



## Joint Regional Planning Panel Report

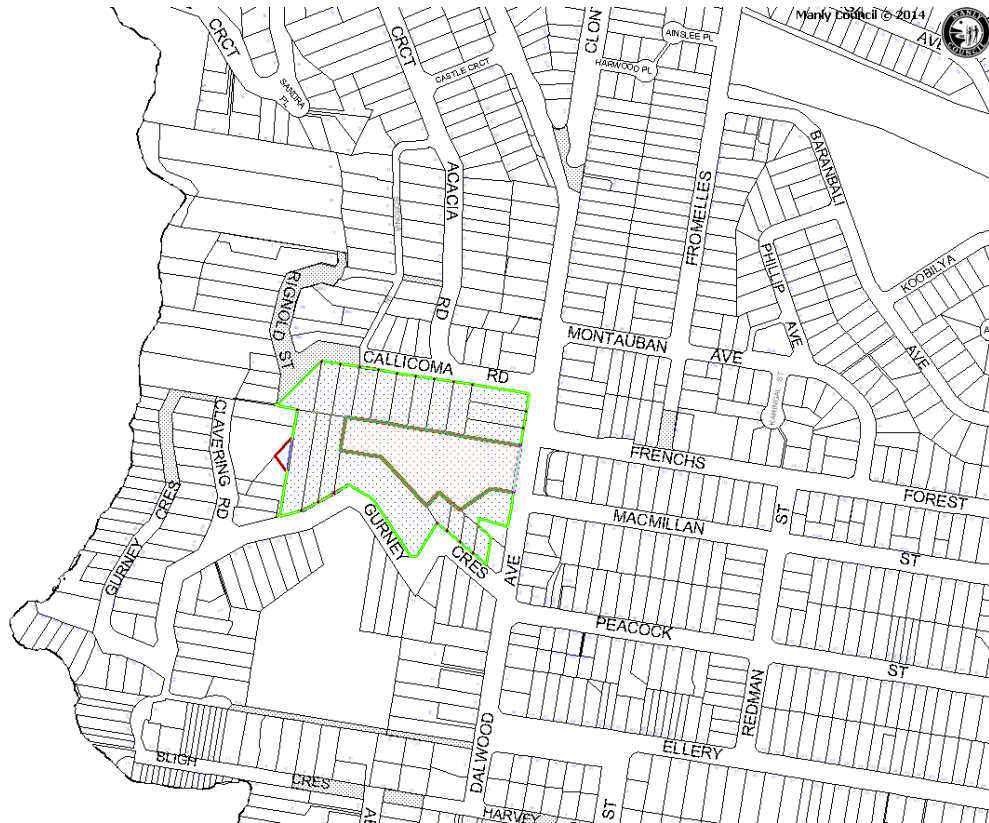
<b>DA #</b>	88/2014
<b>Site Address</b>	21 Dalwood Avenue, Seaforth
<b>Proposal</b>	Development of a new Child and Family Health Services Building.
<b>Officer</b>	Philippa Frecklington

<b><u>Application Lodged:</u></b>	27 May 2014
<b><u>Applicant:</u></b>	JBA Urban Planning Consultants Pty Ltd
<b><u>Owner:</u></b>	Health Infrastructure
<b><u>Estimated Cost:</u></b>	\$6,116,394.00
<b><u>Zoning:</u></b>	Manly Local Environmental Plan, 1988 – Zone No. 5 Special Uses.
<b><u>Surrounding Development:</u></b>	Existing Child and Family Health Services within the Dalwood Site, residential dwelling houses, forest vegetation.
<b><u>Heritage:</u></b>	Dalwood House and The Loft Building are identified as Items of the Environmental Heritage under Schedule 4 of the MLEP 1988.

### **SUMMARY:**

1. DEVELOPMENT CONSENT IS SOUGHT FOR DEVELOPMENT OF A NEW CHILD AND FAMILY HEALTH SERVICES BUILDING.
2. THE APPLICATION WAS NOTIFIED TO ALL ADJOINING AND NEARBY PROPERTY OWNERS WITH FOUR (4) OPEN SUBMISSIONS RECEIVED.
3. THE APPLICATION WAS NOT REFERRED TO THE SEAFORTH PRECINCT COMMUNITY FORUM AS THE PRECINCT IS CURRENTLY NOT OPERATIONAL.
4. SITE INSPECTIONS WERE CARRIED OUT BY THE ASSESSMENT PLANNER ON 13 JUNE 2014 AND COUNCIL'S HERITAGE PLANNER ON 11 JUNE 2014. PHOTOGRAPHS ARE ON FILE.
5. THE JOINT REGIONAL PLANNING PANEL WAS BRIEFED ON DA 88/2014 ON 18 JUNE 2014.
6. FINAL DRAFT CONDITIONS WERE PROVIDED TO HEALTH INFRASTRUCTURE FOR REVIEW ON 15 JULY 2014.
7. REQUESTED AMENDMENTS TO THE CONDITIONS WERE RECEIVED ON 23 JULY 2014.
8. THE APPLICATION IS RECOMMENDED FOR CONDITIONAL **APPROVAL**.

### **LOCALITY**



## **Introduction**

### **Site Description**

The site of the proposed development is located within the Dalwood site at 21 Dalwood Avenue, Seaforth approximately 9km north of the Sydney Central Business District and 4km west of Manly Town Centre. The site comprises Lots 1-8 in Deposited Plan 325784. The total area of the site is approximately 37,240m<sup>2</sup>. The site is bounded by Callicoma Road to the north, Dalwood Avenue to the east, Gurney Crescent to the south and private residential allotments to the west. The site is predominantly western facing out towards Middle Harbour.

The site is high in elevation, with all buildings sitting on top of a ridge. The terrain of the site in broad terms is described as being reasonably level within the north-eastern section of the site before rapidly descending downslope over the southern and western areas of the site. The topography of the site in the area of the proposed development slopes down to the north-east.

Existing development on the site comprises nine (9) buildings which are used to deliver child and family health services. The most prominent building within the site is Dalwood House, a two (2) storey sandstone villa, which is currently used by the Northern Sydney Local Area Health for administration purposes. To the north of Dalwood House are a cluster of one (1) and two (2) storey buildings. The Loft is a two (2) storey sandstone building to the north-west of the main building. Dalwood House and The Loft are individually listed as items of local significance under Schedule 4 of the Manly Local Environmental Plan, 1988 and are also listed on the NSW Department of Health S170 Register. The site is not located within a Heritage Conservation Area.

The Dalwood site provide facilities such as family care, Spilstead services, child and family health services including paediatric occupational therapy and physiotherapy, Brighter Futures Children's Program, child care facilities and administration. Services generally operate from 8am to 5pm Monday to Friday, with staff access available from 7am. Some services continue until 8pm.

The two buildings within the area of the proposed works are identified as *Building 5 – Diagnostic Assessment Building* and *Building 6 – Games Room* on the submitted Site Plan – Existing (Drawing No. CHC-D-AR-SD-0101 Revision 3 dated 16 April 2014 and received by Council on 3 June 2014).

The Dalwood site is a combination of well-maintained gardens and lawns within the north eastern section of the overall parcel but transitions into unmanaged forest vegetation upon the steeply descending slopes over the southern and western areas of the site above the foreshores of Middle Harbour.

Development in the vicinity of the site predominantly comprises residential dwelling houses located on Dalwood Avenue and Callicoma Road. A child care centre is located opposite the site at the corner of Clontarf Street and Frenchs Forest Road. To the south of the site is the carriageway of Gurney Crescent and beyond this is a substantial area of established residential dwellings. To the west and north-west of the site is a combination of residential dwellings and unmanaged forest vegetation.

Vehicular access to the site is provided via three (3) driveways – Callicoma Road, Dalwood Avenue and the driveway at the Clontarf Street/Dalwood Avenue intersection.

The existing site contains a total of 36 allocated car parking spaces, 33 formal parking spaces plus three formal accessible parking spaces within the site in hardstand areas near the Services Building, Family Care Centre and Spilstead Centre. Most of the formal parking (27 spaces + 2 accessible spaces) is provided from the Dalwood Avenue access with the remainder of the spaces accessible from Callicoma Road.

The site also contains vast grassed areas which are commonly used for informal parking as required particularly at the rear of the site located off Callicoma Road. The streets adjacent to the site also have unrestricted kerbside parking. There is no kerbside parking available adjacent to the site on Dalwood Avenue.

Pedestrian access to the site is provided from Dalwood Avenue and Callicoma Road in the vicinity of the existing vehicular driveways and pathways.

### **Property Burdens and Constraints**

Council's mapping system indicates that there are no Council Easements across the site or any burdens and constraints that would preclude the proposed development.

### **Description of proposed development**

- Site preparation, including demolition of two (2) existing buildings, excavation and removal of three (3) trees. Two (2) of these trees are located immediately adjacent to the northern elevation of the Assessment Centre and Residential Unit Building, whilst the other tree is located within the small turf area between the Multi-Purpose Building and the Assessment Centre and Residential Unit Buildings. Excavation and ground disturbance is proposed within the footprint of the proposed car park and underground On-site Stormwater Detention tank. A summary of the proposed excavation is listed below:
  - Excavations for the new building are expected to be to the maximum depth of 3m below existing surface levels.
  - For the proposed car park, cut and fill earthworks will be required to the depth of at least 400mm.
  - Excavations for a stormwater detention tank, stormwater detention, stormwater pits and pipes, as well as for other services.
- Construction of a part one (1) and part two (2) storey building for the provision of Child and Family Health Services. A description of the proposed building by level is included below:

#### **Lower Ground (RL 95.00)**

- workstations, offices, meeting rooms and staff facilities;
- staff entrance; and
- classroom.

#### **Upper Ground (RL 98.40)**

- public entrance, reception and waiting area;

- games room;
- offices, meeting rooms and staff facilities; and
- consulting rooms and group therapy rooms.

#### Proposed Staff and Hours of Operation

- The new building will accommodate 34 staff members, of whom 20 already work at the Dalwood site.
  - The buildings services will generally operate between 7.00am and 6.00pm,
  - Monday to Friday with some limited services provided after 6.00pm.
- Installation of a temporary demountable single-storey classroom and multi-purpose room for the duration of the construction period.
  - Infrastructure and utilities upgrade and connections.
  - Construction of an ancillary at-grade car park for 28 vehicles at the rear of the site. The car park will be accessed from the existing driveway off Callicoma Road. Seven (7) existing car parking spaces will be removed to provide access and permit construction of the new building, resulting in a net gain of 21 car parking spaces within the site.
  - Stormwater management infrastructure including on-site stormwater detention tank.
  - Vegetation management for an asset protection zone as required by the *Planning for Bushfire Guidelines*.
  - Pedestrian access paths in the immediate vicinity of the new building and car park repaired or upgraded as required.
  - New landscaping established within the curtilage of the proposed building and car park.
  - Construction is anticipated to commence late 2014 and undertaken in one (1) stage over approximately 12-14 months.
  - A maximum height of 9.0m is proposed above existing ground level and internal gross floor area of approximately 1,670m<sup>2</sup>.
  - The new building will accommodate 34 staff members, of whom 20 already work at the Dalwood site.
  - The buildings services will generally operate between 7.00am and 6.00pm, Monday to Friday with some limited services provided after 6.00pm.

#### **Applicant's Supporting Statement**

The applicant has prepared a Statement of Environmental Effects prepared by JBA Urban Planning Consultants Pty Ltd dated 14 May 2014 and received by Council on 27 May 2014. A comprehensive range of supporting documentation has also been submitted as part of the application.

#### **Contact with relevant parties**

A site inspection was carried out on 13 June 2014. Contact has been made with the applicant and owner throughout the assessment process.

#### **Internal Referrals**

##### **Engineers Comments**

Council's Engineer has no objections to the proposal subject to the inclusion of recommended conditions of consent.

##### **Building Comments**

Council's Building Surveyor has no objections to the proposed development, subject to the inclusion of recommended conditions of consent.

##### **Landscape Officers Comments**

Council's Landscape Officer has commented on the proposal as follows:

*"All works shall comply with AS4970-2009 Protection of Trees on Development Sites".*

Council's Landscape Officer has no objections to the proposal, subject to the inclusion of recommended conditions of consent.

### **Waste Comments**

Council's Waste Officer has no objections to the proposal subject to the inclusion of recommended conditions of consent.

### **Traffic Comments**

Council's Traffic Officer has commented the proposal as follows:

- "1. A Construction Traffic Management Plan is to be submitted to Council for review prior to the commencement of works. Reason: To ensure that all traffic including pedestrians during construction is adequately managed and that safety is ensured.*
- 2. Bicycle parking for the development be provided in accordance with Manly's Development Control Plan (Schedule 3 - Part A2 - Parking Rates and Requirements for Bicycles). Reason: To ensure that adequate bicycle parking is available at all times.*
- 3. Any changes to on street parking must be referred to the Local Traffic Committee in writing a minimum of three months prior to the change being required. Reason: To ensure that all requirements of the Traffic Authority are being fulfilled.*
- 4. The driveway access is not be used for car parking and is to be kept clear of all obstructions and all parked vehicles at all times. Reason: To ensure users of the development can access the car park and are not forced to park on public streets."*

Council's Traffic Officer has no objections to the proposal, subject to the inclusion of recommended conditions of consent.

### **Heritage Comments**

Council's Heritage Officer has commented on the proposal as follows:

- "1. The removal of the existing buildings is considered to be acceptable and will not impact upon the heritage significance of the place.*
- The proposed building is considered to be an acceptable replacement structure and will not impact on the heritage values of the place.*
- It is noted that the mature Brush Box is to be retained as part of this development. Every effort should be made to preserve this tree as it is considered that its loss would impact negatively on the heritage values of Dalwood House. Particular care should be taken to ensure that the tree's root system is not disturbed during excavation and construction works.*
- The proposed extensions to the existing car parks are considered to be acceptable and will not impact on the heritage values of the place.*
- The proposed demountable building has the potential to negatively impact on the site's heritage significance, should it be allowed to remain in its proposed location following completion of construction works. Consequently, the occupation certificate should not be issued until the structure has been removed from site and the area has been made good.*
- It is noted that the building proposed for demolition includes some sandstone foundations. It is recommended that the sandstone, and any other salvageable elements, such as timber sash windows, be salvaged and retained on site to be used in future landscaping works as appropriate.*
- Given the size and complexity of the Dalwood House site, a Conservation Management plan should be prepared to guide the ongoing management of the heritage values of the place.*

Condition:

1. Pursuant to Section 5.10.6 of the Manly Local Environmental Plan 2013 (MLEP), as amended, the proponent is to prepare a Conservation Management Plan (CMP) for the site. The CMP is to be submitted to Council prior to the commencement of works. This Conservation Management Plan should be prepared by an appropriately experienced and qualified heritage professional.

*Reason: To provide guidance for ongoing maintenance, continuing use, future adaptation and development; ensuring that the heritage values of the asset, identified on the s.170 register of the NSW Department of Health and Schedule 5 of the MLEP 2013, are properly and effectively managed and maintained to enable their continued enjoyment by the wider community."*

Health Infrastructure have provided the following response to the request for a CMP:

*"While we acknowledge that a CMP should be prepared for the site in accordance with NSW Health obligations under the Heritage Act, it is beyond the scope of this application as no work relates to the heritage buildings. We recommend deletion of this condition as it is not directly related to the work that is the subject of this application and that Manly Council write to NSW Health requesting one be prepared following this work. This is consistent with the strategic approach that we are taking with Manly Council over the zoning of the site".*

The above justification for the deletion requiring the preparation of a CMP is supported.

Recommended non-standard conditions of consent advised.

### **Access Comments**

The following comments were received from Council's Access and Mobility Committee:

- *"Please ensure access is implemented for the DA according to the recommendations in the One Group ID Accessibility Report that accompanies the DA (Appendix W) to ensure regulatory compliance for site access (ingress, egress), paths of travel, internal circulation, and accessible parking.*
- *As per the Accessibility Report Item 7. Sanitary Facilities (p.9) please ensure that the accessible unisex sanitary facilities with shower complies with the minimum width required for such a facility to allow for adequate circulation space.*
- *Plans show 2 accessible parking spaces near the entrance of the new facility. Given that this a Community Health Facility that provides services for children with special needs and their families, 3 or more accessible car spaces should be provided."*

### **Planner's Comments**

It is recommended that all recommendations contained within the Accessibility Report prepared by One Group I.D. dated 19 March 2014 and received by Council on 27 May 2014 be fully complied with. A condition to this effect is included within the Recommendation.

As per the Accessibility Report, only (1) accessible car parking space is required. Accordingly, the request for three (3) car spaces by the Access and Mobility Committee is not supported.

### **External Referrals**

#### **Precinct Community Forum Comments**

The application was not referred to the Seaforth Precinct Community Forum for comments as the Precinct is currently not operational.

### **Planning Comments**

#### **Environmental Planning & Assessment Act 1979 – Section 79(C)(1)**

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) **the provisions of:**  
(i) **any environmental planning instrument, and**

#### **Rural Fires Act 1997**

As the proposal is not Integrated Development, a bushfire safety authority is not required under Section 100B of the *Rural Fires Act 1997*.

#### **Threatened Species Conservation Act 1995**

No species or communities listed under the *Threatened Species Conservation Act 1977* have been identified within the site.

#### **Statement Environmental Planning Policy No. 55 – Remediation of Land**

A Preliminary Site Contamination Assessment Report prepared by Environmental Investigation Services dated 10 April 2014 and received by Council on 27 May 2014 has been submitted as part of the application. In accordance with the recommendations of the Report, it is recommended that the following works be undertaken for the site:

- A Phase 1 Environmental Site Assessment (Phase 1 ESA);
- Assessment of groundwater contamination conditions;
- Assessment of Acid Sulfate Soil conditions (ASS);
- Assess data against the ecological guidelines;
- Assessment of soil contamination condition beneath the existing buildings;
- A Hazardous Materials Assessment (Hazmat) for the existing buildings prior to the commencement of demolition works; and
- Any additional contamination issues that are identified at the site are addressed appropriately.

Reports upon completion shall be submitted to Council for review. Should the Preliminary Site Assessment not conclude the site can be made suitable for the proposed use, a Stage 2 Detailed Site Investigation Report, Stage 3 Site Remedial Action Plan (RAP) and Stage 4 Validation and Site Monitoring reports may be required in accordance with the *NSW EPA Guidelines for Consultants Reporting on Contaminated Sites*. The reason for this condition is to ensure the suitability of the site for the proposed use. Health Infrastructure has accepted this condition.

Note: It is open to Health Infrastructure, as a public authority to undertake some of the site preparation and early works under Part 5 of the EP&A Act 1979 in accordance with Clause 57 of State Environmental Planning Policy (Infrastructure) (ISEPP) 2007. However, given the need to seek approval for the construction of the new building under Part 4 of the EP&A Act 1979 it is considered to be more efficient to see a single assessment in the form of a development application.

#### **State Environmental Planning Policy (Infrastructure) 2007**

Development for the purposes of a *Health Services Facility* may be carried out with consent within Zones equivalent to the SP2 Special Infrastructure Zone under Clause 57 of the ISEPP 2007. Zone No. 5 Special Uses under Manly Local Environmental Plan 1988, which applies to the site is considered to be equivalent to the SP2 Infrastructure Zone.

The proposed development is not deemed to be 'traffic generating development' under Clause 104 of the ISEPP.

#### **Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005**

The site is not within the Foreshore and Waterways Area and is not a Strategic Foreshore Area. Assessment under the Sydney Harbour REP 2005 is therefore not required.

#### **Manly Local Environmental Plan 2013 (as amended)**

The *Dalwood Children's Home* site is a deferred matter under MLEP 2013 (as amended) and as such the provisions of the Manly Local Environmental Plan 1988 continue to apply.

### **Manly Local Environmental Plan 1988 (MLEP 1988)**

The site is Zoned No. 5 Special Uses 'Dalwood Children's Home'. Notwithstanding this, development for the purposes of *Child Care Centres and other Child Care Facilities* may be carried out with consent within Zones equivalent to the SP2 Infrastructure Zone under Clause 57 of the ISEPP 2007. Zone No. 5 Special Uses is considered to be equivalent to the SP2 Infrastructure Zone. Accordingly, the proposed development is permissible with consent.

### Clause 17 – Visual and Aesthetic Protection of Certain Land

In accordance with Clause 17 of the Manly Local Environmental Plan 1988, the proposed development is not considered to detract from the scenic amenity of the Harbour and surrounding foreshore area, in that:

- The proposed development will not be visible from the water and adjacent foreshore area.
- The proposal will not adversely impact on the relationship between land-based and water – based coastal activities.
- The proposed development will not impact on public access along the foreshore and waterway.

Additionally the development will not cause environmental harm such as pollution or siltation of the waterway or adverse impacts on surrounding uses, marine habitat, wetland areas, or fauna and flora habitats. A Flora and Fauna Assessment Report prepared by LesryK Environmental Consultants dated 8 April 2014 and received by Council on 27 May 2014 has been submitted as part of the application. It is recommended the recommendations contained within the Report be fully complied with. A condition to this effect is included within the Recommendation.

### Clause 18 – Items of the Environmental Heritage and Clause 19 - Development in the Vicinity of an Item of the Environmental Heritage

Dalwood House and The Loft are individually listed as items of local significance under Schedule 4 of the Manly Local Environmental Plan, 1988 and are also listed on the NSW Department of Health S170 Register. The site is not located within a Heritage Conservation Area.

A Heritage Assessment and Statement of Heritage Impact have been prepared by Judith Kubanyi of Kubanyi Architects dated 11 April 2014 and received by Council on 27 May 2014. Notable findings from the Report are listed below:

- The new building is to be constructed over the footprint of the buildings that are to be demolished. It will be visible from the entry to the site from the Dalwood Avenue driveway, and from within the site on the area to the east of Dalwood House.
- The proportion of solid walling to glazed elements proposed for the building assists in minimising the visual impact of the building, reinforcing its appearance as a modest structure subservient to Dalwood House.
- Retention of the large Brush Box Tree at the eastern end of the proposed building assists to provide visual distance between it and the heritage item, Dalwood House.
- The proposed use of coursed sandstone cladding on part of the façade pays respect to the original stone building without emulating it. The building will be clearly visible as a building of its time without competing visually with Dalwood House.
- Enlargement of the existing staff car parking area to the north of the Family Care Centre is located well away from the Main Building, and will not be visible from it. Accordingly, it is not considered to have any adverse impact on Dalwood House or on the heritage curtilage. Similarly, the car parking area will have no adverse impact on The Loft building due to the retention of existing screening tree plantings and distance from The Loft building.
- The Heritage Report demonstrates compliance with the ICOMOS Charter for the conservation of places of cultural significance (BURRA CHARTER 1999).

Therefore, the proposal is not considered to have any adverse impact on the heritage significance of the listed items including their fabric, setting and views.



An Aboriginal Heritage Report prepared by Biosis Pty Ltd dated 5 May 2014 and received by Council on 27 May 2014 has been submitted as part of the application. It is recommended the recommendations contained within the Report be fully complied with and compliance demonstrated to the Principal Certifying Authority in order to minimise or mitigate potential impacts to Aboriginal cultural heritage values within the site. A condition to this effect is included within the Recommendation.

Council's Heritage Planner has no objections to the proposal, subject to conditions.

**79C(1)(a)(iii) - any development control plan, and**

Retrospective assessment of the proposal against the following development control plans and policy (which are revoked by the current Manly Development Control Plan 2013 [Amendment 2]) is applicable in this instance as the site is a deferred site under Manly Local Environmental Plan 2013 (as amended) and is subject to Manly LEP 1988.

**Manly Development Control Plan for Access 1996**

The Manly Development Control Plan for Access incorporating the Manly Access Policy 2006 seeks to provide an environment, which is accessible to all people, including those with disabilities. An Accessibility Report prepared by One Group ID dated 19 March 2014 and received by Council on 27 May 2014 has been submitted as part of the Application. The Report is considered to satisfactorily address the objectives set out in the Manly Council Access Policy. The Report includes a number of Recommendations to ensure compliance with the relevant legislation. It is recommended that all recommendations be fully complied with and compliance demonstrated to the Principal Certifying Authority. A condition to this effect is included within the Recommendation.

**Manly Development Control Plan for Waste Minimisation and Management 2000**

A Waste Management and Resource Recovery Plan prepared by Northern Sydney Local Health District dated 10 January 2014 and received by Council on 27 May 2014 has been submitted as part of the application. The Report is considered to satisfactorily address the matters for consideration and performance criteria set out in the DCP regarding waste generation, storage and management. Council's Waste Officer has no objections to the proposed development, subject to conditions.

A separate Asbestos Materials Report has been prepared as part of the application. It is recommended the recommendations contained within the Asbestos Materials Report prepared by Noel Arnold and Associates Pty Ltd dated September 2013 and received by Council on 27 May 2014 be fully complied with and compliance demonstrated to the Principal Certifying Authority to ensure that asbestos-containing materials on the site are appropriately managed.

**Manly Development Control Plan for Landslip and Subsidence 2001 (Updated March 2003)**

The site is identified as being a potential site for landslip and subsidence. Accordingly, a Geotechnical Assessment Report prepared by JK Geotechnics dated 7 April 2014 and received by Council on 27 May 2014 has been submitted as part of the application. The Report presents a number of recommendations relating to subsurface conditions, acid sulphate soils, foundation options, design parameters, retaining wall design and suggested excavation methods. It is recommended the recommendations in the Report be fully complied with and compliance demonstrated to the Principal Certifying Authority in order to ensure the suitability of the site to the proposed development. The Report is considered to adequately address the matters for consideration set out within the Manly DCP for Landslip and Subsidence 2001 (Updated March 2003).

**Manly Council Contaminated Lands Policy 2003**

The Manly Council Contaminated Lands Policy 2003 sets out the procedures for the rezoning of land, procedures for development applications in terms of carrying out a Preliminary Site Contamination Investigation, remediation requirements, independent auditing and details of how Council's Information is Managed. As detailed previously in this report with respect to State

Environment Environmental Planning Policy No. 55 – Remediation of Land, further investigations are required in order to verify the suitability of the site for the proposed development.

**79C(1)(a)(iia)- any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and**  
No planning agreement has been entered into.

**79C(1)(a) (iv) - the regulations**

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, the Manly Local Environmental Plan 1988, State Environmental Planning Policy No. 55 (Remediation of Land), State Environmental Planning Policy (Infrastructure) 2007, Manly Development Control Plan for Access 1996, Manly Development Control Plan for Waste Minimisation and Management 2000, Manly Development Control Plan for Landslip and Subsidence 2001 (Updated March 2003) and Manly Council Contamination Lands Policy 2003, and is considered to be satisfactory.

**79C(1)(a)(v) - any coastal zone management plan (within the meaning of the Coastal Protection Act 1979)**

There is no Coastal Zone Management Plan applicable for the Manly area.

**79C(1) (b) - the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**

The proposed development is not considered to have any detrimental impact on the natural and built environments, subject to conditions included within the recommendation. The new building at Dalwood is a core component of the Northern Beaches Health Service Redevelopment Strategy and is expected to deliver improved and more efficient health care services and associated benefits to the local community. The resultant efficiencies in health care delivery on the Northern Beaches will provide economic benefits to NSW Health and the State. Further, the consolidation of family and child health services at Dalwood is considered to provide economic and social benefits to clients by providing a convenient single and accessible location for the provision of health services.

The building will present as one (1) storey to the south and east, including to Dalwood House and Dalwood Avenue, and will present as a two (2) storey building to the north and west within the site. The design of the building utilises the natural fall of the site, concentrating the mass of the building away from Dalwood House's curtilage and minimising the bulk of the building when viewed from Dalwood Avenue and Callicoma Road. Accordingly, the proposal is not considered to have any adverse impact on the heritage significance of Dalwood House or The Loft and their setting. The existing mature Brush Box tree on the site, which forms an important part of the historic setting of Dalwood House will be retained and protected during all stages of construction.

**79C(1) (c) - the suitability of the site for the development,**

The proposal is considered to be suitable to the site for the following reasons:

- The site already provides child and family health services and has the capacity to accommodate additional facilities.
- The proposal provides an opportunity to integrate existing child and family health services with those currently provided at the Queenscliff site into a single all inclusive, accessible location for child and family health related services.
- The site is occupied by a number of buildings which require either substantial upgrade or replacement. The site is not significantly constrained by any environmental or infrastructure factors.
- The proposal is compatible with neighbouring land uses.
- The site is not significantly constrained by an environmental or infrastructure factors.
- The proposal is not considered to give rise to any unacceptable impacts to adjoining neighbours such as those created by noise, traffic generation and on-street parking.
- The design of the proposed building is appropriately integrated into the existing site in terms of the built form and landscaping. The new works are not considered to detract from the heritage significance of Dalwood House or the Loft and their setting.

- The proposal is considered to provide adequate and safe on-site parking for staff vehicles, as well as suitable space for deliveries, service access and the setting down and picking up of children.

In order to ensure the suitability of the site to the proposed development, the following recommendations are made:

- The recommendations contained in Clause 6.0 of the Bushfire Hazard Assessment Report prepared by Craig Burley of Control Line Consulting dated 18 September 2013 and received by Council on 27 May 2014 be fully complied with to ensure the proposal is in accordance with Planning for Bushfire Protection 2006 together with the relevant specifications and requirements.
- The recommendations contained in Section 4 of the Geotechnical Report prepared by JK Geotechnics dated 7 April 2014 and received by Council on 27 May 2014 be fully complied with.
- The recommendations contained within the Asbestos Materials Report (amended) prepared by Noel Arnold & Associates Pty Ltd dated September 2013 and received by Council on 27 May 2014 be fully complied with to ensure that asbestos-containing materials on the site are appropriately managed.
- The recommendations contained within the Aboriginal Heritage Report prepared by Biosis Pty Ltd be fully complied with to minimise or mitigate potential impacts to Aboriginal cultural heritage values within the site.
- All works shall comply with Australian Standard AS4970 2008 Protection of Trees on Development Sites. Any works within the defined Tree Protection Zone (TPZ) of Tree 1 (*Lophostemon Confertus [Brush Box]*) as per Arboricultural Impact Assessment Report prepared by Tree IQ Revision A dated 11 September 2013 and received by Council on 27 May 2014, shall be supervised by the site Arborist (with minimum qualification of AQF Level 5 in Arboriculture) to ensure the protection of Tree 1 on the site, which forms an important part of the heritage setting of Dalwood House.
- In accordance with the recommendations of the Preliminary Contamination Assessment prepared by Environmental Investigation Services dated 10 April 2014 and received by Council on 27 May 2014, the following works are to be undertaken for the site prior to the commencement of works:
  - A Phase 1 Environmental Site Assessment (Phase 1 ESA);
  - Assessment of groundwater contamination conditions;
  - Assessment of Acid Sulfate Soil conditions (ASS);
  - Assess data against the ecological guidelines;
  - Assessment of soil contamination condition beneath the existing buildings;
  - A Hazardous Materials Assessment (Hazmat) for the existing buildings prior to the commencement of demolition works; and
  - Any additional contamination issues that are identified at the site are addressed appropriately.

Reports upon completion shall be submitted to Council for review prior to the commencement of works. Should the Preliminary Site Assessment not conclude the site can be made suitable for the proposed use, a Stage 2 Detailed Site Investigation Report, Stage 3 Site Remedial Action Plan (RAP) and Stage 4 Validation and Site Monitoring reports may be required in accordance with the *NSW EPA Guidelines for Consultants Reporting on Contaminated Sites*.

- Prior to the commencement of works, a Noise and Vibration Management Plan be prepared by a suitably qualified person addressing the likely noise and vibration from demolition, excavation and construction of the proposed development and provided to the Principal Certifying Authority.
- All recommendations contained within the Accessibility Report prepared by One Group I.D. dated 19 March 2014 and received by Council on 27 May 2014 be fully complied with to ensure equitable access to the site in accordance with the relevant legislation.

**79C(1) (d) - any submissions made in accordance with this Act or the regulations**

The application was notified to all adjoining and nearby property owners in accordance with Council's Notification Policy with four (4) submissions received raising the following concerns:

No.	Objector	Issues Raised
1	Wayne Moynham (8 Acacia Road, Seaforth)	<ul style="list-style-type: none"> <li>The impact of the existing services at Dalwood on existing traffic movements and on-street car parking surrounding the site are tolerable. To increase the service provision will have <u>unacceptable traffic and parking impacts</u>.</li> <li>It is requested that any damage to public footpaths, gutters or driveways during the construction period be repaired.</li> </ul>
2	Trevor Wallin (2 Callicoma Road, Seaforth)	<ul style="list-style-type: none"> <li><u>Insufficient traffic management and parking arrangements proposed during demolition, construction and the on-going use of the site</u> and associated safety and amenity impacts to surrounding residents.</li> <li><u>Noise and associated amenity impacts resulting from construction trucks.</u></li> <li><u>Insufficient on-site parking.</u></li> </ul>
3	Michael and Heather Wrathall (114 Macmillan Street, Seaforth)	<ul style="list-style-type: none"> <li><u>Insufficient on-site car parking.</u> The proposed additional parking is to be reserved only for staff. The formalisation of parking on an existing grassed area already used for informal parking off-sets any stated increase.</li> <li>The <u>increased volume of traffic</u> generated by clients accessing the additional services has not been adequately addressed by the Traffic and Planning Report.</li> <li>Adverse impact to <u>vehicle/pedestrian safety</u> resulting from use of an existing right hand turn into Dalwood Avenue from Wakehurst Parkway.</li> <li><u>Traffic impacts on the surrounding area during the construction period,</u> specifically, blocking of surrounding roads due to queuing of demolition and construction trucks associated impact on resident access, safety and amenity.</li> <li><u>Pedestrian safety.</u> Dangerous pedestrian crossing to main entrance.</li> <li>It is recommended the main entrance be relocated to Callicoma Road.</li> </ul>
4	Stanton Najar (4 Boronia Lane, Seaforth)	<ul style="list-style-type: none"> <li><u>Traffic impacts on the surrounding area during the construction period,</u> specifically, blocking of surrounding roads due to queuing of demolition and construction trucks associated impact on resident access, safety and amenity.</li> <li>It is recommended construction trucks be restricted from queuing along Callicoma Road i.e. no more than one double bogey or two single double bogey trucks at any one time and trucks be prohibited from using Boronia Lane or Acacia Road to preserve resident access, safety and amenity.</li> <li>Council to maintain and repair any road damage in the surrounding area as a result of construction works.</li> </ul>

		<ul style="list-style-type: none"> <li>It is recommended Council address potential hazards to children especially at pick-up and drop-off times.</li> </ul>
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*Comment on submissions:*

- The overarching issue identified in the submissions relates to traffic impacts on the surrounding area both during construction and after completion of the proposed works due to expansion of the existing Child and Family Health services offered at the Dalwood Site. Potential traffic impacts identified relate to potential blocking of surrounding roads by construction trucks, increased pressure on on-street parking, safety risk to children and service patrons during peak drop-off and pick-up times and potential increased risk to vehicle/pedestrian safety. The resultant impact on the amenity of surrounding residents is also raised. The submissions also raise the issue of the perceived insufficiency of the proposed on-site parking.
- In light of the above it is recommended that a Construction Traffic Management Plan (CTMP) be submitted to Council for review prior to the commencement of works. It is further recommended that Heavy vehicular movement including all delivery vehicles/trucks to the subject site restricted between peak drop-off and pick-up times (7.30am - 9.30am and 3.30pm - 5.30pm) in order to ensure that all traffic including pedestrians during construction is adequately managed and that safety is ensured. Health Infrastructure has accepted this recommendation.
- The CTMP will include details of the following:
  - How safety for pedestrians in particular will be managed with heavy vehicles frequently accessing the site.
  - Provisions for vehicular, pedestrian and cyclist access and parking.
  - Access, parking and loading/unloading during construction.
  - Measures to minimise impact on surrounding on-street parking.
  - Operations hours and estimated numbers of construction vehicles accessing the site.
  - Details on where the hoardings will be located to protect pedestrians and children moving within the site, especially in proximity of play areas such as the oval to the north-east.
  - Traffic/pedestrian traffic control devices.
  - Options to provide parking facilities of workers parking arrangement during construction to minimise disruption to surrounding residents and the existing facilities of the Dalwood site. These could include an allocated area within the Dalwood site (for example on the rear oval adjacent to the proposed future car park).
- A Traffic and Parking Report has been submitted as part of the application. The Report provides a comprehensive existing site analysis including details of the hours of operation, road network, existing parking, site surrounds, public transport, pedestrian facilities, bicycle paths and vehicle access. The Report also provides a detailed assessment of the proposal having regard to patron usage, parking, traffic generation assessment in terms of the capacity of existing surrounding roads, vehicle access, buss access, bicycle access, pedestrian access and construction activity. The following notable findings are made:
  - 8 additional client parking spaces should be provided for clients. The development will generate the need to provide an additional 9 staff car parking spaces for new staff. The additional 21 spaces provided are anticipated to accommodate the parking requirements of the proposed additional staff and clients as a result of the new development.
  - The existing site contains 36 car spaces including three (3) accessible car parking spaces used by staff and clients.
  - The site will provide 19 bicycle spaces in accordance with the requirements of 1 bicycle space per 3 car parking spaces.
  - Access to the worksite for construction vehicles will utilise the major road network of Sydney Road, Frenchs Forest Road, Clontarf Street and

Wakehurst Parkway. Due to the layout of local streets, access will be restricted to medium sized vehicles.

- The site could retain as total of three (3) accessible car spaces which exceeds the minimum BCA requirement of 1 space for every 100 spaces of part thereof for a Class 5 facility.
- In the event of larger group meetings that may occur less frequently (i.e. monthly), the site has the ability to provide overflow parking in grassed areas within the parking area off Dalwood Avenue and Callicoma Road. The amount of overflow parking available on site is in the order of 35 spaces.
- The capacity of the road network is based firstly on road capacity, but secondly and more importantly on the intersection capacity. Both the Dalwood Avenue/Frenchs Forest Road and Callicoma Road/Clontarf Street Intersection were surveyed as part of the Traffic and Parking Assessment. The summary of the results indicates that there is no significant change to the intersection operation at the intersection of Dalwood Avenue/Frenchs Forest Road and Callicoma Road/Clontarf Street intersections associated with the proposed works. A “worst case” scenario for traffic generation was based on the entire car parking areas to be filled within the AM peak period. Although in practice this is likely to occur over a longer period than the peak hour, therefore reducing the impact on the intersections. The assessment indicated that the road network will continue to operate at a similar level of service to the existing situation.
- The development provides for truck movements to arrive and depart in a forward direction.
- The Dalwood site has access to public transport with two (2) bus stops within close proximity to the site and serviced by six (6) different bus routes which link to adjoining business and transport hubs.
- The existing combined entry/exit driveway on Callicoma Road will provide access to the staff parking area of 27 spaces (21 new, 7 existing). It is proposed to maintain the existing driveway and road width. There is sufficient visibility on the approach to this section of roadway to allow vehicles to give way if required. The proposed layout is in accordance with AS2890.1 access driveway requirements.
- The existing mini bus parking at the rear of the site off Callicoma Road will remain.
- As part of the schematic design phase submission this development does not propose to expand on the pedestrian facilities within the existing car park with pedestrians continuing to utilise the existing paved areas of the car park. The provision of footpaths will be re-evaluated within the detailed design phase.
- Overall, the report concludes that in traffic and transport engineering terms, the proposed extension of the Dalwood site is acceptable and supportable and will have no adverse impact on the road system and parking conditions for general operational activities of the site. The requested Construction Traffic Management Plan in conjunction with the findings of the submitted Traffic and Parking Report is considered to adequately address the concerns raised within the submissions.

#### **79C(1) (e) - the public interest.**

There will be no impacts to the detriment of the public. The new building at Dalwood will deliver improved and more efficient health care services and associated social benefits to the local community.

#### **S94 Contribution towards provision or improvement of amenities or services**

This part of the Act relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

- (1) *If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:*
- (a) *the dedication of land free of cost, or*
  - (b) *the payment of a monetary contribution,*
- or both.*
- (2) *A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned.'*

#### **Comments:**

In this case, the proposed development will not alter the existing use on the site. Accordingly, payment of a section 94 contribution is not applicable in this instance.

#### **CONCLUSION:**

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, the Manly Local Environmental Plan 1988, State Environmental Planning Policy No. 55 (Remediation of Land), State Environmental Planning Policy (Infrastructure) 2007, Manly Development Control Plan for Access 1996, Manly Development Control Plan for Waste Minimisation and Management 2000, Manly Development Control Plan for Landslip and Subsidence 2001 (Updated March 2003) and Manly Council Contamination Lands Policy 2003, and is considered to be satisfactory.

Assessment Planner: Philippa Frecklington

Date: 22 July 2014

#### **RECOMMENDATION**

That Development Application No. 88/2014 for development of a new Child and Family Health Services Building at 21 Dalwood Avenue, Seaforth be **Approved** subject to the following conditions:

##### **ANS01**

The recommendations contained in Clause 6.0 of the Bushfire Hazard Assessment Report prepared by Craig Burley of Control Line Consulting dated 18 September 2013 and received by Council on 27 May 2014 are to be fully complied with and Compliance demonstrated to the Principal Certifying Authority (PCA), prior to occupation.

**Reason: To ensure the proposal is in accordance with Planning for Bushfire Protection 2006 together with the relevant specifications and requirements.**

##### **ANS02**

The recommendations contained in Section 4 of the Geotechnical Report prepared by JK Geotechnics dated 7 April 2014 and received by Council on 27 May 2014 are to be fully complied with and compliance demonstrated to the Principal Certifying Authority (PCA), prior to occupation.

**Reason: To ensure the site is suitable for the proposed development.**

##### **ANS03**

The recommendations contained within the Asbestos Materials Report (amended) prepared by Noel Arnold & Associates Pty Ltd dated September 2013 and received by Council on 27 May 2014 are to be fully complied with and compliance demonstrated to the Principal Certifying Authority (PCA), prior to occupation.

**Reason: To ensure that asbestos-containing materials on the site are appropriately managed.**

#### ANS04

The recommendations contained within the Aboriginal Heritage Report prepared by Biosis Pty Ltd are to be fully complied with and compliance demonstrated to the Principal Certifying Authority.

**Reason: To minimise or mitigate potential impacts to Aboriginal cultural heritage values within the site.**

#### ANS05

All works shall comply with Australian Standard AS4970 2008 Protection of Trees on Development Sites. Any works within the defined Tree Protection Zone (TPZ) of Tree 1 (*Lophostemon Confertus* [Brush Box]) as per Arboricultural Impact Assessment Report prepared by Tree IQ Revision A dated 11 September 2013 and received by Council on 27 May 2014, shall be supervised by the site Arborist (with minimum qualification of AQF Level 5 in Arboriculture).

**Reason: To ensure the protection of Tree 1 on the site, which forms an important part of the heritage setting of Dalwood House.**

#### ANS06

Landscape Plan drawings prepared by AECOM No SD02 Issue D and drawing No. SD03 Issue C both dated 31 March 2014 and received by Council on 3 June 2014 are to be amended to exchange the proposed *Corymbia Maculata* (Spotted Gum) with locally native *Eucalyptus*/*Apophenia*/*Corymbia* species and the proposed *Archontophoenix Alexandrea* (Alexandra Palms) with suitable locally native species that is easier to maintain in such a location. Planting at the base of an existing *Lophostemon Confertus* (Brush Box) is to be sensitive to existing tree roots and flexible in their location.

**Reason: To ensure suitable planting on the site and protection of an existing mature Brush Box tree.**

#### ANS07

The submitted Construction Management Plan prepared by Niccon Pty Ltd dated April 2014 and received by Council on 27 May 2014 is to ensure the storage of building materials and construction vehicles is not under the canopies of existing site trees.

**Reason: To ensure the protection of trees to be retained on the site.**

#### ANS08

In accordance with the recommendations of the Preliminary Contamination Assessment prepared by Environmental Investigation Services dated 10 April 2014 and received by Council on 27 May 2014, the following works are to be undertaken for the site within six months of the commencement of works:

- A Phase 1 Environmental Site Assessment (Phase 1 ESA);
- Assessment of groundwater contamination conditions;
- Assessment of Acid Sulfate Soil conditions (ASS);
- Assess data against the ecological guidelines;
- Assessment of soil contamination condition beneath the existing buildings;
- A Hazardous Materials Assessment (Hazmat) for the existing buildings prior to the commencement of demolition works; and
- Any additional contamination issues that are identified at the site are addressed appropriately.

Reports upon completion shall be submitted to Council for review prior to the commencement of works. Should the Preliminary Site Assessment not conclude the site can be made suitable for the proposed use, a Stage 2 Detailed Site Investigation Report, Stage 3 Site Remedial Action Plan (RAP) and Stage 4 Validation and Site Monitoring reports may be required in accordance with the *NSW EPA Guidelines for Consultants Reporting on Contaminated Sites*.

**Reason: To ensure the suitability of the site for the proposed use.**

#### ANS09



Prior to the commencement of works, a Noise and Vibration Management Plan is to be prepared by a suitably qualified person addressing the likely noise and vibration from demolition, excavation and construction of the proposed development and provided to the Principal Certifying Authority. The Plan is to identify amelioration measures to ensure the noise and vibration levels will be compliance with the relevant legislation and Australian Standards. The report that itemises equipment to be used for excavation works. The Plan shall address, but not limited to, the following matters:

1. Identification of activities carried out and associated noise sources.
2. Identification of potentially affected sensitive receivers, including residences, churches, commercial premises, schools and properties containing noise sensitive equipment.
3. Determination of appropriate noise and vibration objectives for each identified sensitive receiver.
4. Noise and vibration monitoring, reporting and response procedures.
5. Assessment of potential noise and vibration from the proposed demolition, excavation and construction activities, including noise from construction vehicles.
6. Description of specific mitigation treatments, management methods and procedures to be implemented to control noise and vibration during construction.
7. Construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency.
8. Procedures for notifying residents of construction activities likely to affect their amenity through noise and vibration.
9. Contingency plans to be implemented in the event of non-compliances and/or noise complaints. A register should be kept of complaints received, and the action taken to remediate the issue.

**Reason: To protect acoustic amenity of surrounding properties and the public.**

#### **ANS10**

The activity of rock-breaking associated with the development of the site, must not occur on weekends or public holidays. Surrounding properties must be notified in writing of the times and days in which rock-breaking activities will be carried out. Notices must be distributed at least seven (7) days before the activity is to occur.

**Reason: To protect the acoustic amenity of neighbouring properties and the public.**

#### **ANS11**

The proposed demountable building must be removed from the site and the area made good within six (6) months of occupation.

**Reason: To allow for preservation of cultural resources within the Manly Council Area.**

#### **ANS12**

A Construction Traffic Management Plan is to be submitted to Council for review prior to the commencement of works. The Traffic Management Plan is to include Lollipop personnel during deliveries and address consultation/engagement with the on-site Child Care and existing Child and Family Health Services and parking arrangements for trade vehicles. Heavy vehicular movement including all delivery vehicles/trucks to the subject site restricted between peak drop-off and pick-up times (7.30am - 9.30am and 3.30pm - 5.30pm).

**Reason: To ensure that all traffic including pedestrians during construction is adequately managed and that safety is ensured.**

#### **ANS13**

The driveway access is not to be used for car parking and is to be kept clear of all obstructions and all parked vehicles at all times.

**Reason: To ensure users of the development can access the car park and are not forced to park on public streets.**

#### **ANS14**

An existing mature *Lophostemon Confertus* (Brush Box) is to be retained and protected during all stages of construction.

**Reason: The tree forms an important part of the heritage setting to Dalwood House.**

#### **ANS15**

All recommendations contained within the Accessibility Report prepared by One Group I.D. dated 19 March 2014 and received by Council on 27 May 2014 are to be fully complied with and compliance demonstrated to the Principal Certifying Authority, prior to occupation.

**Reason: To ensure equitable access to the site in accordance with the relevant legislation.**

#### **ANS16**

The recommendations contained within the Flora and Fauna Assessment Report prepared by LesryK Environmental Consultants dated 8 April 2014 and received by Council on 27 May 2014 are to be fully complied with.

**Reason: To ensure the ecological values of the site are protected.**

#### **DA1**

The development, except where modified by the conditions of this consent, is to be carried out in accordance with the following plans and documentation:

*Plans affixed with Council's stamp relating to Development Consent No. 88/2014:*

<b>Plan No. / Title</b>	<b>Issue / Revision &amp; Date</b>	<b>Date Received by Council</b>
CHC-D-AR-SD-0101 / Site Plan – Existing	Revision 3 / 16 April 2014	3 June 2014
CHC-D-AR-SD-0102 / Site Plan - Proposed	Revision 5 / 28 April 2014	3 June 2014
CHC-D-AR-SD-0103 / Site Plan – Demolition	Revision 3 / 16 April 2014	3 June 2014
CHC-D-AR-SD-0120 / Demountable Building	Revision 2 / 16 April 2014	3 June 2014
CHC-D-AR-SD-0121 / Demountable Building – Roof Plan	Revision 1 / 16 April 2014	3 June 2014
CHC-D-AR-SD-0122 / Demountable Building / Elevations	Revision 1 / 16 April 2014	3 June 2014
CHC-D-AR-SD-0311 / Ground Floor Plan	Revision 3 / 16 April 2014	3 June 2014
CHC-D-AR-SD-0312 / Lower Ground Floor	Revision 3 / 16 April 2014	3 June 2014
CHC-D-AR-SD-0313 / Roof Plan	Revision 5 / 29 May 2014	3 June 2014
CHC-D-AR-SD-2001 / North Elevation 1	Revision 5 / 29 May 2014	3 June 2014
CHC-D-AR-SD-2002 / South Elevation 1	Revision 5 / 29 May 2014	3 June 2014
CHC-D-AR-SD-2003 / East Elevation	Revision 5 / 29 May 2014	3 June 2014
CHC-D-AR-SD-2004 / West Elevation	Revision 4 / 29 May 2014	3 June 2014
CHC-D-AR-SD-2005 / North Elevation 2	Revision 5 / 29 May 2014	3 June 2014
CHC-D-AR-SD-2006 / South Elevation 2	Revision 4 / 29 May 2014	3 June 2014
CHC-D-AR-SD-2101 / Section North-South 01	Revision 5 / 29 May 2014	3 June 2014
CHC-D-AR-SD-2102 / Section North-South 02	Revision 5 / 29 May 2014	3 June 2014
CHC-D-AR-SD-2103 / Section East-West 01	Revision 5 / 29 May 2014	3 June 2014
CHC-D-AR-SD-2104 / Section East-West 02	Revision 5 / 29 May 2014	3 June 2014
CHC-D-AR-DA-5001 / Room Layout Ground 1	Revision 1 / 16 April 2014	3 June 2014
CHC-D-AR-DA-5002 / Room Layout Ground 2	Revision 1 / 16 April 2014	3 June 2014

CHC-D-AR-DA-5003 / Child and Family Health Services Building	Revision 1 / 16 April 2014	3 June 2014
CHC-D-AR-DA-5004 / Room Layout Lower Ground 1	Revision 1 / 16 April 2014	3 June 2014
CHC-D-AR-DA-5005 / Room Layout Lower Ground 2	Revision 1 / 16 April 2014	3 June 2014
SD02 / Landscape Plan	Issue D / 31 April 2014	
SD03 / Planting Palette	Issue C / 31 March 2014	3 June 2014
DA05 / Landscape Sections	Issue B / 31 March 2014	3 June 2014

*Documentation affixed with Council's stamp relating to Development Consent No. 88/2014:*

Report	Prepared By	Dated	Date Received by Council
Statement of Environmental Effects	JBA Urban Planning Consultants	14 May 2014	27 May 2014
Bushfire Hazard Assessment Report	Control Line Consulting	18 September 2013	27 May 2014
Stormwater Management Strategy	Thomas Taylor Whitting Consulting Engineers	April 2014	27 May 2014
Waste Management & Resource Recovery Plan	Northern Sydney Local Health District	10 January 2014	27 May 2014
Civil and Structural Engineering Report	Thomas Taylor Whitting (NSW) Pty Ltd	March 2014	27 May 2014
Construction Management Plan	Niccon Pty Ltd	April 2014	27 May 2014
Architectural Design Statement	McConnel Smith & Johnson Architects	Revision 2 / 17 April 2014	27 May 2014
Traffic and Parking Assessment	Thomas Taylor Whitting (NSW) Pty Ltd	24 March 2014	27 May 2014
Geotechnical Report	Jeffery & Katauskas Pty Ltd trading as JK Geotechnics	7 April 2014	27 May 2014
Preliminary Contamination Assessment	Environmental Investigation Services	10 April 2014	27 May 2014
Asbestos Materials Report	Noel Arnold & Associates Pty Ltd	September 2013	27 May 2014
Heritage Impact Statement	Kubanyi Architects	11 April 2014	27 May 2014
Aboriginal Heritage Report	Biosis Pty Ltd	5 May 2014	27 May 2014
Flora and Fauna Assessment	Lesry K Environmental Consultants	8 April 2014	27 May 2014
Arboricultural Impact Assessment Report	Tree IQ	Revision A / 11 September 2013	27 May 2014
Building Code of Australia Report / Schematic Design	McKenzie Group	Undated	27 May 2014
Section J Assessment	McConnel Smith & Johnson	Issue 2 / 16 April 2014	27 May 2014
Accessibility Report	One Group ID	19 March 2014	27 May 2014

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council

Four (4) copies of architectural drawings consistent with the development consent and associated conditions are to be submitted to the Council/Accredited Certifier prior to the commencement of works.

Reason: To comply with the Environmental Planning and Assessment Act 1979.

## 2 (2CD01)

Pursuant to Section 97 of the Local Government Act, 1993, Council requires prior to the commencement of works, or commencement of any excavation and demolition works, payment of a Trust Fund Deposit as per the current rates in Council's Fees and Charges. The Deposit is required as security against damage to Council property during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

Note: Should Council property adjoining the site be defective e.g. cracked footpath, broken kerb etc., this should be reported in writing, or by photographic record, submitted to Council at least seven (7) days prior to the commencement of any work on site. This documentation will be used to resolve any dispute over damage to infrastructure. It is in the applicant's interest for it to be as full and detailed as possible.

Where by Council is not the Principal Certifying Authority, refund of the trust fund deposit will be dependent upon completion of the works.

Reason: To ensure security against possible damage to Council property.

## 3 (2CD05)

Detailed engineering drawings of all work must be submitted for approval by the Council/Accredited Certifier prior to the commencement of works.

Reason: To ensure the provision of public infrastructure of an appropriate quality arising from the development works to service the development.

## 4(2DS02)

A system of Onsite Stormwater Detention (OSD) or Onsite Stormwater Retention (OSR) is to be provided within the property in accordance with Council's Specification for On-site Stormwater Management 2003. The design and details must be submitted to Council and be approved by Council prior to the commencement of works. The stormwater management plan and designs must be prepared by a suitably qualified engineer with experience in hydrology and hydraulics.

Reason: To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure public infrastructure in Council's care and control is not overloaded.

## 5 (2FP02)

Detailed drawings and specifications of all works (including but not limited to structures, road works, driveway crossings, footpaths and stormwater drainage) within existing roads, must be submitted to and approved by Council under the Roads Act 1993, before the Commencement of works. Specific works include:

- 1) Full width vehicular crossings having a maximum width, at the back of layback, and in accordance with the current policy of Council and Specifications for the construction of vehicle crossings; and
- 2) Longitudinal sections for both sides of the vehicular crossing and driveway commencing at the centre line of the road carriageway must be provided for assessment. Gradients and transitions must be in accordance with Australian Standard AS 2890.1 – 2004, Part 1 – Off-Street Car Parking. The driveway profile submitted to Council must be to scale at 1:25 (for template checking purposes) and contain all relevant details: reduced levels, proposed grades and distances.

Driveway to be designed to provide for existing or future footpaths across driveway, in accordance with Council's Specification for Civil Infrastructure Works, Developments & Subdivisions 2003 and Australian Standard AS 1428.1:2001 - Design for access and mobility.

Reason: To facilitate suitable vehicular access to private sites.

6 (2FP03)

No portion of the proposed building or works, as approved within the subject site, are to encroach upon any road reserve or other public land except as may be permitted by the Local Government Act 1993. This includes the opening and closing of gates and doors which must open and close within the subject site.

Reason: To ensure structures are contained within the site.

7 (2FR01)

A Fire Safety Schedule specifying the fire safety measures (both current and proposed) which should be implemented in the building premises must be submitted prior to the commencement of works, in accordance with Part 9 Clause 168 of the Environmental Planning and Assessment Regulation 2000.

Reason: Compliance with the Environmental Planning and Assessment Act 1979.

8 (2MS01)

Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, details including drawings and specifications must be submitted to Council prior to the commencement of works, which provide adequate measures for erosion and sediment control. As a minimum, control techniques are to be in accordance with Manly Council Guidelines on Erosion and Sediment Control, or a suitable and effective alternative method. The Sediment Control Plan must incorporate and disclose:

- 1) all details of drainage to protect and drain the site during the construction processes,
- 2) all sediment control devices, barriers and the like,
- 3) sedimentation tanks, ponds or the like,
- 4) covering materials and methods, and
- 5) a schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.

Details from an appropriately qualified person showing these design requirements have been met must be submitted and approved by the Council/Accredited Certifier prior to the commencement of works.

Reason: To protect the environment from the effects of sedimentation and erosion from development sites.

9 (2PT01)

The driveway/access ramp grades, access and car parking facilities must comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking.

Reason: To ensure compliance with Australian Standards relating to manoeuvring, access and parking of vehicles.

10 (2PT02)

All driveways, car parking areas and pedestrian paths are to be surfaced and sealed. Details of treatment to these areas are to be submitted to the Council/Accredited Certifier prior to occupation.

Reason: To provide suitable stormwater disposal and to prevent soil erosion and runoff.

11 (2PT03)

The dimensions of car parking bays and aisle widths in the car park are to comply with Australian/New Zealand Standard for Off-Street Parking AS/NZS 2890.1-2004.

Reason: To ensure compliance with this consent and Australian Standards relating to manoeuvring, access and parking of vehicles.

12 (2PT05)

Vehicular manoeuvring paths must be provided to demonstrate all vehicles can enter or depart the site in a forward direction without encroaching on required car parking spaces. The drawings must be compliant with Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking.

Reason: To ensure compliance with Australian Standards relating to manoeuvring, access and parking of vehicles.

13 (2WM02)

A Waste Management Plan is to be submitted with the application prior to the commencement of works in accordance with the Manly Development Control Plan 2013.

The plan should detail the type and estimate the amount of demolition and construction waste and nominate how these materials will be sorted and dealt with. Weight dockets and receipts must be kept as evidence of approved methods of disposal and recycling. All demolition and excess construction materials are to be recycled where ever practicable. It should include consideration of the facilities required for the ongoing operation of the premises' recycling and waste management services after occupation. A template is available from the Manly Council website.

Reason: To plan for waste minimisation, recycling of building waste and on-going waste management.

14 (2WM03)

Garbage rooms or grease arrester rooms must be constructed of solid material: cement rendered and steel trowelled to a smooth even surface. The door to the garbage room is to be designed and constructed to ensure the room is vermin proof and can be opened from the inside at all times. The garbage room is to be ventilated to the external air by natural ventilation or an approved air handling exhaust system.

Reason: To keep garbage rooms in a clean and sanitary condition to protect public health.

15 (3BM01)

The floor surfaces of bathrooms, shower rooms, laundries and WC compartments are to be of an approved impervious material properly graded and drained and waterproofed in accordance with Australian Standard AS 3740. Certification is to be provided to the Principal Certifying Authority from a licensed applicator prior to the fixing of any wall or floor tiles.

Reason: To prevent the penetration of dampness through walls and floors.

16 (3CD02)

Demolition must be carried out by a registered demolition contractor. Documentary evidence of registration must be submitted to Council prior to the commencement of demolition work.

Reason: To ensure demolition is carried out in an appropriate manner that is non-disruptive to the locality and the public.

17 (3CD03)

An adequate security fence is to be erected around the perimeter of the construction site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project.

Reason: To protect the public interest and safety.

18 (3FP01)

The applicant must complete an application form and pay applicable fees for an application to Council for the construction of a Vehicular Crossing, for the design, specification and inspection by Council. Applications are to be made a minimum of two (2) working days prior to commencement of proposed works on Council's property.

Reason: To provide suitable vehicular access to private sites, without disruption to pedestrian and vehicular traffic.

19 (3LD02)

All trees on the site clear of the building are to be retained, and those trees within 7.5m of the building are to be provided with a tree guard and a notice on each guard reading: 'This tree is the subject of a Tree Preservation Order by Manly Council'. This notice is to be in position prior to any work being commenced on the site. This does not include trees which have Council approval to be removed.

Reason: To ensure trees clear of the building are retained and those within 7.5m of the building are protected.

20 (3LD03)

Where trees greater than 5 metres in height which are not within the proposed footprint (i.e. not directly affected by the development) and are proposed for removal, a tree permit is required subject to the Tree Preservation Order 2001 criteria.

Reason: Retain the number of existing trees on site which are protected by the Tree Preservation Order and not directly in the way of development.

21 (3PT01)

In accordance with the Roads Act 1993, written consent from Council must be obtained and must be in hand prior to any track equipped plant being taken in or onto any roadway, kerb & gutter, footway, nature strip, or other property under Council's control.

Reason: To ensure appropriate protection of public infrastructure and facilitate access for public and vehicular traffic.

22 (4AP02)

A copy of all stamped approved drawings, specifications and documents must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

Reason: To ensure the form of the development undertaken is in accordance with the determination of Council, public information and to ensure ongoing compliance.

23 (4CD01)

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- 1) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- 2) Demolition must be carried out by a registered demolition contractor.
- 3) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- 4) No blasting is to be carried out at any time during construction of the building.
- 5) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- 6) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- 7) Any demolition and excess construction materials are to be recycled wherever practicable.
- 8) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 9) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- 10) All waste must be contained entirely within the site.
- 11) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- 12) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- 13) Details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling.
- 14) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.

- 15) Public footways and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.
- 16) Building operations such as brick-cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- 17) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- 18) Any work must not prohibit or divert any natural overland flow of water.

Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.

#### 24 (4CD02)

In order to maintain the amenity of adjoining properties, audible site works must be restricted to between 7.00am and 6.00pm, Monday to Friday and 7.00am to 1.00pm Saturday (including works undertaken by external contractors). No site works can be undertaken on Sundays or public holidays.

Unless otherwise approved within a Construction Traffic Management Plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Reason: To prevent disturbance to the surrounding community.

#### 25 (4CD03)

Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 person or part of 20 persons employed at the site, by effecting either a permanent or temporary connection to the Sydney Water's sewerage system or by approved closets.

Reason: To maintain sanitary conditions on building sites.

#### 26 (4CD06)

All construction works must be strictly in accordance with the Reduced Levels (RLs) as shown on the approved drawings. A copy of approved drawings should be kept at site. Certification from a registered surveyor is to be submitted to the Principal Certifying Authority during construction to confirm floor and finished ridge levels.

Reason: To ensure compliance with the consent.

#### 27 (4CD07)

Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW. Before starting work, a work site-specific permit approving each asbestos project must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence.

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

- The Work Health and Safety Act 2011.
- The Work Health and Safety Regulation 2011.
- How to Safety Remove Asbestos Code of Practice – WorkCover 2011.

Reason: To ensure the health of site workers and the public.

#### 28 (4DS02)

Any de-watering from the excavation or construction site must comply with the Protection of the Environment Operations Act 1997 and the following:

- 1) Ground water or other water to be pumped from the site into Council's stormwater system must be sampled and analysed by a NATA accredited laboratory or Manly Council for compliance with ANZECC Water Quality Guidelines, and



- 2) if tested by NATA accredited laboratory, the certificate of analysis issued by the laboratory must be forwarded to Manly Council as the appropriate regulatory authority under the Protection of the Environment Operations Act 1997, prior to the commencement of de-watering activities; and
- 3) Council will grant approval to commence site de-watering to the stormwater based on the water quality results received, and
- 4) It is the responsibility of the applicant to ensure during de-watering activities, the capacity of the stormwater system is not exceeded, there are no issues associated with erosion or scouring due to the volume of water pumped; and turbidity readings must not at any time exceed the ANZECC recommended 50ppm (parts per million) for receiving waters.

Reason: To ensure compliance with legislation and to protect the surrounding natural environment.

29 (4FP01)

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

Reason: To ensure appropriate access and infrastructure protection.

30 (4HT04)

Should any potentially historic relics be discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the NSW Office of Environment and Heritage of NSW should be contacted for advice.

Should any potentially significant Aboriginal material be discovered on the site, all excavation or disturbance of the area is to stop immediately and the NSW Office of environment and Heritage is to be contacted for advice.

Reason: To ensure the proper management and preservation of potentially significant archeological material.

31 (4LD02)

All healthy trees and shrubs identified for retention on the drawing are to be:

- (a) suitably protected from damage during the construction process, and
- (b) retained unless their removal has been approved by Council.

Reason: This is to ensure that the trees on the site which do not have approval to be removed on the site are suitably protected during any construction works.

Internal Note: This condition is to be imposed with 3LD01.

32 (4LD03)

The felling, lopping, topping, ringbarking, wilful destruction or removal of any tree/s unless in conformity with this approval or subsequent approval is prohibited.

Reason: To prohibit the unnecessary damage or removal of trees without permission from Council during any construction.

33 (4LD04)

The following precautions must be taken when working near trees to be retained:

- harmful or bulk materials or spoil must not be stored under or near trees,
- prevent damage to bark and root system,
- mechanical methods must not be used to excavate within root zones,
- topsoil from under the drip line must not be added and or removed,
- ground under the drip line must not be compacted, and
- trees must be watered in dry conditions.

Reason: This is to ensure no damage is caused to trees from various methods of possible damage.

34 (4LD06)

All disturbed surfaces on the land resulting from the building works authorised by this approval must be revegetated and stabilised to prevent erosion either on or adjacent to the land.

Reason: To prevent/contain erosion.

35 (4MS06)

In compliance with the State Environmental Planning Policy No. 55 – Remediation of Land, all remediation work must be carried out in accordance with any contaminated land planning guidelines issued under Section 145C of the Act, any guidelines in force under the Contaminated Land Management Act 1997, and the remediation plan approved under this consent.

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

Reason: To protect public health and the surrounding natural environment.

36 (4WM02)

Removal of trackable wastes from the site must comply with the Protection of the Environment Operations (Waste) Regulation 2005 for the transportation, treatment and disposal of waste materials. Waste materials must not be disposed on land without permission of the land owner and compliance with the provisions of the Protection of the Environment and Operations Act 1997.

Reason: To ensure compliance with legislation.

37 (4WM03)

Hazardous waste must be contained, managed and disposed of in a responsible manner in accordance with the Protection of Environment and Operations Act 1997.

Reason: Compliance with the provisions of the Protection of the Environment and Operations Act 1997.

38 (5DS01)

Stormwater drainage from the proposed addition/extension must be disposed of to the existing drainage system. All work is to be carried out in accordance with Council standards and specifications for stormwater drainage. Work is to be completed prior to the issue of the Occupation Certificate.

Reason: To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure infrastructure reverting to Council's care and control is of an acceptable standard.

39 (5DS02)

A copy of the approved Onsite Stormwater Detention (OSD) or Onsite Stormwater Retention (OSR) drawing showing Works as Executed (WAE) details must be submitted to Council for approval prior to the issue of the Occupation Certificate. The WAE drawing is to be in accordance with Council's standards and Specification for Stormwater Drainage 2003 and Specification for On-site Stormwater Management 2003.

Reason: Compliance with the consent and Council standards and specifications.

40 (5DS03)

A restriction on the use of land and a positive covenant in respect of the installation and maintenance of onsite detention works is required to be imposed over the area of the site affected by onsite detention and/or pump system prior to the issue of the Occupation Certificate for the building and prior to the release of the trust fund deposit. The detailed information for a restriction on the use of land and a positive covenant is shown in Council's Specification for On-site Storm Water Management 2003.

Reason: To ensure the on-site detention and/or pump system is maintained to an appropriate operational standard.

41 (5LD01)

A qualified Landscape Consultant is to submit a Certificate of Practical Completion to the Principal Certifying Authority prior to the issue of the Occupation Certificate, stating the work has been carried out in accordance with the approved Landscape Drawing and a maintenance program has been established.

Reason: This is to ensure the landscaping is planted in accordance with the drawing and maintained appropriately

42 (5LD02)

Evidence of an agreement for the maintenance of all plants for a period of twelve (12) months from the date of practical completion of the building is to be provided to the Principal Certifying Authority prior to issue of the final Occupation Certificate.

Reason: To ensure landscaping will be appropriately maintained.

43 (5MS01)

Documentation is to be supplied by a practising mechanical engineer certifying the mechanical exhaust ventilation system, as installed, complies with Australian Standard AS 1668, and must be provided to Council Principal Certifying Authority prior to the issue of the Occupation Certificate.

Reason: To ensure the mechanical exhaust ventilation system complies with Australian Standard AS 1668.

44 (5US01)

Any adjustment to a public utility service is to be carried out in compliance with its standards; where consent is required, with its concurrence; and with the full cost being borne by the applicant. Full documents of adjustments to any public utility service should be submitted to Council.

Reason: To ensure compliance with the terms of this consent.

45 (6LP01)

No existing street trees can be removed without Council approval. Where such approval is granted, the trees must be replaced at full cost by the applicant with an advanced tree of a species nominated by Council's relevant officer.

Reason: To encourage the retention of street trees.

46 (6LP03)

Landscaping is to be maintained in accordance with the approved Landscaping Drawing.

Reason: This is to ensure that landscaping is maintained appropriately.

47 (6LP04)

Leighton Green Cypress Cupressocyparis leylandii or any of its cultivars, must not be planted on the site for the life of the development. In the event of any inconsistency between this condition and the development application documents, this condition will prevail to the extent of the inconsistency.

Reason: To reduce the potential for adverse amenity effects such as overshadowing, loss of views, and loss of plant diversity.

48 (6NL01)

Glare from internal lighting is not permitted to extend beyond the limits of the building authorised by this approval.

Reason: To ensure there is no glare from internal lighting to neighbouring properties and land.

49 (6NL03)

The ongoing use of the premises/property must not give rise to 'offensive noise' as defined under the provisions of the Protection of the Environment Operations Act 1997.

Reason: To ensure compliance with legislation and to protect public health and amenity.

50 (6PT03)

Loading and unloading of vehicles and delivery of goods to the land must be carried out within the site. The car parking area shown on the approved drawings must be used for vehicle parking only. Any loading or unloading of materials of potential environmental damage must be appropriately bunded with adequate spill response equipment in place to ensure nil runoff from the site.

Reason: To ensure the safety and amenity of the general public using public streets, and to ensure the protection of the environment from spillage of materials.

51 (6WM02)

Waste collection from the premises must not occur between the hours of 10:00pm and 7:00am Monday to Sunday, without the prior approval of Council.

Reason: To minimise disruption to neighbouring properties.

52 (6WM03)

Waste bins used for commercial premises are to be left on public footpaths for the minimum time necessary for waste collection and then promptly removed. Lids should be closed to prevent littering.

Reason: To ensure waste and bins are promptly removed from public places following collection; to limit obstruction of footpaths or roads; and to minimise public amenity impacts.

53 (6WM04)

All non-recyclable waste from commercial premises must be presented for collection in a lidded receptacle. Waste receptacles are not to be stored in public spaces such as footpaths.

Reason: Public amenity and litter minimisation.

54 (6WM05)

No waste generated on site from any commercial operation is to be placed in public place bins. Commercial operators must maintain their commercial waste bins in an organised, clean and sanitary condition, preventing potential for litter from overflowing bins.

Reason: To communicate policy regarding illegal trade waste dumping in public bins; and maintenance of trade waste bins.

55 (6WM06)

Signage on the correct use of the waste management system and materials to be recycled must be posted in the communal waste storage cupboard/room or bin bay prior to receiving an occupation certificate. Signs are available from Manly Council's Customer Service.

Reason: To ensure all residents are aware of Council's waste and recycling system with regard to their dwelling.

56 (6WM07)

Suitably constructed waste disposal containers must be kept on the property for the storage of any clinical, contaminated, sharps or related waste prior to final disposal of the material at a facility approved by the Department of Environment and Climate Change and as per the requirements of the NSW Health Department.

Reason: To comply with legislation and protect public health and safety.

57 (6WM10)

The operation of the premises must be conducted in a manner that does not pollute waters as defined by the Protection of the Environment Operations Act, 1997.

Reason: To ensure compliance with legislation and to protect public health and amenity.