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15 December 2020

Mr Peter Debnam
Chair
North Sydney Planning Panel

Dear Peter,

# SENIORS LIVING DEVELOPMENT AND DEMOLTION OF EXISTING DWELLINGS AT NOS. 461-473 PACIFIC HIGHWAY, ASQUITH (PANEL REF: PPS-2018SNH033)

## 1. INTRODUCTION

This letter has been prepared by Urbis on behalf of Chinese Australian Services Society Limited (CASS) (the applicant) to provide additional information to assist the North Sydney Planning Panel (the panel) in determining PPS-2018SNH033 (the proposal).

We have reviewed Council's assessment report dated 2 December 2020 which recommends that the proposal be refused, and Council's without prejudice draft conditions of consent (Draft Conditions).

The applicant highlights that Council has expressed support for the application with all design detail issues being resolved by the Amended Proposal submitted on 11 August 2020, with the exception of:

1. The amended proposal was re-referred to Transport for NSW (TfNSW) under the provisions of Section 138 of the *Roads Act 1993* on 16 October 2020 for approval to construct a single new vehicular access point from Pacific Highway.
2. The vertical clearance to enter the basement level housing waste facilities and loading areas for commercial operations would be 2.4m which does not comply with the minimum 3.5m vertical clearance requirement of *Australian Standard AS2890.2* for a commercial vehicle.

In relation to issue 1, the relevant TfNSW approval under Section 138 of the *Roads Act 1993* was received on 14 December 2020. The TfNSW approvalprovided conditions to be included in the development consent, which will be appropriately implemented in the final Draft Conditions prepared by Council.

In relation to issue 2, the Applicant submits that:

- Council is not obligated to collect the RACF waste under the Local Government Act noting it is classified as a nursing home (commercial premises),

- The site can be readily serviced by a 2.08m waste wise mini private waste contractor vehicle which can access the basement with reduced clearance.
- The applicant will service the site with a delivery vehicle with a maximum height of 2.3m which can readily access the basement with a clearance height of 2.4m. The applicant has demonstrated that these arrangements are operationally satisfactory in that they service their similarly sized RACF facility at Campsie with private contractors in the same manner as that proposed.
- In the rare circumstance where a larger delivery vehicle is required to service the site, the hardstand waste collection which has been designed to accommodate a Heavy Rigid Vehicle area can be utilised, ensuring that deliveries will not occur on Pacific Highway. Condition 89, as drafted by Council, would enforce this requirement.
- If the panel is of the view that basement waste collection cannot occur without strict compliance with the *Australian Standard AS2890.2* vertical clearance height, the applicant can accept RACF waste collection at the same hardstand area to be used for ILU collection. Timing and frequency of collection can be readily managed through operational waste management measures.

The Applicant, therefore, submits that strict compliance with *Australian Standard AS2890.2* is unreasonable and unnecessary in the circumstances of the case.

This letter provides further detail and justification in relation to the above grounds that the Panel should approve the application, subject to Council's without prejudice Conditions of Consent being amended in accordance with **Attachment A** to this letter. A full set of the plans referenced in this letter can be found at **Attachment B**.

# 2. SITE CONSTRIANTS

The applicant highlights the existing site conditions and constraints which influence the proposed vertical clearance to the basement:

- Site access is only possible off Pacific Highway.
- The site is relatively narrow coupled with the requirement to comply with setback controls and minimise impacts on the *Sydney Turpentine-Ironbark Forest EEC* trees at the western boundary of the site.
- Extending the length of the ramp would cause it to not comply with the required 1:6.5 ramp gradient complying with *Australian Standard AS2890.2*, and impact on the ILU hardstand waste collection area.
- The topography of the site falls away from the Pacific Highway frontage.
- The requirement to minimise hardstand and turning at grade area to increase the opportunities for landscaping across the site.
- The building height already exceeds the 10.5m maximum height of building control under the *Hornsby Local Environmental Plan 2013*.
- The requirement for the building design to account for internal accessibility Australian Standards, as well as maintaining an accessible ground plane.

All the above factors have influenced the design of the scheme, such that the basement clearance height is the only matter which Council's assessment team holds issue with. As there is a workable

servicing solution for this basement, we request that the subject design be approved by the Sydney North Planning Panel.

# 3. WASTE COLLECTION AND SITE SERVICING

## 3.1. BASEMENT CLEARANCE HEIGHT FOR RACF WASTE COLLECTION

In Section 2.3.5.7 of their assessment report, Council determined that the application is not satisfactory in accordance with Clause 39 of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* in that the vertical clearance to enter the basement level housing waste facilities and loading areas for commercial operations would be 2.4m which does not comply with the minimum 3.5m vertical clearance requirement of *Australian Standard AS2890.2* for a commercial vehicle.

A clearance height of 2.4m is proposed to the basement, which is approximately 1.1m lower than that required by Council. A 3.5m basement clearance is not required in this instance as waste collection for the RACF will be undertaken from within the basement car park (Level 1) using a waste wise mini rear loader operated by a private management contractor.

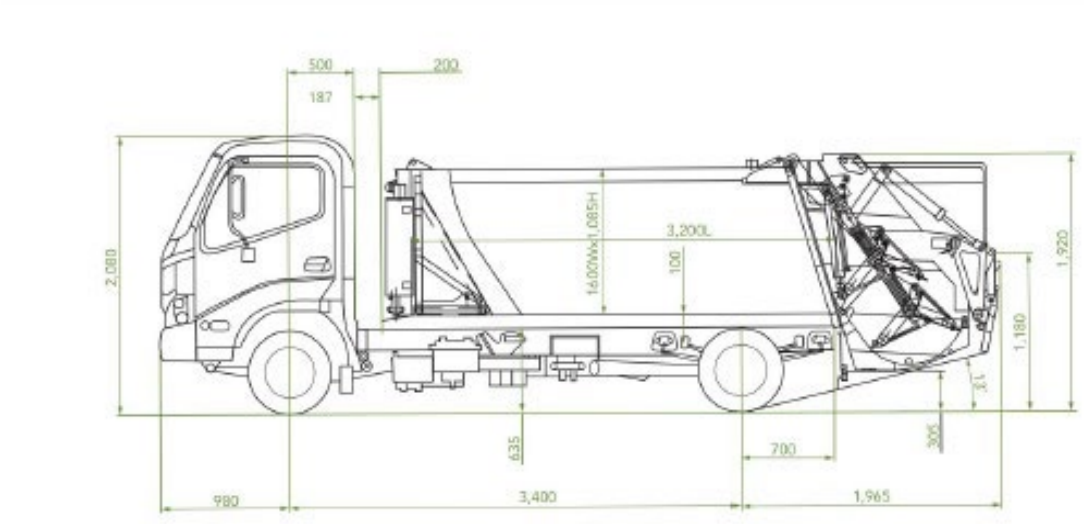
It is noted that Council has **no** obligation under the Local Government Act to collect waste for the RACF noting it is classified as a nursing home, however Council is obligated to remove waste from residential flats such as the proposed ILUs which Council agrees can occur at grade.

The specifications of the waste wise mini (refer **Figure 1** and **Attachment B1**) are as follows:

- Overall height of 2.08 metres
- Length of 6.40 metres
- Able to traverse gradients up to 1:5 (20%), although the ramp grades have been amended to ensure compliance with the relevant Australian Standards which requires a shallower gradient.

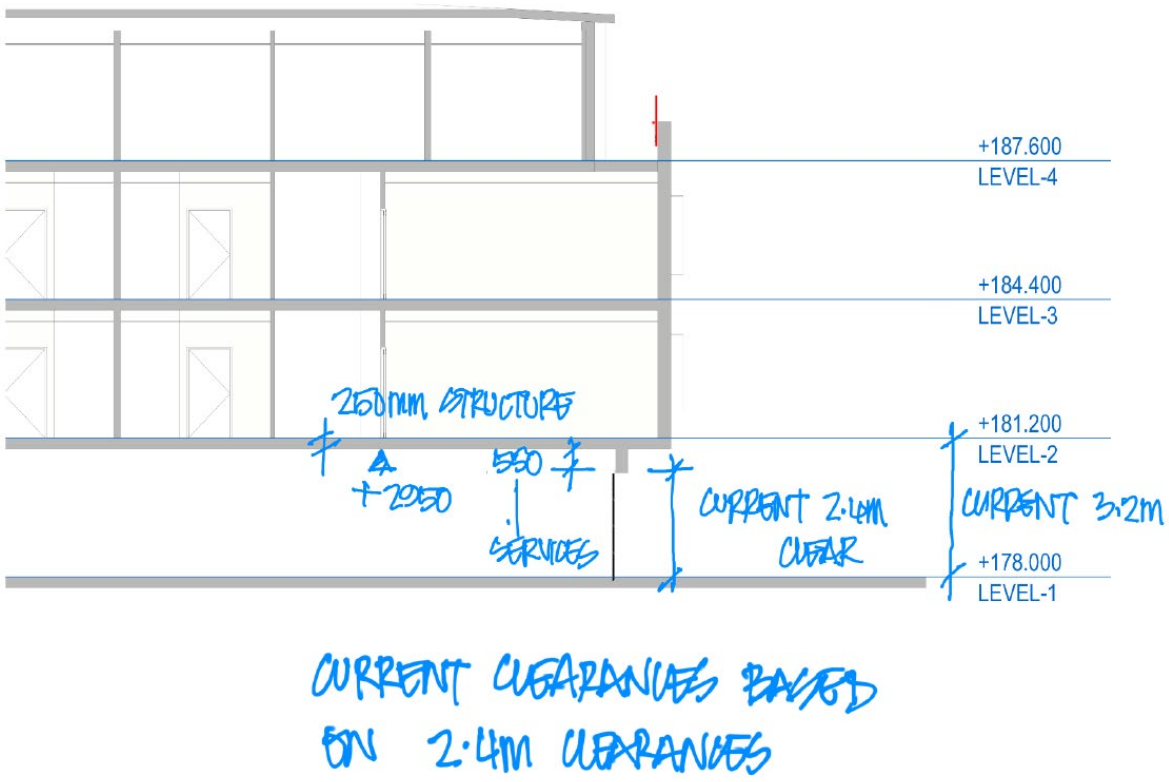
Operationally, the 2.4m clearance height provides sufficient vertical clearance to accommodate the private contractor waste vehicle and delivery vehicles to the site. The project architect has confirmed that the 2.4m vertical clearance includes provision for 0.55m of ceiling mounted objects, and any floor mounted objects required (refer **Figure 2** and **Attachment B2**). The applicant submits that Condition 85(h) (Waste Management Details) as drafted by Council ensure that the vertical clearance accounts for ceiling mounted objects.

Figure 1 Waste Wise Mini Specifications




*Source: Traffix*

Figure 2 Proposed Vertical Clearance – Section




*Source: Calderflower*

Council have provided two solutions to achieve a 3.5m vertical clearance. A response to each is provided below:

Council solution Number 1:

*Reconfiguring the ground floor plan of units ACR-008 and ACR-009 located above the basement entrance with the possible deletion of one bedroom.*

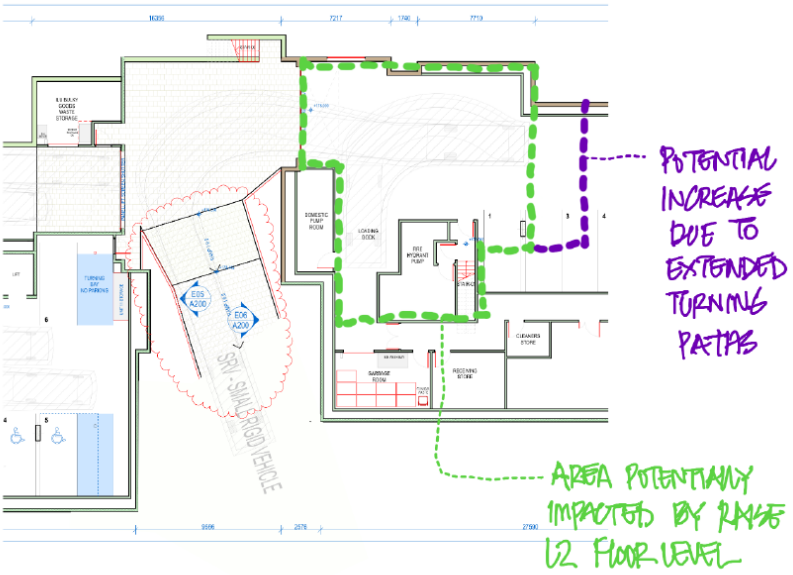
Applicant response:

The project architect has diagrammatically reviewed the impacts to the yield of the development should a 3.5m basement clearance be accommodated (refer **Figure 3 – Attachment B3** and **Figure 4 Attachment B4**).

Council submit that only two bedrooms will require deletion to accommodate the increased basement clearance, being ACR-008 and ACR- 009, which are the two bedrooms located directly above the basement entrance.

As demonstrated in **Figure 3 – Attachment B3** Council have failed to recognise the swept path of the waste collection vehicle which will increase the extent of the impacts to the RACF bedrooms located directly above the basement entrance.

Figure 3 Extent of the basement required to be raised to accommodate the 3.5m vertical clearance




*Source: Calderflower*

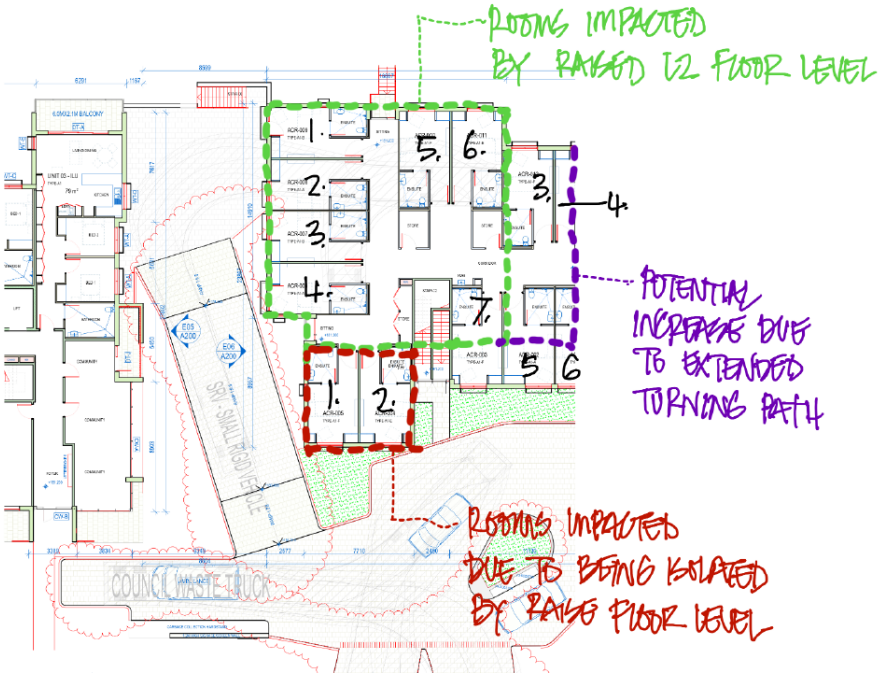
As demonstrated in **Figure 4 - Attachment B4**) and **Figure 5** - **Attachment B5** when considering the swept path of the waste collection and services delivery vehicle, additional bedrooms would be required to be deleted than that submitted by Council. In summary:

- 7 rooms directly above the turning swept path would be required to be deleted being; ACR numbers 003, 006, 007, 008, 009, 010, and 011.
- 4 additional rooms would require deletion subject to detailed swept path analysis by a traffic engineer noting that the swept path for turning for a 3.5m SRV would likely extend beyond the swept path for turning submitted with the applicant's proposed private contractor vehicles which are shorter. These rooms are ACR numbers 002, 003, 012, and 013.
- 2 additional rooms would be required to be removed in that they would be isolated by virtue of corridors being removed to make way for the increased basement height which are required to provide access to the rooms.

In total up to 13 rooms would be required to be deleted to accommodate the 3.5 basement height, which is 11 more than that submitted by Council.

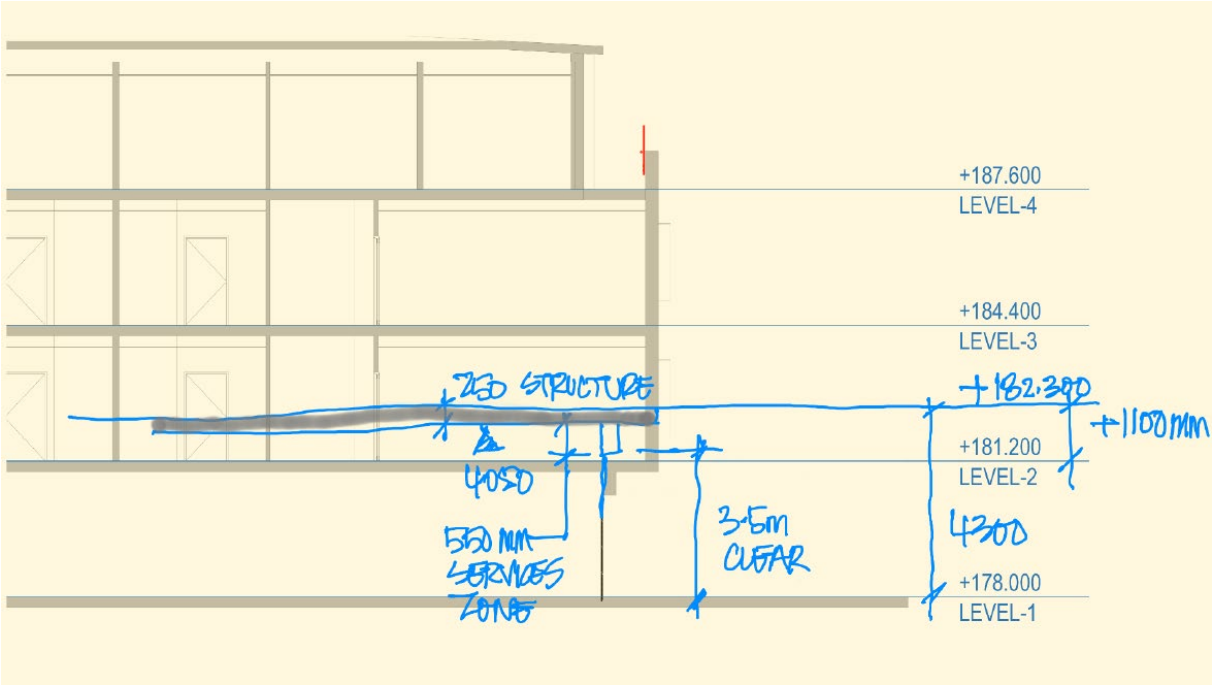
It is considered that the deletion of potentially 13 rooms is a poor outcome when weighed against the significant social and economic benefits of the proposal in that these rooms could service an identified need for aged care in the region, and that the applicant has demonstrated that appropriate and satisfactory arrangements are proposed for waste collection and service vehicles loading in the basement.

Figure 4 Impacts of the Increased Basement Clearance Height on Ground Floor Bedrooms




*Source: Calderflower*

Figure 5 Impacts of Increased Clearance Height on the Ground Floor RACF Bedrooms - Section




*Source: Calderflower*

Council solution Number 2:

*Hold a ground floor waste collection room in place of a bedroom (e.g. ACR-005).*

Applicant response:

The applicant submits that the designated area within the basement provides a preferred solution in terms of waste storage in that it is located away from residential dwellings and provides the space to occupy required amount of bins in accordance with the submitted waste management plan.

If the Panel are of the view that waste collection cannot be undertaken in the basement, despite the applicant's position that adequate and satisfactory waste collection arrangements can be undertaken within the basement by way of a private contractor, and that Council are not obligated to collect the waste in accordance with the Local Government Act, the applicant submits the following solution in relation to this:

- The applicant continues to use the basement for waste storage.
- Waste collection for the RACF be undertaken on the same at-grade collection space to be used for the ILU collection which can accommodate an HRV.
- The applicant amends the waste management plan to ensure that appropriate operational measures are implemented such as scheduling the collection of the RACF and ILU waste at different times/on different days, and use motorised waste bins or bin transports which can scale the basement ramp to allow RACF staff to bring the bins to the collection area.

The applicant notes that this is not their preferred solution and is only provided as a compromise should the Panel form the view that basement collection is not suitable in this instance.

### Summary

In the circumstances of the case, and given that Council is not obligated to collect the RACF waste, the Applicant requests that Council impose a condition of consent which requires a private contractor to undertake RACF waste collection within the basement. This will provide certainty to Council that appropriate RACF waste collection arrangements will be undertaken in perpetuity.

The condition is proposed to be included in Condition 25 of the consent and could read as follows (refer **Attachment A**):

*Waste collection for the RACF must be undertaken by a private contractor within the basement of the development.*

## 3.2. SITE SERVICING

CASS operates a RACF facility in Campsie which is of a similar capacity to the proposed facility at Asquith.

The specification of the delivery vehicles which service the site are provided in **Figure 6 – Attachment B6**. The clearance height to the basement of 2.4m provides sufficient clearance height to accommodate the private contractor waste vehicle and delivery vehicles to the site.

Figure 6 Delivery Vehicle


*Source: Traffix*

CASS intends to operate the proposed Asquith facility in the same manner as the Campsie facility noting that it is of a similar capacity. The delivery schedule for the Campsie facility is summarised as follows:

- Kitchen: 7 – 10 deliveries per week
- Groceries/ Meat/ Milk: 1 delivery per week
- Miscellaneous deliveries: 4 – 6 deliveries per week in pick-up or panel van.
- Kitchen, laundry, and chemicals: 1 delivery every 2 months in van
- Continent (pampers etc): 1 deliver per month
- Various paper tissues:1 delivery per month

In the rare circumstance where a larger delivery vehicle is required to the site, the hardstand area for the waste collection area can be utilised which can accommodate a Heavy Rigid Vehicle, ensuring that deliveries will not occur on Pacific Highway.

The applicant submits that Condition 89 (Car Parking) as drafted by Council would satisfy this requirement which reads as follows:

*All car parking must be constructed and operated in accordance with Australian Standard AS/NZS 2890.1:2004 Off-street car parking and Australian Standard AS2890.2:2002 Off-street commercial vehicle facilities.*

*…*

*c) Vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads;*

# 4. CONCLUSION

In summary, it is considered that the proposal before Council and the Panel represents a sound overall development outcome resulting from detailed design workshop advice from Council and their appointed urban design consultant GMU. The design of the proposal respects and responds to the site location and the amenity of surrounding developments.

Given that Council are not obligated to collect the RACF waste under the Local Government Act noting it is classified as a nursing home, and that the site can be appropriately serviced during the operational phase of the development, the Applicant submits that strict compliance with the *Australian Standard AS2890.2* is unreasonable and unnecessary in the circumstances of the case.

The proposed development, therefore, should be approved by the Panel, subject to Council's without prejudice Conditions of Consent being amended in accordance with **Attachment A** to this letter.

Yours sincerely,

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# ATTACHMENT A – RESPONSE TO WITHOUT PREJUDICE DRAFT CONDITIONS OF CONSENT

The proposed modifications to the draft conditions are detailed in the table below. Where an amendment to a condition is proposed, insertions are shown in red and deletions by ~~strikethrough~~.

| Condition Number | Condition – proposed modification | Reason |
|---|---|---|
| **1. Deferred Commencement** | ~~*Pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, this consent does not operate until the following is provided:*~~<br><br>~~*a) Written approval from Transport for NSW with regard to the proposed vehicular crossing as well as vehicle entry and exit from the site.*~~<br><br>~~*b) Longitudinal sections on both sides of the access driveway and vehicular shall be provided in accordance with the grade requirements of the Australian Standards AS 2890.2 for the waste collection vehicles approved to service the development.*~~<br><br>~~*c) A Construction Management Plan (CMP) must be prepared by a suitably qualified environmental consultant in consultation with a qualified traffic engineer and AQF 5 arborist, and submitted to Council's Compliance Team at: https://www.hornsby.nsw.gov.au/property/build/applicationforms for review and approval.*~~<br><br>~~*The CEMP must include the following details:*~~<br><br>~~*i) A Construction Traffic Management Plan (CMP) including the following:*~~ | Condition 1(a)<br><br>It is requested that this condition be deleted as the relevant TfNSW approval under Section 138 of the Roads Act 1993 was received on 14 December 2020. The TfNSW approval provided conditions to be included in the development consent, which will be appropriately implemented in the final Draft Conditions prepared by Council.<br><br>Condition 1(b)<br><br>It is requested that this condition be deleted noting that this information has already been submitted to, and accepted by, Council's engineer on 19 November 2020 as per Council's request.<br><br>Condition 1(c) |

| Condition Number | Condition – proposed modification | Reason |
|---|---|---|
| | ~~*a. The order of construction works and arrangement of all construction machines and vehicles being used during all stages.*~~<br><br>~~*b. The CTMP plans shall be in accordance with all other plans submitted to Council as part of this development proposal.*~~<br><br>~~*c. A statement confirming that no building materials, work sheds, vehicles, machines or the like shall be allowed to remain in the road reserve area without the written consent of Hornsby Shire Council.*~~<br><br>~~*d. The Plan shall be in compliance with the requirements of the Roads and Maritime Services Traffic control at work sites Manual 2018 and detail:*~~<br><br>~~*• Public notification of proposed works;*~~<br><br>~~*• Long term signage requirements;*~~<br><br>~~*• Short term (during actual works) signage;*~~<br><br>~~*• Vehicle Movement Plans, where applicable;*~~<br><br>~~*• Traffic Management Plans;*~~<br><br>~~*• Pedestrian and Cyclist access and safety.*~~ | A preliminary construction management plan submitted with the RfI package dated 12 November 2020. Noting this, it is requested that the following conditions requiring the preparation of a Construction Environmental Management Plan be more appropriately included as conditions that require satisfaction prior to the issuance of a Construction Certificate rather than deferred commencement. |

| Condition Number | Condition – proposed modification | Reason |
|---|---|---|
| | ~~*e. Traffic controls including those used during non-working hours. Pedestrian access and two-way traffic in the public road must be able to be facilitated at all times.*~~<br><br>~~*f. Details of parking arrangements for all employees and contractors, including layover areas for large trucks during all stages of works. The parking or stopping of trucks associated with the development will not be permitted other than on the site and the plan must demonstrate this will be achieved.*~~<br><br>~~*g. Confirmation that a street 'scrub and dry' service will be in operation during all stages of works.*~~<br><br>~~*h. Proposed truck routes to and from the site including details of the frequency of truck movements for all stages of the development.*~~<br><br>~~*i. Swept path analysis for ingress and egress of the site for all stages of works.*~~<br><br>~~*j. Site plans for all stages of works including the location of site sheds, concrete pump and crane locations, unloading and loading areas, waste and storage areas, existing survey marks, vehicle entry, surrounding pedestrian footpaths and hoarding (fencing) locations.*~~<br><br>~~*k. The total quantity and size of trucks for all importation and exportation of fill on site throughout all stages of works, and a breakdown of total quantities of trucks for each stage of works.*~~ | |

| Condition Number | Condition – proposed modification | Reason |
|---|---|---|
| | ~~*l. The number of weeks trucks will be accessing and leaving the site with excavated or imported fill material.*~~<br><br>~~*m. The maximum number of trucks travelling to and from the site on any given day for each stage of works.*~~<br><br>~~*n. The maximum number of truck movements on any given day during peak commuting periods for all stages of works.*~~<br><br>~~*o. The source site location of any proposed fill to be imported to the site, for all stages of works.*~~<br><br>~~*p. The Plan must state that the applicant and all employees of contractors on the site must obey any direction or notice from the Prescribed Certifying Authority or Hornsby Shire Council in order to ensure the above.*~~<br><br>~~*q. If there is a requirement to obtain a Work Zone permit, Out of Hours permit, partial Road Closure or Crane permit from Hornsby Shire Council, these approvals/permits are required to be provided as part of the Plan submitted to Council.*~~<br><br>~~*r. If there is a requirement to obtain any permits, licences and/or approvals from the Roads and Maritime Services (RMS) or any State Authority the Plan, these documents must be provided as part of the Plan submitted to Council.*~~ | |

| Condition Number | Condition – proposed modification | Reason |
|---|---|---|
| | ~~*ii) A Construction Waste Management Plan detailing the following:*~~<br><br>~~*a. Details of the importation or excavation of soil and fill, the classification of the fill, disposal methods and authorised disposal depots that will be used for the fill.*~~<br><br>~~*b. Asbestos management requirement and procedures for removal and disposal from the site in accordance with AS 2601–2001 Demolition of Structures, and the Protection of the Environment Operations (Waste) Regulation 2005.*~~<br><br>~~*c. General construction waste details including construction waste skip bin locations and litter management for workers.*~~<br><br>~~*iii) A Tree Protection Plan (TPP) prepared by an AQF 5 Arborist in accordance with any approved Arboricultural Impact Assessment and tree location plans, detailing the following:*~~<br><br>~~*a. A site plan showing tree protection zones (TPZ) and structural root zones (SRZ) of trees to be retained and specific details of tree protection measures inclusive of distances (in metres) measured from tree trunks.*~~<br><br>~~*b. Construction methodology to avoid damage to trees proposed to be retained during construction works.*~~<br><br>~~*c. Specifications on tree protection materials used and methods within the TPZ or SRZ.*~~ | |

| Condition Number | Condition – proposed modification | Reason |
|---|---|---|
| | ~~*d. Location of dedicated material storage space on site outside of TPZ's and SRZ's for retained trees.*~~<br><br>~~*iv) A Construction Noise and Vibration Management Plan (CNMP) which includes:*~~<br><br>~~*a. Existing noise and vibration levels within the proximity of the proposed development site.*~~<br><br>~~*b. Details of the extent of rock breaking or rock sawing works forming part of the proposed development works.*~~<br><br>~~*c. The maximum level of noise and vibration predicted to be emitted during each stage of construction.*~~<br><br>~~*d. The duration of each stage of works where the maximum level of noise and vibration are predicted to be emitted for.*~~<br><br>~~*e. Details of mitigation measures, inclusive of respite periods, that will meet acoustic standards and guidelines at each stage of works.*~~<br><br>~~*f. Details of a complaints handling process for the surrounding neighbourhood for each stage of works.*~~<br><br>~~*v) An Environmental Management Plan (EMP) which includes:*~~<br><br>~~*a. Requirements of the Hazardous Materials Survey;*~~ | |

| Condition Number | Condition – proposed modification | Reason |
|---|---|---|
| | ~~*b. Unexpected finds protocol;*~~<br><br>~~*c. Water quality and soil management, including but not limited to sediment and erosion control measures and stormwater management;*~~<br><br>~~*d. Air quality;*~~<br><br>~~*e. Noise management, including excavation noise mitigation measures to be implemented;*~~<br><br>~~*f. Waste Management.*~~<br><br>~~*Such information must be submitted within 36 months of the date of this notice.*~~<br><br>~~*Upon Council's written satisfaction of the above information, the following conditions of development consent apply:*~~ | |
| **3. Amendment of Plans** | *a) To comply with Councils requirement in terms of tree preservation, landscaping and vehicle access, the approved plans are to be amended as follows:*<br><br>*...*<br><br>*iii) The approved architectural plans prepared by Calderflower and landscape plans prepared by TaylorBrammer must be amended as follows:*<br><br>*…* | It is requested that this condition be amended to remove the requirement for an open pergola structure above the entry to the basement car park as it is unfeasible for the following reasons:<br><br>▪ The clearance height of the pergola structure would potentially obstruct the ability for waste |

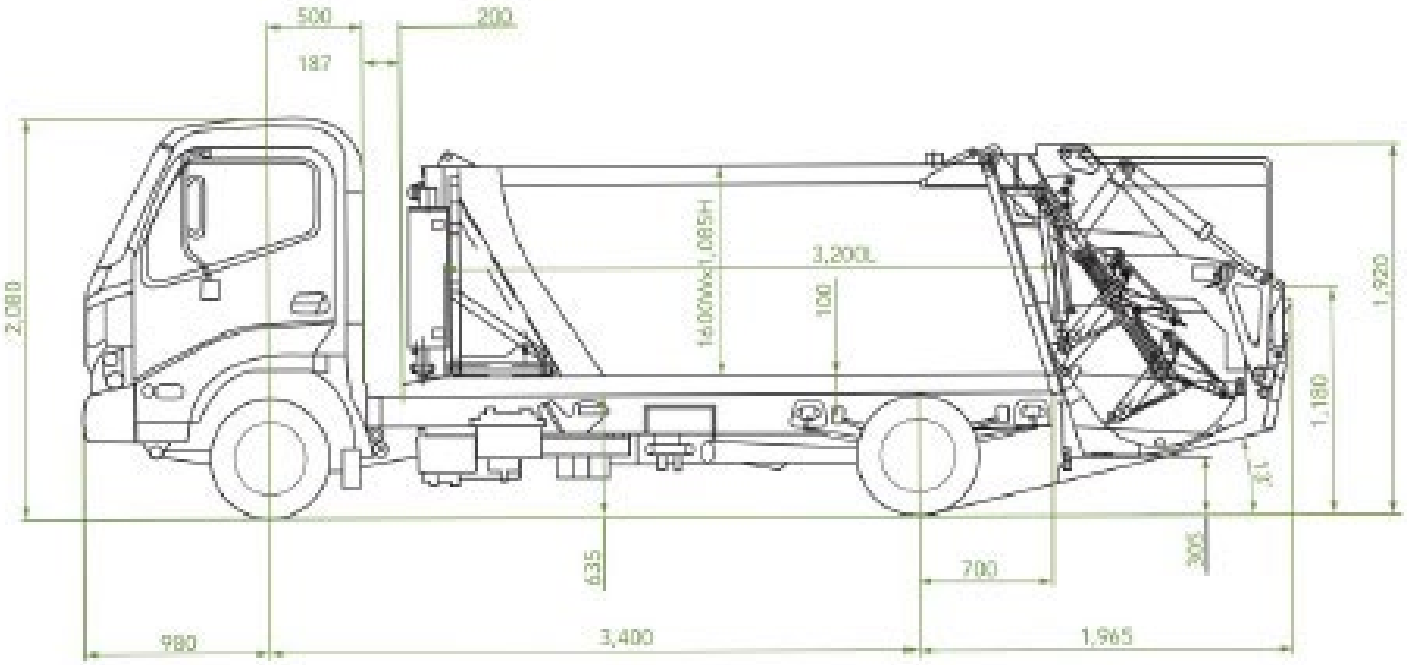
| Condition Number | Condition – proposed modification | Reason |
|---|---|---|
| | ~~*b. An open pergola structure suitable for growing climbing plants must be installed above the basement entry to reduce the visual dominance of the driveway within the front setback. Garden beds are to be provided on both sides of the driveway to support the growth of climbing plans and shrubs.*~~<br><br>… | collection and delivery vehicles to enter the driveway to the basement.<br>▪ The pergola structure would require maintenance to ensure that no overhanging vines or similar obstruct the clearance of vehicles to enter the driveway to the basement.<br>▪ The pergola structure would introduce safety risks due to it being scalable and therefore providing access to the ILU room balcony at level 3.<br>▪ The pergola structure would block the external windows to the ILU room at the northern elevation.<br>▪ The pergola structure would impact on the performance of the glazing to the community room at the ground floor of the ILU building. |

| Condition Number | Condition – proposed modification | Reason |
|---|---|---|
| **25. Waste Management Details** | *…*<br><br>*~~k) The ground level access way (including ramp, vehicle turning area, loading dock/service bay and site entry/exit) to be used by waste collection vehicles, must be designed in compliance with Australian Standard AS2890.2-2002 Parking Facilities Part 2: Off-street Commercial Vehicle Facilities for heavy rigid vehicles.~~*<br><br>*~~Note: AS2890.2-2002 includes a maximum gradient of 1:8 for reverse travel, a minimum vertical clearance of 4.5 m, and minimum loading dock/service bay dimensions of 3.5 m x 12.5 m. These dimensions do not include wall thickness, support columns, ventilation shafts etc which must be added. AS2890.2-2002 also requires that when a loading dock/service bay is of minimum width a driver needs to be able to place the body of the vehicle or trailer into its final alignment at the point of entry into the bay.~~*<br><br>*l) A design certificate and detailed plans are to accompany the Construction Certificate application that confirms that the waste can be directly collected from the ground level as detailed in the Waste Management Plan. The design certificate is to specifically confirm that the:*<br><br>*i) Waste collection vehicle is able to enter the site in a forward direction, adequately manoeuvre into position within 5m of the residential bin holding/collection room, load bins and exit the site in a forward direction* | As demonstrated in **Section 2** of this letter strict compliance with *AS2809.2 2002* is not required in the circumstances of the case noting that:<br><br>▪ The site can be readily serviced by a 2.08m waste wise mini private waste contractor vehicle which can access the basement with reduced clearance, and Council are not obligated to collect the RACF waste under the Local Government Act noting it is classified as a nursing home.<br><br>▪ The applicant will service the site with a delivery vehicle with a maximum height of 2.3m which can readily access the basement with a clearance height of 2.4m. The applicant has demonstrated that these arrangements are operationally satisfactory in that they service their facility with private contractors at Campsie in the same manner which is of a similar capacity.<br><br>This condition is proposed to be amended to allow for a private contractor to undertake RACF |

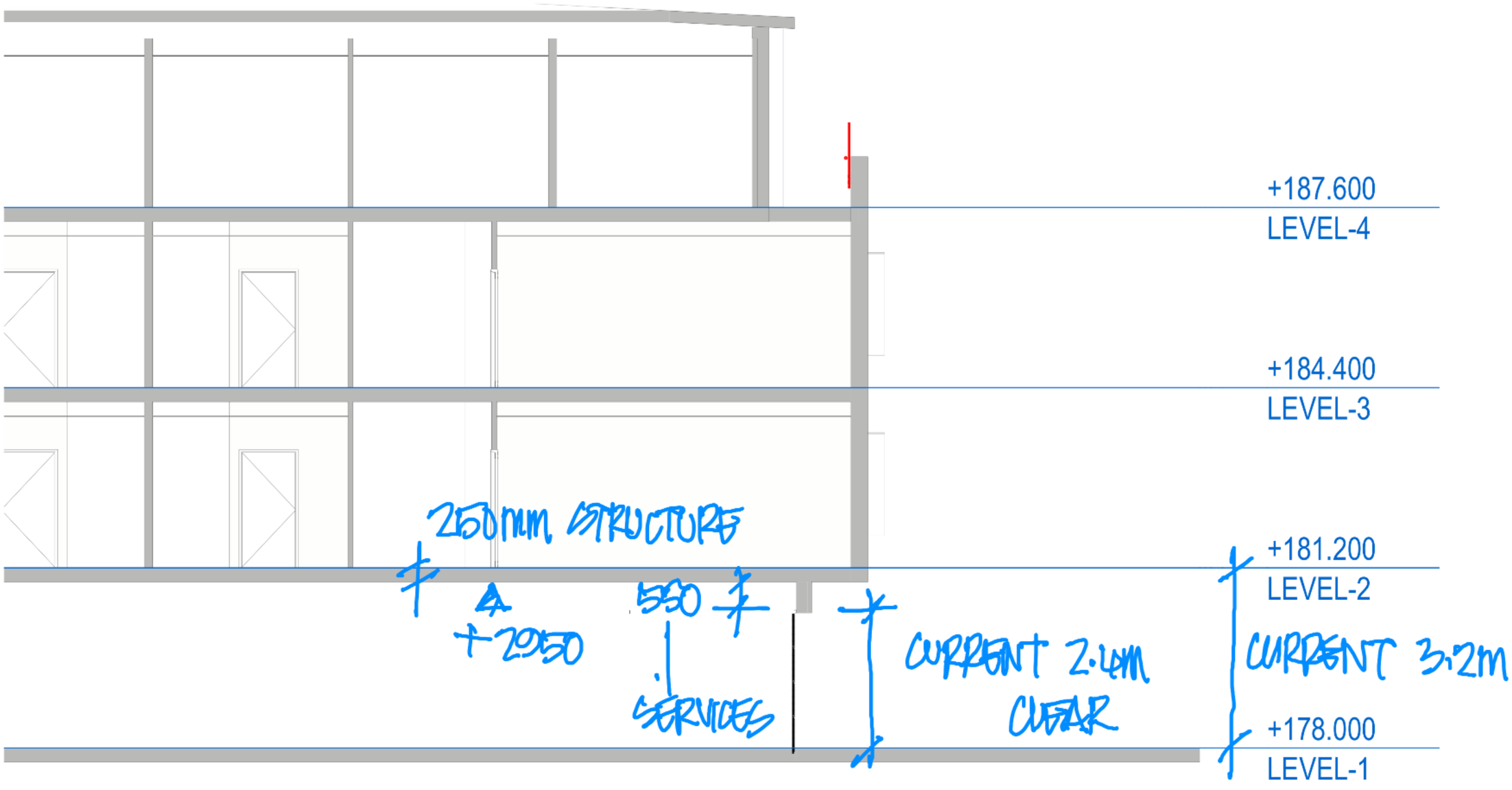
| Condition Number | Condition – proposed modification | Reason |
|---|---|---|
| | *ii) Vertical clearance of ~~4.5~~ 2.4m is provided along the entire route of travel of the RACF waste collection vehicle and loading bay.*<br><br>*iii) The waste collection vehicle must be able to manoeuvre on site with limited need for reversing*<br><br>*iv) The grades along the waste collection vehicle travel path on site must not exceed the maximum grades of AS2890.2 for a heavy rigid vehicle*<br><br>*v) The vehicle ground clearance is sufficient to prevent scraping*<br><br>*vi) All pavement has been designed to carry the load of the waste collection vehicle.*<br><br>*vii) Waste collection for the RACF must be undertaken by a private contractor within the basement of the development.* | waste collection within the basement. This will provide certainty to Council that appropriate RACF waste collection arrangements will be undertaken in perpetuity. |
| **61. Unit Numbering** | If the units are strata subdivided, a~~A~~*ll units are to be numbered consecutively commencing at No.1. The strata plan lot number is to coincide with the unit number, e.g Unit 1 = Lot 1. The allocated of unit numbering must be authorised by Council prior to the numbering of each units in the development.* | This condition is requested to be amended to allow flexibility in the numbering of the units, noting that the applicant has not yet determined if the units will be strata subdivided. |

| Condition Number | Condition – proposed modification | Reason |
|---|---|---|
| **85. Waste Management Details** | *…*<br><br>*h) The vertical clearance must not be less than ~~4.5~~2.4m within the travel path of the waste collection vehicle.*<br><br>*Note: the vertical clearance must not be reduced by overhead awnings or balconies, by ceiling mounted pipes, ventilation shafts, light fittings, cable trays, roller door etc, or floor mounted speed humps, bollards etc.* | As demonstrated in Section 2 of this letter strict compliance with AS2809.2 2002 is not required in the circumstances of the case noting that:<br><br>▪ The site can be readily serviced by a 2.08m waste wise mini private waste contractor vehicle which can access the basement with reduced clearance, and Council are not obligated to collect the RACF waste under the Local Government Act noting it is classified as a nursing home.<br><br>▪ The applicant will service the site with a delivery vehicle with a maximum height of 2.3m which can readily access the basement with a clearance height of 2.4m. The applicant has demonstrated that these arrangements are operationally satisfactory in that they service their facility with private contractors at Campsie in the same manner which is of a similar capacity. |

**Attachment B1– Waste Wise Mini Specifications**

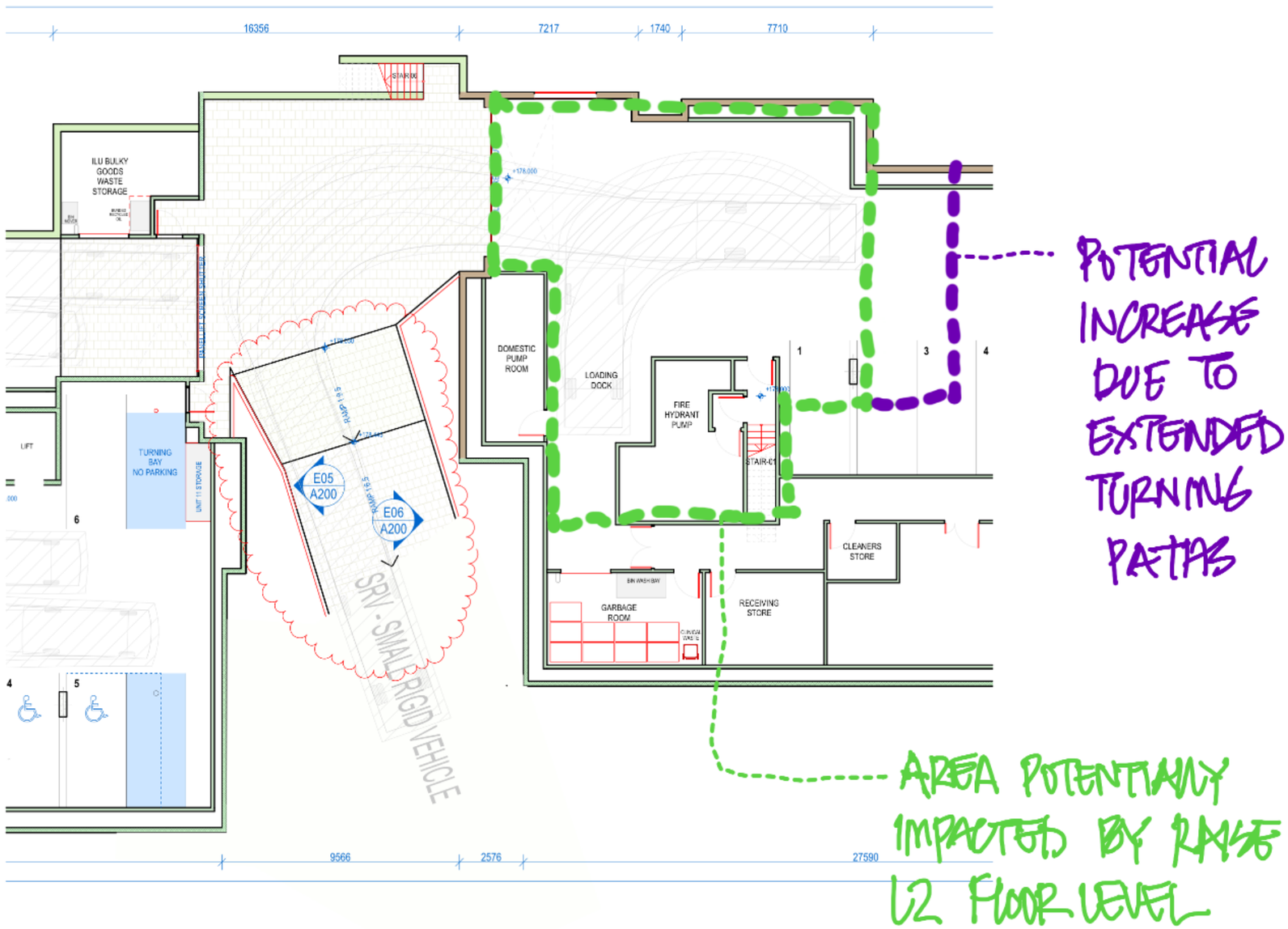


**Attachment B2 - Proposed Vertical Clearance - Section**

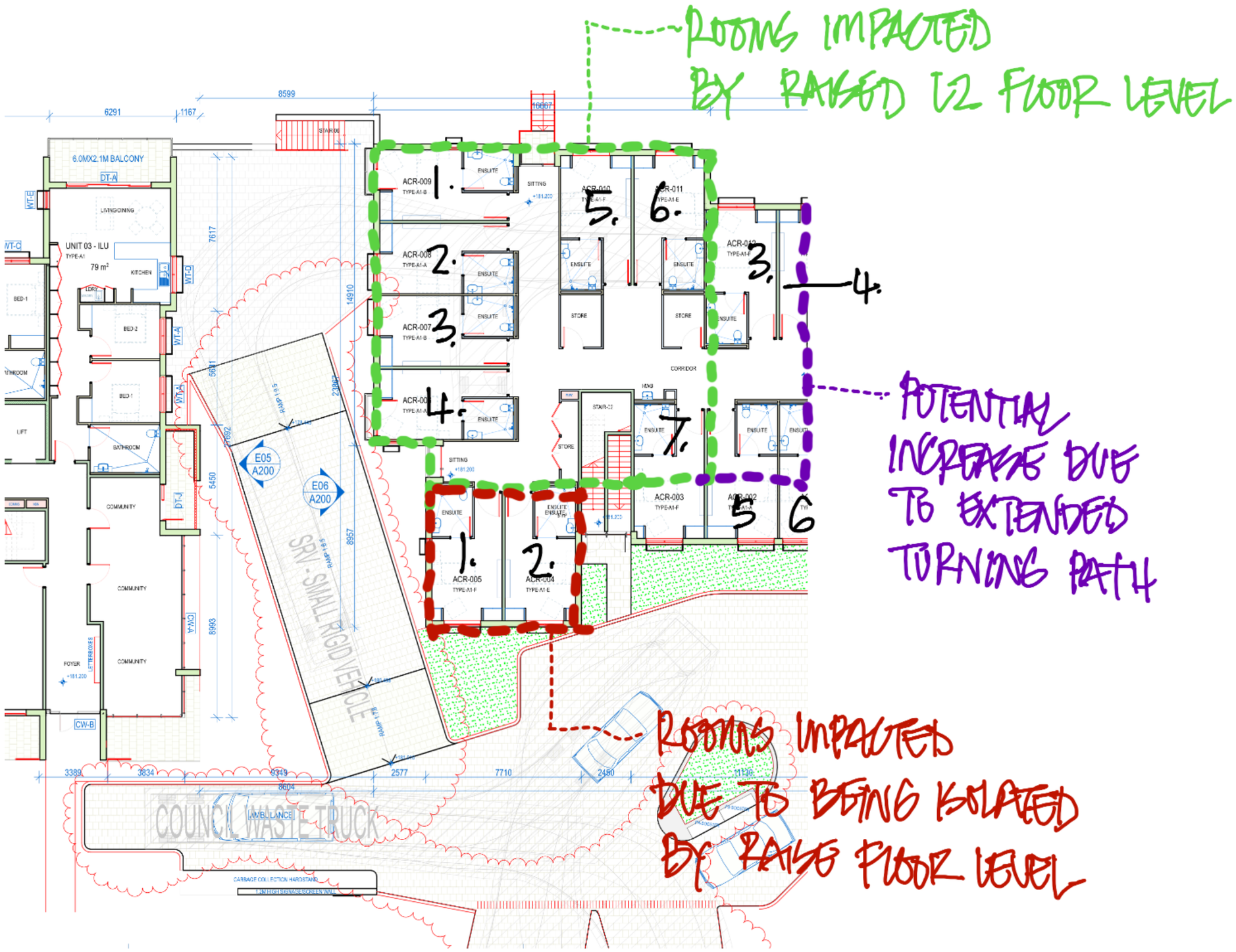



CURRENT CLEARANCES BASED ON 2.4m CLEARANCES

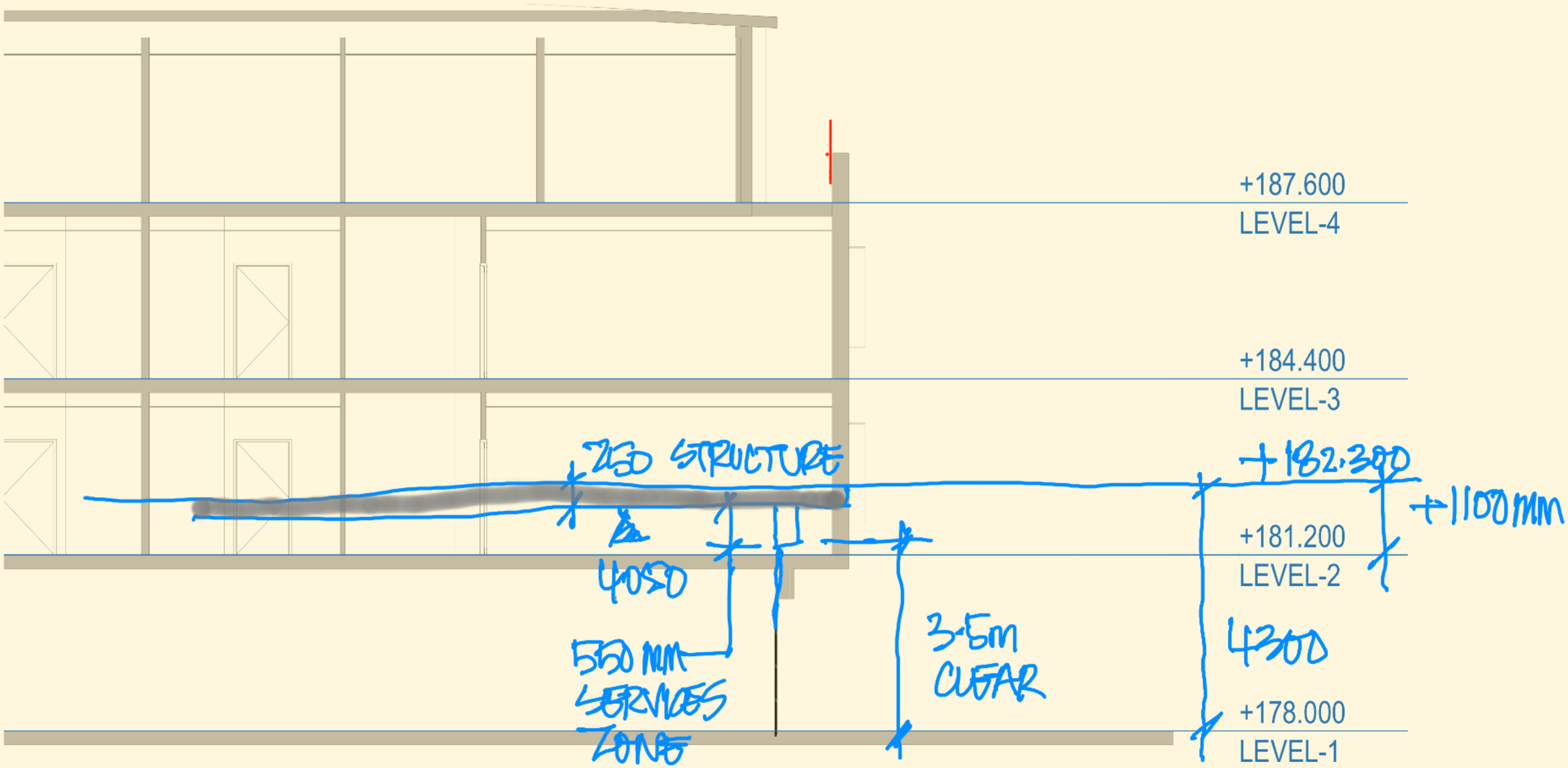
# Attachment B3 - Extent of basement required to be raised to accommodate 3.5m vertical clearance



**Attachment B4 - Impacts of the Increase Basement Clearance Height on the Ground Floor Bedrooms**



**Attachment B5 - Impacts of Increased Clearance Height on the Ground Floor RACF Bedrooms - Section**



**Attachment B6– Delivery Vehicle**

# TRAY/TAUTLINER - 6 TONNE

Length 5.2m (17 feet)

Width 2.4m (8 feet)

Height 2.3m (7 feet, 6 inches)

Capacity 8 pallets