2018SSH042 - 2, 2A, 4 Locksley Street, Cronulla & 31, 37, 39 Sturt Road, Cronulla

MA18/0308

ASSESSMENT REPORT APPENDICES

Appendix

- A Draft Conditions of Consent
- B Revised 1 Response to RFI 2018 12 10
- C Revised 1 Acoustic Report 2018 12 10
- D Plans

DRAFT CONDITIONS OF CONSENT Modification Application No. 18/0308

1. Approved Plans and Documents

The development must be undertaken substantially in accordance with the details and specifications set out on the Plan / Drawings:

Plan number		Reference	Prepared by	Date
Project	No.2894	Overall Site Plan - Stage 2	Morrison	Received by
Drawing	No.A050		Design	Council on
Revision 04			Partnership	21/10/2016
			Architects	
Project	No.2894	Overall site Plan	Morrison	3/12/2018
Drawing	No.A0501		Design	
Revision P2			Partnership	
			Architects	
Project	No.2894	Links Building Ground Floor Plan	Morrison	Received by
Drawing	<u>No.A051</u>	Pines Building Ground Floor &	Design	Council on
Revision 05		Lower Ground Floor Plan Links	Partnership	21/10/2016
		Building Lower Ground Floor Plan	Architects	
Project	No.2894	Overall Lower Ground Floor &	Morrison	15/11/2018
Drawing	No.A0511	Ground Floor Plan	Design	
Revision P2			Partnership	
			Architects	
Project	No.2894	Links Building First Floor Plan &	Morrison	Received by
Drawing	No.A052	Pines Building First Floor Plan	Design	Council on
Revision 04			Partnership	21/10/2016
			Architects	
Project	No.2894	Links Building First Floor Plan &	Morrison	3/12/2018
Drawing	No.A0521	Norfolk Building First Floor	Design	
Revision P2		Plans	Partnership	
			Architects	
Project	No.2894	Pines Building Second Floor Plan	Morrison	Received by
Drawing	No.A053		Design	Council on
Revision 01			Partnership	21/10/2016
			Architects	
Project	No.2894	Norfolk Building Second Floor	Morrison	1/06/2018
Drawing	No.A0531	Plan	Design	
Revision P1			Partnership	
			Architects	

Project	No.2894	Overall Site Roof Plan (Sturt Rd.	Morrison	Received by
Drawing	No.A055	Level)	Design	Council on
Revision 02			Partnership	21/10/2016
			Architects	
Project	No.2894	Overall Site Roof Plan (Sturt Rd	Morrison	1/06/2018
Drawing	No.A0551	Level)	Design	
Revision P1			Partnership	
			Architects	
Project	No.2894	Links Building Lower Ground Floor	Morrison	Received by
Drawing	No.A101	& Ground Floor Plan	Design	Council on
Revision 03			Partnership	21/10/2016
			Architects	
Project	No.2894	Links Building Lower Ground	Morrison	15/11/2018
Drawing	No.A1011	Floor & Ground Floor Plan	Design	
Revision P2			Partnership	
			Architects	
Project	No.2894	Links Building First Floor Plan	Morrison	Received by
Drawing	No.A102	Roof Plan	Design	Council on
Revision 03			Partnership	21/10/2016
			Architects	
Project	No.2894	Links Building First Floor Plan	Morrison	15/11/2018
Project Drawing	No.2894 No.A1021	Links Building First Floor Plan Roof Plan	Morrison Design	15/11/2018
Project Drawing Revision P2	No.2894 No.A1021	Links Building First Floor Plan Roof Plan	Morrison Design Partnership	15/11/2018
Project Drawing Revision P2	No.2894 No.A1021	Links Building First Floor Plan Roof Plan	Morrison Design Partnership Architects	15/11/2018
Project Drawing Revision P2 Project	No.2894 No.A1021 <u>No.2894</u>	Links Building First Floor Plan Roof Plan Norfolk Building Lower Ground	Morrison Design Partnership Architects Morrison	15/11/2018 Received by
Project Drawing Revision P2 Project Drawing	No.2894 No.A1021 	Links Building First Floor Plan Roof Plan Norfolk Building Lower Ground Floor Plan	Morrison Design Partnership Architects Morrison Design	15/11/2018 Received by Council on
Project Drawing Revision P2 Project Drawing Revision 02	No.2894 No.A1021 No.2894 No.A103	Links Building First Floor Plan Roof Plan Norfolk Building Lower Ground Floor Plan	Morrison Design Partnership Architects Morrison Design Partnership	15/11/2018 Received by Council on 21/10/2016
Project Drawing Revision P2 Project Drawing Revision 02	No.2894 No.A1021 <u>No.2894</u> <u>No.A103</u>	Links Building First Floor Plan Roof Plan Norfolk Building Lower Ground Floor Plan	Morrison Design Partnership Architects Morrison Design Partnership Architects	15/11/2018 Received by Council on 21/10/2016
Project Drawing Revision P2 Project Drawing Revision 02 Project	No.2894 No.A1021 No.2894 No.A103 No.2894	Links Building First Floor Plan Roof Plan Norfolk Building Lower Ground Floor Plan Norfolk Building Lower Ground	Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison	15/11/2018 Received by Council on 21/10/2016 15/11/2018
Project Drawing Revision P2 Project Drawing Revision 02 Project Drawing	No.2894 No.A1021 No.2894 No.A103 No.2894 No.A1031	Links Building First Floor Plan Roof Plan Norfolk Building Lower Ground Floor Plan Norfolk Building Lower Ground Floor Plan	Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design	15/11/2018 Received by Council on 21/10/2016 15/11/2018
Project Drawing Revision P2 Project Drawing Revision 02 Project Drawing Revision P2	No.2894 No.A1021 <u>No.2894</u> <u>No.A103</u> No.2894 No.A1031	Links Building First Floor Plan Roof Plan Norfolk Building Lower Ground Floor Plan Norfolk Building Lower Ground Floor Plan	Morrison Design Partnership Architects Morrison Design Architects Morrison Design Partnership	15/11/2018 Received by Council on 21/10/2016 15/11/2018
Project Drawing Revision P2 Project Drawing Revision 02 Project Drawing Revision P2	No.2894 No.A1021 No.2894 No.A103 No.2894 No.A1031	Links Building First Floor Plan Roof Plan Norfolk Building Lower Ground Floor Plan Norfolk Building Lower Ground Floor Plan	Morrison Design Partnership Architects Morrison Design Architects Morrison Design Partnership Architects	15/11/2018 Received by Council on 21/10/2016 15/11/2018
Project Drawing Revision P2 Project Drawing Revision 02 Project Drawing Revision P2	No.2894 No.A1021 No.2894 No.A103 No.2894 No.A1031	Links Building First Floor Plan Roof Plan Norfolk Building Lower Ground Floor Plan Norfolk Building Lower Ground Floor Plan	Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison	15/11/2018 Received by Council on 21/10/2016 15/11/2018 Received by
Project Drawing Revision P2 Project Drawing Revision 02 Project Drawing Revision P2 Project Drawing	No.2894 No.A1021 No.2894 No.A103 No.2894 No.A1031	Links Building First Floor Plan Roof Plan Norfolk Building Lower Ground Floor Plan Norfolk Building Lower Ground Floor Plan	Morrison Design Partnership Architects Morrison Partnership Architects Morrison Design Partnership Architects Morrison Design	15/11/2018 Received by Council on 21/10/2016 15/11/2018 Received by Council on
Project Drawing Revision P2 Project Drawing Revision 02 Project Drawing Revision P2 Project Drawing Revision 03	No.2894 No.A1021 No.2894 No.A103 No.2894 No.A1031	Links Building First Floor Plan Roof Plan Norfolk Building Lower Ground Floor Plan Norfolk Building Lower Ground Floor Plan	Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design Partnership Partnership Partnership	15/11/2018 Received by Council on 21/10/2016 15/11/2018 Received by Council on 21/10/2016
Project Drawing Revision P2 Project Drawing Revision 02 Project Drawing Revision P2 Project Drawing Revision 03	No.2894 No.A1021 No.2894 No.A103 No.2894 No.A1031 No.2894 No.A104	Links Building First Floor Plan Roof Plan Norfolk Building Lower Ground Floor Plan Norfolk Building Lower Ground Floor Plan Norfolk Building First Floor Plan	Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design Partnership Architects	15/11/2018 Received by Council on 21/10/2016 Received by Council on 21/10/2016
Project Drawing Revision P2 Project Drawing Revision 02 Project Drawing Revision P2 Project Drawing Revision 03	No.2894 No.A1021 No.2894 No.A103 No.2894 No.A1031 No.2894 No.A104	Links Building First Floor Plan Roof Plan Norfolk Building Lower Ground Floor Plan Norfolk Building Lower Ground Floor Plan Norfolk Building First Floor Plan	Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison	15/11/2018 Received by Council on 21/10/2016 15/11/2018 Received by Council on 21/10/2016 3/12/2018
Project Drawing Revision P2 Project Drawing Revision 02 Project Drawing Revision P2 Project Drawing Revision 03 Project Drawing Revision 03	No.2894 No.A1021 No.2894 No.A103 No.2894 No.A1031 No.2894 No.A104 No.2894 No.A104	Links Building First Floor Plan Roof Plan Norfolk Building Lower Ground Floor Plan Norfolk Building Lower Ground Floor Plan Norfolk Building First Floor Plan	Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design	15/11/2018 Received by Council on 21/10/2016 15/11/2018 Received by Council on 21/10/2016 3/12/2018
Project Drawing Revision P2 Project Drawing Revision 02 Project Drawing Revision P2 Project Drawing Revision 03 Project Drawing Revision P2	No.2894 No.A1021 No.2894 No.A103 No.2894 No.A1031 No.2894 No.A1041 No.2894 No.A1041	Links Building First Floor Plan Roof Plan Norfolk Building Lower Ground Floor Plan Norfolk Building Lower Ground Floor Plan Norfolk Building First Floor Plan Norfolk Building First Floor Plan	Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design Partnership Architects	15/11/2018 Received by Council on 21/10/2016 15/11/2018 Received by Council on 21/10/2016 3/12/2018
Project Drawing Revision P2 Project Drawing Revision 02 Project Drawing Revision P2 Project Drawing Revision 03 Project Drawing Revision 03	No.2894 No.A1021 No.2894 No.A103 No.2894 No.A1031 No.2894 No.A104 No.2894 No.A1041	Links Building First Floor Plan Roof Plan Norfolk Building Lower Ground Floor Plan Norfolk Building Lower Ground Floor Plan Norfolk Building First Floor Plan Norfolk Building First Floor Plan	Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design Partnership Architects Morrison Design Partnership Architects	15/11/2018 Received by Council on 21/10/2016 15/11/2018 Received by Council on 21/10/2016 3/12/2018

Project No.2894 Norfolk Building Second Floor Morrison Receiv	ed by
Drawing No.A105 Plan Design Counc	l on
Revision 03 Partnership 21/10/	<u>2016</u>
Architects	
Project No.2894 Norfolk Building Second Floor Morrison 3/12/2	018
Drawing No.A1051 Plan Design	
Revision P2 Partnership	
Architects	
Project No.2894 Overall Elevations + Materials, Morrison Receiv	ed by
Drawing No.A201 Finishes & Colours Schedule Design Counc	l on
Revision 02 Partnership 21/10/	2016
Architects	
Project No.2894 Elevations Sheet 2 Morrison Receiv	ed by
Drawing No.A202 Design Counc	l on
Revision 02 Partnership 21/10/	2016
Architects	
Project No.2894 Elevations Sheet 2 Morrison 15/11/	2018
Drawing No.A2021 Design	
Revision P5 Partnership	
Architects	
Project No.2894 Elevations Sheet 3 Morrison Receiv	ed by
Drawing No.A203 Design Counc	l on
Revision 02 Partnership 21/10/	2016
Architects	
Project No.2894 Elevations Sheet 3 Morrison 1/06/2	018
Drawing No.A2031 Design	
Revision P1 Partnership	
Architects	
Project No.2894 Plant Room Details & Morrison 3/12/2	018
Drawing No.A2034 Streetscape Design	
Revision P1 Partnership	
Architects	
Project No.2894 Sections Sheet 1 Morrison Receiv	ed by
Drawing No.A301 Design Counc	l on
Revision 04 Partnership 21/10/	<u>2016</u>
Architects	
Project No.2894 Sections Sheet 1 Morrison 1/06/2	018
Drawing No.A3011 Design	
Revision P1 Partnership	
Architects	

Project No.2894	Sections Sheet 2	Morrison	Received by
Drawing No.A302		Design	Council on
Revision 02		Partnership	21/10/2016
		Architects	
Project No.2894	Sections Sheet 2	Morrison	1/06/2018
Drawing No.A3021		Design	
Revision P1		Partnership	
		Architects	
Job No.16007 Drawing	Drawing List, Legend, Plant	Amber Road	Received by
No.L00 Issue D	Schedule & General Notes		Council on
			21/10/2016
Job No.16007 Drawing	Landscape Plan	Morrison	Received by
No.L01 Issue F		Design	Council on
		Partnership	21/10/2016
		Architects	
Job No.16007 Drawing	Landscape Plan	Amber Road	Received by
No.L01 Issue K			Council on
			21/10/2016
Job No.16007 Drawing	Landscape Details	Morrison	Received by
No.L02 Issue D		Design	Council on
		Partnership	21/10/2016
		Architects	
Job No.16076 Drawing	General Notes	abc	8/06/2016
No.C00.01 Issue A		consultants	
Job No.16076 Drawing	Level 0 & Level 1 Stormwater	abc	8/06/2016
No.C02.01 Issue A	Drainage Plan	consultants	
Job No.16076 Drawing	Level 2 Stormwater Drainage Plan	abc	8/06/2016
No.C03.01 Issue A		consultants	
Job No.16076 Drawing	Roof Stormwater Plan	abc	8/06/2016
No.C04.01 Issue A		consultants	
Job No.16076 Drawing	Section & Details	abc	8/06/2016
No.C05.01 Issue A		consultants	
Job No.16076 Drawing	Sediment & Erosion Control Plan	abc	8/06/2016
No.C01.01 Issue A		consultants	
Project No.2894	Site Analysis & Construction	Morrison	22/06/2016
Drawing No.A031	Management Plan	Design	
Revision B		Partnership	
		Architects	
Project No.16-417	Driveway Siteworks Plan	AT&L Civil	27/11/2018
Drawing No.DAC002		Engineers	
Issue F			
		1	1

and any details on the application form and on any supporting information received with the application except as amended by the following conditions.

Note: The following must be submitted to Sutherland Shire Council prior to the commencement of any building work.

- i) A Construction Certificate.
- ii) Notification of the appointment of a Principal Certifying Authority and a letter of acceptance from that Principal Certifying Authority.
- iii) Notification of the commencement of building works with a minimum of 2 days' notice of such commencement.

(Modified - (date).)

2. Design Changes Required

A. Before Construction

The following design changes must be implemented:

- i) External fittings, fixtures and blank walls should be secured and vandal resistant, including mail and waste receptacles;
- ii) Blank external walls to be treated with anti-graffiti coatings and/or green-screening.
- iii) CCTV be installed and monitored in the loading dock/carpark entrance on Locksley St
- iv) The Locksley Street carpark be accessible to staff only.
- v) The third floor proposed over the Pines Building, including associated fire exit passages and stairways, is to be deleted. The roof of the new part of the building is to match the existing in form and material. (Deleted – (date).)

Details of these design changes must be included in documentation submitted with the application for a Construction Certificate.

3. Public Place Environmental, Damage & Performance Security Bond

A. Before Issuing of any Construction Certificate

Prior to the issue of a Construction Certificate or the commencement of any works on site, whichever occurs first, the person acting on this consent must provide security to Sutherland Shire Council against damage that may be caused to any Council property and/or the environment as a consequence of the implementation of this consent. The security may be provided by way of a deposit with Council or a bank guarantee. A non refundable inspection/administration fee is included in the bond value.

It is the responsibility of the person acting on this consent to notify Sutherland Shire Council of any existing damage to public areas in the vicinity of the development site by the submission of a current dilapidation report supported by photographs. This information must be submitted to Council at least 2 days prior to the commencement of works. In the event that the dilapidation report is not submitted 2 days prior to commencement and the public area sustains damage the person acting on this consent may be held liable.

Should any public property and/or the environment sustain damage as a result of the works associated with this consent, or if the works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage and/or remove the risk. The costs incurred must be deducted from the bond.

The value of the bond is \$50,210.00.

Note: Bond amount includes a non refundable administration fee which must be paid separately if security is provided by way of a deposit with Council or a bank guarantee.

Use of Bank Guarantee - As bond releases may occur under different timeframes only one bond amount/bond purpose is permitted on a Bank Guarantee. Multiple bonds will require multiple bank guarantees to be lodged.

B. After Occupation

A request for release of the bond may be made to Sutherland Shire Council after all works relating to this consent have been completed. Such a request must be submitted to Council on the 'Bond Release Request Form' signed by the owner or any person entitled to act on the consent and must be accompanied by a current dilapidation report including photographs.

4. Approvals Required under Roads Act or Local Government Act

A. Before Construction

No occupation or works are to be carried out on public land (including a road or footpath) or access provided over a public reserve adjacent to the development site without approval being obtained from Sutherland Shire Council and the necessary fee paid under the Roads Act 1993 and/or the Local Government Act 1993.

Note: Approval under the Roads Act or Local Government Act cannot be granted by a Principal Certifying Authority or by a Private Certifier. Failure to obtain approval may result in fines or prosecution.

5. Design and Construction of Works in Road Reserve (Council Design)

A. Design

Council has determined that the proposed development generates a need for the following works to be undertaken bv the applicant in the road reserve. То this end a Detailed Frontage Works application under the Roads Act must be submitted to Sutherland Shire Council, prior to the release of the Construction Certificate. The form is available on Council's website. A fee applies for the relevant inspections, assessment, coordination, creation of design brief and the issue of permits providing consent to undertake frontage works.

The design will be quoted separately by Council's Design Services unit.

This design will generally comply with the approved architectural design drawings, except where amended and/or addressing the following;

- i) Establish the property alignment levels and crossing profiles,
- ii) Construct a vehicle crossing 5.5m wide to the northern basement level
- iii) Construct a vehicle crossing 9.5m wide at the kerb and 5.5m wide at the boundary to the southern basement level
- iv) All redundant crossing and associated laybacks must be removed and kerb and gutter reinstated,
- v) Relocated the existing power pole located within the southern vehicle crossing. The pole must be offset a minimum 0.5m from the pavement.
- vi) Regrade, topsoil, turf and landscape the footpath verge to final design levels,
- vii) Adjust public services infrastructure where required,
- viii) Ensure there are adequate transitions between newly constructed and existing infrastructure.
- ix) Street trees

Evidence of the lodgement of this application must be provided to the PCA prior to the release of the Construction Certificate.

B. Before Construction

Prior to the release of the Construction Certificate property alignment levels and crossing profiles must be obtained from Sutherland Shire Council.

C. Before Occupation

Prior to the occupation of the building or the issue of an Occupation/Subdivision Certificate the following certification must be provided to Sutherland Shire Council:

- i) The supervising engineer must certify the road frontage works were constructed to their satisfaction and in accordance with the development consent and associated Roads Act consent.
- ii) The supervising arborist, landscape designer or landscape architect must certify the street trees are the correct species and were installed in accordance with the development consent and associated Roads Act consent.

6. Site Management Plan

A. Before Commencement of Works including Demolition

An Environmental Site Management Plan must accompany the application for a Construction Certificate. If demolition is to commence prior to the issue of a Construction Certificate the applicant must submit to Sutherland Shire Council a separate Demolition Site Management Plan. These plans must satisfy the Objectives and Controls of Sutherland Shire Development Control Plan 2015 relating to environmental site management and must incorporate the following throughout demolition and construction:

- i) safe access to and from the site during construction and demolition
- ii) safety and security of the site, road and footpath area including details of proposed fencing, hoarding and lighting
- iii) method of loading and unloading excavation machines, building materials
- iv) how and where, construction materials, excavated and waste materials will be stored.
- v) methods to prevent material being tracked off the site onto surrounding roadways
- vi) erosion and sediment control measures

B. During Works

The site management measures set out in the above plan must remain in place and be maintained throughout the period of works and until the site has been stabilised and landscaped.

7. Supervising Engineer

A. Before Construction

The applicant must engage an Accredited Certifier in civil engineering works or a Charter Civil Engineer to supervise construction of any:

- i) Road frontage works.
- ii) Construction / installation of stormwater drainage.
- iii) Rainwater harvesting & reuse.
- iv) All other works that form part of a subdivision.

B. During Construction

The engineer must supervise the works as listed above to ensure compliance with:

- i) All relevant conditions of development consent
- ii) Any Consent issued under the Roads Act for this development

C. Before Occupation

The supervising engineer must certify the works required in "A" above were undertaken and completed in accordance with the requirements of this Development Consent and to their satisfaction.

8. Internal Driveway Profile

A. Before Construction

An Access Application must be made to Council to obtain footpath crossing and boundary alignment levels before commencing the final design of internal driveways, paths and car park area.

B. Design

The internal driveway profile must be designed to:

- i) Provide adequate sight distance for the safety of pedestrians using the footpath area.
- ii) Align with Council's issued footpath crossing levels.
- iii) The northern driveway must comply with AS2890.1(2004) in relation to the design of vehicular access, parking, change in grades and general manoeuvring for the B85 vehicle,
- iv) The southern driveway must comply with AS2890.2 in relation to the design of vehicular access, parking, change in grades and general manoeuvring for the "SRV" truck,
- v) The maximum longitudinal grade of the driveway must not exceed 15%.

Certification by an appropriately qualified engineer to the effect that these design requirements have been met must accompany the application for a Construction Certificate.

9. Basement Car Park Design

A. Design

The basement car park must be designed in accordance with AS 2890 and must incorporate the following:

- i) A minimum headroom of 2.2m measured from the parking floor to the underside of any beam, ventilation duct or service conduit, or to the underside of any door including a security door and fittings when those doors are in an open position for the northern basement.
- ii) A minimum headroom of 3.5m measured from the parking floor to the underside of any beam, ventilation duct or service conduit, or to the underside of any door including a security door and fittings when those doors are in an open position for the southern basement level containing the "SRV" loading bay.
- iii) The proposed security door fitted to the car parking area entrance must be independently mounted on rubber pads to prevent vibration noise transmission through the concrete walls and / or columns.

B. Before Construction

Certification by an appropriately qualified engineer to the effect that these design requirements have been met must accompany the application for a Construction Certificate.

10. Drainage Design - Detailed Requirements

A. Design

The stormwater drainage system must be designed in accordance with the approved stormwater drainage design drawing, Australian Standard AS3500.3:2003 and the BASIX Certificate issued for this development. Except where modified by the following:

- i) An orifice plate and required diameter must be calculated, designed and shown on the detailed stormwater drawings,
- ii) The private connection to the existing kerb inlet pit within Locksley Street cul-de-sac head must be hot dipped galvanised steel hollow section with a minimum wall thickness of 4.0 millimetres or reinforced concrete.
- iii) There must be no connections to the Locksley Street or Sturt Road kerb and gutter,
- iv) All levels reduced to Australian Height Datum.

B. Before Construction

- i) The private stormwater connection to the existing kerb inlet pit located in Locksley Street cul-de-sac (pit id#72611) must be designed and provided to Councils Stormwater and Waterways Manager for approval prior to issue of any construction certificate
- Certification from an Accredited Certifier in Civil Engineering or a Chartered Civil Engineer, to the effect that the drainage design is to their satisfaction and satisfies the design requirements in "A" above must accompany the application for a Construction Certificate.

C. Before Occupation

Prior to the issue of an Occupation Certificate:

- A Works-As-Executed drawing (WAED) of the stormwater drainage system must be prepared by a Registered Surveyor. This drawing must detail the alignment of pipelines, pits, the rainwater tanks and the detention facilities. An original or a colour copy must be submitted to Sutherland Shire Council.
- ii) The Supervising Engineer must certify the WAED of the stormwater drainage system that the stormwater drainage works, rainwater harvesting facility and rainwater reuse systems were constructed to their satisfaction and in accordance with the Development Consent. Prior to the occupation or use of the building the Applicant / Owner must submit to Council a copy of the aforementioned letter of certification.

D. Ongoing

i) The operation of all devices or appliances installed within the development approved by this consent as required by conditions pertinent to rainwater harvesting and rainwater reuse

must be maintained in good operating order at all times.

- ii) The stormwater detention facility must be:
 - Kept clean and free from silt, rubbish and debris.
 - Be maintained so that it functions in a safe and efficient manner.
 - Not be altered without prior consent in writing of the Council.

Note: Upon submission of the Works-As-Executed drawing for the stormwater drainage system a notation will be added to the section 149(5) certificate advising future owners that their property is burdened by a stormwater detention facility.

11. Damage to Adjoining Properties

A. Before Works

To minimise vibration damage and loss of support to buildings / structures and properties in close proximity to the development site, a Geotechnical Engineers Report must be prepared detailing constraints to be placed on earth moving and building plant and equipment and the method of excavation, shoring, underpinning and support. This report must be provided to the person undertaking the excavation and the Principal Certifying Authority.

B. During Works

The constraints and recommendations of the Geotechnical Engineers Report must be implemented.

12. Public Utilities

This condition is imposed to facilitate the provision of services to the development and reduce conflicts between services and lot boundaries, buildings or associated facilities.

A. Before Construction

Suitable arrangements must be made with all relevant utility service providers to ensure the development is appropriately serviced by electricity, gas, telecommunications and the like, and any necessary underground conduits are provided.

Note: Should these requirements result in any significant change to the approved design an application must be made to modify the consent under s.96 of the Environmental Planning and Assessment Act.

13. Flood Requirements

A. Design

- a) All structures must have flood compatible building materials below the PMF level.
- b) A suitably qualified engineer must certify that;
 - i) the structure can withstand the forces of floodwater, debris and buoyancy up to and including the PMF; and

ii) the development will not increase flood effects elsewhere, having regard to loss of flood storage; changes in flood levels, flows and velocities caused by alterations to the flood conveyance; and the cumulative impact of multiple potential developments in the floodplain.

Details and certification must accompany the application for a construction certificate.

B. Prior to Occupation

Prior to occupation or issue of any occupation certificate, a positive covenant must be created on the title in accordance with the Conveyancing Act 1919 to the effect that the wall adjoining the northern most driveway on Locksley Street, located between the front boundary and the building, forms part of flood mitigation and must not be removed or modified without prior consent from Sutherland Shire Council. (Added – (date).)

14. Approved Landscape Plan

A. Design Changes

The landscape works on the site must be carried out in accordance with the approved Landscape Plan except as amended by the following:

- Delete two Angophora costata (Sydney Red Gum) to Sturt Road frontage and replace with two Cupaniopsis anacaroides (Tuckeroo). Ensure trees are informally spaced and intermixed.
- ii) Delete four Angophora costata (Sydney Red Gum) to Lockesley Street frontage and replace with two Eucalytpus tereticornis (Forest Red Gum) and two Melalueca stypheloides (Prickly Tea Tree). Ensure trees are informally spaced and intermixed.
- iii) Delete Banksia integrifolia (Coastal Banksia) and Corymbia gummifera (Bloodwood) to the communal open space between the Links and Norfolk building and replace with more shade tolerant species such as Acmena smithii (Lily Pily), Syzigium oleosum (Blue Lilli Pilli) and or Elaeocarpus reticulatus (Blueberry Ash).
- iv) Provide tables and seating for communal/group use to the two primary communal open spaces within the proposed development.
- v) Provide raised communal vegetable/garden beds for residents to utilise to the two primary communal open spaces within the proposed development.
- vi) Provide all weather covering to a portion of the two proposed balconies extending off the lounge dining areas to the Norfolk and Pines buildings to enable usability during a variety of weather conditions.
- vii) Tree Protection Zones (TPZ) must be shown on plan for all existing trees and/or natural site features to be retained and protected.
- viii) The communal open space areas and all planter boxes on slab must be provided with a water-efficient irrigation system, connected to a pump and the rainwater/OSD tank, to enable effective landscape maintenance.

The applicant must engage a suitably qualified Landscape Designer or Landscape Architect to oversee any design changes to the approved Landscape Plan and amendments required above.

Details of these design changes must be included in the documentation submitted with the application for a Construction Certificate.

Notes:

A Landscape Designer is a person eligible for membership of the Australian Landscape Designers and Managers and a Landscape Architect is a person eligible for membership of the Australian Institute of Landscape Architects as a Registered Landscape Architect.

If demolition works to occur prior to the Construction Certificate being issued, tree protection measures must be installed prior to commencement of demolition.

B. Prior to Occupation/Occupation Certificate

The landscape works must be completed in accordance with the approved Landscape Plan and amendments required by 'A' above. A Final Landscape Inspection must be carried out and a certificate issued by Council's landscape officer prior to occupation or the issue of an occupation certificate (interim or final). This certificate is required to ensure that all landscaping works and the deep soil percentage requirements have been carried out in accordance with 'A' above, and that all new indigenous plants on the site and within the road reserve are the correct species.

To arrange a Final Landscape Inspection please phone 9710-0333 48 hours prior to the required inspection date. An inspection fee of \$225 is required to be paid, prior to the inspection. Additional inspections will be charged at a rate of \$150 each.

C. Ongoing

All landscaping works required by 'A' above must be maintained for 12 months following the final landscape inspection date.

Any plants found faulty, damaged, diseased or dead shall be replaced with the same species in the same sized container within one month with all costs borne by the owner.

Note: If difficulty is experienced sourcing suitable indigenous plants from other suppliers, plants grown from locally provenance seed may be available from:

Sutherland Shire Council Nursery 345 The Boulevarde, Gymea Ph: 02 9524 5672

15. Trees on Private Land

A. Tree Removal

The removal of the following trees is approved:

i) Trees identified on the approved Landscape Plan as "existing tree to be removed" and/or as listed below:

Tree No.	Tree Species (botanical and common name)	Location
3	Archontophoenix alexandrae (Alexander Palm)	Refer to Arborist
		Report
4	Dracaena marginata (Dragon Tree)	"
5	Beaucarnea recurvata (Pony Tail Palm)	"
7	Murraya paniculata (Murraya)	"
8	Washingtonia filifera (Cotton Palm)	"
9	Dracaena marginata (Dragon Tree)	"
10	Allocasuarina torulosa (Casuarina)	"
11-13	Strelitzia Nicolai (Giant Bird of Paradise)	"

- ii) Trees growing within the 3 metres of the building footprint of the approved structures.
- iii) Any declared noxious plant. The applicant is to ensure that all noxious plants are properly identified and controlled/removed.
- iv) Any tree species exempted by the Sutherland Shire Local Environmental Plan 2015.

All other vegetation that would require approval to be removed must be protected.

B. Design

- i) 10 trees are approved for removal as part of this consent. Where trees are proposed to be removed Sutherland Shire Council's Development Control Plan 2015 requires indigenous replacement canopy tree planting at a ratio of 8 to 1 on private land.
- ii) 80 replacement trees are required to be planted.
- iii) A minimum number of 40 indigenous trees must be planted on the site as per approved landscape plan and associated conditions of consent.
- iv) Trees must have a minimum container size of 5 litres.

An amended Landscape Plan/Tree Location Plan showing the location of all replacement trees on the site and/or in the street must be provided prior to the release of the Construction Certificate. **Note:** For the remaining 40 replacement trees required by "B ii)" above, Council offers offsite planting under a 'Deed of Agreement' as an alternative to on site planting, at a cost of \$100 per tree. Offsite planting will be undertaken as part of Council's Green Street Program. 'Deed of Agreement' forms can be downloaded from Council's website at <u>www.sutherlandshire.nsw.gov.au/Development/Development-Applications/Off-Site-Tree-</u><u>Replacement-and-Deed-of-Agreement</u>. A completed form and payment must be submitted to Council prior to the release of the Construction Certificate.

C. Prior to Occupation/Occupation Certificate

The replacement tree planting must be completed in accordance with the approved Landscape Plan/Tree Location Plan. A Final Landscape Inspection must be carried out and a certificate issued by Council's landscape officer prior to occupation or the issue of an occupation certificate (interim or final). This certificate is required to ensure that tree planting has been carried out in accordance with 'B' above, and that all new indigenous plants on the site and within the road reserve are the correct species.

To arrange a Final Landscape Inspection please phone 9710-0333.

48 hours prior to the required inspection date. An inspection fee of \$225 is required to be paid, prior to the inspection. Additional inspections will be charged at a rate of \$150 each.

D. Ongoing

Trees required by this condition must be maintained and protected until they are covered by Council's Controls for Preservation of Trees and Bushland Vegetation (SSCDCP 2015 Chapter 38). Any replacement trees found damaged, dying or dead must be replaced with the same species in the same container size within one month with all costs to be borne by the owner.

Note: If you have difficulty sourcing suitable indigenous plants from other suppliers, plants grown from local provenance seed may be available from:

Sutherland Shire Council Nursery 345 The Boulevarde, Gymea Ph: 02 9524 5672 Opening hours - Monday to Friday 7.00am-3.00pm (excluding public holidays).

16. Supervising Environmental Consultant

A. Before Commencement

The applicant must engage an appropriately qualified and experienced environmental consultant to supervise the management of acid sulfate soils and related environmental matters.

B. During Works

The environmental consultant must supervise all aspects of the remediation works in accordance with the approved Acid Sulfate Soil Management Plan.

Note: An appropriately qualified and experienced environmental consultant shall be certified by one of the following certification schemes; or equivalent:

- Environment Institute of Australia & New Zealand (EIANZ) 'Certified Environmental Practitioner (CEnvP) Scheme.
- Site Contamination Practitioners Australia (SCPA).

17. Acid Sulfate Soil Management

A. During Works

The acid sulfate soil management plan within the following report "Acid Sulfate Soil Investigation, 31 - 39 Sturt Road, Cronulla" by Envirotech, 24 October 2016; must be implemented and adhered to for the duration of works. All works must be carried out in accordance with this management plan, under the supervision of the supervising environmental consultant.

Note: Any worker involved with the development shall familiarise themselves with the management of acid sulfate soils as outlined in the submitted Acid Sulfate Soil Management Plan.

B. Before Occupation

The supervising environmental consultant must certify in writing that the management of acid sulfate soils was undertaken in accordance with the above management plan.

This certification must be provided to the satisfaction of Sutherland Shire Council, Director Shire Planning, prior to occupation and issue of an occupation certificate.

18. Management of Site Soil/ Fill Material

A. During Works

i) Disposal of Site Soils

Any soils to be excavated and disposed of from the site must be analysed and classified by an appropriately qualified and experienced environmental consultant, in accordance with relevant NSW EPA guidelines including the "Waste Classification Guidelines" 2014, prior to off-site disposal.

Excavated material is to be transported to an appropriately licensed waste facility by an EPA licensed waste contractor in accordance with relevant NSW EPA guidelines.

Note: Attention is drawn to Part 4: "Acid Sulfate Soils" of the NSW EPA "Waste Classification Guidelines" 2014, which addresses the management of actual and potential acid sulfate soils.

ii) Importation of Fill Material

Any fill material that is imported onto the site must comprise Virgin Excavated Natural Material (VENM), Excavated Natural Material (ENM) or other suitable material in accordance with the relevant Resource Recovery Exemption issued under the *Protection of the Environment Operations (Waste) Regulation 2014.*

19. Cleanliness and Maintenance of Food Preparation and Storage Areas

To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation and storage areas:

A. Design

The food preparation and storage area/s must be designed in accordance with;

- i) Food Act 2003.
- ii) Food Regulation 2010.
- iii) Food Safety Standards 3.1.1, 3.2.2 and 3.2.3.
- iv) AS 4674 2004 (Design, construction and fit-out of food premises).
- v) Sydney Water Corporation Trade Waste Section.
- vi) Protection of the Environment Operations (Clean Air) Regulation, 2002.
- vii) AS 1668 Part 1- 1998.
- viii) AS 1668 Part 2 1991.

B. Before Construction

Details of compliance with the above must form part of the documentation accompanying the application for a Construction Certificate.

C. Before Occupation

- i) Prior to issue of an Occupation Certificate, certification must be provided from a suitably qualified person that all work in connection with the occupation or use of the premises for the preparation, display and storage of food has been carried out in accordance with the terms of the development consent.
- ii) Occupation of the premises must not occur until a registration application has been submitted to Council's Environment and Health Regulation Department for the food business.

20. Garbage, Recycling and Green-waste Storage Area

To ensure the proper storage of waste from the premises:

A. Design

The garbage and recycling storage area must have a smooth impervious floor that is graded to a floor waste. A tap and hose must be provided to facilitate regular cleaning of the bins and all waste water must be discharged to the sewer in accordance with the requirements of Sydney Water. Garbage bins must be designed to prevent the escape of any liquid leachate and must be fitted with a lid to prevent the entry of vermin.

B. Before Construction

Details of compliance with 'A' above must form part of the documentation accompanying the applications for a Construction Certificate.

C. Before Occupation

The works must be completed prior to the issue of any Occupation Certificate.

D. Ongoing

All waste and recycling bins must be stored wholly within the approved waste storage area and be collected on site.

21. External Lighting - (Amenity)

To ensure that any lighting on the site does not cause a nuisance to neighbours or motorists on nearby roads:

A. Design

All lighting must be designed in accordance with Australian Standard AS4282 - Control of the Obtrusive Effects of Outdoor Lighting.

B. Ongoing

All lighting must be operated and maintained in accordance with the Standard above.

22. Noise Control - Design of Plant and Equipment (Continual Operation) (HLT4020)

To minimise the impact of noise from the development, all sound producing plant, equipment, machinery, mechanical ventilation systems and / or refrigeration systems:

A. Design

All plant and equipment must be designed and / or located so that the noise emitted does not exceed the Project Specific Noise level when measured at the most affected point on or within any residential property boundary.

The Project Specific Noise level must be the most stringent noise level of the Intrusive and Amenity criteria and be calculated in accordance with the provisions of the Department of Environment and Conservation's Industrial Noise Policy.

Note: The method of measurement of sound must be carried out in accordance with Australian Standard 1055.1.

B. Before Construction

Details of the acoustic attenuation treatment required to comply with 'A' above, must be prepared by a qualified acoustic engineer. These details must accompany the application for a Construction Certificate.

C. Before Occupation

Certification must be provided by a qualified acoustic engineer that all work associated with the installation of the acoustic measures has been carried out in accordance with 'A' above.

D. Ongoing

All plant and equipment must be operated and maintained in accordance with the 'A' above.

23. Noise and Vibration Control - Residential Car Park

To minimise noise and vibration from use of the security door in the car park:

A. Design

The proposed security door fitted to the car parking area entrance must be independently mounted on rubber pads or otherwise installed to prevent vibration noise transmission through the concrete walls and / or columns.

B. Before Occupation

The Principal Certifying Authority must be satisfied that 'A' above has been complied with.

24. Building Ventilation

To ensure adequate ventilation for the building:

A. Design

The building mechanical and / or natural ventilation systems must be designed, in accordance with the provisions of:

- i) The Building Code of Australia;
- ii) AS 1668 Part 1 1998;
- iii) AS 1668 Part 2 1991;

- iv) The Public Health Act 2010;
- v) The Public Health Regulation 2012;

B. Before Construction

Details of compliance with the above must form part of the documentation accompanying the application for a Construction Certificate.

C. Before Occupation

Certification must be provided by a qualified mechanical ventilation engineer that the installation of the ventilation system has been carried out in accordance with 'A' above.

D. Ongoing

The ventilation system must be operated and maintained in accordance with 'A' above.

25. Car-Park Ventilation - Alternate System

To ensure adequate ventilation for the car park:

A. Design

As the basement car-park does not appear to comply with the natural ventilation requirements of Section 4 of Australian Standards AS1668.2 -1991, the car-park must be either mechanically ventilated by a system complying with AS1668.2 -1991 or alternatively, the natural ventilation system must be certified by a qualified mechanical ventilation engineer to the effect that the system is adequate. The

certification shall confirm that the system will protect the health of occupants of the car park at anytime it is used and satisfies the atmospheric contaminate exposure rates specified in the Worksafe Australia document: Workplace Exposure Standards for Airborne Contaminants.

B. Before Construction

Details of compliance with 'A' above must form part of the application for a Construction Certificate.

C. Before Occupation

Certification must be provided by a qualified mechanical ventilation engineer that the installation of the ventilation system has been carried out in accordance with 'A' above.

D. Ongoing

The ventilation system must be operated and maintained in accordance with 'A' above.

26. Demolition Work

To ensure that demolition of structures is carried out in an environmentally acceptable and safe manner:

A. Before Commencement

If works involve the removal of more than 10 square metres of asbestos material, a bonded asbestos licence is required. A friable asbestos licence is required to remove, repair or disturb any amount of friable asbestos. For further information contact the NSW Workcover Authority.

B. During Works

- i) The demolition of the existing building must be carried out strictly in accordance with Australian Standard 2601 The Demolition of Structures.
- ii) The applicant must ensure that the demolition contractor has a current public risk insurance coverage for a minimum of \$5 million. A copy of the Policy must be submitted to the Council prior to demolition.

To ensure that the removal and transportation of any asbestos material, regardless of the quantity, is carried out in an environmentally acceptable and safe manner, all work must comply with the following:

- a) Work Health and Safety Act 2011;
- b) Work Health and Safety Regulation 2011;
- c) Safe Work Australia Code of Practice How to Manage and Control Asbestos in the Workplace;
- d) Code of Practice for the Safe Removal of Asbestos 2nd Edition [NOHSC:2002(2005)];
- e) Workcover NSW 'Working with Asbestos Guide 2008';
- f) Protection of the Environment Operations Act 1997; and
- g) Protection of the Environment Operations (Waste) Regulation 2005.

Asbestos waste in any form must be disposed of at a waste facility licensed by the NSW EPA to accept asbestos waste. Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m² or more of asbestos sheeting must be registered with the EPA on-line reporting tool WasteLocate. More information can be found at https://wastelocate.epa.nsw.gov.au.

27. Compliance with Acoustic Report

A. Design

To minimise the impact on the surrounding environment and to protect the amenity of the residents of the proposed development, the recommendations in Section 4 of the submitted acoustic report prepared by EMF Griffiths Consulting Engineers, with project number S216645 and dated 21 July, 2016 shall be complied with.

B. Before Occupation

Certification must be provided by a qualified acoustic engineer that all work associated with the installation of the acoustic measures has been carried out in accordance with 'A' above.

28. Graffiti Removal

A. Ongoing

Any graffiti on external walls must be removed immediately.

29. Collection & Delivery Services

A. Ongoing

To minimise the impact noise impact on the surrounding environment, the collection and delivery of goods and materials (including garbage and recycling waste) from the premises shall not take place between the hours of 8.00pm and 8.00am on any day.

30. Disposal of Medical Waste

A. Ongoing

Disposable sharps must be discarded in a clearly labelled puncture-resistant container, which must conform to Australian Standard AS4031. A licensed waste contractor must be engaged to dispose of the waste.

Contaminated waste must be segregated and placed in a suitable leak proof container ready for appropriate disposal. Contaminated waste includes microbiological waste and pathological waste, or any other material or item that is soiled or contaminated with blood or other body substances and that is likely to cause infection or injury to any other person.

31. Dilapidation Report - Adjoining Properties

A. Before Works

To assist in the resolution of any future disputes about damage to properties adjoining the development site, prior to commencement of any work on site the Applicant or principal contractor must provide dilapidation reports on the adjacent buildings at No 41 Sturt Road, including any basements and ancillary structures. The reports must be provided to the Principal Certifying Authority and to the owners of the properties that are the subject of the report.

The reports must be prepared by a suitably qualified and experienced person, such as a structural engineer.

32. Design Requirements for Disabled Access

A. Design

A report prepared by a suitably qualified Access Consultant must be submitted with the Construction Certificate, demonstrating that the development complies with the requirements of AS1428 - Design for Access and Mobility.

B. Before Occupation

Prior to the issue of any occupation certificate, certification must be provided by a suitably qualified Access Consultant that the requirements of A. above are satisfied.

33. BCA Assessment Report

A. Before Construction

The recommendations of the Building Code of Australia Assessment Report prepared by Philip Chun Building Compliance reference 16-206452 and dated 4 April 2016, and the recommendations in the Fire Engineering Report prepared by Holmes Fire dated 25 July 2016, must be complied with and must accompany the application for a Construction Certificate. (Deleted – (date).)

34. Certification Requirement of Levels

A. During Construction

At the following stages of construction:

- i) Prior to the pouring of each floor or roof slab,
- ii) Upon completion of the roof frame.

A registered surveyor must provide the Principal Certifying Authority with Certification that the stage of structure complies with the development consent in respect of levels.

B. Before Occupation

The certification referred to above must form part of the application for an Occupation Certificate.

35. Sydney Water Tap in[™] & Compliance Certificate

A. Before Construction

The plans approved as part of the Construction Certificate must be submitted to a Sydney Water Tap inTM to determine as to whether the development will affect Sydney Water's sewer and water mains, stormwater drains and / or easements, and if further requirements need to be met. Customers will receive an approval receipt. Please refer to the web site www.sydneywater.com.au.

B. Before Occupation / Prior to issue of Subdivision Certificate

A Compliance Certificate under s73 of the Sydney Water Act, 1994, must be submitted to Council by the Principal Certifying Authority. Sydney Water may require the construction of works and/or the payment of developer charges.

Sydney Water Advice on Compliance Certificates:

An application must be made through an authorised Water Servicing Coordinator. For details see the Sydney Water web site at www.sydneywater.com.au\customer\urban\index\ or by telephone 13 20 92.

Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water / sewer extensions can be time consuming and may impact on other services as well as building, driveway or landscaping design.

36. Dial Before You Dig

A. Before Construction

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at <u>www.1100.com.au</u> or telephone on 1100 before excavating or erecting structures (this is the law in NSW).

It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

37. Noise Control and Permitted Hours for Building and Demolition Work

A. During Works

To minimise the noise impact on the surrounding environment:

- i) The LAeq sound pressure level measured over a period of 15 minutes when the construction or demolition site is in operation, must not exceed the ambient background level (LA90 15min) by more than 10dB(A) when measured at the nearest affected premises.
- All building and demolition work must be carried out only between the hours of 7.00am and 6.00pm Monday to Friday inclusive, 8.00am and 3.00pm Saturdays. No work must be carried out on Sundays and Public Holidays.

38. Toilet Facilities

A. During Works

Toilet facilities must be available or provided at the work site at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site before works begin and must be maintained until the works are completed.

Each toilet must:

- i) be a standard flushing toilet connected to a public sewer, or
- ii) have an on-site effluent disposal system approved under the Local Government Act 1993, or
- iii) be a temporary chemical closet approved under the Local Government Act 1993

39. Car parking Areas

A. Ongoing

To ensure that the car parking area satisfies the demands of the development:

- i) it must be made available on an unrestricted basis and free of charge at all times for employees' vehicles
- ii) any parking nominated as visitor parking or common property must be continually available as common property.

40. Car Parking Allocation

A. Before Subdivision

Parking facilities must be designated as follows:

Parking must be allocated on the following basis:

- Staff: 15 spaces accessed from Locksley Street
- Visitor: 20 spaces accessed from Sturt Road
- Loading/servicing: 1 "SRV" space accessed from Locksley Street

B. Ongoing

The car-parking provided must only be used in conjunction with the facility and not for any other purpose.

41. Loading and Unloading

To preserve the amenity and ensure the safety of the public:

A. Ongoing

All loading and unloading of vehicles must be carried out within the site and not from the public roadway. All service/delivery vehicles must enter and leave the site in a forward direction from Locksley Street.

42. Housing for Seniors or People with a Disability - Restriction as to User

A. Before Occupation

A Restriction as to User must be registered against the title of the property in accordance with section 88E of the Conveyancing Act 1919. This restriction must limit the use of the approved accommodation to the kinds of people referred to under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

B. Ongoing

Specifically, only those people who meet the following criteria may occupy this accommodation:

- i) seniors or people who have a disability,
- ii) people who live within the same household with seniors or people who have a disability,
- iii) staff employed to assist in the administration of and provision of services to housing provided under this Policy.

"Seniors" are any of the following:

- a) people aged 55 or more years,
- b) people who are resident at a facility at which residential care (within the meaning of the Aged Care Act 1997 of the Commonwealth) is provided,
- c) people who have been assessed as being eligible to occupy housing for aged persons provided by a social housing provider.

"People with a disability" are people of any age who have, either permanently or for an extended period, one or more impairments, limitations or activity restrictions that substantially affect their capacity to participate in everyday life.

43. Endorsement of Linen Plan of Subdivision for Consolidation

A. Before Construction

Prior to the issue of any construction certificate a Plan of Subdivision for the consolidation of Lots 1 & 2 in Deposited Plan No.408232, Lots B & C in Deposited Plan No.404838 and Lot A in Deposited Plan No.406146 into one lot must be submitted and registered with NSW Land & Property Information under the Conveyancing Act.

44. Operational Management Plan

A. Before Construction

An Operational Management Plan must be prepared and approved by the Director of Shire Planning before the issue of the Construction Certificate. This Plan is to address:

- Stakeholder engagement;
- Waste management;
- Truck and delivery movements;
- Parking management;
- Light spillage;
- and other issues as necessary.

END OF CONDITIONS

APPENDIX 'B'



City Plan Strategy & Development P/L ABN 58 133 501 774

10 December 2018

Our Ref: P-18069

The General Manager Sutherland Shire Council Locked Box 17 SUTHERLAND, NSW, 1499 <u>SBujaroski@ssc.nsw.gov.au</u>

Attention: Slavco Bujaroski

Dear Slavco,

RE: RESPONSE TO REQUEST FOR INFORMATION IN RELATION TO S4.55(2) MODIFICATION APPLICATION TO DA16/0994 (MA18/0308) FOR DEVELOPMENT AT , 2A & 4 LOCKSLEY STREET AND 31-39 STURT ROAD, CRONULLA

We refer to Council's emails dated 14 November 2018 and 30 November 2018 requesting additional information to be submitted to assist in the assessment of the abovementioned modification application. On behalf of the Applicant (Pathways Property Group Pty Ltd), the following provides a response to each of the items raised in Council's requests for further information (RFI).

Traffic and Parking (southern basement):

Council raised various points related to the parking arrangements with the parking levels. The response to each query is noted below:

- Swept Path Diagrams have been prepared by AT&L for the basements levels and are provided at **Annexure 3**.
- The plans have been amended to indicate where the 'loading area' is located within the parking level within the Norfolk building. The swept path diagrams noted above demonstrate the swept path of a loading vehicle in this space.
- The ramp in the driveway into the parking level under the Norfolk has not been amended. However, to accommodate additional space for maneuvering within the basement level for loading, the service corridor that provided access to the communal courtyard has been removed, as it is not required. This has provided additional space for maneuvering of service vehicles.
- The Architectural Plans included an error in relation to the tandem parking spaces within the parking level in the Norfolk building. The amended plans at **Annexure 1** have been amended so that error has been corrected, and the parking spaces are now clearly shown.
- The Traffic Statement prepared by McLaren Traffic Engineering included a plan of the basement which included an error showing stacked parking, 3 spaces deep, in the Pines parking level. Notwithstanding, the architectural plans that will be subject to the approval only included 2 spaces



deep. The swept path diagrams that have been prepared by AT&L have correctly shown the stacked parking in the basement level, consistent with the architectural plans, and have been included in an updated Traffic Statement prepared by McLaren Traffic Engineering (**Annexure 3**). To clarify, the proposal does not seek approval for additional stacked parking in this location.

Stormwater:

Council raised concerns over the size of the OSD size given the relevant calculations were not provided in relation to the stormwater plans. C & M Consulting Engineers have prepared the calculations as requested, and are provided at **Annexure 4**. The DRAINS data has also been provided in an electronic format, which will accompanies our response.

Bread deliveries:

Concern was raised regarding the proposed hours for bread deliveries, which may be as early as 4:30am. As noted in the Delivery Management Plan submitted with the application, bread deliveries will occur a maximum of three (3) times per week. The reason bread is delivered at these times is so that the residents of the facility can be provided fresh bread. The provider of the bread (Goodman Fielder) only deliver their bread at this time of the day, after it is baked. This is a common delivery time for bread providers across the industry. The Acoustic Statement provided by EMF Griffiths provides management solutions to ensure that the surrounding residents within Locksley Street will not be adversely impacted by noise as a result of these deliveries.

The Acoustic Statement has been amended to include the location of where the noise levels were measured on the site, being Sturt Road (See **Annexure 5**). To this end, EMF Griffiths confirm that the noise on Locksley Street will be similar to the measurements taken on Sturt Road, and the ambient background noise level used for the night time assessment is 39db(A). Based on the measured site noise levels established by EMF Griffiths, the intrusiveness noise criteria for adjacent residential receivers are outlined below.

Period	Noise descriptor – dB(A)	Noise Criteria –residential receivers
Night	LAeq,15min ≤ RBL,15min + 5	44 dB(A)
10pm – 7am	LA1,15min ≤ existing LA1,15min	58 dB(A)

Figure 1: intrusiveness Noise Criteria (Source: EMF Griffiths)

The modeled noise levels from the delivery of trucks entering and leaving the site for an ADR Compliant Delivery Truck (3.5 tonnes) are 41L_{Aeq}db(A) and 56 L_{A1}db(A) during the night (10pm-7am) as demonstrated below. Accordingly, EMF Griffiths conclude that the proposed bread deliveries satisfy the relevant noise criteria, and is acceptable based on their recommendations.

Location	Modelled Noise Level,	Design Noise Level Limit,	Modelled Noise Level,	Design Noise Level Limit,	Comment
	LAeq	dB(A)	LA1	B(A)	
No. 3 Locksley Street	41	44	56	58	Pass

Figure 2: Modelled Noise Levels for Loading Dock Deliveries (Source: EMF Griffiths)

So Council are comfortable that the proposal will not deliver more frequently than required, the condition could restrict the delivery of bread to a maximum of three (3) times per week. If Council were still concerned



with the proposed bread delivery hours, the condition could include a trial period of say 1 or 2 years. After the trial period, the applicant could seek to permanently allow the delivery of bread at these times, if they have demonstrated to the satisfaction of Council that there are no adverse impacts within this period.

Plant room (Locksley St):

Council were concerned about the presentation of the proposed 'plant room' that is located on the western side of the Norfolk building on the Ground Floor. The proposed plant room is predominately located below ground level and will not be visible from the public domain at any point. A minor portion of the plant room extends above the proposed ground level by a maximum of 1.27m for a portion of the frontage to Locksley Street, as demonstrated below in **Figure 3**.



Figure 3: Extent of proposed plant room above ground level (Source: MDP Architects)

The extent the plant room extends above ground level is minor, and does not impact on the streetscape. The materials of the plant room are similar to that of the wall of the building behind. Notwithstanding, the proposed landscaping will screen this element from the public domain once matured, as demonstrated in **Figure 4**.



LOCKSLEY STREET

Figure 4: Extract of proposed landscaping plan (left) and indicative perspective as viewed from Locksley St looking east (right)



The proposed plant room will not have any impact on the streetscape of Locksley Street due to the minor extent it projects above the ground level and the fact it will be screened by the proposed landscaping.

Council also queried whether the plant room included exhaust or intake. To clarify, MDP Architects have confirmed that it is exhaust. The windows to the bedrooms are proposed to be fixed shut so that the rooms are not affected by the exhaust, and will be mechanically ventilated so satisfy the requirements of the Building Code of Australia (BCA). The windows to the sitting area are fixed shut, as approved under the original DA. The plant room was approved on the northern wall of the basement, with the exhaust to be discharging into the communal courtyard between the Norfolk and Links building. This approved design necessitated that the windows to the bedrooms above needed to be shut. The proposed re-location of the mechanical room from the northern wall of the parking area is considered to be a better outcome, as it will improve the amenity of the courtyard, whilst only affecting three bedrooms.

Flooding:

Council noted that the proposed wall adjoining the northern side of the driveway to prevent flood waters entering the basement being critical and must remain in place in perpetuity. This is the intent of the proposal, and the applicant would accept a condition of consent requiring a covenant on the property so that this is maintained.

Landscaping

In a separate email dated 3 December 2018, Council queried the reasoning why it is proposed to delete condition 14(iv) and 14(v). These conditions require the following:

iv) Provide tables and seating for communal/group use to the two primary communal open spaces within the proposed development.

v) Provide raised communal vegetable/garden beds for residents to utilise to the two primary communal open spaces within the proposed development.

These conditions cannot lawfully be imposed on the consent under s4.17 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Specifically, there is no requirement under s4.15 of the EP&A Act that requires the tables and chairs to be provided within the communal areas, nor is there a requirement to have vegetable gardens in the communal open spaces (raised or otherwise); that is, there is no planning purpose for the condition. Nevertheless, the approved landscape plan does include seating throughout the communal areas, which goes to the anticipated intent of the condition. The use of vegetable/garden beds are not within the model of care provided within the facility, nor is it required for an aged care facility to function. The conditions serve no planning purpose and should be deleted.

Additional Amendments

The amended plans provided at **Annexure 1** includes minor changes related to satisfying relevant standards as well as minor changes related to the layout. These includes:

- Minor amendments to the courtyard landscaping layout to comply with BCA fire egress requirements as well as introduction of stairs to the courtyard where the level of the ground level changes adjacent to Lockley Street (see Annexure 2). Please note that plans also indicate changes that have been approved as part of satisfying the conditions of consent.
- The kitchen layout within the ground floor of the Norfolk building has been amended after a review by the kitchen fit-out consultant.



- Fire Escape doors and arrangements have been adjusted to satisfy BCA requirements.
- The swing door to the garbage room has been changed to a roller door on the ground floor of the Norfolk building.

The above changes are minor, and have been included as part of the application only to ensure they are do not cause delays in receiving the Construction Certificate.

We trust that the above information addresses the matters raised by Council, and is sufficient to finalise the assessment of the DA.

Yours Sincerely,

Jusen Span

Susan E Francis EXECUTIVE DIRECTOR

(Annexure)



December 04 2018 s2170167-gbl

Morrison Design Partnership Suite 302, 69 Christie Street **ST LEONARDS NSW 2065**

Attention:Mr. Vee ChinEmail:Vee@mdpa.com.au

Dear Vee,

Re: Cronulla Pines Stage 2 S4.55 DA Submission – Acoustic Impact of Bakery Delivery

1. EXECUTIVE SUMMARY

We have reviewed the potential noise emissions from the bakery deliveries to the proposed Stage 2 development at Cronulla Pines.

We can confirm that based on:

- Location of the loading area within the building; and
- The distance between the noise source and the receiver.

The noise emission levels due to the bakery deliveries at the site loading dock will not be intrusive provided the following is incorporated in the design and noise management plan of the proposed development:-

The following noise control measures are to be incorporated into the current design and site noise management plan.

- Loading vehicle to be turned off during loading / unloading operations.
- Driver to avoid using exhaust brakes and engine compression braking unless they are necessary for safety reasons.
- Vehicle to be compliant with current ADR standards.
- Loading dock access to be solid roller door which is to be closed during loading operations outside daytime hours.

SYDNEY · GOLD COAST · BRISBANE

EMF Griffiths (NSW) Pty Ltd* - Consulting Engineers Level 4, 204 Clarence Street, SYDNEY NSW 2000 Tel +61 2 9283 8445 Fax +61 2 9283 2331 Email sydmail@emf.com.au *As agent for EMF (NSW) Partnership ABN 26 025 694 664 SSPP (Sydney South) Report Appendices (2018SSH0042)



Page 2

2. EXISTING NOISE AMENITY

The existing site noise amenity can be considered typical of a sub- urban environment. There are a variety of noise sources currently at the subject site including:-

- Traffic Noise from Sturt Road.
- Vehicle noise from passenger vehicles entering and leaving the existing car parking area.
- Suburban noise from residents using and maintaining property and also from local wildlife.

Noise levels were measured at the subject site (refer to the figure below showing location) from July 21 2017 – July 29 2017 to determine background noise levels at the subject site during daytime, evening and night time periods over the weekend and during week days.



The operation of the sound level measuring equipment was field calibrated before and after the measurement and was found to be within 0.1 dB of the reference signal. All instrumentation used in this assessment hold a current calibration certificate from a certified NATA calibration laboratory. The following instruments were used to measure the ambient noise levels:-

- Ngara ARL Noise Logger.
- Pulsar 105 Calibrator.

Ambient sound pressure levels were measured generally in accordance with Australian Standard AS 1055.1:1997 - 'Acoustics-Description and measurement of environmental noise - Part 1: General procedures'. Ambient noise levels were recorded at fifteen (15) minute intervals over the measurement period.

The weather during the measurement was generally typical winter weather: dry and moderate wind speed.



Page 3...

	Pariod	Timo	Noise Level dB(A)		
	Penou	Time	LAeq	LA90	LA1
	Day	0700-1800	58	45	68
Weekday	Evening	1800-2200	56	44	66
	Night	2200-0700	48	39	58
	Day	0700-1800	56	44	66
Weekend	Evening	1800-2200	54	42	64
	Night	2200-0700	47	39	58

Table 1: Noise Survey Results (Day – Evening - Night)

Note the ambient background noise level (39dB(A)) used for the night time assessment period would be expected to be of a similar level at Locksley Street as compared to the measurement location on Sturt Road.

3. PROPOSED DEVELOPMENT NOISE SOURCE AND LOCATION

The proposed bakery early delivery times are between 4.30am and 5.30am Monday to Friday. The 3.5 tonne delivery vehicle accesses the loading area within building via Locksley Street.



Page 4...



Figure 1: Loading Dock Location

The loading dock is approximately 30m from the nearest residence.



Page 5...

4. NOISE SOURCE DESCRIPTION

Representative sound levels from a 3.5 tonne delivery truck compliant with Australian Design Rule 83/00 - External Noise as referenced in Protection of the Environment Operations (Noise Control) Regulation 2017 are shown below.

Sound Source	dB
ADR Compliant Delivery Truck 3.5 tonnes limit values (current)	77dB(A) at 7.5m



Table 2: Sound Level of Noise Source

Figure 2: Site Location



Page 6...

5. ACOUSTIC REQUIREMENTS

The noise criteria for the delivery operations at the site are established by the Protection of the Environment Operations (Noise Control) Regulation 2017.

The intrusiveness criteria for the closest residential receivers are presented in the Table below. The measured site noise values have been used to define the design background and ambient noise level of adjacent residential receivers.

Period	Noise descriptor – dB(A)	Noise Criteria –residential receivers
Night	LAeq,15min ≤ RBL,15min + 5	44 dB(A)
10pm – 7am	LA1,15min ≤ existing LA1,15min	58 dB(A)

Table 3: Intrusiveness Noise Criteria

6. MODELLED NOISE LEVELS

The noise levels from the operations within the loading dock will not be intrusive as they are contained within the building. Note the loading vehicle is to be turned off during loading/unloading. The driver is to avoid using exhaust brakes, engine compression or 'jake' brakes, unless they are necessary for safety reasons. The vehicle is to be compliant with current ADR standards. The loading dock access is to be a solid roller door which is to be closed during loading operations outside daytime hours.

The following table summarises the noise propagation results for noise emissions at the adjacent residential properties. The table includes an allowance of 10dB(A) for façade attenuation at the nearest adjacent property.

Location	Modelled Noise Level,	Design Noise Level Limit,	Modelled Noise Level,	Design Noise Level Limit,	Comment
	L _{Aeq} dB(A)		L _{A1} dB(A)		
No. 3 Locksley Street	41	44	56	58	Pass

Table 4: Modelled Noise Levels for Loading Dock Deliveries.

7. **RECOMMENDATIONS**

The following noise control measures are to be incorporated into the current design.

- Vehicle to be turned off during loading / unloading.
- Driver to avoid using exhaust brakes, engine compression, unless they are necessary for safety reasons.
- Vehicle to be compliant with current ADR standards.
- Loading dock access to be solid roller door which is to be closed during loading operations outside daytime hours.

It is recommended the above are incorporated into the management plan can be prepared by the centre.



Page 7

8. CONCLUSION

The predicted noise emission levels comply with the design levels allowed under the government regulations.

Yours faithfully

GRBall

Guy Baxendale

S2170167-gbl



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LEGEND ------ SITE BOUNDARY EXISTING STRUCTURES NEW WORKS (INTERNAL) NEW WORKS (EXTERNAL)

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15 MINIMUM (FOR 141 REGULAR BEDS) 2 MINIMUM (FOR 28 DEMENTIA BEDS) TOTAL = 17 VISITOR PARKING REQ.

REVISION NO.

P2

DRAWN: Au

DATE: NOV 2018

PROJECT ARCHITECT: G.OLLERTON

Level 3-Upper RL.9100

Level 2 Lower Grnd Floor RL.4200

Details Submission 4.55	Revision Date P1 2018-06-01
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CHITECT: G. OLLERTON #7621 ABN: 44 001 595 268 morrrisondesic	NSW ARB REG ARC ACN: 001 595 268
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Page	52	of	57
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2 Section 5 (4.55) SCALE 1:100

SSPP (Sydney South) Report Appendices (2018SSH0042)

FENCE & HEAVY MASS PLANTING IN FRONT OF SHORT WALL. PLEASE REFER TO LANDSCAPE PLAN FOR LANDSCAPE DESIGN DETAILS

FENCE & HEAVY MASS PLANTING IN FRONT OF SHORT WALL. PLEASE REFER TO LANDSCAPE PLAN FOR LANDSCAPE DESIGN DETAILS

