

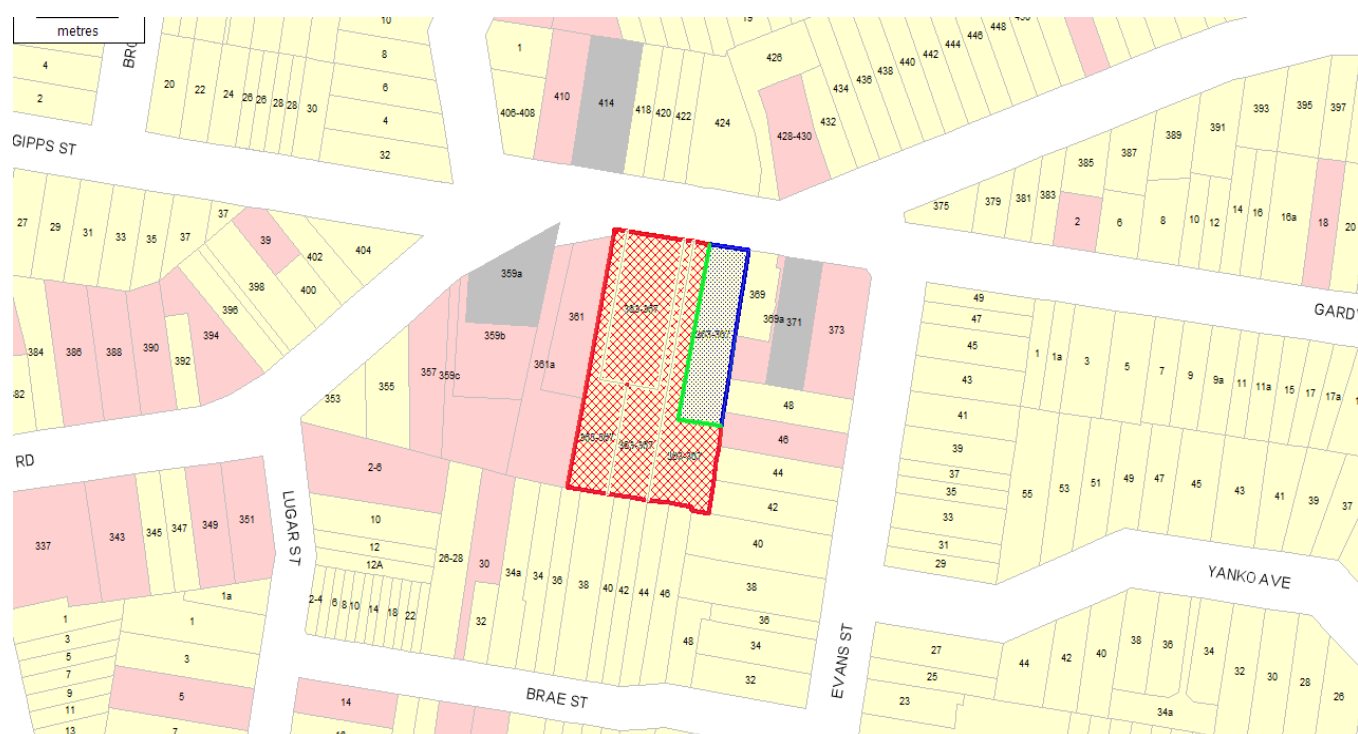
DEVELOPMENT APPLICATION ASSESSMENT



Housing for Seniors or People with a Disability

| | |
|---------------------------|---|
| Application number | DA 274/2013 |
| Site address | 363-367 Bronte Road, Bronte |
| Proposal | Demolition of existing buildings, excavation and construction of a new residential aged care facility containing 98 beds, with associated facilities and basement car parking. |
| Date of lodgement | 3 July 2013 |
| Owner | Trustees of The Roman Catholic Church |
| Applicant | Premier Consulting Australia Pty Ltd |
| Submissions | Original: 24 objecting, 3 supporting submissions Amended: 3 objecting submissions |
| Cost of works | \$27,920,200 |
| Issues | Seniors SEPP, height, FSR, privacy, solar access, streetscape |
| Recommendation | That the application be APPROVED |

Site Map



1.1 SITE AND SURROUNDING LOCALITY

A site visit was carried out in June 2013.

The site is located on the southern side of Bronte Road, between Evans Street and Murray Street, Bronte. The subject site, known as 363-367 Bronte Road consists of 5 allotments that provide a total site area of 4653sq.m. It has a frontage to Bronte Road of 49.62m that increases slightly to 52.4m at the rear and a length of approximately 91.455m.

The site exhibits a gradient that rises from front (north) up to the rear (south) of approximately 9.5m. Existing on the site are a number of buildings three to single storey that are vacant and in a dilapidated state, having been vandalised in recent years, so much so the site is currently boarded up.

A driveway exists along the western side boundary to midway along the site. The site also contains a significant canopy of existing trees, as well as significant vegetation being evident on adjacent properties and the public domain.

Surroundings buildings comprise predominantly of detached dwellings and residential flat buildings. To the west (361 and 361A Bronte Road) are four storey residential flat buildings (garage level with three stories of residential units above). To the east (369 Bronte Rd) is a heritage listed dwelling with terraces at the rear (369A Bronte Road), beyond which are residential flat buildings 4-5 stories (ie 371 and 373 Bronte Road) in height (garage level with four stories of residential units above). Opposite, to the north are detached dwellings presenting to the street as one-two stories. While to the rear (south) are detached dwellings that front Brae Street generally one-two storeys in height.

In regards to heritage elements, the site is not directly affected, however does adjoin heritage listed sites (369, 369A, 424 Bronte Road and 40, 42, 44 Evans Street) as well as abuts a heritage conservation area to the east. However, the large Eucalyptus microcorys tree at the front of the site is listed as a significant tree on Council's Significant Tree Register.



Figure 1: Subject site frontage



Figure 2: site frontage, adjoining a heritage listed property at 369 Bronte Rd (dwelling on left)



Figure 3: Photomontage of amended scheme submitted by applicant

1.2 PROPOSAL

The proposal seeks demolition of existing buildings, excavation and construction of a new residential aged care facility containing 98 beds (mixture of low and high care including 14 dementia dedicated beds), with associated facilities and basement car parking.

Specifically the development contains:

Basement – B1:

- Car parking for 41 vehicles.
- Services, plant, storage.
- Lift and stair access to levels above.

Level 1 – Ground floor level:

- Vehicular entry (western side) that includes driveway, turning bay (Porte Cochere), ramp access to basement, loading dock and ambulance bay parking.
- Building entry and reception area.
- Administration, offices and staff amenities & training room.
- Communal facilities including wellness centre, GP Allied Health, multi-purpose room, meeting rooms, Catholic chapel, health and beauty, lounge and library.
- Public cafe and kids play area.
- Kitchen & associated facilities;
- Laundry;
- Waste Management Areas;
- Outdoor terraces / courtyard areas;
- Services, plant, storage.
- Lift and stair access to other levels.
- Substation.

Level 2 – First floor level:

- Low Care Unit, containing 18 single rooms (each with ensuite);
- Communal Lounge / Dining / Recreational Areas, theatre;
- Servery and utility rooms;
- Staff amenities;
- Central landscaped courtyard (210sq.m) and front outdoor terrace/courtyard (133sq.m);
- Services, plant, storage.
- Void over driveway ramp and loading dock;
- Lift and stair access to other levels.

Level 3 – Second floor level:

- High Care Unit, containing 18 single rooms (each with ensuite);
- Dementia Unit, containing 14 single rooms (each with ensuite);
- Communal Lounge / Dining / Recreational Areas, sensory/snoezelen room;
- Kitchen, servery and utility rooms;
- Staff amenities;
- Staff station, medication/clinical store;
- Rear landscaped courtyard including gazebo, aviary, aviary and associated landscaping at grade with floor level.
- Central deck/terrace (46sq.m) and front outdoor terrace (30sq.m);
- Services, plant, storage.
- Lift and stair access to other levels.

Level 4 – Third floor level:

- High Care Unit, containing 15 single rooms (each with ensuite);
- Low Care Unit, containing 15 single rooms (each with ensuite);
- Communal Lounge / Dining / Recreational Areas;
- Servery and utility rooms;
- Staff amenities;
- Staff station, medication/clinical store;
- Rear deck (approx 15sq.m) and front outdoor terrace (30sq.m);
- Services, plant, storage.
- Lift and stair access to other levels.

Level 5 – Fourth floor level:

- Low Care Unit, containing 18 single rooms (each with ensuite);
- Communal Lounge / Dining / Recreational Areas;
- Servery and utility rooms;
- Staff amenities;
- Staff station, medication/clinical store;
- Rear deck (approx 15sq.m) and front roof terrace (126sq.m);
- Services, plant, storage.
- Lift and stair access to other levels.

Roof level:

- Plant;
- Stair access;
- Lift shaft overruns.

The primary purpose of the development is to provide a combination of low, high and dementia care accommodation. The provision of the accommodation will be in accordance with the definition of residential care facilities in the Seniors SEPP, that is:

Residential care facility is residential accommodation for seniors or people with a disability that includes:

- (a) meals and cleaning services, and
- (b) personal care or nursing care, or both, and
- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care, not being a dwelling, hostel, hospital or psychiatric facility.

Note. The Aged Care Act 1997 of the Commonwealth requires residential care facilities to which that Act applies to meet certain requirements.

The development will operate 24 hours, 7 days a week due to the dementia, palliative and high care residents. There will be a total of 48 staff in the morning, 14 in the afternoon and 22 at night working in the development.

1.3 RELEVANT HISTORY

- The previous use for the site was the Loreto Nursing Home that provided 98 beds, prior to being vacated ten years ago. Since then, the site remained vacant and buildings have gone into a state of disrepair.
- DA 485/2008 was withdrawn on 29 June 2010 for the construction of a 4 storey residential aged care development comprising 99 hostel beds & 14 residential units with basement parking for 47 vehicles. This application was considered an overdevelopment of the site, and prior to the application being finalised with a recommendation of refusal, the application was withdrawn by the applicant.
- PD 32/2012 for a pre DA (issued 25 February 2013) for demolition of existing building & construction of 4 storey, 98 bed residential aged care facility with basement car park.

The documentation submitted for review was the preliminary stages of the subject application. The main basis of review was the proposed density and building envelopes envisaged for the site. Overall, the scheme was generally accepted subject to further refinement and details being submitted for any future DA.

- A Site Compatibility Certificate was issued on 19 April 2013 from the Department of Planning and Infrastructure.
- In relation to the subject application, lodged with Council on 3 July 2013, a meeting between the applicant and Council Officers occurred on 1 October (followed by a letter issued 2 October 2013 reiterating matters). The purpose of the meeting was to discuss elements of concern which led to the deferral of the application. Concerns included (though not limited to):
 - Urban design / heritage resolution – Further consideration be given to reducing north-eastern wing by one storey at the front (redistributing those bedrooms to lower levels of this wing), potential for improved solar access, privacy/overlooking measures, internal layout elements that could be improved, landscaping measures for further consideration;
 - Materials and finishes – provide additional details that ensure materials are high quality and durable and sensitive to neighbouring buildings;
 - Chapel design – potential to display a high level of architectural excellence and finesse to site's frontage and subsequently should be redesigned;
 - Substation position – additional setback recommended from adjacent heritage item;
 - Retail areas detail – additional information relating to future use of retail spaces;
 - Road acquisition detail - relating to front portion of site identified on survey as road acquisition;
 - Additional stormwater details required;
 - Additional waste storage areas required;
 - Consideration be given to the implementation of public art into the development;
 - Request for 3D CAD files for insertion into Council's 3D software.

Amended documentation was submitted to Council on 17 October 2013 in response to the above matters. The application is assessed having regard to the amendments received on this date.

2. ASSESSMENT

The following matters are to be considered in the assessment of this development application under Section 79C of the Environmental Planning and Assessment Act, 1979.

2.1 SECTION 79C (1)(A) PLANNING INSTRUMENTS AND DCP

SEPP (Building Sustainability Index – BASIX) 2004

BASIX does not apply to the subject application having regard to Section J of Volume 2 of the BCA, which outlines that (sic) *in NSW, Class 2 buildings and Class 4 parts of buildings are subject to BASIX (the Building Sustainability Index), however Class 3 buildings are not.* Rather, the proposal would have to comply with Section J - Energy Efficiency of the BCA. If the application were to be supported, then standard conditions requiring compliance with the BCA would be imposed to address this issue.

SEPP 55 Remediation of Land

Clause 7 of the SEPP requires Council to consider whether the land is contaminated. The subject site has historically been used for a hostel/nursing home purposes and excavation of the site will be required for the proposed development, particularly as a basement car park is sought.

In summary, based on the review of the documentation submitted, there is no known history of contamination applicable to the site. The documentation does outline however that the existing structures on the site contain hazardous materials (eg asbestos) that will need to be removed from the site. As such, Council's Health Officer (see section 3 of report) has recommended various conditions to ensure such measures occur safely and in accordance with current legislation.

Accordingly, site land contamination is considered unlikely and no further investigation is necessary. Council has been satisfied that the site is or will be suitable for the intended use as required under clause 7 of SEPP 55.

SEPP (Housing for Seniors or People with a Disability) 2004 (the "Seniors SEPP")

| SEPP (Housing for Seniors or People with a Disability) 2004 - Compliance Table | | |
|---|------------|---|
| Development Control | Compliance | Comment |
| 4. Land to which this Policy applies Land within NSW zoned for urban purposes | Yes | The proposal is located on land zoned R3 in the LEP 2012. Therefore the use is permissible in the zone. |
| 10 Seniors Housing (a) A residential care facility | Yes | The proposal seeks a 98 bed residential care facility (RCF). |
| 11 Residential care facilities Defined as: "residential accommodation for seniors or people with a disability that includes: | Yes | The proposal satisfies the definition of RCF, in that: <ul style="list-style-type: none">• Meals and cleaning services are provided.• Range of nursing care is provided, including for low care, high care |

| SEPP (Housing for Seniors or People with a Disability) 2004 - Compliance Table | | |
|---|----------------|---|
| Development Control | Compliance | Comment |
| <p>(a) meals and cleaning services, and</p> <p>(b) personal care or nursing care, or both, and</p> <p>(c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care, not being a dwelling, hostel, hospital or psychiatric facility.</p> <p>Note. The Aged Care Act 1997 of the Commonwealth requires residential care facilities to which that Act applies to meet certain requirements”.</p> | | <p>and dementia patients.</p> <ul style="list-style-type: none"> This facility does not comprise of any dwellings, is not a hostel, hospital or psychiatric facility and satisfies the Commonwealth Aged Care Act. |
| 22 & 55 Fire sprinkler systems in RCF for seniors | Yes | A condition of consent will ensure compliance in this respect. |
| 24 & 25 Site compatibility certificate (SCC) | Yes | The applicant has obtained a SCC from the Director-General satisfying this clause. |
| Part 2: Site related requirements | Yes (on merit) | The site is located within 400m of public transport & services, however does not meet all requirements of cl 26 due to the undulating topography. A minibus service for residents to transport them to shops and services will be provided. |
| Division 2: Design Principles | | These aspects are discussed in further detail below in report. |
| 40 Development standards (2) Min. site size: 1,000sq.m (3) Site frontage min 20m wide | Yes | The site has a total area of 4653sq.m and a frontage of 49.62m, satisfying this clause. |
| Clause 48*: Enabling Provisions (can't refuse if comply) | | |
| (a) Building height: 8m | No | The maximum building height is 13.4m. This matter is discussed in further detail below in report. |
| (b) Density and scale: 1:1 | No | The proposed FSR is 1.42:1. This matter is discussed in further detail below in report. |
| (c) Landscaped area: Min 25sq.m per RCF bed | Yes | 2450sq.m of landscaping proposed, equivalent to 25sq.m per bed, satisfying the minimum requirements. |
| (d) Parking for residents and visitors: (i) 1 space/10 beds in RCF | Yes | The proposal provides: 98 beds (14 for dementia patients) equating to 9.4 spaces for residents/visitors, 48 staff equating to |

| SEPP (Housing for Seniors or People with a Disability) 2004 - Compliance Table | | |
|--|-------------------|--|
| Development Control | Compliance | Comment |
| (or 1 space/15 beds if facility provides care only for persons with dementia) (ii) 1 space/2 persons employed (iii) 1 space suitable for ambulance | | 24 spaces for staff, and 1 space for ambulance requiring 33.4 spaces for residents/visitors/staff and 1 space for ambulance. The proposal provides 41 parking spaces and a space suitable for ambulance parking, which satisfies the minimum requirements. |

Note:

**Standards outlined in Clause 48 do not impose any limitations on the grounds on which a consent authority may grant development consent.*

Waverley Local Environmental Plan (LEP) 2012

The relevant matters to be considered under the Waverley LEP 2012 for the proposed development are outlined below:

| Waverley LEP 2012 – Compliance Table | | |
|---|-------------------|--|
| Development Control | Compliance | Comment |
| Part 1 Preliminary | | |
| 1.2 Aims of plan | Yes | The proposal provides a facility to meet the changing needs of the community, satisfying the aims of the LEP. |
| Part 2 Permitted or prohibited development | | |
| Land Use Table R3 Medium Density Residential Zoning | Yes | Seniors housing is permissible with consent in the zone. |
| Part 4 Principle development standards | | |
| 4.3 Height of Buildings**: 9.5m | No | The Seniors SEPP overrides the LEP controls. Refer to discussion below in report. |
| 4.4 Floor space ratio**: 0.6:1 (2791.8sq.m) | No | The Seniors SEPP overrides the LEP controls. Refer to discussion below in report. |
| Part 5 Miscellaneous provisions | | |
| 5.9 Preservation of trees or vegetation | Yes | The application was referred to Council's Tree Management Officer (private trees) and Strategic Tree Planning Officer (public trees) for comment. Each were supportive of the scheme, subject to standard conditions being imposed, considered to satisfy this clause. |
| 5.10 Heritage conservation | Yes | The site is not listed as heritage significant, however does directly adjoin heritage items and a heritage conservation area. Accordingly, the |

| Waverley LEP 2012 – Compliance Table | | |
|--------------------------------------|------------|--|
| Development Control | Compliance | Comment |
| | | proposal has been designed (and amended) to consider the impact of these adjoining heritage significant sites and is now considered acceptable in this regard. |
| Part 6 Additional local provisions | | |
| 6.1 Acid sulphate soils | N/A | The site is classified Class 5, however the works are >500m from adjacent class, satisfying this clause. |
| 6.2 Earthworks | Yes | The proposal involves significant earthworks to the site and accordingly a range of conditions to address this impact will be imposed. |
| 6.3 Flood planning | N/A | The subject site is not identified as being within the Flood Planning area. |
| 6.4 Terrestrial Biodiversity | N/A | The subject site is not identified as 'Biodiversity' on the Terrestrial Biodiversity Map. |

Note:

*** The definitions of building height and gross floor area differ between the Seniors SEPP and the Waverley LEP 2012. For the purposes of this assessment, the SEPP is the overriding environmental planning instrument (EPI) referred to.*

Waverley Development Control Plan (DCP) 2012

The relevant matters to be considered under the Waverley DCP 2012 for the proposed development are outlined below:

| Waverley DCP 2012 – Part B General design provisions | | |
|---|------------|--|
| Development Control | Compliance | Comment |
| 1. Waste | Yes | The application was referred to Council's Waste Management Officer who raised no objection to the scheme, subject to standard conditions being imposed, considered to satisfy this clause. |
| 2. Energy and water conservation | Yes | The proposal will have to comply with Section J - Energy Efficiency of the BCA and standard conditions to this effect shall be imposed. |
| 3. Biodiversity | N/A | The site is not identified within the remnant bushland areas. |
| 4. Tree preservation | Yes | The site exhibits significant vegetation, much of which is sought to be maintained and preserved. Conditions shall be imposed ensuring this occurs. |

| Waverley DCP 2012 – Part B General design provisions | | |
|---|------------|--|
| Development Control | Compliance | Comment |
| 5. Stormwater management | Yes | The proposal provides adequate stormwater details including the provision of On-Site Detention system, considered adequate. |
| 6. Accessibility and adaptability | Yes | Given the nature of the proposal, the scheme has been designed to ensure it is adequately accessible as required under the Seniors SEPP. |
| 7. Transport | Yes | The proposal provides parking for 41 vehicles in basement, a community bus and ambulance parking bay at ground level in accordance with the Seniors SEPP parking generation rates. A condition is recommended that basement parking be reduced to 40 spaces to accommodate space for bicycle parking for staff/visitors. |
| 8. Heritage | Yes | The site is not listed as heritage significant, however does directly adjoin heritage items and a heritage conservation area. Accordingly, the proposal has been designed (and amended) to consider the impact of these adjoining heritage significant sites and is now considered acceptable in this regard. |

ISSUES

The development application has been made pursuant to the provisions of the Seniors SEPP. Importantly, it is worthy to note that the provisions contained in the SEPP override the controls contained in a Local Environmental Plan (ie the WLEP 2012).

In this regard, an assessment of the outstanding issues of the amended scheme is discussed below:

Design Principles (Part 3 of the Seniors SEPP)

Neighbourhood amenity and streetscape (Clause 33 of the Seniors SEPP)

Clause 33 states that the proposed development is required to have regard to neighbour amenity and streetscape. The amended street façade presents an acceptable scale to Bronte Road, whereby the Chapel has been redesigned to provide a visually interesting facade with sandstone cladding appropriate to its historic streetscape. The north-eastern wing has been modified to reduce the height at the front by transferring the two bedrooms to lower levels to provide an improved transition in scale with the adjacent heritage item at 369 Bronte Road.

Additionally, the design incorporates the significant Eucalyptus tree at the front of the site as a focal point and entry to the facility which enhances the development's presentation to the street. It is also recommended (via condition) that the materials and finishes along the front

facade be further developed to minimise the use of painted masonry finish and rather employ more durable high quality materials (as is evident along the side elevations).

Overall, the amended scheme provides a built form that tapers with the slope of land, providing reasonable setbacks and a scale that is in keeping with the surrounding context. Its form has been specifically designed to consider privacy and shadow impacts on neighbours while protecting and enhancing the vegetation of the site.

The proposal responds well to its surrounding context and aesthetically, its design reinforces the streetscape character and is supported.

Visual and acoustic privacy (Clause 34 of the Seniors SEPP)

The proposal has been designed to consider the visual and acoustic privacy of adjoining properties, as well as bedrooms contained within the development. A landscape buffer of vegetation also occurs around the perimeter of the site to minimise the privacy impact between the subject site and adjoining properties.

Some acoustic impacts are expected from the driveway, Porte Cochere, loading bay and access into the basement car park along the western side of the site. In this regard it is recommended that any deliveries or loading/unloading occur between 7.00am to 6.00pm as recommended in the accompanying Acoustic Report.

Traffic movements along the driveway are predominantly vehicles accessing the basement car park or utilising the Port Cochere as a drop off zone. It is not expected to be high volumes of traffic that will generate unreasonable noise levels. Further, the applicant has also advised that management will oversee staff shift times particularly at night time and early morning change over to minimise the associated noise/vehicular movements at the facility.

Mechanical plant associated with the facility will also be subject to various standard conditions ensuring acoustic measures are employed in their operation as well as location on the site.

The playground area adjacent to the cafe at the front of the site is not considered to generate an unreasonable level of noise. However it is recommended a condition be imposed that absorptive finishes be incorporated into the fit out to minimise this impact as suggested in the accompanying Acoustic Report.

Outdoor areas, courtyards and balconies of the facility are not considered to generate unreasonable noise given the passive nature of the facility and its residents and the fact these areas are predominantly used during daytime hours only.

Construction noise will be disruptive to neighbours for a period of time and accordingly, various conditions will be imposed to minimise this impact, including the requirement of a Noise Management Plan.

In relation to the visual privacy impact, the design provides outdoor spaces predominantly at ground level or alternatively in the centre of the building when elevated to minimise the associated overlooking impact. Private balconies are also sited to be inward facing, rather than overlooking adjacent properties.

Openings along the side elevations are reasonable, having regard to the blank wall along much of the common boundary shared with 369 Bronte Rd on the east, the generous setback of the built form on the western side where the driveway is proposed and the

perimeter landscaping around the site. Properties surrounding the site's rear often have deep backyards which provide generous setbacks themselves, noting that the building mass of the development at the rear is three stories or less, situated on lower terrain to rear adjoining properties and employing reasonable setbacks of 6 to 20m from the rear boundary. However, to further mitigate such impacts, it is recommended that ensuite openings to bedrooms be translucent.

Overall, the visual and acoustic privacy impacts of the development are reasonable and able to be moderated via conditions of consent.

Solar Access and design for climate (Clause 35 of the Seniors SEPP)

The SEPP does not include specific controls relating to solar access other than design principles. This includes ensuring that adequate daylight to main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space is provided, as well as energy efficient design occurs to reduce energy use and make the best practicable use of natural ventilation.

An analysis of the shadow impact indicates that there will be an increase in shadows cast from the development. The site also exhibits significant vegetation and topography which also contribute to the shadowing impact. As such, based on the shadow diagrams submitted as well as review using Council's 3D software it is evident that the shadows cast from the proposed development have not significantly altered to the existing shadows from existing buildings.

This is largely due to:

- The bulk of the development predominantly occurs in the centre of the site.
- Reasonable setbacks have been provided along each boundary and considerable vegetation is proposed and/or being maintained along the perimeter of the site.
- The design utilises the slope of the land to minimise the height impacts of its buildings.

In this regard, the analysis (excluding vegetation) reveals that during the Winter solstice when shadows are at their worse, increased shadows will occur in the morning, up to approximately 11am primarily to properties adjacent to the west (buildings at 361 and 361A Bronte Road and small portion of rear yard of 34 & 36 Brae Street). By midday, the shadows have moved enabling existing solar access to these properties to occur.

While in the afternoon during the Winter solstice, increased shadows will occur from 12.30pm onwards primarily to properties adjacent to the east (369 and 369A Bronte Road and the rear yards of properties fronting Evans Street).

In each instance, based on the DCP controls for multi unit housing as a guide (as no standards in the SEPP), solar access is not reduced to less than 3 hours between 9.00am and 3.00pm in mid winter.

In relation to the actual proposed development, its design incorporates various outdoor communal spaces. Review of the solar access to these areas reveals that during the winter months (ie June, July and August), the central and rear courtyard (at ground levels) will be in shade much of the day. In discussions with the applicant on this issue, it was acknowledged that this would occur and subsequently the spaces have been specifically designed to be shade tolerant in their landscape design (to be reiterated via condition). Additionally, it is noted there are various other common areas that will receive generous

sunlight during the winter months (namely roof terrace and front setback areas) that persons/residents can utilise, considered acceptable.

In relation to the building form, the design incorporates various wings to enable adequate solar access to bedrooms and communal areas of the facility. In fact, the northern elevation is recommended to incorporate sun shading devices to the openings to improve the energy efficiency of this part of the facility.

Therefore, having regard to the multiple outdoor spaces available on the site and design of the building layout, the proposal is considered to satisfy the objectives of the solar access design principle.

Stormwater (Clause 36 of the Seniors SEPP)

The proposed stormwater arrangements have been assessed by Council's Engineers previously and considered generally capable of complying via conditions.

Crime Prevention (Clause 37 of the Seniors SEPP)

The clause encourages designs to limit opportunity for crime through appropriate design. Driveway and pedestrian access points are incorporated both along the sites frontage and western side driveway divided by low planters.

Numerous rooms overlook the street and entries providing casual surveillance. All outdoor spaces are overlooked by rooms or communal areas within the facility providing an acceptable level of casual surveillance. The facility proposes a CCTV system throughout which will be reiterated via a condition.

The application was also referred to the Local Area Command (Waverley Police), Crime Prevention Officer who provided submissions to assist crime prevention, aspects of which will be imposed via conditions of consent. This aspect is discussed in greater detail in the referrals section of the report.

Accessibility (Clause 38 of the Seniors SEPP)

The clause requires developments to have consideration for safe movement of residents and visitors (pedestrians and vehicular) entering and leaving the site. The amended scheme provides separate driveway and pedestrian entry points to avoid conflict between vehicles and pedestrians which is considered convenient and safe.

The driveway incorporates a drop off zone in a Porte Cochere style so that residents can enter directly into the reception area of the facility.

There is basement parking beneath the building for residents, visitors and staff (beyond the minimum parking requirements), that provides lift access available to all levels.

Access to public transport (bus stop) is a short walk from the site, however there is a significant topography to negotiate, whereby a facility community bus will also be available.

Waste management (Clause 39 of the Seniors SEPP)

The amended scheme provides adequate waste management and storage of general, recycled and medical waste that will be reiterated via conditions. A composting bin / worm farm facility is also recommended as a condition to reduce food waste.

Standards that cannot be used to refuse development consent for residential care facilities (Clause 48 of the Seniors SEPP)

The amended scheme exceeds the enabling standards outlined in the SEPP and therefore a full consideration of the impacts of these aspects of the development is appropriate:

Building height:

The proposal seeks an overall building height of 13.4m measured from existing natural ground level to the highest point of the building (screen around plant on roof). As outlined previously, the Seniors SEPP does not provide a maximum height control, but rather relies on an enabling clause that specifies the application shall not be refused on the basis of building height if it is less than 8m.

Having regard to the context of surrounding development, as a guideline, the LEP specifies the height control of 9.5m applies to the site. The immediately surrounding buildings to the east and west of the site predominantly exceed both the height and FSR standards. The diagram below indicates the parts of the subject proposal as well as adjacent building forms that impinge on the 9.5m height limit.

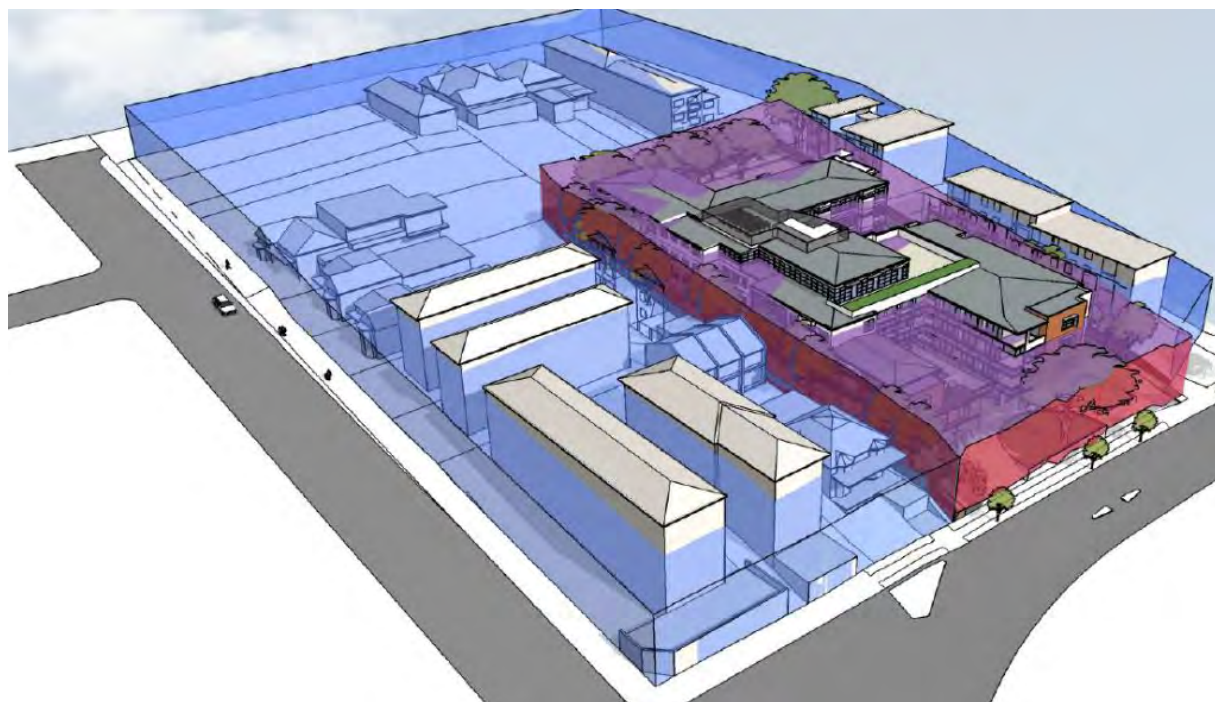


Figure 4: Height plan indicating building forms that impinge on 9.5m building height. (Source: Statement of Environmental Effects)

As evident in the diagram above, the proposed building height is comparable to the broader context of buildings within the adjoining R3 zone. The breach in height is positioned within the centre of the site in a tapered, step effect that generally aligns with the slope of the land. The design incorporates reasonable setbacks (min 3m to sides, 6m to rear, front aligns with predominant front setback) as well as perimeter landscaping that assist to reduce the perceived bulk and scale of the built form. Additionally, the site benefits from the southern portion of the site being also the highest portion of the site, which minimises the overshadowing impact of the proposal.

Overall, the proposed building's height is not considered to adversely impact on the adjoining properties nor the streetscape as it is considered to be in keeping with the medium density built form in this surrounding context.

Density and scale (including floor space ratio):

The proposal seeks a floor space ratio (FSR) of 1.42:1. As outlined previously, the Seniors SEPP does not provide a maximum FSR control, but rather relies on an enabling clause that specifies the application shall not be refused on the basis of the FSR being 1:1 or less.

Having regard to the context of surrounding development, as a guideline, the LEP specifies the FSR control of 0.6:1 applies to the site. For comparison purposes, the applicant has provided a summary of several other properties in the immediate vicinity that also exceed this control, as shown in the table below:

| Address | Site area (sq.m) | Gross floor area (sq.m) | FSR control (LEP 2012) | Existing FSR |
|--|------------------|-------------------------|------------------------|--------------|
| 367 Bronte Rd (existing structures on subject site) | 4653 | 2805 | 0.6:1 | 0.6:1 |
| 361 Bronte Rd | 861 | 327 | 0.6:1 | 1.52:1 |
| 371 Bronte Rd | 627 | 219 | 0.6:1 | 1.47:1 |
| 373 Bronte Rd | 836 | 298 | 0.6:1 | 1.56:1 |
| 46 Evans St | 554 | 180 | 0.5:1 | 1.3:1 |
| 48 Evans St | 544 | 166 | 0.5:1 | 1.22:1 |
| 38 Brae St | 794 | 316 | 0.6:1 | 1.19:1 |

Figure 5: FSR summary of surrounding properties. (Source: Statement of Environmental Effects)

Overall, as evident above, the proposed density is in keeping with other examples in the immediate vicinity. The bulk and scale of the development is spread over the entire site with various wings and courtyards dividing the space displaying various materials to break up the mass. The site is very large, much larger than any other allotment in this locality and thus the proposed floor space when spread over the entire site results in a much lesser scaled development than could be achieved if the site were subdivided into smaller consistent lots and redeveloped.

Notwithstanding this, the proposal is for an aged care facility that will provide a much needed service that incorporates low, high and dementia care. Strict compliance with a FSR control is considered unreasonable given the public benefit such a facility would provide to the community. Nonetheless, the proposed density for the site is not unreasonable, having regard to the FSR being compatible with the surrounding context of other developed sites, the incorporation of generous setbacks on each side, acceptable solar access impacts and the provision/retention of perimeter landscaping that provides a natural buffer between the site and its adjoining lots.

Accordingly, the proposed density and scale for the site is compatible with the surrounding context and is supported.

Landscaped area:

The proposal complies with the requirements of the Seniors SEPP with regard to landscaping. Various courtyards and terraces have been incorporated into the design that will offer a range of different spaces for the residents to enjoy and move about.

The site is also heavily vegetated in parts, much of which will be retained and increased to provide a natural perimeter buffer between the facility and the adjoining allotments. The large Eucalyptus tree at the front of the site is a significant tree that the design of the facility encompasses as a feature of the site that will be retained and protected.

Parts of the site that do not receive sunlight all year round (eg central courtyard and portion of rear courtyard) have been discussed with the applicant as areas that will encompass shade tolerant species and conditions reiterating this are recommended.

Overall, the proposal is acceptable in relation to landscaping aspects.

Parking for residents and visitors:

The proposal provides 98 beds (14 for dementia patients) equating to 9.4 spaces for residents/visitors, 48 staff equating to 24 spaces for staff, and 1 space for ambulance. This equates to a requirement of minimum 33.4 spaces for residents/visitors/staff and 1 space for ambulance.

The proposal provides 41 parking spaces and an additional space suitable for ambulance parking, which is above the requirements contained in the SEPP. However, having regard to the limited on street parking available at the front of the site, and the concern raised in numerous submissions, it is considered acceptable in this instance to support additional parking above the requirements of the SEPP. In this regard it is recommended a condition be imposed allocating 26 spaces for staff, 14 spaces for residents/visitors, 1 space for ambulance parking, equating to 40 spaces and 1 ambulance bay.

Additionally, while the SEPP does not require bicycle parking for this type of development, Waverley Council does encourage this sustainable transport mode. Accordingly, it is recommended that the remaining car space in the basement (given there are 41 car spaces available) be reallocated to bicycle parking for staff and visitors. Further, there is scope at ground level to also provide some bicycle parking, and thus a condition recommending such is imposed.

2.2 SECTION 79C(1)(B) – OTHER IMPACTS OF THE DEVELOPMENT

The proposed development is capable of complying with the BCA.

It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

2.3 SECTION 79C(1)(C) – SUITABILITY OF THE SITE FOR THE DEVELOPMENT

The site is considered to be suitable for the proposed development. There is an increasing demand for this type of facility in the local area, and given the previous use of the site, as well as the generous site area, the proposed aged care facility is considered a positive outcome for this site.

2.4 SECTION 79C(1)(D) – ANY SUBMISSIONS

The initial application (lodged 3 July 2013) was notified and advertised and a site notice erected for 14 days in accordance with *Waverley Development Control Plan 2012, Part A – Advertised and Notified Development*.

Twenty four (24) submissions of objection and three (3) submissions of support were received.

Upon the application being amended (17 October 2013), the application was renotified to the most affected properties (369 and 369A Bronte Rd and Bronte Precinct Committee) for 7 days. Three (3) submissions of objection were received.

The issues raised in the original and second more limited notification are summarised and discussed below.

Issues in objection:

- **Increased traffic / pedestrian, cyclist and children safety / Parking impact / congestion / overflow of parking will be in already at capacity surrounding streets / need to introduce residents parking scheme in area / significant traffic along driveway expected and associated impact to adjacent neighbouring blocks of flats**

Comment: This aspect has been discussed above in the report.

- **Overshadowing and loss of light / solar access**

Comment: This aspect has been discussed above in the report.

- **Loss of privacy (visual and acoustic) / overlooking / Request for screening or translucent glazing / Request for no balconies / noise from plant;**

Comment: This aspect has been discussed above in the report. Additionally, it is noted the submission of 44 Evans St requested higher boundary fencing (increase to 2.5m in lieu of 1.8m) and planting to be minimum 6m tall, with a mature growth height of 10-12m to protect privacy along common boundary. In this regard, these measures are considered onerous and will decrease amenity rather than improve it due to increased shadowing and reduction in solar access to not only this adjoining site, but also to other adjoining sites. Accordingly, these requests are not agreed upon.

- **Noise - visitors, staff changeover, construction, 24hour operation, deliveries time frames?**

Comment: This aspect has been discussed above in the report.

- **Construction disturbance / request a condition advising neighbours when noisy construction works are to occur (eg rock drilling), restricted hours for certain construction (eg noisy activities), traffic management of construction vehicles / need for dilapidation report of adjoining properties;**

Comment: This aspect has been discussed above in the report. Standard conditions will be imposed regarding noise and construction as well as dilapidation reports for adjoining properties being required.

- **Object to smells from exhaust fans for kitchen and car parking / no exhaust adjacent to residences, but rather in centre of roof or in basement;**

Comment: Standard conditions will be imposed to address these concerns.

- **Property devaluation**
Comment: This is not a planning consideration.
- **Excessive bulk and scale / all other aged care facilities in area are smaller / Proposal is beyond LEP height and FSR controls / Bedrooms could be reduced in size to assist lesser bulk and scale / SEPP may allow minor non compliances but with a FSR in excess of standard, development should be reviewed in line with other developments.**
Comment: This aspect has been discussed above in the report. Further, the reference to the scale of other aged care facilities' in the locality is irrelevant in assessing the subject proposal.
- **Design makes no reference to heritage properties in immediate vicinity / development will 'dwarf' adjacent heritage item / Proposal should be compatible with current character of the area / Streetscape impact / too modern & out of context;**
Comment: This aspect has been discussed above in the report.
- **Design could have been more sustainable and energy efficient;**
Comment: A condition shall be imposed requiring compliance with the BCA which sets out the various sustainable and energy efficient measures to be provided.
- **Chapel design could better reflect adjacent heritage item;**
Comment: The amended Chapel design has improved the presentation of the building and includes materials such as sandstone cladding to reflect the sandstone character of the area that is also evident at the adjacent heritage item.
- **Inadequate front setback to Bronte Road / Inadequate side eastern setback / Request building setback to align with existing buildings and preserve significant tree at street frontage;**
Comment: The proposal provides reasonable setbacks to all boundaries as well as a landscape buffer along the perimeter of the site. The front setback aligns with the predominant front setback of adjoining properties, while retaining the significant tree at the front of the site.

While, on the eastern side of the site a setback of minimum 3m is provided, that aligns with BCA provisions. In this regard, it is also noted that the eastern adjoining properties (369 and 369A Bronte Rd) have predominantly a large blank wall along much of this boundary minimising amenity impacts. Further, properties adjoining to the south-east have reasonable setbacks that are unlikely to be adversely affected by the setback of the development along this side.
- **Request public domain upgrade works along site's frontage;**
Comment: All works outside the property require Council consent. There is no public domain policy relevant to the front of the site to capture such works being required. Rather, a condition for s94 contribution fees being payable is recommended and those funds are for the upgrading of infrastructure and the like within the area.
- **Request for tree protection conditions be imposed;**
Comment: This aspect has been discussed above in the report, whereby Council's Tree Management Officer and also Council's Strategic Tree Planning Officer have reviewed the proposal and recommended conditions be imposed.

- **Loss of amenity;**

Comment: This aspect has been discussed above in the report.

- **Development does not need commercially focused facilities that will exacerbate the impact of development / Cafe should be restricted to business hours only, have limited seating outdoors and the area should be 'no smoking'.**

Comment: The proposal seeks a hairdresser/beauty salon for residents only and a cafe for the public, visitors and residents. However, the applicant has agreed that the use of these areas shall be subject to a future application detailing their operations at a later stage.

- **Substation should be located underground / concern for associated health impacts / noise impacts / alternate ways to generate power for the site should be explored.**

Comment: The provision of a substation in larger developments is quite common given the demand of electricity generated within the site, assisting to maintain the service of existing larger substations in the area is not compromised. Often development applications for large scale developments do not include substations to later require modifications down the track once it is realised the necessity of their provision in a major development. In this regard, the applicant has investigated this early on in the piece, found it to be necessary for the development and subsequently planned for its integration into the overall development.

Initially, the substation was proposed along the north eastern corner of the site, but has since been amended (following submissions from the adjoining properties at 369 and 369A Bronte Rd) to be offset from this boundary with screen planting along the shared boundary to reduce the visual impact, considered an acceptable position.

Service companies have specific guidelines/controls for their location and installation to ensure that meet stringent health standards and to ensure they are directly accessible from the street, which will be reiterated via conditions.

- **Disappointed developer did not meet with residents to discuss proposal / limited opportunity to comment prior to lodgement / lack of consultation;**

Comment: These are untrue statements, whereby it is Council's understanding that the applicant met with the Precinct Committee and various members of the local community to discuss the proposal prior to lodgement of this development application (and a letter from the Bronte Precinct received 25/2/13 to Council was thankful for such meeting occurring). Notwithstanding this, it is not a requirement to consult with the community prior to lodgement however the applicant has been proactive in attempting to meet and address various issues raised by the community.

- **Impact of drainage to adjoining properties;**

Comment: The stormwater details have been reviewed by Council's Technical Services and considered satisfactory subject to conditions being imposed. Various landscaping surfaces have also been proposed that will further assist to minimise overflow of drainage to adjacent properties.

- **Retaining wall along rear boundary;**

Comment: A new retaining wall along the rear of the property will be constructed, specifically as the rear of the subject site is lower than properties adjoining to the rear (fronting Brae St). Standard conditions are recommended to ensure all works

occur safely, properly certified (by structural engineer) and dilapidation reports of adjacent buildings occur.

- **Storage of hazardous materials and smells / how will these be transported or removed from site safely;**

Comment: Standard conditions will be imposed to address these concerns.

- **Unclear of proposed landscaping changes / Unclear of proposed materials and finishes;**

Comment: Adequate details have been provided on the documentation to properly indicate these aspects.

- **Concern large developments in LGA are supported while small scale development are knocked back;**

Comment: These comments appear to be made in jest at a frustration relating to other development in the area. No further comments are considered warranted.

Issues in Support:

- **There is a lack of affordable residential aged care beds in the area and the significant unmet need for these beds for the local population / Need for these types of development in our area / when we need aged care it makes sense to be able to remain in Waverley, it's our local area**
- **The aged care provider (St Vincents Health Australia) is an established health and aged care provider.**
- **Part of proposal is to provide a proportion of beds for concessional residents, ie those currently living in Waverley area, enabling the opportunity to 'age in place' (ie remain living in their local area close to their health and social networks)**
- **Site has been vacant for many years.**

Comment: Each of these aspects is concurred with. The proposal provides an aged care facility that is in high demand and will enable the local community to remain in *the* local community when the time comes for them to need such care. The provider has an established reputation for providing this type of care and this site is ideal for this type of use, provided it does not adversely impact on the amenity of the surrounding locality. As demonstrated throughout the report, the proposed density and scale is compatible with the surrounding context and subsequently the proposal is supported.

2.5 SECTION 79C(1)(E) – PUBLIC INTEREST

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being imposed.

3. REFERRALS

Urban Design

Council's Urban Designer provided a detailed analysis of the initial scheme submitted which identified issues concerning:

- Building bulk, particularly of north-eastern wing that could increase side setback or shift upper level front rooms to reduce visual bulk to adjacent heritage item;
- Privacy & overlooking could be improved;

- Solar access: Sun shading devices to north facing brick walls on the eastern wing of the building should be incorporated.
- Architectural resolution: Potential to improve materials and finishes, redesign chapel facade treatment.
- Communal open space area – central and rear courtyard overshadowed much of winter with potential for shifting building bulk to improve, increasing their size, or increase soft landscaping to compensate.
- Commercial retail spaces: Should be accessible to the public and better designed to have more of a street presence.
- Kids play area: Should combine hard and soft surfaces and could be better located.
- Internal amenity could improve connection between indoors/outdoors, potential for improved natural light.
- Public art: Should be incorporated into design.
- Submission of 3D Model for incorporation into Council's software.

These issues formed part of Council's deferral of the application. Upon the application being amended, the majority of issues were addressed. Those outstanding issues relate to:

- Solar access: Sun shading devices to north facing brick walls on the eastern wing of the building should be incorporated.
- Commercial retail spaces: Could be better designed / located to have more of a street presence.
- Kids play area: Should combine hard and soft surfaces and could be better located.
- Circulation: Reconsider ground floor layout to avoid lift access opening to service and toilet (with no airlock) areas.
- Public art: Should be incorporated into design.

These comments are generally concurred with. The applicant has been accepting to the changes/amendments sought from Council Officers and the amended scheme is a positive outcome from these discussions. In relation to these outstanding issues of Council's Urban Designer, it is recommended conditions be imposed requiring sun shading devices to north facing bedrooms along the north-eastern wing of the development, and the kids play area incorporate hard and soft surfaces.

While the overall development is supported, a condition shall be imposed that a future development application be required for the commercial spaces which will enable closer refinement of the premises presentation and overall layout.

Regarding public art, the applicant has advised they are accepting to its incorporation into the development, however no specific details have been provided. A condition shall be imposed requesting consultation with Council's Public Art Committee in this regard.

Heritage

Council's Heritage Architect & Urban Planning Adviser provided a detailed analysis of the initial scheme submitted which identified issues concerning:

- Current structures have minimal impact on the setting by virtue of setback, finish and screening by mature tree planting.
- Buildings should be subject to historic recording including a detailed history and photographic archival record prior to demolition.
- Building mass could be better articulated whereby scheme relies too much on screen landscaping rather than integrating planting with the building mass.
- Vehicle travel to the car park and service bays will generate sound emissions on a regular basis with suggestion to provide an extended awning to the outer side of driveway providing supplementary shelter & acoustic barrier.
- Ground floor outdoor areas compromised by their location in under crofts.

- Kids play area needs to be better dimensioned.
- Circulation space and layout could be improved to increase internal amenity.
- Bedrooms on northern side could be reconfigured to take advantage of being north-facing.
- Better interface between dementia wing and rear courtyard would allow for secure area while maximising pleasant outlook for residents.
- Materials and finishes could be improved.
- Chapel design appears unrelated in language and/or aesthetics to the core building.
- Treatment of courtyards needs to consider lack of solar access and provide for a range of activities.

These issues formed part of Council's deferral of the application. Upon the application being amended, the majority of issues were addressed. Those outstanding issues relate to:

- Redesign of chapel has improved, however the entry doors directly from lobby adjacent to a planter not ideal.
- Rear and central courtyards are dominated by large planter beds limiting their use and further shading these areas.
- Eastern undercroft remains in deep shade and unlikely to be used. This could be addressed by realignment of the building areas above the undercroft or detailed landscaping integrating internal areas opening to the undercrofts.
- Proposed planters at building entry adjacent to vehicle drop off zone are remote from sunlight and unlikely to support plant growth.
- External elevations include painted render surfaces to street elevation which appear inferior in comparison to those seen on side elevations. Given the prominence of the street frontage it would be expected that all elements of this elevation be of high quality requiring minimal maintenance.

In response to the aspects agreed upon, it is recommended conditions be imposed for an archival recording to occur of existing buildings, shade tolerant plant species be increased to the central and rear courtyards as well as the planters adjacent to the vehicle drop off zone and building entry, the front facade materials and finishes be modified to the satisfaction of Council (to reduce emphasis on painted masonry finish) and the kids play area be better dimensioned for functionality.

The Chapel redesign is considered an improvement, and its access doorways from the main lobby are acceptable. The eastern undercroft provides a courtyard for staff rather than relying on solely internal areas for staff and while there is an adjacent retaining wall, natural light can occur to this space, considered reasonable. Accordingly, these issues are not agreed upon.

Fire Safety

Council's Fire Safety Officer advised that given the proposal involves total demolition and rebuild, it is the responsibility of the Certifying Authority and PCA to ensure that all works comply with the BCA. In this regard, standard conditions shall be imposed ensuring compliance with the BCA and Seniors SEPP.

Traffic / Vehicular Access

Council's Manager – Transport and Development raised no objection to the proposal subject to conditions being imposed, including special conditions relating to the road acquisition at the front of the property identified on the survey plan.

Stormwater

Council's Senior Design Team Leader raised concern in the initial application for stormwater details. Following deferral of the application for additional information, the amended documentation was considered satisfactory subject to conditions.

Environmental Issues

Initial comments from Council's Environmental Health Officer for the original scheme advised the waste storage area to be insufficient in size and that consideration should be given to providing a compost bin and/or worm farm facility for food waste disposal, as well as a community garden for the benefit of the residents.

In this regard, conditions of consent recommend compliance with waste storage and management rates, as well as the provision of a compost and/or worm farm facility. The provision of a community garden would be beneficial, however this should be the facility's own doing, rather than via a condition of consent.

Health

Council's Health Officer advised the application was acceptable subject to conditions being imposed relating to:

- Management of noise, waste, and mechanical equipment during and post construction.
- Details and use of cafe and hairdresser to be provided in a separate future application (as offered by applicant).
- Recommendations for removal of hazardous materials as detailed in consultant report to be complied with.

Public Domain

Council's Strategic Tree Planning Officer advised the existing mature Callistemon tree on the front verge is to be retained and protected, and recommended special conditions and tree bond be imposed.

Tree Preservation

Council's Tree Management Officer generally supported the application subject to some amendments to the landscape plan, additional details about planting pits and protection measures. It is recommended these be imposed as conditions of consent.

Community Services

Previous comments provided in the Pre DA by Council's Senior Community Worker (Older People and Access) are still relevant to the amended scheme. Ultimately the application is supported, particularly as there is a high need for aged care services in the Waverley area. Specific aspects relating to the subject proposal's design and function (building plan, amenities, facilities and design) have been considered in the assessment of this application and discussed throughout. Overall, the proposal is considered to satisfy these issues.

Land Information

No objection was raised subject to conditions being imposed relating to street numbering.

Local Area Command (Waverley Police)

Comments from the Crime Prevention Officer of Waverley Police sought consideration be given to:

- Measures to reduce graffiti and vandalism such as using non porous surfaces, anti-graffiti coatings and silicone based paints and inclusion of green walls or wall hugging plants to protect walls and other structures from graffiti & vandalism.

- Clearly define public areas from private areas through appropriate signage, staff supervision and physical barriers such as landscaping and fencing.
- Configuration and surveillance of car park to avoid obstructed areas and opportunity for criminals to loiter. Consider grid row car parking to increase natural surveillance and installation of CCTV.
- Installation of CCTV to monitor public areas to ensure safety of staff, visitors and residents.
- Safety and security of high risk (dementia or high care) patients with recommended provisions to include GPS bracelet devices for patients with dementia/Alzheimer's to prevent them becoming lost or wandering off, CCTV, bracelets or necklaces for patients that identify the facility address to ensure their safe return, securing the Dementia wing and adjacent courtyard and fire stairs/doors (while maintaining fire safety compliance) with a swipe card or combination lock.
- Provision of good lighting that is free of obstructions (eg. Tree branches, pipes etc), transition lighting (to avoid impairment caused from dark to light and vice versa) and sensor lighting.
- Security and potential for swipe card system for certain areas of the facility, security company or sensor lighting monitor the site during construction phase, and staff be given a mobile panic alarm (rather than having to locate a fixed panic alarm) if they are working in isolation and an unauthorised entry occurs or a patient becomes violent.
- Security and storage of medications should be adequately secured; CCTV monitored and comply with any relevant legislation, guidelines, policies or directives.

These aspects are generally concurred with, and recommended as conditions of consent. In this regard, it is noted these aspects are generally not detailed at DA stage, however consideration can be given to them now for their implementation in the future stages ahead. The applicant has also advised their intention to install CCTV into the facility and a condition reiterating this aspect shall be imposed.

4. SUMMARY

This site, known as Loreto, has now been vacant for 10 years.

This development allows for the redevelopment of the site to a much needed facility providing aged care services.

The site is zoned R3 for medium density development under WLEP 2012 and the immediate context of the site around Bronte Road is characterised by 3-5 storey residential flat development (ie garaging on the ground floor).

The core height and floor space controls for this development are the enabling provisions within the Seniors SEPP that provide for height and floor space controls of 8 m and 1:1, respectively. However these are 'can't refuse, if you comply' controls and not maximums in the traditional sense of a control. The SEPP is specifically focused on facilitating aged care development.

Nevertheless, the proposed building provides for a scale of 4 storeys to Bronte Road and 3 to the rear. The buildings generally provide good setbacks to boundaries and substantial perimeter landscaping. The scale of the building also reflects the topography of the site, reducing to the rear as the topography rises. The bulk and scale of the proposed buildings is contextually appropriate.

The process with this application from pre-DA to the modified current scheme has also been a constructive one between Council officers and the applicant, such as in respect to the modification of the chapel to both improve its presentation to Bronte Road but also reduce the bulk of this wing of the main building.

The development is recommended for approval subject to conditions.

5. RECOMMENDATION TO JOINT REGIONAL PLANNING PANEL

That the Development Application No. 274/2013 for a residential aged care facility at 363-367 Bronte Road, Bronte be **APPROVED** by the Joint Regional Planning Panel subject to the Conditions in Appendix A:

Report Prepared by:

Application determined by:

Angela Rossi
Senior Assessment Officer

Philip Bull
Area Manager – South

**(Reviewed and agreed on behalf of the
Development and Building Unit)**

Date: 11 November 2013

Date: 11 November 2013

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Aged care - 98 beds\DBU assess report - 363 Bronte, DA 274-13.docx*

APPENDIX A – CONDITIONS OF CONSENT

A. APPROVED DEVELOPMENT

1. APPROVED DEVELOPMENT

The development must be in accordance with:

- (a) Architectural Plan Nos DA02 to DA11 (Issue B dated 14.10.13) of Job No 1214 prepared by 'Boffa Robertson Group' and received by Council on 17 October 2013;
- (b) Model of Care & Operational Planning Framework dated 13 June 2013 prepared by 'St Vincent's & Mater Health' and received by Council on 3 July 2013;
- (c) Landscape Concept Plan No. 12-007-01 (Issue D dated 6.6.13), 12-007-02 & 12-007-04 (Issue F dated 15.10.13), 12-007-03, 12-007-05 & 12-007-06 (Issue E dated 15.10.13) prepared by 'James Pfeiffer Landscape Architects' and received by Council on 17 October 2013;
- (d) Tree Report prepared by 'Treescan Urban Forest Management' dated May 2013 and received by Council on 3 July 2013;
- (e) Stormwater Management Report, Plan and Details, Drawing Nos C01, C02 & C03 (Rev P1 dated 01.05.13) received by Council on 3 July 2013 as amended by Nos C04 and C06 (Rev P1 dated 09.10.13) of Job No 121366 prepared by 'Taylor Thomas Whitting Consulting Engineers' and received by Council on 17 October 2013;
- (f) BCA Preliminary Assessment Report, Rev 1 of Project No 130024 dated 15 May 2013 prepared by 'Blackett Maguire & Goldsmith' and received by Council on 3 July 2013;
- (g) BCA Section J Report dated 31 May 2013 prepared by 'Erbas Engineers' and received by Council on 3 July 2013;
- (h) Acoustic Assessment Report, Ref TG209-01F01 (Rev 1) dated 7 June 2013 prepared by 'Renzo Tonin & Associates Pty Ltd' and received by Council on 3 July 2013;
- (i) Preliminary Environmental Site Assessment Report, Ref C110220:J117802 dated April 2013 prepared by 'Noel Arnold & Associates' and received by Council on 3 July 2013;
- (j) Hazardous Materials Risk Assessment Report, Ref: C110220:J119151 dated May 2013 prepared by 'Greencap Limited' & Noel Arnold & Associates' and received by Council on 3 July 2013;
- (k) Geotechnical Investigation Report, Project 73407.00 dated April 2012 and received by Council on 3 July 2013;
- (l) Heritage Impact Statement dated June 2013 prepared by 'Godden Mackay Logan' and received by Council on 3 July 2013;
- (m) Traffic Report prepared by 'Colston Budd Hunt & Kafes Pty Ltd' dated May 2013 and received by Council on 3 July 2013;

- (n) Social Impact Assessment Report, dated May 2013, prepared by 'Bugseye Pty Ltd' and received by Council on 3 July 2013;
- (o) Visual Impacts Assessment Report prepared by 'Richard Lamb & Associates' and received by Council on 3 July 2013;
- (p) Schedule of external finishes and colours received by Council on 3 July 2013; and
- (q) The Site Waste and Recycling Management Plan (SWRMP) and Checklist, in accordance with the SWRMP Checklist of Part B, Waverley DCP 2012 and Waste Management Plan dated 11 June 2013 prepared by 'Universal Foodservice Designs' and received by Council on 3 July 2013;

Except where amended by the following conditions of consent.

2. CONSULTANT REPORTS

The recommendations contained in the various specialist consultant reports outlined in Condition 1 shall be adhered to. Where any conflict arises between a condition of consent, the development's Principle Certifying Authority may determine which is to apply.

3. OCCUPANTS OF DEVELOPMENT

The following kinds of people only may occupy any accommodation to which this development consent relates:

- (a) senior people who have disability [as defined in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 ("SEPP")];
- (b) people who live within the same household with seniors or people who have disability ; or
- (c) staff employed to assist in the administration of and provision of services to housing provided under SEPP.

The condition is to be complied with over the life of the development.

4. GENERAL MODIFICATIONS

The proposal shall be amended as follows:

- (a) Sun shading devices shall be provided to north facing bedrooms along the north-eastern wing of the development.
- (b) The front facade materials and finishes shall be modified to reduce the emphasis on painted masonry finish. In this regard the selection of materials evident along the side elevations of the development shall be considered also for the front facade.
- (c) All ensuite windows and/or openings shall be translucent to minimise privacy impacts of adjoining properties.
- (d) Elevations shall be provided for:
 - (i) The East elevation of the front north-west wing;
 - (ii) The West elevation of the front north-east wing;
 - (iii) The South elevation of the front north-west wing adjacent to central courtyard;
 - (iv) The North elevation of the south west wing adjacent to central courtyard.

- (e) The children's play area shall be better dimensioned to provide a functional and usable area for children to play. This area shall include a range of hard and soft surfaces and include acoustically absorptive finishes.

The amendments shall be submitted for the approval and satisfaction of Council prior to the lodgement of the relevant Construction Certificate under the Environmental Planning and Assessment Act 1979.

5. GRATED DRAIN

The grated drain proposed at the north-west corner of the site shall be constructed so as to not encroach into the existing or future road reserve area.

6. ENCROACHMENT INTO FUTURE ROAD RESERVE

The wall on the eastern side of the steps providing access between Bronte Road and the alfresco area shall be constructed so as not to encroach into the area to be dedicated as road.

7. ACOUSTIC REPORT RECOMMENDATIONS

The "recommendations" as outlined in Section 3.5 of the acoustic report prepared by Renzo Tonin & Associates TG209-01F01 (REV 1) dated 7 June 2013 shall be implemented.

A Certificate of Compliance prepared by a suitably qualified acoustic consultant is to be submitted to Council certifying that the recommendations made in the above report have been satisfied and Council's noise criteria has been met prior to the issue of an Occupation Certificate.

8. APPROVED DESIGN

The approved design (including an element or detail of that design) or materials, finish or colours of the building must not be changed so as to affect the internal layout or external appearance of the building, without the approval of Council.

9. ARCHITECT TO SUPERVISE DESIGN

The preparation of the Construction Certificate plans shall be supervised and to the satisfaction of 'Boffa Robertson Group'.

The Principle Certifying Authority must not issue a construction certificate unless it has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted.

10. DELIVERY OF GOODS

Loading and unloading of vehicles and delivery of goods to the land shall at all times be carried out within the site between the hours of 7.00am to 6.00pm, daily. The area set aside for car parking as shown on the approved plans shall be used for the parking of vehicles and for no other purpose.

11. NO APPROVAL FOR ON-STREET PARKING CHANGES

Any proposed changes to on-street parking is to be the subject of a formal request to the Waverley Traffic Committee.

12. INSTALLATION OF AIR CONDITIONING

Any air conditioning unit(s) installed within the building shall:

- (a) Be located a minimum of 1.5 metres from a boundary.
- (b) Be located behind the front building line and if visible suitably screened and located in an appropriate location.
- (c) Not be adjacent to neighbouring bedroom windows.
- (d) Not reduce the structural integrity of the building.
- (e) Not emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
 - (i) before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
 - (ii) before 7.00am and after 10.00pm on any other day.
- (f) Not provide noise emissions that exceed 5dBA above the ambient background noise level measured at the property boundary at any other time outside of (e).

13. MAINTENANCE OF WATER TREATMENT DEVICES

All waste water and stormwater treatment devices (including drainage systems, sumps and traps) must be regularly maintained in order to remain effective. All solid and liquid wastes collected from the device must be disposed of in accordance with the Protection of the Environment Operations Act, 1997.

14. SEPARATE APPLICATIONS FOR NON-RESIDENTIAL USES

Specific development applications are to be lodged for the approval of Council in connection with the initial usage of the cafe and hairdresser/beauty salon within the development, prior to the occupation of the premises.

In this regard, compliance with the BCA in respect to the provision of sanitary facilities shall be provided for each retail tenancy.

15. SEPARATE APPLICATIONS FOR FOOD PREMISES

As above, the future use for a cafe is to be the subject of a separate Development Application, and where food premises and commercial kitchens are involved, the following conditions will also apply:

- (a) The premises must comply with the Food Act, 2003 and the Food Standards Code there under;
- (b) The applicant must arrange for an inspection by Council's Environmental Health Surveyor prior to Occupation;

- (c) The premises are to be registered with Council prior to the issue of the Occupation Certificate; and
- (d) Any proposal to utilise cooking equipment/appliances will be subject to a separate development application to Council and if approved will require an air handling system designed in accordance with AS 1668.1-1998 and AS 1668.2-1991 or alternative solution satisfying the performance objectives of the Building Code of Australia.

16. TELECOMMUNICATION FACILITIES ON RESIDENTIAL FACILITIES

Telecommunication facilities on new aged care buildings are opposed. The Management are prohibited from entering into leasing agreements with telecommunication companies to erect or install any commercial telecommunication device (other than for the explicit use of the occupants) on the building.

17. EXCAVATION TO BE LIMITED

Excavation shall be limited to that shown in the approved plans. Excavation, proposed or undertaken in the certification or construction of the development, that results in additional habitable or non-habitable floor space (including storage) shall require the submission of a new development application or Section 96 application to modify the approved development. During consideration of this application construction work on site shall cease without prior agreement of Council. Failure to comply with this condition may lead to Council prosecuting or taking a compliance action against the development for breach of its consent.

18. WASTE MANAGEMENT

- (a) The facility must provide 5 x 660L bins for waste to be collected twice weekly and at least 2 x 660L bins for co-mingled recycling twice weekly.
- (b) The applicant must enter into a commercial waste collection contract for the commercial and retail component of the building.
- (c) The waste and recycling storage areas must be bunded to the sewer and be equipped with a supply of hot and cold water mixed through a centralised mixing valve with a hose cock.
- (d) The waste and recycling storage areas must be able to accommodate all bins, with all bins simultaneously accessible.
- (e) A compost bin and/or worm farm facility shall be provided for the use of the facility to dispose of their food waste.

19. NO BARBECUE OR CHARCOAL TYPE COOKING

This approval does not permit the installation of barbecue or charcoal type cooking appliances. Comprehensive details must be submitted with a formal application to Council for approval prior to the installation of any such equipment.

20. NO FLASHING SIGNS

The use of flashing lights, flashing illuminated signs and the like is prohibited.

21. LOCATION OF SIGNS

No advertising signs or notices are to be affixed to the windows of the premises.

22. ERECTION OF SIGNS

The erection of the sign is to satisfy the following requirements:

- (a) Be subject to development consent of Council;
- (b) Be erected/supported in a secure manner for safety purposes;
- (c) Does not cause measures that would cause irreversible damage to the building; and,
- (d) Shall be a minimum of 2.6m above the footpath level and be offset a minimum of 600mm behind the kerb.

23. NO SIGNS OR GOODS ON PUBLIC AREA

Portable signs or goods for sale or display must not be placed on the footway or other public areas, without the prior approval of Council.

24. CRIME PREVENTION

Consideration should be given to the following crime prevention measures in the future design stages of the facility:

- (a) Measures to reduce graffiti and vandalism such as using non porous surfaces, anti-graffiti coatings and silicone based paints and inclusion of green walls or wall hugging plants to protect walls and other structures from graffiti & vandalism.
- (b) Clearly define public areas from private areas through appropriate signage, staff supervision and physical barriers such as landscaping and fencing.
- (c) Configuration and surveillance of car park to avoid obstructed areas and opportunity for criminals to loiter. Consider grid row carparking to increase natural surveillance.
- (d) Safety and security of high risk (dementia or high care) patients with recommended provisions to include GPS bracelet devices for patients with dementia/Alzheimer's to prevent them becoming lost or wandering off, bracelets or necklaces for patients that identify the facility address to ensure their safe return, securing the Dementia wing and adjacent courtyard and fire stairs/doors (while maintaining fire safety compliance) with a swipe card or combination lock.
- (e) Provision of good lighting that is free of obstructions (eg. Tree branches, pipes etc), transition lighting (to avoid impairment caused from dark to light and vice versa) and sensor lighting.
- (f) Security and potential for swipe card system for certain areas of the facility, security company or sensor lighting that monitor the site during construction phase, staff be given a mobile panic alarm (rather than having to locate a fixed panic alarm) if they are working in isolation and an unauthorised entry occurs or a patient becomes violent.

- (g) Security and storage of medications should be adequately secured and comply with any relevant legislation, guidelines, policies or directives.

25. SURVEILLANCE CAMERAS TO BE MAINTAINED ON THE PREMISES

The Management must maintain a closed-circuit television (CCTV) system on the premises. The CCTV system must comply with the following requirements:

- (a) It must operate continuously 24hours, 7days a week;
- (b) It must record in digital format at a minimum of six frames per second;
- (c) Any recorded image must specify the time and date of the image;
- (d) The system's cameras must cover:
 - i. all entry and exit points of the premises,
 - ii. the footpath immediately adjacent to the premises, and
 - iii. all publicly accessible areas (other than toilets) on the premises.
 - iv. Storage facilities for any restricted substances and/or medicines.
- (e) CCTV recordings must be retained for at least 30 days.

26. ROLLER SHUTTERS

The installation of roller shutters or grilles, in front of, or in place of a standard window or shop front is prohibited. Council Policy requires the retention of a glass shop front for window display purposes.

B. COMPLIANCE PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

27. SECTION 94A CONTRIBUTION

A cash contribution is payable to Waverley Council pursuant to Section 94A of the *Environmental Planning and Assessment Act 1979* and the ' *Waverley Council Development Contributions Plan 2006*' in accordance with the following:

- (a) A cost report indicating the itemised cost of the development shall be completed and submitted to Council:
 - (i) Where the total development cost is less than \$500,000:
"Waverley Council Cost Summary Report"; or,
 - (ii) Where the total development cost is \$500,000 or more:
"Waverley Council Registered Quantity Surveyor's Detailed Cost Report".
- (b) Prior to the issue of the Construction Certificate, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than \$100,000.

Waverley Council Development Contributions Plan 2006 may be inspected at Waverley Council Customer Service Centre, 55 Spring Street, Bondi Junction.

Advisory Note

- A development valued at \$100,000 or less will be exempt from the levy.
- A development valued at \$100,001 - \$200,000 will attract a levy of 0.5%.
- A development valued at \$200,001 or more will attract a levy of 1% based on the full cost of the development.

28. SECURITY DEPOSIT

A deposit or guarantee satisfactory to Council for the amount of \$85,000 must be provided as security for the payment of the cost of making good any damage that may be caused to any Council property as a consequence of this building work.

This deposit or guarantee must be established prior to the issue of the Construction Certificate. The full amount of the difference after recovery of Council's cost for any repair of damage to Council property will be refunded after satisfactory completion of the building work to the person who paid the deposit.

29. LONG SERVICE LEVY

A long service levy, as required under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986, is to be paid in respect to this building work. In this regard, proof that the levy has been paid is to be submitted to Council prior to the issue of a Construction Certificate.

Note: Council acts as an agent for the Long Service Payment Corporation and the levy may be paid at Council's office. The levy rate is 0.35% of building work costing \$25,000 or more.

30. LANDSCAPING BOND

A bond of \$5,000 is to be lodged with Council either as cash or by way of an unconditional bank guarantee to ensure the protection and maintenance of the Callistemon tree on the naturestrip of the property. The bond is to be lodged prior to the issue of the relevant Construction Certificate.

An application for refund of this bond may be made to Council (12) months from the issue of the Final Occupation Certificate. In the event that any of the specified trees are found damaged, dying or dead at any time during the construction and bond period, the bond may be forfeited to Council. Any replacement of dead or defective trees shall re-start the (12) month maintenance from the date of replacement.

31. PUBLIC ART

Public Art shall be incorporated into the new development. Specific details and design of the proposed public art feature shall comply with 'Public Art in the Private Domain Guidelines' which can be viewed on Council's website and by liaising with Council's Cultural Development Officer.

Details to be provided to the satisfaction of Waverley Council prior to the issue of the relevant Construction Certificate for the development.

32. PROVISION FOR SHAFT FOR FUTURE FOOD PREMISES

Adequate provision shall be made for the installation of a mechanical exhaust system for future premises where food is prepared. This includes the provision of a shaft that complies with the Building Code of Australia, to the roof for the ductwork and the flue of the system.

33. NO BUILDING WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE

The building work, including demolition, must not be commenced until:

- (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with Section 81A(2) of the Environmental Planning & Assessment Act, 1979; and
- (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with Section 81(A)(2)(b) of the Environmental Planning & Assessment Act, 1979 and Form 7 of Schedule 1 of the Regulations; and
- (c) Council is given at least two days Notice in writing of the intention to commence the building works.

The owner/applicant may make application to Council or an Accredited Certifier for the issue of the relevant Construction Certificate and to be the Principle Certifying Authority.

34. ESSENTIAL SERVICES - NEW BUILDING

Details of the proposed essential fire safety measures/services shall be submitted to Council with the application for the relevant Construction Certificate or be attached to the Construction Certificate, including a certificate, prepared by a person competent to do so, setting out the:

- (a) basis of design;
- (b) standard to which the system is to be installed; and
- (c) all relevant documentation, including all drawings such as wiring diagrams, duct layouts, hydraulic schematics etc and calculations shall be submitted for Council's records.

At the completion of the installation, certification containing the following information shall be attached to the application for an Occupation Certificate or to the Occupation Certificate:

- (a) inspection, testing and commissioning details;
- (b) date of inspection, testing and commissioning;
- (c) the name and address of the individual who carried out the test; and
- (d) a statement that the service has been designed, installed and is capable of operating to the above standard.

35. COMPLIANCE WITH FIRE SAFETY PROVISIONS OF THE SENIORS SEPP

The facility shall provide a fire sprinkler system in accordance with Clause 55 of the SEPP (Housing for Seniors or People with a Disability) 2004.

36. HOARDING REQUIRED

A standard Class hoarding designed and constructed in accordance with the requirements of the Work Cover Authority being erected on the street alignments of the property, prior to the commencement of building operations, and such hoardings to be maintained during the course of building operations. Details of the hoarding are to be provided to Council prior to issue of the relevant Construction Certificate.

Where the hoarding is to be erected over the footpath or any public place, the approval of Council must be obtained prior to the erection of the hoarding.

37. GEOTECHNICAL ENGINEERS REPORT

A geotechnical report, regarding the stability of the subject site and stating that damage should not occur to any adjoining premises as a result of the proposed bulk excavation, driven type piles and shoring works, is to be submitted to the Principal Certifying Authority, Council and the owners of adjoining premises. The report is to be submitted prior to the issue of the relevant Construction Certificate and commencement of any such works on the site.

Should ground anchors be required for construction, a separate application shall be submitted to Council in the form of a development application.

38. DETAILS OF BULK EXCAVATION, SHORING OR PILE CONSTRUCTION

A report shall be prepared by a suitably qualified and practising Structural Engineer detailing the proposed methods of bulk excavation, shoring or pile construction, including details of vibration emissions and any possible damage which may occur to adjoining or nearby properties as a result of the proposed building and excavation works. The Report shall be submitted to the Principal Certifying Authority, Council and the owners of adjoining properties prior to the issue of the relevant Construction Certificate.

Any practices or procedures specified in the Structural Engineer's report in relation to the avoidance or minimisation of structural damage to adjoining properties are to be fully complied with and incorporated into the plans and specifications together with the relevant Construction Certificate.

39. SERVICE AUTHORITIES

The applicant is to seek approval from the relevant authorities regarding any possible modification to the service authorities infrastructure prior to the issue of a Construction Certificate.

40. NOISE MANAGEMENT PLAN - DEMOLITION, EXCAVATION AND CONSTRUCTION

A site specific Noise Management Plan must be submitted to the Council for approval and comment prior to the issue of the relevant construction certificate and complied with during any building works. The plan must be prepared by a suitably qualified person who possesses the qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants. The plan must include but not be limited to the following:-

- (a) Confirmation of the level of community consultation that has, is and will be undertaken with Building Managers/occupiers/residents of noise sensitive properties likely to be affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.

- (b) Confirmation of noise methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties in order to keep complaints to a minimum and to ensure that noise from site works complies with Council's noise criteria.
- (c) What course of action will be undertaken following receipt of a complaint concerning site noise emissions?
- (d) Details of any noise mitigation measures that have been outlined by an acoustic engineer or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring property to a minimum.
- (e) What plant and equipment is to be used on site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring property and other less intrusive technologies available.

41. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A Site Waste and Recycling Management Plan (SWRMP) Checklist 2 shall be submitted to the Principal Certifying Authority for approval in accordance with Waverley DCP 2012 prior to the issue of the relevant Construction Certificate. In this regard, Council expects demolition and excavated material to be reused and/or recycled wherever possible.

The builder and all subcontractors shall comply with the approved SWRMP Part 1 and 2 at all times during construction. At least one copy of the SWRMP is to be available on site at all times during construction. Copies of demolition and construction waste dockets that verify the facility that received the material for recycling or disposal and the quantity of waste received, must be retained on site at all times during construction.

42. EROSION, SEDIMENT AND POLLUTION CONTROL

Erosion, sediment and pollution control measures are to be implemented on this site. These measures are to be in accordance with Council's Stormwater Policy and are to be implemented prior to commencement of any work or activities on or around the site. Details of these measures are to be submitted to the Principal Certifying Authority prior to the issuing of the relevant Construction Certificate.

43. STORMWATER MANAGEMENT

Certification is to be provided from a suitably qualified professional, that the stormwater system has been designed in accordance with the Water Management Technical Guidelines. Stormwater system details are to be submitted in accordance with the Waverley Development Control Plan 2012 prior to the issue of the relevant Construction Certificate.

Note: Under the current design, orifice diameter should be limited to 245mm only.

44. ENGINEERING DETAILS

Structural details prepared and certified by a practicing Structural Engineer being furnished to Council or Accredited Certifier in connection with all structural components prior to the issue of the relevant Construction Certificate.

45. CONSTRUCTION VEHICLE AND PEDESTRIAN PLAN OF MANAGEMENT

A "Construction Vehicle and Pedestrian Plan of Management" (CVPPM) is to be approved by Council prior to the issue of the relevant Construction Certificate and the undertaking of any demolition, excavation, remediation or construction on the site.

The CVPPM shall provide details of the following:

- (a) The proposed route to be taken by demolition/construction vehicles in the Waverley Council area when accessing and exiting the site.
- (b) The type and size of demolition/construction vehicles. Trucks with dog trailers and semi trailers may not be approved for use if it is considered with the information submitted that such vehicles cannot adequately and safely gain access to and from the site or where access into or out of the site may not be possible without the need to remove an unsatisfactory number of vehicles parked on the roadway adjacent to or opposite the site.
- (c) The location of truck holding areas remote from the site should Council not give approval for demolition/construction vehicles to stand on the roadway in the vicinity of the site.
- (d) Traffic control measures to be put in place when trucks, manoeuvring in the vicinity of the site, will interfere with the free flow of traffic.
- (e) The location and materials of construction of temporary driveways providing access into and out of the site.
- (f) The location and length of any proposed Works/Construction Zones. Note: such zones require the approval of the Waverley Traffic Committee and Council prior to installation.
- (g) The hours of operation of demolition/construction vehicles.
- (h) The number of and where it is proposed to park light vehicles associated with staff/employees/contractors working on the site.
- (i) How it is proposed to cater for the safe passage of pedestrians past the site. The details shall include:
 - i. the route required to be taken by pedestrians including signage and any other control measures that will need to be put in place to direct and keep pedestrians on the required route;
 - ii. any obstructions such as street furniture, trees and bollards etc., that may interfere with the safe passage of pedestrians;
 - iii. the type(s) of material on which pedestrians will be required to walk;
 - iv. the width of the pathway on the route;
 - v. the location and type of proposed hoardings;
 - vi. the location of existing street lighting.

46. GENERAL MODIFICATIONS – PARKING

The proposal shall be amended as follows:

- (a) Basement car parking shall be provided at a maximum rate of:
 - i. 26 staff spaces;
 - ii. 14 resident/visitor spaces;
 - iii. 1 ambulance space
 - iv. Maximum of 40 car spaces in the basement, and 1 ambulance space at ground level (excluding loading dock).
- (b) One car space in the basement shall be modified to provide bicycle parking for staff and visitors.

(c) Car parking spaces shall be allocated to and clearly signposted or marked for the various allocations (ie staff / visitors / residents) in the basement.

(d) A minimum of 10% of all vehicle spaces are to be accessible.

The amendments shall be submitted for the approval of the Principal Certifying Authority prior to the issue of the relevant Construction Certificate under the Environmental Planning and Assessment Act 1979.

47. BICYCLE PARKING

A total of 10 bicycle parking spaces are to be provided for staff and visitors. Such spaces are to be provided by way of a secure lockable area, individual lockers or suitable bicycle racks. The spaces are to be located both in the basement level (where a single car space has been deleted in lieu of bicycle parking) and also externally at ground level within the front setback area of the site. Details are to be indicated on the plans prior to the issue of the relevant Construction Certificate.

48. ACCESSIBLE CAR SPACE

A minimum of 10% of all car parking are to be provided as car spaces for the vehicles of people with disabilities.

The car spaces shall be identified and reserved at all times and be in the vicinity of a lift or as close as possible to public areas and facilities. The car spaces shall have minimum dimensions of 3.2m x 5.5m and minimum headroom clearance of 2.5m for vehicles fitted with a roof mounted wheelchair rack.

A notice shall be displayed at the entrance to the car park and at each change in direction indicating the location of car spaces and the maximum headroom for vehicles.

Details are to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

49. AMENDED LANDSCAPE PLAN

The Landscape Plan is to be amended by the following changes:

- (a) Soil depth level for the courtyards, communal open space and roof garden planting areas shall be no less than 60 cm in depth (excluding depth required for plumbing and drainage) with the first horizon being no less than 30cm in depth. Species selection should be amended to provide a greater representation of local/native species used on the site.
- (b) The planting location of individual species shall be indicated on the plan, ensuring sufficient planting space is provided for each.
- (c) There is to be a minimum representation of 50% native species used across the site (represented in each category of trees, shrubs, ground covers).
- (d) Planting volumes need to be sufficient to support the proposed species. For any trees to be planted, details of root volume provided and details of tree pits is required.
- (e) Section diagrams of tree pits for new trees are required, ensuring sufficient soil depth is provided.

- (f) Trees 4 (Himalayan Cedar) and 12 (Bull Bay Magnolia) are to also be removed and replaced at a rate of one for one, given their damaged condition.
- (g) Planting species selection on the Level 2 central landscape courtyard and Level 3 rear courtyard are to include an increased selection of shade tolerant species due to their lack of solar access.
- (h) Plant species selection for the planters on Level 1 adjacent to the vehicular entry shall give consideration to their lack of natural light.

The amended landscape plan is to be submitted to Council for approval by the Parks and Open Spaces Division of Council prior to the issue of the relevant Construction Certificate.

50. STREET PLANTINGS

All work outside the property boundary is to be carried out with the approval of, and in accordance with, the requirements of Council at the applicant's expense. Such works shall comply with the following:

- (a) A consulting arborist (minimum qualification level of AQF 5) shall be engaged to ensure the following works are carried out to the street tree on the eastern end of the naturestrip:
 - i. Tree protection measures e.g. 1.8m high chain link fence or the like, must be erected around the existing street trees to protect them from damage during construction. This protection work must be completed prior to commencement of building works and be in accordance with AS 4970.
 - ii. Appropriate tree protection signage is erected.
- (b) No existing street trees shall be removed without Council approval.

51. LANDSCAPED SLABS

Details shall be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate indicating the proposed method of water-proofing and drainage of the concrete slabs over which landscaping is proposed.

52. ACCESS

Access to and within the tenancy and associated common areas must comply with the requirements of Part D3 of the BCA and AS 1428.1. Details verifying compliance must be provided to the Certifying Authority prior to the issue of the relevant Construction Certificate.

53. ACCESSIBLE SIGNAGE

Appropriate signage and tactile information indicating accessible facilities shall be provided at the main entrance directory or wherever directional signage or information is provided in the building. Such signage shall have regard to the provisions of AS1428.2.

54. ROOFWATER GUTTERING

All new or replacement roof guttering is to comply with the requirements of the Building Code of Australia and Australian Standard AS 3500 *Plumbing & Drainage Standards* to ensure that collected roof water does not flow back into the building.

55. USE OF RENEWABLE TIMBERS

Council requires, wherever possible, the use of renewable timbers and/or plantation timbers such as Radiata Pine or Oregon as an alternative to the use of non-renewable rainforest timber products in buildings so as to help protect the existing areas of rainforest. In this regard, a schedule of proposed timber products to be used in the building is to be submitted for approval by the Principle Certifying Authority prior to the issue of the relevant Construction Certificate. Where the applicant is to use timbers not recommended in Council's Policy, reasons are to be given why the alternative timbers recommended cannot be used.

56. ENERGY AUSTRALIA

The applicant to confer with Energy Australia to obtain that authority's needs for the provision and location of a kiosk type distribution centre on the subject land, and if deemed necessary, the applicant to make available land to that Authority for the siting of such kiosk/sub-station. Documentary evidence of compliance is to be provided to the satisfaction of the Principle Certifying Authority prior to the issue of the relevant Construction Certificate.

57. ARCHIVAL RECORDING OF EXISTING BUILDINGS

An archival record shall be prepared of the existing building for deposit in Waverley Council's Archive. This record must be carried out prior to the removal of any significant building fabric or furnishings from the site and two (2) hard copies must be submitted to Council prior to the commencement of any demolition work and the issue of a Construction Certificate. The record shall comprise photographic documentation of the site and its context, and the exteriors and interiors of the existing building(s), photographed where appropriate, using a camera/lens capable of 'perspective correction', comprising:

- (a) adjacent buildings, building elevations, and important interior and exterior architectural spaces and features of the building/site;
- (b) a summary report of the photographic documentation; and
- (c) photographic catalogue sheets, which are referenced to a site plan and floor plan, no larger than A3 paper size, and indicating the location and direction of all photos (black & white prints and slides) taken.

C. COMPLIANCE PRIOR TO AND DURING CONSTRUCTION

58. PRIOR TO SITE WORKS

The Principal Certifying Authority must be informed in writing before any site works, building or demolition commences of:

- (a) the name and contractor licence number of the licensee who has contracted to do, or intends to do, work ; or

- (b) the name and permit number of the owner/builder who intends to do the work; and
- (c) any change to these arrangements for doing of the work.

59. DILAPIDATION REPORT

Dilapidation surveys must be conducted and dilapidation reports prepared by a practising professional engineer (structural) of all buildings, (both internal and external), including ancillary structures located on land adjoining the site and of such further buildings located within the likely “zone of influence” of any excavation, dewatering and/or construction induced vibration. The survey must identify which properties are within the likely 'zone of influence'.

These properties must include (but are not limited to) 361, 361A, 369, 369A Bronte Road, 40, 42, 44, 46 and 48 Evans Street, 36, 38, 40, 42, 44 and 46 Brae Street, Bronte, and any others identified to be in the zone of influence in the Dilapidation Survey.

The dilapidation reports must be completed and submitted to Council and the Principal Certifying Authority with or prior to the Notice of Commencement and prior to the commencement of any development work. The adjoining building owner(s) must be given a copy of the dilapidation report for their building(s) prior to the commencement of any work.

Please note the following:

- a) The dilapidation report will be made available to affected property owners on request and may be used by them in the event of a dispute relating to damage allegedly due to the carrying out of the development.
- b) This condition cannot prevent neighbouring buildings being damaged by the carrying out of the development.
- c) Council will not be held responsible for any damage which may be caused to adjoining buildings as a consequence of the development being carried out.
- d) Council will not become directly involved in disputes between the Developer, its contractors and the owners of neighbouring buildings.
- e) In the event that access for undertaking the dilapidation survey is denied the applicant is to demonstrate in writing to the satisfaction of the Council that all reasonable steps were taken to obtain access to the adjoining property. The dilapidation report will need to be based on a survey of what can be observed externally.

60. TREE PROTECTION MEASURES PRIOR TO CONSTRUCTION

Trees to be retained and protected shall be clearly shown on any construction plans. Tree protection shall be as detailed in the Tree Report prepared by 'Treescan Urban Forest Management' dated May 2013.

Tree protection measures are to be installed prior to any work (including demolition) Evidence by means of an arborist report and/or photographic evidence showing site context are to be submitted and approved by Waverley Council's Tree Management Officer prior to the commencement of any work including demolition.

61. TREE PLAN

All trees to be retained on the site are to be protected by AS 4970 – 2009 Protection of trees on development sites and by the conditions below.

All trees, shrubs or vegetation on the subject or neighbouring sites identified for retention and within 7.5m of the building work are to be provided with tree protection measures as described below.

All trees, shrubs or vegetation on the subject site are to be provided with a tree guard and a notice on each guard indicating "This tree is the subject of a Tree Preservation Order by Waverley Council." This notice is to be in place prior to commencement of any building or demolition work. Only trees with the approval of Council for removal may be removed from the site.

- **Trees to be retained and protected**

Trees to be retained and protected as per the Arborist Report by Treescan urban forest management.

Protection fencing is to be installed prior to any work commencing on the site.

| Species Tree number | Location | Action |
|--|---|---|
| 6A Callistemon viminalis 7 Eucalyptus microcorys 10 Magnolia grandiflora 11 Syzygium luehmannii 12A Persea americana 13 Celtis australis 20 Largunaria patersonii 23 Phoenix canariensis 24 Robinia pseudoacacia 25 Castanospermum australe 26 Brachychiton acerifolius 27 Robinia pseudoacacia 28 Celtis australis 28A Celtis australis 29 Celtis australis 29A Celtis australis 30 Celtis australis 31 Celtis australis 33 Celtis australis 33A Celtis australis 34 Ficus macrophylla 39 Celtis australis | Street Tree Centre of front yard Western side Western side Neighbouring property Neighbouring property Neighbouring property Southeast corner Southern side Southern side Southern side (rear) Southern side (rear) Southern side (rear) Southern side (rear) Southern side (rear) Southern side (rear) Southern side (rear) Neighbouring property Southern side (rear) | Retain and protect as per the conditions below. *TPZ of a minimum of 4.0 metres from the middle of the trunk and as bounded by the boundary fence shall be installed as per the conditions below. Trunk protection as per AS 4970 – 2009, Section 4.5.3 is to be installed. Padding to be used shall be non absorbing or free draining to prevent moisture build up around the part being protected. |

***TPZ-** Tree Protection Zone

TPZ – A 1.8m chain link wire fence or the like shall be erected around the above trees to be retained to protect them from damage during construction. Fencing is not to be removed until all building work has been completed. Fencing to be installed to the dimensions outlined in the table above. All tree protection fencing shall comply with AS 4970 – 2009 Protection of trees on development sites.

The maintenance of this TPZ shall be maintained as per AS4970 – 2009, Section 4.6.

Established boundary fences or site boundary fences are to remain in place at all times to physically protect any existing trees or vegetation on neighbouring sites. If fences are to be removed and replaced this process shall be undertaken in the most minimal time possible.

If tree roots are exposed during this process and they are to be exposed for any more than 24 hours then a protective absorbent covering is to run the length of the exposed boundary. This covering is to be kept moist to prevent the drying out of roots.

Any backfilling material required due to excavation shall meet the requirements of AS 4419-2003 Soils for landscaping and garden use. Any backfilling material shall also be conducive to promoting root development and growth.

Soil levels are not to be changed around any trees on the subject or neighbouring properties.

No mechanical excavation shall be undertaken within the tree canopy spread (within the dripline) or within 2.0m from the middle of the trunk (whichever is greater) of any tree, shrub or vegetation that is protected under Waverley Council's Tree Preservation Order.

Post holes for the installation of the deck are to be dug by hand. If tree roots greater than 50mm are encountered then post shall be relocated away from that root. Any roots smaller than 50mm are to be pruned as per specifications below.

The proposed front timber deck shall be supported on screw piles. There are no posts to be located within 1.0 metres from the middle of the trunk of the tree to be retained. If tree roots greater than 30mm are encountered then post shall be relocated a minimum of 100mm away from that root. Any roots smaller than 30mm are to be pruned as per specifications below.

The deck shall be installed so that there is a 200 mm clearance between the edge of the deck and the outer edge of the trunk. The decking surface shall be installed with a minimum 3mm gap to allow water infiltration and transference of organic matter to occur.

Any drainage relating to surface water on the deck shall be attached to the underside of the deck. Any proposed subsurface drainage shall be installed no closer than 1.5 metres from the middle of the trunk of the tree to be retained.

If any tree roots are exposed during any approved works then roots smaller than 30mm are to be pruned as per the specifications below. Any roots greater than 30mm are to be assessed by a qualified arborist before any pruning is undertaken.

If tree roots are required to be removed for the purposes of constructing the approved works they shall be cut cleanly by hand, by an experienced Arborist/Horticulturist (with a minimum of the Horticulture Certificate or Tree Surgery Certificate).

It is the arborist's responsibility to determine if such root pruning is suitable. If there are any concerns regarding this process then Waverley Council's Tree Management Officer is to be contacted to make final determination.

If any trees or vegetation on the subject property require pruning and are covered by Waverley Council's Tree Preservation Order an Application to Prune or Remove Trees on Private Property must be presented to Council for processing.

If any trees on neighbouring properties require pruning and are covered by Waverley Council's Tree Preservation Order then permission must be gained from the owner of the tree(s) and an Application to Prune or Remove Trees on Private Property is then to be presented to Council for processing.

There are to be no underground services installed within 2.0 metres from the middle of the trunk of any trees to be planted, or 1.0 metres from the edge of any proposed garden bed.

62. TREE PROTECTION

Precautions shall be taken when working near trees, shrubs or vegetation on the subject or neighbouring properties to ensure their retention, including the following:

- (a) Do not store harmful or bulk materials or spoil under or near trees;
- (b) Prevent damage to bark and root system;
- (c) Do not use mechanical methods to excavate within root zones;
- (d) Do not add or remove topsoil from under the drip line;
- (e) Do not compact ground under the drip line;
- (f) Do not mix or dispose of liquids within the drip line of the tree; and
- (g) All trees marked for retention must have a protective fence/guard placed around a nominated perimeter.
- (h) If any trees are damaged through the construction or demolition process, they must be replaced with a tree(s) of comparable size as approved by Council.

- **Trees to be removed**

| Species Tree number | Location | Action |
|--|--|--------------------|
| 1 Thuja orientalis 2 Cupressus torulosa 3 Cupressus sempervirens 4 Cedrus deodara 5 Glochidion ferdinandi 6 Thuja orientalis 8 Grevillea robusta 9 Ligustrum lucidum 12 Magnolia grandiflora 13A Celtis australis 14 Cinnamomum camphora 15 Ficus microcarpa 16 Jacaranda minosifolia 16A Celtis australis 17Melaluca quinquenervia 18 Cinnamomum camphora 19Archontophoenix alexandrae 21Agonis flexuosa 22 Celtis australis 32 Banksia integrifolia 35 Celtis australis 36 Celtis australis 37 Celtis australis 38 Robinia pseudoacacia | Eastern boundary South west side front Western side Western side Centre rear yard Centre rear yard Centre rear yard Centre rear yard Centre rear yard rear yard rear yard rear yard | Remove and replace |

In line with Council's policy to maintain and increase tree cover in the Council area, all trees where consent has been given to be removed are to be replaced with 50% local native tree of minimum container size of 75 litres and shall be maintained in a healthy condition until they attain a mature height of at least six (6) metres, or whereby they will be protected by Council's Tree Preservation Order.

Trees shall not be tied to stakes unless support is essential. All advanced trees are to be planted in holes at least 450mm square and 450mm deep, containing good quality soil and humus. In lawn areas, grass is to be kept back for a radius of at least 450mm from stems and trunks, a depression should be formed for the collection of water and the area mulched.

Woodchip mulch is to be installed to a depth of 75-90mm to all mass planted garden areas and around the base of trees in lawn areas. The mulch should be kept at least 50mm away from plant stems to reduce the risk of collar rot.

If the replacement trees are found to be faulty, damaged, dying or dead before being protected by Council's Tree Preservation Order the tree/s shall be replaced with the same species at no cost to Council.

63. LANDSCAPE CONSULTANT

A qualified Landscape and/or Arboricultural Consultant shall be retained for the duration of the construction of the development. The Consultant shall submit to the Principal Certifying Authority a Certificate of Practical Completion stating the work has been completed in accordance with the approved Landscape Plan and that a maintenance program has been established. The Certificate shall be lodged upon satisfactory completion of the landscaping works and prior to the issue of the Occupation Certificate.

64. HOME BUILDING ACT

The builder or person who does the residential building work shall comply with the applicable requirements of Part 6 of the Home and Building Act, 1989. In this regard a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy the Principal Certifying Authority that they have complied with the applicant requirements of Part 6, before any work commences.

65. CONSTRUCTION SIGNS

Prior to commencement of any works on the site and during construction a sign shall be erected on the main frontage of the site detailing the name, address and contact details (including a telephone number) of the Principal Certifying Authority and principal contractor (the coordinator of the building works). The sign shall be clearly legible from the adjoining street/public areas and maintained throughout the building works.

66. EXCAVATION AND BACKFILLING

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards and must be properly guarded and protected to prevent them from being dangerous to life or property.

67. EXCAVATION BELOW FOOTINGS

If an excavation associated with the erection or demolition of a building extends below the level of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made, at their own expense, must:

- (a) preserve and protect the building from damage; and
- (b) if necessary, must underpin and support the building in an approved manner; and
- (c) must, at least seven days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

68. EXCAVATION TO BE MANAGED BY STRUCTURAL ENGINEER

Bulk excavation is to be managed by a practising structural engineer, in accordance with the specification for shoring and support, as detailed in the approved Construction Certificate.

69. OBSTRUCTION TO PUBLIC AREAS

If a public place or pedestrian vehicular traffic may be obstructed because of the carrying out of work involved in the erection or demolition of a building; or a public place is required to be enclosed in connection with the erection or demolition of a building; then:

- (a) a hoarding fence must be erected between the building site and the public place of the proposed building and the public place. If necessary, an awning sufficient to prevent any substance from, or in connection with, the work falling into the public place, is also to be erected;
- (b) the work is to be kept lit during the time between sunset and sunrise if the work may be of a sort of danger to persons using the public place; and
- (c) a hoarding, fence or awning is to be removed when it is no longer required for the purpose it was provided.

70. POTENTIAL DEWATERING OF THE SITE

Should dewatering of the site be required, the onus is on the developer to:

- (a) Undertake the necessary site investigations prior to construction;
- (b) Prove that a water table is present or absent;
- (c) Assess the feasibility of alternative construction methods;
- (d) Assess the potential contaminated site, acid sulphate soil and saline intrusion issues;
- (e) Design an appropriate and safe dewatering system;
- (f) Apply for a dewatering licence;
- (g) Provide a detailed geotechnical and hydrogeological report regarding construction dewatering and monitoring;
- (h) Design and implement a monitoring program;
- (i) Monitor, analyse, interpret and report on dewatering to Council. DWE and possibly DECC throughout construction;
- (j) Inform Council of unexpected site conditions (such as water tables or high seepage rates) and subsidence issues.

71. ASBESTOS REMOVAL

All demolition works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover NSW Friable Class A Asbestos Removal Licence or where applicable a Non-friable Class B (bonded) Asbestos Removal Licence. Removal must be carried out in accordance with the “Code of Practice on how to safely remove asbestos” published by WorkCover NSW (catalogue no. WC03561) and Waverley’s Asbestos Policy.

72. PROHIBITION OF ASBESTOS RE-USE

No asbestos products are to be reused on site.

73. ASBESTOS REMOVAL SIGNAGE

Standard commercially manufactured signs containing the words “DANGER ASBESTOS REMOVAL IN PROGRESS: measuring not less than 400m X 300mm are to be erected in prominent visible positions on the site during asbestos removal works.

74. SKIPS AND BINS (NEW)

No asbestos laden skips or bins are to be left in any public place without the approval of Council.

75. NOTIFICATION OF ASBESTOS REMOVAL (NEW)

All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone number and email address.

76. CLASSIFICATION OF WASTE/ DISPOSAL OF EXCAVATED SOILS

That prior to the exportation of waste (including fill or soil) from the site the material must be classified in accordance with the provisions of the Protection of the Environment Operations Act, 1997 and the NSW EPA Waste classification guidelines 2009. The classification of the material is essential to determine where the waste may be legally taken. The Protection of the Environment Operations Act 1997 provides for the commission of an offence for both the waste owner and the transporters if the waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the NSW EPA.

77. SITE HEALTH & SAFETY PLAN

A Site Health & Safety Plan is to be prepared prior to the commencement of remediation works by a person competent to do such Plan. All works are to be carried out in accordance with this Plan. This Plan shall include:

- (a) hazard identification and control
- (b) site security
- (c) personal protective equipment
- (d) work zones and decontamination procedures
- (e) contingency plans and incident reporting
- (f) environmental monitoring

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the Principal Certifying Authority immediately.

78. USE OF FILL ON SITE

All fill imported on to the site shall be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported onto the site shall also be compatible with the existing soil characteristics for site drainage purposes.

Council may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported on to the site should be validated by either one or both of the following methods during remediation works;

- (a) Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
- (b) Sampling and analysis of the fill material should be conducted in accordance with the DECC Sampling Design Guidelines (1995) to ensure that the material is not contaminated.

79. CONTAMINATING MATERIAL REQUIRED TO BE REMOVED

The following requirements apply to demolition and construction works on site:

- (a) Hazardous dust is not to be allowed to escape from the site. The use of fine mesh dust proof screens or other measures are recommended. Any existing accumulations of dust (eg: ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particle air (HEPA) filter. All dusty surfaces and dust created from work are to be suppressed by a fine water spray. Water must not be allowed to enter the street and stormwater systems. Demolition is not to be performed during adverse winds, which may cause dust to spread beyond the site boundaries.
- (b) All contractors and employees directly involved in the removal of hazardous dusts and substances are to wear protective equipment conforming to Australian Standard AS1716 Respiratory Protective Devices. They shall also adopt work practices in accordance with the requirements of Safe Work Australia's National Standard for the Control of Inorganic Lead at Work (NOHSC: 1012 (1994) and NOHSC: 2015(1994).
- (c) All lead-contaminated materials being disposed of in accordance with the NSW Environment Protection Authority (EPA) Waste Classification Guidelines 2009 and the Protection of the Environment Operations Act 1997 (NSW).

80. HAZARDOUS MATERIALS AUDIT

The "recommendations" as outlined in Section 11 of the Noel Arnold & Associates Report number C110220:J117802 April 2013 shall be implemented.

A Hazardous Materials Audit (HMA) must be carried out by a suitably qualified practitioner prior to site demolition. The HMA must assess the presence of structural and residual building materials that may be of environmental concern. The HMA must also ensure that hazardous materials that may have been used within the structural components of all buildings are adequately addressed to protect site personnel from risk of exposure.

81. DEMOLITION OR ALTERATION OF PRE 1987 BUILDINGS

At least five (5) days prior to the demolition, renovation work or alterations and additions to any building constructed before 1987, the person acting on the consent shall submit a Work Plan prepared in accordance with Australian Standard AS260-2001, Demolition of Structure and a Hazardous Materials Assessment by a person with suitable expertise and experience. The Work Plan and Hazardous Materials Assessment shall:

- (a) Outline the identification of any hazardous materials, including surfaces coated with lead paint;
- (b) Confirm that no asbestos products are present on the subject land; or
- (c) Particularise a method of safely disposing of the asbestos in accordance with the Code of Practice on how to safely remove asbestos published by WorkCover NSW (catalogue WC03561);
- (d) Describe the method of demolition;
- (e) Describe the precautions to be employed to minimise any dust nuisance; and
- (f) Describe the disposal methods for hazardous materials.

82. DEMOLITION & SITE PREPARATION

Hazardous or intractable wastes arising from the demolition process being removed and disposed of in accordance with the requirements NSW WorkCover Authority and the DECC, and with the provisions of:

- (a) New South Wales Occupational Health and Safety Act, 2000;
- (b) The Occupational Health and Safety (Hazardous Substances) Regulation 2001;
- (c) The Occupational Health and Safety (Asbestos Removal Work) Regulation 2001;
- (d) Protection of the Environment Operations Act 1997 (NSW) and
- (e) DECC's Environmental Guidelines; Assessment, Classification and Management of Liquid and Non Liquid Wastes (1999).

83. SEDIMENT REMOVAL FROM VEHICLE WHEELS

A vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed in accordance with the approved Soil and Water Management Plan for the site prior to the commencement of any site works or activities.

84. DEMOLITION REQUIREMENTS

Following demolition activities the soil must be tested by a person with suitable expertise, to ensure the soil lead levels are below acceptable health criteria for residential areas. The soil investigation being carried out in accordance with the NSW Environment Protection Authority (EPA) "Guidelines for Consultants Reporting on Contaminated Sites". An approved NSW Environment Protection Authority (EPA) Auditor, in accordance with the NSW EPA's "Guidelines" shall issue a Site Audit Statement at the completion of the investigation, for the NSW Site Auditor Scheme.

85. COMPLIANCE WITH WORKCOVER NSW REQUIREMENTS

All site works complying with the occupational health and safety requirements of WorkCover NSW.

86. TOILET FACILITIES

Toilet facilities being provided on the work site in accordance with the requirements of Sydney Water.

87. NO USE OF ORGANOCHLORIN PESTICIDES

The use of organochlorin pesticides as termite barriers in new development is prohibited pursuant to Council Policy. Only physical barriers are to be used for termite control. The building shall comply with Australian Standard 3660: Protection of building from subterranean termites - prevention, detection and treatment of infestation.

88. SOIL AND WATER MANAGEMENT PLAN

A Soil and Water Management Plan (also known as an Erosion and Sediment Control Plan) shall be prepared according to SSROC's Soil and Water Management Brochure and the DECC's Managing Urban Stormwater: Construction Activities. This Plan shall be implemented prior to commencement of any works or activities. All controls in the Plan shall be maintained at all time. A copy of the Soil and Water Management Plan must be kept on site at all times and made available to Council officers on request.

89. STOCKPILES

Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

90. LOCATION OF BUILDING OPERATIONS

Building operations such as brick cutting, washing tools or brushes and mixing mortar are not permitted on public roadways or footpaths or in any locations which could lead to the discharge of materials into the stormwater drainage system.

91. TEMPORARY DIVERSION OF ROOF WATERS

Stormwater from roof areas shall be linked via a temporary downpipe to Council's stormwater system immediately after completion of the roof area. Inspection of the building frame will not occur until this is completed.

92. ALL BUILDING MATERIALS STORED ON SITE

All building materials and any other items associated with the development are to be stored within the confines of the property. No materials are to be stored on Council's footpath, nature strip, or road reserve without prior Council approval.

93. CONSTRUCTION HOURS

Demolition and building work must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays and 8am to 3pm on Saturdays with no work to be carried out on:

- (a) The Saturday (except minor renovation or refurbishment to a single dwelling construction) and Sunday which form part of public holiday weekends;
- (b) Sundays and public holidays; and
- (c) On the Saturday (except minor renovation or refurbishment to a single dwelling construction) and Sunday which immediately precede or follow industry Rostered Days Off, as agreed by the CFMEU and the Master Builders Association of NSW.

94. NOISE FROM BUILDING WORKS - RESTRICTED ACTIVITIES

Where there is a strong community reaction to noise associated with demolition, excavation and/or construction, Council may require respite periods by restricting the hours that the specific noisy activity can occur.

Notes: If this is imposed, Council will take into account:

- 1. Times identified by the community when they are less sensitive to noise
- 2. If the community is prepared to accept a longer period of construction in exchange for restrictions on construction times.

Noise from construction activities shall comply with the Protection of the Environmental Operations (Noise Control) Regulation 2000.

95. USE OF HEAVY EARTH MOVEMENT EQUIPMENT

Excavation works involving the use of heavy earth movement equipment including rock breakers and the like must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays with no such work to be carried out on Saturday, Sunday or a public holiday.

96. CONSTRUCTION NOISE

The LA10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background (LA90) noise level by more than 10dB(A) when assessed at any sensitive noise receiver.

97. NOISE - MECHANICAL PLANT

Noise associated with mechanical plant shall not give rise to any one or more of the following:

- (a) Transmission of "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* to any place of different occupancy.
- (b) A sound pressure level at any affected property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the use. The source noise level must be assessed as a LAeq, 15 minute.
- (c) Notwithstanding compliance with (a) and (b) above, the noise from mechanical plant associated with the premises must not be audible in any habitable room in any residential premises between the hours of 12.00 midnight and 7.00am.
- (d) A Certificate is to be submitted at the completion of all work and prior to the issue of an Occupation Certificate, from a suitably qualified Acoustic Engineer. The Certificate is to certify all plant and equipment complies with the terms of approval in relation to noise.

98. NOISE EMISSIONS

The use of the premises shall not give rise to:

- (a) Transmission of "Offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy;
- (b) A sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard 1055.

99. AIR EMISSIONS

The use of the premises shall not give rise to air impurities in contravention of the Protection of the Environment Operations Act, 1997. No injury being caused to the amenity of the neighbourhood by the emission of noise, smoke, smell, vibration, gases, vapours, odours, dust, particulate matter, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health, the exposure to view of any unsightly matter or otherwise.

100. BUILDING CODE OF AUSTRALIA

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

Sanitary facilities are to be in accordance with Part D3 of the Building Code of Australia and AS1428 (People with Disabilities).

101. QUALITY OF CONSTRUCTION ACT - INSPECTIONS (RESIDENTIAL FLAT DEVELOPMENT AND OTHER RESIDENTIAL CLASS 2, 3 AND 4)

The building works are to be inspected during construction by the Principal Certifying Authority (PCA) and in accordance with the Building Legislation (Quality of Construction) Act 2002 and the Environmental Planning and Assessment Regulations. Also, documentary evidence of compliance with the relevant terms of conditions of development consent and standards of construction detailed in the Building Code of Australia is to be obtained prior to proceeding to the subsequent stages of construction and/or issue of an Occupation Certification.

MANDATORY Critical Stage Inspections **MUST** be carried out by the PCA for work undertaken during specified stages of construction and prior to issuing an Occupation Certificate.

The specified **MANDATORY** inspections are:

In the case of a Class 2, 3 and 4 building:

- (a) at the commencement of the building work;
- (b) prior to covering of waterproofing in any wet area for a minimum of 10% of rooms with wet area within a building;
- (c) prior to covering any stormwater drainage connections; and
- (d) after the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The following additional inspections are required to be undertaken by the PCA:

- (a) sediment control measures prior to the commencement of building work;
- (b) foundation material prior to undertaking building work;
- (c) shoring of excavation works, retaining walls, piers, piling or underpinning works;
- (d) steel reinforcement, prior to pouring concrete;
- (e) prior to covering timber or steel framework for floors, walls and roofing, including beams and columns;
- (f) prior to installation of fire resisting construction systems (ie fire rated ceilings and walls).

Note: Certification may be required from a suitably qualified person, in relation to specialist matters, verifying that particular works satisfy the relevant requirements of the Building Code of Australia and standards of construction.

102. CERTIFICATE OF SURVEY - LEVELS

All construction works shall be strictly in accordance with the Reduced Levels (RLs) as shown on the approved plans. Certification from a Registered Surveyor certifying ground, upper floor/s and finished ridge levels is to be submitted to the Principal Certifying Authority during construction and prior to continuing to a higher level of the building.

103. CERTIFICATE OF SURVEY - BOUNDARIES AND LOCATION OF BUILDING

A Certificate of Survey prepared by a Registered Surveyor setting out the boundaries of the site and the actual situation of the building on the site is to be submitted to the Principal Certifying Authority to certify the building is located in accordance with the development consent plans. The Certificate is to be submitted prior to the construction of the external walls above the ground floor level of the building.

104. ENCROACH BEYOND THE BOUNDARIES

No portion of the proposed building works including the footings and roof eaves, to encroach beyond the boundaries of the subject property.

105. IN-SINK WASTE DISPOSAL SYSTEMS

The installation of in-sink waste disposal systems is prohibited.

106. MECHANICAL VENTILATION

- (a) The premises are to be ventilated in accordance with the requirements of the Building Code of Australia & relevant Australia Standards.
- (b) Any proposed mechanical ventilation system shall comply with the Australian Standard AS 1668 - 1991 (Parts 1 and 2). Prior to installation, the design is to be certified by a person competent to do so. At completion of the installation of the system and prior to the issue of the Occupation Certificate, the work shall be certified by a person competent to do so. The certification shall include:
 - (i) inspection, testing and commissioning details;
 - (ii) date of inspection, testing and commissioning details;
 - (iii) the name and address of the individual who carried out the test; and
 - (iv) a statement that the service has been designed, installed and is capable of operating to the above standard.

107. REFRIGERATION UNITS & MECHANICAL PLANT

All refrigeration motors/units or other mechanical plant are to be installed within the building in an acoustically treated plant room. In this regard, adequate provision is to be made within the confines of the building for any plant and equipment associated with the use of the building.

108. KITCHEN EXHAUST SYSTEM

A kitchen exhaust system is to be installed to effectively prevent or minimise air pollution including the emission of odours, vapours and oils in contravention of the Protection of Environment Operations Act 1997.

109. KITCHEN EXHAUST DISCHARGE POINT FOR RESIDENTIAL KITCHEN

The kitchen exhaust vent shall be designed to discharge the effluent air in a vertical direction one metre above the pitched roof and at least six metres from any fresh air intake vent or natural ventilation device in a position where no nuisance will be created.

110. LOCATION OF GREASE TRAP

The grease trap is not to be located in areas where food, equipment or packaging materials are handled or stored in accordance with the requirements of AS 4674-2004 "Design, Construction and Fitout of food premises". The grease trap room must have a piped connection to the boundary so that it can be emptied.

Note: Sydney Water also have requirements for grease arrestors that you need to comply with.

111. CONTROL OF LEGIONNAIRES DISEASE

- (a) All cooling towers and warm water systems must be operated and maintained in accordance with AS/NZS 3666 2011, the *Public Health Act 2010*, *Public Health Regulation 2012* and *NSW Health Code of Practice for the Control of Legionnaires Disease*.
- (b) The occupier of the building must register and provide particulars of any water cooling, and warm-water systems as required under the provisions of the *Public Health Act, 2010 and Regulation*. Registration forms are available from Council.

112. MICROBIAL CONTROL

- (a) All cooling towers and warm water systems must be operated and maintained in accordance with AS 3666.2.2011, the *Public Health Act, 2010* and *Public Health Regulation 2012*.
- (b) A true copy of the annual certificate as stipulated in clause 7 (4) of the *Public Health Regulation 2012* which certifies the effectiveness of the process of disinfection used for the water cooling tower system, must be submitted to Council prior to the period ending 30 June each year.
- (c) Prior to commencement of the use the owner or occupier of the premises must apply to Council for the registration of water cooling systems & warm water systems installed on the premises in accordance with the *Public Health Regulation 2012*.

113. WATER PROOFING

The floor and wall surfaces of the proposed wet areas being protected against water in accordance with the Building Code of Australia. The wet areas are to be examined and certified by an Accredited Certifier.

Note: Water proofing is to be in accordance with AS 3740 - Water Proofing of Wet Areas within residential buildings.

114. HOT TAP WATER SCALDING

To reduce the incidence of hot tap water scalding and, for the purpose of energy efficiency, all new or replacement hot water systems shall deliver hot water to a maximum 50 degrees Celsius at the outlet of all sanitary fixtures used for personal hygiene.

115. BALCONIES NOT TO BE ENCLOSED

The private open balconies attached to the proposed building are not to be enclosed at any future time, in accordance with the provisions of Council's General Policy. In this regard, the door openings within the external walls adjoining the open balconies to be constructed so as to prevent the penetration of rain or other waters to the inner part of the building.

116. SERVICE PIPES

All plumbing and drainage, including sewerage drainage stacks, ventilation stacks and water service pipes shall be concealed within the building. Plumbing other than stormwater downpipes shall not be attached to the external surfaces of the building.

117. NEW VEHICLE CROSSING

A new vehicle crossing is to be provided to access the proposed carpark. A separate application is required for the vehicle crossing, with all work to be carried out with the approval of and in accordance with the requirements of Council.

118. VEHICULAR ACCESS – FINISHED LEVEL

The finished level at the property boundary on **both** sides of the vehicle crossing is to be **20mm above** the existing concrete footpath.

119. WORK OUTSIDE PROPERTY BOUNDARY

All work outside the property boundary is to be carried out with the approval of, and in accordance with, the requirements of Council at the applicant's expense.

120. DISCHARGE OF COMMERCIAL OR INDUSTRIAL LIQUID TRADE

Commercial or industrial liquid trade waste including waste water generated in the garbage storage area to be discharged to Sydney Water sewer is to be undertaken in accordance with the provisions of Sydney Water's Trade Waste Policy and Management Plan. In this regard, the applicant is to confer with Sydney Water prior to the commencement of building work.

D. COMPLIANCE PRIOR TO OCCUPATION OR DURING OCCUPATION

121. SYDNEY WATER

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. **Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water website www.sydneywater.com.au/customer/urban/index or telephone 13 20 92.**

Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact **with the Coordinator**, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to release of the linen plan/occupation of the development.

122. CONSOLIDATION OF LOTS

Prior to the issue of an Occupation Certificate, the lots shall be consolidated into a single allotment and registered on title, to be known as 365 Bronte Road, Bronte.

123. ALLOCATION OF STREET NUMBER

Upon the parcels/properties being consolidated for the purpose of redevelopment, the allocated street number will be 365 Bronte Road, Bronte.

- No. 365 for the allotments Lot A DP 79074, Lot 2 DP 152049, Lot 1 DP 152049, Lot 3 DP 152049, Lot B DP 79074;

The street number for the property shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level on the site boundary that fronts the street. The street number is to be positioned on the site prior to the issue of the Occupation Certificate

Any variation to the above street numbering requires a new application to be lodged with Council.

124. RESTRICTION AS TO USER

A restriction as to user must be registered in accordance with section 88E of the Conveyancing Act 1919 on the title of 365 Bronte Road, Bronte for the allotments Lot A DP 79074, Lot 2 DP 152049, Lot 1 DP 152049, Lot 3 DP 152049, Lot B DP 79074 which restricts the use of any accommodation to which this development consent relates to only the following kinds of people:

- (a) senior people who have disability [as defined in State Environmental Planning Policy (Housing for Seniors or People with a Disability 2004] ("SEPP");
- (b) people who live within the same household with seniors or people who have disability ; or
- (c) staff employed to assist in the administration of and provision of services to housing provided under SEPP.

The terms of the restriction as to user are to be approved by Council in writing prior to registration. The council shall be the party who has the right to modify or extinguish the restriction.

This condition is to be satisfied prior to the issue of an occupation certificate.

125. WAVERLEY DIGITAL MODEL

Prior to the issue of an Occupation Certificate, an accurate 'as built' digital model of the building must be submitted to Council's Planning and Environmental Services Department for use in the Waverley Digital Model.

- a) A digital model of the building must be generated at a scale of 1:1 with units of measurement in metres and include the following:
 - i. a building envelope which includes all elements affecting shadow analysis;
 - ii. accurate placement of glazing, balconies, roof pitches, terraces, roof services and any other prominent external design features;
 - iii. a ground level terrain showing accurate RLs extending to site boundaries;
 - iv. the internal floor plate of each level showing accurate RLs.
- b) All models must be generated in accordance with Council's Guidelines: Submitting Digital 3D Models. Further information and technical requirements can be obtained from Council's E-Planning (3D Modelling) Officer, Planning and Environmental Services Department.

126. ARCHITECT TO SUPERVISE DESIGN - OCCUPATION CERTIFICATE DOCUMENTATION

The Principal Certifying Authority must not issue an occupation certificate to authorise a person to commence occupation or use of the development unless it has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the facility achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued.

127. ROAD WIDENING

Prior to the issuing of the final Occupation Certificate, the 25.8m² of land along the Bronte Road frontage required for road widening purposes being dedicated to Council with all costs associated being borne by the applicant.

128. LANDSCAPE PLAN

The site is to be landscaped in accordance with the approved landscaped plan with the landscape works completed prior to the issue of the Occupation Certificate.

129. PARKING PERMITS

In accordance with Council's Policy, Residents Preferential Parking Scheme permits will **not** be issued for this development when it is completed.

130. NOTIFY NSW FOOD AUTHORITY

Prior to the commencement of the food handling operations (residential component), the food business must notify the NSW Food Authority of the following information including:

- (a) Contact details for the food business, including the name and address of the business and the proprietor of the business.
- (b) The nature of the food business.

You must notify the NSW Food Authority via the internet on www.foodnotify.nsw.gov.au or by contacting the Council for a notification form. Failure to notify the NSW Food Authority may result in a penalty not exceeding \$2,750.

131. FOOD PREMISES RESIDENTIAL KITCHEN

The following requirements apply to premises that commercially provide food:

- (a) The premises must comply with the Food Act, 2003 and the Food Standards Code there under;
- (b) The applicant must arrange for an inspection by Council's Environmental Health Surveyor prior to Occupation;
- (c) The premises must be constructed in accordance with the requirements of Council's "Policy for fit-out and construction of food premises". Copies of the policy can be purchased at Council's Customer Service Centre; and

Note:

The premises are to use healthier oils such as mono or polysaturated oil to shallow and/or deep fry foods that are prepared, served, available and marketed to customers. This will assist in decreasing the availability of foods prepared for sale that contain high levels of saturated and trans fats.

132. WASTE STORAGE

The following requirements apply to waste management:

- (a) A waste management plan must be submitted to Council to include all waste removal arrangements such as the Contractor, recyclables and all other waste (collection and disposal), prior to the occupation of the premises.
- (b) Provide a separate waste storage area suitably covered, bunded and drained to the sewer. The waste storage receptacles must be maintained in good order and repair at all times.
- (c) Provide a suitable storage area affectively bunded for chemicals, pesticides and cleaning products.
- (d) Provide a separate storage area for used and unused cooking oils suitably covered, bunded and drained to the sewer.
- (e) Provide dry basket arresters to the floor wastes in the food preparation and waste storage areas.
- (f) Confer with Sydney Water regarding whether a Trade Waste Agreement is required. A copy of the agreement shall be forwarded to Council if one is entered into with Sydney Water.

133. SHARPS WASTE DISPOSAL EQUIPMENT

Premises must provide adequate sharps waste disposal equipment which includes at least One sharps disposal bin that:

- (i) complies with Australian Standard 4031:1992;
- (ii) is of at least 1 litre capacity;
- (iii) is clearly labelled for use as a sharps bin; the test; and
- (iv) has a lid that can be sealed;
- (v) is not more than three quarters full before sealing and being replaced;
- (vi) is located on the premises at all times.

134. STORAGE OF HAZARDOUS MATERIALS

The following requirements apply to the storage of hazardous materials:

- (a) Hazardous waste, liquid waste, asbestos or asbestos products and dangerous goods not being stored or processed at the site.
- (b) The storage and handling of flammable and combustible liquids being in accordance with Australian Standards AS 1940-1993: The Storage and Handling of Flammable and Combustible Liquids.
- (c) Adequate holding facilities being constructed for the storage of new and waste oils and other bulk liquids in accordance with AS 1940-1993 before commencement of the use.

135. MEDICAL WASTE

An authorised waste disposal contractor shall dispose of medical wastes. Contractor details are to be submitted to Council with the operation/construction certificate prior to the commencement of the business.

136. CLINICAL WASTE

- (a) Disposable sharps shall be discarded in a clearly labelled puncture resistant container, which conforms to Australian Standard AS 4031. A licensed waste contractor shall be engaged to dispose of the waste.
- (b) Contaminated waste must be segregated and placed in a suitable leak proof bag ready for appropriate disposal. Contaminated waste includes microbiological waste or pathological waste, or any other material or item that is soiled or contaminated with blood or other body substances and that is likely to cause infection or injury to any other person.

137. DISPLAY OF WASTE MANAGEMENT PLAN

The occupant/body corporate shall be provided with at least one copy of the Waste Management Plan. An additional copy of the plan shall be displayed in a secure, visible and accessible position within or adjacent to the waste storage area. The approved Waste Management Plan must be complied with at all times during occupation.

138. PLANT

All sound producing plant, equipment, machinery or fittings associated with or forming part of the mechanical ventilation system being capable of being operated in accordance with the requirements of The Protection of the Environment Operations Act 1997 (POEO Act) and The Protection of the Environment Operations (Noise Control) Regulation 2000 (Noise Control Regulation). In this regard, details of the proposed mechanical exhaust ventilation system within the food preparation area to be submitted to and approved by Council or an Accredited Certifier prior to occupation.

139. CERTIFICATION – NOISE: PLANT AND EQUIPMENT

- (a) A Certificate is to be submitted to Council at the completion of all work and prior to the issue of an Occupation Certificate, from a suitably qualified Acoustic Engineer. The Certificate is to certify all plant and equipment including mechanical supply and exhaust ventilation systems (including the car park) and freezer and refrigeration motors comply with the terms of approval in relation to noise.
- (b) The mechanical exhaust ventilation system is to comply with the approved plans and specifications in addition to Australian Standards AS 1668 parts 1 and 2, 2002. A Certificate of Test together with a copy of the final test figures is to be submitted by a competent person and approved by the Principle Certifying Authority prior to the issue of the Occupation Certificate.

140. NOISE COMPLAINTS

If, during on-going use of the premises, substantiated complaints of breaches of noise emission conditions and/or the Protection of the Environment Operations Act, 1997 occur, an acoustic report assessing the impact of the operation will be required to be carried out by a suitably qualified acoustic consultant. The report is to be submitted to the satisfaction of Council's Health Compliance Unit within 60 days of written request. The investigation shall include, but not be limited to:

- (a) The identification of sensitive noise receivers potentially impacted by the proposal;
- (b) The quantification of the existing acoustic environment at the receiver locations (measurement techniques and assessment period should be fully justified and accordance with relevant Australian Standards and NSW Environment Protection Authority (EPA) requirements);
- (c) The formation of a suitable assessment criteria having regard to the guidelines contained in the NSW EPA Industrial Noise Policy;
- (d) The identification of operational noise producing facets of the use and the subsequent predictions of resultant noise at the identified sensitive receiver locations from the operation of the use. Where appropriate the predication procedures must be justified and include an evaluation of prevailing atmospheric conditions that may promote noise propagation;
- (e) A statement indicating that the operation of the premises complies with the relevant criteria together with details of acoustic control measures that will be incorporated into the development/use, will not create adverse noise impacts to surrounding development.

141. SLIP TESTS OF COMMON AREAS

Common area tiles should not have slippery finishes. Slip tests should be undertaken in wet conditions.

142. TACTILE NUMBER IN LIFT

The applicant is advised that with regard to the provision of the lift in the building, it will be necessary for tactile numbers to be placed on each level of the building and within the lift to assist visually impaired people.

143. LIGHTING

Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the *Australian Standard AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting*.

144. OCCUPATION CERTIFICATE

The Principal Certifying Authority prior to occupation or use of the development must issue a final Occupation Certificate. In issuing an Occupation Certificate, the Principal Certifying Authority must be satisfied that the requirements of Section 109H of the Environmental Planning & Assessment Act, 1979 have been satisfied.

END OF CONDITIONS

AMENDED

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DA- 274/13

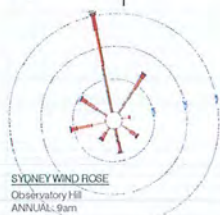
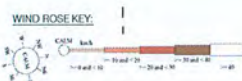
17 OCT 2013

WAVERLEY COUNCIL
RC & CS Department

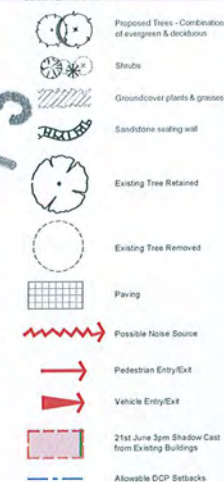




--Subject Site shown hatched
367 Bronte Road BRONTE



 SITE PLAN
Scale 1:200



0 1 2 5 10 metres

NOTES

1. For detailed Landscaping information/species etc refer to Landscape Architects documents

| SITE AREA SCHEDULE/CALCULATIONS | | |
|---------------------------------|----------------------|-----------------------|
| Lot - DP | Area by Title | Area by Survey |
| Lot A - DP 79074 | 948.5m ² | 950.0m ² |
| Lot B - DP 79074 | 645.0m ² | 985.7m ² |
| Lot 1 - DP 152049 | 1132.0m ² | 1140.0m ² |
| Lot 2 - DP 152049 | 803.0m ² | 825.5m ² |
| Lot 3 - DP 152049 | 746.1m ² | 750.5m ² |
| Land Dedication | | 25.8m ² |
| Overall Site Area* | | 4 651.7m ² |
| Nett Site Area = | | 4 625.9m ² |

TOTAL GROSS FLOOR AREA: 9 164m²
(including Carparking Plant/Stores)

FLOOR SPACE RATIO AREA: 6 611m²
(Calculated to SEPP Requirements) FSR = 1.429:1

SITE COVERAGE:
Total building Footprint coverage: 2 453m²
Soft Porous Landscaping: 1 149,7m²
Non Porous Landscaping: 1 023,2m²

4 625,9m²

| SITE COVERAGE COMPARISON | | | |
|---|-----------------------------|---|------------------|
| Property Address/Location | Site Area m ² | Building Coverage Area m ² | % of Coverage |
| 567 Breeze Road (IDA 544 sq ft and Residence & Car Port) | 4 295 m ² | As Existing: 1 635m ² Proposed: 2 453m ² | 36.5% |
| 31 Breeze Road 3 Storey Units | 862m ² | 327m ² | 38% |
| 31 Breeze Road Revised Residence 4 & 2 Storey Residence | 630m ² | 360m ² | 58% |
| 371 Breeze Road 4 Storey Units with Parking under | 627m ² | 264m ² | 42% |
| 373 Breeze Road 3 & 4 Storey Units with Parking under | 836m ² | 410m ² | 49% |
| 48 Evans Street 3 Storey Units with Parking under | 544m ² | 202m ² | 37% |
| 46 Evans Street 3 Storey Units with Parking under | 554m ² | 160m ² | 32% |
| 44 Evans Street Single Storey Residence | 544m ² | 227m ² | 41% |
| 42 Evans Street Single Storey Residence | 511m ² | 190m ² | 38% |
| 40 Evans Street 1 & 2 Storey Residence | 812m ² | 307m ² | 37% |
| 43 Breeze Street Revised Residence | 307m ² | 143m ² | 46% |
| 41-46 Breeze Street large Storey Commercial & Residential | 1079m ² | 293m ² | 27% |
| 43 Breeze Street large Storey Commercial & Residential | 303m ² | 137m ² | 34% |
| 49 Breeze Street large Storey Commercial & Residential | 391m ² | 126m ² | 32% |
| 48 Breeze Street 2 Storey Units | 703m ² | 316m ² | 46% |

| | | |
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| B | Issue Incorporating Council requirements | 14.10.13 |
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| A | Issue for DA Submission | 12-06-13 |
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| No. | Amendment | Date |
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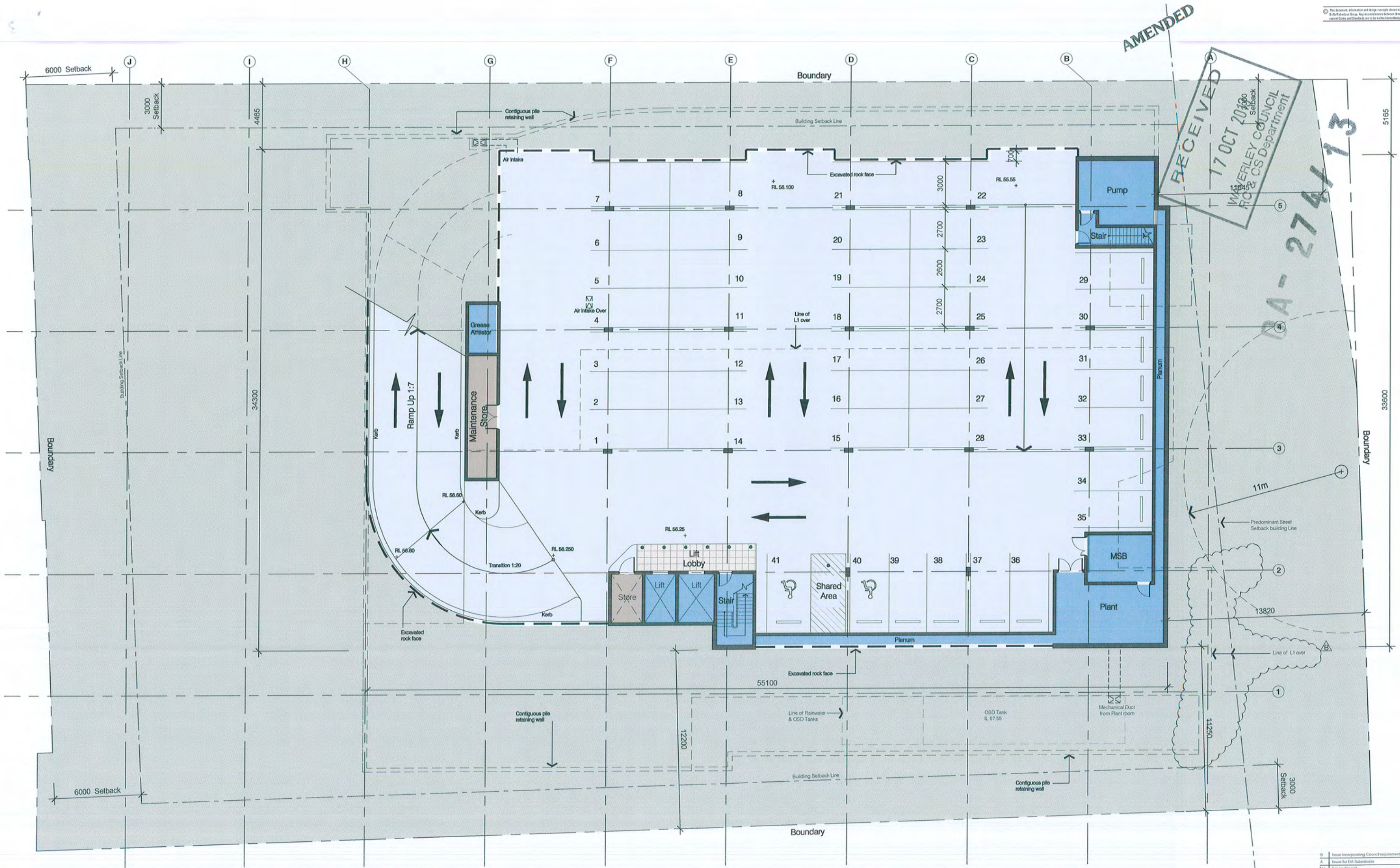
Project
ST VINCENT'S & MATER HEALTH SYDNEY
LORETO RESIDENTIAL CARE FACILITY, BRONTE

Drawing
SITE PLAN, LOCATION PLAN
& SITE ANALYSIS PLAN

boffa robertson group
architecture, health and good care planning, project management

Suite 7, Level 1 Epica, 9 Railway Street
Chatswood NSW 2067
AUSTRALIA
Tel: (02) 9406 7000
Fax: (02) 9406 7009
Email: trigroup@tbg.net

| | | | |
|---|-----------|------------|-------------------|
|  | Date | May 2013 | Job No. : Drawing |
| | Scale | 1:200 @ B1 | |
| | Drawn | GP | |
| | Amendment | 0 | |
| | | | 1214 / DA02 |



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| | | |
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| B | Issue Incorporating Council requirements | 14.10.13 |
| A | Issue for DA Submission | 12.06.13 |
| No | Amendment | Date |

Project
ST VINCENT'S & MATER HEALTH SYDNEY
LORETO RESIDENTIAL CARE FACILITY, BRONTE

Drawing
B1 - BASEMENT FLOOR PLAN

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architecture, health and aged care planning, project management

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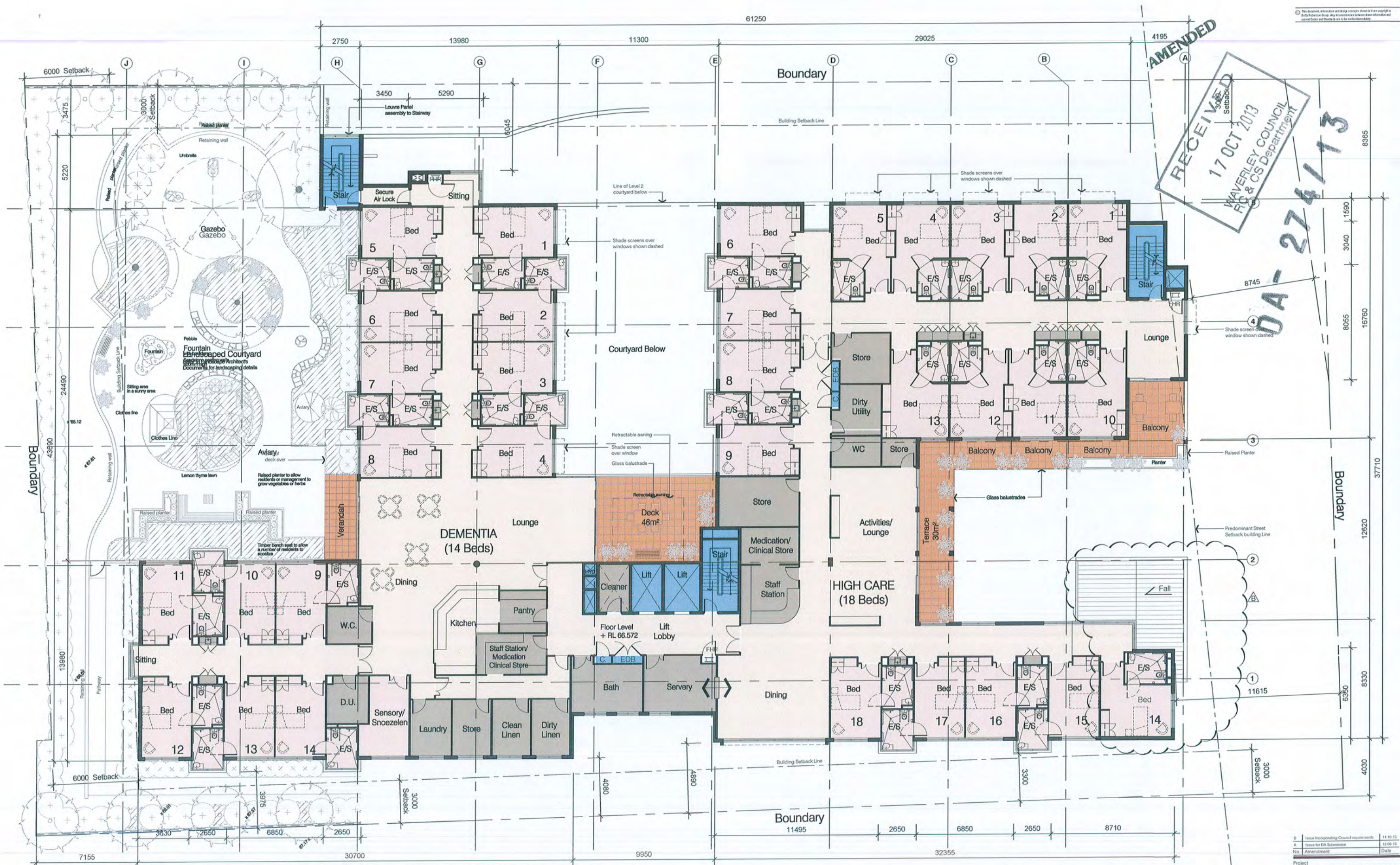
Suite 7, Level 1 Epica, 9 Rialto Street
ADELPHIDE
Tel: 080 9106 7000
Fax: 080 9106 7000
Email: bronte@obr.com.au

NOTES:
B1 - Gross Floor Area = 1080m²
For FSH Figures, Refer to FSH Calculations Diagram



| | | | |
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| Date | MAY 2013 | Job No. | 1214 / DA03 |
| Scale | 1:100 (B1) | Drawn by | |
| Checked by | | Reviewed by | |





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 FC & CS Department

DA-274/13

NOTES:
 L3 - Gross Floor Area = 1820m²
 For FSR Figures, Refer to FSR Calculations Diagram



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| B | Issue Incorporating Council requirements | 14.10.13 |
| A | Issue for DA Submission | 12.06.13 |
| N/A | Amendment | Date |

Project
 ST VINCENT'S & MATER HEALTH SYDNEY
 LORETO RESIDENTIAL CARE FACILITY, BRONTE

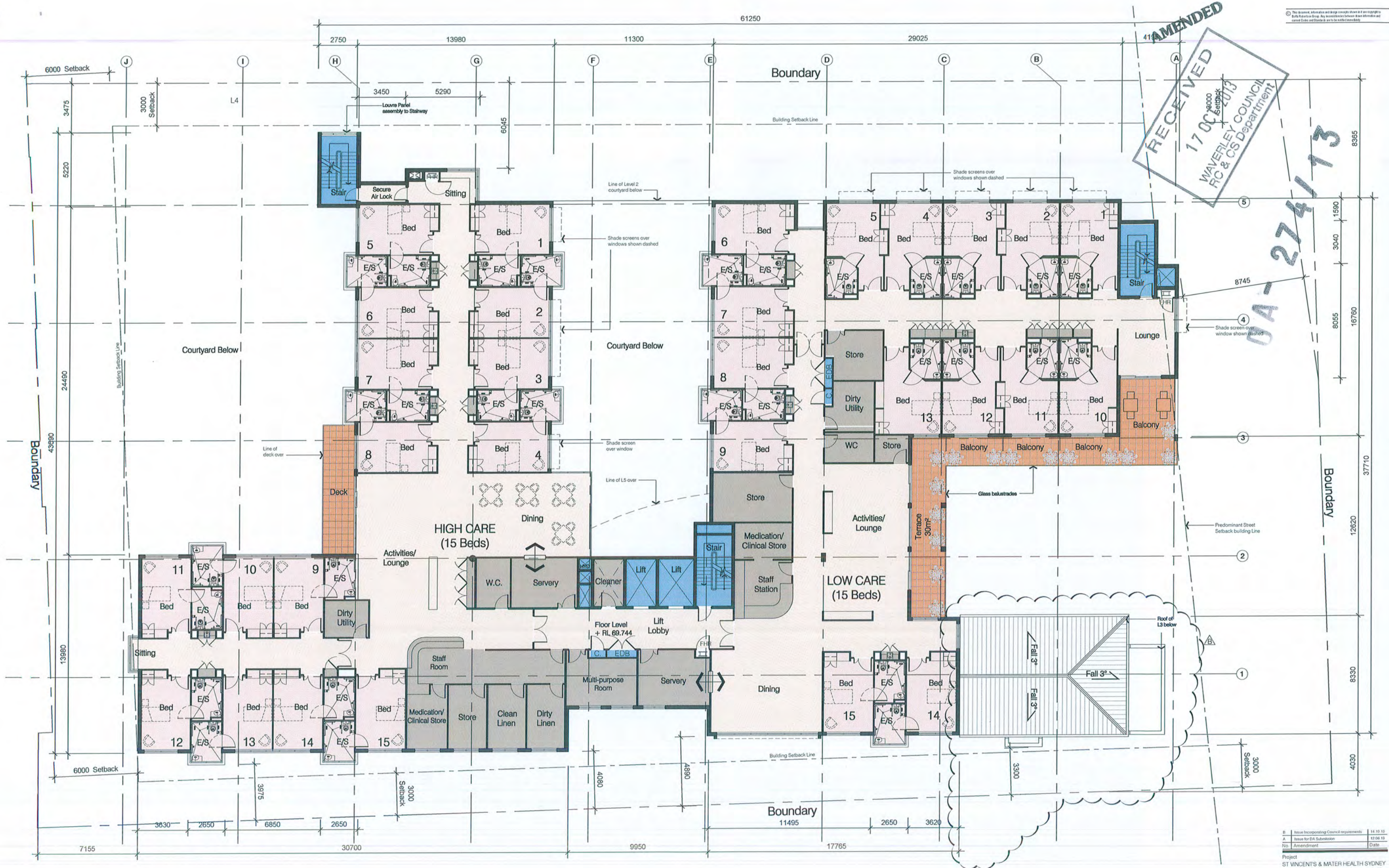
Drawing
 Level 3 - FLOOR PLAN

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obr
iqg

Scale 1:100 @ B1
 Drawn: GJR
 Checked: GJR
 Date: 14.10.13

Job No: 1214 / DA06



NOTES:
 L4 - Gross Floor Area = 1814m²
 For FSR Figures, Refer to FSR Calculations Diagram



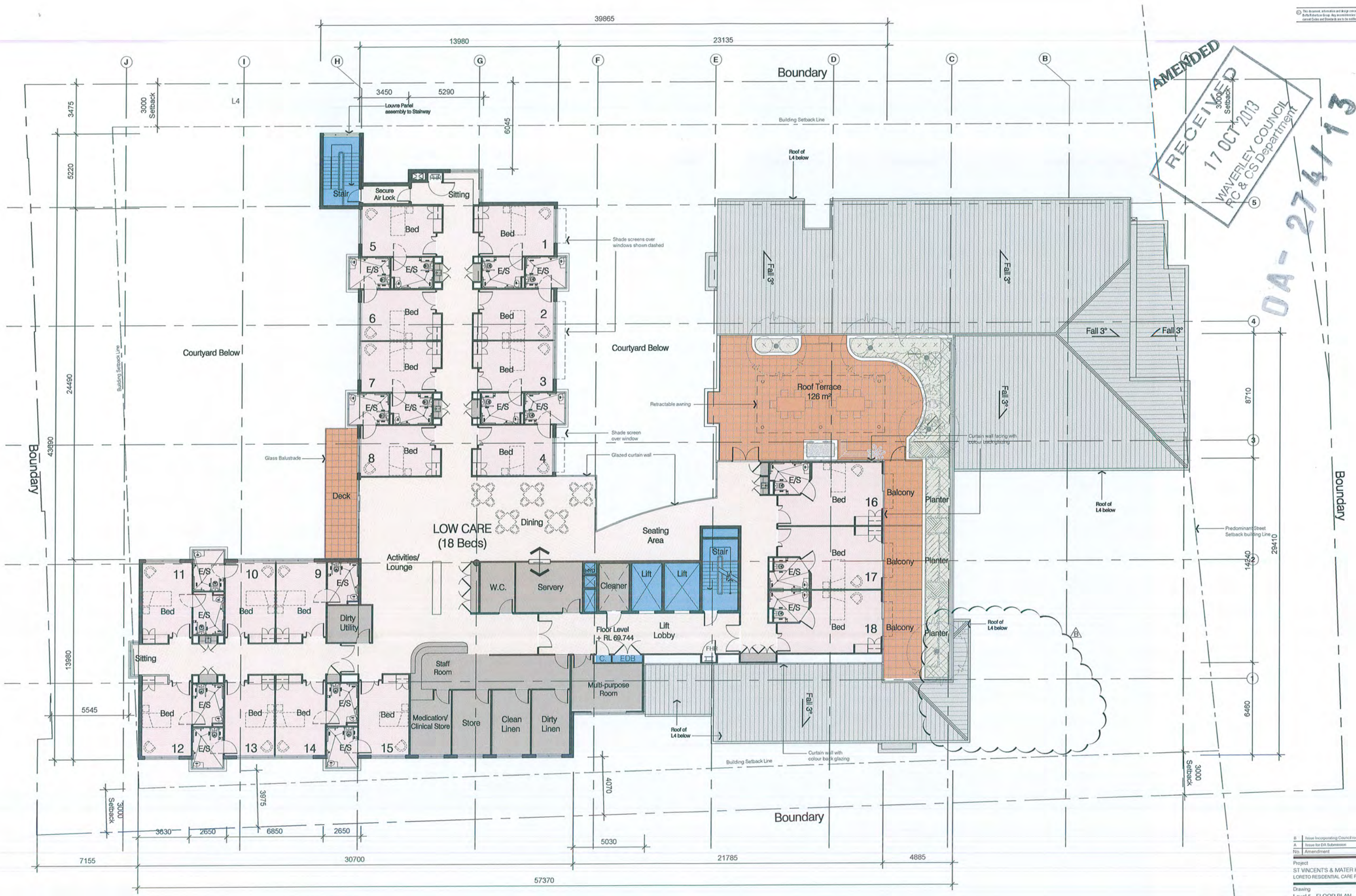
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| B | Issue Incorporating Council requirements | 14.10.13 |
| A | Issue for DA Submission | 12.06.13 |
| No. | Amendment | Date |

Project
 ST VINCENT'S & MATER HEALTH SYDNEY
 LORETO RESIDENTIAL CARE FACILITY, BRONTE
 Drawing
 Level 4 - FLOOR PLAN

boffa robertson group
 architects, health and aged care planning, project management

boffa robertson group
 10/11, Level 11, 91 Rialto Street
 Cheltenham NSW 2157
 AUSTRALIA
 Tel: (02) 9436 7000
 Fax: (02) 9436 7001
 Email: info@brg.com.au

| | | | |
|-----------|------------|---------|-------------|
| DATE | MAY 2013 | Job No. | 1214 / DA07 |
| SCALE | 1:100 @ B1 | | |
| Drawn | CP | | |
| Amendment | B | | |



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 DA-274/13

NOTES:
 1. Gross Floor Area = 1130m²
 2. For FSR Figures, Refer to FSR Calculations Diagram



| | |
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| Issue Incorporating Council requirements | 14.10.13 |
| Issue for DA Submission | 12.06.13 |
| Amendment | Date |

Project
 ST VINCENT'S & MATER HEALTH SYDNEY
 LORETO RESIDENTIAL CARE FACILITY, BRONTE
 Drawing
 Level 5 - FLOOR PLAN

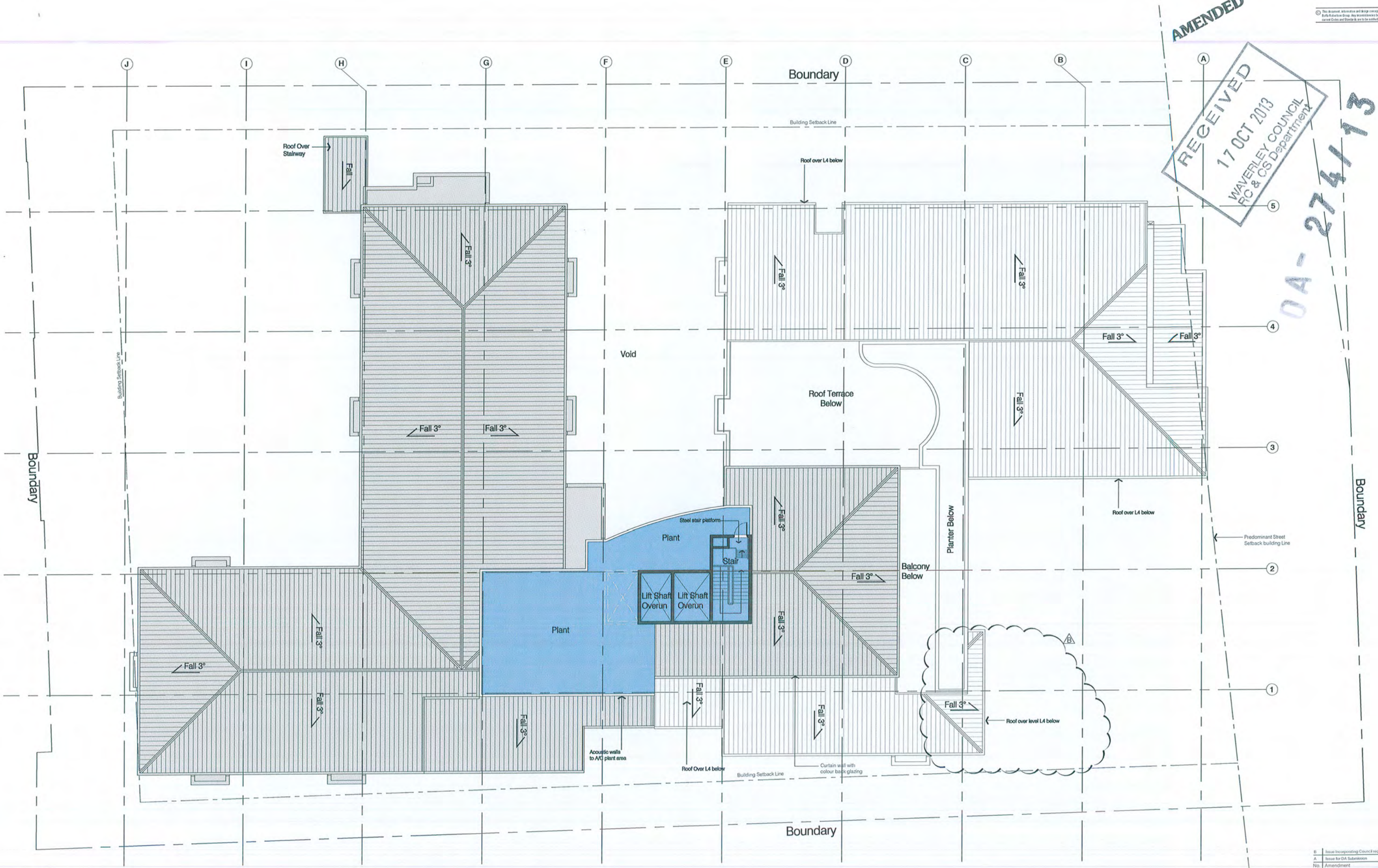
boffa robertson group
 architects, health and aged care planning, project management
 boffa robertson group
 Suite 7, Level 1 Epic, 9 Railway Street
 Cheltenham NSW 2157
 AUSTRALIA
 Tel: (02) 9436 1000
 Fax: (02) 9436 1000
 Email: info@brg.com.au

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| Amendment | | | |

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RC & CS Department

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Department
OA-274113



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| B | Issue Incorporating Council requirements | 14.10.13 |
| A | Issue for DA Submission | 12.06.13 |
| No. | Amendment | Date |

Project
ST VINCENT'S & MATER HEALTH SYDNEY
LORETO RESIDENTIAL CARE FACILITY, BRONTE

Drawing
ROOF PLAN


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architecture, health and aged care planning, project management

1996

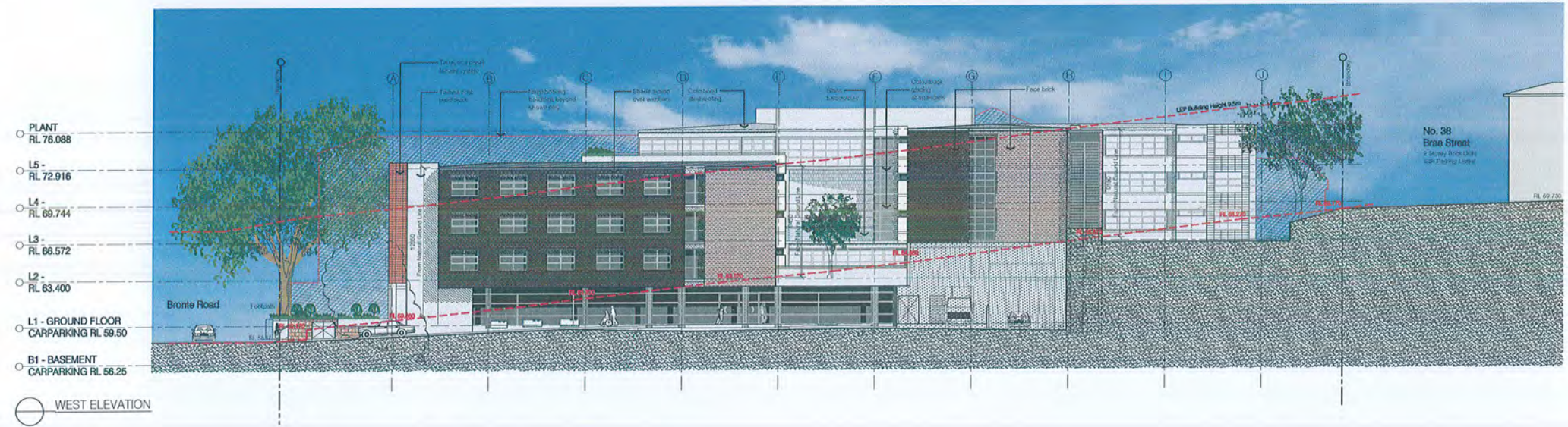
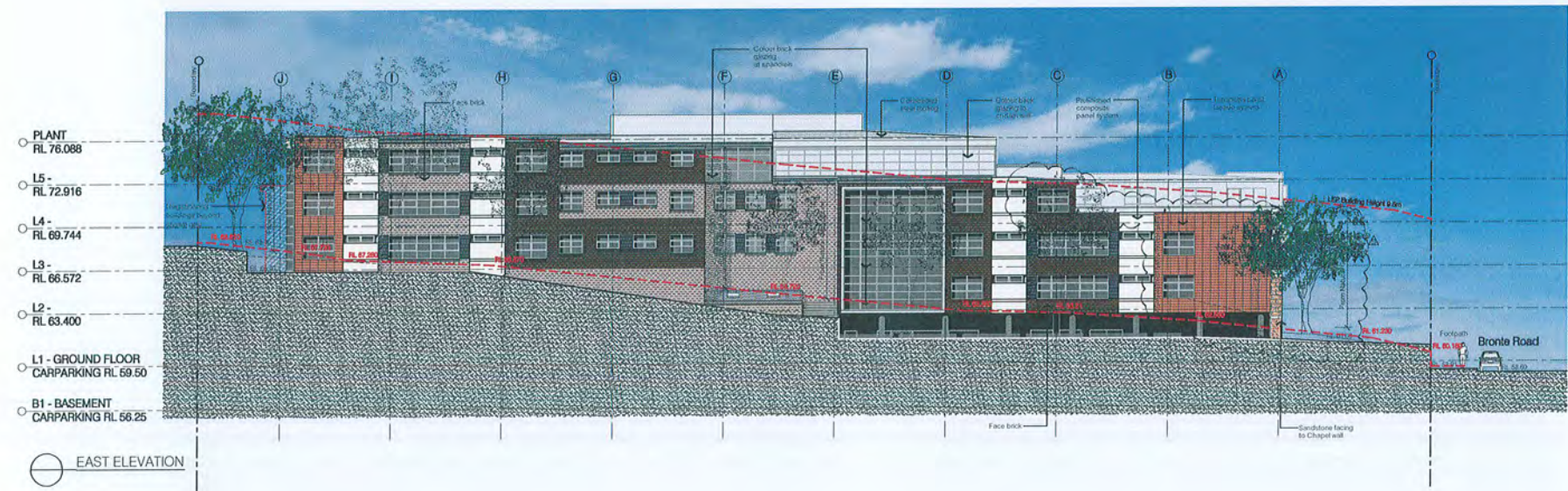
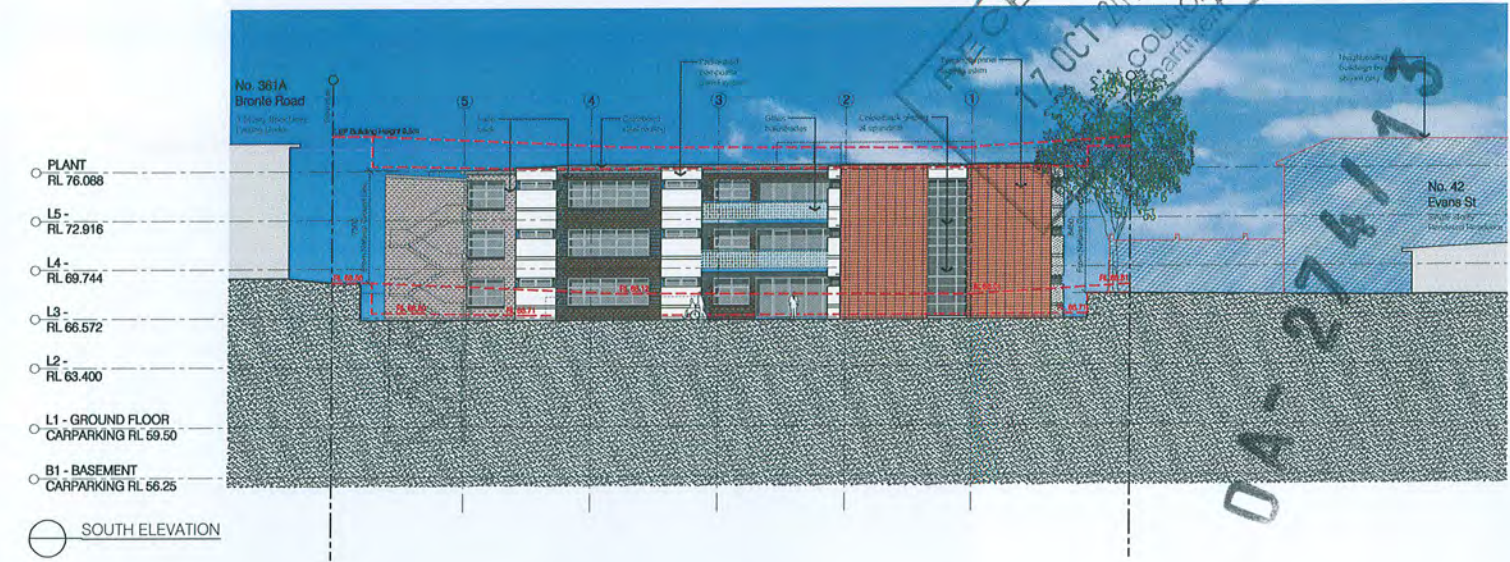
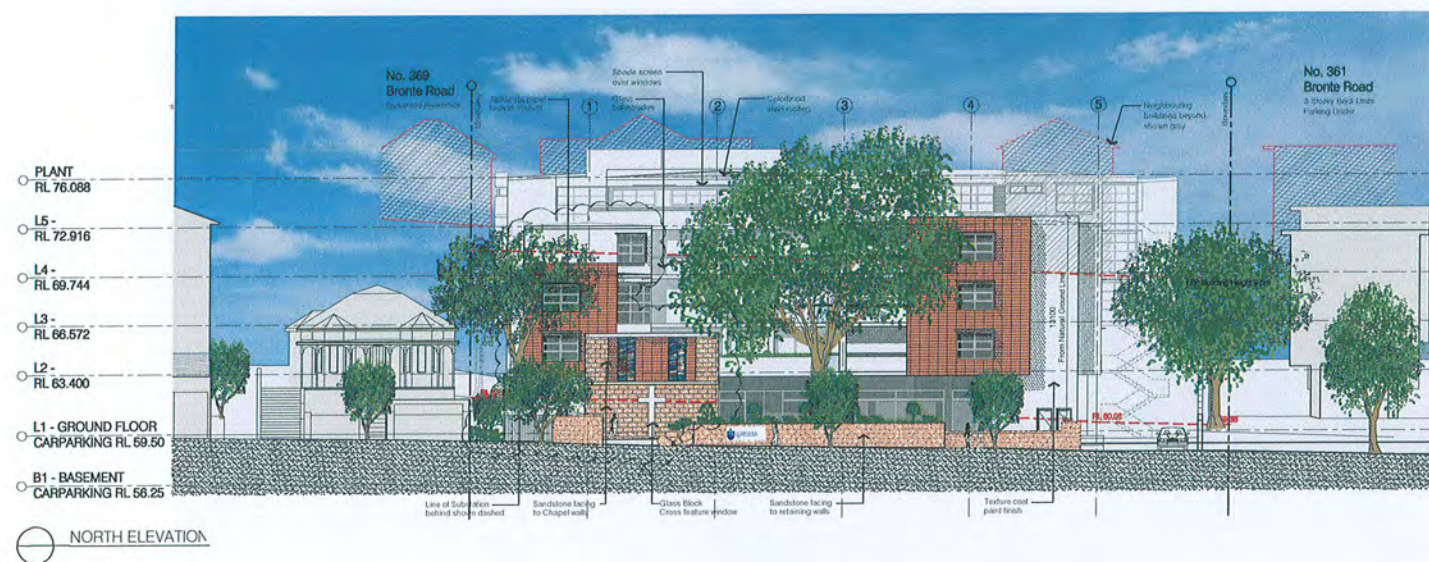
Suite 7, Level 1, Epica, 9 Railway Street
Chadstone NSW 2007
AUSTRALIA
Tel: (02) 9406 7000
Fax: (02) 9406 7099
Email: bigpos@bigpos.net

NOTES:
 Roof Plant = 12m²
 For FSR Figures, Refer to FSR Calculations Diagrams



| | | | |
|---|----------|------------|-------------------|
|  | Date | MAY 2013 | Job No. : Drawing |
| | Scale | 1:100 @ B1 | 1214 / DA09 |
| | Drawn | DP | |
| | Approved | in | |

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17 OCT 2013
Sydney Council



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|---|--|----------|
| 1 | Issue incorporating Council requirements | 14.10.13 |
| 2 | Issue for DA Submission | 12.06.13 |
| 3 | Amendment | Date |

Project
ST VINCENT'S & MATER HEALTH SYDNEY
LORETO RESIDENTIAL CARE FACILITY, BRONTE

Drawing
ELEVATIONS

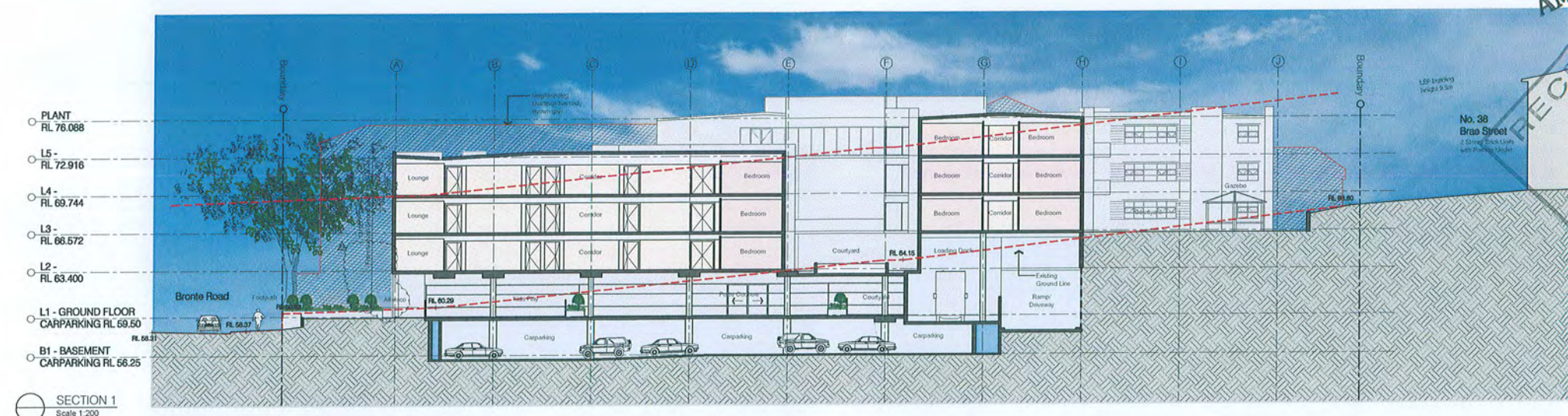
boffa robertson group
architects, health and aged care planning, project management

obr
jag

Site: Level 1 Epic, 9 Railway Street
Chapelton NSW 2067
Tel: (02) 9556 7888
Fax: (02) 9556 7889
Email: bgroup@brg.com.au

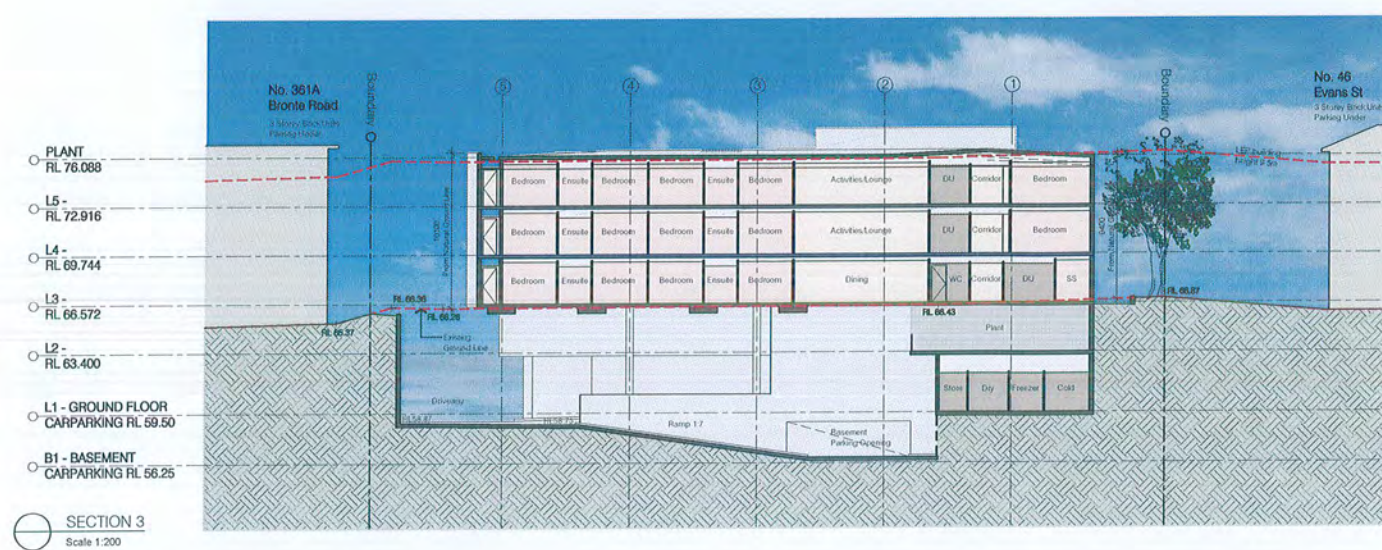
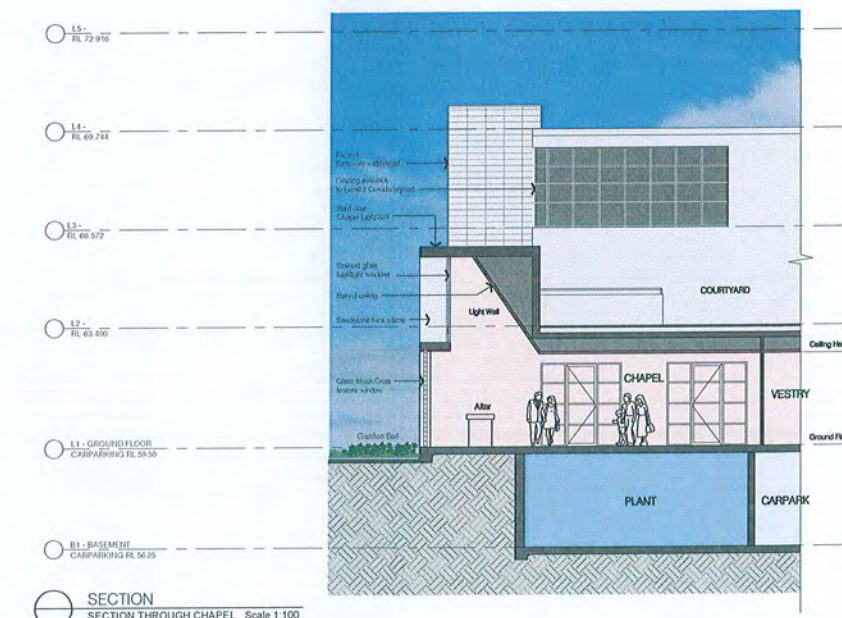
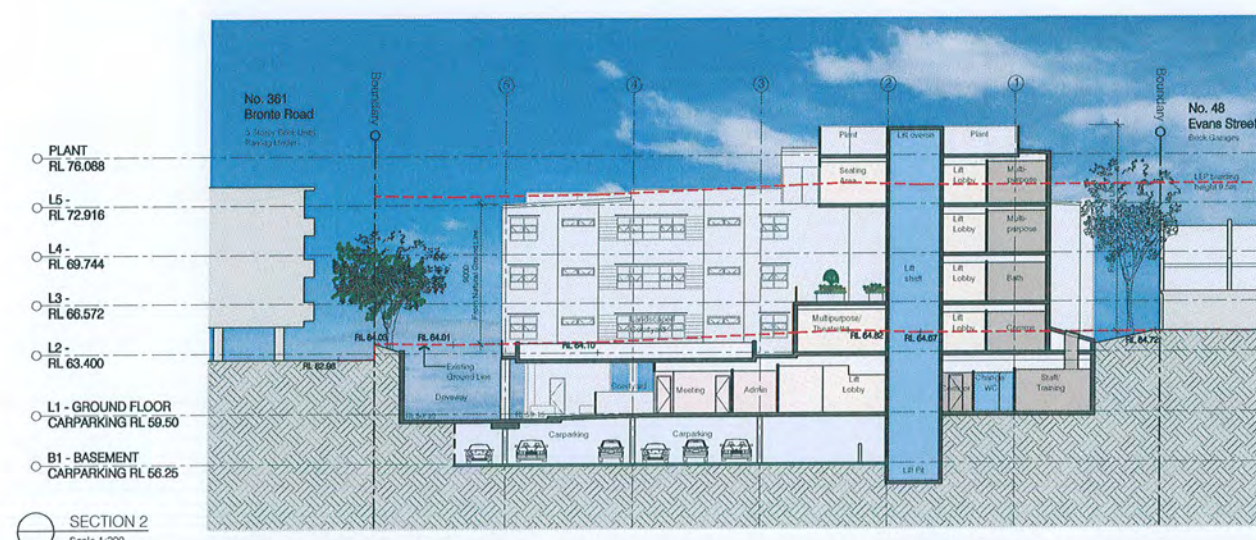
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| Amendment | B | Check | B |

0 1 2 5 10 metres
Drawing Scale

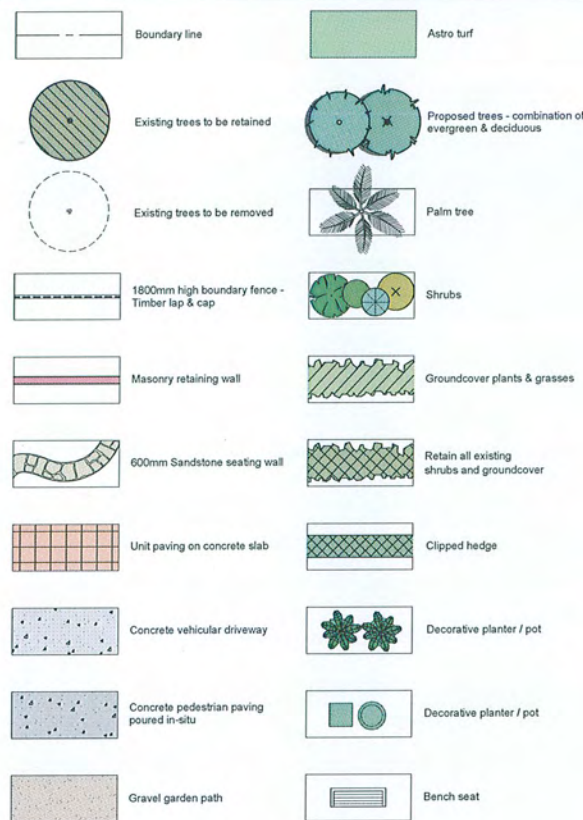


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 RC & CS Department

DA-274/13



LEGEND



INDICATIVE SCHEDULE OF PLANTS - LEVEL 1

| Botanical Name | Common Name | Mature Size (height x spread in metres) |
|---------------------------------------|------------------------|---|
| Deciduous Trees | | |
| <i>Lagerstroemia indica</i> | Crepe Myrtle | 5.00 x 5.00 |
| Evergreen Trees | | |
| <i>Hymenosporum flavum</i> | Native Frangipani | 8.00 x 5.00 |
| <i>Melaleuca lateralis</i> | Narrow-leaf Paperbark | 6.00 x 4.00 |
| <i>Tristanopsis laurina</i> | Water Gum | 9.00 x 6.00 |
| Palm Trees | | |
| <i>Archontophoenix cunninghamiana</i> | Bangalow Palm | 12.00 x 4.00 |
| <i>Howea forsteriana</i> | Kentia Palm | 10.00 x 4.00 |
| <i>Livistonia australis</i> | Cabbage Palm | 20.00 x 4.00 |
| Hedging | | |
| <i>Azalea indica</i> | Dwarf Lily Pilly | 1.50 x 1.20 |
| Shrubs | | |
| <i>Baccharis virgata</i> | Dwarf Backs | 1.50 x 2.00 |
| <i>Hymenosporum flavum</i> | Native Frangipani | 0.60 x 0.60 |
| <i>Leptospermum sp</i> | Tea Tree | 1.20 x 1.20 |
| <i>Syzygium sp</i> | Lily Pilly | 1.20 x 1.50 |
| Groundcover | | |
| <i>Allocasuarina</i> | Spoon Lily | 0.90 x 0.60 |
| <i>Crinum pedunculatum</i> | Swamp Lily | 0.60 x 0.60 |
| <i>Stenandrium</i> | Fan Flower | 0.10 x 0.30 |
| <i>Viola hederacea</i> | Native Violet | 0.10 x 0.30 |
| Grass | | |
| <i>Danella sp</i> | Flax Lily | 0.60 x 0.50 |
| <i>Lomandra longifolia</i> | Mat Rush | 0.60 x 0.60 |
| <i>Lomandra longifolia</i> | Dwarf Rush | 0.15 x 0.15 |
| Decorative Planters & Pots | | |
| <i>Bromeliad</i> | | 0.50 x 0.60 |
| <i>Cycas revoluta</i> | Cycad | 2.00 x 1.50 |
| <i>Philodendron</i> | Dwarf Philodendron | 0.75 x 0.75 |
| <i>Vinecia hieroglyphica</i> | Bromeliad | 0.60 x 0.60 |
| <i>Zamia furfuracea</i> | Cardboard Palm | 0.75 x 1.20 |
| Side Boundary Buffer | | |
| Evergreen Trees | | |
| <i>Azalea indica</i> | Lily Pilly | 10.00 x 10.00 |
| <i>Baccharis virgata</i> | Iron Wood | 6.00 x 4.00 |
| <i>Cupressus anacardioides</i> | Tuckeroo | 6.00 x 6.00 |
| <i>Elaeocarpus reticulatus</i> | Blueberry Ash | 9.00 x 5.00 |
| <i>Hymenosporum flavum</i> | Native Frangipani | 8.00 x 5.00 |
| <i>Melaleuca lateralis</i> | Narrow-leaf Paperbark | 6.00 x 4.00 |
| <i>Syzygium australe</i> | Brush Cherry | 10.00 x 6.00 |
| <i>Tristanopsis laurina</i> | Water Gum | 9.00 x 6.00 |
| Palm Trees | | |
| <i>Archontophoenix cunninghamiana</i> | Bangalow Palm | 12.00 x 4.00 |
| <i>Howea forsteriana</i> | Kentia Palm | 10.00 x 4.00 |
| <i>Livistonia australis</i> | Cabbage Palm | 20.00 x 4.00 |
| Shrubs | | |
| <i>Azalea indica</i> | Wattle | 3.00 x 2.00 |
| <i>Azalea indica</i> | Lily Pilly | 3.00 x 2.00 |
| <i>Baccharis virgata</i> | Backs | 3.00 x 2.00 |
| <i>Callistemon sp</i> | Bottlebrush | 3.00 x 2.00 |
| <i>Leptospermum polygalifolium</i> | Lemon-scented Tea Tree | 1.80 x 1.20 |
| <i>Melaleuca hypericifolia</i> | Red Honey Myrtle | 3.50 x 3.00 |
| <i>Syzygium sp</i> | Lily Pilly | 3.00 x 2.00 |
| Groundcover | | |
| <i>Crinum pedunculatum</i> | Swamp Lily | 0.90 x 0.60 |
| <i>Dryopteris exilis</i> | Gymea Lily | 1.50 x 1.00 |
| <i>Hardenbergia violacea</i> | Purple Coral Pea | 0.60 x 1.20 |
| Grass | | |
| <i>Danella sp</i> | Flax Lily | 0.60 x 0.50 |
| <i>Lomandra longifolia</i> | Mat Rush | 0.60 x 0.60 |
| <i>Lomandra longifolia</i> | Dwarf Rush | 0.15 x 0.15 |

INDICATIVE SCHEDULE OF PLANTS - LEVEL 2

| Botanical Name | Common Name | Mature Size (height x spread in metres) |
|---------------------------------------|-----------------------|---|
| Evergreen Trees | | |
| <i>Melaleuca lateralis</i> | Narrow-leaf Paperbark | 6.00 x 4.00 |
| <i>Tristanopsis laurina</i> | Water Gum | 9.00 x 6.00 |
| Palm Trees | | |
| <i>Archontophoenix cunninghamiana</i> | Bangalow Palm | 12.00 x 4.00 |
| <i>Howea forsteriana</i> | Kentia Palm | 10.00 x 4.00 |
| <i>Livistonia australis</i> | Cabbage Palm | 20.00 x 4.00 |
| Shrubs | | |
| <i>Azalea indica</i> | Lily Pilly | 3.00 x 2.00 |
| <i>Baccharis virgata</i> | Dwarf Backs | 1.50 x 2.00 |
| <i>Gardenia augustifolia</i> | Gardenia | 1.20 x 1.20 |
| <i>Gardenia augustifolia</i> | groundcover Gardenia | 0.50 x 1.00 |
| <i>Hymenosporum flavum</i> | Native Frangipani | 0.60 x 0.60 |
| <i>Syzygium oleosum</i> | Dwarf Blue Lily Pilly | 1.00 x 1.00 |
| <i>Syzygium 'Royal Flame'</i> | Lily Pilly | 1.50 x 1.20 |
| <i>Zamia furfuracea</i> | Cardboard Palm | 1.00 x 1.00 |
| Ferns | | |
| <i>Dicksonia antarctica</i> | Tree Fern | 2.50 x 1.80 |
| Groundcover | | |
| <i>Azalea indica</i> | Bromeliad | 0.50 x 0.60 |
| <i>Agave attenuata</i> | Agave | 0.60 x 0.60 |
| <i>Allocasuarina</i> | Spoon Lily | 2.50 x 2.50 |
| <i>Crinum pedunculatum</i> | Swamp Lily | 1.00 x 0.75 |
| <i>Stenandrium</i> | Fan Flower | 0.10 x 0.30 |
| <i>Viola hederacea</i> | Native Violet | 0.15 x 0.30 |
| <i>Philodendron</i> | Philodendron | 0.75 x 0.75 |
| <i>Strombosia</i> | Strombosia | 1.00 x 0.75 |
| <i>Trachelospermum jasminoides</i> | Star Jasmine | 1.50 x 0.60 |
| <i>Viola hederacea</i> | Native violet | 0.15 x 0.30 |
| <i>Vinecia hieroglyphica</i> | Bromeliad | 0.60 x 0.60 |
| Grass | | |
| <i>Danella sp</i> | Flax Lily | 0.60 x 0.50 |
| <i>Lomandra longifolia</i> | Mat Rush | 0.60 x 0.60 |
| <i>Lomandra longifolia</i> | Dwarf Rush | 0.15 x 0.15 |

INDICATIVE SCHEDULE OF PLANTS - LEVEL 3

| Botanical Name | Common Name | Mature Size (height x spread in metres) |
|---|-----------------------|---|
| Evergreen Trees | | |
| <i>Azalea indica</i> | Lily Pilly | 10.00 x 10.00 |
| <i>Baccharis virgata</i> | Iron Wood | 6.00 x 4.00 |
| <i>Cupressus anacardioides</i> | Tuckeroo | 6.00 x 6.00 |
| <i>Elaeocarpus reticulatus</i> | Blueberry Ash | 9.00 x 5.00 |
| <i>Hymenosporum flavum</i> | Native Frangipani | 8.00 x 5.00 |
| <i>Melaleuca lateralis</i> | Narrow-leaf Paperbark | 6.00 x 4.00 |
| <i>Syzygium australe</i> | Brush Cherry | 10.00 x 6.00 |
| <i>Tristanopsis laurina</i> | Water Gum | 9.00 x 6.00 |
| Palm Trees | | |
| <i>Archontophoenix cunninghamiana</i> | Bangalow Palm | 12.00 x 4.00 |
| <i>Howea forsteriana</i> | Kentia Palm | 10.00 x 4.00 |
| <i>Livistonia australis</i> | Cabbage Palm | 20.00 x 4.00 |
| Shrubs | | |
| <i>Azalea indica</i> | Lily Pilly | 3.00 x 2.00 |
| <i>Baccharis virgata</i> | Dwarf Backs | 1.50 x 2.00 |
| <i>Gardenia augustifolia</i> | Gardenia | 1.20 x 1.20 |
| <i>Gardenia augustifolia</i> | groundcover Gardenia | 0.50 x 1.00 |
| <i>Hymenosporum flavum</i> | Native Frangipani | 0.60 x 0.60 |
| <i>Syzygium oleosum</i> | Dwarf Blue Lily Pilly | 1.00 x 1.00 |
| <i>Syzygium 'Royal Flame'</i> | Lily Pilly | 1.50 x 1.20 |
| <i>Zamia furfuracea</i> | Cardboard Palm | 1.00 x 1.00 |
| Groundcover | | |
| <i>Crinum pedunculatum</i> | Swamp Lily | 0.90 x 0.60 |
| <i>Dryopteris exilis</i> | Purple Coral Pea | 0.60 x 1.20 |
| <i>Hardenbergia violacea</i> | Agave | 0.75 x 0.75 |
| <i>Myoporum parvifolium</i> | Myoporum | 0.30 x 0.90 |
| Grass | | |
| <i>Danella sp</i> | Flax Lily | 0.60 x 0.50 |
| <i>Lomandra longifolia</i> | Gymea Lily | 1.50 x 1.00 |
| <i>Lomandra longifolia</i> | Mat Rush | 0.60 x 0.60 |
| <i>Lomandra longifolia</i> | Dwarf Rush | 0.15 x 0.15 |
| Dementia Courtyard & Decorative Pots | | |
| Deciduous Trees | | |
| <i>Ficus carica</i> | Common Fig | 3.50 x 4.00 |
| <i>Lagerstroemia indica</i> | Crepe Myrtle | 5.00 x 5.00 |
| Evergreen Trees | | |
| <i>Tristanopsis laurina</i> | Water Gum | 9.00 x 6.00 |
| Palm Trees | | |
| <i>Archontophoenix cunninghamiana</i> | Bangalow Palm | 12.00 x 4.00 |
| <i>Howea forsteriana</i> | Kentia Palm | 10.00 x 4.00 |
| <i>Livistonia australis</i> | Cabbage Palm | 20.00 x 4.00 |
| Shrubs | | |
| <i>Azalea indica</i> | Lily Pilly | 3.00 x 2.00 |
| <i>Baccharis virgata</i> | Dwarf Backs | 1.50 x 2.00 |
| <i>Gardenia augustifolia</i> | Gardenia | 1.20 x 1.20 |
| <i>Gardenia augustifolia</i> | groundcover Gardenia | 0.50 x 1.00 |
| <i>Hymenosporum flavum</i> | Native Frangipani | 0.60 x 0.60 |
| <i>Syzygium sp</i> | Lily Pilly | 1.00 x 1.20 |
| <i>Zamia furfuracea</i> | Cardboard Palm | 0.75 x 0.90 |
| Groundcover | | |
| <i>Azalea indica</i> | Bromeliad | 0.50 x 0.60 |
| <i>Agave attenuata</i> | Agave | 0.60 x 0.60 |
| <i>Allocasuarina</i> | Spoon Lily | 1.80 x 2.50 |
| <i>Crinum pedunculatum</i> | Swamp Lily | 1.00 x 0.75 |
| <i>Stenandrium</i> | Fan Flower | 0.10 x 0.30 |
| <i>Viola hederacea</i> | Native violet | 0.15 x 0.30 |
| <i>Philodendron</i> | Philodendron | 0.75 x 0.75 |
| <i>Strombosia</i> | Strombosia | 1.00 x 0.75 |
| <i>Trachelospermum jasminoides</i> | Star Jasmine | 1.50 x 0.60 |
| <i>Viola hederacea</i> | Native violet | 0.15 x 0.30 |
| <i>Vinecia hieroglyphica</i> | Bromeliad | 0.60 x 0.60 |

INDICATIVE SCHEDULE OF PLANTS - LEVEL 4

| Botanical Name | Common Name | Mature Size (height x spread in metres) |
|------------------------------|--------------------|---|
| Decorative Pots | | |
| <i>Azalea indica</i> | Bromeliad | 0.50 x 0.60 |
| <i>Cycas revoluta</i> | Cycad | 2.00 x 1.50 |
| <i>Philodendron</i> | Dwarf Philodendron | 0.75 x 0.75 |
| <i>Vinecia hieroglyphica</i> | Bromeliad | 0.60 x 0.60 |
| <i>Zamia furfuracea</i> | Cardboard Palm | 0.75 x 1.20 |

INDICATIVE SCHEDULE OF PLANTS - LEVEL 5

| Botanical Name | Common Name | Mature Size (height x spread in metres) |
|---------------------------------------|------------------------|---|
| Deciduous Trees | | |
| <i>Lagerstroemia indica</i> | Crepe Myrtle | 5.00 x 5.00 |
| Evergreen Trees | | |
| <i>Archontophoenix cunninghamiana</i> | Bangalow Palm | 12.00 x 4.00 |
| <i>Howea forsteriana</i> | Kentia Palm | 10.00 x 4.00 |
| <i>Livistonia australis</i> | Cabbage Palm | 20.00 x 4.00 |
| Shrubs | | |
| <i>Azalea indica</i> | Lily Pilly | 3.00 x 2.00 |
| <i>Baccharis virgata</i> | Dwarf Backs | 1.50 x 2.00 |
| <i>Gardenia augustifolia</i> | Gardenia | 1.20 x 1.20 |
| <i>Gardenia augustifolia</i> | groundcover Gardenia | 0.50 x 1.00 |
| <i>Hymenosporum flavum</i> | Native Frangipani | 0.60 x 0.60 |
| <i>Syzygium oleosum</i> | Dwarf Blue Lily Pilly | 1.00 x 1.00 |
| <i>Syzygium 'Royal Flame'</i> | Lily Pilly | 1.50 x 1.20 |
| <i>Zamia furfuracea</i> | Cardboard Palm | 0.75 x 0.90 |
| Groundcover | | |
| <i>Crinum pedunculatum</i> | Swamp Lily | 0.90 x 0.60 |
| <i>Dryopteris exilis</i> | Purple Coral Pea | 0.60 x 1.20 |
| <i>Hardenbergia violacea</i> | Agave | 0.75 x 0.75 |
| <i>Myoporum parvifolium</i> | Myoporum | 0.30 x 0.90 |
| Grass | | |
| <i>Danella sp</i> | Flax Lily | 0.60 x 0.50 |
| <i>Lomandra longifolia</i> | Gymea Lily | 1.50 x 1.00 |
| <i>Lomandra longifolia</i> | Mat Rush | 0.60 x 0.60 |
| <i>Lomandra longifolia</i> | Dwarf Rush | 0.15 x 0.15 |
| Succulent | | |
| <i>Agave attenuata</i> | Agave | 0.60 x 0.60 |
| <i>Sansevieria trifasciata</i> | Mother in Law's Tongue | 0.60 x 0.30 |
| <i>Sedum rubrotinctum</i> | Aurea | 0.50 x 0.50 |

Landscape Concept Plans

Loreto Aged Care Facility
Bronte Road, Bronte, NSW 2024

June 2013

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| Issue | Description | By | Date |
|-------|---|--------|---------|
| A | DA SUBMISSION | J.P. | 9.5.13 |
| B | REMOVED SOME EXISTING TREES | S.J.G. | 14.5.13 |
| C | NEW TITLE & SCHEDULE DRG ADDED CONCEPT PLAN MOVED TO DRG NO 02 | S.J.G. | 3.6.13 |
| D | CHANGE TO B1 SIZE DRAWINGS | S.J.G. | 6.6.13 |

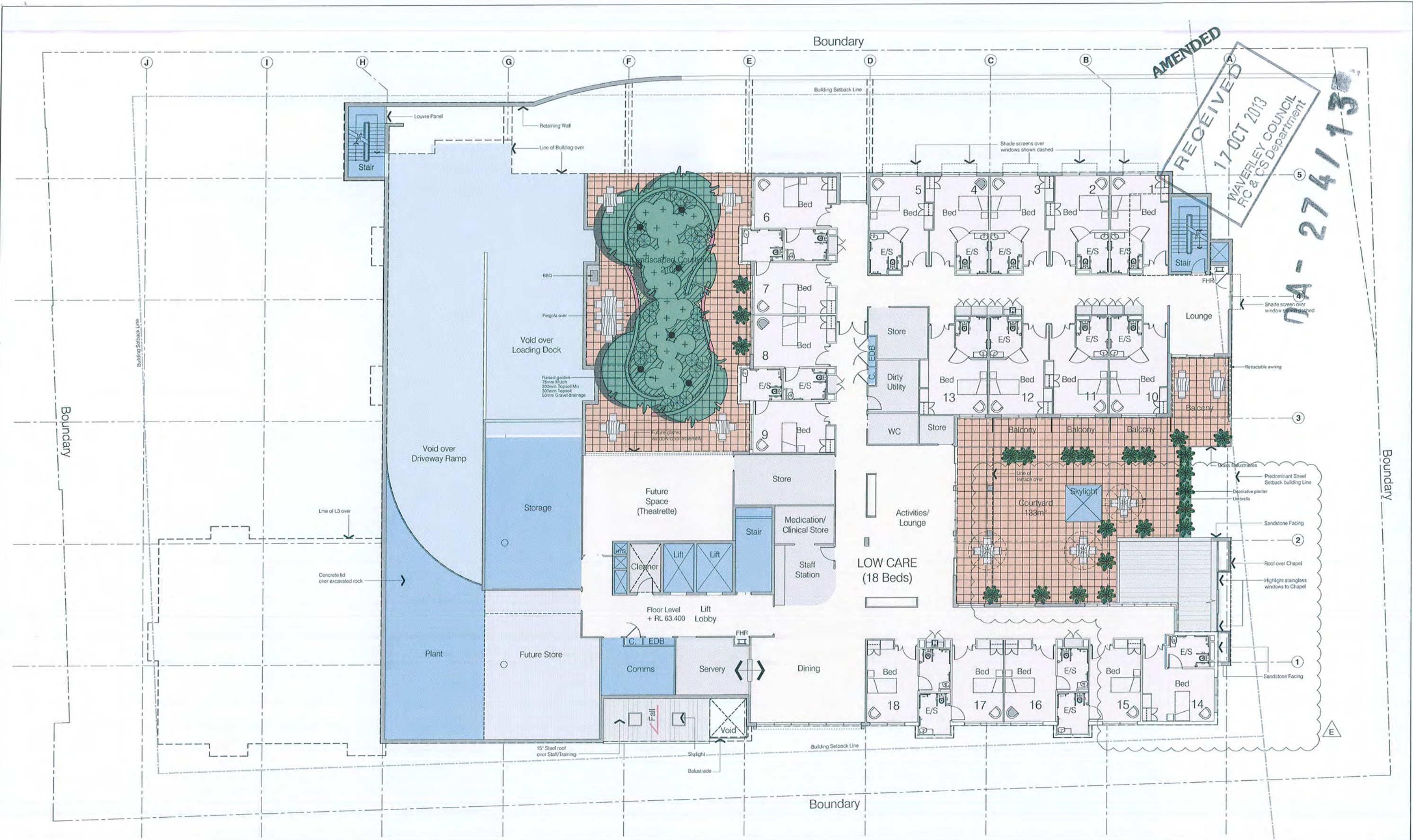
DA SUBMISSION

JAMES PFEIFFER LANDSCAPE ARCHITECTS
11 College Place, Bowral, N.S.W. 2576
P.O. Box 2256, Bowral, N.S.W. 2576
Tel: (02)4861 6999 Fax: (02)4861 6966
Email: jpls@hinet.net.au

PROJECT TITLE:
LORETO AGED CARE FACILITY
CLIENT:
ST JOSEPH'S VILLAGE LTD

ADDRESS:
BRONTE ROAD, BRONTE
DRAWING TITLE:
TITLE, LEGEND & SCHEDULES

SCALE: N.T.S. DATE: 8.5.2013
DRAWN: S.J.G. CHECKED: J.P.
DRAWING NO: 12-007-01 ISSUE: D



LANDSCAPE CONCEPT PLAN - LEVEL 2
SCALE 1:100

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| Amendments | | |
|------------|----------------------------------|-----------------|
| Issue | Description | By Date |
| A | DA SUBMISSION | JP 9.5.13 |
| B | RE ISSUED | S.J.G. 14.5.13 |
| C | LEVEL 2 CHANGED TO DRAWING NO 03 | S.J.G. 3.6.13 |
| D | CHANGE TO B1 SIZE DRAWINGS | S.J.G. 6.6.13 |
| E | ROOF OVER CHAPEL AMENDED | S.J.G. 15.10.13 |

DA SUBMISSION

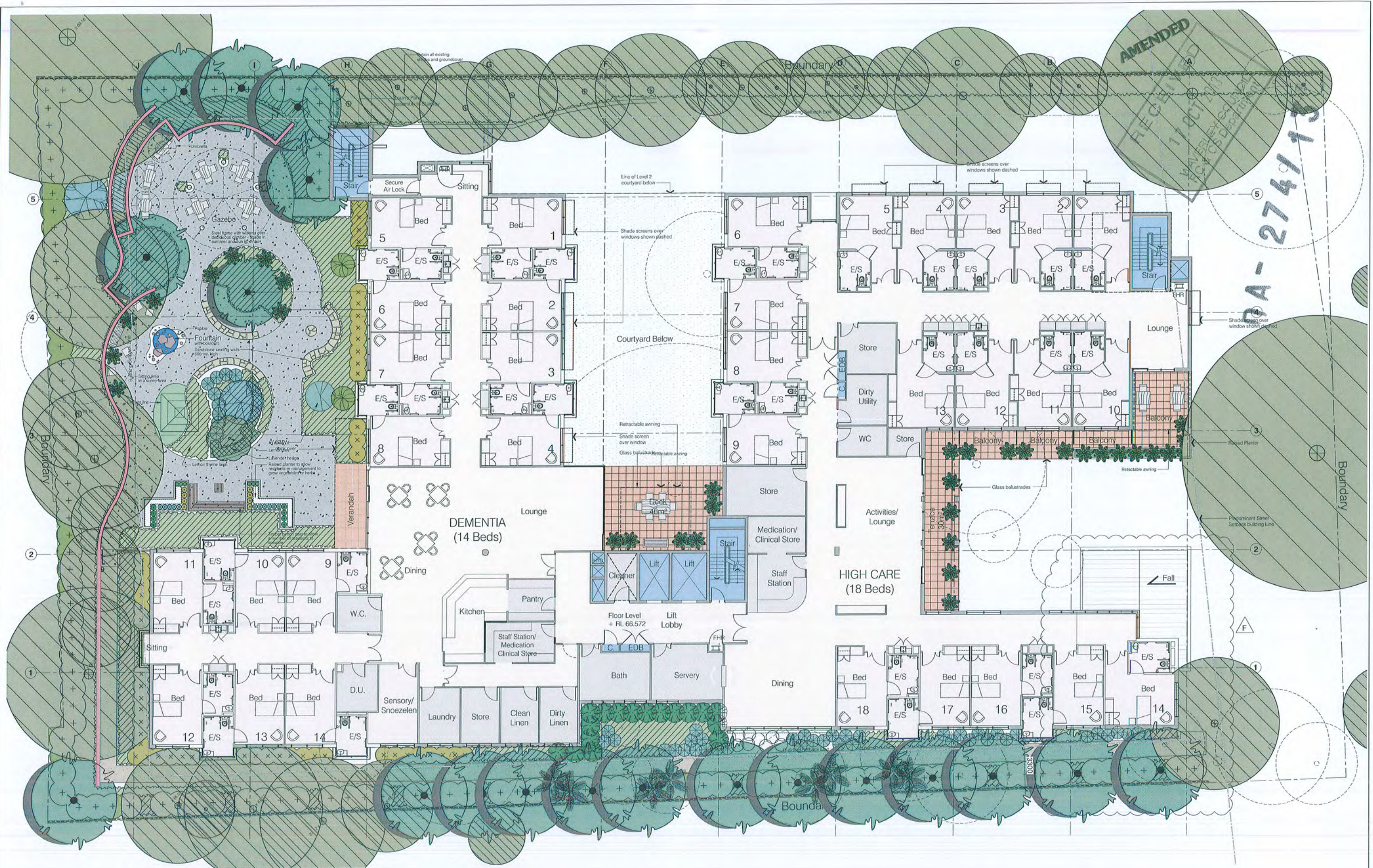


JAMES PFEIFFER LANDSCAPE ARCHITECTS
11 College Place, Bowral, N.S.W. 2576
P.O. Box 2256, Bowral, N.S.W. 2576
Tel: (02)4861 6999 Fax: (02)4861 6966
Email: jpla@shinet.net.au

PROJECT TITLE:
LORETO AGED CARE FACILITY
CLIENT:
ST JOSEPH'S VILLAGE LTD

ADDRESS:
BRONTE ROAD, BRONTE
DRAWING TITLE:
LANDSCAPE CONCEPT PLAN LEVEL 2

| | | | |
|-------------|-----------|----------|----------|
| SCALE: | 1:100 | DATE: | 8.5.2013 |
| DRAWN: | S.J.G. | CHECKED: | J.P. |
| DRAWING NO: | 12-007-03 | ISSUE: | E |



LANDSCAPE CONCEPT PLAN - LEVEL 3
SCALE 1:100

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| Amendments | | | |
|------------|--|--------|----------|
| Issue | Description | By | Date |
| A | DA SUBMISSION | JP | 9.5.13 |
| B | GAZEBO ELEVATION ADDED REMOVED SOME EXISTING TREES & | S.J.G. | 14.5.13 |
| C | LEVEL 3 CHANGED TO DRAWING NO.04 | S.J.G. | 3.6.13 |
| D | CHANGE TO B1 SIZE DRAWINGS | S.J.G. | 6.6.13 |
| E | TREES ADDED TO WEST & EAST BOUNDARIES | S.J.G. | 11.6.13 |
| F | NEW BASE PLAN ADDED & LANDSCAPING AMENDED TO NORTH-EAST CORNER | S.J.G. | 15.10.13 |

DA SUBMISSION

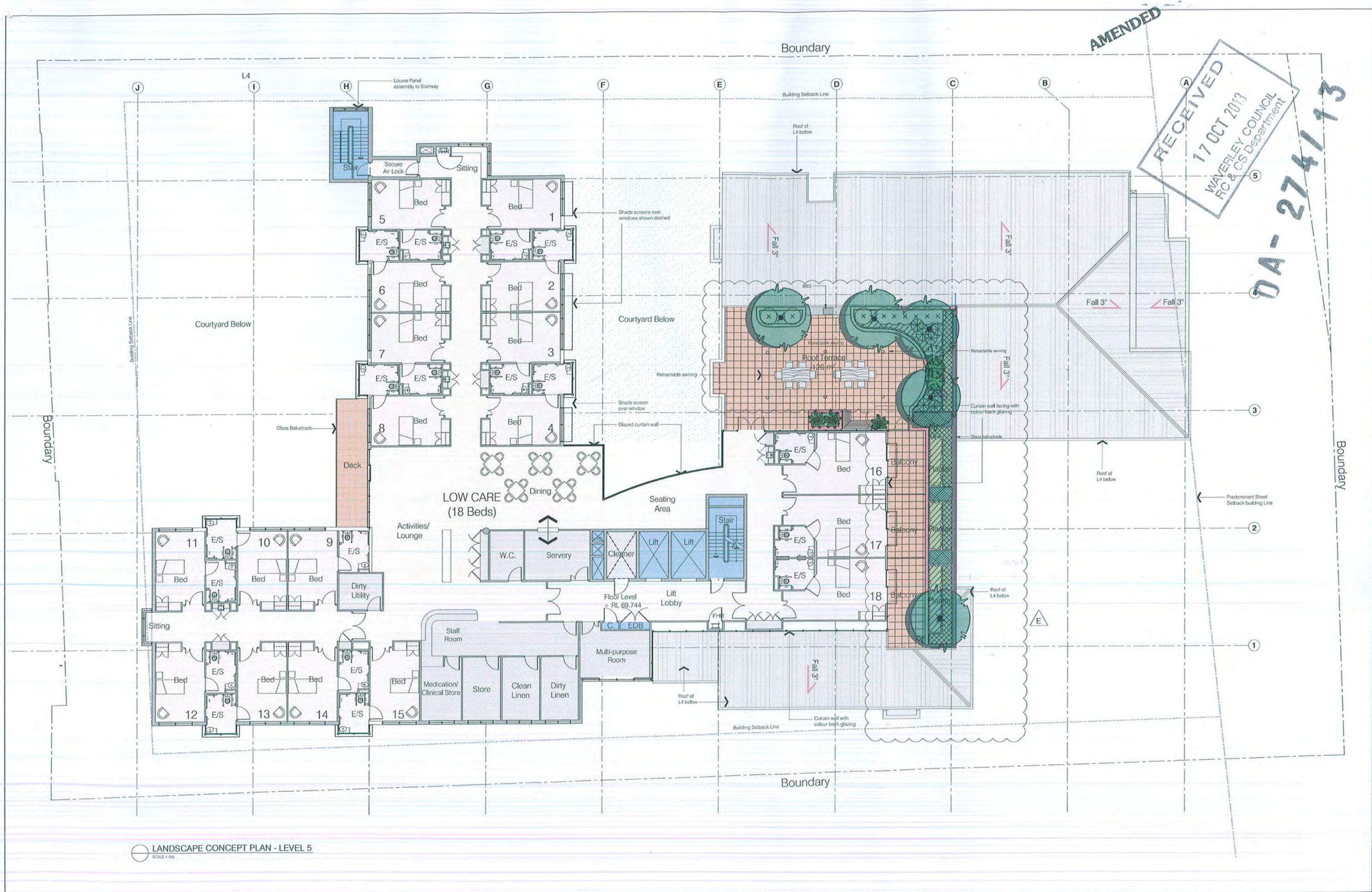


JAMES PFEIFFER LANDSCAPE ARCHITECTS
11 College Place, Bowral, N.S.W. 2576
P.O. Box 2256, Bowral, N.S.W. 2576
Tel: (02)4661 6999 Fax: (02)4661 6966
Email: jpls@hinet.net.au
James Pfeiffer Landscape Architects Pty Ltd ABN 63 058 300 580

PROJECT TITLE:
LORETO AGED CARE FACILITY
CLIENT:
ST JOSEPH'S VILLAGE LTD

ADDRESS:
BRONTE ROAD, BRONTE
DRAWING TITLE:
LANDSCAPE CONCEPT PLAN LEVEL 3

| | | | |
|-------------|-----------|---------|----------|
| SCALE | 1:100 | DATE | 8.5.2013 |
| DRAWN | S.J.G. | CHECKED | J.P. |
| DRAWING NO. | 12-007-04 | ISSUE | F |



LANDSCAPE CONCEPT PLAN - LEVEL 5
SCALE 1:100

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Amendments

| Issue | Description | By | Date |
|-------|---|--------|----------|
| A | DA SUBMISSION | J.P. | 9.5.13 |
| B | RE-ISSUED | S.J.G. | 14.5.13 |
| C | CHANGED TO DRAWING NO 06 | S.J.G. | 3.6.13 |
| D | CHANGE TO B1 SIZE DRAWINGS | S.J.G. | 6.6.13 |
| E | NEW BASE PLAN, ROOF OVER L4 CHANGED & LANDSCAPING TO ROOF TERRACE AMENDED | S.J.G. | 15.10.13 |

DA SUBMISSION



JAMES PFEIFFER LANDSCAPE ARCHITECTS

11 College Place, Bonnal, N.S.W. 2576
P.O. Box 2256, Bonnal, N.S.W. 2576
Tel: (02)4861 6999 Fax: (02)4861 6966
Email: jp@jpl.net.au

James Pfeiffer Landscape Architects Pty Ltd ABN 63 088 300 580

PROJECT TITLE

LORETO AGED CARE FACILITY

CLIENT

ST JOSEPH'S VILLAGE LTD

ADDRESS

BRONTE ROAD, BRONTE

DRAWING TITLE

LANDSCAPE CONCEPT PLAN
LEVEL 5

SCALE

1:100

DATE

9.5.2013

DRAWN

S.J.G.

CHECKED

J.P.

DRAWING NO.

12-007-06

ISSUE

E