

ITEM 1 – 2013SYE111 – Lane Cove – da013/176 – Residential flat building development comprising 3 buildings with 213 dwellings – 7-15 Centennial Avenue & 92-94 Gordon Crescent, Lane Cove North

The Sydney East Joint Regional Planning Panel in its meeting of 13 February 2014 resolved that it would approve the development application subject to an amended set of conditions that reflect the terms of the development application which are:

“The revision of the residential flat building approved by DA233/11 so that the development includes additional land (15 Centennial Avenue) and is for:

- The dedication of approximately 1,530 sqm of private land to Council as an extension of Stringy Bark Reserve;*
- An additional 32 apartments (181 to 213) with associated car parking”*

The Panel requested Council to provided amended conditions which are as follows:

RECOMMENDATION

That pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act, 1979, as amended, the Sydney East Joint Regional Planning Panel grants development consent to Development Application DA 13/176 (2013SYE111) for the revision of the residential flat building approved by DA233/11 so that the development includes additional land (15 Centennial Avenue) and is for:

- The dedication of approximately 1,530 sqm of private land to Council as an extension of Stringy Bark Reserve;
- An additional 32 apartments (181 to 213) with associated car parking (295 to 329) on
 - Lot 200, DP 1002700, 7 Centennial Avenue
 - Lot 201, DP 1002700, 7A Centennial Avenue
 - Lot 100, DP 850741, 9 Centennial Avenue
 - Lot 101, DP 850741, 9A Centennial Avenue
 - Lot 1, DP 363679, 11 Centennial Avenue
 - Lot 1, DP 525748, 11A Centennial Avenue
 - Lot 2, DP 525748, 11B Centennial Avenue
 - Lot 3, DP 525748, 13 Centennial Avenue
 - Lot B, DP 415901, 15 Centennial Avenue
 - Lot 23, DP 27864, 92 Gordon Crescent
 - Lot 24 DP 27864, 94 Gordon Crescent
 - Lot 25, DP 27864, 96 Gordon Crescent

subject to the following conditions:

General Condition

1. That the development of the additional 32 dwellings be strictly in accordance with the following drawings dated 04/10/13 prepared by Hyecorp Design except as amended by the following conditions.
 - Plan 1, Block A RL39.60, DA2.01, Rev A;
 - Plan 2, Block A RL42.60, DA2.02, Rev A;
 - Plan 3, Block A, RL 45.60, DA2.03, Rev A;
 - Plan 4, Block A RL48.60, Block C RL 47.75, DA 2.04, Rev A;
 - Plan 5, Block A RL51.6, Block B, RL51.35, Block C RL 51.15, DA2.05, Rev A;
 - Plan 6, Block A RL54.60, Block B, RL54.35, Block C RL 54.15, DA 2.06, Rev A;
 - Plan 7, Block A RL57.60, Block B, RL57.35, Block C RL 57.15, DA 2.07, Rev A;
 - Plan 8, Block A RL60.60, Block B, RL60.35, Block C RL 60.15, DA 2.08, Rev A;
 - Plan 9, Block A RL63.60, Block B, RL63.35, Block C RL 63.15, DA 2.09, Rev A;
 - Plan 10, Block B, RL66.35, Block C RL 66.15, DA 2.10, Rev A;
 - Plan 11, Block B, RL69.35, Block C, RL 69.15, DA 2.11, Rev A;
 - Plan 12, Block B, RL 72.35, DA 2.12, Rev A;
 - East and Elevations, DA 3.01, Rev A;
 - West and South Elevations, DA 3.02, Rev A;
 - Section A & B, DA 4.01, Rev A;
 - Section C, DA 4.02, Rev A;
 - Car Park Sections, DA 4.03, Rev A;
 - Entry Driveway Section, DA 4.04, Rev A;
 - Landscape Plan, job.dwg no. 166.13/407, One/Three, prepared by Iscape Landscape Architecture, dated September 2013;
 - Planters Plan, job.dwg no. 166.13/408, Two/Three, prepared by Iscape Landscape Architecture, dated October 2013;
 - LWUP Plan, job.dwg no. 166.13/409, Three/Three, prepared by Iscape Landscape Architecture, dated September 2013.
2. The submission of a Construction Certificate for the current DA176/13 for the additional 32 dwellings and its issue by Council or Private Certifier PRIOR TO CONSTRUCTION WORK commencing.
3. All building works are required to be carried out in accordance with the provisions of the Building Code of Australia.
4. The approved plans must be submitted to a Sydney Water Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site www.sydneywater.com.au see Your Business then Building & Developing then Building & Renovating or telephone 13 20 92.

The consent authority or a private accredited certifier must:-

- Ensure that a Quick Check agent/Sydney Water has appropriately stamped the plans before the issue of any Construction Certificate.

5. An Occupation Certificate being obtained from the Principal Certifying Authority before the occupation of the additional 32 dwellings as per DA176/13.
6. THE PAYMENT OF A CONTRIBUTION FOR AN ADDITIONAL 57.4 PERSONS IN ACCORDANCE WITH COUNCIL'S SECTION 94 CONTRIBUTIONS PLAN. THIS PAYMENT BEING MADE PRIOR TO THE ISSUE OF CONSTRUCTION CERTIFICATE FOR THE CURRENT DA 176/13 AND IS TO BE AT THE CURRENT RATE AT TIME OF PAYMENT. THE AMOUNT IS **\$539,043.40** AT THE CURRENT RATE (2013-2014) OF \$9391.00 PER PERSON.

NOTE: PAYMENT MUST BE IN BANK CHEQUE. PERSONAL CHEQUES WILL NOT BE ACCEPTED.

THIS CONTRIBUTION IS FOR COMMUNITY FACILITIES, OPEN SPACE/ RECREATION AND ROAD UNDER THE LANE COVE SECTION 94 CONTRIBUTIONS PLAN WHICH IS AVAILABLE FOR INSPECTION AT THE CUSTOMER SERVICE COUNTER, LANE COVE COUNCIL, 48 LONGUEVILLE ROAD, LANE COVE.

7. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Co-ordinator, 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 occupation of the development/release of the plan of subdivision.

8. All additional car parking spaces on site shall comply with requirements of the Australian Standard AS 2890.1-1993 ("Parking facilities, Part 1: Off-street car parking").

9. (35) Hour of Construction Works

All demolition, building construction work, including earthworks, deliveries of building materials to and from the site to be restricted as follows:-

Monday to Friday (inclusive)	7am to 5.30pm
Saturday	8am to 12 noon with no excavation, haulage truck movement, rock picking, sawing, jack hammering or pile driving to be undertaken. Failure to fully comply will result in the issue of a breach of consent P.I.N.
Sunday	No work Sunday or any Public Holiday."

10. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by water to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.
11. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood in respect of noise, vibration, smell, dust, waste water, waste products or otherwise.
12. The provision of additional 34 on-site carparking spaces for the use of the additional 32 dwellings at all times.
13. Depositing or storage of builder's materials on the footpath or roadways within the Municipality without first obtaining approval of Council is PROHIBITED.

Separate approval must be obtained from Council's Works and Urban Services Department PRIOR TO THE PLACEMENT of any building waste container ("Skip") in a public place.

14. Prior to the commencement of any construction work associated with the development, the Applicant shall erect a sign(s) at the construction site and in a prominent position at the site boundary where the sign can be viewed from the nearest public place. The sign(s) shall indicate:
 - a) the name, address and telephone number of the Principal Certifying Authority;
 - b) the name of the person in charge of the construction site and telephone number at which that person may be contacted outside working hours; and
 - c) a statement that unauthorised entry to the construction site is prohibited.

The signs shall be maintained for the duration of construction works.

15. The cleaning out of ready-mix concrete trucks, wheelbarrows and the like into Council's gutter is PROHIBITED.
16. Structural Engineer's details being submitted PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE for the following:-
 - a) reinforced concrete work;
 - b) structural steelwork;
 - c) framing.
17. All metal deck roofs being of a ribbed metal profile or colourbond corrugated galvanised or zincalume iron, in a mid to dark range colour and having an approved anti-glare finish.
18. A check survey certificate is to be submitted at the completion of:-
 - a The establishment each floor level;
 - a The roof framing; and
 - b The completion of works.

Note: All levels are to relate to the reduced levels as noted on the approved architectural plans and should be cross-referenced to Australian Height Datum.

19. Noise from domestic air conditioners is not to be audible in any adjoining dwelling between the hours of 10:00pm and 7:00am on weekdays or between the hours of 10:00pm and 8:00am on weekends and public holidays.

If the noise emitted from the air conditioning unit results in offensive noise, Council may prohibit the use of the unit, under the provisions of the Protection of the Environment Operations Act 1997.

20. All spillage deposited on the footpaths or roadways to be removed at the completion of each days work.
21. The site being properly fenced to prevent access of unauthorised persons outside of working hours.
22. Compliance with the Waste Management Plan submitted with the development application da176/13.
23. Lane Cove Council charges a fee of \$36 for the registration of any Part 4A Certificates (compliance, construction, occupation or subdivision certificates) issued by an accredited certifier under the Environmental Planning and Assessment Act.
24. **Long Service Levy** Compliance with Section 109F of the *Environmental Planning and Assessment Act 1979*; payment of the Long Service Levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 (or, where such a levy is payable by installments, the first installment of the levy) – All building works in excess of \$25,000 are subject to the payment of a Long Service Levy at the rate of 0.35%.

COMPLIANCE WITH THE REQUIREMENTS OF THIS CONDITION MUST BE SATISFIED **PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE.**

25. **BASIX** - Compliance with all the conditions of the BASIX Certificate lodged with Council as part of this application.
26. Separate development consent must be obtained for the strata subdivision of the additional 32 dwellings in the proposed complex.
27. Recommendations from the Access report prepared by Hamish Murray Accessibility Consultant & Builder, 23/10/2013 must be implemented.
28. All lots except the lot of 15 Centennial Avenue must be consolidated into 1 lot prior to the release of the Construction Certificate for DA176/13.

Community Services

29. Provide detailed plans and description of the pre-adaptation and post-adaptation units demonstrating how the 20% of the additional 32 adaptable units comply with AS4299.

Noting door widths, turning circles, continue pathways and access to balconies.

30. Demonstrate 80% of the additional 32 dwellings visitable where there is a continuous path of accessible travel from the property frontage or car parking area to the living area and to a toilet that is either accessible or visitable. Internal unit door widths or bathroom size don't appear to meet the Standards.

Engineering conditions to be complied with prior to Construction Certificate

31. **Drainage Construction:** The new stormwater drainage on the site is to be constructed generally in accordance with plan numbered **S13450 Rev DA** prepared by **Floth Consulting** and dated **30-09-13**.

Certification by a suitably qualified engineer of the above plans is to be submitted to the Principal Certifying Authority stating that the design fully complies with, AS-3500 and Part O, Council's DCP-Stormwater Management. The plans and certification shall be submitted **prior to the issue of the Construction Certificate**.

The Principal Certifying Authority is to satisfy themselves of the adequacy of the certified plans for the purposes of construction. They are to determine what details, if any, are to be added to the Construction Certificate plans, in order for the issue of the Construction Certificate.

Landscaping Conditions

32. All trees within 15 Centennial avenue shall be protected. A 1.8m high chain mesh wire fence shall be erected between 15 Centennial Avenue and the rest of the site for the duration of the works. Storage of building materials/excavation are not permitted within this tree protection zone.
33. The site arborist must certify that chain mesh wire fence between 15 Centennial Avenue and the rest of the site is in place prior to commencement of works. A copy of this certification must be obtained by the Authorized Private Certifier prior to commencement of works and/or Issue of the Construction Certificate.

Waste Management Conditions

34. **Garbage Chute Room**

Each garbage chute room must be designed to comply with Appendix F of Part Q of Lane Cove DCP. Each garbage chute room must be able to accommodate 2 x 240L recycling bins.

35. **WASTE BIN ALLOCATION**

Based on the additional 32 dwellings, additional Mobile Wheelie Bins provided to the development shall be:

Waste: 11 (total 71) x 240L Red Lidded (Before Compaction);

Paper: 3 (total 22) X 240L Yellow Lidded;

Container: 3 (total 22) x 240L Blue Lidded;

The exact number of general waste and recycling bins will be subject to change pending site requirement and number of chute rooms proposed on site.

Traffic Management Conditions

36. The developer to submit to Council and RMS for approval a detailed design of the urban channelized T-junction treatment as shown in Austroads Guide to Road Design – Part 4A, Figure 7.18. In the event that the urban channelized treatment is not approved, a left-in, left-out arrangement will be required, as per conditions 109/110 of DA233/11. The access arrangement must be resolved prior to the release of the construction certificate.
37. All additional bicycle parking must comply with AS 2890.3. Bicycle lockers in car parks to be well sign posted and located as close as possible to pedestrian entry points to ensure that they are used.
38. Additional Visitor bicycle parking should be marked on the plans in an accessible, well lit location at street level.
39. If access to the basement car park is controlled by means of a security gate or other similar entry device, an intercom system at the entry to the car park must be provided to allow visitor access.

Note:

DA233/11 and DA176/13 would concurrently operate and conditions indicated in both DAs would apply to the site.