

10 January 2013

REFERRAL RESPONSE – TECH. SERVICES

FILE NO: DA 384/2012/1

ADDRESS: 2 Laguna Street VAUCLUSE 2030

PROPOSAL: Demolition of the existing former Vaucluse High School buildings and the construction of a Seniors Housing Development comprising a 227 bed residential care facility, 14 x 1 & 2 bedroom self-contained dwellings (serviced self-care housing), associated services, basement car parking for 99 cars including 4 disabled spaces plus an ambulance bay and 2 minibus spaces, landscaping and siteworks

FROM: Yoram Wise - Development Engineer

TO: Mr D Booth

I refer to the following documents received for this report:

1. Architectural plans by Marchese Partners, dated, dated September 2012, Dwgs No. A00.01, A01.01 to A01.08, A02.01 & A02.02 and A03.01 to A03.03
2. Survey plan by Lockley Land Title Solutions, dated 07/08/2012
3. Statement of Environmental Effects by GSA Planning, dated September 2012
4. Stormwater disposal report and concept plans prepared by JHA Consulting Engineers, dated 11/09/2012, revision D, Dwgs No. H-001, H-201 & H-202, H-100 and H-200
5. Geotechnical Report prepared by Douglas Partners, dated August 2012, Revision 1, Project 45318.02
6. Supplementary Traffic and Parking Report by GSA Planning dated December 2012
7. Traffic Section Memo from Council's Traffic Engineer, dated 4 October 2012
8. Referral Response from Council's Traffic Engineer dated 09/01/2013
9. Access Report By Accessibility Solutions (NSW) P/L dated 31 August 2012

Comments have been prepared on the following. **Where Approval is recommended, Conditions of Consent follow at the end of the comments.**

Site Drainage comments

There are no objections to Stormwater disposal Report and concept Plans prepared by JHA Consulting Engineers, dated 11/09/2012, revision D, Dwgs No. H-001, H-201 & H-202, H-100 and H-200.

This concept plan is subject to the submission and approval of Stormwater Management Plan for the site prior to release of the Construction Certificate. Details are to be in accordance with Council's Draft Stormwater Development Control Plan and Local Approvals Policy. This is to ensure that site stormwater is disposed in a controlled and sustainable manner - Conditions applied.

Impacts on Council Infrastructure comments

Old South Head – Access to the porte cochere will require 2 vehicle crossings. The southern crossing, which is to be 'entry only', is to have a width of 6.0m. The northern crossing, which is to be 'exit only', is to have a width of 4.5m.

The crossings are to be constructed in accordance with Council's standard drawing RF2C.

All redundant vehicle crossings are to be removed and kerb & gutter are to be fully restored to match the existing. The entire footpath fronting the site on Old South Head Road and Laguna Street are to be fully removed and reconstructed. Works are to be in accordance with Council's standard drawing RF3.

Laguna Street – It is proposed to construct a new crossing to access the underground parking. The new vehicular crossing on Laguna Street is to have a width of 6.0m including new layback and gutter in accordance with Council's standard drawing RF2C.

Note: All crossings are to be constructed at right angles to the kerb and all vehicles accesses are to have splays (2.0m X 2.0m) in accordance with AS2890.1

New South Head Road – The footpath on the corner of New South Head Road and Laguna Street is to be reconstructed as per the advice in the Access Report By Accessibility Solutions (NSW) P/L dated 31 August 2012. Details of the reconstruction are to be submitted with the S138 Roads Act Application.

Bus Shelters – It has been identified that 3 bus stops within the municipality will cater for the needs of the development.

It is envisioned that residents of the proposed development will use the busses with high frequency. However, 2 of the bus stops do not provide shelter.

To accommodate the residents of the development and the public, the bus stop on Old South Head corner of Laguna Street and the bus stop on New South Head Road adjacent to No. 70 New South Head Road are to have shelter.

The shelter is to be constructed in accordance with Council's standard bus shelter specifications which will be provided with the S138 Application.

Traffic comments

Traffic and parking - Council's Traffic Engineer has made the following comments:

"Council's Traffic section has reviewed the submitted Development Application and does not have any objection to the proposed development in terms of traffic or parking matters and on the basis there is to be no change to parking restrictions surrounding the site to suit the needs of the development".

See attached Referral Response for further details.

Signalised Pedestrian Crossing – The development will increase pedestrian movements in the area, in particular in the vicinity of the Vaucluse Shopping Centre.

The Access Report by Accessibility Solutions (NSW) P/L dated 31 August 2012 in has identified the bus routes, bus stops and pedestrian desire lines surrounding the site. One key issue only briefly referred to in the report is the matter of residents crossing New South Head Road to access the bus stops and shops.

The existing arrangement is via a pedestrian refuge in New South Head Road, but with the increase in pedestrian usage as a result of the development and to provide adequate safety while crossing New South Head Road, the applicant is to install a signalised pedestrian crossing.

The crossing and the exact location are to be done in consultation with the community and submitted and approved by the RMS and Council's Local Traffic Committee.

Vehicle Access & Accommodation comments

Footpath levels – The existing footpath level and grade at the street alignment of the property must be maintained.

Note: any adjustments required between the driveways / garage slab and the street levels are to be carried out internally on private property. The driveway levels are to comply with AS2890.1 and Council's Standard Drawing RF2.

Access – All vehicles accesses are to have splays (2.0m X 2.0m) in accordance with AS2890.1

Parking Layout - The garage parking envelope and access comply with AS 2890.1 – No specific conditions required

Geotechnical, Hydrogeological and/or Structural comments

A Geotechnical Report by Douglas Partners, dated August 2012, Revision 1, Project 45318.02 has been submitted in support of the application. The proposal involves excavation for the basement and lower levels up to 10.0m deep and locally deeper for lift pit overruns and drainage pits.

The report identified that the property was underlain with a layer of Topsoil / fill overlying sand (between 1.0 and 4.5m deep) overlying clay & sandy clay (between 2.1 and 6.5m deep) overlying sandstone bedrock at varying depths across the site.

Inferred bedrock on the southern half of the western boundary ranges between 0.6m and 2.0m. Groundwater appeared not to be an issue.

The report made comments and recommendations on the following:

- *Geological Model*
- *Excavation Conditions*
- *Off-Site Disposal of Excavated Material*
- *Excavation Support*
- *Anchoring*
- *Vibrations*
- *Foundations*
- *Earthquake Design*

- Ground Slabs
- Groundwater

Conditions covering these matters as well as others identified by Council have been added to the Referral.

RECOMMENDATION

Council's Development Engineer has determined that the proposal satisfies Technical Services concerns, subject to the following conditions. Accordingly, the following conditions are recommended.

Conditions of Consent

Please note that the standard conditions of consent are generally modified by the Technical Services Division to suit a particular development application. Please ensure all Technical Services conditions of consent are cut and pasted from this document only, and not inserted as standard conditions using the automatically generated (F3) function.

(A) General Conditions

A.5 Approved Plans and supporting documents

Reference	Description	Author/Drawn	Date(s)
Dwgs No. H-001, H-201 & H-202, H-100 and H-200, Revision D	Stormwater disposal report and concept plans	JHA Consulting Engineers	11/09/2012
Revision I, Project 45318.02	Geotechnical Report	Douglas Partners	August 2012
	Supplementary Traffic and Parking Report	GSA Planning	December 2012
	Traffic Section Memo	Council's Traffic Engineer	4 October 2012
	Referral Response	Council's Traffic Engineer	09/01/2013
	Access Report	Accessibility Solutions (NSW) P/L	31 August 2012

A.8 Ancillary Aspect of the Development (s80A(2) of the Act)

- (B) Conditions which must be satisfied PRIOR TO THE DEMOLITION of any building or construction

Nil

- (C) Conditions which must be satisfied PRIOR TO THE ISSUE OF ANY CONSTRUCTION CERTIFICATE

C.5 Payment of Security, Levies and Fees (Section 80A(6) and Section 94 of the Act, Section 608 of the Local Government Act 1993)

b. Property Damage Security Deposit	\$1,965,788	No	T115
d. Public Road and Footpath Infrastructure Inspection Fee (S138 Fee)	\$435	No	T45
c. Infrastructure Works Bond	\$105,000	No	T600

C.13 Road and Public Domain Works – Council approval required

This development consent does NOT give approval to works or structures over, on or under public roads or footpaths excluding minor works subject to separate Road Opening Permit.

Detailed plans and specifications of all works (including but not limited to structures, road works, driveway crossings, footpaths and stormwater drainage) within existing roads, must be submitted to **Council's Development Engineer** and approved by *Council* under the *Roads Act 1993*, before the issue of any *Construction Certificate*. To accommodate this requirement, the following infrastructure works must be carried out on Council property at the Applicants expense:

Road & Footpath

- The removal of all driveways and footpath for the full length of the development.
- The construction of a full width vehicular crossing for the southern entry having a width of 6.0m including new layback and gutter in accordance with Council's standard drawing RF2C.
- The construction of a full width vehicular crossing for the northern entry having a width of 4.5m including new layback and gutter in accordance with Council's standard drawing RF2C
- The construction of a full width vehicular crossing on Laguna Street having a width of 6.0m including new layback and gutter in accordance with Council's standard drawing RF2C
- The construction of new concrete footpath for the full length of the property in accordance with Council's standard drawing RF3
- Replacement of all dilapidated concrete kerb ramps as identified in the "Accessibility Report" dated 31/08/2012 by Mark Relf. The replaced assets are to be in accordance with Council's standard drawing RF3.
- The reconstruction of the footpath on the corner of New South Head Road and Laguna Street as per the advice in the Access Report by Accessibility Solutions (NSW) P/L dated 31 August 2012. Details of the reconstruction are to be submitted with the S138 Roads Act Application.
- The construction of a bus shelter on Old South Head corner of Laguna Street (location of the existing bus stop).
- The construction of a bus shelter on New South Head Road adjacent to No. 70 New South Head Road (location of the existing bus stop).
- The shelter is to be constructed in accordance with Council's standard bus shelter specifications which will be provided with the S138 Application.

- Where a grass verge exists, the balance of the area between the footpath and the kerb over the full frontage of the proposed development must be turfed. The grass verge must be constructed to contain a uniform minimum 75mm of friable growing medium and have a total cover of Couch turf.

Drainage

- Construction of a standard gully pit in the kerb fronting the subject site in accordance with Council's Standard "Grated Gully Pit with extended Kerb Inlet" drawing DR1.
- Construction of approximately 25m of 375mm RCP in-ground drainage line under the road and kerb and gutter at standard depth. The line must connect the new gully pit to the existing Council pit located downstream at 108 Old South Head Road (Corner Laguna Street).
- The developer shall be responsible for carrying out any service investigations to allow a gravity connection.

Bond

- A bond of \$105,000 will be used as security to ensure the satisfactory completion of the infrastructure works. The security or bank guarantee must be the original and not have an expiry date.
- Council may use all or part of the Infrastructure Bond as well as the Property Damage Security Deposit to meet the cost of removing or completing the works if they do not meet Council's requirements.
- The Deposit/Bond will not be released until Council has inspected the site and is satisfied that the Works have been completed in accordance with Council approved drawings and to Council requirements

An "Application to carry out works in a Public Road" form (available from Councils web-site <http://www.woollahra.nsw.gov.au>) must be completed and lodged, with the Application fee, at Councils Customer Services counter. Detailed engineering plans and specifications of the works required by this Condition must accompany the Application form. The plans must clearly show the following:

- Engineering drawings (plan, sections and elevation views) and specifications of the footpath, driveways, kerb & gutter, new gully pit showing clearly the connection point of site outlet pipe(s). Note, the connection drainage lines must be as direct as possible and generally run perpendicular to the kerb alignment.
- Engineering drawings of the new drainage line to be constructed joining the new and existing drainage pits including services.

The design of the works must be in accordance with Council's Draft Stormwater Drainage Management DCP (Draft Version 1, Public Exhibition Copy dated 23/08/2004) available from Council's website www.woollahra.nsw.gov.au. Four weeks should be allowed for assessment.

Access levels and grades to and within the development must match access levels and grades within the road approved under the *Roads Act* 1993.

All public domain design and construction works must comply with Council's "*Specification for Roadworks, Drainage and Miscellaneous Works*" dated January 2003 unless expressly provided otherwise by these conditions. This specification can be downloaded from www.woollahra.nsw.gov.au.

Note: To ensure that this work is completed to Council's satisfaction, this consent by separate condition, may impose one or more Infrastructure Works Bonds.

Note: Four (4) weeks is to be allowed for the *Roads Act* assessment

Note: *Road* has the same meaning as in the *Roads Act* 1993.

Note: The intent of this condition is that the design of the road, footpaths, driveway crossings and public stormwater drainage works must be detailed and approved prior to the issue of any *Construction Certificate*. Changes in levels may arise from the detailed design of buildings, road, footpath, driveway crossing grades and stormwater. Changes required under *Road Act* 1993 approvals may necessitate design and levels changes under this consent. This may in turn require the applicant to seek to amend this consent.

Standard Condition: C13

C.25 Soil and Water Management Plan – Submission & Approval

C.35 Structural Adequacy of Existing Supporting Structures

C.36 Professional Engineers Details

C.40 Geotechnical and Hydrogeological Design, Certification & Monitoring

C.41 Ground Anchors

C.45 Car and Commercial Parking Details

The *Construction Certificate* plans and specifications required by clause 139 of the Regulation, must include detailed plans and specifications for all bicycle, car and commercial vehicle parking in compliance with AS2890.3:1993 *Parking Facilities - Bicycle Parking Facilities*, AS/NZS 2890.1:2004 : *Parking Facilities - Off-Street Car Parking* and AS 2890.2:2002 – *Off-Street Parking: Commercial Vehicle Facilities* respectively. The driveway levels on Old South Head Road and Laguna Street are to be amended as follows:

- The existing footpath level and grade at the street alignment of the property must be maintained.
- The internal garage floor slab is to be adjusted on private property to match the existing street alignment levels.
- Any adjustments required between the driveways / garage slab and the street levels are to be carried out internally on private property. The driveway levels are to comply with AS2890.1 and Council's Standard Drawing RF2.
- All vehicles accesses are to have splays (2.0m X 2.0m) in accordance with AS2890.1

Access levels and grades must comply with access levels and grade required by Council under the *Roads Act* 1993.

The *Certifying Authority* has no discretion to reduce or increase the number or area of car parking or commercial parking spaces required to be provided and maintained by this consent.

Standard Condition: C45

C.51 Stormwater management plan (Site greater than 500m²)(Clause 25(2) WLEP 1995)

The *Construction Certificate* plans and specifications, required by clause 139 of the *Regulation*, must include a *Stormwater Management Plan* for the site.

The *Stormwater Management Plan* must detail:

- a. general design in accordance with Cardno ITC P/L, dated 07/06/2010, Dwg No. N10811-DA-H01 to N10811-DA-H05, Revision 01 other than amended by this and other conditions;
- b. the discharge of stormwater, by direct connection, to Council's in-ground stormwater drainage system;
- c. Construction of a standard gully pit in the kerb fronting the subject site in accordance with Council's Standard "Grated Gully Pit with extended Kerb Inlet" drawing DR1.
- d. Construction of approximately 25m of 375mm RCP in-ground drainage line under the road and kerb and gutter at standard depth. The line must connect the new gully pit to the existing Council pit located downstream at 108 Old South Head Road (Corner Laguna Street).
- e. Compliance the objectives and performance requirements of the BCA;
- f. Any rainwater tank required by BASIX commitments including their overflow connection to the *Stormwater Drainage System*, and
- g. General compliance with the Council's draft Development Control Plan Stormwater Drainage Management (draft version 1.1 public exhibition copy dated 14/12/2006). and
- h. on-site stormwater detention (OSD).

OSD Requirements

The minimum (OSD) Site Storage Requirements ("SSR") and the Peak Site Discharge ("PSD") from the site must be in accordance with the following minimum storage/discharge relationships based upon a 1000m² site area:

Average Reoccurrence Interval	PSD L/s	Minimum Site Storage Requirement (SSR) m ³
2 year	23.5 L/s	4m ³
100 year	34 L/s	25m ³ – Dwelling House 27m ³ – Residential Flat Building 29m ³ – Other Development
All values based on per 1000m ² site area (interpolate to site area).		

Where a rainwater tank is proposed in conjunction with OSD, the volume of the rainwater tank may contribute to the SSR as follows:

- i. Where the rainwater tank is used for external uses only, 40% of the rainwater tank volume to a maximum of 4m³ or
- ii. Where the rainwater tank is used for external and internal uses, 75% of the rainwater tank volume to a maximum of 7.5m³.

Example: The Site Storage Requirements may be 25,000 litres and a 10,000 litre rainwater tank is to be used for garden irrigation. Therefore, the rainwater tank contributes 4,000 litres toward SSR. Therefore, the OSD tank needs to be 21,000 litres (25,000 litres less the 4,000 litres allowance). Note: 1m³ = 1,000 litres.

The *Stormwater Management Plan* must include the following specific requirements:

Layout plan

A detailed drainage plan at a scale of 1:100 based on drainage calculations prepared in accordance with the Institute of Engineers Australia publication, *Australian Rainfall and Run-off*, 1987 edition or most current version thereof.

It must include:

- All pipe layouts, dimensions, grades, lengths and material specification,
- Location of On-Site Detention,
- All invert levels reduced to Australian Height Datum (AHD),
- Location and dimensions of all drainage pits,
- Point and method of connection to Councils drainage infrastructure, and
- Overland flow paths over impervious areas.

On-site Detention (OSD) details:

- Any potential conflict between existing and proposed trees and vegetation,
- Internal dimensions and volume of the proposed detention storage,
- Diameter of the outlet to the proposed detention storage basin,
- Plans, elevations and sections showing the detention storage basin invert level, centre-line level of outlet, top water level, finished surface level and adjacent structures,
- Details of access and maintenance facilities,
- Construction and structural details of all tanks and pits and/or manufacturer's specifications for proprietary products,
- Details of the emergency overland flow-path (to an approved Council drainage point) in the event of a blockage to the on-site detention system,
- Non-removable fixing details for orifice plates where used,

Copies of certificates of title, showing the creation of private easements to drain water by gravity, if required.

Subsoil Drainage - Subsoil drainage details, clean out points, discharge point.

Note: This Condition is imposed to ensure that site stormwater is disposed of in a controlled and sustainable manner.
Standard Condition: C51

(D) Conditions which must be satisfied PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT WORK

D.4 Dilapidation Reports for existing buildings

Dilapidation surveys must be conducted and dilapidation reports prepared by a *professional engineer* (structural) of all buildings on land whose title boundary abuts the site and of such further buildings located within the likely “zone of influence” of any excavation, dewatering and/or construction induced vibration. These properties must include (but is not limited to):

- (A) 110 – 114 Old South Head Road
- (B) 105 – 131 New South Head Road,

The dilapidation reports must be completed and submitted to *Council* with the *Notice of Commencement* prior to the commencement of any *development work*.

Where excavation of the site will extend below the level of any immediately adjoining building the *principal contractor* or *owner builder* must give the adjoining building owner(s) a copy of the dilapidation report for their building(s) and a copy of the *notice of commencement* required by s81A(2) of the *Act* not less than two (2) days prior to the commencement of any work.

Note: The reasons for this condition are:

- To provide a record of the condition of buildings prior to development being carried out
- To encourage developers and its contractors to use construction techniques that will minimise the risk of damage to buildings on neighbouring land

Also refer to the Dilapidation Report Advising for more information regarding this condition
Standard Condition: D4

D.5 Dilapidation Reports for Public Infrastructure

D.9 Construction Management Plan

D.10 Work (Construction) Zone – Approval & Implementation

D.14 Erosion and Sediment Controls – Installation

(E) Conditions which must be SATISFIED DURING ANY DEVELOPMENT WORK

E.3 Compliance with Construction Management Plan

E.7 Public Footpaths – safety, access and maintenance

E.11 Maintenance of Environmental Controls

E.12 Compliance with Geotechnical / Hydrogeological Monitoring Program

E.13 Support of Adjoining Land and Buildings

E.14 Vibration Monitoring

E.15 Erosion & Sediment Controls - Maintenance

E.17 Disposal of Site Water during Construction

E.24 Compliance with Council's Specification for Roadworks, Drainage and Miscellaneous Works Road works and work within the Road and Footway

(F) Conditions which must be satisfied PRIOR TO ANY OCCUPATION or use of the building (Part 4A of the Act and Part 8 Division 3 of the Regulation)

F.7 Commissioning and Certification of Systems and Works

F.9 Commissioning and Certification of Public Infrastructure Works

F.40 Signalled Pedestrian Crossing – New South Head Road / Laguna Street

The applicant is to pay all costs associated with the design and installation of the signalised pedestrian crossing at the intersection of New South Head Road and Laguna Street. The design and installation is to be undertaken in consultation with the community and submitted and approved by the RMS. The installation of the signalised pedestrian crossing is to be completed prior to the issue of the occupation certificate.

This condition is imposed with regard to increase in pedestrian movements of the proposed development

(G) Conditions which must be satisfied PRIOR TO THE ISSUE OF ANY SUBDIVISION CERTIFICATE

G.4 Electricity Substations – Dedication as road and/or easements for access

(H) Conditions which must be satisfied prior to the issue of a FINAL OCCUPATION CERTIFICATE (s109C(1)(c))

H.13 Road Works (including footpaths)

H.20 Positive Covenant & Works-As-Executed certification of stormwater systems

(I) Conditions which must be satisfied during the ONGOING USE OF THE DEVELOPMENT

I.12 On-going maintenance of the on-site-detention system and GPT

The Owner(s) must in accordance with this condition and any positive covenant:

- a) Permit stormwater to be temporarily detained by the system;
- b) Keep the system clean and free of silt rubbish and debris;
- c) If the car park is used as a detention basin, a weather resistant sign must be maintained in a prominent position in the car park warning residents that periodic inundation of the car park may occur during heavy rain;
- d) Maintain renew and repair as reasonably required from time to time the whole or part of the system so that it functions in a safe and efficient manner and in doing so complete the same within the time and in the manner reasonably specified in written notice issued by the Council;
- e) Carry out the matters referred to in paragraphs (b) and (c) at the Owners expense;
- f) Not make any alterations to the system or elements thereof without prior consent in writing of the Council and not interfere with the system or by its act or omission cause it to be interfered with so that it does not function or operate properly;

- g) Permit the Council or its authorised agents from time to time upon giving reasonable notice (at anytime and without notice in the case of an emergency) to enter and inspect the land with regard to compliance with the requirements of this covenant;
- h) Comply with the terms of any written notice issued by Council in respect to the requirements of this clause within the time reasonably stated in the notice;
- i) Where the Owner fails to comply with the Owner's obligations under this covenant, permit the Council or its agents at all times and on reasonable notice at the Owner's cost to enter the land with equipment, machinery or otherwise to carry out the works required by those obligations;
- j) Indemnify the Council against all claims or actions and costs arising from those claims or actions which Council may suffer or incur in respect of the system and caused by an act or omission by the Owners in respect of the Owner's obligations under this condition.

This condition has been imposed to ensure that owners are aware of require maintenance requirements for their stormwater systems.

Note: This condition is supplementary to the owner(s) obligations and Council's rights under any positive covenant.

Standard Condition: 112

a) Miscellaneous Conditions

Nil

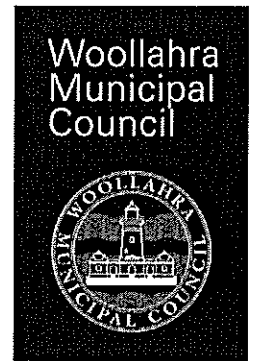
b) Advisings

K.23 Dilapidation Report

K.24 Roads Act Application

Memorandum

Date 9 January 2013
File No. DA 384/2012
To Nick Tomkins - Development Engineer
CC
From Daniel Pearse – Development and Traffic Engineer
Subject 2 LAGUNA ST, VAUCLUSE
AGED CARE FACILITY



ABN 32 218 483 245

Redleaf Council Chambers
536 New South Head Road
Double Bay NSW 2028

Correspondence to
General Manager
PO Box 61
Double Bay NSW 1360
DX 3607 Double Bay
records@woollahra.nsw.gov.au
www.woollahra.nsw.gov.au
Telephone (02) 9391 7000
Facsimile (02) 9391 7044

I refer to the following documents;

1. Supplementary Traffic and Parking Report dated December 2012
2. Traffic Section Memo dated 4 October 2012

The applicant has provided a supplementary Traffic and Parking report which includes a survey of parking and traffic aspects of a similar Residential Aged Care Facility (RACF) undertaken by the same developer located at Little Bay. It is considered this existing site is similar in terms of parking and traffic aspects and therefore is relevant to the proposed development. The approach has been reviewed and is acceptable.

The following matters were identified in the original parking and traffic assessment and are reviewed with respect to the supplementary report.

- *There is no consideration in the report given to the distribution of the additional traffic movements on the surrounding road network. Given the level of parking availability in Old South Head Road, this is likely to draw the parking demands of visitors in lieu of accessing Laguna Street.*

The original report provided an estimated level of traffic generation based on the RMS (formerly RTA) guidelines using the upper, conservative rates and therefore was considered to be very high. The above concern was based on this estimated level of traffic generation as it would likely impose on the surrounding road network.

The applicant has revised the estimated level of traffic generation (refer to Table 5 of the supplementary report) based on the traffic generation data of the existing facility in Little Bay (as noted above). The revised estimated daily traffic volumes are noted to be equivalent to the

previous use of the site as a High School with exception that the traffic is considered to be distributed evenly over the course of the day with no significant peaks in vehicle movements. Accordingly this concern is no longer valid.

- *There are distinct differences in vehicle movements between the previous use of the site as a High School and that proposed. A comparison of vehicle trips should take this into account.*

As noted above, the proposed level of traffic generation has been revised. The applicants survey has indicated that traffic flows are evenly distributed between the commute periods which would have less impact on the road network than the concentrated period of the flows produced by the previous High School.

- *The applicant has noted the development is intended for people requiring a higher level of care than usual and this is reflected in the habitable room sizes in the RCF wards. It may be more appropriate to consider traffic generation of this section utilising the RMS rates for private hospitals as residents in this section less likely to drive. Further to this, trip rates may be lower given visitors to residents are expected to be weekly occurrences rather than daily as would be expected in a Hospital.*

The applicant has produced rates based on surveys of a similar establishment in Little Bay. This is as recommended by the RMS guide and therefore the above point is no longer valid.

- *It appears the development accommodates two mini bus services which would reduce resident vehicle trip rates presented by the RMS Guide.*

Noted by the applicant however this point has not been taken into account with the estimated traffic volumes. Given the services will reduce daily vehicle trips the produced estimate is therefore considered to be slightly conservative.

Recommendation

Council's Traffic section has reviewed the submitted Development Application and does not have any objection to the proposed development in terms of traffic or parking matters and on the basis there is to be no change to parking restrictions surrounding the site to suit the needs of the development.

The following conditions of consent are advised;

D.9 Construction Management Plan

As a result of the site constraints, limited space and access a Construction Management Plan is to be submitted to Council. Also, due to the lack of on-street parking a Work Zone may be required during construction.

A construction management plan must be submitted and approved by Council's Development Engineer. The plan must:-

- a) Describe the anticipated impact of the demolition, excavation and construction works on:
- Local traffic routes
 - Pedestrian circulation adjacent to the building site
 - On-street parking in the local area
- b) Describe the means proposed to:
- Manage construction works to minimise such impacts,
 - Provide for the standing of vehicles during construction,
 - Provide for the movement of trucks to and from the site, and deliveries to the site
- c) Show the location of:
- Any site sheds and any anticipated use of cranes and concrete pumps,
 - Any areas of Council property on which it is proposed to install a Works Zone (Construction Zone)
 - Structures to be erected such as hoardings, scaffolding or shoring
 - Any excavation
- d) Describe the excavation impact on the area including
- Number and types of trucks to be used
 - Time frame
 - Streets to be used
 - Routes to be taken
 - Directions of travel
 - Truck storage areas
 - It is recommended that vehicle routes be shared
 - Excavation is to only be carried out outside peak and school hours between 9.30am to 2.30pm week days
- e) Protect Trees, Bushland and Public Open Space:
- Show the location of all Tree Protection (Exclusion) Zones as required within the conditions of this development consent.
 - The storage of building materials in or access through the # Reserve will not be permitted without prior approval by Council.

The Plan must make provision for all materials, plant, etc. to be stored within the development site at all times during construction. Structures or works on Council property such as hoardings, scaffolding, shoring or excavation need separate approval from Council. Standing of cranes and concrete pumps on Council property will need approval on each occasion.

Note: A minimum of eight weeks will be required for assessment. Work must not commence until the Construction Management Plan is approved. Failure to comply with this condition may result in fines and proceedings to stop work.
Standard Condition: D9 (Autotext: DD9)

E.3 Compliance with Construction Management Plan

All development activities and traffic movements must be carried out in accordance with the approved construction management plan. All controls in the Plan must be maintained at all times. A copy of the Plan must be kept on-site at all times and made available to the *PCA* or *Council* on request.

Note: Irrespective of the provisions of the Construction Management Plan the provisions of traffic and parking legislation prevails.

Standard Condition: E3 (Autotext EE3)

Regards,

Daniel Pearce

16 January 2013

REFERRAL RESPONSE – TREES & LANDSCAPING

FILE NO: DA 384/2012/1

ADDRESS: 2 Laguna Street VAUCLUSE 2030

PROPOSAL: Demolition of the existing former Vaucluse High School buildings and the construction of a Seniors Housing Development comprising a 227 bed residential care facility, 14 x 1 & 2 bedroom self-contained dwellings (serviced self-care housing), associated services, basement car parking for 99 cars including 4 disabled spaces plus an ambulance bay and 2 minibus spaces, landscaping and siteworks

FROM: Simone Woodman - Tree and Landscape Officer

TO: Mr D Booth

I refer to the following documents received for this report:

- Survey Plan No. Sheets 1 – 4 of 5, drafted by Lockley Land Title Solutions, dated 07/08/2012
- Architectural Drawing No.s A01.01/DA, A01.02/DA, DA02.01/DA, A02.02/DA, A03.01/DA, A03.02/DA, drawn by Marchese Partners Interantional Pty Ltd, dated September 2012
- Stormwater drainage Plan No.s H-202/DA, drawn by JHA Consulting Engineers, dated May 2012
- Arboricultural Impact Assessment Report, written by Tree Wise Men – Peter Castor, dated September 2012
- Landscape Plan No. s LA01/DA, LA02/DA, LA03/DA, LA04/DA, LA05/DA, LA06/DA, LA07/DA, designed by Taylor Brammer Landscape Architects Pty Ltd, dated 29/08/2012

Relevant Control:

- Woollahra Residential Development Control Plan 2003

A site inspection was carried out on: 15 January 2013.

- The comments and recommendations within this Referral Response have taken into consideration the guidelines established within Australian Standard AS 4373 – Pruning of amenity trees and Australian Standard AS 4970 – Protection of trees on development sites

SUMMARY

- Proposed tree removals similar to a previous development application DA 813/2007/1 for the subject property.
- Tree protection recommendations made in the submitted Arboricultural Impact Assessment Report for trees to be retained are satisfactory.
- The proposed street tree species as part of the submitted landscape plan should be changed to more suitable species as recommended by Council's Acting Coordinator Tree Maintenance.
- Locations of proposed hydraulic services within the Tree Protection Zones of trees to be retained should be located outside the Tree Protection Zones.

COMMENTS

Previous DA 813/2007/1 Tree and Landscape referral comments dated 25 June 2008 acknowledged *the overall arboricultural quality of the tree population on the subject site was poor and that the site had significant potential for enhancement as part of the proposed site landscaping*. Accordingly removal of the majority of existing trees on site was recommended and retention of a Norfolk Island Pine located along the Laguna Street frontage and a group of trees located on the side north western boundary.

The current development application proposes the same trees for retention. Trees proposed for retention are Tree No. 49 a mature *Araucaria heterophylla* Norfolk Island Pine located along the Laguna Street frontage. Tree No.s 23 and 24 Swamp Sheoaks and Tree No.s 26 and 28 Southern Mahoganies. The submitted landscape plan proposes adequate replacement tree planting.

The submitted landscape plan also proposes street tree planting along the Laguna Street frontage and Old South Head Road frontage of the subject site comprising Tuckeroo tree species. I have consulted with Council's Acting Coordinator Tree Maintenance regarding the proposed species of street tree planting and a change to the proposed species is recommended that will perform better in the proposed locations. Council's Acting Coordinator Tree Maintenance has recommended *Tristania laurina* Water gum to be planted along the Laguna Street frontage and *Banksia integrifolia* Coastal Banksia to be planted along the Old South Head Road frontage.

The submitted Hydraulic services plan indicates proposed services to be located in the Tree Protection Zones of trees to be retained. An amended plan should be prepared that locates all hydraulic services outside the Tree Protection Zones of trees to be retained.

RECOMMENDATIONS

Council's Tree and Landscape Officer has determined that the development proposal is satisfactory in terms of tree preservation and landscaping, subject to compliance with the following Conditions of Consent.

CONDITIONS OF CONSENT

Please note that the standard conditions of consent are generally modified by the Technical Services Department to suit a particular development application. Please ensure all Technical Services conditions of consent are cut and pasted from this document only, and not inserted as standard conditions using the automatically generated (F3) function

A. General Conditions

A.1 Tree Preservation & Approved Landscaping Works

All landscape works shall be undertaken in accordance with the approved landscape plan, arborist report, tree management plan and transplant method statement as applicable.

a) The following trees shall be retained

- Trees on Private Land

Council Ref No	Species	Location	Dimension (metres)
23	<i>Casuarina glauca</i> Swamp She-oak	North western side boundary	12 x 3
24	<i>Casuarina glauca</i> Swamp She-oak	North western side boundary	12 x 3
26	<i>Eucalyptus botryoides</i> Southern Mahogany	North western side boundary	11 x 4
28	<i>Eucalyptus botryoides</i> Southern Mahogany	North western side boundary	6 x 4
49	<i>Araucaria heterophylla</i> Norfolk Island Pine	South western frontage	18 x 8

c) The following trees may be removed:

Council Ref No	Species	Location	Dimension (metres)
Arboricultural Impact Assessment Report, written by Tree Wise Men – Peter Castor, dated September 2012	In accordance with the Arboricultural Impact Assessment Report, written by Tree Wise Men – Peter Castor, dated September 2012	Arboricultural Impact Assessment Report, written by Tree Wise Men – Peter Castor, dated September 2012	Arboricultural Impact Assessment Report, written by Tree Wise Men – Peter Castor, dated September 2012

Note: Tree/s to be removed shall appear coloured red on the construction certificate plans.

A.2 Approved Plans and supporting documents

Reference	Description	Author/Drawn	Date(s)
Tree Wise Men	Arboricultural Impact Assessment Report	Peter Castor	September 2012

Standard Condition: A5

A.3 Approved Amended (s96) Plans and supporting documents

Nil

B. Conditions which must be satisfied prior to the demolition of any building or construction

B.1 Establishment of Tree Protection Zones (TPZ)

Tree Protection Zones shall be established around all trees to be retained and in accordance with Section 4 of the *Australian Standard Protection of Trees on Development Sites* (AS 4970- 2009). Tree protection zones must also comply with the following requirements;

- a) Tree Protection Zone areas are to be installed in accordance with the Tree Protection Requirements, Tree Protection Plan and Tree Retention recommendations specified in the submitted Arboricultural Impact Assessment Report, written by Tree Wise Men – Peter Castor, dated September 2012
- h) The project arborist shall provide written certification of compliance with the above condition.

Standard Condition: B5

B.2 Permissible work within Tree Protection Zones

The works specified in the submitted Arboricultural Impact Assessment Report, written by Tree Wise Men – Peter Castor, dated September 2012 are permissible within the Tree Protection Zone:

The project arborist shall provide written certification of compliance with the above condition.

B.3 Demolition and Construction Management Plan

Nil

B.4 Arborists Documentation and Compliance Checklist

The site arborist shall provide written certification that all tree protection measures and construction techniques relevant to this consent have been complied with. Documentation for each site visit shall include:

- a record of the condition of trees to be retained prior to and throughout development
- recommended actions to improve site conditions and rectification of non-compliance
- recommendations for future works which may impact the trees

All compliance certification documents shall be kept on site by the Site Foreman.

As a minimum the following intervals of site inspections must be made:

Stage of arboricultural inspection	Compliance documentation including photos shall be included
Installation of tree protection fencing	Compliance with tree protection measures
Excavation, machine trenching, or compacted fill placed within the TPZ of all retained trees	Condition of exposed roots and aerial parts of tree

Installation of approved landscaping	Condition of roots and soil
Inspection of irrigation set out	Appropriate distribution of irrigation water
Laying of permeable paving within TPZ of retained trees	Condition of roots and soil ensure area is not skimmed
Prior to the issue of a Final Occupation Certificate	Supervise the dismantling of tree protection measures

Inspections and compliance documentation shall be made by an arborist with AQF Level 5 qualifications.

Additional site visits shall be made when required by site arborist and/or site foreman for ongoing monitoring/supervisory work.

C. Conditions which must be satisfied prior to the issue of any construction certificate

C.1 Tree Management Plan

C.2 Payment of Security, Levies and Fees (S80A(6) & S94 of the Act, Section 608 of the Local Government Act 1993)

Nil

C.3 Amended Landscape Plan

An amended Landscape Plan shall be prepared in accordance with Council's DA Guide and conforming to the conditions of this Development Consent. This plan is to be submitted to Council prior to issue of the Construction Certificate. The amended landscape plan must include the following:

Amendments to the proposed street tree species:

- 11 x *Banksia integrifolia* Coastal Banksia street trees, planted along the Old South Head Road verge of the property.
- 5 x *Tristaniaopsis laurina* Water gum street trees, planted along the Laguna Street verge of the property.

C.4 Amended Stormwater Drainage Plan

An amended Stormwater Drainage Plan, conforming to the conditions of this Development Consent shall be submitted to Council prior to issue of the Construction Certificate.

Underground services shall not be positioned within the following radial distances:

Council Ref No:	Species	Tree Location	Radius from centre of trunk (metres)
23	<i>Casuarina glauca</i> Swamp She-oak	North western side boundary	4.8
24	<i>Casuarina glauca</i> Swamp She-oak	North western side boundary	4.8
26	<i>Eucalyptus botryoides</i> Southern	North western side	4.8

	Mahogany	boundary	
28	<i>Eucalyptus botryoides</i> Southern Mahogany	North western side boundary	4.8
49	<i>Araucaria heterophylla</i> Norfolk Island Pine	South western frontage	9.6

D. Conditions which must be satisfied prior to the commencement of any development work

Nil

E. Conditions which must be satisfied during any development work

E.1 Tree Preservation

All persons must comply with Council's Tree Preservation Order (TPO) other than where varied by this consent. The order applies to any tree with a height greater than 5 metres or a diameter spread of branches greater than 3 metres.

General Protection Requirements

- a) There shall be no excavation or work within a TPZ. The TPZ must be maintained during all development work unless otherwise specified within these conditions of consent.
- b) Excavation must cease where tree roots with a diameter exceeding 30mm are exposed. The *principal contractor* must procure an inspection of the exposed tree roots by an arborist with a minimum AQF Level 5 qualification. Excavation must only recommence with the implementation of the recommendations of the arborist.
- c) Where there is damage to any part of a tree the *principal contractor* must procure an inspection of the tree by a qualified arborist immediately. The *principal contractor* must immediately implement treatment as directed by the arborist. The arborist is to supply a detailed report to the appointed certifier.

Note: Trees must be pruned in accordance with *Australian Standard AS 4373 "Pruning of Amenity Trees"* and *WorkCover NSW Code of Practice Amenity Tree Industry*.
Standard Condition: E8

- d) Replacement/Supplementary trees which must be planted
Any replacement or supplementary tree shall be grown in accordance with NATSPEC Specifying Trees. The replacement tree shall be maintained in a healthy and vigorous condition. If the replacement tree is found to be faulty, damaged, dying or dead before it attains a size whereby it is protected by Council's Tree Preservation Order, it must be replaced with another of the same species which complies with the criteria outlined below.

Species/Type	Planting Location	Container Size/Size of Tree (when planting)	Minimum Dimensions at Maturity
In accordance with the approved landscaping plan	In accordance with the approved landscaping plan	In accordance with the approved landscaping plan	In accordance with the approved landscaping

			plan
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The project arborist shall document compliance with the above condition.

e) Paving in the vicinity of trees

Paving works within the specified radius from the trunks of the following trees shall be constructed in such a way as to ensure that the existing moisture infiltration and gaseous exchange to the tree root system are maintained. When preparing an area for paving within the specified radius the soil surface shall not be skimmed. The new surface shall be established above the former ground level.

Council Ref No:	Species	Radius from centre of trunk (metres)
49	<i>Araucaria heterophylla</i> Norfolk Island Pine	9.6

Paving works are to be designed in consultation with a qualified Arborist (minimum qualification of Australian Qualification Framework Level 4 or recognised equivalent) and are to utilise such measures as semiporous material.

The project arborist shall document compliance with the above condition.

f) Level changes in the vicinity of trees

Nil

g) Hand excavation within tree root zones

Nil

h) Footings in the vicinity of trees

Nil

F. Conditions which must be satisfied prior to any occupation or use of the building (Part 4A of the Act and Part 8 Division 3 of the Regulation)

F.1 Amenity Landscaping

The *owner* or *principal contractor* must install all approved amenity landscaping (screen planting, soil stabilisation planting, etc.) prior to any occupation or use of the site.

Note: This condition has been imposed to ensure that the environmental impacts of the development are mitigated by approved landscaping prior to any occupation of the development.
Standard Condition: F6

G. Conditions which must be satisfied prior to the issue of any Subdivision Certificate

Nil

H. Conditions which must be satisfied prior to the issue of a Final Occupation Certificate (s109C(1)(c))

H.1 Landscaping

The *principal contractor* or *owner* must provide to *PCA* a works-as-executed landscape plan and certification from a qualified landscape architect/designer, horticulturist and/or arborist as applicable to the effect that the works comply with this consent.

Note: This condition has been imposed to ensure that all Landscaping work is completed prior to the issue of the Final Occupation Certificate.
Standard Condition: H9

I. Conditions which must be satisfied during the ongoing use of the development

Nil

J. Miscellaneous Conditions

Nil

K. Advisings

K.1 Pruning or Removing a Tree Growing on Private Property

Woollahra Municipal Council's *Tree Preservation Order* 2006 (TPO) may require that an application be made to Council prior to pruning or removing any tree. The aim is to secure the amenity of trees and preserve the existing landscape within our urban environment.

Before you prune or remove a tree, make sure you read all relevant conditions. You can obtain a copy of the TPO from Council's website www.woollahra.nsw.gov.au or you may contact Council on 9391-7000 for further advice.

Standard Condition: K19

Simone Woodman
Tree and landscape Officer

14 September 2012

REFERRAL RESPONSE - HERITAGE

FILE NO: DA 384/2012/1

ADDRESS: 2 Laguna Street VAUCLUSE 2030

PROPOSAL: Demolition of the existing buildings; construction of a Seniors Housing Development comprising: a residential care facility (RCF), serviced self-care dwellings (SSCDs), ancillary spaces associated with the RCF and SSCDs, basement car parking; landscaping and siteworks

FROM: Paul Fletcher - Heritage Officer

TO: Mr D Booth

ISSUES

- *No areas of heritage-related concern.*
-

DOCUMENTATION

The following documentation provided by the applicant has been examined for this referral response:

- Drawing set by Marchese Partners, dated 30 April 2012 and numbered A00.01 – A00.04, A00.06 – A00.08, A01.01 – A01.08, A04.01 – A04.03; dated 19 March 2012 and numbered A00.05 and A06.01; dated 3 May 2012 and numbered A02.01, A02.02 and A03.01 – A03.03; dated 19 April 2012 and numbered A05.01 – A05.04; and dated 20 March 2012 and numbered A07.01.
- Heritage Impact Statement and Demolition Report by GSA Planning, dated September 2012
- Statement of Environmental Effects by GSA Planning, dated September 2012.
- Survey plans by Lockley Land Title Solutions, ref 28428, dated 4 April 2005 and numbered 1 – 5.

SITE INSPECTION / RESEARCH

The following research was undertaken in the preparation of this assessment:

- The site was inspected on 14 September 2012, including the general locality.

Review of the following documents and photographic evidence:

- Council's property system, to establish dates of earlier building and development applications for the subject and surrounding properties.
- Council's photography files relevant to the immediate area
- Council's heritage inventory sheets
- Council's aerial photography and mapping database
- Google Maps – street view

STATUTORY AND POLICY DOCUMENTS

The following statutory and policy documents are relevant to the application:

- Woollahra Local Environmental Plan 1995, the LEP; and
- Woollahra Residential Development Control Plan 2003, the DCP.

HERITAGE FRAMEWORK

- The subject buildings are not a heritage item in the LEP and are not listed on the State Heritage Register.
- The subject buildings are in the vicinity of a number of heritage items, namely: the bus stop shelter on New South Head Road, opposite Serpentine Parade; the Bi-Centennial Coastal Cliff Walk within Christison Park; Macquarie Lightstation; and (in Waverley Municipality) South Head Cemetery.
- The subject buildings are not in a heritage conservation area.

SIGNIFICANCE OF ITEMS IN THE VICINITY

The site of the Bi-Centennial Coastal Cliff Walk has strong historical links to the earliest days of the European Settlement of Australia, and, as such, has high social and historic significance. The building remnants such as the bunkers and gun emplacements have high social and historic significance as part of the defence systems initiated in the late nineteenth century and at the beginning of the Second World War. The natural vegetation and rock formations have high social and historical significance as part of the history of European development of the Colony of New South Wales. The Signal Station and the Macquarie Lighthouse have aesthetic significance as part of the historic development of the area.

The bus stop (former tram stop) on New South Head Road, opposite Serpentine Parade has historic and social significance as part of the original tram line from the city to Watson's Bay, and is now used as a bus shelter. The shelter has aesthetic significance as it is constructed in a Federation style using typical timber detailing and materials from that period.

The Macquarie Lightstation, built in 1883, is significant as the site of the first lighthouse to be built in Australia and represents the longest continuously operating site of a navigational beacon in Australia. The Lightstation is significant for providing a rare example of the historical association with the colonial Governor Lachlan Macquarie and with colonial Architects Francis Greenway and James Barnet. The Lightstation is significant for its outstanding landscape value, located on a dominant and dramatic portion at the entry to Sydney Harbour. The nineteenth century buildings possess a visual unity in their harmony form, scale, materials and textures. The Lightstation is significant for illustrating the difficulties of construction in the early period of European settlement, including the isolation of the site and of the colony and the necessity to quarry materials on site. The Lightstation is significant for providing material evidence of the changing living and working conditions of the lighthouse keepers and their families, who constitute an early maritime community.

South Head Cemetery is the earliest cemetery in the Waverley district. Of special interest for its administration by a private trust from 1845 to 1941, it includes the graves of several prominent citizens. One of the best-maintained and intact old cemeteries in Sydney. Of State significance, it is an excellent reminder of Victorian and Edwardian attitudes to life and death. Especially important for headstones from the period 1900-1950; the headstones are in a fine state of preservation.

The proposal is sufficiently distant from the Bi-Centennial Coastal Cliff Walk, the bus stop and the Macquarie Lightstation that it will have no effect on these heritage items.

The proposal is separated from South Head Cemetery by Old South Head Road. The south-east streetscape elevation of Building 1 which runs the length of the site is four and five storeys high. The plan form of the elevation is a gently curving s-shaped form, so that the distance of the building from the street boundary varies between 2.4 and 13.6 metres. The façade will be glazed with blue/green glass. This building would have some effect on views to the north-west from within or across the Cemetery. Given that the Cemetery has no space for further interments, the number of people drawn to visit the site is limited. The proposal will not diminish the heritage significance of the South Head Cemetery; it will complement and have an acceptable effect on the Cemetery's setting.

DESCRIPTION OF PROPOSAL

The following works are proposed:

- Demolition of the former Vacluse High School.
- Construction of a Seniors Housing Development comprising three buildings (a four/five-storey residential care facility, a three/four-storey Serviced Self-Care Seniors Housing, and a single-storey dining facility and activities room), basement car parking, and extensive hard and soft landscaping.

ASSESSMENT OF HERITAGE IMPACT

Compliance with the relevant planning controls

The assessment is made using the following statutory and policy heritage conservation provisions:

Woollahra Local Environmental Plan 1995, the LEP

- Clause 2(1)(g): The development does conserve the heritage of Woollahra.
- Clause 27: The development will have no impact upon the heritage items within its vicinity.
- Clause 28: This referral constitutes an assessment under this clause. The impact upon the heritage significance of the conservation area will be positive /adverse.

Woollahra Residential Development Control Plan 2003, the DCP

Consideration

4.14 Vacluse East

- The DCP does not contain performance criteria for Seniors Housing.

RECOMMENDATION

Consent; no heritage conservation conditions are required.

It should be noted that the "Photographs of Existing Buildings and Surrounds" prepared by GSA Planning, dated September 2012 and included in the Development Application documentation as part of Annexure M satisfies the requirement of Standard Condition BB4 for recording insignificant items.

Paul Fletcher
Heritage Officer

8 October 2012

REFERRAL RESPONSE – Community Services

FILE NO: DA 384/2012/1

ADDRESS: 2 Laguna Street VAUCLUSE 2030

PROPOSAL: Demolition of the existing buildings; construction of a Seniors Housing Development comprising: a residential care facility (RCF), serviced self-care dwellings (SSCD's), ancillary spaces associated with the RCF and SSCD's, basement car parking; landscaping and siteworks

FROM: Jacky Hony, Community Development Team Leader

TO: Mr D Booth

Recommendation

The proposal is considered favourably by Community Services.

Demographic Fit of the Proposal

According to the 2011 ABS Census, 11,722 (22.5%) of Woollahra residents are in the 60+ age group. Of these, 1,549 (3.0%) are frail aged 85+. Woollahra has a higher percentage of both older adults (22.5% vs. 18%) and frail aged adults (3.0% vs. 1.8%) compared to the greater Sydney area and it is therefore likely that accommodation suitable for older adults will be in high demand in the area.

Demand for Services for Seniors and People with a Disability

Current government policies encourage the ageing population to maintain an independent lifestyle to maintain their health and well-being. The NSW Ageing Strategy states that the Government supports greater housing choices for the next generation of older people, including "...specific housing options such as retirement villages and other living options for seniors".

This development application will encourage independence through the provision of serviced self-care seniors housing as well as the residential care facility. Providing this type of accommodation locally reduces the likelihood of seniors having to move away from the area to find housing suitable to their needs.

The development will also minimise social isolation by providing social recreational activities in the proposed dining and activities rooms.

Proximity to Services and Infrastructure

This proposal is within walking distance of the local shopping area and is serviced by four bus routes, thereby allowing older adults to be involved in their local community and neighbourhood.

Transport and Car Parking Space

The site will provide 99 car parking spaces, thus minimising the need for street parking.

Conclusion

Community Services supports this application as it is anticipated it will encourage older adults to remain living locally, will encourage independent living and reduce the risk of social isolation.

Please contact me on 7058 should you have any questions in relation to the above.

Jacky Hony
Team Leader – Community Development

14 January 2013

REFERRAL RESPONSE - HEALTH

FILE NO: DA 384/2012/1

ADDRESS: 2 Laguna Street VAUCLUSE 2030

PROPOSAL: Demolition of the existing former Vaucluse High School buildings and the construction of a Seniors Housing Development comprising a 227 bed residential care facility, 14 x 1 & 2 bedroom self-contained dwellings (serviced self-care housing), associated services, basement car parking for 99 cars including 4 disabled spaces plus an ambulance bay and 2 minibus spaces, landscaping and siteworks

FROM: Louie Salvatore

TO: Mr D Booth

Reference is made to Health Referral Response of 8 October, 2012 where comments were provided in relation to an acoustic report prepared by Acoustic Logic titled Markmoran at Vaucluse Seniors Housing Development DA Acoustic Report, Revision 5 Doc. Ref. No. 20120316.1/2305A/R5/JZ dated 21 August 2012.

The following recommendations were made:

Traffic Noise

Recommendation

- 1. The glazing thickness requirements for the windows of the proposed development as detailed in Tables 4 & 5 of the report to satisfy the acoustic requirements of Clause 102 (Road) of the Infrastructure SEPP being fully incorporated into the building design.*
- 2. Section 3.4 of the report specifically mentioned that internal noise levels would be primarily as a result of noise transfer through windows, doors and the roof. While the report has recommended glazing thicknesses to satisfy acoustic requirements, no reference has been made to the doors and roof structure of the proposed development complying with the acoustic requirements of Clause 102 (Road) of the Infrastructure SEPP. It is recommended that Acoustic Logic address the acoustic transfer of noise through the doors and roof structure of the proposed buildings.*
- 3. Internal noise levels due to air conditioning and mechanical ventilation plant has not been assessed. Australian Standard 2107:2000 "Acoustics- Recommended design levels and reverberation times for building interiors" recommends the satisfactory and maximum internal noise levels for building interiors based on room designation and location of the development relative to external noise sources; the standard recommends reverberation times in these spaces should be minimised as far as possible for noise control.*

Mechanical Services

Recommendation

- 1. The acoustic report is to be amended to reflect Woollahra Council's acoustic standard (noise criterion) for mechanical plant and equipment and provide predicted noise levels based on sound power levels from the preliminary selected equipment. The amended report must present the resultant noise levels (individual and cumulative impact) at residential receivers from the operation of the mechanical services plant with and without proposed acoustic controls.*
- 2. The amended report must indicate that the predicted resultant noise from mechanical services will be reviewed during the detailed design stage, when final equipment selections have been made, and prior to the issue of a construction certificate. At this stage specific noise control measures must be detailed.*

Car Park Noise & Noise Generated by Additional Cars on Public Roads

Recommendation

- 1. The predicted noise levels for car park noise cannot be accepted until such time that Acoustic Logic clarify the discrepancy in vehicle movements as detailed in Section 4.3.2 and Section 4.3.3 of the report based on the assumption that vehicle movements were calculated on the total car spaces of the proposed car park when assessing noise generated by additional cars on public roads.*

Construction Noise Assessment Impacting on Residential Receivers

Recommendation

- 1. Documentation (forming part of the amended acoustic report) providing an assessment in managing impacts of noise from the demolishing of the existing dwellings on residences and other sensitive land uses; it is recommended that the NSW Department of Environment & Climate Change: Construction Noise Guideline be applied to the site to provide a quantitative assessment for evaluating performance and compliance of resultant noise from demolishing works of the existing dwellings. In particular reference is made to Table 2 of the NSW Department of Environment & Climate Change: Construction Noise Guideline which sets out management levels for noise at residences and other sensitive land uses.*
- 2. Documentation (forming part of the amended acoustic report) providing an assessment of the duration and intensity of construction noise activity. The acoustic study should identify construction noise goals, the nature and duration of construction, the impact on residential receivers and noise mitigation strategies where required having regard to the NSW Construction Noise Guidelines.*

In response to the above recommendations, Acoustic Logic has now provided a letter to supplement the acoustic report commenting on the acoustic (letter dated 4 December, 2012; Project No: 20120316.1/0412A/R2/TT "Markmoran at Vaocluse – Seniors Housing Development – Response to Council Queries dated 8 October 2012").

The letter covers the following areas of concern:

- External noise impacts on the development;
- Noise generated by the development; and
- Construction noise.

External noise impacts on the development

Traffic Noise

Acoustic Logic has satisfactorily addressed the issues raised concerning traffic noise.

Noise from air conditioning systems (internal areas)

Acoustic Logic has satisfactorily addressed the issues raised concerning noise from air conditioning systems.

Noise generated by the development

Mechanical Services

Acoustic Logic has satisfactorily addressed the issues raised concerning noise from mechanical services.

Note: The night time background noise level at the site is 31 dBA (L90) making the noise emission goal of 36 dBA (+5dBA). Through treatments outlined in letter dated 4 December, 2012; Project No: 20120316.1/0412A/R2/TT "Markmoran at Vaocluse – Seniors Housing Development – Response to Council Queries dated 8 October 2012", noise levels of less than 36 dBA at the nearest residences are predicted. In fact a noise level of 31-34 dBA (Leq) is predicted.

Car park noise and noise generated by additional traffic on public roads

Acoustic Logic has satisfactorily addressed the issues raised concerning car park noise and noise generated by additional traffic on public roads.

Construction Noise

Acoustic Logic has satisfactorily addressed the issues raised concerning construction noise.

Based on the information provided for in letter to supplement the acoustic report commenting on the acoustic (letter dated 4 December, 2012; Project No: 20120316.1/0412A/R2/TT "Markmoran at Vaocluse – Seniors Housing Development

– Response to Council Queries dated 8 October 2012”, it is recommended that the development application be conditioned to provide the following:

1. A Construction Noise & Management Plan is to be prepared prior to the commencement of on-site works; the Plan is to identify all construction noise management strategies including but not limited to the following:
 - The use of attended noise monitoring which offers the advantage of immediate identification of noise or vibration exceedances at the receiver and ameliorative action required to minimise the duration of the exposure.
 - Development of a works schedule which is to identify the type of machinery and equipment that is to be used at the development site and provided for predicted noise impacts at nearest sensitive residential receivers.
 - Detail all noise mitigation strategies to be used at the development site, including acoustic screening/enclosures, temporary or otherwise around machinery and equipment during each phase of demolition and construction works and a Consultation/Complaints Handling Procedure.

8 October 2012

REFERRAL RESPONSE - HEALTH

FILE NO: DA 384/2012/1

ADDRESS: 2 Laguna Street VAUCLUSE 2030

PROPOSAL: Demolition of the existing buildings; construction of a Seniors Housing Development comprising: a residential care facility (RCF), serviced self-care dwellings (SSCD's), ancillary spaces associated with the RCF and SSCD's, basement car parking; landscaping and siteworks

FROM: Louie Salvatore

TO: Mr D Booth

Comments are provided in relation to Development Application DA 384/2012/1 where it is proposed to demolish the existing buildings (formerly occupied by Vacluse High School) with the construction of a Seniors Housing Development to be known as the "Markmoran at Vacluse Seniors Housing Development". The proposal will comprise three separate buildings as follows:

- Building 1 – A part 4 and part 5 storey Residential Care Facility containing 227 beds and associated ancillary spaces.
- Building 2 – A part 3 and a part 4 storey Serviced Self-Care seniors Housing comprising fourteen self-contained one and two bedroom dwellings and associated ancillary spaces.
- Building 3 – A single storey dining facility and activities room that is ancillary to Buildings 1 and 2.
- Basement parking, comprising two levels, with 99 car parking spaces, parking for two mini bases and one ambulance and ancillary spaces; and
- Site embellishment and extensive landscaping.

Vehicular access to the site is from one of two main driveway entrances off Old South Head Road and Laguna Street; these driveways lead to the basement car park. Internal access from the basement to the top floors of both buildings will be available from lifts and stairs.

ACOUSTIC REPORT

Comments are provided in relation to the acoustic report prepared by Acoustic Logic titled Markmoran at Vacluse Seniors Housing Development DA Acoustic Report, Revision 5 Doc. Ref. No. 20120316.1/2305A/R5/JZ dated 21 August 2012.

Potential noise impacts from intrusive noise and external noise emissions associated with the proposed Seniors Housing Development were assessed and referenced against the following noise criterion and documentation:

- SEPP (Housing for Seniors or People with a Disability) 2004
- AS 2107 – 2000 Acoustics – Recommended design sound level and reverberation times for building interiors
- SEPP Infrastructure 2007
- NSW EPA Industrial Noise Policy (Amenity and Intrusive Noise Criterion)
- Protection of the Environment Operations (Noise Control) Regulation 2008 (report incorrectly refers to POEO Act Regulation 2000)
- NSW Road Noise Policy
- Sleep Arousal Noise Criterion

Noise Intrusion Assessment

Traffic Noise

Clause 87 (Rail) and Clause 102 (Road) of the Infrastructure SEPP sets out the following criteria for internal noise levels from airborne traffic noise, which reads:

If the development is for the purpose of a building for residential use, the consent authority must be satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

In any bedroom in the building: 35 dB(A) at any time 10pm-7am

Anywhere else in the building (other than a garage, kitchen, bathroom or hallway): 40 dB(A) at any time

Note: Internal requirements are for residential spaces and are measured internally with windows closed.

Long term monitoring was conducted from 13th April to 25th April, 2012 with a noise meter located approximately 1.5m above the ground and 5m from the road. The traffic noise as measured from the 'future south-eastern façade' was 65 dB(A) Leq (9hr) for Day (7am-10pm) and 58 dB(A) Leq (15hr) for Night (10pm-7am).

Internal noise levels will be primarily as a result of noise transfer through the windows and doors and roof; calculations were performed taking into account the orientation of the windows, barrier effects, the total area of the glazing, façade transmission loss and the likely room sound absorption characteristics.

Resulting from the traffic noise calculations, Acoustic Logic has recommended glazing requirements (thickness) for the Main Building and ILU in Tables 4 & 5 of the report.

Recommendation

1. The glazing thickness requirements for the windows of the proposed development as detailed in Tables 4 & 5 of the report to satisfy the acoustic requirements of Clause 102 (Road) of the Infrastructure SEPP being fully incorporated into the building design.
2. Section 3.4 of the report specifically mentioned that internal noise levels would be primarily as a result of noise transfer through *windows, doors and the roof*. While the report has recommended glazing thicknesses to satisfy acoustic requirements, no reference has been made to the doors and roof structure of the proposed development complying with the acoustic requirements of Clause 102 (Road) of the Infrastructure SEPP. It is recommended that Acoustic Logic address the acoustic transfer of noise through the doors and roof structure of the proposed buildings.
3. Internal noise levels due to air conditioning and mechanical ventilation plant has not been assessed. Australian Standard 2107:2000 "Acoustics- Recommended design levels and reverberation times for building interiors" recommends the satisfactory and maximum internal noise levels for building interiors based on room designation and location of the development relative to external noise sources; the standard recommends reverberation times in these spaces should be minimised as far as possible for noise control.

External Noise Emissions from the Development

- Noise from mechanical services including chillers, VRV condensers, kitchen exhaust and car park exhaust
- Noise from vehicles entering and leaving the car park and loading dock
- Noise generated from additional cars on the local road
- Activity noise from residents

Mechanical Services

Section 4.3.1 of the report states that noise emissions from the major items of mechanical services plant have been assessed based on preliminary plant selections to ensure that the relevant noise emission objectives are met. Woollahra Council requires that the operation of mechanical services does not exceed background noise levels when measured at the surrounding property boundaries.

The report does not specify the most stringent noise criterion for the development; regardless the report does not refer to Council's noise criterion for mechanical plant and associated equipment.

Given that preliminary mechanical plant for the development has been selected, predicted noise levels based on sound power levels from such equipment should have been presented in the report to show the resultant noise levels at residential receivers from the operation of the mechanical services plant with and without the proposed acoustic controls.

The report also states 'appropriate acoustic treatments' can be implemented so that noise emissions from mechanical plant services comply with the nominated noise

criterion. Making mention that appropriate acoustic controls can be implemented for the chillers, VRV condensers, kitchen exhaust and car park exhaust is accepted, I would have expected that the report would have stated that given preliminary mechanical plant has only been selected at this stage, the recommendations made in Section 4.3.1 must be reviewed during the detailed design stage, when final equipment selections have been made, and prior to the issue of a construction certificate.

The report is also unclear as to whether the cumulative noise impacts from all mechanical services were taken into consideration in the acoustic report or were the items of mechanical plant assessed individually.

Recommendation

1. The acoustic report is to be amended to reflect Woollahra Council's acoustic standard (noise criterion) for mechanical plant and equipment and provide predicted noise levels based on sound power levels from the preliminary selected equipment. The amended report must present the resultant noise levels (individual and cumulative impact) at residential receivers from the operation of the mechanical services plant with and without proposed acoustic controls.
2. The amended report must indicate that the predicted resultant noise from mechanical services will be reviewed during the detailed design stage, when final equipment selections have been made, and prior to the issue of a construction certificate. At this stage specific noise control measures must be detailed.

Car Park Noise & Noise Generated by Additional Cars on Public Roads

The proposed car park and loading dock is located underground; it is expected that the majority of noise will come from vehicles entering/exiting the car park through the south-west entrance ramp. Noise predictions have been based on peak hour vehicle movements which are expected to occur during the hours of 7am-10pm. It has been assumed that up to 48 passenger vehicles will drive in and out from the car park through the south-west entrance at 5 km/hr with typical sound level at 86 dB(A); 4 medium rigid truck/mini-bus entering the car park through the south-west entrance at 5 km/hr with typical sound level at 100 dB(A).

Calculations presented in Table 10 of the report show that the car park noise level from vehicle movements are 42 dB(A) for the residential apartment to the west and 45 dB(A) for the residential house to the south. The predicted noise levels demonstrate compliance with both the day and evening intrusiveness noise criterion.

Referring to Section 4.3.3 'Noise generated by additional cars on public roads' states that up to 190 vehicle (car) trips per day are predicted through the south-west entrance and 60 medium truck movements. No typical sound power levels are shown for the vehicle movements.

The vehicle movements detailed in Section 4.3.3 appears to contradict vehicle movement predictions detailed in Section 4.3.2 'Car Park Noise'.

Recommendation

1. The predicted noise levels for car park noise cannot be accepted until such time that Acoustic Logic clarify the discrepancy in vehicle movements as detailed in Section 4.3.2 and Section 4.3.3 of the report based on the assumption that vehicle movements were calculated on the total car spaces of the proposed car park when assessing noise generated by additional cars on public roads.

Activity Noise from Residents

Acoustic Logic has assessed noise arising from the dining facility and residents with dementia; noise levels from such activities have been found to be below audibility and complying with both the amenity and intrusive noise criterion. During the night hours (10pm-7am) it is expected that most of the residents would be asleep; as such compliance is achieved against the NSW EPA criteria for sleep disturbance dB(A)_{L1} (1 minute).

Construction Noise Assessment Impacting on Residential Receivers

Given the magnitude of the proposed development, it would have been expected that consideration be given in the acoustic report of Construction Noise Activity and its potential impact on residential properties.

Recommendation

1. Documentation (forming part of the amended acoustic report) providing an assessment in managing impacts of noise from the demolishing of the existing dwellings on residences and other sensitive land uses; it is recommended that the *NSW Department of Environment & Climate Change: Construction Noise Guideline* be applied to the site to provide a quantitative assessment for evaluating performance and compliance of resultant noise from demolishing works of the existing dwellings. In particular reference is made to Table 2 of the *NSW Department of Environment & Climate Change: Construction Noise Guideline* which sets out management levels for noise at residences and other sensitive land uses.
2. Documentation (forming part of the amended acoustic report) providing an assessment of the duration and intensity of construction noise activity. The acoustic study should identify construction noise goals, the nature and duration of construction, the impact on residential receivers and noise mitigation strategies where required having regard to the *NSW Construction Noise Guidelines*.

SITE CONTAMINATION ASSESSMENT

Comments are provided in relation to site contamination report prepared by GHD Pty Ltd titled *Vaocluse High School, Old South Head Road, Vaocluse: Contamination Assessment-Final Report (Ref. No. 21/090/2629/P001 dated 22nd April, 2004)*.

Scope of Investigation

The scope of work undertaken by GHD Pty Ltd involved the following:

- Desk Top Phase 1 assessment: Title descriptions, historical aerial photos, topography, geology and hydrogeology data, search of WorkCover database and local planning records.
- Limited program of soil sampling: Included visual inspection, drilling of 15 boreholes to depths of 1m to 3.5m and collection of soil samples at a variety of depths.
- Laboratory analysis of soil samples

Site History

1920-1930 The site appeared as vacant land with the immediate surrounding area appeared undeveloped.

1930-1990 The site and surrounds remained largely unchanged; in 1961 the site had been developed and was occupied by a number of commercial buildings. In 1970 buildings of a residential appearance had been constructed and 1986 a large playing field had been developed.

1990-1996 No major changes were noted

2002 The buildings were clearly visible along with sports field located in the north west corner.

WorkCover

No records were found pertaining to the site.

Regulatory Records

The site is zoned as 'Special Uses' and the site is not subject to an investigation order, remediation order, voluntary investigation or site audit statement; the Department of Public Works has not given notice; the property is not within a heritage conservation area and no heritage items are situated on the land.

Potential Contamination-Sampling and Analysis

Field investigations involving borehole drilling and sampling were undertaken on 30th September, 2004. Boreholes were extended to depths ranging from 0.5m to 3.5m. Samples were analysed for Metals, TPH, BTEX, PAHs, OCPs, PCBs and Asbestos.

The samples above were analysed against the assessment criteria (HILs thresholds) guidelines provided by the NSW EPA. Even though the site is currently used as a secondary school, given that the site may be potentially rezoned to permit residential use, the site was assessed against exposure setting E 'Parks and Recreational Open Space' and setting A 'Residential' and setting D 'High Density Residential with minimal access to soil' as published in the "Guidelines for the NSW Site Auditor Scheme".

Analytical results for metals showed that concentrations were all below the most sensitive HIL A (standard residential) and therefore acceptable to HIL D and HIL E criteria.

PAH concentrations were below the HIL A criteria. TPH, BTEX, OCPs and PCBs showed that for the majority of soil samples analysed for benzene, toluene, ethylbenzene and xylene (BTEX) and TPH reported concentrations less than the practical quantitation limit of the testing laboratory and below the relevant criteria. Soil samples collected from BH5 at a depth of 1m reported a TPH concentration of 450 mg/kg all of which was C10-C28 fraction; a diesel odour was detected but concentrations of total TPH were below the relevant criteria. Concentrations of OCPs and PCBs were below the laboratory PQL.

Asbestos was not detected in the soil samples analysed.

Conclusion

No contamination indicators of odours or staining were noted during the field investigations with the exception of a slight odour identified as possibly of diesel origin detected at a depth of 1m below the ground surface within borehole 5; however sampling from this borehole showed that analysed concentrations were below relevant criteria. The source of the diesel odour is unknown but thought to be localised.

Water influx was noted at 3 sampling locations at depths of 0.6m-1m however no other water influx was reported at any location and is considered unlikely that the water influx is representative of a continuous aquifer system.

Based on the Phase 1 investigation and soil sampling program, it is considered that the site would be considered suitable for its ongoing use as a secondary school and proposed residential use. It is therefore considered that a detailed Phase 2 investigation of the site is not warranted.

Recommendation

1. Any new information which comes to light during demolishing or excavation works which has the potential to later previous conclusions about site contamination must be notified to Woollahra Council and/or the accredited certifier immediately after discovery; works are to cease until further advised by Council.

ACID SULFATE SOILS

The Sydney Heads 1:25,000 Acid Sulfate Soil Risk Map-Edition One identifies the area as having no known occurrences of ASS materials. Council's Acid Sulfate Soil Planning Map does not identify the site as having potential acid sulfate soils. Based on the above information there is no need for the preparation of an Acid Sulfate Soil Management Plan to be prepared for the development site.

CAR PARK VENTILATION

1. All enclosures in which vehicles powered by internal combustion engines are parked are required to comply with Section 4 'Ventilation Of Enclosures Used By Vehicles With Internal Combustion Engines' of Australian Standard 1668.2-1991. In general air distribution must achieve uniform dilution of contaminants in the car park and maintain contaminant concentrations below recommended exposure standards.
2. The basement car park may be naturally ventilated or provided with a combination of both supply and exhaust mechanical ventilation. The applicant is to determine the method of ventilation of the basement car park and provide details to the Certifying Authority accordingly. Except as varied in accordance with Clause 4.4.1 (a), (b) or (c), the vehicle basement car park shall be mechanically ventilated by a combination of general exhaust with flow rates in accordance with Clause 4.4.2, and supply with flow rates specified in Clause 4.8 of Australian Standard 1668.2-1991.

LIGHT & VENTILATION

The *Construction Certificate* plans and specifications, required to be submitted to the *Certifying Authority* pursuant to clause 139 of the *Regulation*, must detail all a lighting, mechanical ventilation or air-conditioning systems complying with Part F.4 of the *BCA* or clause 3.8.4 and 3.8.5 of the *BCA* Housing Provisions, inclusive of AS 1668.1, AS 1668.2 and AS/NZS 3666.1. If an alternate solution is proposed then the *Construction Certificate* application must include a statement as to how the performance requirements of the *BCA* are to be complied with and support the performance based solution by expert *evidence of suitability*. This condition does not set aside the mandatory requirements of the *Public Health (Microbial Control) Regulation 2000* in relation to *regulated systems*. This condition does not set aside the effect of the *Protection of the Environment Operations Act 1997* in relation to offensive noise or odour.

Note: Clause 98 of the *Regulation* requires compliance with the *BCA*. Clause 145 of the *Regulation* prevents the issue of a *Construction Certificate* unless the *Accredited Certifier/Council* is satisfied that compliance has been achieved. Schedule 1, Part 3 of the *Regulation* details what information must be submitted with any *Construction Certificate*. It is the Applicant's responsibility to demonstrate compliance through the *Construction Certificate* application process. Applicants must also consider possible noise and odour nuisances that may arise. The provisions of the *Protection of the Environment Operations Act 1997* have overriding effect if offensive noise or odour arises from the use. Applicant's must pay attention to the location of air intakes and air

exhausts relative to sources of potentially contaminated air and neighbouring windows and air intakes respectively, see section 2 and 3 of AS 1668.2.

Standard Condition C59 (Autotext CC59)

OPERATION OF REGULATED SYSTEMS- LEGIONELLA CONTROL:PUBLIC HEALTH ACT 2010

1. The owner/occupier must operate *regulated systems* in compliance with the Public Health Regulation, 2012.

Where there is any change in the regulated system the occupier must register the changes in the *regulated systems* with Council.

Water cooling system must be certified by a *competent person* annually as being an effective process of disinfection under the range of operating conditions that could ordinarily be expected.

Reason: This condition has been imposed to ensure public health.

Note: *Regulated System* has the same mean as in the *Public Health Act 2010*. *Competent person* has the same meaning as in the Public Health Regulation, 2012. The *NSW Code of Practice for the Control of Legionnaires' Disease* can be down loaded free from:

http://www.health.nsw.gov.au/pubs/2004/pdf/legionnaires_disease.pdf.

2. Prior to the issue of any *Occupation Certificate* or occupation or use of part of the building serviced by a *regulated system* the *principal contractor* or *owner builder* must submit to the satisfaction of PCA certification by a '*competent person*' that the regulated system as installed can operate as required by the *Public Health Regulation, 2012*. The owner must register the regulated systems with Council and provide the PCA with evidence of registration pursuant to the *Public Health Regulation, 2012*.

Note: *Regulated System* has the same mean as in the Public Health Act 1991.

Note: *Competent person* has the same meaning as in Clause 9(3) of the *Public Health (Microbial Control) Regulation, 2000*.

Note: The NSW Code of Practice for the Control of Legionnaires' Disease can be down loaded free from: http://www.health.nsw.gov.au/pubs/2004/pdf/legionnaires_disease.pdf

SWIMMING & SPA POOLS – BACKWASH

The *Construction Certificate* plans and specification required to be submitted pursuant to clause 139 of the Regulation must detail the connection of backwash to Sydney Waters sewer in compliance with clause 10.9 (Figure 10.2) of AS/NZS 3500.2.2:1996.

Note: The plans must show the location of Sydney Waters sewer, the yard gully or any new connection to the sewer system including a detailed cross section of the connection complying with clause 10.9 (Figure 10.2) of AS/NZS 3500.2.2:1996.

Note: The discharge of backwash water to any stormwater system is water pollution and an offence under the *Protection of the Environment Operations Act 1997*. The connection of any backwash pipe to any stormwater system is an offence under the *Protection of the Environment Operations Act 1997*.

Standard Condition: C56 (Autotext CC56)

HOURS OF WORK –AMENITY OF THE NEIGHBOURHOOD

- a) No *work* must take place on any Sunday or public holiday,
- b) No *work* must take place before 7am or after 5pm any weekday,
- c) No *work* must take place before 7am or after 1pm any Saturday,
- d) The following *work must not* take place before 9am or after 4pm any weekday, or before 9am or after 1pm any Saturday or at any time on a Sunday or public holiday;
 - (i) Piling;
 - (ii) Piering;
 - (iii) Rock or concrete cutting, boring or drilling;
 - (iv) Rock breaking;
 - (v) Rock sawing;
 - (vi) Jack hammering; or
 - (vii) Machine excavation,
- e) No loading or unloading of material or equipment associated with the activities listed in part d) above must take place before 9am or after 4pm any weekday, or before 9am or after 1pm any Saturday or at any time on a Sunday or public holiday
- f) No operation of any equipment associated with the activities listed in part d) above must take place before 9am or after 4pm any weekday, or before 9am or after 1pm any Saturday or at any time on a Sunday or public holiday
- g) No rock excavation being cutting, boring, drilling, breaking, sawing , jack hammering or bulk excavation of rock, must occur without a 15 minute break every hour.

This condition has been imposed to mitigate the impact of work upon the amenity of the neighbourhood. Impact of work includes, but is not limited to, noise, vibration, dust, odour, traffic and parking impacts.

Note: The use of noise and vibration generating plant and equipment and vehicular traffic, including trucks in particular, significantly degrade the amenity of neighbourhoods and more onerous restrictions apply to these activities. This more invasive work generally occurs during the foundation and bulk excavation stages of development. If you are in doubt as to whether or not a particular activity is considered to be subject to the more onerous requirement (9am to 4pm weekdays and 9am to 1pm Saturdays) please consult with Council.

Note: Each and every breach of this condition by any person may be subject to separate penalty infringement notice or prosecution.

Note: The delivery and removal of plant, equipment and machinery associated with wide loads subject to RTA and Police restrictions on their movement outside the approved hours of work will be considered on a case by case basis.

Note: Compliance with these hours of work does not affect the rights of any person to seek a remedy to offensive noise as defined by the *Protection of the Environment Operations Act 1997*, the *Protection of the Environment Operations (Noise Control) Regulation 2000*.

Note: EPA Guidelines can be downloaded from
<http://www.epa.nsw.gov.au/noise/nlg.htm> .

Note: see http://www.epa.nsw.gov.au/resources/ci_build_sheet7.pdf
Standard Condition: E6 (Autotext EE6)

EROSION & SEDIMENT CONTROLS – INSTALLATION

The *principal contractor* or *owner builder* must install and maintain water pollution, erosion and sedimentation controls in accordance with:

- a) The *Soil and Water Management Plan* if required under this consent;
- b) “*Do it Right On Site, Soil and Water Management for the Construction Industry*” published by the Southern Sydney Regional Organisation of Councils, 2001; and
- c) “*Managing Urban Stormwater - Soils and Construction*” published by the NSW Department of Housing 4th Edition” (‘The Blue Book’).

Where there is any conflict The Blue Book takes precedence.

Note: The International Erosion Control Association – Australasia (<http://www.austieca.com.au/>) lists consultant experts who can assist in ensuring compliance with this condition. Where Soil and Water Management Plan is required for larger projects it is recommended that this be produced by a member of the International Erosion Control Association – Australasia.

Note: The “Do it Right On Site, Soil and Water Management for the Construction Industry” publications can be down loaded free of charge from www.woollahra.nsw.gov.au.

Note: A failure to comply with this condition may result in penalty infringement notices, prosecution, notices and orders under the Act and/or the *Protection of the Environment Operations Act 1997* **without any further warning**. It is a criminal offence to cause, permit or allow pollution.

Note: Section 257 of the *Protection of the Environment Operations Act 1997* provides inter alia that “the occupier of premises at or from which any pollution occurs is taken to have caused the pollution”

Warning: Irrespective of this condition any person occupying the site may be subject to proceedings under the *Protection of the Environment Operations Act 1997* where pollution is caused, permitted or allowed as the result of their occupation of the land being developed.

Standard Condition: D14 (Autotext DD14)

DUST MITIGATION

Dust mitigation must be implemented in accordance with “*Dust Control - Do it right on site*” published by the Southern Sydney Regional Organisation of Councils.

This generally requires:

- a) Dust screens to all hoardings and site fences.
- b) All stockpiles or loose materials to be covered when not being used.
- c) All equipment, where capable, being fitted with dust catchers.
- d) All loose materials being placed bags before placing into waste or skip bins.
- e) All waste and skip bins being kept covered when not being filled or emptied.
- f) The surface of excavation work being kept wet to minimise dust.
- g) Landscaping incorporating trees, dense shrubs and grass being implemented as soon as practically possible to minimise dust.

Note: “*Dust Control - Do it right on site*” can be down loaded free of charge from Council’s web site www.woollahra.nsw.gov.au or obtained from Council’s office.

Note: Special precautions must be taken when removing asbestos or lead materials from development sites. Additional information can be obtained from www.workcover.nsw.gov.au and www.epa.nsw.gov.au . Other specific condition and advice may apply.

Note: Demolition and construction activities may affect local air quality and contribute to urban air pollution. The causes are dust, smoke and fumes coming from equipment or activities, and airborne chemicals when spraying for pest management. Precautions must be taken to prevent air pollution.

Standard Condition: E23 (Autotext EE23)

DISPOSAL OF SITE WATER DURING CONSTRUCTION

The principal contractor or owner builder must ensure:

- a) Prior to pumping any water into the road or public stormwater system that approval is obtained from *Council* under section 138(1)(d) of the *Roads Act 1993*;
- b) That *water pollution*, as defined by the *Protection of the Environment Operations Act 1997*, does not occur as the result of the discharge to the road, public stormwater system or other place or any site water;
- c) That stormwater from any roof or other impervious areas is linked, via temporary downpipes and stormwater pipes, to a Council approved stormwater disposal system immediately upon completion of the roof installation or work creating other impervious areas.

Note: This condition has been imposed to ensure that adjoining and neighbouring land is not adversely affected by unreasonable overland flows of stormwater and that site water does not concentrate water such that they cause erosion and water pollution.

Standard Condition: E17 (Autotext EE17)

ON-GOING MAINTENANCE OF THE ON-SITE DETENTION SYSTEM

The Owner(s) must in accordance with this condition and any positive covenant:

- a) Permit stormwater to be temporarily detained by the system;
- b) Keep the system clean and free of silt rubbish and debris;
- c) If the car park is used as a detention basin, a weather resistant sign must be maintained in a prominent position in the car park warning residents that periodic inundation of the car park may occur during heavy rain;
- d) Maintain renew and repair as reasonably required from time to time the whole or part of the system so that it functions in a safe and efficient manner and in doing so complete the same within the time and in the manner reasonably specified in written notice issued by the Council;
- e) Carry out the matters referred to in paragraphs (b) and (c) at the Owners expense;
- f) Not make any alterations to the system or elements thereof without prior consent in writing of the Council and not interfere with the system or by its act or omission cause it to be interfered with so that it does not function or operate properly;

- g) Permit the Council or its authorised agents from time to time upon giving reasonable notice (but at anytime and without notice in the case of an emergency) to enter and inspect the land with regard to compliance with the requirements of this covenant;
- h) Comply with the terms of any written notice issued by Council in respect to the requirements of this clause within the time reasonably stated in the notice;
- i) Where the Owner fails to comply with the Owner's obligations under this covenant, permit the Council or its agents at all times and on reasonable notice at the Owner's cost to enter the land with equipment, machinery or otherwise to carry out the works required by those obligations;
- j) Indemnify the Council against all claims or actions and costs arising from those claims or actions which Council may suffer or incur in respect of the system and caused by an act or omission by the Owners in respect of the Owner's obligations under this condition.

This condition has been imposed to ensure that owners are aware of require maintenance requirements for their stormwater systems.

Note: This condition is supplementary to the owner(s) obligations and Council's rights under any positive covenant.
Standard Condition: 112 (Autotext 1112)

NOISE CONTROL

The use of the premises must not give rise to the transmission of *offensive noise* to any place of different occupancy. *Offensive noise* is defined in the *Protection of the Environment Operations Act 1997*.

This condition has been imposed to protect the amenity of the neighbourhood.

Note: Council will generally enforce this condition in accordance with the *Noise Guide for Local Government* (<http://www.environment.nsw.gov.au/noise/nglg.htm>) and the *Industrial Noise Guidelines* (<http://www.environment.nsw.gov.au/noise/industrial.htm>) publish by the Department of Environment and Conservation. Other state government authorities also regulate the *Protection of the Environment Operations Act 1997*.

Useful links:

Community Justice Centres—free mediation service provided by the NSW Government (www.cjc.nsw.gov.au).

Department of Environment and Conservation NSW, Noise Policy Section web page (www.environment.nsw.gov.au/noise).

New South Wales Government Legislation home page for access to all NSW legislation, including the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Noise Control Regulation 2000* (www.legislation.nsw.gov.au).

Australian Acoustical Society—professional society of noise-related professionals (www.acoustics.asn.au/index.php).

Association of Australian Acoustical Consultants—professional society of noise related professionals (www.aaac.org.au).

Department of Gaming and Racing - (www.dgr.nsw.gov.au).

Standard Condition: 150 (Autotext 1150)

NOISE FROM MECHANICAL PLANT & EQUIPMENT

The noise level measured at any boundary of the site at any time while the mechanical plant and equipment is operating must not exceed the *background noise level*. Where noise sensitive receivers are located within the site, the noise level is measured from the nearest strata, stratum or community title land and must not exceed *background noise level* at any time.

The *background noise level* is the underlying level present in the ambient noise, excluding the subject noise source, when extraneous noise is removed. For assessment purposes the background noise level is the $L_{A90, 15 \text{ minute}}$ level measured by a sound level meter.

This condition has been imposed to protect the amenity of the neighbourhood.

Note: Words in this condition have the same meaning as in the:
NSW Industrial Noise Policy
(http://www.environment.nsw.gov.au/resources/ind_noise.pdf)
ISBN 0 7313 2715 2, dated January 2000, and
Noise Guide for Local Government
(<http://www.environment.nsw.gov.au/noise/nglg.htm>)
ISBN 1741370671, dated December 2004.
Standard Condition: I53 (Autotext I153)

DIAL BEFORE YOU DIG



The *principal contractor, owner builder* or any person digging may be held financially responsible by the asset owner should they damage underground pipe or cable networks. Minimise your risk and Dial 1100 Before You Dig or visit www.dialbeforeyoudig.com.au.

When you contact Dial Before You Dig, you will be sent details of all Dial Before You Dig members who have underground assets in the vicinity of your proposed excavation.

Standard Advising: K2 (Autotext KK2)

ASBESTOS REMOVAL, REPAIR OR DISTURBANCE

Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW.

Before starting work, a work site-specific permit approving each asbestos project must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence.

All removal, repair or disturbance of or to asbestos material must comply with:

- a) The Occupational Health and Safety Act 2000;
- b) The Occupational Health and Safety Regulation 2001;
- c) The Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (1998)];
- d) The Guide to the Control of Asbestos Hazards in Buildings and Structures [NOHSC: 3002 (1998)] <http://www.nohsc.gov.au/>];
- e) The Workcover NSW Guidelines for Licensed Asbestos Removal Contractors.

Note: The Code of Practice and Guide referred to above are known collectively as the Worksafe Code of Practice and Guidance Notes on Asbestos. They are specifically referenced in the Occupational Health and Safety Regulation 2001 under Clause 259. Under the Occupational Health and Safety Regulation 2001, the Worksafe Code of Practice and Guidance Notes on Asbestos are the minimum standards for asbestos removal work. Council does not control or regulate the Worksafe Code of Practice and Guidance Notes on Asbestos. You should make yourself aware of the requirements by visiting www.workcover.nsw.gov.au or one of Workcover NSW's offices for further advice.

Standard Advising: K8 (Autotext KK8)

LEAD PAINT

It is beyond the scope of this consent to provide detailed information about dealing with lead paint. Painters working in an area containing lead-based paint should refer to Australian Standard AS 4361.1-1995, Guide to Lead Paint Management—Industrial Applications, or AS 4361.2-1998, Guide to Lead Paint Management—Residential and Commercial Buildings.

Industrial paints, may contain lead. Lead is used in some specialised sign-writing and artist paints, and road marking paints, and anti-corrosive paints. Lead was a major ingredient in commercial and residential paints from the late 1800s to 1970. Most Australian commercial buildings and residential homes built before 1970 contain lead paint. These paints were used both inside and outside buildings.

Lead hazards - Lead particles are released when old lead paint flakes and peels and collects as dust in ceiling, wall and floor voids. If dust is generated it must be contained. If runoff contains lead particles it must be contained. Lead is extremely hazardous, and stripping of lead-based paint and the disposal of contaminated waste must be carried out with all care. Lead is a cumulative poison and even small levels in the body can have severe effects.

Standard Advising: K9 (Autotext KK9)

14 September 2012

REFERRAL RESPONSE – FIRE SAFETY

FILE NO: DA 384/2012/1

ADDRESS: 2 Laguna Street VAUCLUSE 2030

PROPOSAL: Demolition of the existing buildings; construction of a Seniors Housing Development comprising: a residential care facility (RCF), serviced self-care dwellings (SSCD's), ancillary spaces associated with the RCF and SSCD's, basement car parking; landscaping and siteworks

FROM: Richard Smith - Fire Safety Officer

TO: Mr D Booth

BCA Classification

9C – Aged care facility

Recommendation

Comments are not required as the proposal is to demolish the existing buildings on the site and erect new structures. The new structures will be required to comply with the requirements of the BCA during construction under a construction certificate.

The following conditions shall be applied to the proposal.

1.1 Fire Safety Certificates

In the case of a *final occupation certificate* to authorise a person:

- a) to commence occupation or use of a *new building*, or
- b) to commence a change of building use for an existing building,

a *certifying authority* must be satisfied that a final fire safety certificate has been issued for the building.

In the case of an *interim occupation certificate* to authorise a person:

- a) to commence occupation or use of a partially completed *new building*,
or
- b) to commence a change of building use for part of an existing building,

a *certifying authority* must be satisfied that a final fire safety certificate or an interim fire safety certificate has been issued for the relevant part of the building.

Note: This condition does not apply to a class 1a or class 10 building within the meaning of clause 167 of the Regulation.

Note: In this condition:

interim fire safety certificate has the same meaning as it has in Part 9 of the Regulation.

final fire safety certificate has the same meaning as it has in Part 9 of the Regulation.

new building has the same meaning as it has in section 109H of the Act.

Standard Condition: F4

1.2 Annual Fire Safety Statements (Class 1b to 9c buildings inclusive)

Each year, the owner of a building to which an *essential fire safety measure* is applicable must provide an *annual fire safety statement* to Council and the Commissioner of the NSW Fire Brigades. The *annual fire safety statement* must be prominently displayed in the building.

Note: *Essential fire safety measure* has the same meaning as in clause 165 of the Regulation.

Annual fire safety statement has the same meaning as in clause 175 of the Regulation.

Part 9 Division 5 of the Regulation applies in addition to this condition at the date of this consent. Visit Council's web site for additional information in relation to fire safety

www.woollahra.nsw.gov.au.

Standard Condition: 122

Richard Smith
Fire Safety Officer

18 January 2013

REFERRAL RESPONSE – URBAN DESIGN revised 18 January 2013

FILE NO: DA 384/2012/1

ADDRESS: 2 Laguna Street VAUCLUSE 2030

PROPOSAL: Demolition of the existing former Vaucluse High School buildings and the construction of a Seniors Housing Development comprising a 227 bed residential care facility, 14 x 1 & 2 bedroom self-contained dwellings (serviced self-care housing), associated services, basement car parking for 99 cars including 4 disabled spaces plus an ambulance bay and 2 minibus spaces, landscaping and siteworks

FROM: Tom Jones Urban Design

TO: Mr D Booth

Additional Information – Jan 2012

Additional Information: Letter from Sydney Water: 6 March 2012
(supplied Jan 2012) LCO P4 (landscape plan)

In response to my Urban Design referral 27 September 2012 the applicant requested a meeting. Following that meeting held in Dec 2012 additional information was submitted regarding the proposal.

The principle purpose of the meeting was to address the three following issues:

1. environmental impacts resulting from a potential increase in sewage load.
2. the design of the landscape.
3. no outdoor drying areas to the independent living building

The first and third concerns are being dealt with in the assessing officer's report. I am addressing the second concern regarding the landscape treatment, which needs to:

- *clearly delineate the parts of the site which are public, semi public and private external space.*
- *provide external places which can be occupied and "owned" rather than the flowing movement paths presently proposed.*
- *provide clearer sightlines from the shopping village to the open plaza entry area. This means the removal of the planting in front of the Independent living building and an activated retail edge.*
- *re-alignment of the vehicle crossover on Laguna Street, so that it enters the street perpendicular to the kerb line.*

The revisions made to the amended proposal address the above concerns.

1. The amended proposal's principal open space to the west of the main building is a strong design statement. This space is now separated into clearly defined parts. Addition seating to the top of the stairs at the edge of the raised garden

beds defines the upper space as clearly of a different nature to the more public space adjacent to Laguna Street.

2. Additional gating in the amended scheme clearly delineates where the semi-public space ends and private space begins. This provides clarity as to where is public where is semi-public and where is private. With these delineations the scheme is easier for the visitors and residents to understand.
3. The visual connection between the Vacluse village centre and the proposal has been improved, with pedestrian movement flowing into the scheme
4. The entry to the car park has been realigned and the cross-over width reduced.

For the above reasons, I am providing a revised referral in response to the amended proposal.

Information originally provided

Statement of Environmental Effects: GSA Planning September 2012

Architectural drawings: A.00.01-8, A.01.01-8, A.02.01-2, A.03.01-3, A.04.01-3, A.05.01-4, A.06.01, A.07.01, total 29 drawings all revision DA September 2012

Landscape Drawings: Taylor Brammer LA01-07

Survey: Lockley Land Title Solutions. Job No. 28428
5 sheets

Background

In early 2007 the Vacluse High School site was sold by the NSW State Department of Education with a covenant requiring that re-development to be for aged housing only.

In July 2008 a DA approval was obtained for a development comprising 78 independent living units and 102 car spaces.

In June 2010 a section 96 application was approved increasing the unit numbers to 99 and car spaces to 175.

In June 2012 the new owners had discussions with council staff regarding a new scheme. On 27 June 2012 a Site Compatibility Application (SCA) was submitted to the NSW Department of Planning and Infrastructure, regarding a new development application. This SCA was approved with a covering letter which encouraged the applicant to, "discuss the detailed design and form of the proposal (including building heights and setbacks) with Woollahra Council, prior to the submission of a future development application to the Council". It is noted that this has not occurred, although there were discussions regarding the design prior to the SCA being made.

Context

The site faces Laguna Street and Old South Head Road opposite the South Head General Cemetery. The site is presently occupied by disused school buildings. The Vacluse High School was purpose built in the late 1950s, and consists of four, two and three storeys high buildings.

The site area is 12,030sqm. The land falls approximately 12m to the south east and is a part of the only catchment in the Woollahra LGA which drains east into the Pacific Ocean. The Vaucluse Shopping Village is close to the southern end of the site. 2B medium density housing occupies the land to the east, north and west. The site has potential views of the Pacific Ocean over the cemetery, as well as views to the west over Sydney Harbour.

Proposal

The proposal is for a Seniors Housing Development comprising:

- Building 1. Residential care facility (RCF) with 227 beds in a 5 storey building occupying the eastern portion of the site
- Building 2. 14 serviced self-care dwellings (SSCD's),
- Building 3. Dining and ancillary spaces associated with the RCF and SSCD's,
- Basement car parking for 99 cars and 3 service vehicles, stretching across most of the site.

Controls

The proposal has been assessed with reference to the following controls:

- State Environmental Planning Policy: Housing for Seniors or People with a Disability 2004. (SEPP HSPD)
- State Environmental Planning Policy # 65: Design Quality of Residential Flat Development. (SEPP 65)
- Woollahra Local Environment Plan 1995 (WLEP)
- Woollahra Residential Development Control Plan 2003 (WRDCP)
- Access Development Control Plan (ADCP)
- Parking Development Control Plan 2011 (PDCP)
- Waste Not Development Control Plan (WNDP)

Compliance

State Environmental Planning Policy: Housing for Seniors or People with a Disability 2004. (SEPP HSPD)

The following assessment against SEPP HSPD only addresses those clauses where there is considered to be a potential concern.

Clause 28 of SEPP HSPD regarding water and sewer requires that:

- (1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that the housing will be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewage.*
- (2) If the water and sewerage services referred to in subclause (1) will be provided by a person other than the consent authority, the consent authority*

must consider the suitability of the site with regard to the availability of reticulated water and sewerage infrastructure. In locations where reticulated services cannot be made available, the consent authority must satisfy all relevant regulators that the provision of water and sewerage infrastructure, including environmental and operational considerations, are satisfactory for the proposed development.

Given that the site is in an area where there is no treatment prior to the sewage reaching the ocean outfalls, any proposed additional potential loading needs to consider environmental and operational impacts. The applicant needs to consult with Sydney Water regarding the capacity of, and impact on, the sewerage infrastructure.

Clause 33 of SEPP HSPD regarding neighbourhood, amenity and streetscape:

The proposed development should:

- (a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and*
- (b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and*
- (c) maintain reasonable neighbourhood amenity and appropriate residential character by:*
 - (i) providing building setbacks to reduce bulk and overshadowing, and*
 - (ii) using building form and siting that relates to the site's land form, and*
 - (iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and*
 - (iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and*
- (d) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and*

To proposal meets the expectations of the precinct's desired future character and responds appropriately to the adjacent heritage item. The building is sited so as to not impact on adjacent development and the building's height, although higher than the surrounding development, is appropriate to a building of this size.

The proposal potentially means more customers for Vaucluse Shopping Village, as well as adding retail services. The physical connection between the proposal and the shopping village, is an important component of the design approach.

Clause 34 of the SEPP HSPD Regarding Visual and acoustic privacy;
The proposal meets these requirements.

Clause 35 of the SEPP HSPD Regarding solar access and design for climate;
The proposal meets these requirements.

Clause 35 of the SEPP HSPD Regarding stormwater;
The proposal meets these requirements.

Clause 37 of the SEPP HSPD Regarding crime prevention;

The proposal presents challenges, in that it allows the public onto the site and provides contributing public realm to the wider community. This approach is admirable, but also results in design and management issues. Generally the proposal resolves these issues.

Clause 38 of the SEPP HSPD Regarding accessibility;

The design connects the proposal and the local neighbourhood centre adding and contributing to both. This approach is supported. The proposal meets the requirements regarding access friendly gradients to the bus stops and the Village Shops.

Clause 35 of the SEPP HSPD Regarding waste management;

The proposal meets these requirements.

SEPP 65

The SEPP regarding Residential Flat design quality only applies to Building 2. The other buildings on site are the residential care facility and the dining room, neither of which need to meet the requirements of SEPP 65. Building 2 and the landscape treatment's performance against the ten design principles in SEPP 65 is assessed below.

1. Context

Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area.

Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.

Building 2 is on the western side of the proposal. It is a four level building with residential over retail/service uses on the ground level. This component of the proposal reads as a traditional mixed use building. The building provides the framed entry onto the central courtyard spaces. This location is undergoing transformation to a medium density area. The proposed building does reflect the future character objectives for the Vacluse East Precinct in the Woollahra Residential DCP. The *objective to maintain the evolution of low rise residential building styles through the introduction of good contemporary buildings* is reflected in the dramatic horizontal design response which appropriately reflects the size of the site and the relationship to the cemetery to the east.

2. Scale

Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings.

Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.

The site is surrounded by land which is zoned 2(b) and adjacent to the Vacluse neighbourhood centre which is characterised by two and three storey buildings. The proposal within *highly visible gardens* and *responding to the curvilinear street pattern* is a strong response to the location. The scale of the proposed building is an

appropriate response given the size of the site and the dramatic scale and topography of the context.

3. Built Form

Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.

Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

The proposed building addresses and adds to the local centre. The built form on site is carefully positioned to form meaningful outdoor space. The building is large, but moulded by the site parameters and constraint. Given the building's function this building is considered appropriate.

4. Density

Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents).

Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality

The local infrastructure can readily support the proposed additional population. This building is an appropriate density for the location which is well served by transport links and by local shops.

5. Resource, energy and water efficiency

Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.

Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.

Vaucluse has a high proportion of older residents and is short of aged housing. Aging in your local community, means less travelling for visitors, so saving on energy resources. The scheme also incorporates a rainwater harvesting system.

6. Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.

Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character.

Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and long term management.

The activity based approach to the northern part of the open space is appropriate to the use. The landscape design divides the external space into three parts. The first is the forecourt which is an extension of the public domain and forms a welcoming entry to the site. The second part is the elevated courtyard space outside the dining room which has an amount of seating and is a place to pause and chat. The third section

is the visiting children's play space, the contained contemplation gardens and the vegetable garden.

7. Amenity

Good design provides amenity through the physical, spatial and environmental quality of a development. Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.

The amenity of the apartments meets the expectations of SEPP 65.

8. Safety and security

Good design optimises safety and security, both internal to the development and for the public domain. This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.

The external spaces are appropriately defined, enabling residents to "own" the place. The independent living apartments don't have private outdoor space other than balconies.

9. Social dimensions and housing affordability

Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.

New developments should optimise provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.

New developments should address housing affordability by optimising the provision of economic housing choices and providing a mix of housing types to cater for different budgets and housing needs.

It is unlikely that accommodation in this facility will be "affordable". But, by providing dignified attractive facilities in an appropriate location for aging residents, it will free up housing for other sectors of the population. This will help housing supply. The function adds to the range of housing available in the location.

10. Aesthetics

Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.

The strong aesthetics of this proposal are likely to divide opinion. The designer has considered that, in this context, it is possible to express the functional requirements of a large serviced age care facility without compromising the amenity of the location. The scale of the landscape in this location is dramatic and this building responds to that setting. I consider the approach to the aesthetics of the building appropriate.

Woollahra Local Environment Plan 1995 (WLEP)

The majority of the site is presently zoned special use. With the applicable state approvals the use as an aged care facility is permitted on the site. A residential lot,

zoned 2(b), to the north east, has been incorporated into the site during the construction period. The role of this site is not clear. Why is it a part of the site? The applicant needs to identify the role of this site in the development.

The residential areas directly adjacent to the site are zoned for medium density residential and have an FSR of 0.625:1 and a height limit of 9.5m. The subject site is zoned for special use, there's no FSR control, but the height limit of 9.5m does apply to the site. The height non-compliance is discussed in a SEPP 1 objection. I am supportive of the proposed height from an urban design perspective.

Woollahra Residential Development Control Plan 2003 (WRDCP)

The building's use is residential, but the site size, the plan layout and the resulting built form of the high care facility means that the control for residential properties on residential lots are not relevant.

Access Development Control Plan (ADCP)

The internal performance of this proposal is good. The planning of the proposal linking it to the local centre helps the proposal connect to the wider community.

Parking Development Control Plan 2011 (PDCP)

The parking arrangements appear appropriate. (refer traffic referral)

Waste Not DCP (WNDP)

Waste management is adequately housed on the site.

Urban Design Review

This proposal connects with the Vaucluse Shopping Village.
The built form on site creates and encloses significant outdoor space.
The proposal makes a strong visual statement which is considered appropriate to the scale of the topography and adjacent land use.

Recommendation

This proposal is supported. The building's design is clearly conceived and serves the purpose to which it is intended with grace and strength.

Tom Jones
Urban Design

4 October 2012

REFERRAL RESPONSE – ENVIRONMENT & SUSTAINABILITY

FILE NO: DA 384/2012/1

ADDRESS: 2 Laguna Street VAUCLUSE 2030

PROPOSAL: Demolition of the existing buildings; construction of a Seniors Housing Development comprising: a residential care facility (RCF), serviced self-care dwellings (SSCD's), ancillary spaces associated with the RCF and SSCD's, basement car parking; landscaping and siteworks

FROM: Chris Monroe – Team Leader Environment & Sustainability

TO: Mr D Booth

I refer to the following documents received for this report:

- Statement of Environmental Effects, GSA planning, dated September 2012.
- ESD Report, CUNDALL, September 2012

The concept design appears to follow the minimum regulatory requirements under BCA Section J and BASIX. An engineer's report will be requirement at the detailed design stage to ensure compliance with BCA section J.

The consultant's report seeks to exceed the minimum ESD requirements.

Section 1.2 of the Cundall ESD report lists the general principles that are to be followed to exceed the minimum requirements.

Section 2 of the Cundall ESD report provides more details on the initiatives that will be incorporated into the design to achieve a good ESD outcome; These include:

- Insulation of walls floors and ceilings
- Low-e glazing on windows
- Skylights to provide daylight
- Overhangs and external shading devices
- Natural ventilation
- CO monitoring in Carparks
- Variable Speed Drives to reduce energy use for fans
- BMS energy efficiency controls
- Centralised VRV system for heating and cooling
- Centralised gas hot water system

- Efficient light fitting including LEDs and fluorescent
- Day light dimmers timer and motion sensors in car parks, common areas, and plant rooms
- High energy efficiency appliances
- High water efficient appliances
- The use of native drought resistant plants to reduce water use
- Water Sensitive Urban Design Measures
- Greywater recycling in Laundries
- 150,000 litre rainwater tank

If these initiatives are incorporated at the detailed design stage a good ESD outcome will be achieved.

Suggestions to further improve the ESD outcomes include:

1. Investigate Green Star accreditation. There may not be a current rating tool for Senior Housing Developments however a benchmarking exercise can be beneficial to ensure best practice.
2. Investigate a NABERS Rating - There may not be a current rating tool for Senior Housing Developments however a benchmarking exercise can be beneficial to ensure best practice.
3. Investigate further options for energy efficiency heating & cooling such as cogeneration, trigeneration or gas driven VRV systems. Page 8 of the Cundall ESD report does propose a cogeneration system for a possible future installation
4. Investigate the installation of a Gas Boosted Solar Hot Water System. Evacuated Tubes are very efficient and will further reduce hot water costs and emissions.
5. Investigate further Water Sensitive Urban Design Measures such as bio-retention systems to collect and treat surface runoff. The proposed Stormwater Drainage Plan can include further WSUD elements to provide for best practice environmentally sustainable design. To maximise permeable onsite drainage, tree pits designed to collect surface drainage, bio retention and rain gardens should to be integrated into the stormwater drainage plan.

The consultants should look at the NABERS HOME rating tool to undertake a benchmarking exercise. However as the project is only at concept design stage there is no detailed electricity data to model the buildings energy performance. Notwithstanding, more work can be done in this area during the detail design to demonstrate ESD best practice.

Best Regards,

Chris Munro
Team Leader
Environment & Sustainability
Woollahra Municipal Council
02 9391 7153

Your Reference: DA384/2012/1
Our Reference: SYD12/01136
Contact: Ravi Ravendra
Telephone: 8849 2540



Transport
Roads & Maritime
Services

The General Manager
Woollahra Municipal Council
PO Box 61
DOUBLE BAY NSW 2028

Attention: Nick Economou

**DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF SENIOR
RESIDENTIAL CARE FACILITY
2 LAGUNA STREET, VAUCLUSE**

Dear Sir,

I refer to Council's letter dated 12 September 2012 (Council Ref: DA384/2012) with regard to the abovementioned development application, which was referred to the Roads and Maritime Services (RMS) as an 'integrated development' under the environmental Planning and Assessment Act, 1979.

In this instance, the development is not 'integrated development', as Council is both the consent authority for the development and the approval authority for Old South Head Road (refer to Section 91(3) of the *Environmental Planning and Assessment Act, 1979*).

RMS has reviewed the development application and raises no objection to the proposed development as the proposal will not have significant traffic impact on the state road network.

However, the proposed driveways on Old South Head Road require the following comments to Council on the determination of the development application;

1. The proposed driveways on Old South Head Road shall be designed and constructed in accordance with AS2890.1 – 2002.
2. The swept path of the longest vehicle entering and exiting the subject site via Old South Head Road as well as manoeuvrability through the site, shall be in accordance with Austroads.
3. The design should meet RMS's requirements, and endorsed by a suitably qualified and chartered Engineer (i.e. who is registered with the Institute of Engineers, Australia). The design requirements shall be in accordance with the RMS's Road Design Guide and other Australian Codes of Practice. The certified copies of the civil / traffic signal design plans shall be submitted to the RMS for consideration and

Roads and Maritime Services

LEVEL 11, 27-31 ARGYLE STREET PARRAMATTA NSW 2150
PO BOX 973 PARRAMATTA CBD NSW 2124 DX 28555
www.rms.nsw.gov.au | 13 22 13

approval prior to the release of construction certificate by Council and commencement of road works.

The RMS fees for administration, plan checking, civil and signal works inspections and project management shall be paid by the developer prior to the commencement of works.

The developer may be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works. If required, please note that the Works Authorisation Deed (WAD) will need to be executed prior to the RMS's assessment of the detailed civil / traffic signal design plans.

4. All work associated with the proposed development shall be at no cost to RMS or Council.

In addition to the above the RMS provides the following advisory comments to Council for its consideration in the determination of the development application:

1. The proposed development should be designed such that road traffic noise from Old South Head Road is mitigated by durable materials and complies with the requirements of Clause 102 – (Impact of road noise or vibration on non-road development) of State Environmental Planning Policy (Infrastructure) 2007.
2. Council should ensure that post development storm water discharge from the subject site into the RMS drainage system does not exceed the pre development discharge.

Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to the RMS for approval, prior to the commencement of any works.

Details should be forwarded to :-

The Sydney Asset Management
PO Box 973
Parramatta CBD NSW 2124


A plan checking fee may be payable and a performance bond may be required before the RMS's approval is issued. With regard to the Civil Works requirement please contact the RMS's Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

3. All vehicles are to enter and leave the site in a forward direction.

4. All works/regulatory signposting associated with the proposed development are to be at no cost to RMS.

Should you require any further clarification in this matter, please do not hesitate to contact Land Use and Transport Planner, Ravi Ravendra on 8849 2540.

Yours sincerely,


for

James Hall
Senior Land Use Planner
Transport Planning Section,
RMS Sydney Region

12 November 2012

marchesepartners

Design Verification Statement Pursuant to State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development for Building 2, “The Shard Building” which forms part of the Markmoran at Vaucluse Seniors Housing Development

Preamble

The Shard Building is part of larger development known as the Markmoran at Vaucluse Seniors Housing Development.

The majority of the Markmoran at Vaucluse Seniors Housing Development is a residential care facility to which SEPP 65 does not apply. However, the Shard Building which contains 14 “serviced self care dwellings” (as defined in SEPP Seniors Housing), is a residential apartment building to which SEPP 65 applies.

Consequently, this design verification statement has been prepared solely with respect to the Shard Building and not for the Markmoran at Vaucluse development as a whole.

The site for the Shard Building component of the Markmoran development is located on the northern side of Laguna Street and the western side of Old South Head Road.

Specifically, the “Shard site” is an irregular “wedge” shaped parcel of land that sits between the western boundary of the site and the proposed “landscaped plaza” of the main development on the site.

The shard building and the landscaped areas encircling it has an area of approximately 1,700 sqm, which makes up approximately 14% of the total site area of the development as a whole.

Design Principles

Principle 1: Context

Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area.

Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.

Development in the surrounding area comprises a diverse mix of uses including; single dwellings, multi storey residential flat buildings, a cemetery and mixed use development.

To the north and north east of the site facing New South Head Road are a number of interwar two storey residential flat buildings and semi-detached dwellings.

Immediately to the east on the opposite side of the “landscaped plaza” is the proposed Residential Care Facility (which forms part of this development) and beyond the site on the Eastern side of Old South Head Road is South Head Cemetery.

Marchese + Partners International Pty Ltd
L7, 107 Mount St. North Sydney NSW 2060 Australia
Correspondence: PO Box 188 North Sydney NSW 2060
Ph: +61 2 9922 4375 **Fx:** +61 2 9929 5786
E: info@marchesepartners.com.au
Web: www.marchesepartners.com.au
Sydney - Brisbane - Melbourne - Canberra - San Francisco - Guangzhou
ABN 38 846 581 483

Principals
Eugene Marchese b.arch (hons) RAIA (5976)
Steve Zappia b.arch (hons) RAIA (6535)
Jon Voller b.arch
Stewart Dean b.arch - Brisbane
Pav Dunski ba app sc/ba arch (hons) - Canberra
David Avila RA - San Francisco
Senior Associate Partners
Ralph Stefler b.arch (hons) (5932)

Senior Associates
Paolo Salotto b.arch
Daniel Mulcahy
MJ Neal FAIA

Associates
Peter McMillan
Blair Keenan

To the south-east are 3-storey townhouses and to the south on the opposite side of Laguna Street are one and two storey residential dwellings.

To the south-west on the corner of Laguna Street and New South Head Road is the Vaucluse Neighbourhood Village with mixed use development providing three storey buildings to the street and a total of five storeys at the rear. This shopping center offers a variety of retail and service facilities.

Immediately to the west of the "Shard" are a mixture of residential flat buildings and single dwellings, with rear yards and a number of garages backing directly onto this portion of the site.

The existing site is unique in the Vaucluse South Precinct due to its size (1.23 hectares) and previous institutional use as a school which varies from the otherwise predominantly residential character of the precinct.

The new development will also have its own unique character, reflecting the size of the site and its predominant aged care use.

The Shard Building has been designed to respond to the form of the proposed new residential care facility buildings to the East and North while at the same time being clearly identifiable as a residential building so as to complement the predominantly residential nature of the surrounding precinct.

The Shard Building contributes to the precinct through its high quality architecture and landscaped elements, and through the contribution it makes to the public domain created by the publicly accessible plazas and publicly accessible linkages to its East.

Principle 2: Scale

Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings.

Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.

The Shard building is designed as a part 3 and part 4 storey building, comprising fourteen (14) serviced self-care one and two bedroom dwellings on its three upper floors, and a beauty salon and medical consulting room which service needs of the development as a whole on its lowest floor.

The Shard Building will read a 3 storey flat roofed building when viewed from the rear of the buildings neighbouring the site to the West. This is consistent with the general scale of this precinct.

The building is set back over 6m from the western boundary of the site, which forms the rear boundary of the neighbouring residential buildings to the west.

This 6m setback is to be landscaped with significant screen planting, and the West facing balconies provided with operable aluminium louvres to minimise cross viewing between the Shard Building and the existing dwellings to the West.

Principle 3: Built form

Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.

Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

The building has been carefully sculpted to directly respond to its location on the site with its main access running north south and will have heights ranging from 9.0m to 12.0m. The building design creates a "frame" to the western perimeter of the landscaped plaza when viewed from Laguna Street.

The building is designed in the same genre as the adjacent proposed RCF and is wrapped in a

contemporary glazing 'skin' which is simple, elegant and sophisticated. The use of the punctuating framed window and balcony elements to the eastern and southern facades is used to create a sophisticated, rhythmic aesthetic.

Principle 4: Density

Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents).

Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.

The building will include 14 serviced self care dwellings for seniors, which will compliment a 227 bed residential care facility and form part of an overall complex which will become the leading Aged Care and Seniors Living Facility in Australia. Residents will have access to a range of on-site facilities, including a swimming pool, gym, cinema, library, beauty salon, and Wellness Centre. The scale of the building is consistent with surrounding residential flat buildings and will sit comfortably within its built form context.

Principle 5: Resource, energy and water efficiency

Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.

Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.

The proposal makes use of a redundant site being the Vaucluse High School property and is more suitable to be used for a more sensitive end use, such as Seniors Housing.

The existing buildings on the site are constructed of readily recyclable materials including brick, concrete, steel, aluminium and glass.

The shard building exceeds the rule of thumb standards for natural ventilation and solar access, and also exceeds minimum BASIX requirements.

Water from its roof is harvested for reuse in toilet flushing and landscape irrigation. The Building will contain energy and water efficient appliances, and is to be constructed of readily recyclable materials including brick, concrete, steel, aluminium and glass.

The area between the building and the Western Boundary of the site is predominantly deep soil planting.

An "ESD" report, "BASIX" report/certificate and "Soil and Water Management" report also form part of this development application.

Principle 6: Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.

Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character.

Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and long term management.

Private courtyards are provided for the three ground floor apartments in the Shard Building, while landscaped areas to the East of the building are made publicly accessible and link through to the wider development which contains an extensive amount of landscaped area. The theme of Norfolk Island Pines in Old South Head Road has been continued on the site. Landscaping will generally comprise a combination of trees and shrubs, lawn, paved plazas and walkways, all of which form an integral part of the design of external spaces for outdoor recreational activities where residents and the public can intermingle. The landscaped space has also been designed to provide a series of smaller open spaces for the exclusive use of the residents.

A Landscaping Plan and design statement has been prepared by Taylor Brammer Landscape Architects and also forms part of this development application.

Principle 7: Amenity

Good design provides amenity through the physical, spatial and environmental quality of a development.

Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.

All dwellings in the shard building have multiple aspects, providing for cross ventilation opportunities and solar access and outlook from more than one orientation.

All apartments have been designed to comply with the requirements of SEPP Seniors Housing and the requisite requirements of AS1428, and residents will be able to access their dwelling via a passenger lift which also connects the basement carpark. The residents will have direct access to a vast array of facilities and services that will be provided in the greater facility.

The proposal will encourage pedestrian access from the facility to the Old South Head Road and Laguna Street frontages and to the Vaucluse Shopping Centre which is within very close walking distance. The site is in the vicinity of bus services and local shops and facilities along Old South Head Road and New South Head Road.

An access report has been prepared by Accessibility Solutions which details how all aspects of accessibility have been accommodated in the design of the Shard Building.

The Shard Building exceeds the rules of thumb in SEPP 65 for solar access (>70%), cross ventilation (>60%) and single aspect South facing apartments(<10%). In that regard, we confirm that 78.5% (11/14) of the apartments receive a minimum of 3 hours solar access to living areas between 9am and 3pm in mid-winter, that 100% (14/14) of apartments are cross ventilated and 0% (0/14) of the apartments are single orientation South facing apartments.

Principle 8: Safety and security

Good design optimises safety and security, both internal to the development and for the public domain.

This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.

A landscaped plaza off Laguna Street forms the main entry point to the building for Residents and Visitors. This area is overlooked by both Building 1 and the Shard Building which will ensure a high level of surveillance.

Carparking for the Shard building is located below ground in a secure carpark with lift access directly

to the residential floors.

Secure residential lobbies are provided for each of the two cores of the Shard Building. The entries to both these lobbies are clearly visible from both Laguna Street and the Upper Plaza of the development.

There will be CCTV coverage for security purposes throughout the publicly accessible areas of the development.

Principle 9: Social dimensions and housing affordability

Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.

New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.

New developments should address housing affordability by optimising the provision of economic housing choices and providing a mix of housing types to cater for different budgets and housing needs.

The site is encumbered by a positive covenant that prohibits it to be used for any purpose other than a public school or for seniors housing.

The Shard Building aims to compliment the proposed adjacent residential care facility building with a "serviced self-care housing" option to enable another sector of the aged community with different care and affordability needs to live in this facility.

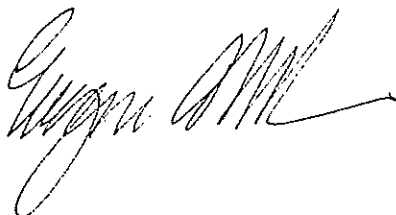
The development includes a wellness centre, hair salon, beauty salon, media centre, swimming pool, health and fitness facility, and dining and activities room which can be used by the residents of the Shard Building for their health, leisure and relaxation benefits.

Principle 10: Aesthetics

Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.

The buildings are wrapped in a contemporary glazing 'skin' which is simple, elegant and sophisticated. The use of the punctuating framed window and balcony elements to the southern facades is used to create a sophisticated, rhythmic aesthetic. The scale of the proposed building is sympathetic with its surrounding built form.

The proposed development will make a positive contribution to the site and surrounds and will substantially improve the appearance when viewed from Old South Head Road and Laguna Street.



Eugene Marchese
Chairman



Case Number: 127442

6 March 2012

MORAN HEALTH CARE GROUP PTY LTD
c/- BILLBERGIA PTY LTD

FEASIBILITY LETTER

Developer: MORAN HEALTH CARE GROUP PTY LTD
Your reference: 3730
Development: Lot 1554 DP820600 & Lot 1 DP514277, Old South Head Rd, Vaucluse
Development Description: Demolition of existing buildings and construction of resort style high quality aged care facility with capacity of 200 to 250 beds. The buildings will range in height from 3 to 5 storeys.
Your application date: 8 February 2012

Dear Applicant

This Feasibility Letter (Letter) is a guide only. It provides general information about what Sydney Water's requirements could be if you applied to us for a Section 73 Certificate (Certificate) for your proposed development. **The information is accurate at today's date only.**

If you obtain development consent for that development from your consent authority (this is usually your local Council) they will require you to apply to us for a Section 73 Certificate. You will need to submit a new application (and pay another application fee) to us for that Certificate by using your current or another Water Servicing Coordinator (Coordinator).

Sydney Water will then send you either a:

- Notice of Requirements (Notice) and Works Agreement (Agreement); or
- Certificate.

These documents will be the definitive statement of Sydney Water's requirements.

There may be changes in Sydney Water's requirements between the issue dates of this Letter and the Notice or Certificate. The changes may be:

- if you change your proposed development, e.g. the development description or the plan/site layout, after today, the requirements in this Letter could change when you submit your new application; and

- if you decide to do your development in stages then you must submit a new application (and pay another application fee) for each stage.

No warranties or assurances can be given about the suitability of this document or any of its provisions for any specific transaction. It does not constitute an approval from Sydney Water and to the extent that it is able, Sydney Water limits its liability to the reissue of this Letter or the return of your application fee. You should rely on your own independent professional advice.

What You Must Do To Get A Section 73 Certificate In The Future.

To get a Section 73 Certificate you must do the following things. You can also find out about this process by visiting www.sydneywater.com.au > Building and Developing > Developing Your Land.

- 1. Obtain Development Consent from the consent authority for your development proposal.**
- 2. Engage a Water Servicing Coordinator (Coordinator).**

You must engage your current or another authorised Coordinator to manage the design and construction of works that you must provide, at your cost, to service your development. If you wish to engage another Coordinator (at any point in this process) you must write and tell Sydney Water.

For a list of authorised Coordinators, either visit www.sydneywater.com.au > Building and Developing > Developing Your Land or call **13 20 92**.

The Coordinator will be your point of contact with Sydney Water. They can answer most questions that you might have about the process and developer charges and can give you a quote or information about costs for services/works (including Sydney Water costs).

- 3. Works Agreements**

It would appear that your feasibility application is served from existing mains and does not require any works to be constructed at this time. Sydney Water will confirm this with you after you have received Development Approval from Council and your Coordinator has submitted a new Development application and Sydney Water has issued you with a formal Notice of Requirements.

- 4. Water and Sewer Works**

- 4.1 Water**

Your development must have a frontage to a water main that is the right size and can be used for connection.

Sydney Water has assessed your application and found that:

The current drinking water system does have sufficient capacity to serve the proposed development.

- The drinking water main available for connection is the 150 mm main on the Southern side of Old South Head Road.

- 4.2 Sewer**

Your development must have a sewer main that is the right size and can be used for

connection. That sewer must also have a connection point within your development's boundaries.

Sydney Water has assessed your application and found that:

The existing 225mm VC sewer main located within Lot 1 can serve the proposed development. However if this existing point of connection does not provide suitable drainage to the proposed development, then you are required to construct a minor sewer extension of the existing 225mm SGW main located in Laguna St at your own expenses. The WSC to investigate.

5. Ancillary Matters

5.1 Asset adjustments

After Sydney Water issues this Notice (and more detailed designs are available), Sydney Water may require that the water main/sewer main/stormwater located in the footway/your property needs to be adjusted/deviated. If this happens, you will need to do this work as well as the extension we have detailed above at your cost. The work must meet the conditions of this Notice and you will need to complete it **before we can issue the Certificate**. Sydney Water will need to see the completed designs for the work and we will require you to lodge a security. The security will be refunded once the work is completed.

5.2 Entry onto neighbouring property

If you need to enter a neighbouring property, you must have the written permission of the relevant property owners and tenants. You must use Sydney Water's **Permission to Enter** form(s) for this. You can get copies of these forms from your Coordinator or the Sydney Water website. Your Coordinator can also negotiate on your behalf. Please make sure that you address all the items on the form(s) including payment of compensation and whether there are other ways of designing and constructing that could avoid or reduce their impacts. You will be responsible for all costs of mediation involved in resolving any disputes. Please allow enough time for entry issues to be resolved.

OTHER THINGS YOU MAY NEED TO DO

Shown below are other things you need to do that are NOT a requirement for the Certificate. They may well be a requirement of Sydney Water in the future because of the impact of your development on our assets. You must read them before you go any further.

Stamping and approval of your building plans

Please note that your building plans must be stamped and approved. This can be done at a Quick Check agency. For an agency list visit www.sydneywater.com.au > Building and Developing > Quick Check or call 13 20 92.

This is not a requirement of the Certificate but the approval is needed because construction/building works may impact on existing Sydney Water assets (e.g. water and sewer mains). In any case, these works MUST NOT commence until Sydney Water has granted approval.

Your Coordinator can tell you about the approval process including:

- Possible requirements;
- Costs; and
- Timeframes.

Note: You must obtain our written approval before you do any work on Sydney Water's systems. Sydney Water will take action to have work stopped on the site if you do not have that approval. We will apply Section 44 of the *Sydney Water Act 1994*.

Disused Sewerage Service Sealing

Please do not forget that you must pay to disconnect all disused private sewerage services and seal them at the point of connection to a Sydney Water sewer main. This work must meet Sydney Water's standards in the NSW Code of Practice for Plumbing and Drainage (the Code) and be done by a licensed drainer. The licensed drainer must arrange for an inspection of the work by a NSW Fair Trading Plumbing Inspection Assurance Services (PIAS) officer. After that officer has looked at the work, the drainer can issue the Certificate of Compliance. The Code requires this.

Soffit Requirements

Please be aware that floor levels must be able to meet Sydney Water's soffit requirements for property connection and drainage.

Requirements for Business Customers for Commercial and Industrial Property Developments

If this property is to be developed for Industrial or Commercial operations, it may need to meet the following requirements:

Trade Wastewater Requirements

If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must wait for approval of this permit before any business activities can commence.

The permit application should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au

It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

A **Boundary Trap** is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

If the property development is for Industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater reuse. Find out from Business Customer Services if

this is applicable to your development.

Backflow Prevention Requirements

Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.

All properties connected to Sydney Water's supply must install a testable **Backflow Prevention Containment Device** appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

Before you install a backflow prevention device:

1. Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.
2. Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on **1300 889 099**.

For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website:
<http://www.sydneywater.com.au/Plumbing/BackflowPrevention/>

Water Efficiency Recommendations

Water is our most precious resource and every customer can play a role in its conservation. By working together with Sydney Water, business customers are able to reduce their water consumption. This will help your business save money, improve productivity and protect the environment.

Some water efficiency measures that can be easily implemented in your business are:

- Install water efficiency fixtures to help increase your water efficiency, refer to WELS (Water Efficiency Labelling and Standards (WELS) Scheme, <http://www.waterrating.gov.au/>
- Consider installing rainwater tanks to capture rainwater runoff, and reusing it, where cost effective. Refer to <http://www.sydneywater.com.au/Water4Life/InYourBusiness/RWTCalculator.cfm>
- Install water-monitoring devices on your meter to identify water usage patterns and leaks.
- Develop a water efficiency plan for your business.

It is cheaper to install water efficiency appliances while you are developing than retrofitting them later.

Contingency Plan Recommendations

Under Sydney Water's customer contract Sydney Water aims to provide Business Customers with a continuous supply of clean water at a minimum pressure of 15 meters head at the main tap. This is equivalent to 146.8kpa or 21.29psi to meet reasonable business usage needs.

Sometimes Sydney Water may need to interrupt, postpone or limit the supply of water services to your property for maintenance or other reasons. These interruptions can be planned or unplanned.

Water supply is critical to some businesses and Sydney Water will treat vulnerable customers, such as hospitals, as a high priority.

Have you thought about a **contingency plan** for your business? Your Business Customer Representative will help you to develop a plan that is tailored to your business and minimises productivity losses in the event of a water service disruption.

For further information please visit the Sydney Water website at: <http://www.sydneywater.com.au/OurSystemsandOperations/TradeWaste/> or contact Business Customer Services on 1300 985 227 or businesscustomers@sydneywater.com.au

Fire Fighting

Definition of fire fighting systems is the responsibility of the developer and is not part of the Section 73 process. It is recommended that a consultant should advise the developer regarding the fire fighting flow of the development and the ability of Sydney Water's system to provide that flow in an emergency. Sydney Water's Operating Licence directs that Sydney Water's mains are only required to provide domestic supply at a minimum pressure of 15 m head.

A report supplying modelled pressures called the Statement of Available pressure can be purchased through any Quickcheck agent and may be of some assistance when defining the fire fighting system. The Statement of Available pressure, may advise flow limits that relate to system capacity or diameter of the main and pressure limits according to pressure management initiatives. If mains are required for fire fighting purposes, the mains shall be arranged through the water main extension process and not the Section 73 process.

Large Water Service Connection

The existing 150mm CICL water main in Old South Head Rd is available to provide your development with a domestic supply. The size of your development means that you will need a connection larger than the standard domestic 20 mm size.

To get approval for your connection, you will need to lodge an application with a Quick Check Agent. You, or your hydraulic consultant, may need to supply the following:

- A plan of the hydraulic layout;
- A list of all the fixtures/fittings within the property;
- A copy of the fireflow pressure inquiry issued by Sydney Water;
- A pump application form (if a pump is required);

All pump details (if a pump is required).

You will have to pay an application fee.

Sydney Water does not consider whether a water main is adequate for fire fighting purposes for your development. We cannot guarantee that this water supply will meet your Council's fire fighting requirements. The Council and your hydraulic consultant can help.

Disused Water Service Sealing

You must pay to disconnect all disused private water services and seal them at the point of connection to a Sydney Water water main. This work must meet Sydney Water's standards in the NSW Code of Practice for Plumbing and Drainage (the Code) and be done by a licensed plumber. The licensed plumber must arrange for an inspection of the work by a NSW Fair Trading Plumbing Inspection Assurance Services (PIAS) officer. After that officer has looked at the work, the drainer can issue the Certificate of Compliance. The Code requires this.

Other fees and requirements

The requirements in this Notice relate to your Certificate application only. Sydney Water may be involved with other aspects of your development and there may be other fees or requirements. These include:

- plumbing and drainage inspection costs;
- the installation of backflow prevention devices;
- trade waste requirements;
- large water connections and
 - council fire fighting requirements. (It will help you to know what the fire fighting requirements are for your development as soon as possible. Your hydraulic consultant can help you here.)

No warranties or assurances can be given about the suitability of this document or any of its provisions for any specific transaction. It does not constitute an approval from Sydney Water and to the extent that it is able, Sydney Water limits its liability to the reissue of this Letter or the return of your application fee. You should rely on your own independent professional advice.

END