

DRAFT CONDITIONS OF CONSENT – MOD2015/0152

A. Add Condition No. 1A - Approved Plans and Supporting Documentation

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
DA002 – DB	31/07/2014 10/11/2015	Architectus + Chrofi
DA100 – AC	01/08/2014 15/7/2015	Architectus + Chrofi
DA101 – C	14/07/2015	Architectus + Chrofi
DA102 - C	15/07/2015	Architectus + Chrofi
DA103 – D	09/11/2015	Architectus + Chrofi
DA104 - E	09/11/2015	Architectus + Chrofi
DA105 – C	15/07/2015	Architectus + Chrofi
DA106 - C	15/07/2015	Architectus + Chrofi
DA107 – C	15/07/2015	Architectus + Chrofi
DA108 – C	15/07/2015	Architectus + Chrofi
DA109 - C	15/07/2015	Architectus + Chrofi
DA111 – C	15/07/2015	Architectus +



		Chrofi
DA112 – C	15/07/2015	Architectus + Chrofi
DA113 - C	15/07/2015	Architectus + Chrofi
DA114 - C	15/07/2015	Architectus + Chrofi
DA115 - C	15/07/2015	Architectus + Chrofi
DA116 – C	15/07/2015	Architectus + Chrofi
DA117 – C	15/07/2015	Architectus + Chrofi
DA120 - B	15/07/2015	Architectus + Chrofi
DA121 – B	15/07/2015	Architectus + Chrofi
DA122 - B	15/07/2015	Architectus + Chrofi
DA123 - B	15/07/2015	Architectus + Chrofi
DA124 - B	15/07/2015	Architectus + Chrofi
DA125 – B	15/07/2015	Architectus + Chrofi
DA126 - B	15/07/2015	Architectus + Chrofi
DA130 - B	15/07/2015	Architectus + Chrofi
DA131 - B	15/07/2015	Architectus + Chrofi
DA132 – B	15/07/2015	Architectus + Chrofi
<u>DA139 – B</u>	<u>10/11/2015</u>	<u>Architectus + Chrofi</u>
DA150 - B	10/07/2015	Architectus + Chrofi



Reports / Documentation – All recommendations and requirements contained within:		
Report	Dated	Prepared By
Acoustic Report	16/06/2015	WSP
Accessibility Statement	10/06/2015	Morris-Goding Accessibility Consulting
Contamination Statement and Contamination Management Plan	16/07/2015	Environmental Investigation Services
Ecological Statement	15/06/2015	Eco-Logical Australia Pty Ltd
Geotechnical and Hydrogeological Investigation	17/06/2015	JK Geotechnics
Waste Management Plan	30/06/2015	Foresight Environmental
Arboricultural Statement	17/07/2015	Tree Wise Men Australia Pty Ltd

- a) Any plans and / or documentation submitted to satisfy the Conditions of this consent.
- b) No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.
- c) The development is to be undertaken generally in accordance with the following:

Landscape Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
L-01 - AB-	01/08/2014 16/7/2015	Architectus + Chrofi
L-02 - B	16/07/2015	Architectus + Chrofi
L-03 - B	16/07/2015	Architectus + Chrofi
L-04 - B	16/07/2015	Architectus + Chrofi
L-05 - B	16/07/2015	Architectus + Chrofi



L-06 – B	16/07/2015	Architectus + Chrofi
L-07 – C	10/07/2015	Architectus + Chrofi
L-08 – B	16/07/2015	Architectus + Chrofi
L-09 – B	16/07/2015	Architectus + Chrofi
L-10 - B	16/07/2015	Architectus + Chrofi
L-11 – B	16/07/2015	Architectus + Chrofi
L-12 - B	16/07/2015	Architectus + Chrofi
L-13 – B	16/07/2015	Architectus + Chrofi
L-14 - B	16/07/2015	Architectus + Chrofi
L-15 - B	16/07/2015	Architectus + Chrofi

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

B. Modify Condition No. 4. Facilities Associated with Harbord Diggers Club to read as follows:

4. Facilities Associated with Harbord Diggers Club

The Café, Aquatic Centre, Gymnasium, Hairdresser and Day Spa are to be used only in conjunction with the operations of the Harbord Diggers Club.

Reason: To ensure compliance with the permissibility of the development under the Warringah Local Environmental Plan 2011.

C. Modify Condition No. 6. General Requirements to read as follows:

6. General Requirements

- a) Unless authorised by Council:
Building construction and delivery of material hours are restricted to:



- a. 7.00 am to 5.00 pm inclusive Monday to Friday,
 - b. 8.00 am to 1.00 pm inclusive on Saturday,
 - c. No work on Sundays and Public Holidays.
- b) Demolition and excavation works are restricted to:
- a. 8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing excavated materials from the site).

- c) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- d) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- e) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- f) Prior to the release of the [relevant](#) Construction Certificate payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
- g) Smoke alarms are to be installed throughout all new and existing portions of any Class 1a building in accordance with the Building Code of Australia prior to the occupation of the new works.
- h) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.



- i) No building, demolition, excavation or material of any nature shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- j) All sound producing plant, equipment, machinery or fittings will not exceed more than 5dB (A) above the background level when measured from any property boundary and will comply with the Environment Protection Authority's NSW Industrial Noise Policy.)
- k) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.
- l) Prior to the commencement of any development onsite for:
 - i) Building/s that are to be erected
 - ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
 - iii) Building/s that are to be demolished
 - iv) For any work/s that is to be carried out
 - v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community. (DACPLB10)

D. Modify Condition No. 18 Stormwater Disposal to read as follows:

18 Stormwater Disposal

Plans indicating all details relevant to the collection and disposal of stormwater from the site, buildings, paved areas and where appropriate adjacent catchments shall be submitted prior to the issue of the Construction Certificate. The plans must indicate the provision of a rainwater tank storage volume of minimum 50kL.

All roof area must be collected and connected to the rainwater tank. The overflow pipe from the rainwater tank must be discharged by gravity to proposed drainage



system in Lumsdaine Drive. Stormwater from the entire development must be collected and conveyed from the site to the 300 mm diameter RCP located in Lumsdaine Drive. The existing 300 mm pipe must be removed and reconstructed to minimum stormwater flow capacity of a 20 Year ARI system. The pit depth shall be no more than 2.5 meters in Lumsdaine Drive. This would require the proposed internal drainage system to be redesigned accordingly. Basement areas and subsoil drainage can be pumped to the internal gravity drainage system.

Driveways located in Evans Street are to be designed to ensure that a crest to the basement level is established at least 300 mm above the 1 in 100 year flows established for the Evans Street drainage system.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for disposal and stormwater management and compliance with the BASIX requirements, arising from the development. (DACENC07)

F. Modify Condition No. 19. Submission of Engineering Plans to read as follows:

19. Submission of Engineering Plans

Engineering plans are to be submitted to Council for approval under the provisions of Sections 138 and 139 of the Roads Act 1993. The submission is to include four (4) copies of Civil Engineering plans to be generally in accordance with the civil design approved with the Development Application and Council's specification for engineering works - AUS-SPEC #1 and or Council's Minor Works Policy for the design and construction of the following:-

- a) All existing damaged, cracked and redundant kerb and gutter are to be reconstructed.

~~b) The Layby bay proposed in Evans Street is not permitted and must be deleted.~~

- ~~e)b)~~ The width for the vehicular crossing for the loading dock shall be designed for a Heavy rigid vehicle in accordance with AS2890.2, entry to basement car park shall be 6.0 metres wide and exit from the basement car park shall be 7.0 metres wide.

Comment [CN1]: The proposed lay bay has been removed from the plan. We consider this condition to now be redundant and can be removed

Comment [CN2]: The plans submitted to council show a 6.0m wide exit which is consistent with AS2890.

d)c) A 1.5 metres wide new concrete footpath in Evans Street, The Drive, Carrington Parade, Lumsdaine Drive and associated bike paths [on Carrington Parade](#).

Comment [CN3]: Inserted to provide clarity

e)d) The proposed new concrete footpath must be extended to the existing public footpath network adjoining the proposed development.

f)e) Construction of road widening and median turning centre lane in accordance with civil plans approved in the activation of the deferred commencement conditions.

g)f) Construction of refuge Islands in Evans Street at both ends of the club and Lumsdaine Drive in accordance with civil plans approved by the activation of the deferred commencement conditions.

h)g) Provision of street lighting to comply with Australian street lighting standards.

i)h) Submission of Traffic management and Traffic control plans.

j)i) Detailed engineering plans of the construction of Layby bay in Lumsdaine Drive and widening of footpath.

The Fee Associated with the assessment and approval of the plans is to be in accordance with Council Fees and Charges.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure compliance with Council's specification for engineering works. (DACENC08)

G. Modify Condition No. 73. Allocation of Spaces to read as follows:

73. Allocation of Spaces

Car parking spaces provided shall be provided, made accessible and maintained at all times. The spaces shall be allocated as follows:

- 133 spaces - Senior Housing
- 20 spaces - Senior Housing visitors
- 527 spaces - Registered Club including the associated facilities
- 23 spaces – Child Care Centre



Car-parking provided shall be used solely in conjunction with the uses contained within the development. Each car parking space allocated to a particular unit / tenancy shall be line marked and numbered or signposted to indicate the unit / tenancy to which it is allocated.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure that adequate parking facilities to service the development are provided on site. (DACPLG01)

H. Add Condition No. 31BC Landscaping within Carrington Parade Road Reserve to read as follows:

31B. Landscaping within Carrington Parade Road Reserve

The street trees along the Carrington Parade road reserve as shown on the approved Landscape plan are to be amended to be of a species that reaches a maximum mature height of between 8m to 10m.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To preserve existing views over the subject site from nearby properties.

Add Condition No. 31C – Privacy Treatments to read as follows:

31C. Privacy Treatments

The windows to the bedrooms of the following apartments are to be appropriately treated to ensure visual and acoustic privacy is maintained. These changes relate to where building separation has been reduced between the residential apartments of Buildings E and F:

- E 101 to F 104;
- E201 to F204;
- E301 to F304; and
- E401 to F304.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure visual and acoustic privacy is maintained.

I. Add Condition No. 69A Registration of Road Dedication to read as follows:

69A. Registration of Road Dedication

A copy of the registered plan with the Land and Property Information System for road dedication is to be submitted.



Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure that the plans relate to approved development. (DACENF02)

J. Add Condition No. 69B Road Dedication to read as follows:

69B. Road Dedication

All road widening works required in Lumsdaine Drive and Evans Street shall be dedicated to Council. A completed subdivision certificate application form must be lodged with Council for approval.

All cost associated with the road dedication including any public utility service relocation/adjustment must be borne by the applicant.

Reason: To ensure that the plans relate to approved development (DACENFPO1)

K. Delete Condition No. 80 – 'Restriction on Landscaping'

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