



MINUTES

APPLICATION DETERMINATION PANEL

Held in the Office of Deputy General Manager, Environments,
Civic Centre, Dee Why

16 MAY 2016

Minutes of a Meeting of the Application Determination Panel
held on Monday 16 May 2016
at the Office of Deputy General Manager, Environment,
Civic Centre, Dee Why
Commencing at 2.00 pm

ATTENDANCE:

Panel Member

Malcolm Ryan, Chairperson, Deputy General Manager, Environment

Peter Robinson, Group Manager Development and Compliance Services

David Kerr, Group Manager Strategic Planning

Advisors

Daniel Milliken, Planner - Item 3.1 MOD2016/0056 – 56-58 Glen Street Belrose - Modification of Development Consent DA2013/1447 granted for Demolition Works, Construction of a Retail Centre and Signage (Glenrose Shopping Centre)

Minute Secretary

Bronwyn Neal, Technical Planning Coordinator

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1. CONFIRMATION OF MINUTES

DECISION OF APPLICATION DETERMINATION PANEL

1. That the Panel note that the Minutes of the Application Determination Panel Meeting held on 31 March 2016 have been signed off by all Panel members and have been posted on Council's website.
 2. That the Panel note that the Minutes of the Application Determination Panel Meeting held on 14 March 2016 and have been signed off by all Panel members and have been posted on Council's website.
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2. DECLARATION OF PECUNIARY INTEREST

Nil

3. DEVELOPMENT APPLICATIONS

3.1	Item 3.1 MOD2016/0056 – 56-58 Glen Street Belrose - Modification of Development Consent DA2013/1447 granted for Demolition Works, Construction of a Retail Centre and Signage (Glenrose Shopping Centre)
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Proceedings in Brief

The Panel concurred with the restricted hours as per the recommendation in the report, subject to the modified construction hours ceasing to be effective after the 31st December 2016.

The Panel requested that a separate condition relating to construction hours be provided that included the new restricted hours, the date the hours will cease, a requirement for construction activities to be in accordance with the Report prepared by Acoustic Logic and a requirement for the noise levels to not exceed more than 5dB(A) above the background noise levels.

The changes to the conditions are as follows:

A. Add Condition No. 5A - Construction Hours to read as follows:

- a) External and internal 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.
- b) For the period commencing with this modification and ending on 31 December 2016, Internal building construction hours are extended to:
 - 7.00 am to 6.00 pm inclusive Monday to Friday.
 - 8.00 am to 4.00 pm inclusive on Saturday,
 - No work on Sundays or Public Holidays
- c) The above internal construction hours shall cease to be in effect after the 31st December 2016.

- d) The construction must be carried out in compliance with the following:

Reports / Documentation:

Reports / Documentation – All recommendations and requirements contained within:

Report No. / Page No. / Section No.	Dated	Prepared By
After Hours Construction Noise Advice Revision 1	17.02.2016	Acoustic Logic

- e) All activities relating to the construction of the building (including the internal fitouts) 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 *After Hours Construction Noise Advice* prepared by Acoustic Logic, the Environment Protection Authority's NSW *Industrial Noise Policy* and/or *Protection of the Environment Operations Act 1997*.

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

B. Modify Condition No. 5 - General Requirements to read as follows:

- a) 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.
- b) 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.
- c) 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.
- d) 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.
- e) 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.
- f) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- g) No building, demolition, excavation or material of any nature shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- h) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- i) 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.

- j) 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.
- k) 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.

- l) Any Regulated System (e.g. air-handling system, hot water system, a humidifying system, warmwater 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

- m) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.
- n) 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;
 - 1. 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 sewerred areas or managed on-site in unsewerred 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.

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

DECISION OF APPLICATION DETERMINATION PANEL

That the recommendation of the Assessment Officer for approval be adopted with the following amended conditions;

A. Add Condition No. 5A - Construction Hours to read as follows:

- a) External and internal 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.
- b) For the period commencing with this modification and ending on 31 December 2016, Internal building construction hours are extended to:
 - 7.00 am to 6.00 pm inclusive Monday to Friday.
 - 8.00 am to 4.00 pm inclusive on Saturday,
 - No work on Sundays or Public Holidays
- c) The above internal construction hours shall cease to be in effect after the 31st December 2016.
- d) The construction must be carried out in compliance with the following:

Reports / Documentation:

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- e) All activities relating to the construction of the building (including the internal fitouts) 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 *After Hours Construction Noise Advice* prepared by Acoustic Logic, the Environment Protection Authority's NSW *Industrial Noise Policy* and/or *Protection of the Environment Operations Act 1997*.

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

B. Modify Condition No. 5 - General Requirements to read as follows:

- a) 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.
- b) 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.

- c) 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.
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- f) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- g) No building, demolition, excavation or material of any nature shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
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- j) 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.
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 4. Swimming pools and spas must be registered with the Division of Local Government.

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

Meeting Concluded 2.20 pm



Malcolm Ryan
Deputy General Manager, Environment
Chairperson



Peter Robinson
Group Manager, Compliance and Development Services



David Kerr
Group Manager, Strategic Planning

