

JOINT REGIONAL PLANNING PANEL (Sydney East Region)

JRPP No	2015SYE004 – DA 253/2014
DA Number	253/2014
Local Government Area	Manly
Proposed Development	Demolition of existing "Elsie Hill Building, construction of a six (6) storey building "Centre for Child Health and Learning" over two (2) levels of basement car parking for fifty three (53) cars and the use of the building as clinical, educational and office facilities, alterations to Drummond House to connect to the new centre and landscape works
Street Address	14-18 Wentworth Street, Manly (referred to as 22 Wentworth Street in Council's Mapping System).
Applicant/Owner	Applicant / Owner: Royal Far West Children's Health Scheme
Number of Submissions	Forty (40) submissions received including one (1) confidential, submission, and a petition of thirty-six (36) signatories. (Note: only 17 signatories are included in the total number of submissions received as only one submission is admissible per household).
Regional Development Criteria (Schedule 4A of the Act)	Development with a capital investment value (CIV) over \$20 million.
List of All Relevant s79C(1)(a) Matters	<p>List all of the relevant environmental planning instruments: s79C(1)(a)(i)</p> <ul style="list-style-type: none"> • Environmental Planning and Assessment Act 1979 • State Environmental Planning Policy No. 71 – Coastal Protection • State Environmental Planning Policy (Affordable Housing 2009) • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy (Infrastructure) 2007 • Manly Local Environmental Plan 2013 (as amended) <p>List any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: s79C(1)(a)(ii)</p> <ul style="list-style-type: none"> • There is no applicable proposed instrument that has been the subject of public consultation. <p>List any relevant development control plan: s79C(1)(a)(iii)</p> <ul style="list-style-type: none"> • Manly Development Control Plan 2013 (Amendment 4). <p>List any relevant 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: s79C(1)(a)(iv)</p> <ul style="list-style-type: none"> • No planning agreement has been entered into. <p>List any coastal zone management plan: s79C(1)(a)(v)</p> <ul style="list-style-type: none"> • There is no applicable coastal zone management plan. <p>List any relevant regulations: s79C(1)(a)(iv) eg. Regs 92, 93, 94, 94A, 288</p> <ul style="list-style-type: none"> • Building Code of Australia • Australian Standards • Regulations pertaining to stormwater, waste etc. are now included within the standardised MDCP 2013 (Amendment 4).

List all documents submitted with this report for the panel's consideration	List of plans submitted to the Panel for review:		
	Plan No. / Title	Issue/ Revision & Date	Date Received by Council
	DA-003 / Existing/Demolition Site Plan	Issue A / 11.11.2014	17.12.2014
	DA-1000 / Site Plan	Issue C / 4.12.2014	17.12.2014
	DA-1001 / Locality and Site Analysis	Issue B / 28.11.2014	17.12.2014
	DA-1100 / Basement 2	Issue B / 28.11.2014	17.12.2014
	DA-1101 / Basement 1	Issue B / 28.11.2014	17.12.2014
	DA-1102 / Ground Floor Plan	Issue B / 28.11.2014	17.12.2014
	DA-1103 / Level 1	Issue B / 28.11.2014	17.12.2014
	DA-1104 / Level 2	Issue B / 28.11.2014	17.12.2014
	DA-1105 / Level 3	Issue B / 28.11.2014	17.12.2014
	DA-1106 / Level 4	Issue B / 28.11.2014	17.12.2014
	DA-1107 / Level 5	Issue B / 28.11.2014	17.12.2014
	DA-1108 / Roof	Issue B / 28.11.2014	17.12.2014
	DA-2010 / Elevation North	Issue B / 04.12.2014	17.12.2014
	DA-2011 / Elevation South	Issue B / 04.12.2014	17.12.2014
	DA-2012 / Elevation West	Issue B / 04.12.2014	17.12.2014
	DA-2013 / Elevation East	Issue B / 04.12.2014	17.12.2014
	DA-2020 / Section A – North	Issue A / 07.11.2014	17.12.2014
	DA-2021 / Section B – West	Issue A / 07.11.2014	17.12.2014
	DA-9000 / Shadow Diagram – Winter Solstice	Issue A / 04.12.2014	17.12.2014
	DA-9000 / Shadow Diagram – Winter Solstice – Stages Completed Impact of Oral Health	Issue A / 04.12.2014	17.12.2014
	101 / Landscape Plan – Ground Floor	Issue A / 18.11.2014	17.12.2014
	102 / Landscape Plan – Level 1 Façade Planters and Terrace	Issue A / 18.11.2014	17.12.2014
	103 / Landscape Plan – Level 2 Façade Planter	Issue A / 18.11.2014	17.12.2014
	104 / Landscape Plan – Level 3 Courtyard	Issue A / 18.11.2014	17.12.2014
	501 / Landscape Details – Façade Planters	Issue A / 18.11.2014	17.12.2014
	502 / Landscape Details	Issue A / 18.11.2014	17.12.2014
	503 / Landscape Details	Issue A / 18.11.2014	17.12.2014
	List of reference documentation submitted to the Panel for review:		
	<i>Document</i>	<i>Prepared by</i>	<i>Dated</i>
	<i>Date Received by Council</i>		
	Statement of Environmental Effects (SEE) inclusive of the following appendices:	Urbis Pty Ltd	Dec 2014
			17.12.2014

	<u>List of Appendices:</u>			
	C. <i>Compliance of Proposal Against Conditions of Concept Approval and Statement of Commitments</i>	Urbis Pty Ltd	Dec 2014	17.12.2014
	D. <i>Traffic Impact Assessment</i>	Traffix Traffic and Transport Planners	Dec 2014	17.12.2014
	E. <i>Site Survey</i>	Summit Geomatic Pty Ltd (Sheets 1 to 5 inclusive, all Revision C)	16.10.2014	17.12.2014
	F. <i>Architectural Design Statement</i>	Architectus Group Pty Ltd	Undated	17.12.2014
	G. <i>Community and Stakeholder Engagement Summary</i>	JBA Urban Planning Consultants	Nov 2014	17.12.2014
	H. <i>Arboricultural Impact Report</i> (submitted with Concept Plan application 2011)	Landscape Matrix Pty Ltd	28.03.2011	17.12.2014
	I. <i>Arborist Letter – Potential impacts to trees on adjoining property</i>	Landscape Matrix Pty Ltd	27.11.2014	17.12.2014
	J. <i>Landscape Plans and Statement</i>	Arcadia	Nov 2014	17.12.2014
	K. <i>ESD Report</i>	WSP Buildings Pty Ltd	24.11.2014	17.12.2014
	L. <i>BCA Statement of Compliance</i>	Blackett Maguire & Goldsmith Pty Ltd	18.11.2014	17.12.2014
	M. <i>Waste Management Plan</i>	TSA Management	04.12.2014 Revision 5	17.12.2014
	N. <i>Indicative Staging Plan</i>	TSA Management	04.12.2014	17.12.2014
	O. <i>Geotechnical Investigation</i>	Douglas Partners Pty Ltd	Nov 2014 / Revision 1	17.12.2014
	P. <i>Detailed Site (Contamination) Investigation</i>	Douglas Partners Pty Ltd	Dec 2014 / Revision 4	17.12.2014
	Q. <i>Remediation Action Plan</i>	Douglas Partners Pty Ltd	Nov 2014	17.12.2014
	R. <i>Conservation Management Strategy</i> (submitted with Concept Plan application, 2011)	Urbis	May 2011	17.12.2014
	S. <i>Cultural Heritage Assessment and Aboriginal Archaeological</i>	Mary Dallas Consulting Archaeologists	2011	17.12.2014

	<i>Assessment (submitted with Concept Application, 2011)</i>			
	<i>T. Heritage Impact Statement</i>	Urbis	Dec 2014	17.12.2014
	<i>U. Stormwater Report and Plans</i>	AJ Whipps Consulting Group	09.12.2014 / Issue C	17.12.2014
	<i>Addendum to Stormwater Report</i>	AJ Whipps Consulting Group	19.02.2015	25.02.2015
	<i>V. Response to the Department of Planning Director General's Requirements for the Royal Far West Children's Home – Hydraulic Services (submitted with Concept Plan application, 2011)</i>	AJ Whipps Consulting Group	06.05.2011 / Issue F	17.12.2014
	<i>W. Noise Impact Assessment</i>	WSP Building Pty Ltd	14.11.2014	17.12.2014
	<i>X. Hydraulic and Gas Infrastructure Report and Electrical Supply Statement of Commitment Report</i>	WSP Building Pty Ltd	26.11.2014	17.12.2014
	<i>Y. Fire Safety Report</i>	Rawfire Safety Engineering	10.11.2014	17.12.2014
	<i>Z. Construction Site Management Plan</i>	TSA Management	04.12.2014	17.12.2014
	<i>AA. Crime Risk and Security Report</i>	Urbis	Dec 2014	17.12.2014
Recommendation	Approval			
Report by	Philippa Frecklington			

Assessment Report and Recommendation Cover Sheet



Joint Regional Planning Panel Report Sydney East Region

Reference:	2015SYE004 – DA 253/2014			
Date:	6 May 2015			
Location:	Christies Conference Centre, 3 Spring Street, Sydney			
DA No:	253/2014			
Site Address:	14-18 Wentworth Street, Manly (referred to as 22 Wentworth Street in Council's Mapping System). Note: The Royal Far West (RFW) site includes 14-22 Wentworth Street, 16 and 19-21 South Steyne. DA253/2014 only relates to 14-18 Wentworth Street, which includes the western most component of the RFW site occupied by the 'Elsie Hill' Building (14 Wentworth Street) and Drummond House and its extension (16 - 18 Wentworth Street). For the purpose of this report, 'the site' refers only to the land the subject of this application.			
Proposal:	Demolition of the existing Elsie Hill Building and construction of a six (6) storey building "Centre for Child Health and Learning" including two (2) levels of basement car parking for fifty three (53) cars and the use of the building as clinical, educational and office facilities, alterations to Drummond House to connect to the new centre and landscaping works.			
Officer:	Philippa Frecklington			
Application Lodged:	17 December 2014			
Applicant:	Royal Far West			
Owner:	Royal Far West Children's Health Scheme			
Estimated Cost:	\$22,295,187.00			
Zoning:	Manly Local Environmental Plan, 2013 (as amended) – B2 Local Centre			
Surrounding Development:	Royal Far West site, medium density residential, Manly Village Public School, commercial development, mixed-use development.			
Heritage:	<i>Item</i>	<i>Address</i>	<i>Significance</i>	<i>Item No.</i>
	The Drummond Far West Home	16 – 18 Wentworth Street	Local	I245
	1920's School Building	10 Wentworth Street	Local	I243
	Former School of Arts	12 Wentworth Street	Local	I244
	Residential Building	Flat 29 Victoria Parade, Manly	Local	I241
	Residential Building	Flat 31 Victoria Parade, Manly	Local	I242
	Manly Village Public School	Wentworth Street (corner of Wentworth Street, Darley Road)	Local	I247
	Street trees	Wentworth Street	Local	I246
	Street trees (Norfolk Island Pines)	Victoria Parade	Local	I238
	Beach Reserve	North and South Steyne	Local	I174
NSW LEC:	Not applicable			

SUMMARY:

1. ON 18 APRIL 2013, THE PLANNING AND ASSESSMENT COMMISSION (PAC) OF NSW AS DELEGATE OF THE MINISTER FOR PLANNING AND INFRASTRUCTURE GRANTED APPROVAL OF THE STAGE ONE (1) CONCEPT PLAN (REF: MP10_0159) FOR A MIXED USE DEVELOPMENT AT 14-18 WENTWORTH STREET, 16 AND 19-21 SOUTH STEYNE. THE CONCEPT PLAN APPROVAL INCLUDES:
 - USE OF THE SITE FOR A MIXED USE DEVELOPMENT WITH ASSOCIATED HOSPITAL FACILITY, "CENTRE FOR EXCELLENCE" FOR THE ROYAL FAR WEST.
 - INDICATIVE BUILDING ENVELOPES FOR BUILDINGS TO A MAXIMUM HEIGHT OF EIGHT (8) STOREYS (RL 31.15).
 - TOURIST AND VISITOR ACCOMMODATION, RESIDENTIAL, RETAIL/COMMERCIAL AND HOSPITAL/MEDICAL USES TO A MAXIMUM FSR OF 3:1.
 - BASEMENT CAR PARKING FOR 184 CAR SPACES (92 SPACES ON EACH LEVEL)
 - LANDSCAPING AREAS THROUGHOUT THE SITE.
2. CONDITIONALLY APPROVED DEVELOPMENT ON THE SITE SPECIFIC TO THIS APPLICATION UNDER THE STAGE 1 CONCEPT PLAN PAC APPROVAL INCLUDES:
 - DEMOLITION OF THE ELSIE HILL BUILDING
 - CONSTRUCTION OF A NEW 7 STOREY BUILDING OVER TWO (2) BASEMENT LEVELS.
 - CHILDREN'S PLAY AREA AT REAR OF BUILDING UNDER CANTILEVERED LEVEL 2 SLAB.
 - ALTERATIONS TO DRUMMOND HOUSE TO FACILITATE FUSING OF NEW BUILDING TO HERITAGE BUILDING.
 - DEMOLITION OF REAR ADDITION OF DRUMMOND HOUSE.
 - ASSOCIATED INFRASTRUCTURE WORKS, LANDSCAPING, PAVING AND FENCING.
3. DEVELOPMENT CONSENT IS SOUGHT FOR DEMOLITION OF THE EXISTING ELSIE HILL BUILDING AND CONSTRUCTION OF A SIX (6) STOREY BUILDING "CENTRE FOR CHILD HEALTH AND LEARNING" INCLUDING TWO (2) LEVELS OF BASEMENT CAR PARKING FOR FIFTY THREE (53) CARS AND THE USE OF THE BUILDING AS CLINICAL, EDUCATIONAL AND OFFICE FACILITIES, ALTERATIONS TO DRUMMOND HOUSE TO CONNECT TO THE NEW CENTRE AND LANDSCAPING WORKS.
4. THE APPLICATION IS DEEMED TO BE CONSISTENT WITH THE PAC CONCEPT APPROVAL. THE BUILT FORM IS CONSISTENT WITH THE APPROVED HEIGHT AND FSR FOR THE SITE AND GENERALLY CONSISTENT WITH THE APPROVED INDICATIVE BUILDING ENVELOPES AND CONDITIONS OF CONSENT.
5. THE APPLICATION WAS NOTIFIED TO ALL ADJOINING AND NEARBY PROPERTY OWNERS WITH FORTY (40) SUBMISSIONS RECEIVED INCLUDING ONE (1) CONFIDENTIAL, SUBMISSION, ONE (1) SUBMISSION FROM THE IVANHOE PARK PRECINCT COMMUNITY FORUM, ONE (1) SUBMISSION FROM THE OCEAN BEACH PRECINCT COMMUNITY FORUM, AND A PETITION OF THIRTY-SIX (36) SIGNATORIES. (NOTE: ONLY 17 SIGNATORIES ARE INCLUDED IN THE TOTAL NUMBER OF SUBMISSIONS RECEIVED AS ONLY ONE SUBMISSION IS ADMISSIBLE PER HOUSEHOLD).
6. THE APPLICATION WAS REFERRED TO THE NORTH HARBOUR, IVANHOE PARK, OCEAN BEACH, LITTLE MANLY, FAIRLIGHT, CLONTARF, FAIRY BOWER AND BALGOWLAH HEIGHTS PRECINCT COMMUNITY FORUM'S FOR COMMENTS ON 7 JANUARY 2015. COMMENTS HAVE BEEN RECEIVED.
7. A SITE INSPECTION WAS CARRIED OUT ON 19 JANUARY 2015
8. THE CONDITIONS CONTAINED WITHIN THE RECOMMENDATION HAVE BEEN ACCEPTED BY THE APPLICANT.
9. THE APPLICATION IS RECOMMENDED FOR **APPROVAL**.

Introduction

Background: Concept Plan Timeline

Since the Minister for Planning and Infrastructure declared the RFW project a 'Major Project' under Part 3A of the *Environmental Planning and Assessment Act 1979* in November 2010, the following key events have occurred in the progression of this project:

- Director General's Requirements issued in December 2010.
- Royal Far West Concept Plan and Environmental Assessment (prepared by Architectus and Urbis, respectively) submitted in August 2011.
- Submission placed on public exhibition from 21 September until 30 November 2011.
- Following consideration of submissions received during the notification period from the public and agencies, an amended Concept Plan and Prepared Project Report was submitted to the Department in August 2012. The revised items showed a number of changes to the initial plan including:
 - A reduction in the retail/hotel footprint
 - A 6m setback to the corner on Wentworth Street
 - An increase in FSR of 348sqm
 - A reduction of one storey to the RFW Centre (now referred to as the 'Centre for Child Health and Learning')
- On the 7th January 2013 the Department of Planning and Infrastructure referred the concept plan application to the Planning Assessment Commission (PAC) for determination under Ministerial delegation.
- The PAC approved the Concept Plan in April 2013, approval number MP10-0159, subject to a number of modifications, conditions and further assessment requirements.
- The first DA under the Concept approval was lodged 17 December 2014 (DA253/2014).

Subject Property and surrounding area

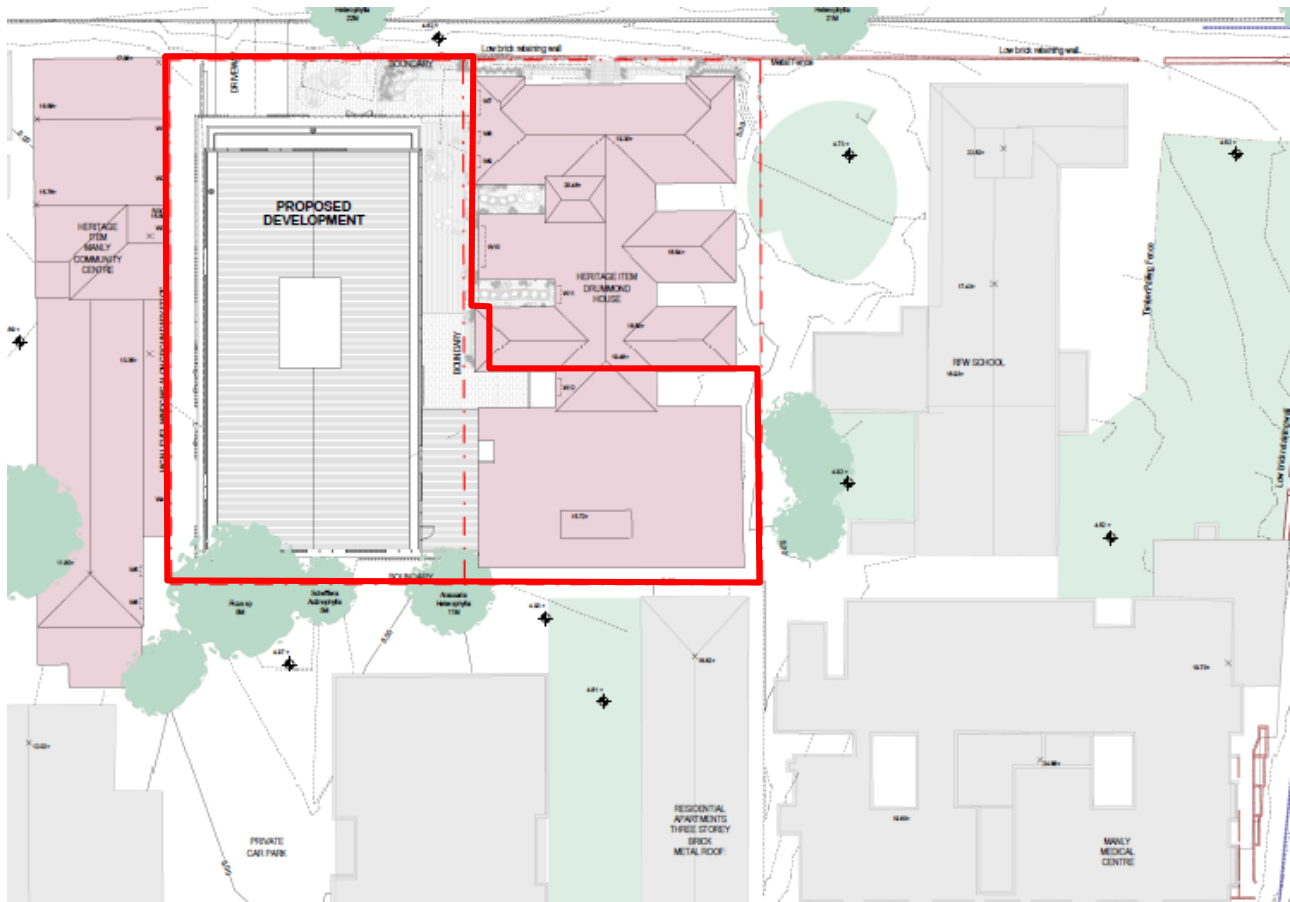
The Royal Far West (RFW) site is located within the Manly Town Centre. The RFW site comprises the eastern end of the street block bounded by Wentworth Street, Victoria Parade and South Steyne, Manly and has a total area of 6,950.9m². The Street address is 14-22 Wentworth Street, 16 and 19-21 South Steyne.

The portion of the site relevant to this DA (referred to as 'the site') comprises the western most component of the RFW site currently occupied by the 'Elsie Hill' Building (14 Wentworth Street), Drummond House and its extension (16 - 18 Wentworth Street) and encompasses an area of 2,554.5m². The site is legally known as Lot 4 DP 65707 (Elsie Hill Building) and Lot 1 DP 72699. The street address is 14-18 Wentworth Street. The site is L-shaped with a boundary of 26.75m to Wentworth Street, western boundary of 47.80m and rear boundary of 45.74m. The eastern boundary of the site follows the extent of works proposed to Drummond House. The western end of the street block accommodates Manly Village Public School. Between the school and the subject site are several older style multi-dwelling housing fronting Victoria Parade and the Manly Community Centre fronting Wentworth Street. To the east across South Steyne is Manly Beach.

The RFW site is owned by Royal Far West and currently accommodates clinical services, a short stay residential facility for patients and their families, boarding house accommodation facility, an integrated school facility, medical centre, administrative offices, a playground, garden and car park. The subject site contains the 5-6 storey Elsie Hill building which contains accommodation, and the heritage listed Drummond House which contains short terms family accommodation as well as kitchen, lounge and breakout spaces. Around 29 car parking spaces are located at-grade on the Elsie Hill site.

The site is located in the vicinity of a number of heritage items listed under Schedule 5 of the MLEP 2013 (as amended) including Drummond House to the immediate east, residential flat buildings at No's 29 and 31 Victoria Parade, Manly Village Public School, 1920'S School Building at 10 Wentworth Street and Former School of Arts at 12 Wentworth Street to the west of the site.

There are currently two driveway crossings that access the site via Wentworth Street, with both driveways being 5.3m wide. The subject site accommodates approximately 29 parking spaces on site.



THE SITE: WESTERN MOST PORTION OF THE APPROVED CONCEPT PLAN, SUBJECT OF THIS DA (Source: SEE)



EXTENT OF EASTERN MOST PORTION OF ROYAL FAR WEST SITE (SOURCE: SEE)



EXISTING DEVELOPMENT ON THE RFW SITE LOOKING SOUTH (SOURCE: NEARMAPS AS CITED IN SEE)



ELSIE HILL BUILDING ON WENTWORTH STREET



PICTURE 3 – DRUMMOND HOUSE HERITAGE ITEM ON WENTWORTH STREET



OUTDOOR DINING AREA FRONTING WENTWORTH STREET NORTH OF THE SITE

Property Burdens and Constraints

Council's mapping system indicates that there are no burdens or constraints that would preclude the proposed development.

Description of proposed development

This application is for the detailed design of Stage two (2) for the 'Centre for Child Health and Learning', being a component of the approved Concept Plan, involving the western most portion of the site and includes:

- Demolition of the existing 'Elsie Hill Building' and adjacent pavements, fencing and single-level basement.
- Bulk earthworks.
- Erection of a six (6) storey building "Centre for Child Health and Learning" over two (2) levels of basement car parking for 53 cars and the use of the building as clinical, educational and office facilities.

- Minor alterations to the heritage property known as 'Drummond House' to connect Drummond House to the new Centre, and to enable its continued use for clinical purposes, guest overnight accommodation and provider of kitchen, lounge and breakout areas, in association with Royal Far West. Works include:
 - Construction of a light-weight enclosed connection with the new Centre.
 - The addition of new doors providing access from the proposed courtyard area.
 - Infilling of selected window openings with brick.
 - Retention of the Drummond House rear addition enabling use of the rear of Drummond House for an interim period (Until Stages 3 and 4).
- Associated infrastructure works, landscaping, paving and fences.

The new 6 storey 'Centre for Child Health and Learning' consists of the following:

<i>Level</i>	<i>Particulars</i>
Basement 2	<ul style="list-style-type: none"> • 29 car spaces • Storage area • Services/storage area
Basement 1	<ul style="list-style-type: none"> • 24 car spaces • Lift • Bicycle storage (19 bicycles)
Ground Level	<ul style="list-style-type: none"> • Reception area • Pump room • Breakout area • Oral Health facility, Administration/Telehealth area, Mechanical Plant Room, Waste Management Room (extension of PAC approved envelope)
First Floor Level	<ul style="list-style-type: none"> • Recreation area • Storage • Sensory room • Circulation area • MD room • Seminar and Conference rooms • Group therapy rooms (extension of PAC approved envelope) • Kitchen • Lift • WC • Outdoor terrace connection to Drummond House • Circulation area connection to Drummond House
Second Floor Level	<ul style="list-style-type: none"> • Recreation areas • Seminar and Conference rooms • Observation Rooms • WC • Kitchens • Lift
Third Floor Level	<ul style="list-style-type: none"> • Outdoor recreation area • Library • Kitchen • WC • Lift • Circulation area • Seminar and Conference rooms • Observation rooms • Group 3 area
Fourth Floor Level	<ul style="list-style-type: none"> • Open plan office • Kitchen • WC • Lift

Fifth Floor Level	<ul style="list-style-type: none"> • Open plan office • Kitchen • WC • Lift
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Applicant's Supporting Statement

The applicant has provided a Statement of Environmental Effects prepared by Urbis Pty Ltd dated December 2014 and received by Council on 17 December 2014 in support of the application. Supporting reference documentation is referenced within the Recommendation under condition D1. A physical model and materials board have also been submitted to Council.

Contact with relevant parties

A site inspection was carried out on 19 January 2015.

The officer has been in regular contact with the applicant and their planning consultant throughout the assessment process.

Internal Referrals

Engineers Comments

Council's Engineer has commented on the proposal as follows:

"A detailed Stormwater Management Plan needs to be prepared and signed off by a practising Chartered Professional Engineer with NPER registrations at Engineers Australia, in line with Council's Stormwater guidelines. The detailed Stormwater Management Plan should include the following, but not limited to:

- *Details of calculations and demonstration of absorption pits*
- *Improvement in impervious area (m²)*
- *Post development impervious area (%)*
- *Peak flow discharge from site for 100 year ARI storm events.*
- *Connection details to road drainage system*
- *Measures to protect the flooding to basement car park".*

An addendum report dated 19 February 2015 to the original Stormwater Report, both prepared by AJ Whipps Consulting Group has been submitted to address the above. In addition, RFW has offered the following response:

"The stormwater Management Plan will be signed by and accredited stormwater engineer and resubmitted.

*Absorption pits are not included in the design. A 3m strip to the south and west of the building outside of the basement line will be landscaped with pervious materials, and not drained. The rainwater will be absorbed into the sand subgrade below. The existing site of area 1170m² is 100% impervious. The improvement in impervious area (assuming improvement means lessening of area) is 120m²
89.7%*

This will be provided by separate letter from AJWhipps Consulting Group the stormwater engineer.

The Stormwater Management Plan allows for the construction of a new kerb inlet pit over the existing 300mm Council main on the northern side of Wentworth St. The stormwater from the site will connect to this pit.

Whipps-Wood Consulting provided at the Part 3A concept Application stage a Hydraulic Services Report that addressed flooding on the site. It noted that "Historical Data Manly Council does not identify the Royal Far West Children's Home as being flood affected". With respect to the sea level rise to the year 2100, it is projected that the 1:100 level will be RL2.28(metres AHD). The level at the entry to the basement carpark will be RL4.79. This is a freeboard of 2.5m".

Building Comments

Council's Building Surveyor offered no objections to the proposal subject to the inclusion of recommended conditions of consent.

Landscape Officers Comments

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

"Additional Information Required for Review:

- 1. Provide clarification as to why the building footprint for this DA varies from the Concept Plan for Royal Far West Mixed Use Development - Approved Application No. MP10-0159 by the Minister for Planning and Infrastructure.*

It is noted that the approved Concept Plans (MP10_0159) showed a Children's Play Area to the south of the New RTW Facility and the heritage Drummond House. However, the DA submitted shows the New RTW Facility footprint having been amended to extend southwards at ground level, over where the Children's Play Area was approved to be located in the Concept Plans.

While the Staging Plans in the SEE show that the rear addition of the Drummond Building will be demolished in Stage 3, there is no indication that this land will then be landscaped to be a Children's Play Area in accordance with the approved Concept Plans, as this level of detail is not shown on the staging plans for Stages 3 & 4.

There is concern that this proposed extension of the building footprint at ground level and lack of clarity for the future landscaped areas will result in a loss of 'in ground' landscaping and water infiltration for the site as a whole, therefore further clarification is requested to be provided for review prior to this DA being determined.

It is acknowledged that the level 3 courtyard provides an alternative location for half of the Children's Play Area outdoor space, and also that the north facing aspect is an advantage for solar amenity, compared with the previous ground level, south facing undercroft. However, as the proposed playground area has now been split into 2 smaller spaces, this may limit the scope for different play activities on the site, due to reduced overall dimensions for the 2 spaces and the fact that the courtyard is elevated and on slab.

Provide landscaping details regarding the facilities and amenities to be provided on the level 3 courtyard space which should respond to the proposal for a Children's Play Area, as approved on the Concept Plans. The landscape plans appear to only detail a narrow (0.5m) planter box around courtyard edges, but the copies of the submitted drawings are not very clear and the different surfacing cannot be read.

Reduction of the basement car park extent and excavation away from the southern site boundary is supported, as this is beneficial for the three existing trees on the neighbouring property. The impact on all of their Tree Protection Zone is now 'moderate' encroachment and so is now deemed acceptable to the project arborists Landscape Matrix, as stated in their letter regarding 'Potential Impacts on Trees on Adjoining Property' dated 27 November 2014, with reference made to their Arboricultural Impact Report dated 28 March 2011.

2. *Provide details of the proposed landscaping between the proposed new RTW Facility and the southern site boundary, as this area has been excluded from the extent of works on the landscape drawings, despite being within the site's 'Scope of Works' demarcated by the blue line on the architects' Ground Floor Plan by Architectus.*

Specific details and methodology of works are requested for the landscape proposals within the Tree Protection Zones of the existing neighbouring trees. The extent of the TPZ's are as stated by the project arborists Landscape Matrix for Trees 'T4, T5 & T6', in their letter regarding 'Potential Impacts on Trees on Adjoining Property' dated 27 November 2014.

3. *Provide concept details of the proposed artistic fence treatment demarcating the site boundary along Wentworth Street, as none have been provided in the landscape documentation, even though it is listed in the key on Arcadia's drawings.*

Please refer this additional documentation when received for my further review, in order to prepare the Landscape Conditions for this DA."

The following response dated 23 February 2015 was received from RFW to Council's Landscape Officer's comments:

"Regarding the children's play area location and strategy, the provision of a single large play space was determined to be inappropriate for RFW purposes based on their current profile of clients ranging from pre-school to high school aged children. Separated play areas which enabled a range of activities to occur and which kept varying age groups separated was preferred and hence the provision of the covered Level 3 play area and the proposal to use the current Rose Garden on the east side of Drummond House – In addition to this the learning / play requirements of the different ages demand an enormously different set of elements. In this case the ages range from 2-3 year olds through to 15-16 year olds mixing these groups is not only difficult in including all the elements that the different ages require but can also be a dangerous mix with the combinations of the speeds and skillsets of the age groups. This will provide RFW with 2 separated and different spaces for use as external play area. These spaces will enjoy better outlook and amenity and in turn will make a more positive contribution to the experience of the children while they are at RFW than the south facing undercroft play area as proposed in the Concept Plan. As per above the separation will allow for better space planning and design for the different age groups.

The Level 3 covered outdoor play spaces is intended as an active but sheltered outdoor space which is in close proximity to the group therapy and classroom areas and will be able to be used by the children for a variety of uses. The provision of planting to the outdoor deck space is an extension of the screen element which wraps around Level 1 and 2 and is intended, through the use of timber elements and landscape planting, to bring the healing and restorative qualities of natural materials and landscape into the spaces which will be used by the children on a day to day basis.

Regarding the detailed development of the artistic front fence – this was intended as an opportunity to express the history, legacy and character of RFW in a landscape element which could potentially bring together influences from local artists and cultural groups, local and regional, who have a connection with RFW. A strategy to consultant and develop this element would be agreed with Council as part of the process.

The planting strategy is generally based on the endemic natives that will hold a relevant position to the setting and look to assist with the sustainability of the overall development through their low water requirements.

The landscaping to the southern (rear) boundary will be a continuation of the landscaping to the western boundary. The requirements of the Arborists letter in regard to the TPZ is the reason that the southern building envelope was moved further from the boundary to that shown on the Approved Concept drawings.

Until a resolution is reached with the Department of Education as to its inclusion or otherwise in Stage 3 of its land in the development, the property between Drummond House and RFW School (Rose Garden) will remain as play area. Although the design for the Rose Garden was not included in the DA the design of the play space generally provides a range of active a passive recreational activities. These create a series of flexible spaces that can also be adopted into a large outdoor space to accommodate a community gathering or assembly. The materiality of the hard elements are proposed to draw on a combination of materials from the local beach and cliff with the planting also being pulled from this environment.”

Council's Landscape Officer has no objections to the proposal, subject to the inclusion of recommended conditions of consent as follows (standard conditions of consent have also been specified for inclusion):

“ANS Conditions:

1. *That a suitably qualified arborist, minimum Level 5 AQF (Australian Qualification Framework), shall prepare a report to detail specific protection requirements and any methodologies required to be undertaken within the Tree Protection Zones and Structural Root Zones of existing trees on site, neighbouring properties and street trees to be retained, during demolition and construction.*

(NB: the extent of the TPZ's are as stated by the project arborists Landscape Matrix for Trees 'T4, T5 & T6', in their letter regarding 'Potential Impacts on Trees on Adjoining Property' dated 27 November 2014.)

This report shall be submitted to the Accredited Certifier, who shall issue it to all builders and contractors carrying out works on the site, prior to the issue of Construction Certificate.

The project arborist shall then monitor the works to ensure the protection measures have been installed correctly and any methodologies are being adhered to on site, with a report confirming the health, structure, amenity and environmental value of the existing trees have not been adversely affected, shall be provided to the Accredited Certifier prior to the issue of Occupation Certificate.

Reason: to ensure that the existing trees to be retained have adequate protection measures installed and the correct methodology for any demolition and construction works on site are undertaken, with care, so that no damage occurs to any specimen.

2. *All works shall comply with AS 4970-2009 Australian Standard for Protection of Trees on Development Sites & Amendment No.1 (26.03.14).*

Reason: to ensure no damage occurs to existing trees on the site, street or on neighbouring properties, throughout the demolition and construction works of this development.

3. *That the proposed new 'Children's Play Area' shall be designed to provide suitable facilities and amenities for its users and shall be constructed in accordance with all relevant Australian Standards and BCA requirements.*

Reason: to ensure that the design and construction is safe and suitable for its users.

4. Details shall be prepared to demonstrate that all planting on slab/ planter boxes shall be installed with waterproofing and drainage outlets; drainage cell wrapped with geo-textile layer and coarse sand drainage layer above; minimum soil depths of 1m for trees or large shrubs, 500mm for shrubs, 300mm for ground covers or turf and with a minimum 750mm internal width, to provide sufficient root volume to support healthy growth of the proposed species; and 75mm depth mulch layer and irrigation system or watering provision. These details shall be submitted to the Accredited Certifier for approval prior to the issue of any Construction Certificate.

Reason: to ensure the healthy establishment and ongoing environmental and amenity provision of these proposed contained landscape elements.

5. That the proposed planting for the linear landscaping either side of the 'access route', between the western boundary and proposed building, shall be selected from predominantly native species, to enhance the environmental value of this vegetation strip and assist in providing habitat for local fauna.

Reason: To enhance the environmental component of the site and respond to Section 3.3.1 Landscaping Design of the DCP.

6. The Landscape Plan – Ground Floor, Dwg No: 101, Issue A, dated 18.11.15, prepared by Arcadia Landscape Architecture shall be amended to include details showing landscaping to be installed between the proposed new RTW Facility and the southern site boundary, taking into consideration the requirements for tree protection methods and specific planting methodologies within the neighbouring existing trees' TPZ's and SRZ's.

It is noted that this area has been excluded from the extent of works on the landscape drawings prepared by Arcadia, despite being shown within the site's 'Scope of Works' demarcated by the blue line on the architects' Ground Floor Plan prepared by Architectus.

Reason: To provide consistency between the submitted drawings and ensure all areas of the site are included in the landscaping proposals.

Heritage

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

"Heritage Status:

The subject site is not an item of Heritage Significance, it is however located between two items of local significance being:

- The Former School of Arts at 12 Wentworth Street; and*
- Drummond House at 22 Wentworth Street.*

Both of these buildings are items of Heritage Significance within Schedule 5 of the Manly Local Environmental Plan 2013 (MLEP).

Under Clause 5.10.5(c) of the MLEP states as follows:

'The consent authority may, before granting consent to any development:

- (a) on land on which a heritage items is located, or*
- (b) on land that is within a heritage conservation area, or*
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),*

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.'

This proposal is limited to the redevelopment of the Elsie E Hill Building only. The entire Royal Far West (RFW) site was the subject of a Conservation Management Strategy (CMS) prepared by Urbis in 2011 on behalf of the site owners, as part of the Part 3A (now repealed) application, which was determined by the Planning Assessment Commission (PAC) on behalf of the Minister. The site is also subject to the Urban Design Guidelines prepared by Manly Council in 2011.

Existing Property:

The L shaped Elsie E Hill Building was described in the CMS as being: ...built in 1962 to the design of J. Aubrey Kerr. It is directly west of Drummond House at No.14 Wentworth Street. The building is located over two allotments: Lot 4 DP65707 and Lot 1 DP72699.

The four-storey building with a penthouse on the roof and underground car park is constructed of brick and cement with splayed black and white ceramic mosaic pillars on either side of the entrance steps. There is a honeycomb patterned glazed cement blocks to the ground floor entry. The windows are predominantly timber framed with some aluminium framed windows. There was a large plate-glass picture window on the ground floor and the entrance door is embellished with the former emblem of the Scheme, a red shining Sturt Desert Pea, which has since been removed.

The building was named after Elsie E. Hill who was instrumental in the Scheme's early years. Internal flooring includes linoleum or carpet and rooms are partitioned by timber panels. Uses of this building over time have changed its internal room layout. The basement is currently used by maintenance and other floors are used for storage, offices and short stay accommodation.

Overall the condition of the Elsie Hill Building is fair.

Proposal:

The proposal seeks to:

- Demolish the Elsie E Hill building and adjacent car parking, pavements, fencing and single level basement;*
- Erect a six storey "centre for Child Health and learning" building with two levels of basement car parking;*
- Minor alterations to the heritage listed property at Drummond House to enable its continued use as guest overnight accommodation in association with Royal Far West and facilitate connections to the new building; and*
- Associated infrastructure works, landscaping, paving and fences.*

Comments:

In 2012 the RFW site received concept approval from the PAC (as a delegate of the Minister for Planning and Infrastructure) for "Mixed Use Development of the site located at 14-22 Wentworth Street, 16 and 19-21 South Steyne in Manly" including an 8 storey development with basement car parking for the subject site and landscaping throughout the site. It should be noted that concept approval was given for a building envelope only and not the final design. Furthermore, it is noted that the current proposal exceeds the approved building envelope resulting in less physical and visual separation between the proposed building and the listed Drummond House under the MLEP 2013 (as amended).

Currently the existing Elsie E Hill Building is L shaped with the top section constructed to the street boundary and the remainder setback approximately 21 metres incorporating an open car parking area. The lower section of the L shaped building is closer to the listed Drummond House with a setback of roughly 2 metres. The approved concept plan reduced the side setback to 7 metres and the current proposal has reduced this even further to 5 metres.

While it is noted that the proposed plan will setback the link (as approved) between the new building and heritage listed building, it is considered that the loss of side setback to the street frontage of the buildings will impact on the heritage item and its curtilage.

The Urban Design guidelines created by Manly Council identified the opportunity to create a plaza space on Wentworth Street opposite Rialto Square. This would have benefitted the neighbouring heritage items as the visibility to the items would have been enhanced and the existing physical space to the west of the building would have been increased. The plaza would also allow for a larger set back between the heritage items and the new development which would have the potential, dependent on the design, to lessen the impact of the proposed development on the neighbouring heritage listed items. Although it is noted that this wasn't included in the PAC approval, it is considered that an increase in the side set back of the proposed building would improve the usable open space between the two buildings and increase view corridors to the heritage listed Drummond House.

The CMS included a number of conservation policies designed to: "retain or reveal a place's heritage significance and how the significance can be enhanced or maintained....When proposing changes at the site or undertaking maintenance to the heritage buildings, these conservation Policies should act as a guide to retain the place's heritage significance."

A review of the policies has determined that 8 of the policies are directly relevant to this development.

<i>Policy</i>	<i>Particulars</i>	<i>Response</i>
<i>6</i>	<p><i>Changes to the Royal Far West site should consider the significance of and not adversely impact on other heritage items in the vicinity, including but not limited to</i></p> <ul style="list-style-type: none"> <i>• Retail building, 7 and 14 South Steyne;</i> <i>• Beach reserve Promenade;</i> <i>• Public shelters, North and South Steyne;</i> <i>• Streetscape Street Trees (Norfolk Island Pines) Victoria Parade;</i> <i>• Streetscape Street Trees (Norfolk Island Pines, Port Jackson Fig and Brush Box) Wentworth Street;</i> <i>• Residential Building (The Carlton), 29 Victoria Parade;</i> <i>• Residential Flat Building, 31 Victoria Parade (Newstead Flats);</i> <i>• 1920s School Building, 10 Wentworth Street; and</i> <i>• Former School of Arts, 12 Wentworth Street</i> 	<p><i>It is considered that the development does not consider the impacts on the adjoining Former School of Arts (MCC). The bulk and scale of the proposed development is at odds with the existing heritage item. The main cantilevered section of the building (the glazed upper level) is wider than seen is in the approved scheme, it also has a minimal setback from the streetscape which will overwhelm and visually detract from the heritage values of the surrounding heritage properties and will adversely impact on its significance.</i></p>

7	<p><i>Drummond House should retain its heritage curtilage and any new works should be setback from its side elevations. The 3-D form of this building should be read from the street to retain the building's landmark qualities.</i></p>	<p><i>It is noted that whilst the CMS identified the need to retain the heritage curtilage of Drummond House it also failed to define the extent of the curtilage.</i></p> <p><i>Given the ongoing role of Drummond House as one of many components of the RFS site, an indepth analysis of the curtilage should be undertaken as part of the DA process. This should include analysis of the parking area, to the immediate west of the heritage building, which covers an area of approximately 280sqm and affords views along Wentworth Street to the heritage listed property.</i></p> <p><i>It is also noted that the CMS identifies the need to set back any new development from the boundaries yet fails to identify the extent of setback required to enable the building to retain its heritage significance and visual curtilage.</i></p> <p><i>It is also considered that the wide glazed upper section of the development will challenge the landmark qualities of the Drummond House and visually detract from the heritage values of the place.</i></p> <p><i>The PAC approved a narrower envelope, the proposal seeks to create a full width upper floor addition which will increase the visual dominance of the building.</i></p>
12	<p><i>The rear addition (1960s) of Drummond House can be demolished or added to, however there should be no additions, connections or intrusions into the original building (including the 1945 third storey addition). Any new rear addition to Drummond House should be no more than four storeys and/or be stepped in relation to new development fronting Victoria Parade, and it should have a separate roof form.</i></p>	<p><i>It is noted that there are no proposed alterations to the original form of Drummond House and that the proposed connecting walkway between Drummond House and the new addition is to be located to the rear of the existing building. It is noted that section of Drummond House is a later addition and that this location is beneficial to the heritage values of the place.</i></p>

13	<i>Any connections to Drummond House should be a narrow lightweight link towards the rear of the building or its rear addition (not the original building).</i>	<i>It is noted that the proposed link is set further back than was approved in the concept plan and this has the potential to result in a positive heritage outcome for Drummond House. However it is also noted that the proposed link shown in the concept plan did appear to be lightweight and narrow whereas the link in the current scheme is shown as possessing a denser appearance and therefore does not comply with this policy.</i>
14	<i>The loggias on the Primary elevation (north) and bays on both sides (west and east elevations should not be infilled</i>	<i>It is noted that the bays and loggias are not proposed to be infilled as part of this development.</i>
22	<i>Any development on the Royal Far West site should be articulated to represent the scale of buildings in the surrounding streetscapes</i>	<i>It is considered that the current proposal does not meet this site specific policy. While it is noted that the lower section has been designed to be of a consistent scale with the surrounding buildings, the proposed upper glazed section is wider than the original approved scheme. The proposed scheme details the upper levels as being the same width as the lower section which, despite the cantilever and material choice does create a structure which will be read as a single building and will become a dominant element of larger scale than any of the buildings in the surrounding streetscape.</i>
23	<i>The mass, scale and height of any new development on the Royal Far West site should consider the character and relationship to the mass, scale and height of heritage buildings on the site and in the vicinity.</i>	<i>For the reasons stated above, (Policy 22) it is considered that the current proposal does not meet this site specific policy.</i>

24	<p>Any development on the Royal Far West Site should consider and respect the streetscape character and landscape significance of Wentworth Street, South Steyne and Victoria Parade and key views to other heritage items in the vicinity.</p>	<p>It is considered that the current proposal does not meet this site specific policy. The building has been designed to have the appearance of a modern commercial building. This appearance does not relate to any of the modern buildings on the northern side of Wentworth Street, which are predominantly shop top style developments.</p> <p>As stated previously, the ground floor is not set back as seen in the approved concept plan. The upper glazed section is wider than the approved concept plan and cantilevered over the lower levels of the building. This is unlike any other building within the streetscape, and will result in a visually dominant building.</p> <p>The proposed Wentworth Street facade of the building has been designed to have two disparate components: the lower section of the building has strong vertical timber elements and green walls; while the upper levels are constructed of glass walls. While it is understood that the glass component will afford coastal views from the office space, the lack of architectural cohesion between these two elements of the building has resulted in an unappealing and visually overwhelming building.</p> <p>There is also concern that should the green walls fail or not be maintained adequately then the building may look visually unappealing and detract from the streetscape and neighbouring heritage items.</p>
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Summary

- *The Heritage Curtilage of Drummond House is to be defined by a heritage specialist.*
- *Unless a greater set back is determined as a result of a review of the curtilage, at the very minimum, the side set back between Drummond House and the proposed building should be increased to 7 metres for the first 8 metres of the development envelope (to line up with the 2nd bay of Drummond House). This will create a greater sense of open space between the two buildings and improve views to the heritage item and retain its significance.*
- *Redesign the building to relate architecturally to the existing buildings within the streetscape by increasing the set back of the upper levels, by 8 metres, to reduce the general public's ability to read them as one building i.e creating the illusion that it is a second building set behind the Wentworth Street component of the building.*
- *Redesign the link between the two buildings to comply with policy 13 of the CMS.*
- *Full details regarding the physical impact of constructing a two storey basement within close proximity of the eastern wall of Drummond House is to be provided to Council. Furthermore the applicant is to provide a Dilapidation Report from a suitably qualified engineer regarding the viability of this excavation and the potential impacts on the adjoining heritage fabric.*
- *Detailed information about the proposed fabric, finish and detail of the proposed building and their impact on the neighbouring heritage listed buildings.*
- *Details of what provisions the applicant is making to ensure that the green wall does not fail and details of how the building will appear without the greenery to allow for a proper assessment of the appearance of the building within the streetscape.*

The following further information is required

1. *The applicant is to commission an experienced heritage consultant to prepare analysis on and identify the Heritage Curtilage of Drummond House in accordance with the NSW Council Publication Heritage Curtilage.*

Reason: To establish the extent of the curtilage of the heritage item and allow for the preservation of the setting of the item.

2. *Further details regarding the physical impact of constructing a two storey basement within close proximity of the eastern wall of Drummond House and would seek assurance from suitably qualified engineers regarding the viability of this excavation and the potential impacts on the adjoining heritage fabric.*

Reason: to establish the potential physical impacts of the proposed works to the heritage fabric.

3. *Details of what provisions the applicant is making to ensure that the green wall does not fail and details of how the building will appear without the greenery*
Reason: to allow for a complete assessment of the appearance of the building within the streetscape.

Subject to the applicant amending the plans to improve the relationship of the building with the neighbouring heritage item and to compliment the streetscape the following conditions should be imposed as part of the approval:

ANS01

Preparation of a cyclical maintenance plan for Drummond House providing detail of the immediate, short term and long term maintenance requirements of the building. This is to be submitted with the application for the Construction Certificate.

Reason: to ensure that the ongoing maintenance requirements of the building are considered thus insuring the heritage fabric of the place.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

1 (2HT01)

Prior to the issue of a Construction Certificate an Interpretation Strategy for the site must be submitted to and approved by Manly Council. The Interpretation Strategy should include, but is not limited to, the provision of details, of public art interpretation through design and/or the display of selected artefacts and/or appropriate signage and/or other material appropriate to the education of the public in the history and significance of the site.

Reason: To reveal the cultural significant aspects of the place as a historical record.

2 (2HT04)

A schedule of external colours is to be submitted to Council's satisfaction prior to the release of the Construction Certificate. The external colour schemes of new buildings are to be in keeping with the original character of the heritage buildings on the site. On the heritage buildings the external colour scheme for surfaces intended for painting is to be based where possible on physical and documentary evidence in keeping with the architectural style and period of the buildings.

Reason: To ensure the proposed colour scheme is appropriate to the type and style of the building and the surrounding area.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

3 (5HT01)

The approved Interpretation Strategy must be implemented to the satisfaction of the Council prior to the issue of the Occupation Certificate.

Reason: To reveal the cultural significant aspects of the place as a historical record."

The following comments dated 23 February 2015 were received from the Heritage Consultant engaged by RFW in response to Council's Heritage Advisor's comments:

- *"Heritage curtilage was considered in the concept approval and a further study should not be required.*
- *Although the proposal varied from the concept plan, Urbis considers that the loss of the setback to the side of the heritage item is more than mitigated by the increase in the greater setback to the link- this allows for the greater interpretation of the form of the building and specifically the voids/ loggias and improves on the PAC approved envelope*
- *The proposed link is narrower than that in the Concept Approval and has glass walls either side. The comment that "the current scheme is shown as possessing a denser appearance" is not understood.*
- *Increased width/ massing of the upper sections is able to be mitigated by facade treatment, materiality, and articulation where required*
- *With respect to the details of constructing the basement, the Geotechnical Report identifies secant pile walls all round. This piling will be drilled prior to any excavation that will mean that the founding materials to the heritage buildings either side of the basement will not be disturbed and supported by the piling system.*

- *The fabric finish and detail of the new CCHL building are included elsewhere in the DA submission.*
- *The details of "green wall" are provided by the Landscape Designer elsewhere."*

Assessing Officer's Comments: The response from the applicant's heritage consultant is considered to be well founded. The submitted Heritage Impact Statement provides a detailed assessment of the proposals compliance with the policy's contained within the CMS. The proposal is deemed to be generally consistent with the PAC Concept Plan Approval. The recommended conditions of consent proposed by Council's Heritage Advisor are include within the Recommendation.

Waste

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

Non Standard Conditions

- 1) *"This approval is reserved for the current application only and does not contemplate future development of the site and the impact that this will have on waste generation. Reason: To ensure the development has the adequate waste management facilities for the present development*
- 2) *Bins are not to be stored/placed kerbside for Collection. A "pull out put in" service is required
Reason: To ensure footpaths are not obstructed by waste and recycling bins*
- 3) *Bins are not to be placed on the footpath
Reason: To ensure footpaths are not obstructed by waste and recycling bins*
- 4) *Doors servicing the waste storage room are to be closed at all times
Reason: To ensure bins are stored in the appropriate waste storage area and to prevent the spread of odour and vermin entering the site*
- 5) *Operation of the facility must comply with the Waste Management Guidelines for Health Care Facilities – August 1998 issues by NSW Department of Health
Reason: To ensure the health and safety of the public and staff members at Royal Far West".*

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

Access

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

- (1) *"Accessibility seems well covered. We suggest the following considerations:*
 - *Reception areas is to include a low level desk for people in wheelchairs.*
 - *Drummond House is to be reviewed for accessibility. Minor amendments may be required with the linking of the two buildings.*
 - *Provide facilities for staff with disabilities in common staff area on Levels 4 & 5 (i.e. kitchen) and open plan office area.*
- (2) *Re: Emergency plan for egress/evacuation of children and staff in wheelchairs in the event of fire in either of the buildings.*
- (3) *We note that RAWFiRE has been contracted to provide a plan of egress in the event of fire. We would suggest consideration is given to evacuating potentially numerous mobility impaired people and/or wheelchair users; including children & staff. These groups are not mentioned in the RAWFiRE statement".*

The following response was received from RFW dated 23 February 2015 in response to the access comments above:

"RFW does not provide disability services are part of it remit.

The design and construction will comply the requirements of all legislation & BCA that apply to the classification of the building, i.e., class 5,7a & 9b.

Otherwise noted".

Assessing Officer's Comments: A condition has been included within the Recommendation requiring detailed documentation to be submitted, which demonstrates compliance with the Building Code of Australia and AS 1428.1-2009.

Traffic Engineer

Council's Traffic Engineer has commented on the proposal as follows:

"Parking provision

The Traffic Impact Assessment by Traffix, December 2014 (The TIA) states that the GFA has now been reduced compared to the approved Concept Plan and therefore the parking provision can be reduced at the same rate (by 16%) from 61 to 53 spaces. The TIA prepared by Traffix for the concept plan (In August 2011) however bases the parking provision on number of staff, not GFA. Assuming that the staff number will remain the same although the GFA decreases, does this mean that the reduction to 53 spaces will be taken from the visitor spaces? Or will staff number on site in fact decrease? Can this please be clarified by the applicant? A reduction in GFA may not necessarily mean that the number of patrons to the site will decrease, and hence the traffic generation / required parking may stay the same (as per the concept plan).

Sustainable Transport Modes

Trying to promote alternative modes of transport to car through a Workplace Travel Plan (WTP) is supported and it is assumed that the draft WTP will be provided to Council for comment prior to finalisation.

Access for buses to car park

Although the TIA states that the height clearance for the Royal Far West buses is sufficient, a cross section clearance diagram for buses on the ramp is requested, to make sure that there is sufficient clearance on the ramps for bus access to the car park

Bicycle parking

The provision of bicycle parking is supported. On Basement 1 drawing it does however appear that access to the bicycle storage is limited because of parking spaces number 7 and 8. Could this please be reviewed to make sure that sufficient space is provided for a cyclist and bicycle to access the cage?

Construction Management Plan

Because of the sensitivity of the site location, safety for pedestrians during construction is in particular important. It is also expected that the Traffic Construction Management Plan will include the size and volume and proposed hours of operation of the construction vehicles."

The following response was received from RFW dated 23 February 2015:

- *“The calculation for the number of staff parking spaces in the Approved Concept Plan was based upon the projected number of staff on completion of the project, being 1 space per 2 staff of 90 people. The original concept when complete proposed an area of 5800m² for RFW use based upon projected number of staff when the total project is completed. This stage of the project has a GFA of 3766M². There are now several staff permanently in the country with other staff travelling to the country for 1 week in 4. It is estimated that there is only about 50-60 staff in Manly at any one time. It is hoped that this will increase to 90 within the next 5 years. The parking for these will then be provided in Stage 3-4.*
- *The draft Workplace Travel Plan is included in the Traffic Report submitted with the DA application.*
- *The clearance diagrams for the buses down the ramp are available for issue.*
- *The chain-wire fencing to the bicycle storage area can be built with 1200mm clearance to the edge of car space no. 8.*
- *As noted in the Construction Management Plan, it is proposed that a B class hoarding be provided to the footpath across the front of the site. A Traffic Management Plan will be expected of the Contractors, immediately following appoint and before demolition, excavation and construction.”*

Council's Traffic Engineer has responded as follows on 6 March 2015:

“The applicant appears to have addressed the traffic issues”.

Council's Traffic Engineer has recommended conditions of consent.

Driveway

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

Environmental Planner

Council's Environmental Planner has commented on the proposal as follows:

“Acid sulfate soil tested to depth of 6m whereas excavation is proposed at 7-8m. Site is contaminated from various sources – requires remediation. Mechanical plant room is located towards the front against the property boundary. Children's play area closer to units”.

RFW has offered the following response:

“It has been identified that the headroom in the car park is greater than necessary. At the DD stage it will be amended. This will result in the depth of the excavation being close to the 6m as originally envisaged. The mechanical plant room is at the rear, but will be relocated to the side boundary and the Children's Play areas are at the front.”

Council's Environmental Health Officer has no objections to the proposal, subject to inclusion of recommended conditions of consent, including the following non-standard condition:

“ANS

Additional soil samples must be taken in the basement location by a suitably qualified Geotechnical Engineer, to a depth no less than one (1) metre beyond the proposed excavation, to establish whether Acid Sulfate Soils are present. The soil samples must be taken prior to excavation commencing for the basement storage area. Should Acid Sulfate Soils be identified in the samples, an ‘Acid Sulfate Soil Management Plan’ should be developed and implemented as per the Management Guidelines of the Acid Sulfate Soil Manual 1998.”

Community Safety Coordinator

Council's Community Services Coordinator has commented on the proposal as follows:

- *“Can you possibly get an idea of the timeline for this development and when these people might be looking at having to leave the building?”*
- *Depending on their needs it is unlikely that there will be any local housing for them – average public housing waiting list is 10 years at the moment. Most of them will probably not want to leave Manly which is why we are concerned about so many at once being displaced. I know Mission Australia have been co-opted by RFW to assist but without any clear timeline it is harder to do much”.*

The following response was received from RFW:

“Of our approximate 50 residents not all are in a position to require public housing. We estimate that we have 19 who are local students, 9 who are living in the building apartments and paying market value and of the remaining 23 many are working members of the community who enjoy the lifestyle and location of our property and were not referred through community welfare channels.

Despite this there will be a component who will require assistance in rehousing. In order to facilitate this we have given all tenants advanced notice of the plans for redevelopment of the site with letters being distributed to each room in October 2014 and a meeting held on site on 31st October, 2014 to answer any questions that they may have had. All tenants admitted into the building now are informed of the plans for the building and the impact that this will have on their accommodation agreement. Throughout this process we have liaised with the local Fairlight Centre who have been onsite on multiple occasions to assist residents with planning and paperwork where required. Some of our residents have chosen not to remain in the building and have moved on to NSW Housing or private residences, in these instances we have been very supportive of these tenants including waiving the required 2 weeks’ notice period, where needed, to allow them to transition to the new property quickly and with minimal additional costs.

As we move forward we will continue to provide regular updates to our tenants as well as to the Fairlight Centre and the Manly Community Centre to allow for assistance, where required.

External Referrals

Precinct Community Forum Comments

The application was referred to the North Harbour, Ivanhoe Park, Ocean Beach, Little Manly, Fairlight, Clontarf, Fairy Bower and Balgowlah Heights Precinct Community Forum’s for comments on 7 January 2015. The following comments were recorded by the Precincts at their February 2015 Meetings:

Precinct	Comments	Objection
North Harbour	<i>"Council has asked the Precinct to send a submission on the current DA lodged with Council and Ian briefed the residents on what the proposal involved. It did not appear to be 'excessive' and it was not obvious that the building additions would cause overshadowing of the Manly Village School. Ian would seek to find out if other precincts had any objections and review these to see if our precinct needed to support their position".</i>	No
Ivanhoe Park	<i>"The Precinct has no objection to the presentation of the building in this DA. The precinct does object to the Royal Far West 'Centre for Child Health and Learning', including recreation areas not being in their current position on the greater RFW site, i.e. adjacent to the beachfront. The Precinct objects to the beachfront location begin retained for a future DA for 'retail, residential and hotel buildings', as stated in the Statement of Environmental Effects, rather than for the use of country children.</i>	Yes
Ocean Beach Precinct	<i>"Notwithstanding the majority view that the approved master plan is inappropriate, the majority of forum attendants felt that the critical issues with this proposal was to do with the way the proposal relates and/or sympathises with the high quality existing buildings surrounding the site. In particular, the upper few stories of the administration building facing Wentworth Street which was seen to have a generic commercial expression not benefitting of the building's location or function".</i>	Yes
Little Manly	<i>"Residents are pleased that the RFW development is currently for the Elsie Hill Building only and support their need for better facilities for participants. However, we are concerned that no indication is available as to what will happen to the main building area, previously allocated as hotel/accommodation etc. and we still await confirmation on height restriction, reflective materials, parking etc. Will there be another substantial DA around the corner? How does this provide the financial security RFW seek? Will this be another example of a type of Section 96 creep?</i>	No
Fairlight	<i>"The Precinct has no objection subject to meeting all Council regulations and guidelines"</i>	No
Clontarf	<i>"The Precinct makes no comment on this DA".</i>	No
Fairy Bower	<i>"The Precinct is generally supportive of the proposed Stage 1 of the RFW redevelopment. However, two (2) issues that have not been addressed in the Statement of Environmental Effects are:</i> <ul style="list-style-type: none"> <i>• the fate of the 'vulnerable 'Elsie Hill' residents;</i> <i>• consideration of the future expansion needs and impacts on Manly Village School; and</i> <i>• whether the RFW intends to sell off the rest of the site".</i> 	No
Balgowlah Heights	No comments or objections received.	n/a

Office of Water

As the proposed basement construction involves aquifer disturbance, it triggers Section 91 of the *Water Management Act 2000*. As such, the proposal is deemed Nominated Integrated Development and is required to be referred to the NSW Office of Water for assessment under Section 91A of the *Environmental Planning and Assessment Act 1979*.

The application was referred to the NSW Department of Primary Industries NSW Office of Water on 8 January 2015. Additional information was requested by the NSW Office of Water on 30 January 2015 as follows:

“The volume of ground water expected to be taken from the excavation needs to be quantified by the applicant. The determination of groundwater take volumes is to be separately detailed for:

- 1. the construction phase; and*
- 2. the occupation phase (i.e. the predicted ongoing pumping for the life of the building of the development project).*

The methodology used to calculate the groundwater take volumes must be clearly demonstrated and include all potential losses arising as a result of the activity (for example moisture content of removed soil, predicted seepage inflows, etc)”.

The requested information was submitted by the applicant directly to the NSW Office of Water. General Terms of Approval appropriate to the proposed aquifer interference activity as required by Section 91A(2) of the Environmental Planning and Assessment Act 1979 have been granted (16 February 2015) as follows:

“General

- 1. An authorisation shall be obtained from NSW Office of Water for the take of groundwater as part of the activity. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take identified in the authorisation.*
- 2. The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed by making any below-ground levels that may in contact with groundwater watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for reasonably foreseeable high water table elevations to prevent potential future inundation.*
- 3. Construction methods and materials used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater, and shall not themselves cause pollution of the groundwater.*

Prior to excavation

- 4. Measurements of groundwater levels beneath the site from a minimum of three monitoring bores shall be taken. These measurements should be included in a report provided to the NSW Office of Water in support of the dewatering licence application, along with a schedule and indicative level predictions for the proposed ongoing water level monitoring from the date of consent until at least two months after the cessation of pumping shall be included in the report.*
- 5. A reasonable estimate of the total volume of groundwater to be extracted shall be calculated and a report provided to the NSW Office of Water. Details of the parameters (e.g. permeability predicted by slug-testing, pump-testing or other means) and calculation method shall be included in the report submitted to the NSW Office of Water in support of the dewatering licence.*
- 6. A copy of a valid development consent for the project shall be provided in the report to the NSW Office of Water.*
- 7. Groundwater quality testing shall be conducted on a suitable number of samples using a suitable suite of analytes and completed by a NATA-certified laboratory, with the results collated and certificates appended to a report supplied to the NSW Office of Water. Samples must be taken prior to the substantial commencement of dewatering, and a schedule of the ongoing testing throughout the dewatering activity shall be included in the report. Collection and testing and interpretation of results must be done by suitably qualified persons and NATA certified laboratory identifying the presence of any*

contaminants and comparison of the data against accepted water quality objectives or criteria.

8. *The method of disposal of pumped water shall be nominated (i.e. reinjection, drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority shall be provided to the NSW Office of Water. The disposal of any contaminated pumped groundwater (sometimes referred to as "tailwater") must comply with the provisions of the Protection of the Environmental Operations Act 1997 and any requirements of the relevant controlling authority.*
9. *Contaminated groundwater (i.e. above appropriate NEPM 2013 investigation thresholds) shall not be reinjected into any aquifer without the specific authorisation of the NSW Environment Protection Authority (any such discharge would be regulated through a licence issued under the Protection of the Environmental Operations Act 1997). The reinjection system design and treatment methods to remove contaminants shall be nominated and a report provided to the NSW Office of Water. The quality of any pumped water that is to be reinjected must be compatible with, or improve the intrinsic or ambient groundwater in the vicinity of the reinjection site.*

During excavation

10. *Engineering measures designed to transfer groundwater around the basement shall be incorporated into the basement construction to prevent the completed infrastructure from restricting pre-existing groundwater flows.*
11. *Piping, piling or other structures used in the management of pumped groundwater shall not create a flooding hazard. Control of pumped groundwater is to be maintained at all times during dewatering to prevent unregulated off-site discharge.*
12. *Measurement and monitoring arrangements to the satisfaction of the NSW Office of Water are to be implemented. Monthly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a report provided to the NSW Office of Water after dewatering has ceased. Daily records of groundwater levels are to be kept and a report provided to the NSW Office of Water after dewatering has ceased.*
13. *Pumped groundwater shall not be allowed to discharge off-site (e.g. adjoining roads), stormwater system, sewerage system, etc) without the controlling authorities approval and/or owner's consent. The pH of discharge water shall be managed to be between 6.5 and 8.5. The requirements of any other approval for the discharge of pumped groundwater shall be complied with.*
14. *Dewatering shall be undertaken in accordance with groundwater related management plans applicable to the excavation site. The requirements of any management plan (such as acid sulfate soils management plan or remediation action plan) shall not be compromised by the dewatering activity.*
15. *The location and construction of groundwater extraction works that are abandoned are to be recorded and a report provided to the NSW Office of Water after dewatering has ceased. The method of abandonment is to be identified in the documentation.*
16. *Access to the groundwater management works used in the activity is to be provided to permit inspection when required by the NSW Office of Water under appropriate safety procedures.*

Following excavation

17. All monitoring records must be provided to the NSW Office of Water after the required monitoring period has ended together with a detailed interpreted hydrogeological report identifying all actual resource and third party impacts."

The above General Terms of Approval for Construction Dewatering are included as conditions within the Recommendation.

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**

State Environmental Planning Policy No. 71 (SEPP 71) – Coastal Protection

SEPP 71 applies to the site. Clause 2 of SEPP 71 sets out the Policy aims. The proposal is consistent with the relevant aims in that:

- it will not affect public access to and along coastal foreshores;
- it will protect the visual amenity of the coast by sympathetically altering the aesthetics of the building on the site; and
- the principles of ecologically sustainable development are implemented and the bulk and scale is appropriate for the site.

Clause 8 of SEPP 71 sets out the matters for consideration that are to be taken into account when Council prepared a draft LEP and determines DA's. The submitted SEE demonstrates compliance with these matters for consideration.

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy (SEPP) No. 55 – Remediation of Land was gazetted on 28 August 2005 and applies to the whole of the state. Clause 7(1) requires the consent authority to consider whether land is contaminated prior to consent of a development application. As recommended in the Phase 1: Contamination Assessment Report, dated July 2011, a Detailed Site (Contamination) Investigation (DSI) was carried out and a Report prepared, a copy of which is appended to the SEE. Further to the completion of the DSI, a Remediation Action Plan (RAP) was prepared by Douglas Partners, a copy of which is also appended. The recommendations contained within the Detailed Site (Contamination) Investigation Report and Remediation Action Plan are included as conditions of consent within the Recommendation.

The proposal is considered to be consistent with the matters for consideration under SEPP No. 55.

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) (ISEPP) 2007 aims to facilitate the effective delivery of infrastructure across the State. The ISEPP identifies matters for consideration in the assessment of development adjacent particular types of infrastructure development. Schedule 3 of this SEPP identifies developments of a scale that require referral to Roads and Maritime Services (RMS). Under Schedule 3, a development with access to any road would usually be considered for referral to the Road & Maritime Services (RMS) in the following cases:

- Commercial premises of 10,000m² in area;
- Hospital premises with 200 or more beds; or
- Educational Establishments with 50 or more students.

The development does not specifically fall under the development definitions listed as it accommodates a mixture of land uses. Accordingly, referral to RMS is not required.

State Environmental Planning Policy (Affordable Housing) 2009

The SEEP offers the following comments in respect of SEPP (Affordable Housing) 2009:

“Elsie Hill building provides accommodation that satisfies the definition of a ‘boarding house’. An assessment in accordance with the provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009 was provided with the August 2012 Preferred Project Report (PPR) associated with the Concept Plan DA. The PPR noted that Part 3 of the SEPP applies to the ‘Retention of Affordable Rental Housing’ with Clause 49 stating that:

‘This part applies only to those buildings that were low-rental residential buildings as at 28 January 2000, and does not apply to any building that becomes a low-rental residential building after that date.’

On-site staff accommodation within Elsie Hill was part of the operational model of the facility and was present at 28 January 2000. This accommodation was ancillary to the use of the Royal Far West uses on the site, and was part of the salary packaging for those staff at the time. Such housing has not been provided for many years. A portion of the Elsie Hill building currently provides boarding house accommodation. A letter from Manly Council indicates that the boarding house was proposed after 28 January 2000. Specifically, the letter (dated 26 November 2001) provides that Council resolved to amend the Manly LEP 1988 to permit a boarding house on the site, and stated:

‘That Council congratulate the Royal Far West Children’s Home on their proposal to develop a Boarding House on the site and be advised that Council will be diligent in ensuring compliance with any issued development consent.’

Subsequently, Manly LEP 1998 was amended (Amendment No. 54) on 22 August 2003 by the Minister for Planning to allow for the use of boarding houses on the site. In addition, a Statutory Declaration from a Director of Royal Far West was provided separately which indicates that the boarding house was established in 2004. On this basis, the Concept Approval permitted the demolition.”

Therefore, the proposal is consistent with the Concept Plan approval having regard to the SEPP (Affordable Housing) 2009.

Manly Local Environmental Plan 2013

The subject site is located within the B2 Local Centre Zone under MLEP 2013 (as amended). Permissible uses with consent within the B2 Zone include development for the purpose of *community facilities, health services facilities, educational establishments and medical centres*. The proposed use has already been approved under the Concept Plan.

Zone B2 Local Centre

Objectives of zone

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*

The proposal provides community uses that service the needs of those visiting the local area to attend the facility, thereby satisfying this objective.

- *To encourage employment opportunities in accessible locations.*

The proposal will maintain existing employment opportunities and contribute additional employment opportunities both at construction and operation stages, thereby satisfying this objective.

- *To maximise public transport patronage and encourage walking and cycling.*

The site is centrally located in close proximity to public transport. The proposal will provide bicycle storage in accordance with the requirements of the MDCP 2013 (Amendment 4) and will encourage the use of public transport through the provision of a Workplace Travel Plan.

Part 4 Principal development standards

The relevant provisions contained within Part 4 of the MLEP 2013 (as amended) are referred to below as part of this assessment:

4.	Principal Development Standards	Requirement	Proposed	Complies Yes/No	Comments
4.3	Height of buildings	10m – 25m	Maximum height of parapet is approximately 23m above existing ground level, lift overrun is 24.45m.	Yes – refer comments	Height is consistent with the approved Concept Plan with a roof height of RL27.95. Lift overrun consistent with condition A5.
4.4	Floor Space Ratio	3:1 (3810)m ²	2.96:1 3766m ²	Yes	Proposal complies with the clause and is consistent with the FSR approved under the Concept Plan.

Part 5 Miscellaneous Provisions

The relevant provisions contained within Part 5 of the MLEP 2013 (as amended) are referred to below:

5.10 Heritage Conservation

The proposal is considered to be consistent with Clause 5.10 of the MLEP 2013 (as amended) regarding heritage conservation. A Heritage Impact Assessment prepared by Urbis dated December 2014 has been submitted as part of the application.

The RFW site is subject to a Conservation Management Strategy (CMS). Compliance with the policies of the CMS are considered to be satisfactorily demonstrated in the HIS prepared by Urbis dated December 2014 and received by Council on 17 December 2014.

The RFW site is located in the vicinity of the Town Centre Conservation Area and is located in the vicinity of the following heritage items listed under Schedule 5 of the MLEP 2013 (as amended):

Heritage:	Item	Address	Significance	Item No.
	The Drummond Far West Home	16 – 18 Wentworth Street	Local	I245
	1920's School Building	10 Wentworth Street	Local	I243
	Former School of Arts	12 Wentworth Street	Local	I244
	Residential Building	Flat 29 Victoria Parade, Manly	Local	I241
	Residential Building	Flat 31 Victoria Parade, Manly	Local	I242

Manly Village Public School	Wentworth Street (corner of Wentworth Street, Darley Road)	Local	I247
Street trees	Wentworth Street	Local	I246
Street trees (Norfolk Island Pines)	Victoria Parade	Local	I238
Beach Reserve	North and South Steyne	Local	I174

The submitted HIS provides a comprehensive consideration of the proposal having regard to the Town Centre Conservation Area and heritage items located in the vicinity of the site. The proposed works are not considered to have any adverse impact on the surrounding heritage items or conservation area. This is demonstrated in the following extract from the HIS:

- *'The proposed Centre has been designed to minimise impacts to the adjoining heritage items, specifically in the articulation and modulation of the overall building massing and façade treatments.*
- *Drummond House retains its prominence in streetscape views from Wentworth Street due to the substantial setbacks and articulated massing of the proposed adjoining Centre for Child Health and Learning.*
- *The proposed infill building provides a considered and well-designed response to the adjacent heritage items in its design. The massing of the building is proposed as two distinct components, with the lower portion setback to match the main building line of Drummond House's loggia, and the top portion of the building setback and cantilevered over a large landscaped courtyard on level 3, reducing the overall scale of the building. The lower portion responds to the streetscape and the scale of adjacent heritage buildings, establishing a consistent podium of development with the adjacent three storey heritage buildings; Drummond House and the Manly Community Centre.*
- *The proposal retains the Drummond House with only minor amendments to facilitate interconnection with the new building. The proposed linking addition connecting the two sites is sympathetic in its lightweight design and materiality and in its siting at the rear of the building, while providing for retention of the masonry form of the rear wing and interpretation of the original western façade.*
- *While several departures from the PAC approval are noted, it is considered that the response achieves comparable heritage outcomes and is consistent with the intent to mitigate impacts. In some aspects, the proposal improves on the approved envelopes; including by incorporating further setbacks on level 3 and cantilevering the upper floors to mitigate overall scale and massing and setting back the link addition, which enabled compliance with the CMS policy where the previous link was not complying.*
- *Although contemporary, the proposed façade screen will not detract from the heritage character and significance of the item. The screen is lightweight and semi-transparent and is setback behind the main loggia and does not obstruct fenestration on the western return of the heritage item. The setback enables the heritage items on either side of the infill development to retain their prominence in streetscape views.*
- *The proposal is consistent with the condition of the PAC consent for the Concept Plan MP10_0159 (Schedule 3 Condition 17 Heritage and Schedule 4 Statement of Commitments, Heritage).'*

Part 6 Local Provisions

The relevant provisions contained within Part 6 of the MLEP 2013 (as amended) are referred to below:

6.	Local Provisions	Complies with MDCP 2013 (Amendment 4)	Consistent with Concept Plan Approval	Comments
6.1	Acid Sulfate Soils	Yes	Yes	Land is Category 4 Acid Sulfate Soils Land. Testing has been carried out by Douglas Partners as part of its Geotechnical Investigation and a Report submitted as part of this application. Testing did not indicate the presence of actual acid sulfate soils. As such, Douglas Partners have concluded a Management Plan is not required. The recommendations contained within the Detailed Site (Contamination) Investigation Report and Remediation Action Plan are included as conditions of consent within the Recommendation.
6.2	Earthworks	Yes	Yes	The proposal is consistent with the excavation approved under the Concept Plan.
6.3	Flood Planning	Yes	Yes	A flood study submitted with the Concept Plan confirmed that there will be no impact on flood behaviour. An outline flood evacuation plan is included as part of the submitted Stormwater Report.
6.4	Stormwater Management	Yes	Yes	The submitted Stormwater Report confirms that the proposal is consistent with the Stormwater Management Plan submitted and approved with the Concept Plan.
6.9	Foreshore Scenic Protection Area	Yes	Yes	The site is contained within the FSPA. The proposal is not considered to detract from the visual aesthetic amenity of the FSPA when viewed from its immediate environs.
6.13	Design Excellence	Yes	Yes	An Architectural Design Statement prepared by Architectus Group Pty Ltd has been submitted as part of the application. The statement is considered to satisfactorily demonstrate that the proposal responds to the provisions stipulated in the Director General's Design Excellence Guidelines and Clause 6.13 of the MLEP 2013 (as amended).

Manly Council Urban Design Guidelines 2011

The Manly Council Urban Design Guidelines are non-statutory guidelines that were adopted by resolution of Manly Council on 14 February 2011 in support of its submission to the Department of Planning as part of the Concept Plan exhibition period. The Guidelines were considered as part of the assessment of the Concept Plan, but are not required to be considered as part of this assessment.

79C(1)(a)(ii) - any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved), and

There is no applicable Draft Planning Instrument.

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

Manly Development Control Plan 2013:

The following is an assessment of the proposal's compliance with the standards of the Development Control Plan. Where a variation is proposed to the standards an assessment is included in the Planning Comments.

Part 3 General Principles of Development

Section	Provision	Consistent with principles MDCP (Amendment 4) under 2013	Consistent with Concept Approval. Plan
3.1	Streetscape and Townscape	Yes	Yes
3.2	Heritage – In Vicinity	Yes	Yes
3.4.1	Sunlight Assess and Overshadowing	Yes	Yes
3.4.2	Privacy and Security	Yes	Yes
3.4.3	Maintenance of Views	Yes	Yes
3.5	Sustainability	Yes	Yes
3.6	Accessibility	Yes	Yes
3.7	Stormwater management	Yes	Yes
3.8	Waste Management	Yes	Yes
3.9	Mechanical Plant Equipment	Yes	Yes

Additional Comments:

Built form and streetscape

The following comments are offered within the SEE in respect of 'built form':

"The form of the new six storey Centre for Child Health and Learning responds to the scale of the adjacent heritage buildings, and is massed into two distinct components. The lower three storeys comprise learning and recreation uses, with the upper levels accommodating administration and support."

The lower portion is aligned with the south face of Drummond House's loggia, while the upper portion is setback and cantilevered over the large landscaped terrace on Level 3. The cantilevering helps define the discrete functions of each component of the building and highlights the essential open space function. Access to the new building is via Wentworth Street under a landscaped screen façade. The new ground level courtyard will be enclosed by a timber screen across the northern edge, and provides access to the new and existing buildings."

A view of the proposed new building and Drummond House from Wentworth Street is provided below:



NORTHERN ELEVATION OF THE PROPOSED CENTRE FOR CHILD HEALTH AND LEARNING (WENTWORTH STREET)

On balance, the built form of the proposed Centre is deemed to be consistent with the Concept Plan approval and the objectives and design principles for streetscape and townscape contained within Section 3.1 of the MDCP 2013 (Amendment 4).

Materials and finishes

The following comments are offered within the SEE in respect of 'materials and finishes':

"The north facing screen on the Wentworth Street façade proposed for the lower three levels of the building comprises timber panels and vertical gardens. The timber screening is fixed, and has been designed with varying widths and fitted at different angles. The vertical gardens reach over two storeys to meet the horizontal strip of landscaping visible from exterior from the planter boxes lining the perimeter of the Level 3 terrace.

The upper levels of the building are clad in translucent glass vertical planks and vertical framed glazing, which are regularly spaced and vertically aligned. The translucent glass vertical planks and vertical framed glazing proposed for Level 4 and 5 optimise solar access to the building while maintaining privacy.

This option is more opaque than standard glazing, and has been preferred over fixed louvre screening (as required by Modification B2 in the Concept Plan approval instrument)."

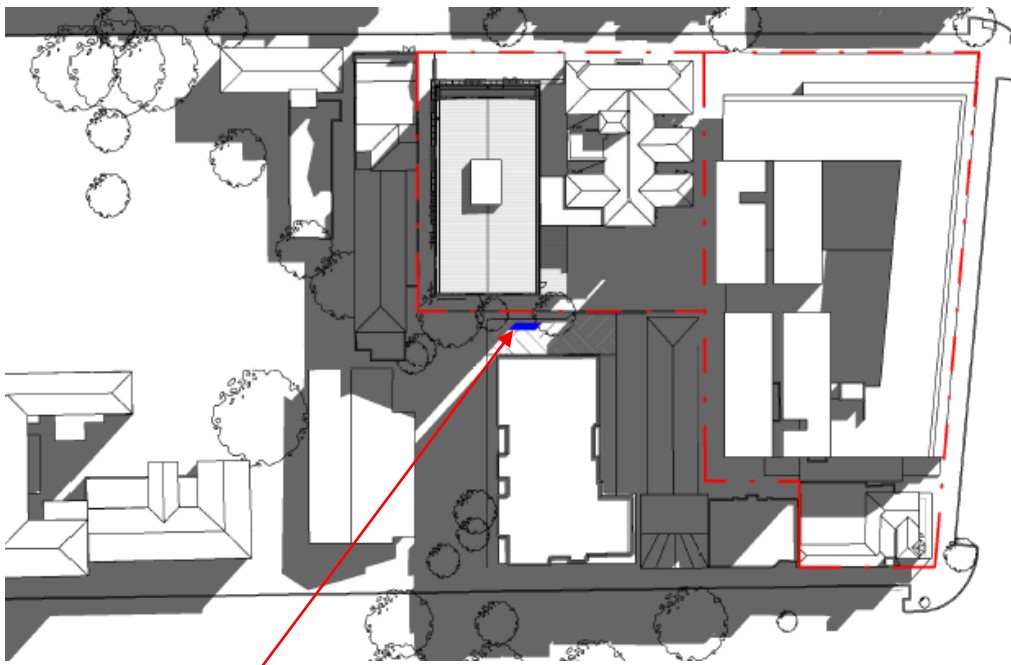
A materials board has been provided to Council, and the materials and finishes are indicated on the elevation drawings.

On balance, The Centre for Child Health and Learning will be constructed of materials and finishes that are generally consistent with the Concept Plan Approval.

Sunlight Access and Overshadowing

Shadow diagrams have been prepared for the winter solstice (21 June) at 9am, 12pm and 3pm showing the existing situation, the approved outcome (as per the PAC approved Concept Plan), and the impact of Stage 1, that is, erection of the new Centre and interim retention of the rear of Drummond House. The shadows cast by the proposed works are generally consistent with the shadow impacts from the approved Concept Plan with the exception of the oral health footprint, and the interim retention of the Drummond House.

Drawing DA-9001 depicts the additional shadow impacts arising from the single storey Oral Health footprint.



ADDITIONAL SHADOW CAST BY THE PROPOSED DEVELOPMENT COMPARED TO APPROVED CONCEPT PLAN AT 11.30AM JUNE 21 (SOURCE: SEE).

The Oral Health Centre extends beyond the envelope of the Centre adjacent to the Drummond House rear addition. Compared to the approved Concept Plan, the key points of departure are:

- At 11:30am, additional shadow from the Oral Health Centre is cast onto a portion of the rear courtyard of the adjoining residential flat building at 25-27 Victoria Parade, Manly. The adjoining courtyards can be seen in the photograph below:

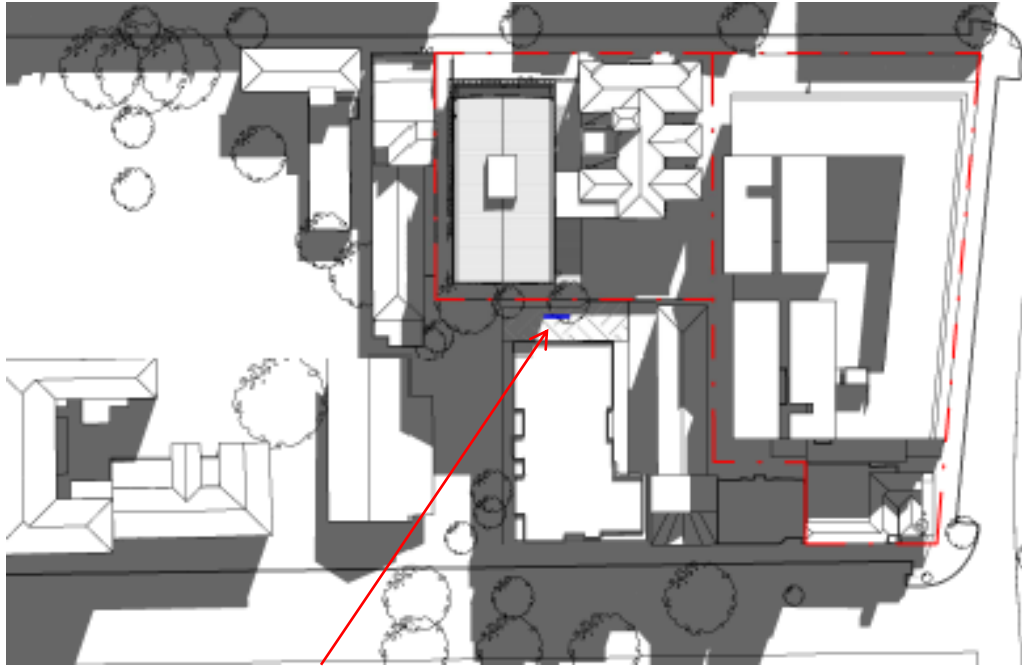


REAR GROUND FLOOR COURTYARDS OF NO. 25-27 VICTORIA PARADE, MANLY, AND LOCATION OF THE ORAL HEALTH CENTRE TO THE WEST OF THE REAR OF DRUMMOND HOUSE.



LOCATION OF PROPOSED ORAL HEALTH CENTRE.

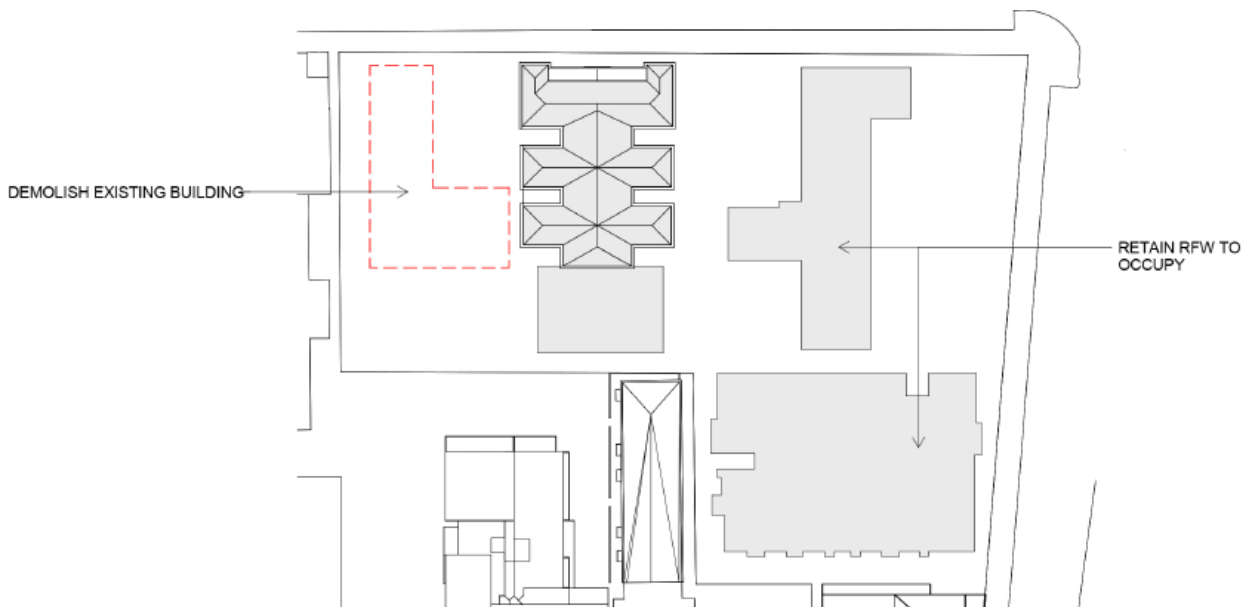
- Around Midday, the shadow falls within the shadow of a standard 1.8m high boundary fence.
- At 1pm, additional shadow from the Oral Health Centre is cast onto the same area, to a lesser extent than at 11:30am. The extent of the shadow is indicated in blue in the figure below:



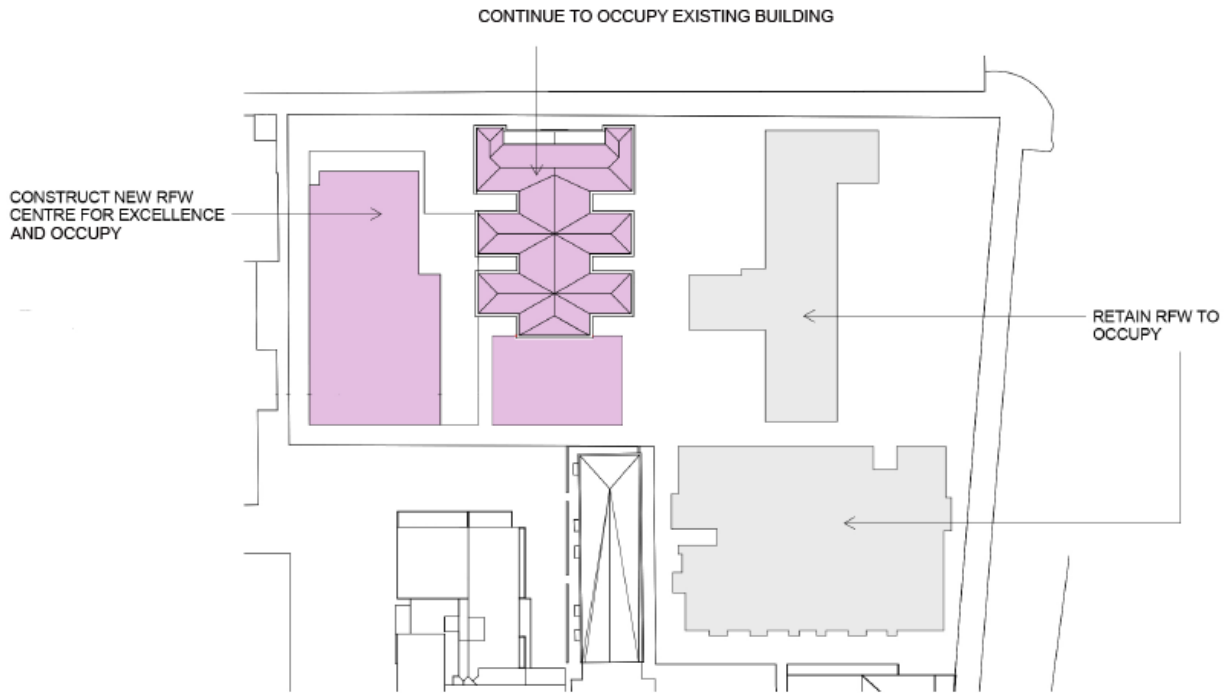
ADDITIONAL SHADOW CAST BY THE PROPOSED ORAL HEALTH FACILITY COMPARED TO APPROVED CONCEPT PLAN AT 1PM (21 JUNE)

On balance, the increase in shadow cast by the new Oral Health Facility is considered to be minor and consistent with the shadow cast by the approved Concept Plan.

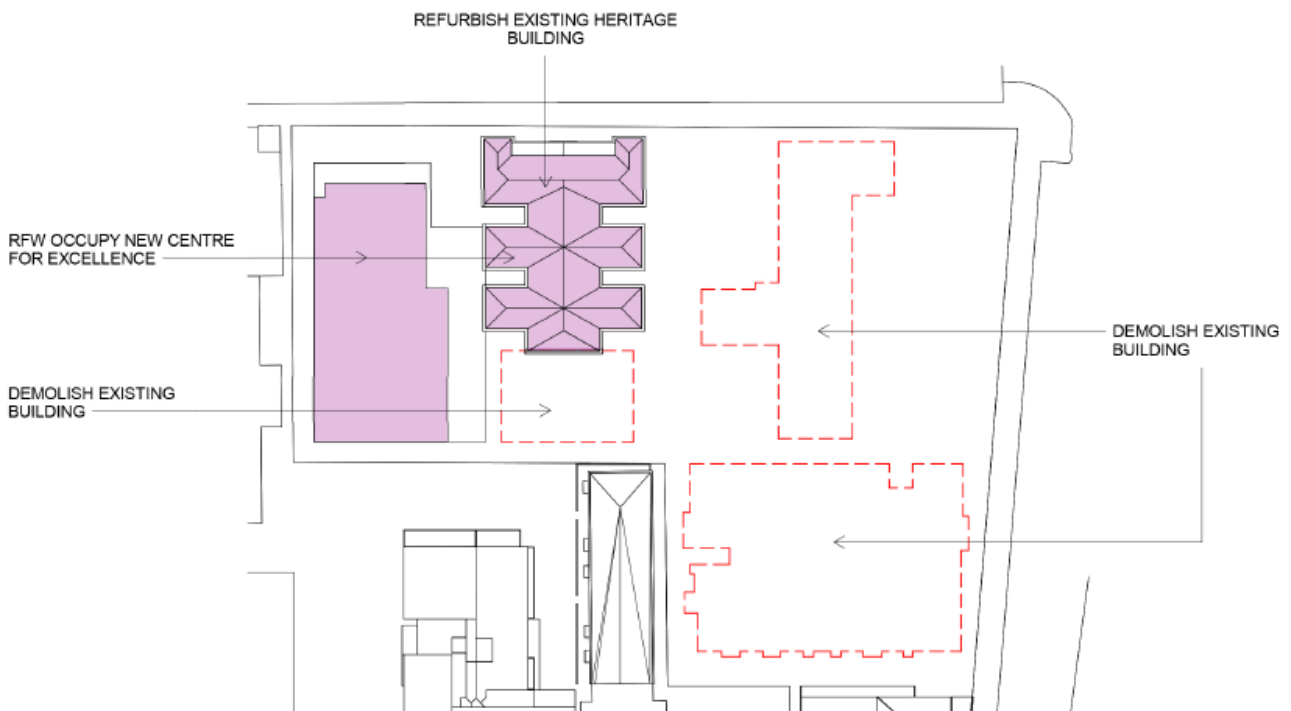
While the rear of Drummond House is maintained, the existing shadow cast by this building on the adjoining properties remains unchanged from the existing situation. The diagrams below show how the deletion of Drummond House has been moved from Stage 2 to Stage 3 in order to facilitate the continued operation of the RFW site.



STAGE_1



STAGE_2



STAGE_3

PLANS SHOWING PROPOSED STAGING AS IT RELATES TO THE REAR OF DRUMMOND HOUSE (SOURCE: UPDATED CAMPUS STAGING STRATEGY REPORT)

Part 4 - Development Controls

The numerical development standards contained within Part 4 of the Manly Development Control Plan including but limited to wall height, open space, and setbacks have already been approved under the Concept Plan. A table of compliance with the numerical standards and requirements of the Concept Plan approval is provided below:

Compliance Table of the Proposal against Concept Plan Approval

Conditions	Particulars	Proposal	Consistent with Concept Plan Approval
Schedule 2			
Part A – Terms of Approval			
A1	Development Description		
	(a) Use of the site for a mixed used development with associated hospital facility “Centre for Excellence”.	The proposal is consistent with the approved use of the site.	Yes
	(b) Indicative building envelopes for buildings to a maximum height of 8 storeys (RL 31.15).	Maximum height of lift overrun RL29.45.	Yes
	(c) Tourist and visitor accommodation, residential, retail/commercial and hospital/medical uses to a maximum FSR of 3:1.	2.97:1	Yes
	(d) Basement car parking for 184 cars	A pro-rata rate of 51 car parking spaces is required. Provision for 53 on-site car parking spaces is made.	Yes
	(e) Landscaping areas throughout the site.	Landscaped areas are provided throughout the site generally in accordance with the Concept Plan approval.	Yes
A2	Development in accordance with the approved plans and documentation.	The proposal is deemed to be consistent with the approved plans and documentation	Yes
A3	Development site area	This application is specific to the western most portion of the development site area.	Yes
A4	Maximum floor space ratio The development of the site for a mixed use development shall have a maximum floor space ratio (FSR) of 3:1.	2.96:1 (The total GFA of the new building is 3766m ² on land size of 1270m ² . Note: GFA includes 15m ² of the ground floor Oral Health area, which encroaches on Drummond House)	Yes
A5	Building height Building heights in accordance with Concept Plan Drawings. RL27.95 for new RFW building.	<ul style="list-style-type: none"> • RL27.95 (New RFW building) • Height of Lift overrun structure RL 29.45 (Lift overrun is integrated into a low profile screened area of plant and vents which cannot be located elsewhere in the building. This integrated roof enclosure is recessed from the perimeter of the main building form and will not 	Yes

		generate any additional shadow in neighbouring properties , in accordance with condition A5)	
A6	Building envelopes, form and separation Building envelopes, form and setbacks are to be generally consistent with the Concept Plan diagrams	<p>Building footprints and setbacks are generally consistent with the approved Concept Plan diagrams.</p> <p>The following minor variations to the footprint and setbacks are proposed to achieve better building amenity, more useable spaces and improved relationship to Drummond House.</p> <p><u>Ground Floor</u></p> <ul style="list-style-type: none"> • Relocation of open space area (children's play area) at ground level at the rear to the north facing level 3 courtyard. • Infill of undercroft area with Mechanical Plant Room, Waste Management Room, Administration/Telehealth area and new Oral Health Facility, which connects the new building footprint with Drummond House. • Resultant reduction in the rear setback. • Relocation of ground floor link to Drummond House to the rear. <p><u>Level 1</u></p> <ul style="list-style-type: none"> • Relocation of Level 1 link to the south-east. • Increased width of building frontage. • Extension at the rear (Group Therapy Rooms). <p><u>Level 2</u></p> <ul style="list-style-type: none"> • Increased width of building frontage / loss of visual recess. • Relocation of link to Drummond House towards the rear. <p><u>Level 3</u></p> <ul style="list-style-type: none"> • Increased front setback • Extension of PAC approved envelope to the north-east. 	Yes

		<p><u>Level 4</u></p> <ul style="list-style-type: none"> Increased width of building frontage. <p><u>Level 5</u></p> <ul style="list-style-type: none"> Increased width of building frontage. <p>Assessing Officer's Comments:</p> <ul style="list-style-type: none"> The relocation of open space from the south facing undercroft area to the north facing Level 3 courtyard is considered to improve the amenity and useability of this outdoor space. The modifications to the building envelope in the vicinity of Wentworth Street is supported by the submitted Heritage Impact Statement and considered to be consistent with the Conservation Management Plan. The relocation of the above ground link to Drummond House has been further setback from Wentworth Street, thereby reducing the actual and perceived bulk and scale of this building element. The proposed linking addition connecting the two sites is sympathetic in its lightweight design and materiality in accordance with Policy 13 of the CMP. The new single storey Oral Health facility connects the new building footprint with the Drummond House rear addition. This low scale facility will result in a minor additional shadow impact on the adjoining private terrace at mid-winter compared to the Concept Plan. It will not overshadow the apartments. It is noted that some of the minor variations to the approved envelopes have arisen solely due to infilling the poorly defined envelope proposed in the Concept Plan. 	
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		<ul style="list-style-type: none"> The approved FSR is generally consistent with the Concept Plan approval, albeit slightly reduced. 	
A7	Public domain All public domain areas are to be provided with 24 hour, 7 day a week public access. Details of any Rights of Ways and Easements providing public access over privately owned publicly accessible land shall be submitted with future development applications.	Public domain areas do not form part of this application.	Not applicable
A8	Lapsing of approval Lapsing of approval of the Concept Plan 5 years after the determination date.	This application has been submitted to carry out works for which concept approval has been granted within 5 years of the Concept Plan determination date.	Yes
A9	Inconsistency between documentation Inconsistency between documentation. In the event of any inconsistency between modifications of the Concept Plan approval and the drawings/documents, the modifications of the Concept Plan approval shall prevail.	The proposal is consistent with the Concept Plan approval.	Yes
Part B			
B1	Building envelope and separation modifications The plans as described in A2 shall be modified so that the building separation between residential portions of the buildings complies with the minimum requirements of the Residential Flat Development Code (RFDC) of NSW and the principles of State Environmental Planning Policy No. 65 Design Quality of Residential Flat Development.	Not applicable. This DA does not relate to the residential component of the Concept Plan approval.	Not applicable.
B2	Development design Future applications shall demonstrate design excellence in accordance with the Director General's Design Excellence Guidelines. Future applications shall incorporate treatment of all openings, windows/balconies, proposed above the third floor level of the western façade of the Royal Far West Centre for Excellence Building (west building) with fixed louvre screening to a height of 2m above floor level at a 45° angle plane to the floor level.	The proposal is considered to demonstrate design excellence in accordance with the Director General's Design Excellence Guidelines. The western façade of the new RFW building uses glass planking to optimise solar access to all parts of the building while maintaining privacy and creating innovative architectural expression. Whilst not directly compliant with condition B2, the design is considered to satisfy the intent of the fixed louvre screening requirement in that	Yes

		the design provides privacy to floor levels above level three by minimising glazed areas and maximising translucent glass planks.	
Schedule 3 Future Environmental Assessment Requirements			
1.	Landscaping Future applications shall include detailed landscape plans demonstrating landscaping along street frontages and over podium/basement levels.	A Landscape Plan has been prepared by Arcadia Landscape Architecture and is appended to the SEE. The Landscape Plans are consistent with this requirement.	Yes
2.	Construction and operational impacts Any future application shall address as part of a Construction Management Plan, any potential contamination on the site and implement the recommendations of the Phase 1: Contamination Assessment Report, dated July 2011. This should be addressed as part of a Construction Management Plan prepared for the site.	As recommended in the Phase 1: Contamination Assessment Report, dated July 2011, a Detailed Site (Contamination) Investigation (DSI) was carried out and a Report prepared, a copy of which is appended to the SEE. Further to the completion of the DSI, a Remediation Action Plan (RAP) was prepared by Douglas Partners, a copy of which is also appended. The recommendations contained within the Detailed Site (Contamination) Investigation Report and Remediation Action Plan are included as conditions within the Recommendation. A Construction Management Plan (CAP) has been prepared for the site by TSA and states that remediation activities will be generally undertaken in accordance with the RAP. A copy of the CMP is appended to the SEE.	Yes
3.	ESD Future application shall demonstrate incorporation of ESD principles in the design, construction and ongoing operation phases of the development, including water sensitive urban design measures, energy efficiency, recycling and water disposal.	An ESD Report has been prepared by WSP and is appended to the SEE. The Report is considered to satisfactorily demonstrate compliance with condition 3 of Schedule 3 by detailing the ways in which the DA incorporates ESP principles into the design, construction and ongoing operation phases of the development. The submitted Stormwater Report also	Yes

		addresses compliance with ESD principles.	
4.	Contributions Development contributions may be required to be paid to Council towards the provision or improvement of public amenities and services and may be required as a condition of consent for each detailed stage of the development. The amount of the contribution will be determined in accordance with the requirements of a Planning Agreement or, if no Planning Agreement is entered into, in accordance with the development contributions plan current at the time of approval for each stage.	The proposed works are not considered to increase the demand on existing public amenities and services. Accordingly, payment of a section 94 contribution is not applicable in this instance. It is noted that section 94 contributions may apply to future development applications involving the RFW site as approved under the Concept Plan approval.	Not applicable.
5.	Privacy Future applications shall demonstrate that adequate privacy screening/treatment and/or balcony orientation has been provided to minimise privacy impacts between buildings located on the site and also address privacy concerns of adjoining developments.	<ul style="list-style-type: none"> • To ensure privacy to the open spaces of the adjacent school, the western façade on the upper floors employs the use of translucent glass planks to prevent occupants of the building looking into the adjacent school and residential buildings. • On the lower floors privacy will be maintained to neighbouring properties through the use of timber batten screens, translucent planks and fixed glass louvres to areas where glazing is applied. • On the southern façade, the majority of the glazed areas face directly over the private car park and when facing the residential buildings only minimal glazing is used to allow direct sunlight to classroom spaces. • The upper office floors are located at a higher level than the residential buildings to the south, thereby preventing overlooking into the residential apartments. • Passive surveillance is achieved through the creation of an internal courtyard between Drummond House and the RFW Building. This courtyard is accessible from the street via a secure gate 	Yes

		or from the ground floor waiting areas.	
6.	Ground floor usage Final design of the ground floor should include an active street frontage of non-residential uses	Concept approval has been granted for active frontages on ground level in other buildings proposed on the site. The building that is the subject of this DA does not involve these uses. However, while the proposal's ground floor is primarily used by RFW clients, its arrangement and connection to the internal courtyard allows for potential public gatherings, thereby promoting passive surveillance	Yes
7.	Transport and traffic Future applications shall:	A CTMP has been prepared and is appended to the SEE. Condition ANS18 requires that a site specific Construction Traffic Management Plans (CTMP) be submitted to the Council/Accredited Certifier to address the overall management of the site during the Demolition, Excavation and Building construction process, prior to issue of the Construction Certificates for each of these phases.	Yes
	(b) detail the number and location of sheltered and secure bicycle racks or bicycle parking stations, shower/change room and lockers to ensure that they meet the needs of residents, staff and visitors.	The location and number of bicycle spaces is detailed on the architectural plans and is compliant with the MDCP 2013 (Amendment 4). The MDCP 2013 (Amendment 4) states <i>"bicycle parking stands are required at a minimum rate of one stand for every three car parking spaces with a minimum provision of one stand for each premise"</i> . The development proposes the provision of 53 parking spaces which requires a minimum of 18 bicycle parking stands. The proposal includes the provision of 19 bicycle parking spaces in a consolidated location on Basement Level 1, which complies with the MDCP 2013 (Amendment 4). Showers are provided on each floor of the new building.	Yes

	(c) include a Workplace Travel Plan (WTP) for the commercial development and provision for car-share.	A Draft WTP has been prepared by Traffix and is appended to the SEE. Condition ANS19 requires that a site specific Workplace Travel Plan (WTP) is to be prepared. The WTP should be displayed in highly visible common areas within the facility, be distributed to all employees and be available online. The WTP should be updated every 12-24 months to reflect services at that time.	Yes
	(d) include an assessment, undertaken in accordance with advice from Council, the RMS and STA of the intersections between: <ul style="list-style-type: none"> • Sydney Road and Belgrave Street; • South Steyne and Wentworth Street; and • The entry/exit to the basement car park off Wentworth Street (opposite entry to the Council car park) and which identifies any improvements required at the relevant intersections as a result of the subject development.	<p>The submitted Traffic Impact Statement in response to this states the following:</p> <p><i>“it is evident that the proposed development generates moderate traffic volumes that do not warrant further analysis of the external road network. The Concept Approval also relates to a mix of uses with the retail, residential and hotel components forming the key components that generate traffic, as assessed previously. The current Development Application is consistent with the threshold generation levels embodied in the previous traffic impact assessment. In conclusion, the traffic impacts generated by the proposed development can be readily accommodated and in traffic planning terms, the development is supportable and remains a low intensity traffic generating use”.</i></p> <p>Accordingly, it is considered that this DA does not warrant further analysis of the external road network. The applicant has indicated that the need for the assessment of certain</p>	Yes

		<p>intersections will be discussed with relevant authorities in respect to future DA's for those significant traffic generating uses such as the Concept Plan approved hotel.</p> <p>Vehicular access to the site at the north-western corner of the development via Wentworth Street is consistent with the PAC Concept Approval. The site will be accessed via a single combined entry-exit driveway. A driveway width of 6.6m is proposed, which is significantly greater than the minimum width requirement of 3.0-5.5m under AS 2890.1 (2004) for Category 1 access driveways. The submitted Traffic Impact Assessment offers the following comments on the proposed vehicular access point:</p> <p><i>"This is the optimal arrangement in view of the need to minimise vehicular crossing from the point of view of pedestrian safety and also visual amenity noting that the existing development currently accommodates two access driveways".</i></p>	
8.	<p>Sydney water requirements</p> <p>Future development applications shall demonstrate that the Sydney Water requirements have been met in relation to water servicing, wastewater servicing and trade waste.</p>	<p>A Hydraulic and Gas Infrastructure Report and Electrical Supply Statement of Commitment Report has been prepared by WSP Building Pty Ltd and is appended to the SEE.</p> <p>As part of the proposed works, a new domestic, fire hydrant and fire sprinkler incoming services will be connected to the existing 150mm diameter water main in Wentworth Street.</p> <p>Condition ANS64 requires that a Section 73 Compliance Certificate under the Sydney Water Act 1994 be obtained from Sydney Water, prior to issue of the Occupation Certificate. Further, condition</p>	Yes

		ANS65 requires that building plans be stamped and approved before any construction is commenced to ensure construction/building works do not affect Sydney Water's assets.	
9.	Flooding: a) Provision of a flood evacuation plan including warning alarms and evacuation routes	An outline flood evacuation plan is contained within the Stormwater Report prepared by AJ Whipps Consulting Group, a copy of which is appended to the SEE. Condition ANS24 requires that this plan be finalised prior to occupation.	Yes
	(b) Underground car parking areas to be flood proofed and incorporate flood warning alarms and designated evacuation routes. Flood proofing system to be independent of the stormwater drainage system.	<p>The applicant has provided advise that verbal advice was received from Council's sustainability officer that Wentworth Street is not in the flood area and that flooding protection is not required. The applicant also asserts that the AJ Whipps Report states that <i>"Manly Council does not identify the Royal Far West Home as being flood affected"</i> and that the 2100 Predicted Sea Level would be 1.72m below the lowest point on the site.</p> <p>Notwithstanding the above, condition ANS25 has been included to ensure compliance with this requirement of the Concept Plan approval. The condition requires the basement car parking level to be adequately protected from flooding and incorporate flood warning alarms and designated evacuation routes. It is also required that the flood proofing system be independent of the stormwater drainage system and details submitted to the Council/Accredited Certifier prior to issue of the Building Construction Certificate.</p>	Yes

	(c) All local services (power, water, gas, telephone) within the sub-podium levels must be protected to the 0.5% AEP level.	Condition ANS26 requires that all local services (power, water, gas, telephone) within the sub-podium levels are protected to the 0.5% AEP level in order to manage risk in the event of a flood.	Yes
10.	Car parking Future applications shall include: (a) Details of the total amount of car parking, which shall not be less than 184 spaces.	The submitted Traffic Impact Assessment Report has applied a pro-rata rate based on the Gross Floor Area of the new building, yielding a car parking requirement of 51 spaces. The proposal includes the provision of a two (2) level basement car parking accommodating a total of fifty-three (53) spaces as follows: <ul style="list-style-type: none"> • 49 car parking spaces generally for staff (29 of which are presently provided on site and will be retained within the basement levels). • 2 parking spaces capable of accommodating the two (2) RFW Bus (for overnight security); and • 2 parking spaces for a RFW Ute and a Thrifty (shared pool) vehicle. The provision of 53 spaces is therefore consistent with the parking rate inherent in the Concept Approval, and is also supportable in practical terms as outlined in the Traffic Report. The Report considers that there will be no reliance on on-street parking for normal operational demands.	Yes
	(b) An updated schedule of parking allocations	An updated schedule of parking allocations is provided within Section 6.3 of the Traffic Impact Assessment Report.	Yes
	(c) Details of parking facilities designed in accordance with relevant Australian Standards.	The SEE states that all car parking has been designed in accordance with AS 2890.1 and AS 2890.6. Condition 19 (2PT01) requires that the driveway/access ramp grades, access and car parking facilities comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and AS2890.6 (2009) Part 6:Off-	Yes

		street parking for people with disabilities.	
	(d) Design of parking and commercial vehicle facilities to enable all vehicles to enter and exit the development in a forward direction.	As above.	Yes
	(e) Provision and implementation of a car share scheme.	RFW currently implement a car share scheme through Thrifty and will continue to do so with a dedicated parking space provided within the basement car park.	Yes
	(f) Details of all loading and unloading associated with the use of the development which is to take place wholly within the site from designated loading bays as identified in the Concept Plan. Loading bays shall not be used for storage or any other purpose that would restrict their use for the purposes of loading and unloading.	<p>The SEE submits that the proposed car park can accommodate all small delivery and loading vehicles (B99 Vans, station wagons and cars) on site with the exception of large waste collection vehicles.</p> <p>General waste collection will be undertaken by Council and will occur on-street. In addition, medical/clinical waste will be collected by a private contractor on-street.</p> <p>The existing RFW development is serviced in the same manner therefore the continuation of this arrangement is considered appropriate. It is noted that this condition likely refers to larger delivery vehicles associated with the Concept approved hotel use on the RFW site.</p>	Yes
11.	<p>Stormwater and drainage</p> <p>Future applications shall address the following:</p> <p>(a) The design of stormwater drainage facilities shall be detailed in future applications and will generally be consistent with Manly Council technical specifications for the design of stormwater management facilities, and the principles of Water Sensitive Urban Design (WSUD). Water recycling facilities may be considered in lieu of any Council rainwater tank requirements.</p>	An addendum has been submitted to the Stormwater Report prepared by AJ Whipps Consulting Group. This confirms the proposal's compliance with the relevant Codes, Manly DCP and AS3500.3.	

	(b) A stormwater drainage system shall be designed and implemented through the site and shall comprise pipe or culvert underground.	The proposal is consistent with this requirement, as evidenced in the Stormwater Report appended to the SEE.	Yes
	<p>(c) A Positive Covenant is required, binding all present and future owners of the property to the following:</p> <p>(i) Submission to Manly Council of a structural check of any pipeline/culvert every ten (10) years; and</p> <p>(ii) Responsibility for maintenance of any pipes/culverts in perpetuity and their replacement when required.</p>	The creation of the positive easement shall be prepared prior to occupation. A condition to this effect has been included within the Recommendation (ANS65).	Yes
12.	<p>Groundwater and contamination</p> <p>Future applications are to demonstrate that the development does not impact upon the health of any groundwater ecosystems and that where basements intercept groundwater, the basements are to be tanked. Monitoring of groundwater levels is to commence prior to basement design and continued throughout the construction.</p> <p>Site contamination is to be monitored and controlled in accordance with the findings and recommendations of the Phase 1 – Contamination Assessment Report prepared by Douglas partners, dated July 2011.</p>	<p>As recommended in the Phase 1: Contamination Assessment Report, dated July 2011, a Detailed Site (Contamination) Investigation (DSI) was carried out and a Report prepared, a copy of which is appended to the SEE. Further to the completion of the DSI, a Remediation Action Plan (RAP) was prepared by Douglas Partners, a copy of which is also appended. The recommendations contained within the Detailed Site (Contamination) Investigation Report and RAP are included as conditions within the Recommendation.</p> <p>The RAP confirms that as the proposed basement will intersect the water table it is anticipated that the basement will need to be tanked to prevent the infiltration of groundwater. The recommended measures in respect of this and groundwater monitoring are addressed by way of conditions included within the Recommendation.</p>	Yes

13.	<p>Staging of development</p> <p>Future applications shall provide details of the final form of staging of the development generally in accordance with the indicative staging plan and are to be submitted with the first application to ensure the orderly and coordinated development of the site.</p> <p>Each stage described shall provide full details of inclusions in respect of:</p> <ul style="list-style-type: none"> (a) demolition; (b) earthworks; (c) buildings and all other structures (including basements); (d) any elements of the overall public domain plan to be dedicated or embellished; (e) any site remediation works; (f) stormwater management works; (g) any vehicular or pedestrian access to the site; (h) measures to mitigate and manage nuisance caused by stages, under construction through to completed stages, including vehicle access, noise, parking and safety; and (i) waste and Construction Management. <p>An access application shall be made to Council to obtain footpath crossing and boundary alignment levels before commencing the detailed design of internal driveways, paths and car park area.</p>	<p>The proposal is generally consistent with the Concept Plan approval in respect of development staging. A Staging Plan as part of the Construction Site Management Plan has been prepared by TSA Management and is accompanied by Staging Drawings prepared by Architectus, a copy of which is appended to the SEE.</p> <p>The variance between the indicative staging plan and the approval Concept Plan related to demolition of the back portion of Drummond House, which has moved from Stage 2 to Stage 3.</p> <p>The main reason for this amendment is the need to maintain the existing RFW uses in continuous operation. The rear portion of Drummond House includes kitchen and dining facilities that currently support the existing RFW services until such time as further guest accommodation and RFW clinical suites are constructed in Stages 3 and 4. These operational requirements were not conceived as part of the Concept approval stage.</p> <p>Separate DA's will be submitted for Stage 3 and 4.</p> <p>The SEE confirms that detailed design will occur at Construction Certificate stage, at which time levels will be obtained from Council.</p>	Yes
14.	<p>Development design guidelines</p> <p>Future applications for the site shall be generally consistent with the Modifications in Part B and Future Assessment Requirements in Schedule 3 and shall:</p> <ul style="list-style-type: none"> (a) Ensure the built form complies with the provisions of SEPP 65 and the accompanying Residential Flat Design Code 2002, except where modified by this Concept Plan approval. 	The proposal is not for residential use.	Not applicable.

	<p>(b) Provide for sufficient building modulation/articulation to achieve an acceptable built form.</p> <p>(c) Ensure future apartments achieve compliance with the requirements of the Residential Flat Design Code in terms of solar access.</p> <p>(d) Ensure that the internal residential amenity of the proposed apartments are not unduly affected by the noise and vibration impacts from surrounding traffic and should comply with the requirements of Clause 102 of SEPP (Infrastructure) 2007 and the Department of Planning and Infrastructure's 'Development Near Rail Corridors and Busy Roads – Interim Guidelines'.</p>		
15.	<p>Crime prevention through environmental design</p> <p>Future applications shall ensure that design and treatments of the proposed building have due regard to the principles of the Crime Prevention Through Environmental Design (CPTED) Guidelines 2001 and incorporate these principles into the relevant design Stage, and should include:</p> <p>(a) The location of street furniture on streets or in thoroughfares being identified on the plans for each stage. Street furniture shall be positioned to take advantage of well-lit and open areas to minimise crime.</p>	<p>The submitted Crime Risk Report states the following:</p> <ul style="list-style-type: none"> • <i>"No street furniture is proposed as part of this application.</i> • <i>Clear sight lines will be achieved between the private domain and the public domain on Wentworth Street. The Wentworth Street façade is primarily glazing which ensures good sightlines between the Ground Floor reception area and the street; and the upper levels and the street.</i> • <i>The landscaping of the private and public domain maintains good sightlines between the building and Wentworth Street through the use of lower understorey planting (shrubs and grasses) and higher canopy trees.</i> • <i>Active uses on the Wentworth Street façade will promote passive surveillance of the public domain along Wentworth Street.</i> 	Yes

	(b) The landscape design shall provide adequate sight lines to avoid the creation of places of concealment within the open space areas.	<ul style="list-style-type: none"> <i>The development does not provide any opportunities for concealment or anti-social behaviour</i> 	Yes
	(c) Lighting of areas adjacent to public spaces shall be provided in accordance with the AS/NZS 1158.3.1:2005 Lighting for Roads and Public Spaces.	<i>The entrance and semi-private areas (i.e. pedestrian access path) will be well lit to avoid poorly lit dark spaces. All luminaries in these locations will comply with the relevant Australian Standards."</i>	Yes
17.	Heritage Future applications shall demonstrate consistency with the recommendations of: <ul style="list-style-type: none"> the Conservation Management Plan (May 2011), Heritage Impact Statement (June 2012) and the "Preferred Project Report Submission: Response to Heritage Matters" (7 June 2012) prepared by URBIS Pty Ltd; and the "Cultural Heritage Assessment and Aboriginal Archaeological Assessment" (2011) prepared by Mary Dallas and Dan Tuck. that have been prepared in support of the Concept Plan.	Heritage Impact Statement concludes the following: <i>"It is considered that the proposal is consistent with the intent of the concept approval in terms of heritage and will have no additional impact than the approved envelope, on the heritage listed Drummond House or the RFW site generally".</i>	
18.	Waste Management Future applications shall include a waste management plan in accordance with Council's requirements.	A Waste Management Plan has been prepared by TSA in accordance with Council's requirements. The Plan is appended to the SEE. Council's Waste officer has no objections to the proposal, subject to the inclusion of conditions of consent within the Recommendation.	Yes
19.	Sale of Liquor Future applications shall not provide for the sale of liquor other than to service venues located on the site.	The proposal does not involve the sale of liquor.	Yes

Schedule 4 Statement of Commitments			
Contributions	Section 94 contributions to be made for the commercial component of the project in accordance with Manly Section 94 Contributions Plan.	No section 94 contribution is payable for the Centre for Child Health and Learning Community Centre component. Future stages may be subject to section 94 contributions.	Yes
Car Share	A parking space will be made available for use by shared vehicles.	The current arrangement with Thrifty will be continued. Two parking spaces have been allocated for use by a Thrifty (shared pool) vehicle.	Yes
Bicycle facilities	Provision for bicycle facilities and parking in accordance with Council's relevant standards.	Bicycle parking provision of 19 spaces in Basement 1 is in accordance with Council's requirements.	Yes
Water sensitive urban design	WSUD measures will be implemented in accordance with the Stormwater Management and Flood Assessment by Whipps Wood.	<p>The Stormwater Report prepared by AJ Whipps demonstrates compliance with this commitment. WSUD measures are integrated into the stormwater drawings accompanying the Report as per commitment.</p> <p>Yes, WSUD principles including specific adoption of pollutant reduction targets, rainwater harvesting, on-site absorption and the reduction of outflows shall be included in the proposed design.</p>	Yes
Sustainability	The educational component of the development commits to a minimum 4 Star Green Star Certified Rating under the Education v1 tool.	The Statement of Commitments approved under the Concept Plan commits the educational component of the development to a minimum 4 Star Green Star Certified Rating under the Education v1 tool. WSP states the integrated nature of the building means it is not eligible for certification with the Green Star Education rating tool. However, The Green Building Council of Australia has released a new Green Star tool (Green Star Design and As-built 2014) in PILOT phase, which could be applied to the whole facility. As such, WSP has applied and used the new tool as a benchmark for sustainability for the whole project, rather than in piecemeal fashion. WSP's report uses the new Green Star Design and As-built tool as the benchmark for sustainability; and	Yes

		demonstrates a level of performance that could be certified with a 4 star rating.	
Heritage	<p>Conservation policies and guidelines have been prepared in Section 5 of the CMS to guide the management and maintenance of the site, especially the two heritage buildings. When proposing changes at the site or undertaking maintenance to the heritage buildings, these conservation policies should act as a guide to retain the place's heritage significance.</p> <p>The proposed lightweight addition on the western side of Drummond House to the new seven storey RFW building should comply with the conservation policies (No. 7 and 13) in the CMS by Urbis, which states the 3D form of Drummond House to be retained and read from the street. The new connections to Drummond house should therefore be a narrow lightweight link.</p>	<p>The Heritage Impact Statement prepared by Urbis provides an assessment of compliance of the proposed works against the CMS.</p> <p>The proposed lightweight connection between Drummond House and the new building is considered to be consistent with Policy Nos 7 and 13 of the CMP.</p>	Yes
Aboriginal heritage	<p>At the commencement of any earthworks or remediation works on site the excavation workers will be provided Cultural Awareness Induction by a qualified archaeologist and representative of the Metropolitan Local Aboriginal Land Council. The induction should ensure that workers can identify cultural remains so that they can be managed appropriately.</p> <p>An Aboriginal archaeologist test excavation will be conducted within the areas identified as archaeologically sensitive immediately following demolition of the court surfaces of the RFW</p>	<p>A Cultural Heritage Assessment and Aboriginal Archaeological Assessment Report prepared by Mary Dallas Consulting Archaeologists (submitted with Concept Application, 2011) has been provided. The recommendations contained within the Report are included as conditions of consent within the Recommendation as follows:</p> <ul style="list-style-type: none"> • ANS21: At the commencement of any earthworks or remediation works on site the excavation workers shall be provided with a Cultural Heritage Awareness Induction by a qualified archaeologist and a representative of the Metropolitan Local Aboriginal Land Council. The induction should ensure that workers can identify cultural remains so that 	Yes

	<p>School and the concrete slab surface of the rear car park of the Elsie Hill building and across the footprint of the Terrace should it not be retained. These areas should be investigated before neighbouring demolition to avoid contamination of sediments. The test excavations should be co-ordinated with any historical archaeological investigations as may be recommended.</p>	<p>they can be managed appropriately.</p> <ul style="list-style-type: none"> • ANS22: An Aboriginal archaeological test excavation shall be conducted within the areas identified as archaeologically sensitive immediately following demolition of the court surfaces of the Royal Far West School and the concrete slab surface of the rear car park of the Elsie Hill building and across the footprint of the Terrace should it not be retained. These areas should be investigated before neighbouring demolition to avoid contamination of sediments. The test excavations should be coordinated with any historical archaeological investigations as may be recommended. • ANS23: A European Archaeological Assessment and subsequent archaeological investigations of the subject site is to be undertaken prior to any excavation works or remediation works. 	
European Archaeology	<p>A European Archaeological Assessment and subsequent archaeological investigations of the subject be undertaken prior to any excavation works.</p>	<p>Condition of consent ANS23 requires that a European Archaeological Assessment and subsequent archaeological investigations of the subject site be undertaken prior to any excavation works or remediation works in accordance with the recommendations contained within the Cultural Heritage Assessment and Aboriginal Archaeological Assessment Report prepared by Mary Dallas Consulting Archaeologists.</p>	Yes
Construction Management Plan	<p>The proponent agrees to prepare a Construction Management Plan outlining the methods of construction, traffic management, crane height and location details and the like.</p>	<p>An outline Construction Management Plan prepared by TSA Management has been appended to the SEE. The SEE states that further detailed management plans will be prepared by the contractor(s) as is common practice.</p>	Yes

Compliance with the Building Code of Australia	All buildings will be designed in accordance with the BCA.	A Statement of Compliance with the BCA has been submitted as part of the application. Compliance with the BCA is addressed by way of a condition included within the Recommendation.	Yes
Augmentation of Services	The approval of all existing utility service providers (e.g. gas, electricity, telephone, water, sewer) will be obtained, and any required augmentation works undertaken.	A Hydraulic and Gas Infrastructure Report and Electrical Supply Statement of Commitment Report has been prepared by WSP Building Pty Ltd and is appended to the SEE. Condition ANS64 requires that a Section 73 Compliance Certificate under the Sydney Water Act 1994 be obtained from Sydney Water, prior to issue of the Occupation Certificate.	Yes
Noise mitigation	An acoustic assessment will be undertaken as part of subsequent Project Applications when detailed design matters are resolved.	An Acoustic Assessment Report has been provided as part of the Project Application submission in accordance with this commitment undertaking. The recommendations contained within the report are included as conditions within the Recommendation.	Yes
Wind impacts	The results of the Wind study indicate that adequate wind conditions can be expected for all outdoor trafficable areas associated with the hotel and residential components of the Concept Plan approval with the inclusion of wind measures (listed).	Generally not applicable to this DA as the proposal is not for a hotel or residential use. However, strategic planting on the ground level of the site is proposed in accordance with this commitment.	Not applicable
Traffic Management Measures	Implement traffic management measures including the relocation of the pedestrian crossing at the corner of South Steyne and Wentworth Street, and the provision of an additional raised (paved) pedestrian threshold across Wentworth Street as described in the Traffic and Car Parking Report, if required by Manly Council under the Roads Act 1993.	The subject DA only proposed moderate increase in traffic (maximum 6 vehicles per hour at peak hour, compared to the existing situation). The implementation of the identified traffic management measures would be addressed, if required by Council in a future stage.	Yes

Boarding House Occupants	<p>RFW will assist the current boarding house occupants within Elsie Hill by providing an extended notice of leave period and assisting these occupants where possible.</p>	<p>RFW has advised the following:</p> <p><i>"Of our approximate 50 residents not all are in a position to require public housing. We estimate that we have 19 who are local students, 9 who are living in the building apartments and paying market value and of the remaining 23 many are working members of the community who enjoy the lifestyle and location of our property and were not referred through community welfare channels.</i></p> <p><i>Despite this there will be a component who will require assistance in rehousing. In order to facilitate this we have given all tenants advanced notice of the plans for redevelopment of the site with letters being distributed to each room in October 2014 and a meeting held on site on 31st October, 2014 to answer any questions that they may have had. All tenants admitted into the building now are informed of the plans for the building and the impact that this will have on their accommodation agreement. Throughout this process we have liaised with the local Fairlight Centre who have been onsite on multiple occasions to assist residents with planning and paperwork where required. Some of our residents have chosen not to remain in the building and have moved on to NSW Housing or private residences, in these instances we have been very supportive of these tenants including waiving the required 2 weeks' notice period, where needed, to allow them to transition to the new property quickly and with minimal additional costs.</i></p> <p><i>As we move forward we will continue to provide regular updates to our tenants as well</i></p>	<p>Yes</p>
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		<i>as to the Fairlight Centre and the Manly Community Centre to allow for assistance, where required."</i>	
Remediation of Land	If necessary, a Remedial Action Plan will be submitted for approval and audited upon implementation.	A RAP has been prepared by Douglas Partners and is appended to the SEE. The recommendations contained within the RAP and included as conditions within the Recommendation.	Yes

Part 5 - Special Character Areas and Sites

Clause 5.4.1 – Foreshore Scenic Protection Area

The proposal is not considered to detract from the visual aesthetic amenity of the Foreshore Scenic Protection Area when viewed from its immediate environs, having regard to the matters for consideration contained within Section 5.4.1 of the MDCP 2013 (Amendment 4).

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, State Environmental Planning Policy No. 55 (Remediation of Land); State Environmental Planning Policy (Affordable Housing 2009); State Environmental Planning Policy No. 71 (SEPP 71) – Coastal Protection; State Environmental Planning Policy (Infrastructure) 2007; Manly Local Environmental Plan 2013 (as amended); Manly Development Control Plan 2013 (Amendment 4) and is considered to be satisfactory, subject to conditions. The proposal is deemed to be consistent with the Concept Plan Approval granted by the Planning Assessment Commission as delegate of the Minister for Planning and Infrastructure on 18 April 2013.

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 proposal is not considered to give rise to any adverse environmental impacts on the natural and built environments, or social and economic impacts in the locality. The proposal is generally consistent with the Concept Plan Approval as evidenced in this report. Any anticipated impacts of the proposal are considered minor and have been mitigated through the provision of conditions.

The SEE offers the following comments in respect of the perceived economic impacts of the proposal:

- *"The proposed works represents a unique opportunity to revitalise a currently out-dated health and education facility and increase its capacity to serve this role. The redevelopment will promote social welfare and bolster tourism, retail and broader economic welfare of the community.*
- *The increase in visitors to the site will increase localised retail expenditure, while the expenditure of the workforce population will be retained.*
- *The construction sector is an important part of the Australian economy, with not only direct, but also secondary businesses that indirectly supply the construction industry, benefiting from employment and output ('the multiplier effect'). Employment will be generated for construction related jobs, as well as manufacturing jobs associated with building and fit out materials."*

The principal social impact of the proposal is that a new, purpose-built 'Centre for Child Health and Learning' will be built, which will provide health, education and professional consulting services to serve the growing needs of country kids in NSW.

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

The suitability of the site for the proposed development has been established through the approved Concept Plan. The proposal is generally consistent with the approved Concept Plan and therefore is considered to continue to be suitable for the site. The site is centrally located and accessible via a range of public transport options and is not anticipated to have any negative impact on the surrounding road network.

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

The application was notified in accordance with Section 2.2 of Council's DCP 2013 between 14 January 2015 and 13 February 2015 with forty (40) submissions received including one (1) confidential submission, one submission from the Ivanhoe Park Precinct Community Forum and one (1) submission from the Ocean Beach Precinct Community Forum raising the following concerns:

No.	Objector	Issues raised
1	Martin McCann (Southbeach – 12/29 Victoria Parade, Manly)	<ul style="list-style-type: none"> • Vigorously oppose the amendments to the development proposal. • The increased size of the North West building and close proximity to No. 29 Victoria Parade resulting in loss of solar access. • Potential noise impacts and reduction in air quality due to the location of plant rooms on the lower levels of the building. • Adverse impact on the landscaping and gardens of the Southbeach residential flat building due to lack of sunlight.
2	Thomas Cotter (Unit 3, 25-27 Victoria Parade, Manly)	<ul style="list-style-type: none"> • Overshadowing impacts to the Southbeach building particularly during the winter months. • Loss of sunlight to the garden areas of No. 25-27 Victoria Parade and to Unit 3. • Size of the building. The proposed development is substantially larger than the current property which will increase noise and reduce air flow and air quality to No. 25-27 Victoria Parade.
3	Peter Monckton of DPM One Pty Ltd (Owner Unit 19/29 Victoria Parade, Manly – 0411 744 999)	<ul style="list-style-type: none"> • Changes to the staging proposal compromise No. 29 Victoria Parade by causing additional overshadowing and loss of winter sun by the retention of the rear portion of Drummond House. Delaying demolition of the rear portion of Drummond House to an undefined time at stage 3 (which may not proceed) would make the overshadowing impacts from the rear portion of Drummond House permanent. The retention of Drummond House closes down the outlook to the north from Unit 19 and provides no outlook to open space that is currently permitted. • Increased overshadowing beyond the PAC approval resulting from the additional footprint of the North East side of the upper level of the building and the Oral Health extension Ground and Level 1 terraces. • Requirement of two (2) hours solar access to living areas has already been compromised as a result of the PAC approval. <i>"The proposed development will compromise SEPP 65 requirements and must not create additional shadowing effects at any given stage"</i>

		<p><i>of construction in excess of those in the PAC approval”.</i></p> <ul style="list-style-type: none"> • Privacy loss to the area immediately south of the development. • The additional areas at ground and first floor of the rear section of the new tower building are in breach of the PAC approved envelope and will present a wall of building where under the PAC approval the rear elevation profile was stepped and of less impact. The resultant building boxes in the rear of the property and there is no “trade-off” of open space and visual outlook/light or amenity with the removal of the rear of Drummond House that is evident in the PAC approved plans. • The upper level terrace and screen above Oral Health present additional overshadowing and amenity issues to the rear portion of No. 25. • Service areas proposed at the ground level present a noise source to the shared outdoor space and courtyard area. Air conditioning plant with ventilation openings on the southern wall present a loss of amenity.
4	Patricia and Adrian Fitzgerald (Apartment 735 The Peninsula, 25 Wentworth Street, Manly – 9976 6172, fitzfam@bigpond.net.au)	<ul style="list-style-type: none"> • Concern that the glass panels on the 4th and 5th floors may adversely reflect the midday and afternoon sun onto 25 Wentworth Street, Manly (The Peninsula Residential Flat Building).
5	Jeff and Sandy Schaffer (5/ 25-27 Victoria Parade, Manly)	<ul style="list-style-type: none"> • Changes to the staging proposal at the rear of Drummond House will result in lack of sunlight during the winter months and is in breach of the PAC approval. • Overshadowing due to an increase in the upper level North East, Oral Health and Level 1 terraces. The upper level terrace and screen above the Oral Health area will create additional overshadowing and amenity issues particularly affecting the rear area of our unit block. • The rear of the new tower building at ground and first floor on the original approved DA was stepped. The new proposal will have the rear of the new building significantly closer to the boundary at the rear thereby increasing noise impacts and overshadowing impacts. • Noise impacts resulting from location of the air conditioning plant with ventilation openings on the south wall. • Potential damage to the root system of the heritage listed pine tree at the rear of No. 25 Victoria Parade due to increasing the footprint of the development.
6	Confidential	<ul style="list-style-type: none"> • Concerns about the proposed height of the development. • Potential loss of sunlight to residential flat building. • Inconsistency of the proposed height with other buildings on the block. Concern the proposal will set a precedent for the height of buildings along the beachfront. • Recommendation: Keeping the building to four (4) levels would eliminate the height issues and loss of sunlight.

7	Richard Ladlow (Unit 9/25 Victoria Parade, Manly – 0450 118 767)	<ul style="list-style-type: none"> Noise and air quality impacts from the proposed plant rooms at the lower levels of the building. The rear corner area of the proposed plant room will generate noise and also reflect noise back into Southbeach residential apartments by the building and structures on the western boundary wall opposite the proposed structure. Only minimal details of the expected noise have been provided. Have noise mitigation factors been factored into the design? What specific data is available on the noise levels and air quality considering location? What assurances are there that the rear of Drummond House will not be removed at the same stage as the proposed construction of Stage 1? <i>“A partial trade-off to the proposed construction near to the fence line was the removal of the rear of Drummond House which although lower rise is already close to the fence line at the same time”.</i> The scale/bulk/size of the proposed construction will impact greatly on the Southbeach residences. The April 2013 DA had setbacks on the lower level. No consideration of the impact of the height of the proposal at the rear. The proximity of the proposed building to the fence line combined with no setbacks will severely overshadow and reduce airflow due to the Southbeach residential apartments due to the proposals bulk and close proximity to the rear boundary.
8	Colin and Suzanne McLean (Unit 24, 25-27 Victoria Parade, Manly)	<ul style="list-style-type: none"> Purchased unit based on knowledge of April 2013 approval. Believe the proposed amended DA will cause overshadowing of Southbeach 3, loss of sunlight to the garden areas and associated negative impact to the health and wellbeing of occupants due to loss of sunlight. The amended proposal differs from the original DA in that: <ul style="list-style-type: none"> The size and bulk has increased. Construction is proposed adjacent the shared boundary. Increases noise, air quality and air flow impacts from proposed plant room locations.
9	Deon Bailey (Unit 21, 29 Victoria Parade, Manly – deonb@optusnet.com.au)	<ul style="list-style-type: none"> Increased noise due to plant room air conditioning units. Loss of sunlight especially in winter.
10	Manly Community Centre and Services Inc.	<ul style="list-style-type: none"> Request a dilapidation report before and after building works. Traffic flow impacts arising from basement car parking and impact to pedestrian flow / safety.
11	Catherine McNamee (8/25-27 Victoria Parade Manly)	<ul style="list-style-type: none"> Concerns regarding size and bulk resulting in overshadowing on their property. Concerns for noise from plant room.

12	Michael Harvey and Jane Hughes 4/25 Victoria Parade (Manly)	<ul style="list-style-type: none"> Welfare of Norfolk Island Pine Tree (on objectors premises) Plant Room Noise – concerned about noise and air quality. Corridor between Drummond House and Elsie Hill Building – concerns for the closing off of this corridor, specifically; Reduction in air flow Loss of sunlight Overshadowing Drummond House – concerns for amendments to staging plan. Specifically in regards to the removal of the rear of Drummond House. Objector requests that original approval be upheld and the rear of Drummond House be removed at the same stage as the proposed construction of Stage 1.
13	Ron Chal (11/25-27 Victoria Parade Manly)	<ul style="list-style-type: none"> Plant Room - noise and air quality. Drummond House – concerns that proposed changes to Drummond House will not be retained as a result of staging. Increases in overshadowing as a result of The Oral Health. Amenity impacts as a result of proposed setback of The Oral Health.
14	Elda Glover (2/25-27 Victoria Parade, Manly)	<ul style="list-style-type: none"> Overshadowing/loss of sunlight Size and bulk of proposed development Plant room noise.
15	James Land (14/25-29 Victoria Parade, Manly)	<ul style="list-style-type: none"> Overshadowing – Concerns that changes to the staging plan will result in overshadowing from the retention of the rear portion of Drummond House. Overshadowing/ Loss of Sunlight – as a result of; Additional footprint of the north eastern side of upper level of the building Oral Health Extension Ground and Level One terraces
16	Phillipa Edgar and Simon Edgar (19/25-27 Victoria Parade, Manly)	<ul style="list-style-type: none"> Negative impacts on the community's amenity and living conditions. Loss of natural light, reduced airflow and increased noise and air pollution.
17	Barbara and Stephen Campany (15/25-27 Victoria Parade, Manly)	<ul style="list-style-type: none"> Overshadowing/Loss of Sunlight – concerns that the proposed additional two storeys of Drummond House will overshadow their balcony (second floor). Encroachment/ Privacy Impacts – specifically; New proposed footprint of Drummond House's proximity to the boundary. Impediment on their current residential amenity Breach of Planning and Assessment Commissions approved required setbacks. Plant room noise Size and Bulk – the proposal has increased in size significantly. General Lifestyle and Amenity – property was purchased based on the 2013 approved DA. Objector requests that special attention be paid to the upholding the amenity and lifestyle of the residents.

18	Reyna Matthes (17/25-29 Victoria Parade, Manly)	<ul style="list-style-type: none"> • Reduction in residential amenity and living conditions • Size and bulk of proposed development • Plant Room – Concerns for increase in noise and reduction of air flow and quality. • Overshadowing/Loss of Sunlight – On both residential apartments and landscaping on Southbeach. • Changes to Drummond House – Closes off corridor between building detrimentally impacting air flow and sunlight.
19	Sue Wyatt (On behalf of the Management of The Manly Community and Services Inc.)	<ul style="list-style-type: none"> • Request a dilapidation report before and after works due to heritage significance of the site. • Concerns about increased undercover parking in relation to access and exiting – request consideration be made to pedestrian flow for staff, colleagues, and visitors to MCCA.
20	Pauline Cooper (25/25-27 Victoria Parade, Manly)	<ul style="list-style-type: none"> • Proximity of development has changed from 5m to 2m from her building. • Concerns for Norfolk Island Pine and surrounding trees. • Plant Room – increase in noise and air quality. • Drummond House – concerns for the closing off of the current corridor between buildings causing overshadowing and loss of sunlight. • Large areas of glass reflecting heat into apartment as a result of the proposed terrace area.
21	Graham Chew-Harris (21/25-27 Victoria Parade, Manly)	<ul style="list-style-type: none"> • Loss of privacy due to close proximity of development to objector's balcony. • Concerns for health of surrounding trees and wildlife. • Plant Room – concerns for noise. Suggested Plant room be located either in underground carpark or towards the front of building. • Confirmation that the upper floors will not be used for residential purposes as plans suggest office space only.
22	Ralf J Pantenburg	<ul style="list-style-type: none"> • Concerned with height of proposed development. • Suggested a reduction to 4 or 5 stories maximum.
23	Jo Carmichael (23/25-27 Victoria Parade, Manly)	<ul style="list-style-type: none"> • Size of building will cause overshadowing and loss of sunlight to property.
24	Ivanhoe Park Precinct Community Forum	<i>"The Precinct has no objection to the presentation of the building in this DA. The precinct does object to the Royal Far West 'Centre for Child Health and Learning', including recreation areas not being in their current position on the greater RFW site, i.e. adjacent to the beachfront. The Precinct objects to the beachfront location being retained for a future DA for 'retail, residential and hotel buildings', as stated in the Statement of Environmental Effects, rather than for the use of country children."</i>
25	Ocean Beach Precinct Community Forum	<i>"Notwithstanding the majority view that the approved master plan is inappropriate, the majority of forum attendants felt that the critical issues with this proposal was to do with the way the proposal relates and/or sympathises with the high quality existing buildings surrounding the site. In particular, the upper few stories of the administration building facing Wentworth Street which was seen to have a generic commercial expression not benefitting of the building's location or function".</i>

26	Signed Petition of 36 signatories including Owner's Corporation SP 87727.	Unit / Building No. (Victoria Parade)	<p>Note: Those submitters who have signed the petition but submitted a separate submission are highlighted as only one (1) submission can be counted per residence. Of the petition 36 signatories, only 17 are included in the total number of submissions received as only one submission is admissible per household.</p> <ul style="list-style-type: none"> Changes to the staging proposal compromise No. 29 Victoria Parade by causing additional overshadowing and loss of winter sun by the retention of the rear portion of Drummond House. Delaying demolition of the rear portion of Drummond House to an undefined time at stage 3 (which may not proceed) would make the overshadowing impacts from the rear portion of Drummond House permanent. The retention of Drummond House closes down the outlook to the north from Unit 19 and provides no outlook to open space that is currently permitted. Increased overshadowing beyond the PAC approval resulting from the additional footprint of the North East side of the upper level of the building and the Oral Health extension Ground and Level 1 terraces. Requirement of two (2) hours solar access to living areas has already been compromised as a result of the PAC approval. <i>"The proposed development will compromise SEPP 65 requirements and must not create additional shadowing effects at any given stage of construction in excess of those in the PAC approval"</i>. Privacy loss to the area immediately south of the development. The additional areas at ground and first floor of the rear section of the new tower building are in breach of the PAC approved envelope and will present a wall of building where under the PAC approval the rear elevation profile was stepped and of less impact. The resultant building boxes in the rear of the property and there is no "trade-off" of open space and visual outlook/light or amenity with the removal of the rear of Drummond House that is evident in the PAC approved plans. The upper level terrace and screen above Oral Health present additional overshadowing and amenity issues to the rear portion of No. 25. Service areas proposed at the ground level present a noise source to the shared outdoor space and courtyard area. Air conditioning plant with ventilation openings on the southern wall present a loss of amenity.
27	Deniz Tas & Anna Newland	1/29	
28	Peter Kloczo	2/29	
29	Nicholas Horsfall	11/29	
-	Martin McCann	12/29	
30	Sam Teager & Christine Castellan	17/29	
31	Clive Williams	3/29	
32	Sarah Marley	5/29	
33	Haydn Schoder	13/29	
-	DPM One Pty Ltd	19/29	
33	Caroline Kelly	7/29	
34	Trevor Tyne	15/29	
-	Deon Bailey & Karen Bailey	21/29	
35	Andrew Alpe & Stephanie Young	22/29	
36	Deniz Tas & Anna Newland	9/29	
-	Thomas Cotter	3/25-27	
-	Michael Harvey & Jane Hughes	4/25-27	
-	Jeffrey and Sandra Schaffer	5/25-27	
37	Robert & Margaret Farrell	7/25-27	
-	McNamee Assets Pty Ltd	8/25-27	
-	Richard Ladlow	9/25-27	
-	Ronald & Therese Challenor	11/25-27	
38	Dianne Maiers & Michael Maiers	12/25-27	
-	Sandra Pankhurst	14/25-27	

-	Barbra and Stephen Company	15/25-27
39	Yang Song & Rui Liu	18/25-27
-	Simon Edgar	19/25-27
	Gary & Gillian Patong	20/25-27
-	Graham & Kerry Chew – Harris	21/25-27
-	Antony Gilbert & Joanne Carmichael	23/25-27
-	Colin & Suzanne McLean	24/25-27
-	Pauline Lesley Brown	25/25-27
40	Mark Lamb & Kerry Tarrant	26/25-27
-	Peter Kloczo	2/29
-	Nicholas Horsfall	11/29
-	Martin McCann	12/29

The following response dated 23 February 2015 was prepared by RFW to the submissions:

“Overshadowing

The shadow impacts of the new RFW building are generally as per the Concept approval, notwithstanding the various tweaks to the RFW building envelope described in the SEE. The impact of the enlarged oral health footprint creates a minimal additional sliver of shadow on the outdoor terraces to the south – refer to DA-9001 which shows the impact in half hourly increments. The shadow impacts of the proposal of concern to the objectors largely arise from the altered staging of works, that is, the delayed demolition of the rear of Drummond House. While the rear of Drummond House is maintained, the existing shadow from this building will continue to be cast on surrounding properties. That is, no change arises from the retention compared to the existing situation.

Staging

The proposed approach to staging is generally consistent with the Concept Plan. The variance between the indicative staging plan and that included the Concept Plan, is that the demolition of the back portion of Drummond House has moved from Stage 1/2 to Stage 3/4. This is not considered to be a material variation. A review of relevant Concept Plan documentation including the Preferred Project Report and the Director General’s Environmental Assessment Report, indicates that the Concept staging proposal to demolish the rear of Drummond House as part of the first stage, was a proposal put forward by RFW. The reason that the RFW put forward a proposal to demolish the rear portion in the first stage was to enable the basement car park to be extended in this location. Notable, the demolition at the first stage it was not a requirement imposed by the consent authority in order to preserve solar access (for example).

The main driver for the revised RFW campus staging strategy is the need to maintain the existing RFW uses in continuous operation for the residential and education groups. The rear addition to Drummond House was added to provide, among other things, another fire stair for emergency egress. If this is demolished prior to occupation of the new building (that will provide a 2nd fire stair), Drummond House will become non-compliant and unsafe. Also, the ground floor of this addition includes kitchen and dining facilities that currently support the overnight accommodation facilities in Drummond House. These are required to maintain the functionality of the RFW services until such time as further guest accommodation and RFW clinical suites are constructed in Stages 3 and 4. This issue was not fully appreciated at Concept Plan stage and it has arisen during the detailed design of Stage 1.

Noise from Plant Room

This is accepted and the noisy mechanical plant will be relocated away from the rear boundary. Other areas for locating this plant have been identified.

Building envelope changes

DA drawing no. DA-002 illustrates compliance of the proposed development with the indicative building envelopes established at Concept Plan stage. Minor variations to the footprint and setbacks are proposed achieve better building amenity, relationship to Drummond House and usable spaces, and no significant impacts arise. These are:

- Relocation of open space from the south facing undercroft to north facing level 3 courtyard has led to a reduction in rear setback. The amenity of this outdoor space has been greatly improved as a result of this departure. Objectors are concerned about the infill of this undercroft however in our view the bulk and scale impacts are the same, and noise impacts from play in the undercroft area will be eliminated*
- Adjustments to the building envelope in the vicinity of Wentworth Street result in an improved relationship with Drummond House. Further, the relocation of the above ground link to Drummond House has further setback this building element from Wentworth Street and therefore reduced its apparent scale and prominence. Both of these adjustments are supported by the Heritage Impact Statement and consistent with the Conservation Management Plan.*
- A single storey Oral Health facility connects the new building footprint with the Drummond House rear addition. This low scale facility results in a minor shadow impact on the adjoining private open space (terrace) at midwinter compared to the Concept Plan. As a result of numerous enquiries from local parents that represent an inadequacy in this type of oral health service locally, it is proposed that this facility be made available to local children. It therefore needs to be on the ground floor.*
- Finally, a number of minor variances arise solely due to infilling the curiously and impractically-shaped building envelope proposed in the Concept Plan.”*

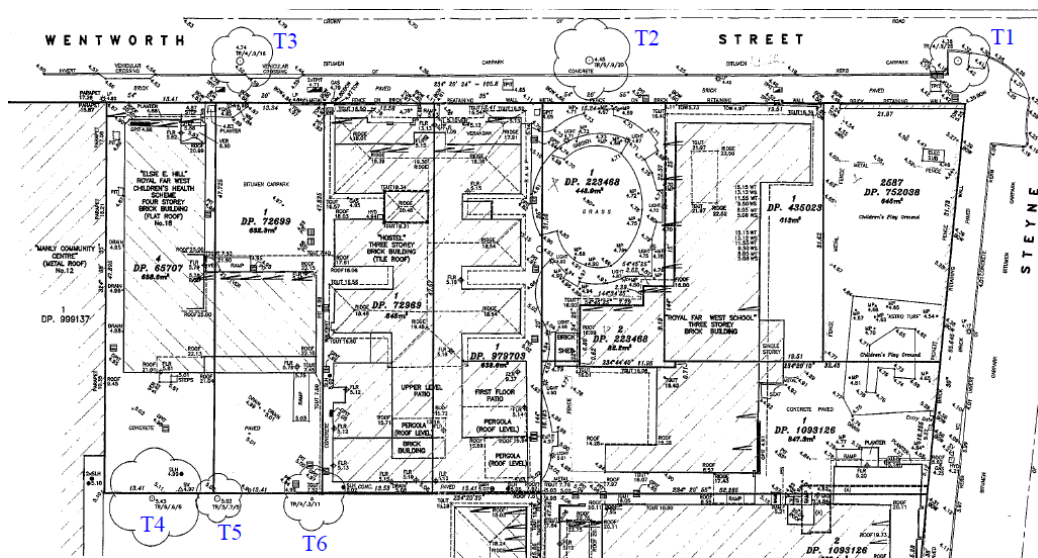
Assessing Officer's Comments:

- The response provided by RFW is considered to satisfactorily address the concerns raised.*
- The request for a dilapidation report by the Manly Community and Services Inc. is addressed by way of a condition of consent.*
- The site will be accessed via a single combined entry-exit driveway. The submitted Traffic Impact Assessment offers the following comments on the proposed vehicular access point:
“This is the optimal arrangement in view of the need to minimise vehicular crossing from the point of view of pedestrian safety and also visual amenity noting that the existing development currently accommodates two access driveways”.*
- The increase in shadow to No. 25-27 from the new Oral Health Centre is considered to be minor and acceptable and generally consistent with the Concept Plan approved.*
- The retention of the rear of Drummond House during Stage 2 will result in no changes to the shadow cast by the existing building and will enable continued operation of the RFW operations. The variation sought to the Concept Plan approval is supported on the basis that detailed operational requirements were not worked out at the Concept Plan stage. The staging is considered to be generally consistent with the PAC Concept Plan approval.*

A Staging Report and Construction Management Plan have been submitted as part of the application.

- The concerns raised about reduced air flow and sunlight to No. 25-27 and No. 29 Victoria Parade due to the new Oral Health Centre and relocated connection to Drummond House are considered to be unfounded. Shadow diagrams have been submitted to show the variation in shadows cast by the proposed development compared to that of the approved Concept Plan. The variations are minor and consistent with the Concept Plan approval. An ESD report has been submitted as part of the application, which includes details of compliance of the proposal with ESD principles.
- A condition has been included within the Recommendation requiring the plant room to be relocated as agreed to by Royal Far West.
- The proposal will not result in any damage to the heritage listed Norfolk Island Pine at the rear of No. 25-27 Victoria Parade. The following comments are offered in the SEE in respect of the proposal's impact on surrounding trees:

"An Arborist Report was prepared by Landscape Matrix and submitted as part of the Concept Plan application in 2011. This report assessed the impact of the Concept Plan on surrounding trees and found 6 trees to be potentially impacted by the proposal including the Norfolk Island Pine (T6). Landscape Matrix has since prepared a letter specifically addressing the impact of the subject development application. This letter provides conclusions for four of the six trees identified in the initial report will be potentially impacted by the subject DA. The location of these trees (labelled T3, T4, T5, T6) is indicated in the Figure below:



The letter concludes:

- *The current proposal is consistent with the 2011 Arborist report prepared by Landscape Matrix;*
- *The potential impacts arising from the current proposal are within acceptable thresholds for the four trees in consideration; and*
- *As the potential impacts are within acceptable thresholds the long term stability and survival of the trees is not jeopardised as per S4.4.5.1 of the DCP."*



NORFOLK ISLAND PINE TREE (T6)

Therefore, the proposal will not have any detrimental impact on the Norfolk Island Pine Tree. Additionally, the tree protection measures detailed in the Arborist Report and letter are included as conditions within the recommendation.

Community and Stakeholder Engagement

JBA was engaged to undertake community and stakeholder engagement to help shape and inform this DA. A Community and Stakeholder Engagement Summary Report is appended to the SEE and provides an overview of the engagement process, including the tasks undertaken and identifies the issues raised by the community. The SEE offers the following comments in respect of the engagement activities undertaken:

“Overall the proposal was generally supported and many were impressed with the architectural design. There were some specific concerns in relation to glare / reflectivity, height and construction impacts. More broadly, concerns were expressed in relation to the future proposals and opportunities for people to have their say. There was also overwhelming support for the extent of engagement undertaken for this proposal, and in particular the visual materials that were provided, which bodes well for future engagement”.

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

The proposal is on the public interest in that it enables the continued provision of core services and functions that Royal Far West deliver to rural children.

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:

The proposed works are not considered to increase the demand on existing public amenities and services. Accordingly, No section 94 contribution is payable for the Centre for Child Health and Learning Community Centre component. Future stages may be subject to section 94 contributions.

CONCLUSION:

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, State Environmental Planning Policy No. 55 (Remediation of Land); State Environmental Planning Policy (Affordable Housing 2009); State Environmental Planning Policy No. 71 (SEPP 71) – Coastal Protection; State Environmental Planning Policy (Infrastructure) 2007; Manly Local Environmental Plan 2013 (as amended); Manly Development Control Plan 2013 (Amendment 4) and is considered to be satisfactory, subject to conditions. The proposal is deemed to be consistent with the Concept Plan Approval granted by the Planning Assessment Commission as delegate of the Minister for Planning and Infrastructure on 18 April 2013.

RECOMMENDATION

That Development Application No. 253/14 for demolition of the existing Elsie Hill Building and construction of a six (6) storey building “Centre for Child Health and Learning” including two (2) levels of basement car parking for fifty three (53) cars and the use of the building as clinical, educational and office facilities, alterations to Drummond House to connect to the new centre and landscaping works at 14-18 Wentworth Street, Manly be **Approved** subject to the following conditions:

DA1

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

Drawings affixed with Council's 'Development Consent' stamp relating to Development Consent No. 253/2014:

Plan No. / Title	Issue/ Revision & Date	Date Received by Council
DA-003 / Existing/Demolition Site Plan	Issue A / 11.11.2014	17.12.2014
DA-1000 / Site Plan	Issue C / 4.12.2014	17.12.2014
DA-1001 / Locality and Site Analysis	Issue B / 28.11.2014	17.12.2014
DA-1100 / Basement 2	Issue B / 28.11.2014	17.12.2014
DA-1101 / Basement 1	Issue B / 28.11.2014	17.12.2014
DA-1102 / Ground Floor Plan	Issue B / 28.11.2014	17.12.2014
DA-1103 / Level 1	Issue B / 28.11.2014	17.12.2014
DA-1104 / Level 2	Issue B / 28.11.2014	17.12.2014
DA-1105 / Level 3	Issue B / 28.11.2014	17.12.2014
DA-1106 / Level 4	Issue B / 28.11.2014	17.12.2014
DA-1107 / Level 5	Issue B / 28.11.2014	17.12.2014
DA-1108 / Roof	Issue B / 28.11.2014	17.12.2014
DA-2010 / Elevation North	Issue B / 04.12.2014	17.12.2014
DA-2011 / Elevation South	Issue B / 04.12.2014	17.12.2014
DA-2012 / Elevation West	Issue B / 04.12.2014	17.12.2014
DA-2013 / Elevation East	Issue B / 04.12.2014	17.12.2014
DA-2020 / Section A – North	Issue A / 07.11.2014	17.12.2014
DA-2021 / Section B – West	Issue A / 07.11.2014	17.12.2014
101 / Landscape Plan – Ground Floor	Issue A / 18.11.2014	17.12.2014

102 / Landscape Plan – Level 1 Façade Planters and Terrace	Issue A /18.11.2014	17.12.2014
103 / Landscape Plan – Level 2 Façade Planter	Issue A / 18.11.2014	17.12.2014
104 / Landscape Plan – Level 3 Courtyard	Issue A / 18.11.2014	17.12.2014
501 / Landscape Details – Façade Planters	Issue A / 18.11.2014	17.12.2014
502 / Landscape Details	Issue A / 18.11.2014	17.12.2014
503 / Landscape Details	Issue A / 18.11.2014	17.12.2014

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

Reference Documentation affixed with Council's stamp relating to Development Consent No. 253/2014:

<i>Document</i>	<i>Prepared by</i>	<i>Dated</i>	<i>Date Received by Council</i>
Statement of Environmental Effects (SEE) inclusive of the following appendices: <u>List of Appendices:</u>	Urbis Pty Ltd	Dec 2014	17.12.2014
C. Compliance of Proposal Against Conditions of Concept Approval and Statement of Commitments	Urbis Pty Ltd	Dec 2014	17.12.2014
D. Traffic Impact Assessment	Traffix Traffic and Transport Planners	Dec 2014	17.12.2014
E. Site Survey	Summit Geomatic Pty Ltd (Sheets 1 to 5 inclusive, all Revision C)	16.10.2014	17.12.2014
F. Architectural Design Statement	Architectus Group Pty Ltd	Undated	17.12.2014
G. Community and Stakeholder Engagement Summary	JBA Urban Planning Consultants	Nov 2014	17.12.2014
H. Arboricultural Impact Report (submitted with Concept Plan application 2011)	Landscape Matrix Pty Ltd	28.03.2011	17.12.2014
II. Arborist Letter – Potential impacts to trees on adjoining property	Landscape Matrix Pty Ltd	27.11.2014	17.12.2014
J. Landscape Plans and Statement	Arcadia	Nov 2014	17.12.2014
K. ESD Report	WSP Buildings Pty Ltd	24.11.2014	17.12.2014
L. BCA Statement of Compliance	Blackett Maguire & Goldsmith Pty Ltd	18.11.2014	17.12.2014
M. Waste Management Plan	TSA Management	04.12.2014 Revision 5	17.12.2014
N. Indicative Staging Plan	TSA Management	04.12.2014	17.12.2014
O. Geotechnical Investigation	Douglas Partners Pty Ltd	Nov 2014 / Revision 1	17.12.2014
P. Detailed Site (Contamination) Investigation	Douglas Partners Pty Ltd	Dec 2014 / Revision 4	17.12.2014

Q. Remediation Action Plan	Douglas Partners Pty Ltd	Nov 2014	17.12.2014
R. Conservation Management Strategy (submitted with Concept Plan application, 2011)	Urbis	May 2011	17.12.2014
S. Cultural Heritage Assessment and Aboriginal Archaeological Assessment (submitted with Concept Application, 2011)	Mary Dallas Consulting Archaeologists	2011	17.12.2014
T. Heritage Impact Statement	Urbis	Dec 2014	17.12.2014
U. Stormwater Report and Plans	AJ Whipps Consulting Group	09.12.2014 / Issue C	17.12.2014
Addendum to Stormwater Report	AJ Whipps Consulting Group	19.02.2015	25.02.2015
V. Response to the Department of Planning Director General's Requirements for the Royal Far West Children's Home – Hydraulic Services (submitted with Concept Plan application, 2011)	AJ Whipps Consulting Group	06.05.2011 / Issue F	17.12.2014
W. Noise Impact Assessment	WSP Building Pty Ltd	14.11.2014	17.12.2014
X. Hydraulic and Gas Infrastructure Report and Electrical Supply Statement of Commitment Report	WSP Building Pty Ltd	26.11.2014	17.12.2014
Y. Fire Safety Report	Rawfire Safety Engineering	10.11.2014	17.12.2014
Z. Construction Site Management Plan	TSA Management	04.12.2014	17.12.2014
AA. Crime Risk and Security Report	Urbis	Dec 2014	17.12.2014

ANS01

An authorisation shall be obtained from NSW Office of Water for the take of groundwater as part of the activity. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take identified in the authorisation.

Reason: In accordance with the General Terms of Approval For Construction Dewatering granted by the NSW Office of Water as required by s.91A(2) of the Environmental Planning and Assessment Act 1979.

ANS02

The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed by making any below-ground levels that may in contact with groundwater watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for reasonably foreseeable high water table elevations to prevent potential future inundation.

Reason: In accordance with the General Terms of Approval For Construction Dewatering granted by the NSW Office of Water as required by s.91A(2) of the Environmental Planning and Assessment Act 1979.

ANS03

Construction methods and materials used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater, and shall not themselves cause pollution of the groundwater.

Reason: In accordance with the General Terms of Approval For Construction Dewatering granted by the NSW Office of Water as required by s.91A(2) of the Environmental Planning and Assessment Act 1979.

ANS04

Prior to excavation, measurements of groundwater levels beneath the site from a minimum of three monitoring bores shall be taken. These measurements should be included in a report provided to the NSW Office of Water in support of the dewatering licence application, along with a schedule and indicative level predictions for the proposed ongoing water level monitoring from the date of consent until at least two months after the cessation of pumping shall be included in the report.

Reason: In accordance with the General Terms of Approval For Construction Dewatering granted by the NSW Office of Water as required by s.91A(2) of the Environmental Planning and Assessment Act 1979.

ANS05

Prior to excavation, a reasonable estimate of the total volume of groundwater to be extracted shall be calculated and a report provided to the NSW Office of Water. Details of the parameters (e.g. permeability predicted by slug-testing, pump-testing or other means) and calculation method shall be included in the report submitted to the NSW Office of Water in support of the dewatering licence.

Reason: In accordance with the General Terms of Approval For Construction Dewatering granted by the NSW Office of Water as required by s.91A(2) of the Environmental Planning and Assessment Act 1979.

ANS06

Prior to excavation, a copy of a valid development consent for the project shall be provided in the report to the NSW Office of Water.

Reason: In accordance with the General Terms of Approval For Construction Dewatering granted by the NSW Office of Water as required by s.91A(2) of the Environmental Planning and Assessment Act 1979.

ANS07

Prior to excavation, groundwater quality testing shall be conducted on a suitable number of samples using a suitable suite of analytes and completed by a NATA-certified laboratory, with the results collated and certificates appended to a report supplied to the NSW Office of Water. Samples must be taken prior to the substantial commencement of dewatering, and a schedule of the ongoing testing throughout the dewatering activity shall be included in the report. Collection and testing and interpretation of results must be done by suitably qualified persons and NATA certified laboratory identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria.

Reason: In accordance with the General Terms of Approval For Construction Dewatering granted by the NSW Office of Water as required by s.91A(2) of the Environmental Planning and Assessment Act 1979.

ANS08

Prior to excavation, the method of disposal of pumped water shall be nominated (i.e. reinjection, drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority shall be provided to the NSW Office of Water. The disposal of any contaminated pumped groundwater (sometimes referred to as "tailwater") must comply with the provisions of the *Protection of the Environmental Operations Act 1997* and any requirements of the relevant controlling authority.

Reason: In accordance with the General Terms of Approval For Construction Dewatering granted by the NSW Office of Water as required by s.91A(2) of the Environmental Planning and Assessment Act 1979.

ANS09

Prior to excavation, contaminated groundwater (i.e. above appropriate NEPM 2013 investigation thresholds) shall not be reinjected into any aquifer without the specific authorisation of the NSW Environment Protection Authority (any such discharge would be regulated through a licence issues under the *Protection of the Environmental Operations Act 1997*).

The reinjection system design and treatment methods to remove contaminants shall be nominated and a report provided to the NSW Office of Water. The quality of any pumped water that is to be reinjected must be compatible with, or improve the intrinsic or ambient groundwater in the vicinity of the reinjection site.

Reason: In accordance with the General Terms of Approval For Construction Dewatering granted by the NSW Office of Water as required by s.91A(2) of the Environmental Planning and Assessment Act 1979.

ANS10

During excavation, engineering measures designed to transfer groundwater around the basement shall be incorporated into the basement construction to prevent the completed infrastructure from restricting pre-existing groundwater flows.

Reason: In accordance with the General Terms of Approval For Construction Dewatering granted by the NSW Office of Water as required by s.91A(2) of the Environmental Planning and Assessment Act 1979.

ANS11

During excavation, piping, piling or other structures used in the management of pumped groundwater shall not create a flooding hazard. Control of pumped groundwater is to be maintained at all times during dewatering to prevent unregulated off-site discharge.

Reason: In accordance with the General Terms of Approval For Construction Dewatering granted by the NSW Office of Water as required by s.91A(2) of the Environmental Planning and Assessment Act 1979.

ANS12

During excavation, measurement and monitoring arrangements to the satisfaction of the NSW Office of Water are to be implemented. Monthly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a report provided to the NSW Office of Water after dewatering has ceased. Daily records of groundwater levels are to be kept and a report provided to the NSW Office of Water after dewatering has ceased.

Reason: In accordance with the General Terms of Approval For Construction Dewatering granted by the NSW Office of Water as required by s.91A(2) of the Environmental Planning and Assessment Act 1979.

ANS13

During excavation, pumped groundwater shall not be allowed to discharge off-site (e.g. adjoining roads), stormwater system, sewerage system, etc) without the controlling authorities approval and/or owner's consent. The pH of discharge water shall be managed to be between 6.5 and 8.5. The requirements of any other approval for the discharge of pumped groundwater shall be complied with.

Reason: In accordance with the General Terms of Approval For Construction Dewatering granted by the NSW Office of Water as required by s.91A(2) of the Environmental Planning and Assessment Act 1979.

ANS14

During excavation, dewatering shall be undertaken in accordance with groundwater related management plans applicable to the excavation site. The requirements of any management plan (such as acid sulfate soils management plan or remediation action plan) shall not be compromised by the dewatering activity.

Reason: In accordance with the General Terms of Approval For Construction Dewatering granted by the NSW Office of Water as required by s.91A(2) of the Environmental Planning and Assessment Act 1979.

ANS15

During excavation, the location and construction of groundwater extraction works that are abandoned are to be recorded and a report provided to the NSW Office of Water after dewatering has ceased. The method of abandonment is to be identified in the documentation.

Reason: In accordance with the General Terms of Approval For Construction Dewatering granted by the NSW Office of Water as required by s.91A(2) of the Environmental Planning and Assessment Act 1979.

ANS16

During excavation, access to the groundwater management works used in the activity is to be provided to permit inspection when required by the NSW Office of Water under appropriate safety procedures.

Reason: In accordance with the General Terms of Approval For Construction Dewatering granted by the NSW Office of Water as required by s.91A(2) of the Environmental Planning and Assessment Act 1979.

ANS17

Following excavation, all monitoring records must be provided to the NSW Office of Water after the required monitoring period has ended together with a detailed interpreted hydrogeological report identifying all actual resource and third party impacts.

Reason: In accordance with the General Terms of Approval For Construction Dewatering granted by the NSW Office of Water as required by s.91A(2) of the Environmental Planning and Assessment Act 1979.

ANS18

Site specific Construction Traffic Management Plans (CTMP) are to be submitted to the Council/Accredited Certifier to address the overall management of the site during the Demolition, Excavation and Building construction process, prior to issue of the Construction Certificates for each of these phases. The detailed CTMP is to be designed in accordance with the relevant Australian Standards and the general CTMP principles below:

- **Truck routes**

The truck routes to and from the site are to be provided in accordance with Figure 6 of the *Traffic Impact Assessment Report* prepared by Traffix traffic & Transport Planners dated December 2014 and received by Council on 17 December 2014. These truck routes shall be utilised for the construction of the proposed development and seek to utilise the arterial road network where possible. A copy of these routes is to be provided to all drivers prior to attending the site and all trucks servicing the site will do so via the following routes. The proposed truck routes are recommended so that all vehicles can access and exit the works zone in a forward direction. These truck routes would therefore be recommended to ensure that reverse manoeuvres on the public roadway were kept to a minimum.

- **Truck size and volumes**

The maximum size of vehicle and frequency of construction delivery vehicles will be documented in the CTMP report however it is anticipated that the volumes will be low frequency.

- **Contractor parking**

Contractors shall be encouraged to either use public transport or ride share to/from the site.

- **Traffic control plans (if necessary)**

Traffic Control Plans (TCPs) shall be designed in accordance with the RMS Traffic Control at Worksites Manual and Australian Standard AS1742.3. The TCPs shall relate to the proposed work zone and pedestrian control.

Reason: In accordance with the recommendations contained within the Traffic Impact Assessment Report prepared by Traffix traffic & Transport Planners dated December 2014 and received by Council on 17 December 2014.

ANS19

A site specific Workplace Travel Plan (WTP) is to be prepared. The WTP should be displayed in highly visible common areas within the facility, be distributed to all employees and be available online. The WTP should be updated every 12-24 months to reflect services at that time.

Reason: In accordance with the recommendations contained within the Traffic Impact Assessment Report prepared by Traffix traffic & Transport Planners dated December 2014 and received by Council on 17 December 2014.

ANS20

Measures to be implemented prior to the commencement of any works on the site:

1. Trees to be retained are to be clearly identified by signage as protected trees.
2. The tree protection zones of trees to be retained are to be protected by fencing during the entire construction period except for specific areas directly required to achieve construction works.
3. The tree protection fence shall be constructed of galvanised pipe at 2.4m spacing and connected by securely attached chain mesh fencing to a minimum height of 1.8m and shall be installed prior to work commencing.
4. The tree protection fencing shall be installed as closely as possible to the alignment of the identified tree protection zone and shall be approved and certified by the site Arborist prior to commencement of any construction or demolition works on the site.

Reason: In accordance with the recommendations contained within the Arboricultural Impact Report prepared by Landscape Matrix Pty Ltd dated 28 March 2011 and received by Council on 17 December 2014.

ANS20

Measures to be implemented and maintained during the life of construction works on the site:

1. Any excavation within the identified root protection zones of trees to be retained shall be carried out by hand to minimise disturbance to tree roots. Roots greater than 25mm are not to be damaged or severed without prior assessment by an Arborist to determine likely level of impact and the restorative actions required to minimise the impacts of root damage.
2. Tree roots between 10mm and 25mm diameter, severed during excavation, shall be cut cleanly by hand by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate.
3. The following activities/actions are prohibited within the tree protection zones:
 - Soil cut or fill including excavation and trenching
 - Soil cultivation, disturbance or compaction
 - Stockpiling, storage or mixing of materials
 - The parking, storing, washing and repairing of tools, equipment and machinery
 - The disposal of liquids and refuelling
 - The disposal of building materials
 - The siting of offices or sheds
 - Any action leading to the impact on tree health or structure
4. Canopy pruning of trees identified for protection which is necessary to accommodate approved building works shall be undertaken by an experienced Horticulturist/Arborist, with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate and in accordance with *Australian Standard 4373-2007 'Pruning of Amenity Trees'*.

Reason: In accordance with the recommendations contained within the Arboricultural Impact Report prepared by Landscape Matrix Pty Ltd dated 28 March 2011 and received by Council on 17 December 2014.

ANS21

At the commencement of any earthworks or remediation works on site the excavation workers shall be provided with a Cultural Heritage Awareness Induction by a qualified archaeologist and a representative of the Metropolitan Local Aboriginal Land Council. The induction should ensure that workers can identify cultural remains so that they can be managed appropriately.

Reason: In accordance with the recommendations contained within the Cultural Heritage Assessment and Aboriginal Archaeological Assessment Report prepared by Mary Dallas Consulting Archaeologists dated 2011 and received by Council on 17 December 2014.

ANS22

An Aboriginal archaeological test excavation shall be conducted within the areas identified as archaeologically sensitive immediately following demolition of the court surfaces of the Royal Far West School and the concrete slab surface of the rear car park of the Elsie Hill building and across the footprint of the Terrace should it not be retained. These areas should be investigated before neighbouring demolition to avoid contamination of sediments. The test excavations should be coordinated with any historical archaeological investigations as may be recommended.

Reason: In accordance with the recommendations contained within the Cultural Heritage Assessment and Aboriginal Archaeological Assessment Report prepared by Mary Dallas Consulting Archaeologists dated 2011 and received by Council on 17 December 2014.

ANS23

A European Archaeological Assessment and subsequent archaeological investigations of the subject site is to be undertaken prior to any excavation works or remediation works.

Reason: To ensure compliance with the commitment undertakings under Schedule 4 of the Concept Plan approval in respect of European Archaeology.

ANS24

The outline flood evacuation plan contained within the Stormwater Report prepared by AJ Whipps Consulting Group dated 9 December 2014 and received by Council on 17 December 2014 is to be finalised, prior to occupation.

Reason: To manage risk in the event of a flood and to achieve compliance with Requirement 9(a) of the Concept Plan approval.

ANS25

The basement car parking level is to be adequately protected from flooding and incorporate flood warning alarms and designated evacuation routes. The flood proofing system is to be independent of the stormwater drainage system. Details are to be submitted to the Council/Accredited Certifier prior to issue of the Building Construction Certificate.

Reason: To manage risk in the event of a flood and to achieve compliance with Requirement 9(b) of the Concept Plan approval.

ANS26

All local services (power, water, gas, telephone) within the sub-podium levels must be protected to the 0.5% AEP level.

Reason: To manage risk in the event of a flood and to achieve compliance with Requirement 9(b) of the Concept Plan approval.

ANS27

Site contamination is to be monitored and controlled in accordance with the recommendations contained within the Detailed Site (Contamination) Investigation prepared by Douglas Partners Pty Ltd dated December 2014 and received by Council on 17 December 2014:

1. Further investigations into the extent of TPH >C10-C16 – Napthalene (F2) recorded in BH3 with regards to possible exposure of workers to vapour during excavation of the soil to remove the UST.

2. As the water table could be intersected, prior to the commencement of any excavation further groundwater investigation is to be carried out:
 - (a) to determine the risk to workers of exposure to any groundwater contaminants;
 - (b) around the UST pit to determine the extent and concentrations of TPH >C10-C16 less Naphthalene (F2) and TPH >C16-C34 (F3) from any leakage from the UST; and
 - (c) for preparation of a Groundwater Management Plan (GMP) to remove groundwater seepage from the excavation.
3. After demolition of buildings and infrastructure, and prior to the commencement of bulk excavation of the basement car park, removal of the UST and associated pipework and validation of the UST pit and pipework trenches. It is noted that the proposed development, which includes a 6m excavation for a basement car park, will extend below the water table and include the removal of the UST. Hence any contaminated soils under the UST and associated pipework would be removed during the redevelopment works.
4. Preparation of a RAP detailing the appropriate methodology to remove the UST, validate the UST removal, then excavate the site for the basement car park. The RAP should also include an unexpected finds protocol to deal with any contamination found during site excavation works.

Reason: To ensure the suitability of the site for the proposed development.

ANS28

If significant residual contamination in natural soils is identified at the completion of bulk earthworks then further consideration of ecological risk in accordance with NPEC (2013) may be required.

Reason: In accordance with the recommendations contained within the Remediation Action Plan Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS29

It is not envisaged that materials will be imported to the site to backfill remedial excavations due to the need to excavate for the proposed basement levels. However, if the materials balance requires the importation of material preference should be given to use of Virgin Excavated Natural Materials (VENM) or validated, engineered/ quarried materials. All VENM materials imported will require a report from a qualified consultant stating that the material is VENM and discussing the history of the source site and include sample analysis. Remedial excavations may also be backfilled with (cut and fill) materials sourced from the subject site provided that the material has been confirmed to be meets RTLs for soil. However, this scenario is considered unlikely.

The importation of excavated natural materials (ENM) to backfill the excavations, although not recommended, is also permitted if readily available VENM sources are not available at the time of the works. Prior to importation, ENM must be assessed against all the requirements of the *Protection of the Environment Operations (Waste) Regulation 2005 – General Exemption Under Part 6, Clause 51 and 51A, The Excavated Natural Material Exemption 2012* stating that the material in question is ENM (as defined in the Exemption). The ENM must be sampled at the sampling frequency specified in the Exemption (which varies based on volume of materials being assessed and whether the material is assessed *ex situ* or *in situ*). The ENM Assessment must also comply with the analytical requirements set out in the Exemption. The ENM assessment report must be provided to the principal contractor and the environmental consultant for review prior to acceptance of the material at the site and should only be accepted once the environmental consultant has adequately reviewed the supporting documentation and confirmed that the material to be imported meets the exemption requirements.

Reason: In accordance with the recommendations contained within the Remediation Action Plan Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS30

Therefore, the complete extent of soil and/or groundwater contamination could not be determined and prior to the commencement of remediation additional investigation is required to:

- (a) Determine the extent of TPH >C10-C16 less Naphthalene (F2) recorded in BH3 with regards to possible exposure of workers to vapour during excavation of the soil to remove the UST; and
- (b) Determine if there is groundwater contamination in the vicinity of the UST, its pipework and the former boiler room.

Additional investigation is to be carried out in accordance with the methodology for the additional soil and groundwater assessment outlined as detailed in Sections 6.1 of the Remediation Action Plan Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014 as follows:

Chemical Characterisation

The sampling procedure and analytical scope will be as follows:

- Recovery of soil samples using undisturbed sampling methods (pushtubes or similar)
- Decontamination of all sampling equipment using a 3% solution of phosphate free detergent (Decon 90) and distilled water prior to collecting each sample;
- Collection of soil samples from the middle of the excavator bucket (i.e. from soils not in direct contact with the bucket where potential cross-contamination may occur); or
- Transfer of samples into laboratory-prepared glass jars and capping immediately with Teflon lined lids;
- Replicate samples of fill and soils potentially impacted by hydrocarbons will be placed in sealed plastic bags for volatiles screening in the field using a photo-ionisation detector (PID);
- Collection of QA/QC samples in accordance with Section 6.5;
- Labelling of sample containers with individual and unique identification, including project number, sample location and sample depth; and
- Placement of the sample jars and replicate sample bags into a cooled, insulated and sealed container for transport to the laboratory.

A minimum of two soil samples will be analysed per test bore including samples collected from the smear zone for the following analytes:

- Heavy metals;
- Total recoverable hydrocarbons (TRH);
- Polycyclic aromatic hydrocarbons (PAH);
- Monocyclic aromatic hydrocarbons (BTEX – benzene, toluene, ethyl benzene and xylenes);
- Volatile organic compounds (VOC); and
- QA/QC analysis as per Section 6.5.

Groundwater Sampling and Analysis

The Groundwater Sampling and Analysis procedure will include the following:

- Following installation, groundwater wells will be developed by removing a minimum of three bore volumes;
- The measurement of water levels and the presence of any separate phase liquid in the water column prior to development and prior to sampling using an electronic interface probe;
- Groundwater samples will be collected using low-flow sampling techniques;
- Field parameters will be measured using a calibrated multi-parameter instrument, with probes placed inside a flow-through cell. The field parameters measured will include temperature, dissolved oxygen, conductivity, specific conductance, total dissolved solids, pH and oxidation reduction potential;
- Samples will be collected in laboratory prepared bottles and vials. Groundwater samples collected for heavy metals testing will be filtered in the field through a 45 µm membrane filter into nitric acid preserved bottles; and

- Decontaminating all re-usable sampling equipment prior to collecting each sample using a 3% solution of phosphate free detergent (Decon 90) and distilled water.

Handling and transport of the groundwater samples will be carried out as described below:

- Sample containers (supplied by the laboratory) will be labelled with individual and unique identification, including project number and sample number.
- Samples will be placed in insulated coolers and maintained at a temperature of approximately 4°C until transported to the analytical laboratory, and
- Chain-of-custody documentation will be prepared by DP and countersigned by the receiving laboratory on transfer of samples.

Further waste classification of the soils in and around the UST pit will be required prior to bulk excavation works.

Reason: In accordance with the recommendations contained within the Remediation Action Plan Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS31

Excavation and disposal of the contaminated soil to landfill is the preferred remedial strategy, after removal and validation of the UST and its associated pipework. The general approach to the remediation works is to be carried out in accordance with Section 5.3 of the Remediation Action Plan Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014 detailed below:

Stage 1 - Additional Investigation

Based on the results of the DSI (DP 2014) additional soil and groundwater investigation was recommended prior to the commencement of remediation works to confirm the extent of soil and groundwater impacts in the vicinity of the UST. Based on the current site conditions it is considered unlikely that these works can be completed until after site demolition works have been completed, although it may be possible once the site has been vacated.

The additional investigation would include:

- A ground penetrating radar (GPR) survey of the site. The survey will focus on the known UST and pipework and aim to pinpoint the location, size and depth of the UST and associated infrastructure. In addition to the targeted survey a GPR survey on a 5 m grid will be required to attempt to identify any additional unknown USTs.
- The drilling of a minimum of six (6) additional targeted test bores (refer to Drawing 2, Appendix A for the proposed locations) to a depth of 5 m bgl using a push-tube drilling rig.
- Extending the depth of two of the bores to a depth of 6 to 8 m bgl and converting the bores into groundwater monitoring wells:
- Collecting groundwater samples from the existing groundwater well at BH3 and the two additional groundwater wells using the procedure outlined in Section 6.1.2;
- Conducting soil and groundwater analysis as per Section 6.1 and 6.3 below; and
- Conducting QA/QC sampling and analysis as per Section 6.5 below.

Stage 2 - Removal of UST, Pipework and associated Contaminated Soils

The process for removal of the UST and its pipework will be as follows:

- Prior to the removal of the UST, any residual product (liquid/vapour) will be removed from the tank and disposed of appropriately in accordance with Australian Standard (AS 4976 – 2008 *The Removal and Disposal of Petroleum Underground Storage Tanks*). Records of disposal should be provided for the validation report;

- After the soil around the UST has been removed, the UST will be examined with regards to its general condition and the potential for leaks to have occurred;
- The UST will be removed and the structures disposed of by a qualified contractor in accordance with AS 4976 – 2008. Disposal records will be provided to the environmental consultant for inclusion in the validation report;
- All associated infrastructure (i.e. the remnants of the UPSS including fuel lines etc) will be removed and disposed of in a similar manner;
- Excavate and stockpile impacted materials (based on field observations) to the practical extent possible. Materials which meet the site assessment criteria can be retained on site, however based on the proposed basement excavations it is not envisaged that there will be any use onsite for such materials. Materials that fail the RTLs will, regardless, require off-site disposal to a licensed landfill. Based on the site restrictions and surrounding sensitive land uses it is not envisaged that land farming of impacted soils will be practical;
- Collection and analysis of validation samples from the tank pit and pipework excavations per the validation sampling requirements detailed in Section 6.2;
- Collection and analysis of QA/QC samples per Section 6.5;
- If validation samples fail the RTL additional chase-out excavations may be required as directed by the Remediation Consultant;
- If water is encountered in the pit, a grab sample will be collected. The grab sample will be analysed for heavy metals, TPH, BTEX, PAH, VOC and hardness;
- Inclusion of the results in the validation report.

Stage 3: Excavation and Validation of Additional Areas of Concern Identified in Stage 1

In the event that the proposed additional soil and groundwater testing (Stage 1) identifies further areas of concern an addendum to this RAP should be prepared detailing the appropriate remedial techniques and validation programme. Based on the proposed basement excavations it is envisaged that an excavation strategy would be the preferred option.

Stage 4: Validation of Former Boiler Room

It is understood that at least one significant diesel spill occurred in the boiler room. Therefore, following the removal of the concrete slab in the former boiler room the following procedure should be adopted:

- The area should be inspected by the remediation consultant;
- If there are no signs of petroleum contamination then surface validation samples should be collected over the footprint of the former boiler room per the requirements of Section 6.2.2. Additional QA/QC samples will be required per Section 6.5. Surface soils will be screened with a PID. Reading of less than 20 ppm with the PID will not be considered significant;
- If signs of contamination are observed (PID readings >20 ppm) then remedial excavations should be performed under the direction of the remediation consultant. Where there are no further signs of contamination and all PID readings are less than 20 ppm validation samples must be collected per Section 6.2.2. Additional QA/QC samples will be required per Section 6.5.

Stage 5: Supplementary Groundwater Monitoring

If there is evidence of residual contamination following the removal of the UST then a supplementary round of groundwater monitoring must be completed to determine if there is any long-term groundwater monitoring requirement. This may require the installation of additional groundwater wells if the existing wells are destroyed / damaged during remediation works. If there is no evidence of residual contamination and the additional groundwater investigation (per Stage 1) does not identify significant groundwater contamination then the supplementary groundwater investigation will not be required.

If residual groundwater impacts are present then monitored natural attenuation (MNA) may be adopted but final determination would be made at the time based on the validation and groundwater results.

Stage 6 - Bulk Excavation

Bulk earthworks for the remaining soils within the basement footprint should be undertaken in two stages. The first stage would be the excavation of the fill soils (assumed to be approximately 0.5 to 1.0m deep). At this point, validation sampling will be conducted in accordance with Section 6.2.3 to demonstrate that the remaining soils are VENM and/or meet the proposed RTLs and that the residual fill soils in the walls of the basement excavation meet the RTLs. Additional QA/QC analysis will be required in accordance with Section 6.5. If the validation results at the top of natural soil meet the RTLs, no further validation testing will be required at the completion of bulk earthworks.

Reason: In accordance with the recommendations contained within the Remediation Action Plan Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS32

Prior to importation of any backfill material to the site VENM and/or ENM certificates must be supplied by the source site. "Check samples" must also be collected by the remediation consultant and analysed at a NATA accredited laboratory to confirm that the material to be imported meets the RTLs. Depending on the type of backfill material, sampling frequencies for imported backfill material would comprise:

- VENM – A minimum of 1 sample per 1000 m3 or a minimum of 1 sample per source site (plus QA/QC sampling as per Section 6.5);
- ENM - A minimum of 1 sample per 250 m3 or a minimum of three samples for volumes less than 250 m3 (plus QA/QC sampling as per Section 6.5);
- QA/QC sampling as per Section 6.5.

All "check samples" will at a minimum be analysed for heavy metals, TRH, PAH, BTEX, phenol, PCB, OCP and asbestos. Other non-soil based engineered materials as recommended by the structural engineers such as concrete will also be considered suitable for use as back fill materials. Additional QA analysis will be required for all imported materials (VENM/ENM) per the requirements of Section 6.6. As noted previously it is not anticipated that imported fill will be required for the project.

Reason: In accordance with the recommendations contained within the Remediation Action Plan Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS33

DP will ensure sampling accuracy and precision through the analysis of through the adoption of appropriate QA/QC procedures. The field QA/QC procedures will include:

- DP standard operating procedures (SOPs) for sampling will be used to ensure that cross contamination does not occur. Duplicate or replicate field samples are collected and analysed. A minimum of 5% inter-laboratory duplicates and 5% intra-laboratory duplicates will be required with each sample batch analysed for the full suite of the primary sample;
- Equipment rinsate samples are analysed as part of the QA/QC programme. One rinsate sample per sample batch will be analysed for BTEX for both soil and groundwater sampling;
- Laboratory prepared trip spikes (for BTEX) and laboratory prepared trip blanks will be taken into the field unopened and dispatched with the sample batch. Soil spikes/blanks will be used for soil sampling and water spikes/blanks for water sampling. All spikes and blanks will be analysed for BTEX;
- Samples are stored under secure, temperature controlled conditions;
- Chain of custody documentation is employed for the handling, transport and delivery of samples to the selected laboratory; and that

- Proper disposal of contaminated soil, fill or groundwater originating from the site area is completed.

Reason: In accordance with the recommendations contained within the Remediation Action Plan Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS34

A validation assessment report will be prepared by a qualified environmental consultant in accordance with NSW DEC *Contaminated Sites Guidelines for Consultants Reporting on Contaminated Sites* (1997) and other appropriate guidance documentation.

Reason: In accordance with the recommendations contained within the Remediation Action Plan Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS35

The successful remediation contractor shall have in place a Site Management Plan (SMP) or similar Construction Environmental Management Plan (CEMP) and Occupational Health and Safety Plan (OHSP) such that work on the site complies with the requirements of the following Acts:-

- Hazardous Chemicals Act;
- Environmentally Hazardous Chemicals Act;
- Dangerous Goods Act;
- Protection of the Environment Operations Act;
- Construction Safety Act; and
- Occupational Health and Safety Act (WorkCover).

The remediation contractor shall also ensure that:-

- All legislative requirements are met with regards to the disposal of waste;
- Fugitive dust leaving the confines of the site is minimised;
- No water containing any suspended matter or contaminants that can pollute natural waterways leaves the site;
- All vehicles are cleaned and secured so that no mud, soil or water are deposited on any public roadways or adjacent areas; and
- Noise and vibration levels at the site boundaries comply with the legislative requirements.

In order to achieve the above, DP recommends that the remediation contractor implement the following:

Interim Site Management Measures

Prior to the commencement of remediation works, the following interim controls are recommended:

- The construction of permanent fences meeting appropriate specifications to prevent unauthorised entry.
- The establishment of access restrictions and administrative arrangements to manage the entry of personnel onto the site.
- The establishment of stormwater diversion arrangements to direct surface runoff away from excavations and stockpiles on the site.

Any existing pits or unstable areas on site that are potential occupational health and safety (OH&S) or operational risks should be demarcated and taped off., Excavation pits should be backfilled as soon as possible.

Soil Management Plan

Excavation and Stockpiling of Contaminated Material

Contaminated material shall be excavated and stockpiled (where required) at a suitably segregated location(s) in a manner that will not cause nuisance to the neighbouring properties. All stockpiles of contaminated material shall be surrounded by star pickets and marking tape or other suitable material to clearly delineate their boundaries. Stockpiles shall be lightly conditioned by sprinkler or covered by geotextile or similar cover to prevent dust blow. Should the stockpile remain on-site for over 48 hours, geotextile silt fences or hay bales should be erected around each stockpile to prevent losses by surface erosion. Any stockpile to remain on-site overnight should be adequately secured in order to reduce the risk of sediment runoff.

Loading and Transport of Contaminated Material

Transport of contaminated material from the site shall be via a clearly delineated haul route and this route shall be used exclusively for entry and egress of vehicles used to transport contaminated materials within and away from the site. The proposed waste transport route (to be determined by the remediation contractor) will be notified to the local Council and truck dispatch shall be logged and recorded by the contractor for each load leaving the site. A record of the truck dispatch will be provided to the Environmental Consultant. All haulage routes for trucks transporting soil, materials, equipment or machinery to and from the site should be selected to meet the following objectives:

- Comply with all road traffic rules;
- Minimise noise, vibration and dust to adjacent premises; and
- Utilise State Roads and minimise use of local roads as far as practicable.

The remediation work will be conducted such that all site vehicles:

- Conduct deliveries of soil, materials, equipment or machinery only during the specified hours of work;
- Have securely covered loads to prevent any dust or odour emissions during transportation; and
- Exit the Site in a forward direction where possible.

In addition, measures will be implemented to ensure no contaminated material is spilled onto public roadways or tracked off Site on vehicle wheels. Roadways will be kept clean throughout the operating hours and will be broomed if necessary to achieve a clean environment.

All loads will be tarpaulin covered and may be lightly wetted, if required, to ensure that no materials or dust are dropped or deposited outside or within the Site. Prior to exiting the Site each truck should be inspected by the client's representative and either noted as clean (wheels and chassis) or broomed prior to leaving the Site. Any soil spilled onto surrounding streets will be cleaned by mechanical or hand methods on a daily basis.

Removal of waste materials from the site shall only be carried out by a licensed contractor holding appropriate license, consent or approvals to dispose of the waste materials according to the classification outlined in the *Waste classification Guidelines* (2014) and with the appropriate approvals obtained from the NSW EPA, if required.

Details of all contaminated and spoil materials removed from the site (including VENM) shall be documented by the contractor with copies of weighbridge slips, trip tickets and consignment disposal confirmation (where appropriate) provided to the Environmental Consultant. A site log shall be maintained based on discrete excavation (numbered) locations to track disposed loads against on-site origin, location of the materials and sample numbers.

Disposal of Contaminated Material

All contaminated materials excavated and removed from the Site should be disposed of to an appropriately licensed waste facility, having regard to the provision of both *the Protection of the Environment Operations Act* and Regulations, and any relevant NSW EPA guidelines such as the NSW EPA's publication *Waste Classification Guidelines Part 1: Classifying Waste* (2014). Copies of all necessary approvals should be given to the Client's representative prior to any contaminated material being removed from the Site. Copies of all consignment notes (issued as dockets or similar) for the transport, receipt and disposal of the materials should be maintained as part of the Site log and must be provided to the Environmental Consultant. The responsible party should retain such information for the appropriate period as required by the Law and/or defined by the Authority. All relevant analysis results will be made available to the contractor to enable selection of a suitable disposal location.

The following sampling densities will be required for stockpiled soil requiring off-site disposal.

- **FILL STOCKPILE** (disposal to landfill) - 1 sample per 25-250 m³, depending on the size and homogeneity of the stockpile, for a broad range of contaminants as per Table 3 plus TCLP extract and analysis as required.
- **VENM EXPORT STOCKPILE** – As required to satisfy the requirements of the receiving site but nominally 1 sample per 250-5000 m³ exported depending on sample homogeneity.

Samples will be analysed for heavy metals, TPH, BTEX, PAH, OCP, phenols, PCB, asbestos and TCLP extract and analysis as required but assumed to be heavy metals and PAH.

Rehabilitation and Reinstatement of the Site

Any materials imported to the site for backfilling and rehabilitation purposes must be validated by an Environmental Consultant as being suitable for use within the site and must constitute VENM or a suitable ENM.

Noise Control

The remediation works should comply with the requirements specified by the authorities (e.g. NSW EPA). Noise and vibration should be restricted to reasonable levels. All equipment and machinery should be operated in an efficient manner to minimise the emission of noise.

Vibration Control

The use of any plant and/or machinery should not cause unacceptable vibrations to nearby properties and should meet Council requirements.

Dust Control

Dust emissions must be confined within the site boundary. The following dust control procedures will be employed to comply with this requirement as necessary:

- Erection of dust screens around the perimeter of the site (as applicable);
- Securely covering all loads entering or exiting the site;
- Use of water sprays across the site to suppress dust;
- Covering of all stockpiles of contaminated soil remaining on site more than 72 hours; and
- Keeping excavation and stockpile surfaces moist.

Odour Control

No odours should be detected at any boundary of the site during remediation works. If required, the following procedures should be employed to control any odour emissions:

- Use of appropriate covering techniques such as plastic sheeting, polythene or geotextile membranes to cover excavation faces or stockpiles;
- Fine spray of odour suppressant agents (Bio-solve or similar) on the impacted areas/materials;

- Regular checking of the fugitive dust and odour issues to ensure compliance. Undertake immediate remedial measures to rectify any cases of excessive dust or odour (e.g. use of misting sprays or odour masking agent);
- Adequate maintenance of equipment and machinery to minimise exhaust emissions.

Occupational Health and Safety

All personnel while on-site will be required to wear the following personal protective equipment (PPE):-

- Steel-capped boots;
- Safety glasses or safety goggles with side shields meeting AS1337-1992 requirements;
- Hard hat meeting AS1801-1981 requirements; and
- Hearing protection meeting AS1270-1988 requirements when working around machinery or plant equipment if noise levels exceed 80dB(A).

In the event that personnel are required to work in areas of potential contact with contaminated soil, other materials or water, the following Modified Level D Protection will be required:

- Disposable coveralls (if necessary) to prevent contact with splashed soil, materials or water;
- Steel-capped boots or water-proof boots fitted with steel-toe;
- Nitrile work gloves meeting AS2161-1978 requirements or heavy duty gauntlet gloves;
- Safety glasses or safety goggles with side shields meeting AS1337-1992 requirements;
- Hard hat meeting AS1801-1981 requirements when working within the site; and
- Hearing protection meeting AS1270-1988 requirements when working around machinery or plant equipment if noise levels exceed 80dB(A).

The detailed Site Safety Management Plan should be compiled by the remediation contractor.

Hours of Operation

All remediation work should be conducted within the hours specified by Council, or if not specified:

- Monday to Friday 7:00 am to 5pm
- Saturday 8:00 am to 1:00 pm
- Sunday and Public Holidays No work allowed

Identification of Regulatory Compliance Requirements

The work should be undertaken in compliance with all statutory requirements, including, *inter alia*, provisions specified in the following Acts and their associated Regulations:

- Protection of the Environment Operations Act;
- Contaminated Land Management Act;
- Dangerous Goods Act;
- Construction Safety Act; and
- Occupational Health and Safety Act (WorkCover).

Reason: In accordance with the recommendations contained within the Remediation Action Plan Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS36

If any excavated soil (spoil) is assessed as exceeding the threshold criteria for disposal as Restricted Solid Waste (as defined by current guidelines) and cannot be directly disposed of off-site, this soil will be held on-site pending the determination of alternative disposal arrangements.

Spoil which fails to meet the NSW EPA disposal criteria following initial validation testing will require to be segregated and separately stockpiled pending further testing and treatment. It is noted also that treatment of spoil may reduce the waste classification which may result in savings in disposal cost, although this will have to be evaluated against the time required for the treatment and the NSW EPA approval process.

The contingency plan to manage contaminated spoil materials that fails to meet the above criteria is as follows:

1. Excavated material which cannot be disposed of directly to landfill (i.e. those which are awaiting TCLP results or which fail the combined specific concentration and TCLP test, or require storage pending treatment) will be placed in separate demarcated stockpiles.
2. Disposal arrangements will be determined based on sampling results as follows:-
 - material which meets the disposal levels of the *Waste Classification Guideline* (2014) shall be collected and disposed of directly to a landfill;
 - material which exceeds the disposal guideline levels shall be tested for TCLP. If the TCLP and total concentration are within the disposal requirements of General Solid Waste or Restricted Solid Waste, the materials will be dispatched off-site. Materials which fail the criteria will be segregated into separate stockpiles for alternative disposal arrangements; and
 - those materials which exceed the leachability criteria for landfill disposal, shall be stockpiled separately and be subject to further treatment.
3. Consent as to the appropriateness of the treatment and disposal method for materials exceeding the leaching guidelines may need to be obtained from the NSW EPA, and if required a disposal consent must be sought from the Authority prior to the removal of such wastes from the site.
4. During the remediation if any unexpected finds of further contamination are encountered, then the site representative and environmental consultant should be informed. If the condition is considered to be of a serious nature in the opinion of the environmental consultant then works should stop until the situation has been rectified.

Reason: In accordance with the recommendations contained within the Remediation Action Plan Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS37

An “Unexpected Finds Protocol” is to be implemented to deal with unexpected finds of contamination.

The protocol is as follows:

1. Upon discovery of suspected contaminated material, the site manager is to be notified and the affected area closed off by the use of barrier tape and warning signs. Warning signs shall be specific to the findings and potential hazards and shall comply with the Australian Standard 1319-1994 – Safety Signs for the Occupational Environment.
2. A qualified environmental consultant will be notified to inspect the area and confirm the presence or otherwise of hazards or contamination, and to determine the method and extent of remediation works to be undertaken. A report detailing this information will be compiled by the environmental consultant and provided to the remediation contractor.
3. The contaminated soil will be assessed, classified and, if appropriate, disposed of to an appropriately licensed waste facility. If stockpiled, in dry and windy conditions the contaminated soil will be lightly wetted and covered with plastic sheet whilst awaiting disposal.
4. All work associated with the contaminated soil will be undertaken by an appropriately licensed contractor.
5. All works must comply with the provisions of the relevant legislation and guidelines.
6. Documentary evidence (weighbridge dockets) of appropriate disposal of the material is to be provided to the remediation contractor and the environmental consultant.
7. Details of all relevant activities are to be recorded in the site record system.

8. Details of the remediation and validation works undertaken with respect to the unexpected find must be incorporated into the final Validation Assessment Report.

Reason: In accordance with the recommendations contained within the Remediation Action Plan Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS38

It is possible that asbestos-based materials may be uncovered during the earthworks phase. In the event that this occurs the following 'Unexpected Finds Protocol' is to be established:

- Upon discovery of suspected asbestos containing material, the site foreman is to be notified and the affected area closed off by the use of barrier tape and warning signs. Warning signs shall be specific to asbestos hazards and shall comply with the Australian Standard 1319-1994 – Safety Signs for the Occupational Environment;
- An Occupational Hygienist is to be notified to inspect the area and confirm the presence of asbestos and determine extent of remediation works to be undertaken. A report detailing this information will be compiled by the Occupational Hygienist and provided to the remediation contractor;
- The asbestos contaminated soil will be stockpiled for waste classification purposes (including sampling and chemical analysis) and will be disposed of, as a minimum, as asbestos waste at an appropriately licensed solid waste landfill site. In dry and windy conditions the stockpile will be lightly wetted and covered with plastic sheet whilst awaiting disposal;
- All work associated with asbestos in soil will be undertaken by a contractor holding a class AS1 Licence;
- Monitoring for airborne asbestos fibres is to be carried out during the soil excavation;
- Documentary evidence (weighbridge dockets) of correct disposal is to be provided to the remediation contractor and environmental consultant;
- At the completion of the excavation, a clearance inspection is to be carried out and written certification is to be provided by the Occupational Hygienist that the area is safe to be accessed and worked. Clearance will include soil samples and asbestos analysis. If required, the excavated material remaining in the inspected area can be covered/sealed by an appropriate physical barrier layer of non-asbestos containing material prior to sign-off;
- Details of the incident are to be recorded in the site record system;
- The area may be reopened for further excavation or construction work.

Reason: In accordance with the recommendations contained within the Remediation Action Plan Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS39

Based on the outcome of the proposed additional groundwater monitoring and the potential for petroleum impacts in the vicinity of the UST, long-term groundwater monitoring may be required to assess natural attenuation of petroleum contamination in groundwater. The frequency and duration of groundwater monitoring events (if required) would be determined following additional groundwater investigations as recommended in Sections 5.4 and 6.1 of the Report.

The groundwater monitoring (if required) shall include:

- Assuming any groundwater wells installed per Section 6.1 would be decommissioned and destroyed during bulk earthworks, the installation of at least three new groundwater monitoring wells to a depth of 6 - 7 m bgl;
- The measurement of water levels and any separate phase liquid prior to development and prior to sampling using an electronic interface probe;
- Measurement of field parameters using a calibrated multi-parameter instrument, with probes placed inside a flow-through cell. The field parameters measured will include temperature, dissolved oxygen, conductivity, specific conductance, total dissolved solids, pH and oxidation reduction potential;

- Collecting groundwater samples in laboratory prepared bottles and vials. Groundwater samples collected for heavy metals testing will be filtered in the field through a 45 µm membrane filter into nitric acid preserved bottles; and
- Decontaminating all re-usable sampling equipment prior to collecting each sample using a 3% solution of phosphate free detergent (Decon 90) and distilled water.

For the handling and transport of the groundwater samples:

- Sample containers (supplied by the laboratory) must be labelled with individual and unique identification, including project number and sample number;
- Samples must be placed in insulated coolers and maintained at a temperature of approximately 4°C until transported to the analytical laboratory; and
- Chain-of-custody documentation must be maintained at all times and countersigned by the receiving laboratory on transfer of samples.

The groundwater analysis will include the following:

- Primary samples for heavy metals, TRH, BTEX, PAH, lead and VOC;
- QA/QC analysis as per Section 6.5.

NOTE:

- i. The above analytical suite may be subject to change subject to the identification of other potential contaminants (i.e. pesticides).
- ii. Results of the groundwater analysis will be incorporated into the validation report.
- iii. In the event that no such groundwater contamination risks are identified, no supplementary groundwater monitoring program will be considered necessary.

Reason: In accordance with the recommendations contained within the Remediation Action Plan Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS40

The key to effective management of incidents is the timely action taken before any situation reaches a reportable or critical level. Therefore, surveillance activities are extremely important, and should be conducted for the measures prescribed herein and any other measures prescribed in any additional environmental management plan developed subsequently. During construction activities on the site, the following inspection or preventative actions should be performed by the remediation contractor:

- Regular inspection of works;
- Completion of routine environmental checklists and follow-up of non-compliance situations;
- Maintenance of supervision on-site;
- An induction process for site personnel involved in the remediation works that includes relevant information on environmental requirements, and ensures that all site personnel are familiar with the site emergency procedures.

The Principal's site foreman should be responsible for initiating an immediate emergency response using the resources available on the site. Where external assistance is required, the relevant emergency services should be contacted. A table containing contact details for key personnel who may be involved in an environmental emergency response should be completed and be readily available to personnel at all times. The table should be completed, and thereafter amended as required.

Reason: In accordance with the recommendations contained within the Remediation Action Plan Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS41

Additional soil samples must be taken in the basement location by a suitably qualified Geotechnical Engineer, to a depth no less than one (1) metre beyond the proposed excavation, to establish whether Acid Sulfate Soils are present. The soil samples must be taken prior to excavation commencing for the basement storage area. Should Acid Sulfate Soils be identified in the samples, an 'Acid Sulfate Soil Management Plan' should be developed and implemented as per the Management Guidelines of the Acid Sulfate Soil Manual 1998.

Reason: To ensure management of potential acid sulfate soil and in accordance with the recommendation of Council's Environmental Health Officer.

ANS42

Trafficability after bulk excavation could be improved by placement of a layer of compacted crushed concrete or similar, which may subsequently be used as sub-base. During the bulk excavation phase, it is recommended that temporary batter slopes within the shoring support above the groundwater table do not exceed 1.5H:1V (Horizontal : Vertical) in both filling and sand soils. All excavated materials will need to be disposed of in accordance with the provisions of the current legislation and guidelines including the Waste Classification Guidelines (DECCW, 2009) and in accordance with any recommendations provided in DP's Contamination DSI Report (DP Ref:72252.02) which is being prepared in conjunction with this report.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS43

The basement is to be tanked and designed for hydrostatic uplift. It is suggested that typical loads due to a groundwater table rising to at least RL 2.0 should be considered in the basement design. The effects of sea level rise should also be taken into account.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS44

Drawdown outside the excavation in the vicinity of the adjacent properties should be monitored and kept to less than 2m below normal groundwater levels. The following general procedure is recommended to monitor groundwater drawdown levels:

- Install standpipes in accessible areas on adjacent properties to monitor groundwater drawdown levels during dewatering;
- Measure groundwater levels on a weekly basis for three weeks prior to operation of the dewatering system to establish pre-developed levels;
- Measure groundwater levels twice per day during the first two days of dewatering, and then daily during the first week of dewatering and weekly until decommissioning of the dewatering pumps, or until a lesser frequency is advised by the geotechnical engineer;
- The measured values are to be provided to the geotechnical engineer on the day of measurement for review;
- Where drawdown levels exceed 2 m (trigger level) below pre-developed groundwater levels, the reason for the change in groundwater level should be investigated and measures put in place to rectify the exceedance. These measures could include reduction of pumping rates or suspension of dewatering.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS45

The preliminary design of shoring with a single row of anchors shall be based on an average unit weight of 20 kN/m³ for the retained soil, with a triangular earth pressure distribution calculated using an active earth pressure coefficient (k_a) value of 0.35 where some wall movement is acceptable, or an at rest earth pressure coefficient (k_o) value of 0.5 where wall movement is to be minimised. A coefficient of passive earth pressure (K_p) equal to 4.0 may be assumed within at least medium dense sand below the bulk excavation level, to which a factor of safety must be applied in order to limit the movement which is required to mobilise the full passive resistance.

The design of shoring with multiple rows of anchors should be based on a trapezoidal earth pressure of 6H (6 x height in m) for where the shoring is proposed adjacent to buildings and 4H for where no adjacent buildings are located. The pressure distributions given above do not include hydrostatic pressure due to groundwater behind retaining walls. It is suggested that a potential groundwater level to RL 2.0 m behind the wall should be adopted in the design of retaining walls.

The shoring wall should have a minimum embedment of 5 m below the deepest bulk excavation level to reduce the risk of piping failure. In the design of the retaining walls due allowance should be made for surcharge loads including adjacent footings and plant operating above the excavation during construction. Detailed design of shoring should preferably be carried out using WALLAP, FLAC or other accepted computer analysis programs capable of modelling progressive excavation and anchoring and predicting potential lateral movements, stresses and bending moments.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS46

A secant pile wall would be suitable for the site, comprising interlocking Continuous Flight Auger (CFA) piles or CFA piles with jet grouted columns between the piles. This shoring system can generally provide an effective seal to minimise sand loss and water inflow from behind the wall, and if adequately supported, minimise lateral deflections. The 'hard' (reinforced) piles can be incorporated into the vertical load carrying footing system and can generally form part of the basement structure.

Soil mixed wall systems also provide a suitable alternative to the more conventional secant pile wall. These walls are constructed using specialised equipment to either blend cement with the in-situ soils to create a soil-cement mix. There are several different systems available and further advice should be obtained from the specialist piling contractor regarding the suitability of the wall system to this site. In particular, confirmation should be sought in relation to the consistency/strength of the soil mixed wall, the long term durability, permeability, potential issues with blending cement and joining the soil mixed wall with the tanked basement slab.

Sheet piles are generally suitable for shallower excavations above the water table and where there are no movement sensitive structures adjacent to the excavation. For these reasons they are not recommended for use on this site. A contiguous pile wall comprising closely spaced/touching CFA piles is also not recommended for this site due to risks associated with seepage and sand loss in between the piles, particularly below the groundwater table.

Consideration may be given to stabilising the sand foundation to 1 m to 1.5 m below the existing footings for the Drummond House building prior to excavation. This would improve the strength of the sands and also help to reduce differential movements. However, it must be noted that regardless of the shoring system and any stabilisation methods used that some wall movement is inevitable and may cause damage to buildings close to the excavation (i.e. Drummond House).

For CFA piles, care will be required to avoid decompression of the sandy soils during augering, which can lead to loosening of the foundations and damage to adjacent structures. Against the Drummond House building it may be necessary to adopt temporary segmental casing to reduce the risk of decompression.

As a guide, well designed shoring walls in sand supported by anchors may experience lateral wall movements in the order of 1 mm to 2 mm for each metre of excavation height. The extent of movement will depend on the final design and construction methods used. A programme of precise survey monitoring should be adopted to assess shoring wall and adjacent building movement progressively during the excavation to ensure that tolerable limits are not exceeded and to provide an early indication of whether additional support is required.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS47

It is presumed that temporary anchors or stiff propping will be used to restrict wall movements during the construction phase, with permanent support of walls provided by the final structure. Design of temporary anchors within loose to medium dense sand may be based on a friction angle of 30-33 degrees. Trial anchors may be used to determine if higher friction angles/shaft adhesion values are achievable. The anchors should be bonded behind a line drawn up at 45° from the base of the excavation, and lift-off tests should be carried out to confirm the anchor capacities. Post-grouting techniques may be used to achieve higher capacities.

The anchors will need to be carefully positioned and possibly inclined at steeper angles to avoid adjacent services and footings for adjacent buildings. It is noted that permission from adjacent property owners will be required prior to installing soil anchors beneath their land. Only reputable, specialist anchor contractors are to be engaged to design and/or install temporary anchors on this site.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS48

For subgrade preparation; following excavation to achieve design levels, the exposed soil surface should be thoroughly rolled with a minimum of eight passes using an appropriately sized smooth drum roller (say 8 tonne static weight). The final pass (proof roll) is to be inspected by a geotechnical engineer to help identify any soft or heaving areas. As heavy plant (e.g. piling rigs) will be required to operate on the site, a working platform is to be constructed atop the prepared subgrade. The platform should be constructed from good quality granular material with low fines, such as recycled concrete or high strength crushed rock. The thickness of the platform should be assessed once specific details of the heavy plant that will operate within the basement are known.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS49

The use of raft slabs and foundation slabs should be considered in the foundation design as recommended within the Geotechnical Investigation Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by Douglas Partners Pty Ltd dated November 2014 and received by Council on 17 December 2014.

ANS50

That a suitably qualified arborist, minimum Level 5 AQF (Australian Qualification Framework), shall prepare a report to detail specific protection requirements and any methodologies required to be undertaken within the Tree Protection Zones and Structural Root Zones of existing trees on site, neighbouring properties and street trees to be retained, during demolition and construction.

(NB: the extent of the TPZ's are as stated by the project arborists Landscape Matrix for Trees 'T4, T5 & T6', in their letter regarding 'Potential Impacts on Trees on Adjoining Property' dated 27 November 2014.)

This report shall be submitted to the Accredited Certifier, who shall issue it to all builders and contractors carrying out works on the site, prior to the issue of Construction Certificate. The project arborist shall then monitor the works to ensure the protection measures have been installed correctly and any methodologies are being adhered to on site, with a report confirming the health, structure, amenity and environmental value of the existing trees have not been adversely affected, shall be provided to the Accredited Certifier prior to the issue of Occupation Certificate.

Reason: to ensure that the existing trees to be retained have adequate protection measures installed and the correct methodology for any demolition and construction works on site are undertaken, with care, so that no damage occurs to any specimen.

ANS51

All works shall comply with AS 4970-2009 Australian Standard for Protection of Trees on Development Sites & Amendment No.1 (26.03.14).

Reason: To ensure no damage occurs to existing trees on the site, street or on neighbouring properties, throughout the demolition and construction works of this development.

ANS52

That the proposed new 'Children's Play Area' shall be designed to provide suitable facilities and amenities for its users and shall be constructed in accordance with all relevant Australian Standards and BCA requirements.

Reason: To ensure that the design and construction is safe and suitable for its users.

ANS53

Details shall be prepared to demonstrate that all planting on slab/ planter boxes shall be installed with waterproofing and drainage outlets; drainage cell wrapped with geo-textile layer and coarse sand drainage layer above; minimum soil depths of 1m for trees or large shrubs, 500mm for shrubs, 300mm for ground covers or turf and with a minimum 750mm internal width, to provide sufficient root volume to support healthy growth of the proposed species; and 75mm depth mulch layer and irrigation system or watering provision. These details shall be submitted to the Accredited Certifier for approval prior to the issue of the Building Construction Certificate.

Reason: To ensure the healthy establishment and ongoing environmental and amenity provision of these proposed contained landscape elements.

ANS54

That the proposed planting for the linear landscaping either side of the 'access route', between the western boundary and proposed building, shall be selected from predominantly native species, to enhance the environmental value of this vegetation strip and assist in providing habitat for local fauna.

Reason: To enhance the environmental component of the site and respond to Section 3.3.1 Landscaping Design of the DCP.

ANS55

The Landscape Plan – Ground Floor, Dwg No: 101, Issue A, dated 18.11.15, prepared by Arcadia Landscape Architecture shall be amended to include details showing landscaping to be installed between the proposed new RTW Facility and the southern site boundary, taking into consideration the requirements for tree protection methods and specific planting methodologies within the neighbouring existing trees' TPZ's and SRZ's. It is noted that this area has been excluded from the extent of works on the landscape drawings prepared by Arcadia, despite being shown within the site's 'Scope of Works' demarcated by the blue line on the architects' Ground Floor Plan prepared by Architectus.

Reason: To provide consistency between the submitted drawings and ensure all areas of the site are included in the landscaping proposals.

ANS56

A cyclical maintenance plan for Drummond House is to be prepared by a suitably qualified person(s) providing detail of the immediate, short term and long term maintenance requirements of the building. This is to be submitted with the application for the Building Construction Certificate.

Reason: To ensure that the ongoing maintenance requirements of the building are considered thus insuring the heritage fabric of the place.

ANS57

This approval is reserved for the current application only and does not contemplate future development of the site and the impact that this will have on waste generation.

Reason: To ensure the development has adequate waste management facilities for the present development.

ANS58

Bins are not to be stored/placed kerbside for Collection or placed on the footpath. A "pull out put in" service is required.

Reason: To ensure footpaths are not obstructed by waste and recycling bins.

ANS59

Doors servicing the waste storage room are to be closed at all times.

Reason: To ensure bins are stored in the appropriate waste storage area and to prevent the spread of odour and vermin entering the site.

ANS60

Operations of the facility must comply with the Waste Management Guidelines for Health Care Facilities – August 1998 issued by NSW Department of Health.

Reason: To ensure the health and safety of the public and staff members at Royal Far West.

ANS61

A Water Sensitive Urban Design Strategy detailing stormwater quality control measures and potable water savings is to be implemented having regard to Clause 2.1.8.2 of the Manly Development Control Plan 2013.

Reason: Development Application's for which a Water Sensitive Urban Design Strategy is encourage include any new non-residential development involving the provision of 10 or more car parking spaces.

ANS62

Loading bays shall not be used for storage or any other purpose that would restrict their use for the purposes of loading and unloading.

Reason: To ensure compliance with requirement 10(f) of the Concept Plan approval.

ANS63

A Construction Management Plan is to be prepared outlining the methods of construction, traffic management, crane height and location details and the like.

Reason: To ensure compliance with the commitment undertakings under Schedule 4 of the Concept Plan approval in respect of 'Construction Management Plan'.

ANS64

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water, prior to issue of the Occupation Certificate.

Note: Make an early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design. Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

Reason: To ensure construction/building works do not affect Sydney Water's assets.

ANS65

Building plans must be stamped and approved before any construction is commenced.

Reason: To ensure construction/building works do not affect Sydney Water's assets.

ANS66

A Positive Covenant is required prior to issue of the Occupation Certificate, binding all present and future owners of the property to the following:

- i) submission to Manly Council of a structural check of any pipeline/culvert every ten (10) years; and
- ii) responsibility for maintenance of any pipes/culverts in perpetuity and their replacement when required.

Reason: To ensure compliance with requirement 11(c) of the Concept Plan approval.

ANS67

Detailed documentation demonstrating compliance with the Building Code of Australia provisions and AS 1428.1-2009 shall be submitted to the Council/Accredited Certifier, prior to issue of the Building Construction Certificate.

Reason: In accordance with the recommendations contained within the BCA & Disability (Access to Premises – Buildings) 2010 Compliance Statement prepared by Blackett Macquire & Goldsmith Pty Ltd dated 18 November 2014 and received by Council on 14 December 2014.

ANS68

A detailed Construction Traffic Management Plan (CTMP) for the proposed development is to be prepared and submitted to Council/Accredited Certifier, prior to issue of the Building Construction Certificate. The plan will address the overall management of the site during the construction process. It is noted that the preparation of a detailed CTMP report would require significant input from the appointed builder and would heavily rely upon the construction methodology which at this point cannot be confirmed. The proposed development would however adhere to the general CTMP principles that are provided in Section 9 of the Traffic Impact Assessment Report prepared by Traffix Traffic and Transport Planners dated December 2014 and received by Council on 17 December 2014.

Reason: In accordance with the recommendations contained within the Traffic Impact Assessment Report prepared by Traffix Traffic and Transport Planners dated December 2014 and received by Council on 17 December 2014.

ANS69

The mechanical plant room is to be relocated away from the rear boundary. Plans are to be suitably amended, prior to issue of the Building Construction Certificate.

Reason: To reduce noise impacts to adjacent residential development.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE BUILDING CONSTRUCTION CERTIFICATE

1 (2AP01)

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 issue of the Excavation and Building Construction Certificates.

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 issue of the Demolition Construction Certificate, 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 also be dependent upon receipt of a final Occupation Certificate by the Principal Certifying Authority and infrastructure inspection by Council.

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

3 (2CD02)

A Dilapidation Report is required for this development. A photographic survey of adjoining properties detailing the physical condition of those properties, both internally and externally, including walls, ceilings, roof, structural members and other such items, is to be submitted to Council and the Accredited Certifier (where Council does not issue the Construction Certificate) prior to the issue of the Demolition Construction Certificate. This survey is to be prepared by an appropriately qualified person agreed to by both the applicant and the owner of the adjoining property/ies.

All costs incurred in achieving compliance with this condition must be borne by the person entitled to act on this Consent.

If access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate, in writing, to Council's satisfaction attempts have been made to obtain access and/or advise the affected property owner of the reason for the survey and these attempts have been unsuccessful. Written concurrence must be obtained from Council in such circumstances.

Note: This documentation is for record keeping purposes only, and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible.

Reason: To maintain proper records in relation to the proposed development.

4 (2CD05)

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

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

5 (2DS01)

A detailed stormwater management plan is to be prepared to fully comply with Council's Specification for On-site Stormwater Management 2003 and Specification for Stormwater Drainage 2003 and must be submitted to Council for approval prior to issue of the Construction Certificate. The stormwater management plan and designs are to 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 that infrastructure reverting to Council's care and control is of an acceptable standard.

6 (2DS05)

Pump systems will only be permitted for the drainage of seepage waters from basement areas. In this case, pump systems should be inspected and serviced regularly. Hydraulic analyses carried out by suitable qualified hydraulic engineer, confirming suitability of pumps should be submitted to Council.

Reason: To ensure adequate provision is made for stormwater drainage from the site in a proper manner which protects adjoining properties.

7 (2DS06)

All balconies (above 2 storeys) are to be graded and drained to an internally concealed drainage system.

Reason: To ensure adequate provision is made for stormwater drainage from the balconies.

8 (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 issue of any Building Construction Certificate. 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.

9 (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.

10 (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 with the Building Construction Certificate application, in accordance with Part 9 Clause 168 of the Environmental Planning and Assessment Regulation 2000.

Note: A Construction Certificate cannot be issued until a Fire Safety Schedule is received.

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

11 (2HT01)

Prior to the issue of the Building Construction Certificate an Interpretation Strategy for the site must be submitted to and approved by Manly Council. The Interpretation Strategy should include, but is not limited to, the provision of details, of public art interpretation through design and/or the display of selected artefacts and/or appropriate signage and/or other material appropriate to the education of the public in the history and significance of the site.

Reason: To reveal the cultural significant aspects of the place as a historical record.

12 (2HT04)

A schedule of external colours is to be submitted to Council's satisfaction prior to the release of the Building Construction Certificate. The external colour schemes of new buildings are to be in keeping with the original character of the heritage buildings on the site. On the heritage buildings the external colour scheme for surfaces intended for painting is to be based where possible on physical and documentary evidence in keeping with the architectural style and period of the buildings.

Reason: To ensure the proposed colour scheme is appropriate to the type and style of the building and the surrounding area.

13 (2LD01)

Details must be submitted to the Council/Accredited Certifier prior to issue of the Building Construction Certificate indicating the proposed method of water proofing and drainage of the concrete slabs over which landscaping is being provided.

Reason: To ensure the appropriate type of water proofing is carried out and descriptive information about drainage is provided.

14 (2LD02)

A landscaped buffer being provided along the western and northern sides of the development/site so as to screen/reduce the visual impact of the development. Details including species, mature height, planting, pot size (minimum of 25 litres) and spacing to provide continuous screening are to be submitted to the Council/Accredited Certifier prior to the issue of the Building Construction Certificate.

Reason: To ensure an effective buffer zone/screen planting is provided.

15 (2LD03)

Details are to be provided of the existing or proposed native trees for the site which are typically expected to reach a height at maturity of 10 metres, to bring the proposal into compliance with Figure 37 of the Manly Development Control Plan 2013. A list of appropriate native trees for the Manly area may be obtained at Council's Customer Service desk and the Manly Council website. Details of new planting are to include appropriate siting and pot size (minimum of 25 litres) in accordance with section 3.7.8 of the Manly Development Control Plan 2013. Details are to be submitted with the Building Construction Certificate to the satisfaction of the Council/Accredited Certifier.

Reason: This is to ensure the planting of endemic trees back onto the site.

16 (2LD04)

The heritage listed trees are to be protected from damage during construction. Details of the method of protection of the trees must be submitted to Council for approval prior to the issue of any Construction Certificate. Annotated photographs of the trees, with particular emphasis on the lower part of the trees, must be submitted to Council prior to the commencement of any building work.

Reason: To ensure appropriate tree protection measures are adopted to preserve significant community assets.

17 (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 accompanying the Excavation Construction Certificate, 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 with the Excavation Construction Certificate and approved by the Council/Accredited Certifier prior to issuing of the Excavation Construction Certificate.

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

18 (2NL04)

Prior to the issue of any Construction Certificate, 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 Council or 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:

- Identification of activities carried out and associated noise sources
- Identification of potentially affected sensitive receivers, including residences, churches, commercial premises, schools and properties containing noise sensitive equipment
- Determination of appropriate noise and vibration objectives for each identified sensitive receiver
- Noise and vibration monitoring, reporting and response procedures
- Assessment of potential noise and vibration from the proposed demolition, excavation and construction activities, including noise from construction vehicles
- Description of specific mitigation treatments, management methods and procedures to be implemented to control noise and vibration during construction
- Construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency
- Procedures for notifying residents of construction activities likely to affect their amenity through noise and vibration
- 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.

19 (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 and AS2890.6 (2009) Part 6:Off-street parking for people with disabilities.

Reason: To ensure compliance with Australian Standards relating to manoeuvring, access (including for people with disabilities) and parking of vehicles.

20 (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 issue of the Construction Certificate.

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

21 (2WM02)

A Waste Management Plan is to be submitted with the application prior to a Construction Certificate being issued 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.

22 (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.

CONDITIONS TO BE SATISFIED PRIOR TO ANY COMMENCEMENT

23 (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.

24 (3CD01)

Building work, demolition or excavation must not be carried out until a Construction Certificate has been issued.

Reason: To ensure compliance with statutory provisions.

25 (3CD03)

An adequate security fence is to be erected around the perimeter of the 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.

26 (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.

27 (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.

28 (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.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

29 (4AP02)

A copy of all stamped approved drawings, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) 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.

30 (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.

31 (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.

32 (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.

33 (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.

The owner or occupier of the premises must consult an appropriately qualified and Australian Institute of Occupational Hygienists registered professional to undertake an assessment of the site to determine the potential for contamination. The owner or occupier must develop a management plan and be issued with Clearance Certificate before the commencement of any work.

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

34 (4CD10)

Noise arising from the works must be controlled in accordance with the requirements of the Protection of the Environment Operations Act 1997 and guidelines contained in the New South Wales Environment Protection Authority Environmental Noise Control Manual.

Reason: To ensure compliance with legislation and to prevent disturbance to the surrounding community.

35 (4DS01)

A suitable sub-surface drainage system is to be provided adjacent to all excavated areas and such drains being connected to an approved disposal system. The details of this drainage system should be shown in a plan and submitted to Council/Accredited Certifier prior to issue of the Building Construction Certificate.

Reason: To prevent uncontrolled seepage entering excavated areas.

36 (4DS02)

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

- 2) 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
- 3) 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
- 4) Council will grant approval to commence site de-watering to the stormwater based on the water quality results received, and
- 5) 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.

37 (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.

38 (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.

39 (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.

40 (4LD05)

Trees and shrubs liable to damage (including, but not limited to street trees) are to be protected with suitable temporary enclosures for the duration of the works. These enclosures are to only be removed when directed by the Principal Certifying Authority.

The enclosures are to be constructed out of F62 reinforcing mesh 1800mm high wired to 2400mm long star pickets, driven 600mm into the ground and spaced 1800mm apart at a minimum distance of 1000mm from the tree trunk.

Reason: To ensure protection of the trees on the site which could be damaged during any development works and to outline the type of protection.

41 (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.

42 (4LD07)

Where development/construction necessitates the pruning of more than 10% of existing tree canopy, a permit application must be lodged with the Council's Civic Services Division, subject to the Tree Preservation Order 2001.

Reason: To ensure those trees are maintained appropriately and compliance with Australian Standard AS 4373:2007 – Pruning of Amenity Trees.

43 (4LD08)

Retain and protect trees and planting on council's Road Reserve during construction.

Reason: To maintain the number of street trees and preserve the amenity of the local area.

44 (4MS02)

In order to ensure compliance with approved drawings, a Survey Certificate, to Australian Height Datum, must be prepared by a registered surveyor as follows:

- a) at the completion of the first structural floor level indicating the level of that floor and the relationship of the building to the boundaries, and
- b) at the completed height of the building, prior to the placement of concrete in form work, or the laying of roofing materials, and
- c) at completion, the relationship of the building, and any projections thereto, to the boundaries.

Progress certifications in response to points (a) through (c) must be provided to the Principal Certifying Authority at the time of carrying out relevant progress inspections. Under no circumstances will work be allowed to proceed should such survey information be unavailable or reveal discrepancies between the approved drawings and the proposed works.

Reason: To ensure compliance with the development consent.

45 (4MS04)

An approved Erosion and Sediment Management plan is to be implemented from the commencement of works and maintained until completion of the development.

The design and controls addressed in the Sediment and erosion management plan must comply with the criteria identified in:

- Manly Development Control Plan 2013, Amendment 2, and
- Manly Councils Guidelines for Sediment and Erosion Controls on building sites, 2005, and
- The document "Managing Urban Stormwater: Soils and Construction" Volume 1, 2004.

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

46 (4NL01)

Noise arising from demolition and construction works must be controlled in accordance with the requirements of the Protection of the Environment Operations Act 1997 and guidelines contained in the New South Wales Environment Protection Authority Environmental Noise Control Manual.

Reason: To prevent disturbance to the surrounding community during construction.

47 (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.

48 (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.

49 (4WM04)

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.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

50 (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.

51 (5FP01)

All surplus vehicular crossings and/or kerb laybacks must be removed and the kerb and nature strip reinstated prior to issue of the Occupation Certificate.

Reason: To provide on-street parking, suitable vehicular access to private sites, and infrastructure protection.

52 (5FP02)

The reconstruction and/or construction of footpath paving and any associated works along all areas of the site fronting {insert street name/s} is required. These works are to be carried out prior to the issue of the Occupation Certificate by a licensed construction contractor, at the applicants expense and must be in accordance with Council's Specification for Civil Infrastructure Works and Paving Design Guide.

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

53 (5HT01)

The approved Interpretation Strategy must be implemented to the satisfaction of the Council prior to the issue of the Occupation Certificate.

Reason: To reveal the cultural significant aspects of the place as a historical record.

54 (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

55 (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.

56 (5NL01)

An Acoustic Compliance Report, prepared by a qualified and experienced acoustical consultant, must be submitted certifying noise levels emitted from the (building's/premises) (services, equipment, machinery and ancillary fittings) does not exceed 5dBA above the background level in any octave band from 63.0 Hz centre frequencies, inclusive at the boundary of the site.

Note: This method of measurement of sound must be carried out in accordance with Australian Standard AS 1055.1-1997.

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

57 (5NL02)

Prior to the issue of a Building Construction Certificate, the Certifying Authority must be satisfied that all outdoor lighting is designed and positioned to minimise any detrimental impact upon the amenity of other premises and adjacent dwellings and that the outdoor lighting complies with the relevant provisions of Australian Standard 1558.3:2005 Pedestrian area (Category P) lighting – Performance and design requirements and Australian Standard 4282:1997 Control of the obtrusive effects of outdoor lighting.

Reason: To protect public health and amenity.

58 (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.

ONGOING CONDITIONS RELATING TO THE OPERATION OF THE PREMISES OR DEVELOPMENT

59 (6DS01)

The ongoing use and operation of the rainwater tank(s) must be maintained in accordance with:

- Sydney Water Guidelines for Rainwater Tanks on Residential Properties, 2003.
- Australian Government EnHealth Council publication Guidance on the use of Rainwater Tanks, 2004.

Reason: To protect public health and amenity.

60 (6FP01)

No sandwich boards, goods or the like are to be placed on Council's footpath.

Reason: To ensure pedestrian safety.

61 (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.

62 (6LP02)

No tree other than on land identified for the construction of buildings and works as shown on the building drawing can be felled, lopped, topped, ringbarked or otherwise wilfully destroyed or removed without the approval of Council.

Reason: To prevent the destruction of trees on other properties adjoining the development site.

63 (6LP03)

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

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

64 (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.

65 (6MS02)

No person shall use or occupy the building or alteration which is the subject of this approval without the prior issue of an Occupation Certificate.

Reason: Statutory requirement, Environmental Planning and Assessment Act 1979.

66 (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.

67 (6NL04)

External sound amplification equipment or loud speakers must not be used for the announcement, broadcast, playing of music (including live music) or similar purposes.

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

68 (6NL08)

All outdoor lighting must not detrimentally impact upon the amenity of other premises and adjacent dwellings and must comply with where relevant, Australia Standard AS 1158.3:2005 Lighting for roads and public spaces – Pedestrian Area (Category P) lighting – Performance and design requirements and Australian Standard AS 4282:1997 Control of the obtrusive effects of outdoor lighting.

Reason: To protect the amenity of adjoining properties.

69 (6WM02)

Deliveries and waste collection must only occur during the following hours:

- Weekdays – 7:00am – 8:00pm
- Weekends and Public Holidays – 8:00am – 8:00pm

Reason: To minimise disruption to neighbouring properties.

70 (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.

71 (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.

72 (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.

73 (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.

74 (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.