



BURWOOD COUNCIL

heritage ■ progress ■ pride

Our Ref: BD 2002.279 (Pt.5)

Enquiries: Brian Olsen

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BURWOOD COUNCIL

2 CONDER STREET, BURWOOD NSW 2134 · PO Box 240 · TELEPHONE 9911 9911 · FAX 9119900 · TTY 97447251

25 June 2004

Health Administration Corporation
c/- NSW Department of Health
73 Miller Street
NORTH SYDNEY NSW 2132

Notice of determination – Section 96 Modification of a development application

issued under the *Environmental Planning and Assessment
Amendment Act 1997* Section 81(1)(a)

development application
no

279/2002

development application

applicant name

Health Administration Corporation

applicant address

24 Liverpool Road

CROYDON NSW 2132

land to be developed: address

24 Liverpool Road CROYDON 2132

proposed development

Section 96 Modification of Development Consent No. 279/2002
dated 13/12/02 (Stage 1 Masterplan). Modify the conditions of
consent and building envelope to the Independent & Assisted
Living Areas (Crown Development).

Building Code of Australia building classification

9(a)

determination

made on (date)

25 June 2004

determination

☒ consent granted unconditionally

☐ consent granted subject to conditions described below

☒ application refused

consent to operate from (date)	25/06/2004.....see note 1
consent to lapse on (date)	25/06/2009
details of conditions	
(including section 94 conditions)	see note 2

reasons for conditions/refusal

These conditions have been imposed after consideration of all the points listed under Section 97 of the Environmental Planning & Assessment Amendment Act, 1997.

other approvals

list *Local Government Act 1993*

approvals granted under s 78A(5)	N/A


general terms of other approvals integrated as part of the consent	N/A
(list approvals)	N/A

right of appeal

If you are dissatisfied with this decision section 96(6) of the *Environmental Planning and Assessment Amendment Act 1997* gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice

**section 97 of the Environmental Planning and Assessment Amendment Act 1997 does not apply to the determination of a development application for State significant development or local designated development that has been the subject of a Commission of Inquiry.*

signed

signature	on behalf of the consent authority
name	 Brian Olsen
position	MANAGER, BUILDING & DEVELOPMENT
date	25 June 2004

Note 1

where the consent is subject to a condition that the consent is not to operate until the applicant satisfies a particular condition the date should not be endorsed until that condition has been satisfied.

Note 2

clause 96(6) of the Regulation contains additional particulars to be included in a notice of determination where a condition under section 94 of the Environmental Planning and Assessment Amendment Act 1997 has been imposed.

Conditions of Approval

(A) That the Section 96 Modification to Development Application No. 279/02 dated 13/12/02 be approved and that the description of the development in Part A of the Conditions of Approval be modified as follows:

- A part 1, part 2 storey Community Health Centre with a maximum floor area of 4000m².
- A part 1 part 2 part 3 storey Nursing Home and Hostel containing 127 beds and having a maximum floor area of 8500m².
- Dwellings for older persons or persons with a disability pursuant to the provisions of State Environmental Planning Policy No. 5 (SEPP 5) - Housing for Aged Persons or Persons with a Disability being the Independent & Assisted Living Accommodation buildings and having a maximum floor area 15000m² being part 2, part 4 and part 6 storeys.
- A refurbishment and extension of the existing heritage listed cottage on the corner of Brighton Street and Liverpool Road.
- Shops and offices servicing the needs of occupants, visitors and staff of the site and having a maximum floor area of 150m².
- 400 car parking spaces associated with uses on the site, contained in 2 separate car parks and the construction of the northern car park for the Community Health Centre and the Nursing Home & Hostel.
- Associated site works and tree removal including drainage.
- The building envelopes and heights as indicated on the submitted Masterplan Nos ADOM 1001 – 1004 Issue 4 dated 27.10.03 inclusive.
- Subdivision of the site into 5 allotments at ground level plus a stratum subdivision that includes the main northern most car park servicing the Community Health Centre and the Nursing Home & Hostel as indicated on drawing No's VD00001, VD000201 and VD000101.
- The erection of carparking structures in accordance with drawings No's AD111101 (Issue 02), AD111101 (Issue 03), AD114101, AD114201, AD114301, AD133001.

B. That the works being carried out in accordance with the plans and specifications submitted on 13/09/2002 and on 3/11/03 and with the following conditions of consent being modified:

UNDERTAKINGS

1. The undertakings shown in the Table below are to be submitted to Council **prior commencement of works.**

TABLE OF UNDERTAKINGS

UNDERTAKINGS TO BE SUBMITTED TO COUNCIL PRIOR TO WORKS COMMENCING ON SITE

2. A Damage Warranty being submitted to Council undertaking by the applicant to repair to make good any damage to Council's assets (footpath, road, kerb & gutter and stormwater) caused during building works.
(Undertaking to be made to Council prior to commencement of bulk excavation / construction)
3. Reinstatement by applicant to Council's requirements where the existing footpath is damaged during construction activities or where the footpath is reasonably deemed unsuitable by Council.
(Undertaking to be made to Council)
4. Reinstatement by applicant to Council's requirements of any kerb and guttering damaged during construction and/or infilling of redundant driveways.
(Undertaking to be made to Council)

PLANNING

1. The site shall be securely fenced during construction and unauthorised entry on to the site shall be prohibited. Suitable dust control measures shall be provided to all perimeter fencing.

ENGINEERING

1. The applicant is to have prepared a longitudinal section of the proposed vehicular ramp access, drawn at 1:25 natural scale.
 - a. The longitudinal section shall be prepared by a competent practicing civil engineer in accordance with AS 2890.1.
 - b. The design is to be reviewed and confirmed by Council or an Accredited Certifier – Civil Engineering.
2. Temporary measures shall be provided during demolition, excavation and/or construction to prevent sediment and polluted waters discharging from the site.
 - a. An erosion and sediment control plan showing such measures shall be prepared by a competent practicing hydraulic/civil engineer in accordance with Supplement 10 of Council's Stormwater Management Code.

- b. The erosion and sediment control plan is to be reviewed and confirmed by Council or an Accredited Certifier - Civil Engineering.
3. A road-opening permit including traffic control plans shall be obtained for all works carried out in public or Council controlled lands. Restoration of landscaping, roads and paths shall be carried out at no expense to Council in accordance with Council's reasonable requirements. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$10 million, and shall provide proof of such cover to Council prior to carrying out the works.
4. The following matters shall apply to the Table of Undertakings:-
 - a. Council will only carry out two inspections of the Council's footpath, kerb and gutter, drainage system and roadway, prior to works commencing and at the completion of all work covered by this consent. Council is aware that damage may be caused by individual contractors that culminate in the damage inspected at Council's final inspection. The applicant is responsible for attributing any part of the damage to their individual contractors. Council will not relieve the applicant of their obligations until the completion of the work covered by this consent.
5. The following matters apply to the construction of the proposed vehicular crossing listed in Table of Undertakings:-
 - a. Vehicular crossings in Brighton Street and Croydon Avenue shall be constructed at no expense to Council and to Council's reasonable requirements.
 - b. The applicant is responsible for all liaison, co-ordination and costs associated with the relocation of any public utility services. Any affected public utilities are to be relocated prior to the construction of vehicular crossings.
 - c. Vehicular Crossings shall be at least 1m clear of any pits, lintels, poles and 2m clear of trees in the road reserve.
 - d. All redundant vehicular crossings shall be removed and replaced with kerb and gutter and footpath at no cost to Council.
6. The following matters apply to the reconstruction of the footpath listed in the Table of Undertakings.
 - a. The reconstruction of the footpath applies to the frontage of the development in Brighton Street, Croydon Avenue and Liverpool Road.
 - b. The applicant is responsible for all liaison, co-ordination and costs associated with the relocation of any public utility services. Any affected public utilities are to be relocated prior to the construction of footpaths.

7. The following matters apply to reconstruction of the kerb and gutter listed in the Table of Undertakings:-
 - a. The reconstruction of the kerb and gutter applies to the full property frontage of the development in Brighton Street, Croydon Avenue and Liverpool Road.
 - b. The applicant is responsible for all liaison, co-ordination and costs associated with the relocation of any public utility services. Any affected public utilities are to be relocated prior to the construction of kerb and gutter.
8. Council is to be provided with a Compliance Certificate from a competent practicing hydraulic/civil engineer. The Compliance Certificate shall state that all stormwater drainage and related work has been constructed in accordance with the approved plans and consent conditions as shown on the work-as-executed plans, prior to the issuing of an Occupation Certificate. In addition, the certificate shall confirm that habitable floor levels are a minimum of 150mm above the surrounding finished ground levels, and that Garage floor levels are a minimum of 100mm above the surrounding finished ground levels. Where this is impracticable due to disabled and vehicular access requirements the applicant shall certify that alternative stormwater drainage measures as detailed in designs provide for equivalent protection equivalent to that afforded by the minimum acceptable freeboard.
9. A detailed drainage design shall be submitted to Council for review.

The design and calculations shall indicate the details of the proposed method of stormwater disposal and shall be prepared by a competent practicing hydraulic/civil engineer in accordance with Council's Stormwater Management Code.

 - The design shall demonstrate that the development has no adverse effects on adjoining properties as a result of flooding and stormwater runoff and that there is adequate protection for buildings against the ingress of surface runoff.
 - The design shall provide for appropriate structures to contain stormwater runoff within the site, and not to discharge onto Council's footpath and roadway.
 - Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other property.
 - Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site, as well as from any on-site stormwater detention storage.
 - The design is to be reviewed and confirmed by Council or an Accredited Certifier - Civil Engineering prior to commencement of works.

Details and calculations prepared by a competent practicing hydraulic/civil engineer shall include:

- a. a catchment plan,
- b. plans showing proposed and existing floor, ground and pavement levels to AHD,
- c. details of pipelines/channels showing calculated flows, velocity, size, materials, grade, invert and surface levels,
- d. details and dimensions of pits and drainage structures,
- e. hydrologic and hydraulic calculations,
- f. details of any services near to or affected by any proposed drainage line,
- g. any calculations necessary to demonstrate the functioning of any proposed drainage facility is in accordance with Council's requirements.
- h. The depth and location of any existing stormwater pipeline and/or channel being connected to shall be confirmed by the applicant on site. Certification of such is to be provided to Council prior to the release of the construction certificate.

The details and calculations are to be reviewed and confirmed by Council or an Accredited Certifier - Civil Engineering prior to commencement of works.

10. On-site stormwater detention storage shall be provided in conjunction with the stormwater disposal system.
 - a. This storage shall be designed by a competent practicing hydraulic/civil engineer in accordance with Council's Stormwater Management Code.
 - b. The design is to be reviewed and confirmed by Council or an Accredited Certifier – Civil Engineering prior to commencement of works.
11. The following matters shall apply to the Council Stormwater Works in the Public Road as listed in the Table of Undertakings.
 - a. The Council stormwater works consist of stormwater pits and lay pipes.
 - b. An engineering design and calculations for works in the Public Road shall be prepared by a competent practicing hydraulic/civil engineer in accordance with Council's Stormwater Management Code and submitted Council for review and confirmation.
 - (i) The depth and location of all services within the area that would be affected by the construction of the stormwater pipe (ie. gas, water, sewer, electricity, telephone, traffic lights, etc.) shall be confirmed by the applicant on site and are to be included on the design drawings.
 - (ii) Any adjustments to public utilities and services required will be at the applicant's expense. The relevant authority's written consent for any adjustments or works affecting their services shall be obtained prior to construction commencing.

- (iii) All pipes shall be 375mm diameter reinforced concrete spigot and socket with rubber ring joints. A Council standard pit shall be constructed in the street outside the property boundary for the property's stormwater to connect to. The stormwater works described above shall be constructed at the applicant's expense. The applicant shall provide the undertaking listed in the Table of Undertakings for the stormwater works described above.
 - c. The design is to be reviewed and confirmed by Council or an Accredited Certifier - Civil Engineering prior to commencement of works.
12. The stormwater works on the development property and connection to Council's stormwater system are to be inspected during construction by a competent practicing hydraulic/civil engineer. The inspections are to be carried out at the stages of construction listed in the following schedule. A compliance Certificate verifying that the construction is in accordance with the approved design, this development consent and satisfies the relevant Australian Standard is to be submitted to Council before proceeding beyond the relevant stage of construction.

SCHEDULE OF CONSTRUCTION STAGES REQUIRING INSPECTION

- a. Following placement of pipe bedding material. Confirm trench/pipe location, adequacy of depth of cover, bedding material and depth.
 - b. Following joining of pipes and connection to Council's stormwater system.
 - c. For on-site detention systems:-
 - (i) Following set out of detention tank/area to confirm area and volume of storage.
 - (ii) Following placement of weep-holes, orifice and/or weir flow control, outlet screen and overflow provision.
 - d. Following backfilling. Confirm adequacy of backfilling material and compaction.
13. Following completion of all drainage works:-
- a. Works-as-executed plans, prepared and signed by a Registered Surveyor, shall be prepared. These plans shall include levels and location for all drainage structures and works, buildings (including floor levels) and finished ground and pavement surface levels. These plans are to be reviewed by the competent practicing hydraulic/civil engineer that inspected the works during construction.
 - b. Council is to be provided with a Compliance Certificate from a competent practicing hydraulic/civil engineer. The Compliance Certificate shall state that all stormwater drainage and related work has been constructed in accordance with the approved plans and consent conditions as shown on the work-as-executed plans, prior to the issuing of

an Occupation Certificate.

14. Easements for stormwater drainage and detention in favour of upstream lots shall be obtained over downstream lots. The easements shall be registered on the title of relevant lots and lodged with the Land Titles Office. Proof of lodgement of easements with the Land Titles Office shall be provided to Council prior to occupation of completed facilities.

TRAFFIC

1. Designated disabled parking spaces be provided on all parking levels, with clear, safe and delineated access to lifts. Locations and access routes to Council's reasonable satisfaction.
2. Ambulance area details to be provided to Council's reasonable satisfaction.
3. All traffic regulation signage necessitated on roads which adjoin the site, in particular Brighton Street, Liverpool Road and Croydon Avenue as a result of the development be provided by the developer.
4. A two car set down facility be provided on the Liverpool Road frontage. This area to be signposted as kiss n' drop only. Location of set down area and taper to be designed in accordance with "Guide to Traffic Engineering Practice – Intersections at Grade – Part 5". Location of pedestrian fencing in this area to be designed to encourage people to park well within the set down area to Council's reasonable satisfaction.
5. A pedestrian refuge be provided on Brighton Street to facilitate pedestrian movement from IALA component of the development to Keith Smith Park at no cost to Council.
6. All reasonable measures be incorporated into the design of the exits to parking areas to minimise headlight glare to residents on Croydon Avenue and Brighton Street located opposite car park exit points where such measures are required.
7. Traffic and speed counts to be undertaken on both Brighton Street and Croydon Avenue before and 6 months after the IALA development is constructed and occupied. Pending analysis of the data, traffic calming devices be installed on both streets. An undertaking is to be provided to Council, should it be reasonably demonstrated these works are necessitated.
8. A parking review of Croydon Avenue and Brighton Street be undertaken once the development is in operation (6 months), to quantify on street parking by visitors and staff. An undertaking be provided to Council, should a parking scheme need to be developed for the area.
9. Construction gates and entry be provided off Croydon Avenue in a safe location as per Council's requirements. There shall be no construction access to the site along Brighton Street, south of Patterson Place.

That the following conditions which were to be referred to the Minister for Infrastructure,
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Planning and Natural Resources be retained and modified as follows (all other previous conditions to be deleted):

1. Subject to not breaching Disabled Access provisions and/or Department of Infrastructure Planning and Natural Resources guidelines for residential accommodation for the aged and disabled, every effort should be made in the detailed design for the car park servicing the IALA buildings being lowered into the site and being located below existing ground level.
2. Except where specific clinical, safety or resident dignity reasons dictate otherwise, the proposed perimeter fencing to the Nursing Home & Hostel and Living Skills Unit area of the site not exceeding 1.8m in height above footpath level and being of a design that does not consist of a solid masonry wall but rather a combination of masonry to a maximum height of 1m and another open material. With the exception of the IALA, the remaining perimeter street fencing shall not exceed 1.5m in height above footpath level and be of a design that provides for a combination of suitable materials.

Specific details of the proposed fencing design being provided to Council for consideration with future development applications for the individual buildings.

3. That a bus service be provided for use of the residents of the IALA ensuring there is no net impact on Council provided HACC services.
4. Subject to Council identifying local services they suspect may be impacted upon by the IALA, amendments of the Social Impact Statement to provide further information to demonstrate the level of impact the new development will have upon existing community and health related services. Such document being submitted to Council prior to or with the Stage 2 development application for the IALA.
5. That all vehicular access to and from the car park for the Independent & Assisted Living Accommodation buildings will be predominantly from Croydon Avenue and that only a single egress point permitted from Brighton Street, ideally from the north most point of this part of the development.

ADDITIONAL CONDITION

1. That the recommendations contained in the report dated 1 June 2004 from Council's Heritage Adviser be incorporated into the design of any future development application to be submitted to Council for the IALA buildings on the site.

Cc: Central Sydney Area Health Service
c/- Missenden Road, RPA Campus
CAMPERDOWN NSW 2050