone E2 Environmental Conservation or Zone E3 Environmental Management that was in the original lot, and
- (ii) has an area measured in hectares of at least the number calculated in accordance with the following formula:

$$\left(A - \frac{B}{2}\right) \times 5$$

where:

**A** is the number of resulting lots containing land in Zone R5 Large Lot Residential or Zone E4 Environmental Living, but does not include any lot containing at least 2 hectares of such land.

**B** is the area of any part of the resulting lots containing land in Zone R5 Large Lot Residential or Zone E4 Environmental Living measured in hectares, but does not include any part of a lot containing at least 2 hectares of such land.

- (4) Development consent must not be granted under subclause (3) unless the consent authority is satisfied that:
  - (a) the land referred to in subclause (3) (a) will not be used for the purpose of eco-tourist facilities, residential accommodation or tourist and visitor accommodation, and
  - (b) suitable arrangements have been, or will be, made for the long-term conservation and management of that land.

**Note:** There is concern with regard to the DP&I's amendment to subclause (4)(a), as the subclause appears to prohibit eco-tourist facilities, residential accommodation, and tourist and visitor accommodation in the R5 Large Lot Residential zone (the land referred to in subclause (3)(a)). This is of concern as the land in this zone will be predominantly used for the purpose of residential accommodation. The intent of Council's original wording was to refer to the land zoned E2 Environmental Conservation or E3 Environmental Management. Council staff will continue to liaise with the DP&I on this issue, and an amendment to the clause may be required.

▪ **Clause 4.1B – Exceptions to minimum lot sizes for certain residential development**

Note: Originally Clause 4.1C – Exceptions to minimum lot sizes for certain residential development.

As part of Council's Section 68 submission to the DP&I, Council requested that this clause be amended as follows (deleted text identified by strikethrough, new text identified in red): **Council request**

**4.1C Exceptions to minimum lot sizes for certain residential development**

- (1) ~~The objective of this clause is to encourage housing diversity and to protect residential amenity.~~ *The objective of this clause is to provide opportunities for affordable housing in appropriate locations and to encourage housing diversity without adversely impacting on residential amenity.*
- (2) ~~This clause applies to development on land in Zone R2 Low Density Residential.~~ *This clause applies to development on land shown on the Land Zoning Map within the following zone:*
  - (a) *Zone R2 (Low Density Residential)*
- (3) ~~Development consent may be granted to a single development application for development on land to which this clause applies that is both of the following:~~ *Development consent may be granted to a single development application for development on land to which this clause applies that is either of the following:*
  - (a) ~~the subdivision of land into 2 or more lots, and~~ *the subdivision of land into 5 or more lots, and the erection of a dwelling house on each lot resulting from the subdivision, or*

- ~~(b) the erection of a semi-detached dwelling, or a dwelling house on each lot resulting from the subdivision, construction and subdivision of a dual occupancy.~~
- (4) ~~Before granting consent to development under this clause, the consent authority must be satisfied that each dwelling:~~ *Subject to (3), a single development application must include dwelling designs for each lot having regard to:*
- ~~(a) will be appropriately interrelated with other dwellings included within the development application, and the interrelationship of each dwelling to each lot included within the development application, and~~
  - ~~(b) will not have a significant adverse impact on adjoining land having regard to visual and overshadowing impacts, and the impact of the height of the development upon development situated on adjoining land, having regard to visual and overshadowing impacts, and~~
  - ~~(c) will include adequate pedestrian, vehicular and service access, circulation and parking, pedestrian, vehicular and service access, circulation and parking requirements, and~~
  - ~~(d) the achievement of the principles of ecologically sustainable development.~~

Prior to making the Plan, DP&I amended the clause to the following: DP&I amendment

#### **4.1B Exceptions to minimum lot sizes for certain residential development**

- (1) *The objectives of this clause are as follows:*
  - (a) to provide opportunities for affordable housing in appropriate locations,*
  - (b) to encourage housing diversity without adversely impacting on residential amenity.*
- (2) *This clause applies to land in Zone R2 Low Density Residential.*
- (3) *Development consent may be granted to a single development application for development on land to which this clause applies that is both of the following:*
  - (a) the subdivision of land into 5 or more lots of a size that is less than the minimum lot size shown on the Lot Size Map in relation to that land,*
  - (b) the erection of a dwelling house on each lot resulting from the subdivision.*
- (4) *Development consent may be granted to a single development application for development that is both of the following:*
  - (a) the erection of a dual occupancy on land to which this clause applies,*
  - (b) the subdivision of that land into 2 lots of a size that is less than the minimum size shown on the Lot Size Map in relation to that land.*
- (5) *In determining whether to grant development consent for development under subclause (3) or (4), the consent authority must consider the following:*
  - (a) the likely impact of the height of the development on development located on adjoining land in relation to visual impacts and overshadowing,*
  - (b) whether the development provides adequate pedestrian, vehicular and service access and car parking,*
  - (c) whether the development incorporates the principles of ecologically sustainable development,*
  - (d) the relationship between each of the dwellings comprising the development in relation to location and siting.*

- **Clause 4.2B – Erection of dual occupancies and dwelling houses on land in certain rural and environment protection zones**

Prior to making the Plan, DP&I amended the clause to reflect a different definition of “Lots to be amalgamated”, as follows (deleted text identified by ~~strikethrough~~, new text identified in red): [DP&I amendment](#)

- (6) *In this clause, amalgamated lot means ~~a lot resulting from the consolidation of land comprising lots~~ **land** edged heavy red and identified as “~~Lots to be Amalgamated Lots~~” on the Lot Amalgamation Map, **if that land is a single lot.***

▪ **Clause 4.4 – Floor space ratio**

Prior to making the Plan, DP&I amended the clause to remove a reference to a requirement that Gross Floor Area exceptions in heritage items are to be provided only if the consent authority is satisfied that it will assist in conservation of the heritage item (deleted text identified by ~~strikethrough~~): [DP&I amendment](#)

- (2A) *If a building, or any part of a building, is a heritage item, the area comprising the heritage item is not to be included in the gross floor area of the building in calculating the floor space ratio for the building, ~~provided that the consent authority is satisfied that the conservation of any heritage item and its setting will be achieved.~~*

▪ **Clause 4.6 – Exemptions to development standards**

Subclause (6A) has been deleted by DP&I due to a perceived inconsistency with Subclause (6): [DP&I amendment](#)

- ~~(6A) *Despite subclause (6), development consent may be granted under this clause for a subdivision of land containing Zone RU1 Primary Production and Zone E3 Environmental Management where it is proposed to redefine property boundaries without increasing the number of lots or dwelling entitlements and the resultant lots achieve a superior outcome for agricultural production or management or for environmental protection or management.*~~

▪ **Clause 7.2 – Flood Planning**

Council requested that Clause 7.2 be amended to add a hatched area to the Flood Planning Area maps, denoting those parts of the LGA that are now identified within the Flood Planning Area, as the Flood Planning Area now incorporates land up to Possible Maximum Flood (PMF), inclusive of a climate change allowance. However, prior to making the Plan, DP&I amended the clause to the following: (deleted text identified by ~~strikethrough~~, new text identified in red): [DP&I amendment](#)

**7.2 Flood planning**

- (1) *The objectives of this clause are as follows:*
- (a) *to minimise the flood risk to life and property associated with the use of land,*
  - (b) *to allow development on land that is compatible with the land’s flood hazard, taking into account projected changes as a result of climate change,*
  - (c) *to avoid significant adverse impacts on flood behaviour and the environment.*
- (2) *This clause applies to **land identified as “Flood planning area” on the Flood Planning Map.***
- ~~(a) *land identified as “Flood planning area 1” and “Flood planning area 2” on the Flood Planning Map, and*~~
  - ~~(b) *other land at or below the flood planning level.*~~
- (3) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:*
- (a) *is compatible with the flood hazard of the land, and*

- (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and
  - (c) incorporates appropriate measures to manage risk to life from flood, and
  - (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and
  - (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.
- (4) A word or expression used in this clause has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.
- ~~(5) In this clause:~~
- ~~**flood planning area 1** means the land shown as "Flood planning area 1" on the Flood Planning Map, and includes land up to 1% Annual Exceedance Probability.~~
- ~~**flood planning area 2** means the land shown as "Flood planning area 2" on the Flood Planning Map, and includes land up to Possible Maximum Flood (PMF) inclusive of a climate change allowance.~~

### ▪ Clause 7.3 – Floodplain risk management

The DP&I has inserted the following clause, after discussion with Council. This clause has also required amendments to the Flood Planning maps: [DP&I amendment](#)

#### 7.3 Floodplain risk management

- (1) The objectives of this clause are as follows:
  - (a) in relation to development with particular evacuation or emergency response issues, to enable evacuation of land subject to flooding in events exceeding the flood planning level,
  - (b) to protect the operational capacity of emergency response facilities and critical infrastructure during extreme flood events.
- (2) This clause applies to:
  - (a) land between the flood planning area and the line indicating the level of the probable maximum flood as shown on the Flood Planning Map, and
  - (b) land surrounded by the flood planning area,

but does not apply to land subject to the discharge of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.
- (3) Development consent must not be granted to development for the following purposes on land to which this clause applies unless the consent authority is satisfied that the development will not, in flood events exceeding the flood planning level, affect the safe occupation of, and evacuation from, the land:
  - (a) air strips,
  - (b) air transport facilities,
  - (c) child care centres,
  - (d) correctional centres,
  - (e) educational establishments,
  - (f) electricity generating works,
  - (g) emergency services facilities,
  - (h) group homes,
  - (i) helipads,
  - (j) home-based child care,
  - (k) hospitals,
  - (l) hostels,
  - (m) public utility undertakings,
  - (n) respite day care centres,
  - (o) roads,

- (p) *seniors housing,*
- (q) *sewerage systems,*
- (r) *water supply systems.*
- (4) *In this clause:*
  - flood planning area** means the land shown as “Flood planning area” on the Flood Planning Map.
  - probable maximum flood** has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0), published in 2005 by the NSW Government.
  - Note.**  
The **probable maximum flood** is the largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation.

#### ▪ **Clause 7.7 Airspace operations**

The following sub clause has been deleted as the settled local clause does not include this subclause: [DP&I amendment](#)

- ~~(4) This clause shall cease to apply once the Warnervale Airport ceases to be used for the purpose of an air transport facility.~~

#### ▪ **Clause 7.10 Council infrastructure development**

Note: Originally Clause 7.10 – Development by Council.

Following submission of Council’s Section 68 submission to the DP&I, it was determined that cemeteries and crematoria should be prohibited on RU1 and RU2 zoned land. As a result, a need arose to ensure that Council can expand its cemeteries if required. To this end, Council proposed to add subclause (4) (new text identified in red): [Council request](#)

##### **7.10 Development by Council**

- (1) *Development carried out by, under the authority of, or on behalf of the Council requires the consent of the Council, except as provided by subclause (2).*
- (2) *The following development may be carried out by, under the authority of, or on behalf of the Council without development consent:*
  - (a) *reconstruction, improvement, maintenance or repair of any road except for the re-alignment, relocation or widening (other than within the existing road reserve) of a road, or*
  - (b) *development which, in the opinion of the Council, constitutes extensions or improvements or maintenance of existing utility installations or a combination of those, or*
  - (c) *development which, in the opinion of the Council, constitutes improvements or maintenance of existing public facilities or works owned, operated or controlled by the Council, or*
  - (d) *tree maintenance, filling, landscaping and gardening.*
- (3) *Development for the purposes of a depot and associated infrastructure (such as garages, fuel sheds, tool houses, storage yards and workers’ amenities) may be carried out by Council with consent on land within the following zones:*
  - (a) *RU1 Primary Production.*
  - (b) *RU6 Transition.*
- (4) *Development for the purposes of cemeteries and crematoria may be carried out by or on behalf of Council with consent on land within the following zones:*
  - (a) *RU1 Primary Production.*
  - (b) *RU2 Rural Landscapes.*

Prior to making the Plan, DP&I deleted the above clause and inserted the following standard clause: [DP&I amendment](#)

### 7.10 Council infrastructure development

- (1) Development may be carried out by or on behalf of the Council without development consent on any land, other than land in a heritage conservation area, land containing a heritage item or land that is an environmentally sensitive area for exempt and complying development.
- (2) Subclause (1) does not apply to the following development:
  - (a) the erection of a class 1-9 building under the Building Code of Australia,
  - (b) development that is not exempt development under State Environmental Planning Policy (Infrastructure) 2007 and has a capital value of more than \$5,000,000.

#### ▪ Clause 7.11 – Key Sites

Note: Originally Clause 7.8 – Key Sites.

After submission of Council's Section 68 documentation to the DP&I, Council requested a number of changes to the Key Sites clause (deleted text identified by ~~strikethrough~~, new text identified in red): Council request

#### 7.11 Key Sites

- (1) The objectives of this clause are:
  - (a) to deliver a high standard of design excellence for Key Sites within Wyong Shire,
  - (b) to encourage the amalgamation of Key Sites to provide opportunities for the expansion of, or improvements to, the public domain,
  - (c) to provide a catalyst for the social and economic development of centres within Wyong Shire,
  - (d) to deliver significant public benefit to the community.
- (2) This clause applies to land identified as a Key Site on the Key Sites Map.
- (3) Despite clause 4.3(2), development consent may be granted for development up to the maximum height shown for the land on the Key Sites Map provided the consent authority is satisfied that ~~a site specific Development Control Plan has been prepared that ensure development will~~ **each of the following criteria have been satisfied prior to the issue of development consent:**
  - (a) a site specific Development Control Plan has been prepared that ensures development will:
    - (i) achieve the principles of ecologically sustainable development,
    - (ii) provide a green building solution,
    - (iii) demonstrate design excellence,
    - (iv) demonstrate a high standard of architectural design, materials and detailing appropriate to the development type and location,
    - (v) contain adequate levels of pedestrian, cycle and vehicular access as well as circulation and parking.
    - (vi) improve the quality and amenity of the public domain **to Council's satisfaction,**
    - (vii) not unreasonably constrain development on neighbouring sites and will integrate with, and/or be compatible with, the surrounding urban and natural environments,
    - (viii) be suitable on the site in regards to issues associated with slope, hazard, groundwater, soil capability and mine subsidence,
    - (ix) comply with all relevant normal planning merit provisions contained in this instrument, particularly those pertaining to overshadowing, privacy and visual impact; and
  - (b) **Council has either approved a site specific contributions plan for the land or entered in to a planning agreement in respect to the land.**
- (4) This clause applies only to a development application made within 5 years after the commencement of this Plan.

- (5) A development application made, but not determined within 5 years after the commencement of this Plan, is to be determined as if this clause continued to apply to that application.
- (6) In this clause:
- current contributions plan** means the contributions plan made in accordance with section 94E of the Act that is current as at the date of commencement of this clause.
- design excellence** means development that demonstrates that it will benefit the broader community by using expertise in architecture, urban design, landscape design, interior design, art, engineering, historic preservation, construction, security and sustainability.
- green building** means a building that incorporates design, construction and operational practices that significantly reduce or eliminate the negative impact of development on the environment, including strategies for addressing:
- (i) energy efficiency,
  - (ii) greenhouse gas emission abatement,
  - (iii) water conservation,
  - (iv) waste avoidance, reuse and recycling,
  - (v) pollution prevention,
  - (vi) enhanced biodiversity,
  - (vii) reduced natural resource consumption,
  - (viii) productive and healthier environments,
  - (ix) flexible and adaptable spaces.
- planning agreement** has the same meaning as defined in section 93C of the Act.
- site specific contributions plan** means a contributions plan made in accordance with section 94E of the Act that provides for the imposition of a condition under s.94 of the Act requiring the making of developer contributions no less than:
- (a) 200% of the developer contributions permitted under the current contributions plan, where the maximum height of the development exceeds 70 metres or is 300% greater than the maximum height that would be permitted under clause 4.3; or
  - (b) 150% of the developer contributions permitted under the current contributions plan, in any other case.

Prior to making the Plan, DP&I amended the clause as follows: [DP&I amendment](#)

#### **7.11 Development requiring the preparation of a development control plan (key sites)**

- (1) The objectives of this clause are as follows:
  - (a) to deliver a high standard of design excellence for certain key sites in Wyong,
  - (b) to encourage the amalgamation of those key sites to provide opportunities for the expansion of, and improvements to, the public domain,
  - (c) to provide a catalyst for the social and economic development of centres within Wyong,
  - (d) to deliver significant public benefit to the community.
- (2) This clause applies to land identified as "Key Site" on the Key Sites Map.
- (3) Despite clause 4.3, the maximum height for a building on land to which this clause applies is the height shown on the Key Sites Map in relation to that land if the consent authority is satisfied that a development control plan that provides for the following matters has been prepared for the land that is the subject of the development application:
  - (a) the application of the principles of ecologically sustainable development,
  - (b) green building solutions,



- (c) *design excellence, including a high standard of expertise in urban and landscape design, interior design, construction and historic preservation,*
  - (d) *a high standard of architectural design, materials, unique façade treatment and detailing appropriate to the type and location of the development,*
  - (e) *encouraging sustainable transport, including increased use of public transport, walking and cycling,*
  - (f) *road access, including the circulation network and the provision of car parking,*
  - (g) *the impact on, and improvements to, the public domain,*
  - (h) *environmental constraints, including acid sulphate soils, flooding, contamination and remediation,*
  - (i) *the relationship between the development and neighbouring sites, including urban and natural environments,*
  - (j) *the relationship between the development and any other development that is, or may be, located on or near the site in relation to overshadowing, privacy, setbacks and visual amenity.*
- (4) *This clause does not apply to a development application made 5 years after the commencement of this Plan.*
- (5) *In this clause **green building solution** means a design, construction or operational solution that significantly reduces or eliminates the negative impact of the building to which it relates on the environment and includes strategies for addressing the following matters:*
- (a) *energy efficiency,*
  - (b) *greenhouse gas emission abatement,*
  - (c) *water conservation,*
  - (d) *waste avoidance, reuse and recycling,*
  - (e) *pollution prevention,*
  - (f) *enhanced biodiversity,*
  - (g) *reduced natural resource consumption,*
  - (h) *productive and healthier environments,*
  - (i) *flexible and adaptable spaces.*

▪ **Clause 7.12 – Development for the Purpose of Bottle Shops**

**Note:** Previously Clause 7.11 Consent for the Purpose of Bottle Shops

As part of Council's Section 68 submission to the DP&I, Council requested this clause be inserted as follows: Council request

**7.11 Consent for the Purpose of Bottle Shops**

- (1) *The objectives of this clause are to ensure that:*
  - (a) *a development application for a bottle shop addresses the likely impact it may have on the safety and amenity of the area; and*
  - (b) *the consent authority has sufficient information to assess the extent to which a proposed bottle shop will impact on the area concerned.*
- (2) *Development consent must not be granted to a development for the purpose of a bottle shop unless the consent authority has received a social impact statement that addresses:*
  - (a) *the community social profile, and the number, location and size of existing bottle shops serving the relevant population catchment, and*
  - (b) *identifies the proximity of the development to existing residential land and community facilities, the social impacts that are likely to result, and the mitigation methods proposed; and*
  - (c) *the requirements of the Casino, Liquor and Gaming Control Authority or any other Authority required to license the proposed bottle shop.*
- (3) *Before determining a development application for a bottle shop, the consent authority must consider the likely impact of the development, including public safety.*

- (4) *In this clause:*  
**Bottle shop** means a retail premises whose principal purpose is the sale of liquor direct to the public, but does not include a pub, cellar door premises, or food and drink premises.

Prior to making the Plan, DP&I amended the clause as follows: [DP&I amendment](#)

### **7.12 Development for the Purpose of Bottle Shops**

- (1) *The objectives of this clause are as follows:*
- (a) *to ensure that bottle shops are appropriately located throughout Wyong,*
  - (b) *to ensure that bottle shops do not have a significant adverse impact on surrounding areas.*
- (2) *Development consent must not be granted to development for the purpose of a bottle shop unless the consent authority is satisfied that the development will not have a significant adverse impact on the surrounding area.*
- (3) *In this clause, **bottle shop** means licensed premises under the Liquor Act 2007 the principal purpose of which is the retail sale of liquor in sealed containers for consumption away from the premises.*

### ▪ **Clause 7.13 – Central Coast Regional Airport – Essential Transport Infrastructure**

Council and the DP&I has agreed to defer this clause until the next major amendment of the Wyong LEP 2013. [Council request](#) [DP&I amendment](#)

### ▪ **Clause 7.14 Office premises on land at Warnervale in Zone B7**

**Note:** New clause arising from Precinct 7A Planning Proposal.

As part of the Precinct 7A Planning Proposal at Warnervale, Council requested that Parliamentary Counsel draft a clause for the following purposes and insert into Wyong LEP 2013: [Council request](#)

*In order to protect the viability of the Warnervale town centre, and ensure that the proposed business park develops with a mix of uses rather than homogenous “office premises”, a provision will be required limiting stand-alone “office premises” to 30% of the total possible developable floor space within the proposed B7 Business Park Zone within Precinct 7A..*

Unfortunately, the original clause drafted by Parliamentary Counsel version placed a 30% limit on office premises in individual buildings in the estate, which is not the intent of the clause: [DP&I amendment](#)

### **7.14 Office premises in Zone B7 at Warnervale**

- (1) *This clause applies to land in Zone B7 Business Park at Warnervale.*
- (2) *Development consent must not be granted for a building used only for the purpose of office premises on land to which this clause applies unless the building is situated on less than 30 per cent of the developable floor area of such land.*

Prior to making the Plan, DP&I amended the proposed clause to the following (deleted text identified by ~~strikethrough~~, new text identified in *red*): [DP&I amendment](#)

### **7.14 Office premises on land at Warnervale in Zone B7**

- (1) *The objective of this clause is to protect the viability of the Warnervale town centre by ensuring that the proposed business park develops in a way that encourages a mix of uses.*
- (2) *This clause applies to land **at Warnervale** in Zone B7 Business Park ~~at Warnervale~~.*

- (3) *Despite any other provision of this Plan, development consent must not be granted for a building used only development for the purpose of stand-alone office premises on land to which this clause applies unless the building consent authority is situated on less than 30 per cent of satisfied that the developable total floor area space of such land development on land to which this clause applies does not exceed an area equal to 30% of the total area of the land to which this clause applies.*
- (4) *In this clause, stand-alone office premises means a building erected and predominantly used for the purpose of office premises.*

### (c) Schedules

#### ▪ Schedule 1 – Additional Permitted Uses

The following sites have been added to the Instrument by DP&I due to liaison with the relevant landowners: [DP&I amendment](#)

#### 2 Use of land at Berkeley Vale

- (1) *This clause applies to land identified as “Item 26” on the Additional Permitted Uses Map. (Note: Property is 79 Berkeley Road, Berkeley Vale)*
- (2) *Development for the purpose of educational establishments, group homes, places of public worship, plant nurseries, recreation facilities (indoor) and recreation facilities (outdoor) is permitted with development consent.*

#### 3 Use of land at Crangan Bay

- (1) *This clause applies to land identified as “Item 25” on the Additional Permitted Uses Map. (Note: Property is 475-535 Pacific Highway, Crangan Bay)*
- (2) *Development for the purpose of extractive industries is permitted with development consent.*

#### ▪ Schedule 4 – Classification and Reclassification of Public Land

Council requested that the following sites be removed from the schedule as the incorrect property information was publicly exhibited: [Council request](#)

#### Part 1 Land classified or reclassified as operational land – no interests changed

BERKELEY VALE	161W Lakedge Avenue	Lot 225 DP 29311
NORAH HEAD	60 Wilfred Barrett Dr	Lot 10 DP 600350

## 2. MAPPING – WYONG LEP 2013

### (a) Additional Permitted Uses

#### Sheet 10

- 79 Berkeley Road, Berkeley Vale: Added as “Item 26”. [DP&I amendment](#)

#### Sheet 22

- Crangan Bay Quarry (475-535 Pacific Highway, Crangan Bay): Added as “Item 25”. [DP&I amendment](#)

### (b) Flood Planning Area

#### All sheets

- Level of Probable Maximum Flood has been added to these maps, in accordance with newly incorporated Clause 7.3 – Floodplain Risk Management. [DP&I amendment](#)

### (c) Floor Space Ratio (FSR)

*Sheet 7A and Sheet 13*

- Precinct 7A incorporated into FSR maps. [Council request](#)

**(d) Height of Buildings**

*Sheet 7A and Sheet 13*

- Precinct 7A incorporated into height maps. [Council request](#)

*Sheet 15*

- 1 Short St, The Entrance (Pt Lot D DP 348221) and 3 Short St, The Entrance (Pt Lot E DP 348221): Height of Building Map amended to change height from "S" (23 metres) to a new category "U1" = 31 metres. U1 = 31 added to the legend. [Council request](#)

**(e) Land Reservation Acquisition**

*Sheet 7A and Sheet 13*

- Precinct 7A incorporated into acquisition maps. [Council request](#)

*Sheet 15*

- Two parcels of land zoned B4 at Manning Road, The Entrance removed, as they are in Council ownership. [Council request](#)

*Sheet 18*

- Small parcel of land zoned SP2 Classified Road was removed as it has not been zoned for this purpose. [Council request](#)

**(f) Land Zoning**

*Sheet 7A and Sheet 13*

- Precinct 7A zonings incorporated into land zoning maps. [Council request](#)

*Sheet 10*

- 76 Berkeley Road, Fountaindale (Lot 23 DP 1159704): The boundary between the E2 Environmental Conservation Zone and the E4 Environmental Living Zone has been amended, resulting in an overall increase in the E2 zone of 879m<sup>2</sup> and an overall increase to the E4 zone of 3114m<sup>2</sup>, a net change of 2235m<sup>2</sup> added to the E4 zone. This was due to an error during drafting that was not picked up in finalisation of the Planning Proposal for this site. This change does not result in any change to the development outcome, i.e. no additional lots can be created by the subdivision, due to the prescriptions within Wyong LEP 1991, and the provisions of the Voluntary Planning Agreement (VPA) with Council, which will see the transfer of the land within the E2 zone into Council's ownership and control. The DA for subdivision of the land into four (4) lots in accordance with the VPA was approved by Council on 28 October, 2013. As the matter was brought to Council's attention by the landowners' surveyor when lodging the DA for subdivision (requesting the error to be rectified), it is considered that no further need exists for consultation with the owner or neighbours in regard to the matter. It is noted that there were no submissions from neighbours either to the Planning Proposal or to the DA for subdivision. Accordingly, there is considered to be no need for the proposal to be readvertised. Note that consequential amendments to the Lot Size mapping have also been made. [Council request](#)

*Sheet 11*

- 204 Tumbi Road, Tumbi Umbi: The land zoning map has been amended to extend the area of E4 Environmental Living zone and introduce an E2 Environmental Conservation zone at the rear of the property. The minimum lot size map has been amended accordingly. [Council request](#)

*Sheet 17*

- 165 Yeramba Road, Summerland Point (Lot 2 DP 1005467): A Planning Proposal concurrent with the finalisation of the Wyong LEP 2013 resulted in an amendment

to Wyong LEP 1991 in November 2013. As a result, this mapping amendment has been incorporated into Wyong LEP 2013 mapping prior to gazettal. The Planning Proposal rezoned part of Lot 2 DP 1005467 (fronting Yeramba Road) from 7(b) (Scenic Protection Zone) (E3 Environmental Management under Wyong LEP 2013) to 2(a) (Residential Zone) (R2 Low Density Residential under Wyong LEP 2013). The minimum lot size map has been amended accordingly. [Council request](#)

- Parts of 129CR Griffiths Street, Mannering Park (Lot 7329 DP 1148149); 220CR Vales Road, Mannering Park (Lot 7330 DP 1148105); and 14CR Kenneth Place, Mannering Park (Lot 7332 DP 1148185): A strip of Crown foreshore land adjacent to Delta Electricity's Vales Point Power Station, zoned 6(a) (Open Space and Recreation Zone) under Wyong LEP 1991, was proposed to be zoned SP2 Infrastructure – Electricity Generating Works under Wyong LEP 2013 due to requests made by Delta Electricity in relation to security issues along the foreshore area adjacent to their site. On 17 April 2013, the Mannering Park Community Precinct Committee submitted an objection to the proposed zoning of this land. Unfortunately, as this was 5 days after the final date that submissions were accepted (12 April 2013), Council staff were not able to consider the objection prior to finalisation of the 8 May 2013 Council report. Since this time, the Precinct Committee has been liaising with the DP&I in relation to their objection to the proposed SP2 zoning of this site. As a result, the DP&I has elected to direct Council to rezone these sites to RE1 Public Recreation, the direct conversion from the 6(a) (Open Space and Recreation Zone). [DP&I amendment](#)

*Sheet 18*

- 11 Pacific Highway, Doyalson (Lot 1 DP 259306); 30 Pacific Highway, Doyalson (Lot 3 DP 259306); and 20 Pacific Highway, Doyalson (Lot 202 DP 1126914): Zoning of TransGrid land amended from redundant existing SP2 Infrastructure - Electricity Generation zone, to RU6 Transition zone. Lot Size map also amended from no minimum lot size to 40 Hectares in accordance with other RU6 zoned land. Note: E2 Environmental Conservation zone retained as is. [DP&I amendment](#)

#### **(g) Lot Amalgamation**

*Sheet 7A and Sheet 13*

- Precinct 7A deleted from lot amalgamation maps. [Council request](#)

*Sheet 10*

- 10 Oscar Drive, Chittaway Point (Lots 1, 2 and 3 DP 21536 and Lot 1 DP 1014033): Site reinstated on lot amalgamation map. [Council request](#)

#### **(h) Lot Size**

*Sheet 7A and Sheet 13*

- Precinct 7A zonings incorporated into lot size maps. [Council request](#)

#### **(i) Urban Release Area (URA)**

*Sheet 7A and Sheet 13*

- Precinct 7A incorporated into maps (as Warnervale South Part A and B). [Council request](#)

*Sheet 13*

- Louisiana Road, Hamlyn Terrace split into east and west - based on 10(a) (Investigation Precinct Zone) or 1(c) (Non-Urban Constrained Lands Zone) zoning prior to becoming an URA. [DP&I amendment](#)

#### **(j) Concurrent Planning Proposals**

- Council's Precinct 7A Planning Proposal was incorporated into Wyong LEP 2013 prior to the plan being made. This Planning Proposal was exhibited separately to the Wyong LEP 2013, however was finalised concurrently.
- Planning Proposals for 165 Yeramba Road, Summerland Point and 76 Berkeley Road, Fountaindale were finalised shortly before the making of Wyong LEP 2013, therefore relevant maps have been updated to reflect amendments arising from these proposals.

### 3. DEFERRED ITEMS

The DP&I has deferred the following sites due to liaison with the relevant landowners. As a result, the following sites will continue to be zoned and controlled under Wyong LEP 1991:

#### (a) Westfield Tuggerah

As this site is currently being assessed as a State Significant Site (SSS) by the DP&I, the landowner objected to the proposed zoning of this site under Wyong LEP 2013, being RU6 Transition and E2 Environmental Conservation. The RU6 Transition zone is a direct conversion of the 10(a) (Investigation Precinct Zone), whilst the pockets of E2 Environmental Conservation zone proposed for this site were in accordance with the exhibited Environmental Management Framework due to the presence of mapped Endangered Ecological Communities. As a result of this objection, the DP&I has elected to defer this matter. [DP&I amendment](#)

It is anticipated that this issue will be resolved once the SSS is publicly exhibited and subsequently determined by the DP&I. At this time, the zoning of the site will come under Wyong LEP 2013. However, at present Wyong LEP 1991 continues to apply to the following sites:

- 60 Wyong Road, Tuggerah (Lot 3 DP 1084221);
- 68 Tonkiss Street, Tuggerah (Lot 2 DP 1056960);
- 50 Wyong Road, Tuggerah (Lot 2 DP 537790; Lot 5 DP 242143, Lot 6 DP 242143, Lot 4 DP 10625, Lot 11 DP 10625, Lot 2 DP 591346, Lot 2 DP 10625, Lot 13 DP 10625, Lot 5 DP 1056960, Lot 1 DP 10625, Lot 72 DP 803155, Lot 4 DP 1056960, Lot 6 DP 1056960, Lot 2 DP 500274, Lot 7 DP 242143, Lot 6 DP 10625, Lot 71 DP 803155, Lot 2 DP 365107, Lot 10 DP 10625, Lot 3 DP 10625, Lot 5 DP 10625, Lot 1 DP 1056960, Lot 4 DP 242143, Lot 14 DP 10625).
- 52W Wyong Road, Tuggerah (Lot 1 DP 591346).