



The Uniting Church In Australia Property Trust
C/- City Plan Strategy & Development Pty Ltd
L1 364 Kent Street
SYDNEY NSW 2000

NOTICE OF DETERMINATION

APPROVAL

Development Application No. DA/544/2012

This development consent is issued pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979. This consent is subject to the conditions specified in this notice and will lapse unless the development is physically commenced within five years of the date of this notice.

Section 82A of the Act allows an applicant who is dissatisfied with the determination of an application, a right to request Council review its determination subject to Council being in a position to finalise the review within 6 months from the date of this notice.

Section 97 of the Act allows an applicant who is dissatisfied with the determination of an application, a right of appeal to the Land and Environment Court within 6 months from the date of this notice.

Property: Lot 4 DP 1077836, Lot 3 DP 1077836, Lot 14 DP 27914, Lot 13 DP 27914, Lot 12 DP 27914, Lot 11 DP 27914 No. 40-50 Pennant Hills Road & Nos. 1-17 Frith Avenue, NORMANHURST NSW 2076

Development: Staged development for redevelopment of Bowden Brae Retirement Village
Stage 1 - demolition of existing buildings and dwelling houses.
Stage 2 – demolition; construction of four three to six storey buildings comprising 111 independent living units, basement car parking and other facilities including a chapel, men's shed, library, café, wellness centre, dementia day care centre, pool and gymnasium.

Effective date of this determination: 18 April 2013

Per:
Manager, Assessments
Planning Division

Contact: Garry Mahony (9847 6868 – 8.30 am to 5.00pm)

Hornsby Shire Council

ABN 20 706 996 972

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CONDITIONS OF APPROVAL**STAGE 1****GENERAL CONDITIONS**

The conditions of consent within this notice of determination have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the relevant legislation, planning instruments and Council policies affecting the land and does not disrupt the amenity of the neighbourhood or impact upon the environment.

Note: For the purpose of this consent, the term 'applicant' means any person who has the authority to act on or the benefit of the development consent.

Note: For the purpose of this consent, any reference to an Act, Regulation, Australian Standard or publication by a public authority shall be taken to mean the gazetted Act or Regulation, or adopted Australian Standard or publication as in force on the date that the application for a construction certificate is made.

1. Approved Plans and Supporting Documentation

The development must be carried out in accordance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by Council and/or other conditions of this consent:

Plan No.	Drawn by	Dated
A-DA-PS-02 Demolition Plan Stage 1	PTW Architects	03/09/2012

Document No.	Prepared by	Dated
D01940301 Waste Management Plan	Waste Audit And Consultancy Sevices	May 2012

2. Dilapidation Report

A 'Dilapidation Report' is to be prepared by a 'chartered structural engineer' detailing the structural condition of the adjoining property at No. 19 Frith Street Normanhurst.

3. Erosion and Sediment Control

Erosion and sediment control measures must be provided and maintained throughout the construction period in accordance with the manual 'Soils and Construction 2004 (Bluebook)', the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sediment control devices must remain in place until the site has been stabilised and revegetated.

Note: On the spot penalties up to \$1,500 may be issued for any non-compliance with this requirement without any further notification or warning.

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4. Construction Work Hours

All work on site (including demolition and earth works) must only occur between 7am and 5pm Monday to Saturday, in accordance with *Interim Construction Noise Guidelines 2009 – NSW Department of Environment and Climate Change*.

No work is to be undertaken on Sundays or public holidays.

5. Demolition

All demolition work must be carried out in accordance with *Australian Standard 2601-2001 – The Demolition of Structures* and the following requirements:

- a. Demolition material is to be disposed of to an authorised recycling and/or waste disposal site and/or in accordance with an approved waste management plan.
- b. Demolition works, where asbestos material is being removed, must be undertaken by a contractor that holds an appropriate licence issued by *WorkCover NSW* in accordance with Chapter 10 of the *Occupational Health and Safety Regulation 2001* and Clause 29 of the *Protection of the Environment Operations (Waste) Regulation 2005*.
- c. On construction sites where buildings contain asbestos material, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm must be erected in a prominent position visible from the street.

6. Environmental Management

The site must be managed in accordance with the publication '*Managing Urban Stormwater – Landcom (March 2004)*' and the *Protection of the Environment Operations Act 1997* by way of implementing appropriate measures to prevent sediment run-off, excessive dust, noise or odour emanating from the site during the construction of the development.

7. Council Property

During construction works, no building materials, waste, machinery or related matter is to be stored on the road or footpath.

8. Construction Traffic Management Plan

A Construction Traffic Management Plan is to be submitted to Council for the Stage 1 demolition work detailing, inter alia, heavy vehicle traffic routes, employee parking areas, truck standing areas, construction site access points, detour arrangements (if required), traffic control measures, duration of traffic disruption, contingency and emergency measures and method of public notification.

The Plan is to be endorsed by Council's Traffic and Road Safety Branch prior to commencement of demolition works.

9. Works near Trees

All required tree protection measures are to be maintained in good condition for the duration of the construction period.

All works (including driveways and retaining walls) within 4 metres of any trees required to be retained (whether or not on the subject property, and pursuant to this consent or the *Tree Preservation Order*), must be carried out under the supervision of an 'AQF Level 5 Arborist' and a certificate submitted to the principal certifying authority detailing the method(s) used to preserve the tree(s).

Note: Except as provided above, the applicant is to ensure that no excavation, filling or stockpiling of building materials, parking of vehicles or plant, disposal of cement slurry, waste water or other contaminants is to occur within 4 metres of any tree to be retained.

10. Street Sweeping

Street sweeping must be undertaken following sediment tracking from the site along Frith Avenue and Jasmine Road during works and until the site is established.

STAGE 2**11. Development Application**

A development application must be submitted for construction of the development generally in accordance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:

Plan No.	Drawn by	Dated
A-DA-00 Revision D Site Plan	PTW Architects	08/02/2013
A-DA-01 Revision D Level 1 Plan	PTW Architects	08/02/2013
A-DA-02 Revision D Level 2 Plan	PTW Architects	08/02/2013
A-DA-03 Revision D Level 3 Plan	PTW Architects	08/02/2013
A-DA-04 Revision D Level 4 Plan	PTW Architects	08/02/2013
A-DA-05 Revision D Level 5 Plan	PTW Architects	08/02/2013
A-DA-06 Revision D Level 6 Plan	PTW Architects	08/02/2013
A-DA-07 Revision D Level 7 Plan	PTW Architects	08/02/2013
A-DA-08 Revision D Level 8 Plan	PTW Architects	08/02/2013
A-DA-09 Revision D Level	PTW Architects	08/02/2013

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9 Plan		
A-DA-10 Revision D Roof Plant Plan	PTW Architects	08/02/2013
A-DA-11 Revision D Roof Plant Plan	PTW Architects	08/02/2013
A-DA-12 Revision D Roof Plan	PTW Architects	08/02/2013
A-DA-20 Revision D Sections 1	PTW Architects	08/02/2013
A-DA-21 Revision D Sections 2	PTW Architects	08/02/2013
A-DA-30 Revision D Elevation 1 (Draft) Frith Avenue	PTW Architects	08/02/2013
A-DA-31 Revision D Elevation 2 (Draft) Jasmine Rd / Pennant Hills Rd	PTW Architects	08/02/2013
901 Issue C Replacement Planting	Site Image Landscape Architects	06.02.2013
103 Issue C Landscape Plan Frith Avenue	Site Image Landscape Architects	06.02.2013
002 Issue C Tree Removal Plan	Site Image Landscape Architects	06.02.2013

12. A minimum of 10% of units are to be affordable housing units pursuant to Clause 45 of State Environmental Planning Policy (Housing for Seniors Living) 2004.

13. Roads and Maritime Authority

Post-development stormwater discharge from the site into the RMS drainage system must not exceed the pre-development discharge. Detailed design plans and hydraulic calculations be submitted with a future development application.

14. The developer is to submit detailed design drawings and geotechnical reports relating to the excavation of the site and support structures to RMS for assessment and concurrence. The developer is to meet the full cost of the assessment by the RMS.

This report would need to address the following key issues:

- The impact of excavation /rock anchors on the stability of Pennant Hills Road and detailing how the carriageway would be monitored for settlement.
- The impact of the excavation on the structural stability of Pennant Hills Road.

- END OF CONDITIONS -

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ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant legislation and Council's policies and specifications. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

Tree Preservation Order

To ensure the maintenance and protection of the existing natural environment, it is an offence to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside 3 metres of the approved building envelope without the prior written consent from Council.

Note: A tree is defined as a single or multi-trunked wood perennial plant having a height of not less than three (3) metres, and which develops many branches, usually from a distance of not less than one (1) metre from the ground, but excluding any plant which, in its particular location, is a noxious plant declared as such pursuant to the Noxious Weeds Act 1993. This definition of 'tree' includes any and all types of Palm trees.

All distances are determined under Australian Standard AS4970-2009 "Protection of Trees on Development Sites".

Fines may be imposed for non-compliance with Council's *Tree Preservation Order*.

Asbestos Warning

Should asbestos or asbestos products be encountered during demolition or construction works you are advised to seek advice and information should be prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by *WorkCover NSW*) be engaged to manage the proper handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

www.environment.nsw.gov.au

www.nsw.gov.au/fibro

www.adfa.org.au

www.workcover.nsw.gov.au

Alternatively, telephone the *WorkCover* Asbestos and Demolition Team on 8260 5885.

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