

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2015/0664
Responsible Officer:	External Consultant – Natalie Nolan – Nolan Planning Consultants
Land to be developed (Address):	Lot 1 DP 595183, 106 Blackbutts Road FRENCHS FOREST NSW 2086
Proposed Development:	Demolition works and Construction of a Library Building
Zoning:	LEP - Land zoned B2 Local Centre
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Warringah Council
Land and Environment Court Action:	No
Owner:	Warringah Council
Applicant:	Brewster Hjorth Architects
Application lodged:	20/07/2015
Application Type:	Local
State Reporting Category:	Community facility
Notified:	07/08/2015 to 25/08/2015
Advertised:	08/08/2015
Submissions:	0
Recommendation:	Approval
Estimated Cost of Works:	\$4,609,000

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon all lands whether nearby, adjoining or at a distance;

- Consideration was given to all documentation provided (up to the time of determination) by the applicant, persons who have made submissions regarding the application and any advice provided by relevant Council / Government / Authority Officers on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Warringah Local Environmental Plan 2011 - Zone B2 Local Centre

Warringah Development Control Plan - C3 Parking Facilities

Warringah Development Control Plan - F1 Local and Neighbourhood Centres

SITE DESCRIPTION

Property Description:	Lot 1 DP 595183 , 106 Blackbutts Road FRENCHS FOREST NSW 2086
Detailed Site Description:	The subject site consists of one allotment located at the southern intersection of Glen Street and Blackbutts Road opposite Glenrose Shopping Centre.. The site is triangular in shape shared frontages to Glen Street of 181.98m and Blackbutts Road of 150.01m. The sites third boundary adjoins Lionel Watts Park (Council Reserve) to the east. The site has a surveyed area of 1.103 Ha. The land is zoned B2 Local Centre and currently accommodates a 400 seat theatre (Glen Street Theatre) with function rooms, a bistro/restaurant and administrative offices. The building contains one other tenancy on the southern side of the theatre currently leased by a gymnasium, known as 'Energize'. A temporary demountable building is located at the north-eastern corner of the site which accommodates the Belrose Chemist. This building will be decommissioned when the Glenrose Stockland Shopping Centre is redeveloped. Surrounding development consists of the Glenrose Shopping Centre, Lionel Watts Park and low density residential development. The site contains a fall in topography of approximately 6m from the south, Blackbutts Road toward the northern Glen Street boundary. Vegetation on site consists of a range of vegetation. The entire site is classified as Council Operational

	Land.
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Map:



SITE HISTORY

The Glen Street Theatre building was officially opened as The Forest Community Centre on 6 July 1985. Since that time, there have been a number of applications relating to the use and fitout of the ancillary gymnasium space.

The Glen Street Masterplan 2012 was developed as a collaborative analysis of previous studies and investigations into the deficiencies of the existing facilities and operational issues to provide a strategic vision for the future of Glen Street Theatre. One of the outcomes of the Masterplan reinforces the emphasis on continuity for the theatre and the need to improve patron experience through a more defined sense of arrival and theatre in the foyer.

An application (DA2012/1301) for Stage 1 works for the Masterplan improvements for Glen Street Theatre was approved on 12 February 2013.

Recent Development Applications

Development Application No. 2014/1302

The application for the construction of temporary buildings and temporary use for the purpose of Belrose Chemist was approved on 30 January 2015.

Development Application No. 2015/0025

The application for construction of a temporary building and use of premises as a Post Office and Newsagency and associated signage was approved on 16 February 2015.

Application History

The existing Belrose Library is located 6 Darley Street Forrestville surrounded by a playground and landscaping. A number of minor upgrades at the Library have been carried out over the ensuing years. The library has outgrown its operational capabilities. As a result this application has been lodged by Brester Hjorth Architects on behalf of Warringah Council.

PROPOSED DEVELOPMENT IN DETAIL

The proposal involves the construction of a new two storey building to be attached to the existing building known as the Glen Street Theatre. The proposed building will be utilised as the Belrose Library.

The proposed building is to be orientated towards Glen Street. To accommodate the building an existing office and fire egress on the western elevation of the Glen Street Theatre will be demolished.

The proposal will also incorporate the revitalisation of landscaping and pedestrian access within the immediate vicinity.

The ground floor level comprises the main entry, community lounge, concierge, amenities, staff workroom, study centre, children's area, library collection and outdoor reading area. The upper level provides for the librarian's office, young adult area and project space. A link is also provided to the main Glen Street Theatre building.

In consideration of the application a review of (but not limited) documents as provided by the applicant in support of the application was taken into account detail provided within Attachment A.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

Section 79C 'Matters for Consideration'	Comments
Section 79C (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on "Environmental Planning Instruments" in this report.
Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument	None applicable.
Section 79C (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.
Section 79C (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 79C (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of

Section 79C 'Matters for Consideration'	Comments
	development consent. These matters have been addressed via a condition of consent. <u>Clause 50(1A)</u> of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application. <u>Clauses 54 and 109</u> of the EP&A Regulation 2000, Council requested additional information and has therefore considered the number of days taken in this assessment in light of this clause within the Regulations. No additional information was requested. <u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent. <u>Clauses 93 and/or 94</u> of the EP&A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This matter has been addressed via a condition of consent. <u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This clause is not

Section 79C 'Matters for Consideration'	Comments
	relevant to this application. <u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent. <u>Clause 143A</u> of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building designer prior to the issue of a Construction Certificate. This clause is not relevant to this application.
Section 79C (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	(i) The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report. (ii) The proposed development will not have a detrimental social impact in the locality considering the character of the proposal. (iii) The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.
Section 79C (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Public Exhibition” in this report.
Section 79C (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and Warringah Development Control Plan.

As a result of the public exhibition of the application Council received no submissions.

MEDIATION

No requests for mediation have been made in relation to this application.

REFERRALS

Internal Referral Body	Comments
Building Assessment - Fire and Disability upgrades	The proposed development comprises a two storey library addition to the existing Glen Street Theatre building. The Construction Certificate plans will need to demonstrate compliance with the BCA 2015 and the Disability (Access to Premises - Buildings) Standards 2010. Additionally the Construction Certificate plans are to demonstrate compliance with the preliminary assessment report issued by Blackett Maguire and Goldsmith P/L dated 15 July 2015. Review of the documentation so far provided indicates that the development can be readily addressed at the Construction Certificate stage. Accordingly, no objections subject to conditions.
Development Engineers	The proposed on-site stormwater detention (OSD) system design and report submitted by ABC Consultants Structural Engineers dated July 2015 has been assessed. The hydraulic report and design concept plans are not consistent with Council's current On-site Stormwater Detention Technical Specifications. The storage volume is under sized due the credit taken for storage volume provided for rain water reuse which is not permitted for the proposed development. However an OSD system can accommodated within the site with the OSD volume required need to be adequately sized. An appropriated conditions of consent has been recommended for provision of OSD prior to issue of construction certificate. No objection to approval, subject to conditions as recommended.
Landscape Officer	The Arborist's Report and landscape plan accompanying the application are noted. Tree removals are required to facilitated

Internal Referral Body	Comments
	the proposed works. The conclusions and recommendations of the Arborist's Report are concurred with. As all specimens have been planted, as opposed to natural bushland, and other surrounding trees are to be retained and replanting of trees around the building is proposed, no objections are raised subject to conditions as recommended. Potential impacts of the development on adjoining parkland may be more appropriately addresses by Council's Parks and Reserves section.
Parks, reserves, beaches, foreshore	Proposal to remove mound on border with Lionel Watts Reserve Further detail including an elevation is required for this work including but not limited to finished surface levels and integration of proposed new area with Lionel Watts. Any disturbance to Lionel Watts will require rectification to a modern standard. Arboricultural Impact Assessment and Tree Protection Plan Assuming that the report has been submitted for this purpose, it is a Council requirement that it comply with the Australian Standard for Protection of Trees on Development Sites AS4970-2009. As a minimum the standard stipulates that the report contain the following: 1. Confirmation of trees to be pruned, removed or transplanted. 2. Detail regarding the possible impacts on individual trees to be retained 3. Details necessary to protect the trees to be retained. 4. Explanation and construction methods proposed to minimise impacts where there is encroachment into the TPZ (Some discussion in 4.7.1, 4.7.2 and 4.11) 5. Recommendations necessary to protect the trees throughout all demolition and construction stages 6. Review of Architectural, Services and landscape plans to provide an accurate assessment. Whilst the report recognises that these have not been provided to the Assessing Arborist, it is crucial to appreciate the impacts from this project. 7. A tree protection plan (drawing) showing the TPZ's for trees being retained taking into account section 3 of AS4970-2009 Protection of Trees on Development Sites (A copy of this plan shall form part of development plans. Although, some of these areas appear to have been addressed

Internal Referral Body	Comments
	further detail is necessary to adequately appraise the report. In addition to the above requirements, I have identified a number of specific issues that also require consideration: · A number of additional trees (39-59 and 19-36) have been introduced into the body of the report without clearly defining how the development impacts on them. The Tree Protection Plan fails to recognise these trees. · Determination of Tree Retention Values in keeping with Council's Tree Retention Assessment outlined in Appendix 9 of Council's DCP 2011. As part of the determination of each Tree Retention Value the utilisation of the latest version of SULE is recommended. See link http://www.barrelltreecare.co.uk/pdfs/BT08-Sydney.pdf for latest version. Where trees have been identified for removal specific trees require discussion ie impacts from tree loss etc. A paragraph has been dedicated to removals in 4.6, however, it does require further discussion. · In order to confirm SRZ calculations, Council requires stem diameter measurements above the root buttress. The calculations and measurements will require clear labelling in the Tree Health and Assessment Table. · Recommend reviewing a number of TPZ calculations (Anything less than 2m defaults to a 2m TPZ under the standard) · Recommend reviewing a number of SRZ' calculations (anything less than 1.5m defaults to a 1.5m SRZ under the standard) · In order to confirm canopy impacts on individual trees Council requires canopy measurements to the four cardinal points of each tree and an accurate reflection of canopy spreads on relevant plans to understand building encroachments etc. This will require discussion · An accurate and comprehensive assessment and discussion of the likely impact of the proposed development on each tree including: - o Details of the proposed development including but not limited to alterations to existing buildings, services, drainage and driveways, and

Internal Referral Body	Comments
	proposed building footprints to accommodate trees for retention - o percentage of encroachment into each TPZ and details of any encroachments into any SRZ including relevant discussion. - o Details of above and below ground constraints on trees to be retained and how these will be managed to accommodate trees for retention ie recommendations on proposed methods used to excavate within the TPZ and SRZ if any have not been discussed. Please note that some general discussion has been highlighted. However, more specific detail is required. Where the applicant is unable to utilise the methods discussed. - o Details of any modifications to existing soil levels on the site that stand to affect trees (for example, cut, fill and excavation) and discussion on how these will be managed to minimise impacts on trees to be retained - o The location of proposed sediment controls on the site and how these relate to trees - o The impact of proposed landscape modifications and how these will be managed to prevent damage to trees to be retained ie paving etc. Some discussion has been highlighted regarding planting. - o Recommendations as to design modifications and construction methods to minimize the adverse impact on trees that should be retained. - o Recommendations on specific protection measures for each tree eg Whilst street trees have Trunk protection there appear to be a number of encroachments proposed ie cranes washdown areas, storm water encroachments that require consideration. Clear and definitive recommendations are required to address these matters. Details of any pruning required for construction works ie pruning for scaffolding, vehicle access etc and the proposed development, and a pruning specification setting out the: - o pruning type (classification) in accordance with AS 4373 – 2007 Pruning of amenity trees - o number of branches to be pruned - o branch orientation

Internal Referral Body	Comments
	- o branch diameter, and - o approximate percentage of live canopy to be removed Please note that some pruning has been discussed for deadwooding of the Council Trees 91-95, however, issues relating to other site considerations have not been discussed. · A Tree Protection Plan (to scale, with scale shown) showing the TPZ and SRZ location and type of tree protection measures that will be erected or installed around each tree or group of trees including specific modifications to these zones where warranted (any modifications will require discussion on how the tree will remain viable). This plan must include all trees being retained on the site, and trees on adjoining land and street trees if development will occur within the TPZ of these trees. The Plan shall include details of proposed protection measures throughout the entire development and construction process (including during the demolition and excavation stages). Whilst the Tree Protection Plan identifies trees to be removed additional considerations are necessary ie Highlighting of TPZ's and SRZ's on the Tree Protection Plan for each tree to depict potential impacts in relation to the proposed development. It is also recommended that all trees that are proposed to be retained be highlighted. An approach that considers black and white reproduction of plans is recommended. A definitive position be promoted regarding any changes to Architectural, engineering, services and Landscape drawings. Reassessment will be required Planners Comments: Council's Landscape Officer has reviewed the Arborist Report and Landscape Plan lodged with the application and considers them to be satisfactory. The conditions of consent recommended by Council's Landscape Officer and Parks, Reserves and Foreshore Officer will adequately address the issues raised above.
Traffic Engineer	The Traffic Report prepared by the 'Traffix Traffic and Transport Planners' was reviewed and concurred on traffic ground. The traffic generation of the proposed library will be similar to the existing library and therefore is acceptable. The traffic report is concurred in terms of the parking requirements which will be accommodated within Glen Street Theatre and the public spaces in Glenrose Stockland Shopping Centre (opposite the site). Therefore, no objection is raised on the proposal on traffic

Internal Referral Body	Comments
	ground.
Buildings, Property, Spatial Information	Not Applicable
Strategic Planning - Urban Design	Not Applicable

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.
Northern Beaches Local Area Command (NSW Police)	The proposal was referred to the NSW Police and they indicated that a Crime Risk Assessment and CPTED assessment is not required.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP 55 - Remediation of Land

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for commercial purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the commercial/community land use.

SEPP 64 - Advertising and Signage

Clauses 8 and 13 of SEPP 64 require Council to determine consistency with the objectives stipulated under Clause 3(1)(a) of the aforementioned SEPP and to assess the proposal against the assessment criteria of Schedule 1.

The objectives of the policy aim to ensure that the proposed signage is compatible with the desired amenity and visual character of the locality, provides effective communication and is of high quality having regards to both design and finishes.

In accordance with the provisions stipulated under Schedule 1 of SEPP 64, the following assessment is provided:

Matters for Consideration	Comment	Complies
1. Character of the area Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage is modern aluminium lettering that will not detract from the existing or future character of the locality.	YES
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is no consistent theme for outdoor advertising in this area. There is a variety of signage including illuminated pole signs and basic board signage.	YES
2. Special areas Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposal incorporates simplistic signage attached the building frontage that will not be visible Lionel Watts Reserve.	YES
3. Views and vistas Does the proposal obscure or compromise important views?	The proposed signage is attached the elevations of the building and will not obstruct any important views.	YES
Does the proposal dominate the skyline and reduce the quality of vistas?	The signage does not extend above the height of the proposed library building and as such will not dominate the skyline or reduce the quality of vistas.	YES
Does the proposal respect the viewing rights of other advertisers?	The signage will not obstruct any views of existing advertising.	YES
4. Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The signage which is attached to the library building is of an appropriate scale and form providing for basic aluminium lettering.	YES

Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The signage compliments the proposed library building and will provide visual interest in the streetscape.	YES
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage is modest and clearly identifies the building use and entry.	YES
Does the proposal screen unsightliness?	This is not applicable.	YES
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The signage does not project above the height of existing Theatre Building or above the height of the proposed library building.	YES
5. Site and building Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signage has been designed to compliment the style and scale of the proposed library building.	YES
Does the proposal respect important features of the site or building, or both?	The signage is modest and respects the architectural features of the proposed building.	YES
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The simplistic design provides a good relationship to the proposed building.	YES
6. Associated devices and logos with advertisements and advertising structures Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	Not Applicable	YES
7. Illumination Would illumination result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, detract from the amenity of any residence or other form of accommodation?	The proposal incorporates illumination by spot lighting which will be directed at the signage and given the separation to surrounding properties will not detract from the amenity of any residential accommodation.	YES
Can the intensity of the illumination be adjusted, if necessary?	The intensity of the spot lights can be adjusted if necessary.	YES
Is the illumination subject to a curfew?	Given the location of the signage opposite a carpark and well separated from residential properties a curfew is not necessary.	YES
8. Safety Would the proposal reduce the	The proposed spot lighting will be directed at the signage and will not reduce the safety of	YES

safety for any public road, pedestrians or bicyclists?	the adjoining road, pedestrians or bicyclists.	
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The signage is attached to the facades of the building and will not obscure any sightlines rather it will provide some lighting.	YES

Accordingly, the proposed signage is considered to be of a scale and design suitable for the locality. The proposal is therefore deemed to be consistent with the provisions of the SEPP and its underlying objectives.

SEPP (Infrastructure) 2007

Ausgrid

Clause 45 of the SEPP requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Comment:

The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

Warringah Local Environment Plan 2011

Is the development permissible?	Yes
After consideration of the merits of the proposal, is the development consistent with:	
aims of the LEP?	Yes
zone objectives of the LEP?	Yes

Principal Development Standards

Standard	Requirement	Proposed	% Variation	Complies
Minimum subdivision lot size:	N/A	N/A	N/A	N/A
Height of Buildings:	8.5m	8.46m	N/A	Yes
Rural Subdivision:	N/A	N/A	N/A	N/A
No Strata Plan or Community Title Subdivisions in certain rural and environmental zones:	N/A	N/A	N/A	N/A

Compliance Assessment

Clause	Compliance with Requirements
2.7 Demolition requires consent	Yes
4.3 Height of buildings	Yes
4.6 Exceptions to development standards	Yes
5.3 Development near zone boundaries	Yes
5.8 Conversion of fire alarms	Yes
5.9 Preservation of trees or vegetation	Yes
5.9AA Trees or vegetation not prescribed by development control plan	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes

Detailed Assessment

Zone B2 Local Centre

Proposed Use	Permitted or Prohibited
Library – Community Facility	Permitted with consent

The underlying objectives of the B2 Local Centre zone

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

Comment:

The proposal provides for a library building which is a community use to serve the needs of people living, working and visiting the area.

- To encourage employment opportunities in accessible locations.*

Comment:

The proposed library will encourage employment opportunities in an accessible location.

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

Comment:

The site is well serviced by public transport and provides good pedestrian access via pathways and cycleways.

- *To provide an environment for pedestrians that is safe, comfortable and interesting.*

Comment:

The proposal incorporates revitalisation of landscaping and pedestrian access ways to provide safe and convenient pedestrian access that is comfortable and aesthetically pleasing.

- *To create urban form that relates favourably in scale and in architectural and landscape treatment to neighbouring land uses and to the natural environment.*

Comment:

The proposal provides for a modern building that is linked to the existing Glen Street Theatre. The proposed library building does not extend beyond the height of the existing Glen Street Theatre Building.

- *To minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of any adjoining or nearby residential land uses.*

Comment:

The proposed library building is well separated from nearby residential land uses by public roads and public open space.

Warringah Development Control Plan

Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
B1 Wall height	N/A	N/A	N/A	N/A
B2 Number of storeys	N/A	N/A	N/A	N/A
B3 Side Boundary Envelope	N/A	N/A	N/A	N/A
	N/A	N/A	N/A	N/A
B4 Site Coverage	N/A	N/A	N/A	N/A

B5 Side Boundary Setbacks	Merit Assessment	East Approx 55.0m	N/A	Yes
B7 Front Boundary Setbacks	Merit Assessment	Glen Street 4.24m to 5.3m Blackbutts Approx. 50m	N/A	Yes
B9 Rear Boundary Setbacks	N/A – Corner allotment	N/A	N/A	N/A
B11 Foreshore Building Setback	N/A	N/A	N/A	N/A
B12 National Parks Setback	N/A	N/A	N/A	N/A
B13 Coastal Cliffs Setback	N/A	N/A	N/A	N/A
B14 Main Roads Setback	N/A	N/A	N/A	N/A
D1 Landscaped Open Space (LOS) and Bushland Setting	N/A	N/A	N/A	N/A

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
B6 Merit Assessment of Side Boundary Setbacks	Yes	Yes
B8 Merit Assessment of Front Boundary Setbacks	Yes	Yes
B8 Merit assessment of front boundary setbacks	Yes	Yes
B10 Merit assessment of rear boundary setbacks	N/A	N/A
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	Yes	Yes
C4 Stormwater	Yes	Yes
C5 Erosion and Sedimentation	Yes	Yes
C6 Building over or adjacent to Constructed Council Drainage Easements	N/A	N/A
C7 Excavation and Landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	Yes	Yes
Non-Residential Development	Yes	Yes
Mixed Use Premises (Residential/Non-Residential)	N/A	N/A
D3 Noise	Yes	Yes
D6 Access to Sunlight	Yes	Yes
D7 Views	Yes	Yes
D8 Privacy	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
D9 Building Bulk	Yes	Yes
D10 Building Colours and Materials	Yes	Yes
D11 Roofs	Yes	Yes
D12 Glare and Reflection	Yes	Yes
D14 Site Facilities	Yes	Yes
D18 Accessibility	Yes	Yes
D20 Safety and Security	Yes	Yes
D21 Provision and Location of Utility Services	Yes	Yes
D22 Conservation of Energy and Water	Yes	Yes
D23 Signs	Yes	Yes
E1 Private Property Tree Management	N/A	N/A
E2 Prescribed Vegetation	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E7 Development on land adjoining public open space	Yes	Yes
E10 Landslip Risk	Yes	Yes
F1 Local and Neighbourhood Centres	Yes	Yes

Detailed Assessment

C3 Parking Facilities

Appendix 1 of the DCP (Car Parking Requirements) does not provide a car parking rate for libraries. The Traffic Report submitted with the application carried out an assessment of parking rates based upon the surveys of the existing Belrose Library as is recommended by under the *RMS Guide To Traffic Generating Developments*.

Description of non-compliance

Based upon the surveyed traffic demands of the existing Library, the proposed library would have the following car parking demand:

15 spaces on weekdays

11 spaces on weekends

Once the chemist is removed, the proposal will result in a shortfall in parking of 6 spaces on weekdays and 4 spaces on weekends.

Merit consideration

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *To provide adequate off street carparking.*

Comment: The shortfall is relatively minor and only during peak periods with reduced demands at all other times and the fluctuation in demands. The minor shortfall of 6 spaces on weekdays and 4 spaces on weekends can be easily accommodated within the Stockland Shopping Centre Car Park which will have a minimum of 50 off street parking spaces for the general public as is required under the Development Consent (DA2013/1447). There is likely to be further on street spaces within 200m of the proposed library which could accommodate any overspill. The use of available public parking is considered appropriate for community facilities and is encouraged by the RMS Guide.

- *To site and design parking facilities (including garages) to have minimal visual impact on the street frontage or other public place.*

Comment:

The proposal does not incorporate any additional parking with the existing on site parking arrangements being retained. As such there is no additional visual impact on the street frontage in this regard.

- *To ensure that parking facilities (including garages) are designed so as not to dominate the street frontage or other public spaces.*

Comment:

The proposal does not incorporate any additional parking with the existing on site parking arrangements being retained. As such there is no additional visual impact on the street frontage in this regard.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WLEP 2011 / WDCP and the objectives specified in section 5(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

F1 Local and Neighbourhood Centres

The development is considered against the underlying Objectives of the Control as follows:

- *To encourage good design and innovative architecture.*

Comment:

The proposed library is of modern design that incorporates articulation through the use of varied materials.

- *To provide a safe and comfortable environment for pedestrians*

Comment:

The library is orientated towards Glen Street and the pedestrian entry to the south. The proposal incorporates new pedestrian walkways. The pedestrian entry is easily identifiable from Glen Street and provides for an attractive and level access nestled amongst landscaped gardens.

- *To provide a range of small-scale shops and business uses at street level with offices or low-rise shop-top housing to create places with a village-like atmosphere.*

Comment:

The proposed library building maintains the village like atmosphere by providing a height that is compatible with other surrounding developments.

- *To enhance the established scale and pattern of development and the continuity of existing streetscapes.*

Comment:

The proposed building is of a scale that is compatible with the existing surrounding development. The library is orientated towards Glen Street to provide for an active streetscape.

- *To enhance the public domain.*

Comment:

The proposed library building will enhance the public domain by providing a building of an appropriate scale constructed of modern materials.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP and the objectives specified in section 5(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly effect threatened species, populations or ecological

communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Warringah Section 94A Development Contribution Plan

The proposal is subject to the application of Council's Section 94A Development Contributions Plan.

The following monetary contributions are applicable:

Warringah Section 94 Development Contributions Plan		
Contribution based on a total development cost of \$ 4,609,000		
Contributions	Levy Rate	Payable
Total Section 94A Levy	0.95%	\$ 43,786
Section 94A Planning and Administration	0.05%	\$ 2,305
Total	1%	\$ 46,090

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;
- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant Development Consent to DA2015/0664 for Demolition works and Construction of a Library Building on land at Lot 1 DP 595183, 106 Blackbutts Road, FRENCHS FOREST, subject to the conditions printed below:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

1. Approved Plans and Supporting Documentation

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

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing Nos.	Dated	Prepared By
DA00-DA11	17 July 2015	Brewster Hjorth Architects
Engineering Plans		
Drawing No.	Dated	Prepared By
C00.001, C01.01, C05.01,C05.02, C06.01,	10.07.15	ABC Consultants
Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Traffic Impact Assessment – 13.442r01v03	July 2015	Traffix Traffic & Transport Planners
Stormwater Drainage Design Report - 13534-001-SCR-REV B	July 2015	ABC Consultants
Access Review	15 July 2015	Morris Goding Accessibility Consulting
Noise Report No. 13401-1	July 2015	Wilkinson Murray

Arboricultural Development Assessment Report	8 July 2015	Moore Trees Arboricultural Services
BCA Capability Report	15 July 2015	Blackett Maguire + Goldsmith
Crime Prevention Through Environmental Design	July 2015	Brewster Hjorth Architects
Geotechnical Investigation – Ref 26710Zrpt	21 August 2015	JK Geotechnics

b) Any plans and / or documentation submitted to satisfy the Deferred Commencement Conditions of this consent as approved in writing by Council.

c) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

d) No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

e) The development is to be undertaken generally in accordance with the following:

Landscape Plans		
Drawing No.	Dated	Prepared By
LC01 Revision C	8 July 2015	Taylor Brammer Landscape Architects

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

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

2. **Prescribed Conditions**

(a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

(b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);

(c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

(i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and

- (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

(d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:

(i) in the case of work for which a principal contractor is required to be appointed:

- A. the name and licence number of the principal contractor, and
- B. the name of the insurer by which the work is insured under Part 6 of that Act,

(ii) in the case of work to be done by an owner-builder:

- A. the name of the owner-builder, and
- B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

(e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- (i) protect and support the adjoining premises from possible damage from the excavation, and
- (ii) where necessary, underpin the adjoining premises to prevent any such damage.
- (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of

work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative Requirement (DACPLB09)

3. General Requirements

(a) Unless authorised by Council:

Building construction and delivery of material hours are restricted to:

- 7.00 am to 5.00 pm inclusive Monday to Friday,
- 8.00 am to 1.00 pm inclusive on Saturday,
- No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

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

(b) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.

(c) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.

(d) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.

(e) Prior to the release of the Construction Certificate payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will

apply.

(f) Where works are to be carried out to a Class 1a building, smoke alarms are to be installed throughout all new and existing portions of that Class 1a building in accordance with the Building Code of Australia prior to the occupation of the new works.

(g) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.

(h) No building, demolition, excavation or material of any nature shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.

(i) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.

(j) All sound producing plant, equipment, machinery or fittings and the use will not exceed more than 5dB (A) above the background level when measured from any property boundary and/or habitable room(s) consistent with the Environment Protection Authority's NSW Industrial Noise Policy and/or Protection of the Environment Operations Act 1997.

(k) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.

(l) Prior to the commencement of any development onsite for:

- i) Building/s that are to be erected
- ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
- iii) Building/s that are to be demolished
- iv) For any work/s that is to be carried out
- v) For any work/s that is to be demolished

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

(m) Any Regulated System (e.g. air-handling system, hot water system, a humidifying system, warm-water system, water-cooling system, cooling towers) as defined under the provisions of the Public Health Act 2010 installed onsite is required to be registered with Council prior to operating.

Note: Systems can be registered at www.warringah.nsw.gov.au

(n) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.

(1) Child resistant fencing is to be provided to any swimming pool or lockable cover to any spa containing water and is to be consistent with the following;

Relevant legislative requirements and relevant Australian Standards (including but not limited) to:

(i) Swimming Pools Act 1992

(ii) Swimming Pools Amendment Act 2009

(iii) Swimming Pools Regulation 2008

(iv) Australian Standard AS1926 Swimming Pool Safety

(v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools

(vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.

(2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.

(3) Filter backwash waters shall be conveyed to the Sydney Water sewerage system in sewered areas or managed on-site in unsewered areas in a manner that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.

(4) Swimming pools and spas must be registered with the Division of Local Government.

(n) New solid fuel burning heaters or existing solid fuel heaters affected by building works must comply with the following:

(1) AS 2918:2001 Domestic Solid Fuel Burning Appliances – Installation.

(2) AS 4013:2014 Domestic Solid Fuel Burning Appliances – Method of Determination of Flue Gas Emissions.

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

FEES / CHARGES / CONTRIBUTIONS

5. Policy Controls

Warringah Section 94A Development Contribution Plan

The proposal is subject to the application of Council's Section 94A Development Contributions Plan.

The following monetary contributions are applicable:

Warringah Section 94 Development Contributions Plan		
Contribution based on a total development cost of \$ 4,609,000		
Contributions	Levy Rate	Payable
Total Section 94A Levy	0.95%	\$ 43,786
Section 94A Planning and Administration	0.05%	\$ 2,305
Total	1%	\$ 46,090

The amount will be adjusted at the time of payment according to the quarterly CPI (Sydney - All Groups Index). Please ensure that you provide details of this Consent when paying contributions so that they can be easily recalculated.

Reason: To provide for contributions in accordance with the Warringah Section 94A Development Contributions Plan 2012.

6. Security Bond

A bond (determined from cost of works) of \$10,000 and an inspection fee in accordance with Council's Fees and Charges paid as security to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection).

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, details demonstrating payment are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and

alternatively a copy is located on Council's website at www.warringah.nsw.gov.au/your-council/forms).

Reason: To ensure adequate protection of Councils infrastructure.

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

7. On-site Stormwater Detention

An On-site Stormwater Detention system must be designed and constructed in accordance with Council's current On-site Stormwater Detention Technical Specification,

Detailed drainage plans are to be prepared by a suitably qualified Civil Engineer, who has membership to the Institution of Engineers Australia, National Professional Engineers Register (NPER) and registered in the General Area of Practice for civil engineering.

The drainage plans must address the following:

1. The OSD must be designed for flood mitigation purpose with no reduction of storage volume for rain water harvesting and reuse.
2. Max permissible discharge from the proposed redevelopment area must not exceed the post development state of nature conditions in accordance with Council's On-site Stormwater Detention Technical Specification.

Detailed drainage plans, including engineering certification confirming the above requirements have been satisfied and complying with Council's current On-site Stormwater Detention Technical Specification, are to be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

Reason: To ensure appropriate provision for the disposal of stormwater and stormwater management arising from the development. (DACENC20)

8. Waste Management Plan

A waste management plan that addresses Clauses C8 and C9 in the Warringah DCP must be prepared for this development.

Details of the method of transportation and location of the waste/recycling centres are to be included in the plan

Details demonstrating compliance must be provided to the Principal Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure that any demolition and construction waste, including excavated

material, is reused, recycled or disposed of in an environmentally friendly manner.(DACHPC03)

9. Compliance with Standards

The development is required to be carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate. Reason: To ensure the development is constructed in accordance with appropriate standards. (DACPLC02)

Advice to Applicants: At the time of determination in the opinion of Council, the following (but not limited to) Australian Standards are considered to be appropriate:

- (a) AS2601.2001 - Demolition of Structures**
- (b) AS4361.2 - Guide to lead paint management - Residential and commercial buildings**
- (c) AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting**
- (d) AS 4373 - 2007 'Pruning of amenity trees' (Note: if approval is granted) **
- (e) AS 4970 - 2009 'Protection of trees on development sites'**
- (f) AS/NZS 2890.1:2004 Parking facilities - Off-street car parking**
- (g) AS 2890.2 - 2002 Parking facilities - Off-street commercial vehicle facilities**
- (h) AS 2890.3 - 1993 Parking facilities - Bicycle parking facilities**
- (i) AS 2890.5 - 1993 Parking facilities - On-street parking**
- (j) AS/NZS 2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities**
- (k) AS 1742 Set - 2010 Manual of uniform traffic control devices Set**
- (l) AS 1428.1 - 2009* Design for access and mobility - General requirements for access - New building work**
- (m) AS 1428.2 - 1992*, Design for access and mobility - Enhanced and additional requirements - Buildings and facilities**
- (n) AS 4674 Design, construction and fit out of food premises
- (o) AS1668 The use of mechanical ventilation

*Note: The Australian Human Rights Commission provides useful information and a guide relating to building accessibility entitled "the good the bad and the ugly: Design and construction for access". This information is available on the Australian Human Rights Commission website http://www.humanrights.gov.au/disability_rights/buildings/good.htm

**Note: the listed Australian Standards is not exhaustive and it is the responsibility of the applicant and the Certifying Authority to ensure compliance with this condition and that the relevant Australian Standards are adhered to. (DACPLC02)

10. External Finishes to Roof

The external finish to the roof shall have a medium to dark range in order to minimise solar reflections to neighbouring properties. Light colours such as off white, cream, silver or light grey colours are not permitted.

Details demonstrating compliance are to be submitted to the Certifying Authority

prior to the issue of the Construction Certificate.

Reason: To ensure that excessive glare or reflectivity nuisance does not occur as a result of the development. (DACPLC03)

11. Sewer / Water Quickcheck

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre prior to works commencing to determine whether the development will affect any Sydney Water asset's sewer and water mains, stormwater drains and/or easement, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- Quick Check agents details - see Building Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building Developing and Plumbing then Building and Renovating.
- Or telephone 13 20 92.

Reason: To ensure compliance with the statutory requirements of Sydney Water. (DACPLC12)

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

14. Maintenance of Road Reserve

The public footways and roadways adjacent to the site shall be maintained in a safe condition at all times during the course of the work.

Reason: Public Safety. (DACENE09)

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

15. Authorisation of Legal Documentation Required for On-site Stormwater Detention

The original completed request forms (Department of Lands standard forms 13PC and/or 13RPA) must be submitted to Council, with a copy of the Works-as-Executed plan (details overdrawn on a copy of the approved drainage plan), hydraulic engineers certification and Compliance Certificate issued by an Accredited Certifier in Civil Works.

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

Reason: To create encumbrances on the land. (DACENF01)

16. Registration of Encumbrances for On-site Stormwater Detention

A copy of the certificate of title demonstrating the creation of the positive covenant and restriction for on-site storm water detention as to user is to be submitted.

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

Reason: To identify encumbrances on land. (DACENF02)

17. Restriction as to User for On-site Stormwater Detention

A restriction as to user shall be created on the title over the on-site stormwater detention system, restricting any alteration to the levels and/or any construction on the land. The terms of such restriction are to be prepared to Council's standard requirements, (available from Warringah Council), at the applicant's expense and endorsed by Council prior to lodgement with the Department of Lands. Warringah Council shall be nominated as the party to release, vary or modify such restriction.

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

Reason: To ensure modification to the on-site stormwater detention structure is not carried without Council's approval. (DACENF04)

18. On-Site Stormwater Detention Compliance Certification

Upon completion of the on-site stormwater detention (OSD) system, certification from a consulting engineer and a "work as executed" (WAE) drawing certified by a registered surveyor and overdrawn in red on a copy of the approved OSD system plans are to be provided to Council. Additionally a Compliance Certificate is to be issued by an Accredited Certifier in Civil Works registered with the Institute of Engineers Australia, stating that the works are in accordance with the approved plans.

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

Reason: To ensure stormwater disposal is constructed to Council's satisfaction. (DACENF10)

19. Positive Covenant for On-site Stormwater Detention

A positive covenant shall be created on the title of the land requiring the proprietor of the land to maintain the on-site stormwater detention structure in accordance with the standard requirements of Council. The terms of the positive covenant are to be prepared to Council's standard requirements, (available from Warringah Council), at the applicant's expense and endorsed by Warringah Council's delegate prior to lodgement with the Department of Lands. Warringah Council shall be nominated as the party to release, vary or modify such covenant.

Details demonstrating compliance are to be submitted to the Principal Certifying

Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure ongoing maintenance of the on-site stormwater detention system. (DACENF12)

20. Creation of Positive Covenant and Restriction as a User

Where any conditions of this Consent require the creation of a positive covenant and/or restriction as a user, the original completed request forms, (Department of Lands standard forms 13PC and/or 13RPA), shall be submitted to Warringah Council for authorisation.

A certified copy of the documents shall be provided to Warringah Council after final approval and registration has been affected by the "Department of Lands".

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of a Interim / Final Occupation Certificate.

Reason: To identify encumbrances on land. (DACENF14)

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

21. Hours of Operation

The hours of operation are to be restricted to:

Monday and Tuesday	10am to 7pm
Wednesday to Friday	10am to 5pm
Saturday	10am to 1pm
Sunday	2pm to 5pm

Upon expiration of the permitted hours, all service (and entertainment) shall immediately cease, no patrons shall be permitted entry and all customers on the premises shall be required to leave within the following 30 minutes.

Reason: Information to ensure that amenity of the surrounding locality is maintained. (DACPLG08)

22. Hours of Illumination

Illumination of signage at the subject premises shall cease between the hours of 12.00 midnight and 6.00 am daily.

Signs must not flash, move or be constructed of neon materials.

Reason: To ensure residential premises are not affected by inappropriate or excessive illumination. (DACPLG11)

23. Illumination Intensity and design

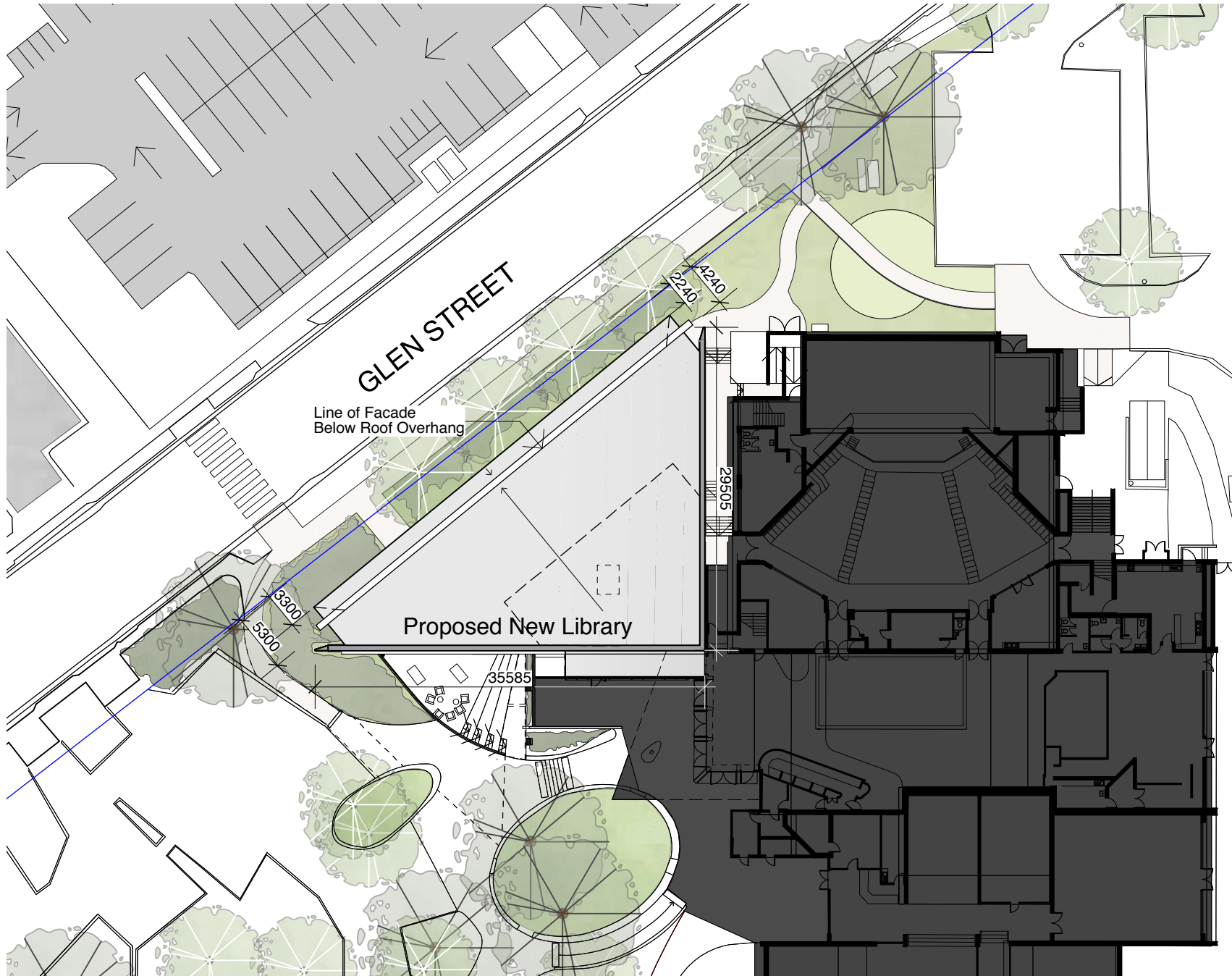
The level of illumination and/or lighting intensity used to illuminate the signage is to be minimised and the design is to be such to ensure that excessive light spill or nuisance is not caused to any nearby premises.

Reason: To ensure appropriate forms of signage that are consistent with Council's controls and those that are desired for the locality, and do not interfere with amenity of nearby properties. (DACPLG12)

24. Commercial Waste Collection (DACPLG18)

Waste and recyclable material, generated by this premises, must not be collected between the hours of 10pm and 6am on any day.

Reason: To protect the acoustic amenity of surrounding properties.(DACPLG18)



1:50 @ A3

Notification Plan

Glen Street
Library
Stage 2

Glen Street Belrose
Cultural Hub

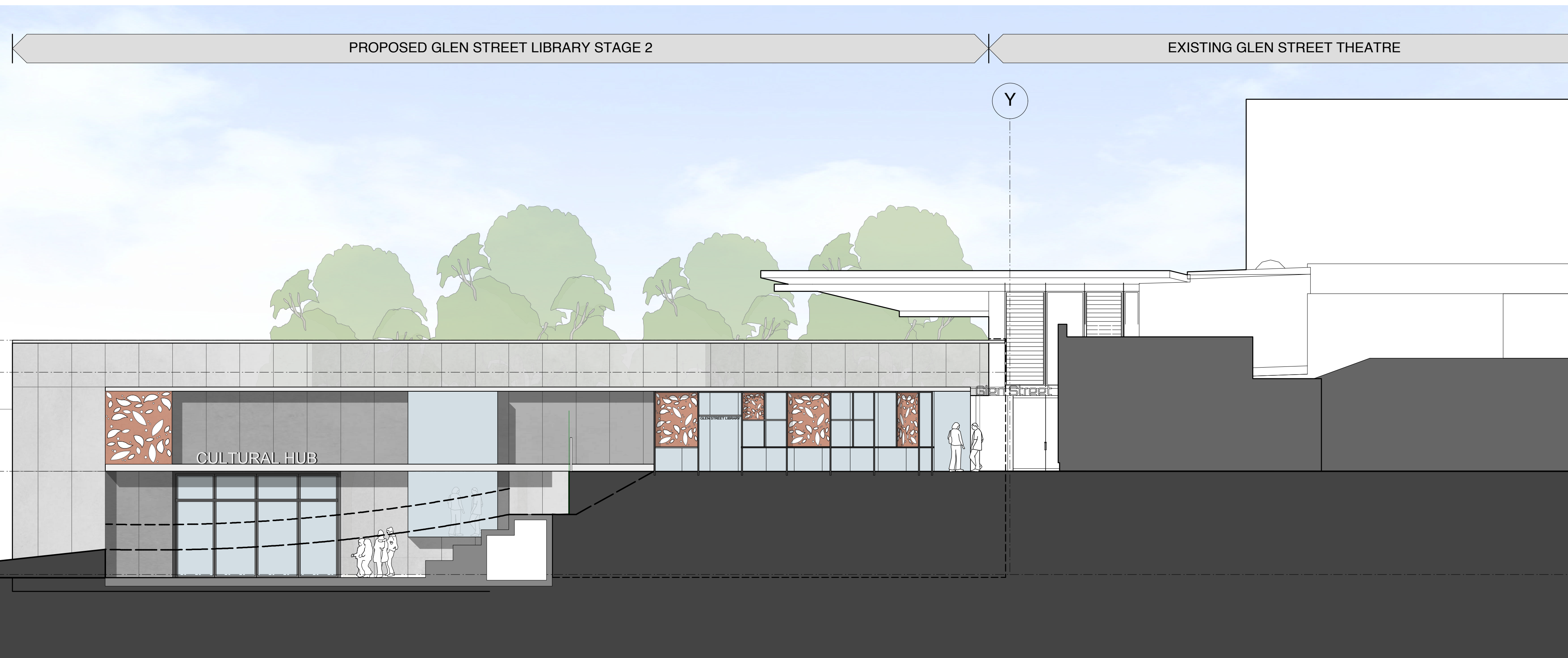
Warringah Council

Fri, 17 Jul 2015

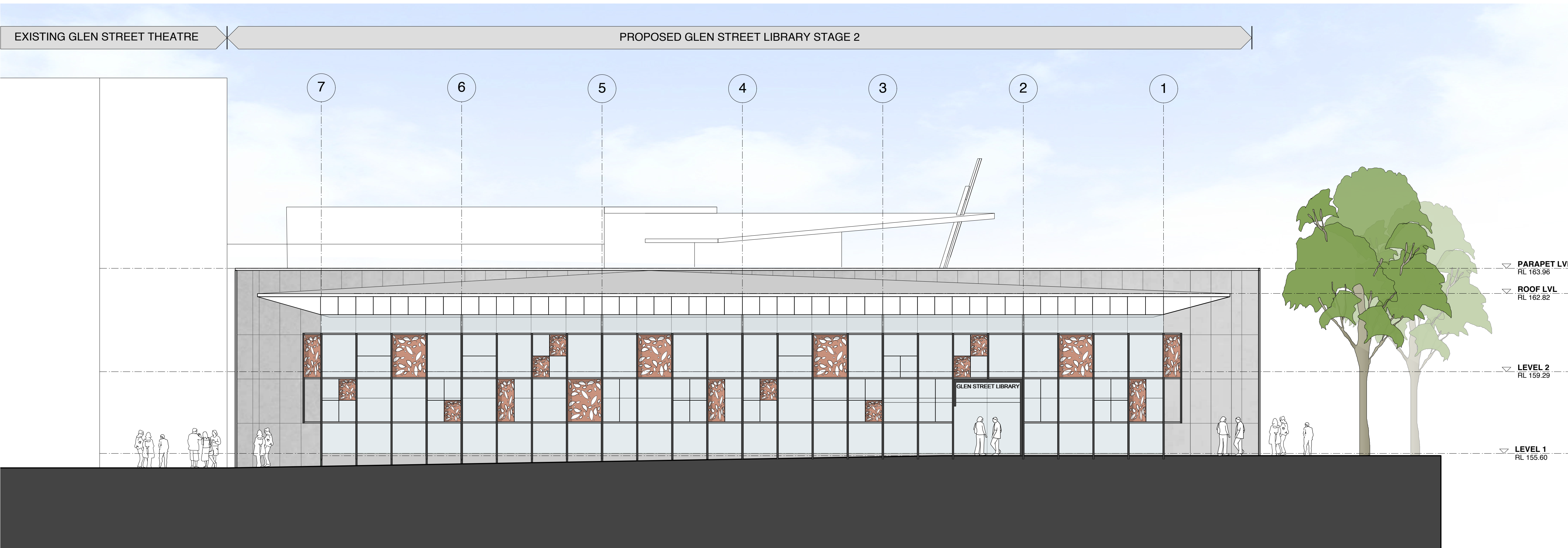


brewster
hjorth
architects

21467-10 D401-104 Glen Street v04



SOUTH ELEVATION



NORTH ELEVATION

Notification Elevations

Glen Street Library Stage 2

Glen Street Belrose Cultural Hub

Warringah Council

Fri, 17 Jul 2015



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