

Compliance Table – Conditions of Section 75W Concept Plan Approval MP10_0159 MOD 1

The approved Concept Plan (MP10_0159 MOD 1) established the fundamental design and built form parameters applicable to the future development of the site. A compliance assessment of the proposed works against the conditions of the Section 75W Concept Approval has been undertaken as follows.

CONCEPT APPROVAL	COMMENT
SCHEDULE 1	
<p>Concept Plan approval is granted to the development as described below:</p> <ul style="list-style-type: none"> <i>(a) Use of the site for a mixed use development with associated hospital facility, “Centre for Excellence”;</i> <i>(b) Indicative building envelopes for buildings to a maximum height of RL 32.35 (8 storeys);</i> <i>(c) Residential, retail/commercial and hospital/medical uses and associated guest accommodation;</i> <i>(d) Basement car parking for not less than 184 car spaces; and</i> <i>(e) Landscaping areas throughout the site.</i> <p>subject to compliance with the modifications of this approval.</p>	<p>This development application proposes the implementation of Stages 3 and 4 of the Part 3A Concept Plan approval. The works involve the retention of the previously constructed Stages 1 and 2 (hospital facility “Centre for Country Kids’ now known as the ‘CCK’ building) as well as partial demolition, alterations and additions to Drummond House and the construction of mixed use buildings which incorporate tourist and visitor accommodation, 58 residential apartments and retail/ commercial uses with basement parking and landscaping.</p> <p>The proposed heights are not inconsistent with the threshold requirements.</p> <p>The proposal is consistent with the land use, building height, car parking and landscaping descriptors.</p>

SCHEDULE 2

PART A – TERMS OF APPROVAL

A1 Development Description

Concept Plan approval is granted to the development as described below:

(a) Use of the site for a mixed use development with associated hospital facility, “Centre for Excellence”;

The proposal is consistent with this descriptor.

(b) Indicative building envelopes for buildings to a maximum height of RL 32.35 (8 storeys);

The proposal is consistent with this descriptor noting that the roof top structures that exceed RL 32.35 have been integrated into the built form, located to ensure minimal visibility and minimise shadowing impacts to surrounding properties including Manly Beach and Manly Village Public School consistent with Condition A5, Schedule 2 – Terms of Approval.

(c) Residential, retail/commercial and hospital/medical uses and associated guest accommodation;

The development incorporates residential, retail/commercial and hospital/medical uses and associated guest accommodation in accordance with this descriptor.

(d) Basement car parking for not less than 184 car spaces; and

The development provides for 2 levels of basement car parking comprising a total of 231 car parking spaces on the site as detailed within the accompanying Traffic Impact Assessment prepared by Stantec Australia Pty Limited.

<i>(e) Landscaping areas throughout the site.</i>	The development incorporates landscaping throughout the site as detailed on the accompanying landscape plans prepared by Jane Irwin Landscape Architecture.
A2 Development in Accordance with the plans and documentation	
<p>The development shall be undertaken generally in accordance with:</p> <ul style="list-style-type: none"> the Environmental Assessment dated 24 August 2011 prepared by Urbis Pty Ltd, except where amended by the Preferred Project Report dated 17 August 2012 including all associated documents and reports, as amended by; <ul style="list-style-type: none"> the Section 75W Modification Application (MOD 1) by Boston Blyth Fleming dated July 2021 and Response to Submissions dated December 2021; the Statement of Commitments (Schedule 4); and the drawings listed in the Approval Instrument. 	The development is generally in accordance with the nominated reports, documents and drawings as detailed throughout the Statement of Environmental Effects.
A3 Development Site Area	
The development site area is the area defined as the subject site in the Site Analysis Plan (E) prepared by Murcutt Candalepas, dated 22.02.21.	The proposal is consistent with this condition.
A4 Maximum Floor Space Ratio	
Deleted	-

A5 Building Height

Development on the site shall not exceed the levels (RL's) as identified on the Site Plan (S75W – 1060 (E)) prepared by Murcutt Candalepas, dated 22.12.21 with the exception of:

- a) roof top structures on the Building B southern envelope, including lift overruns, stair cores, parapets, vents, plant, chimney, aerials, landscaping, planting boxes and the like, which are not approved
- b) roof top structures on the Building C and D envelopes, including lift overruns, stair cores, pergolas, parapets, vents, plant, chimney, aerials, landscaping, planting boxes and the like, which are not approved.

Structures, including lift overruns, stair cores, pergolas, parapets, vents, plant, chimney, aerials, landscaping, planting boxes and the like, may exceed the maximum height for Building B (south) Building C and Building D, but only where the consent authority for any development application in consultation with the Northern Beaches Design and Sustainability Panel is satisfied that they are integrated into the built form, located to ensure minimal visibility and where they will not result in any additional shadow impacts to Manly Beach, or the Manly Village Public School and its grounds and adjoining residential apartments.

The accompanying architectural plans and montage images demonstrate that the proposed roof top structures on buildings B, C and D have been appropriately integrated into the built form and located to ensure minimal visibility from the public domain. Further, the accompanying shadow diagrams demonstrate that the roof top structures will not result in any additional shadowing impacts to Manly Beach, or the Manly Village Public School and its grounds and adjoining residential apartments.

The consent authority can be satisfied that the proposal is generally consistent with this condition.

A6 Building Envelopes, Form and Separation

Building footprints and setbacks are to be consistent with the Concept Plan diagrams, except where amended by the Modifications in Part B.

Future development should be consistent with the provisions of the Apartment Design Guide except where amended by the Modifications in Part B.

The accompanying architectural plans demonstrate consistency with the building footprints and setbacks as detailed within the approved Section 75W concept plans.

The accompanying SEPP 65 Design Verification Statement and Apartment Design Guide Compliance Table and Architectural Design Excellence Statement prepared by the project architect demonstrate consistency with the provisions of the Apartment Design Guide and the attainment of design excellence.

The consent authority can be satisfied that the proposal is generally consistent with this condition.

PART B – MODIFICATIONS

B1 Building Envelope and Separation Modifications

Any future development application shall demonstrate that residential amenity can be achieved in accordance with State Environmental Planning Policy No.65 Design Quality of Residential Apartment Development and the Apartment Design Guide.

Future development application(s) involving Building C shall demonstrate that the building, including the 'neighbour facing zone', is setback by at least 4.6m to the boundary adjacent to 29 Victoria Parade and adequate soil planting zones is provided to optimise adjacent residential amenity and visually screen the commercial tenancies.

Future development application(s) shall ensure that Apartment 22 in 29 Victoria Parade receives at least 2 hours of sunlight to living rooms and private open space in mid-winter.

The accompanying SEPP 65 Design Verification Statement and Apartment Design Guide Compliance Table and Architectural Design Excellence Statement prepared by the project architect demonstrate consistency with the provisions of SEPP 65 and the Apartment Design Guide.

The architectural plans nominate a 4.6 metre setback from the western façade of building C to the boundary adjacent to 29 Victoria Parade with minor intrusions into this setback associated with the provision of integrated privacy attenuation measures as detailed within the SEPP 65 Design Verification Statement.

The accompanying landscape plans demonstrate that the entire western setback of building C is proposed to be landscaped to optimise adjacent residential amenity and provide visual screening to the commercial tenancies.

The accompanying shadow diagrams clearly demonstrate that Apartment 22 and 29 Victoria Parade receives at least 2 hours of sunlight to living rooms and private open space in midwinter.

The consent authority can be satisfied that the proposal is generally consistent with this condition.

B2 Development Design

Future applications shall be presented to the Northern Beaches Design and Sustainability Panel. The Panel must be satisfied that the detailed building design achieves design excellence and adequately addresses the recommendations of the State Design Review Panel (dated 10 August 2021) and Government Architect's office (dated 2 February 2022).

In considering the detailed building design, the Northern Beaches Design and Sustainability Panel must be satisfied that:

a) the building heights comply with Condition A5

b) the front and rear elevations of Building C are adequately articulated (in accordance with FEAR 7)

Noted.

The accompanying architectural plans and montage images demonstrate that the proposed roof top structures on buildings B, C and D have been appropriately integrated into the built form and located to ensure minimal visibility from the public domain.

Further, the accompanying shadow diagrams demonstrate that the roof top structures will not result in any additional shadowing impacts to Manly Beach, or the Manly Village Public School and its grounds and adjoining residential apartments. The consent authority can be satisfied that the building heights comply with Condition A5.

The accompanying plans clearly demonstrate that the front rear elevations of Building C are appropriately articulated. In this regard, we rely on the contents of the accompanying Architectural Design Excellence Statement and SEPP65 Design Verification Statement and Apartment Design Guide compliance table prepared by the project architect. The proposal satisfies FEAR 7.

c) active land uses are provided to maximise activation to South Steyne and Wentworth Street and to the courtyard space at Building C and D (in accordance with Condition FEAR 4)

d) any necessary secure line meets the criteria in FEAR 7.

The project architect for the concept plan modification (Murcutt Candalepas) must be retained as the lead architect for the detailed design, any modifications and post approval matters, and through to occupation, to ensure that design integrity is retained, having regard to advice from the State Design Review Panel, Northern Beaches Design and Sustainability Panel and Government Architect's office.

Future applications shall incorporate treatment of all openings, windows/ balconies, proposed above the third floor level of the western façade of the Royal Far West Centre for Excellence Building (west building) with fixed louvre screening to a height of 2 metres above floor level at a 45° angle plane to the floor level.

The accompanying architectural plans demonstrate that 50% of the South Steyne frontage is activated by retail uses and residential entry lobbies with the balance occupied by undercroft planting through which visual and physical connectivity is provided to the centralised publicly accessible forecourt area. A retail tenancy is also provided adjacent to the Wentworth Street frontage with a combination of commercial and retail tenancies activating the publicly accessible forecourt area accessed from this frontage. The proposal satisfies FEAR 4.

The accompanying architectural plans nominate the proposed secure lines providing security to the publicly accessible forecourt area outside of business hours. The proposed gates have been integrated into the building design and do not adversely impact on the visual quality of the development. The proposed secure lines satisfy FEAR 7.

Noted

On 6th May 2015, development application DA253/2014 involving Stages 1 and 2 of the Concept Plan was approved by the former Manly Council with such works described as follows:

Demolition of existing "Elsie Hill Building", construction of a six (6) story building "Centre for Child Health and Learning" over two (2) levels of basement car parking for (53) cars and the use of the building as clinical, educational and office facilities, alterations to Drummond House to connect to the new centre and landscape works.

This building is now known as the Centre for Country Kids (CCK building). This consent has been fully implemented with an Occupation Certificate issued for the associated works.

We note that no additional screening was required to the western facade of this building by the consent authority through its assessment and determination of this previous development application.

SCHEDULE 3 - FUTURE ENVIRONMENTAL ASSESSMENT REQUIREMENTS

1. LANDSCAPING AND TREE PLANTING

Future applications shall include detailed landscape plans, prepared in consultation with the local Aboriginal community, demonstrating landscaping along street frontages and over podium/basement levels.

Future applications shall demonstrate that all tree planting will be supported by adequate soil volume (relative to the species, basement structure and as specified in the ADG), irrigation and species are selected to suit the microclimate.

The accompanying landscape plans and Landscape Design Statement prepared by Jane Irwin Landscape Architecture demonstrates compliance with this assessment requirement.

2. CONSTRUCTION AND OPERATIONAL IMPACTS

Any future application shall address any potential contamination on the site and implement the recommendation of the Phase 1: Contamination Assessment Report, dated July 2011.

This should be addressed as part of a Construction Management Plan prepared for the site.

Future applications shall demonstrate that the operation of the commercial tenancies will not result in any unreasonable adverse impacts on the amenity of the surrounding residential uses, such as in relation to noise, odours and light spill.

The application is accompanied by a Site Investigation (Contamination Report) and Remediation Action Plan (RAP) prepared by Douglas Partners which identifies potential contaminants on the site with the conclusion contained within the RAP confirming that following implementation of its recommendations the project site will be made suitable for the intended land uses. These assessment requirements are satisfied.

The operation of the ground floor commercial tenancies will be the subject of separate development applications. This assessment requirement will be considered as a component of these subsequent development applications.

3. ESD

Future applications shall demonstrate that any future development will incorporate ESD principles in the design, construction and ongoing operation phases of the development, including water sensitive urban design measures, energy efficiency, recycling and water disposal.

Future applications shall also demonstrate that the development, or each stage of the development, achieves a minimum 5 Star Green Star Design & As Built v1.3.

This application is accompanied by a ESD Energy Performance and Green Star Report prepared by Aspire Sustainability Consulting which details the ESD initiatives that have been considered and incorporated into the proposal.

The report demonstrates compliance with the requirements at Schedule 3 of the Modified Concept Approval being the incorporation of design initiatives consistent with a 5 Star Design & As Built v1.3 rating across all stages of the development.

4. CONTRIBUTIONS

Development contributions may be required to be paid to Council towards the provision or improvement of public amenities and services and may be required as a condition of consent for each detailed stage of the development. The amount of the contribution will be determined in accordance with the requirements of a Planning Agreement or, if no Planning Agreement is entered into, in accordance with the development contributions plan current at the time of approval for each stage.

Noted.

5. PRIVACY

Future applications shall demonstrate that adequate privacy screening/treatment and/or balcony/window orientation has been provided to minimise privacy impacts between buildings located on the site and also address privacy concerns of adjoining developments.

The accompanying SEPP 65 Design Verification Statement and Apartment Design Guide Compliance Table and Architectural Design Excellence Statement prepared by the project architect demonstrate that adequate privacy screening/treatments have been provided to minimise privacy impacts between buildings located on the site and also address privacy concerns of adjoining development.

This assessment requirement has been addressed.

6. GROUND FLOOR USAGE

Final design of the ground floor should include an active street frontage of non-residential uses such as retail shops, resident's communal facilities and or servicing areas.

The proposal is consistent with this condition. The Wentworth Street frontage will be appropriately activated by the existing CCK building, the provision of a Wentworth Street facing retail tenancy and the landscaped publicly accessible forecourt proposed between Buildings C and D which will encourage pedestrian movement into the site where the public can take advantage of the ground floor commercial uses proposed.

The South Steyne frontage is also activated through the provision of 2 retail tenancies and the creation of a visually stimulating undercroft landscaped area which creates a sense of visual permeability into the site towards the South Steyne facing ground floor commercial uses.

This assessment requirement has been addressed.

7. TRANSPORT AND TRAFFIC

Future applications shall:

- a) Include a Construction Traffic Management Plan (CTMP) prepared in consultation with the Council, RMS and STA;

We confirm that the application is accompanied by a preliminary Construction Traffic Management Plan (CTMP) prepared by Stantec Australia Pty Limited which will be refined in response to any conditions applied to the development consent and upon appointment of the project builder.

- b) detail the number and location of sheltered and secure bicycle racks or bicycle parking stations, shower/change room and lockers to ensure they meet the needs of residents, staff and visitors;

The location and number of bicycle parking is detailed on the architectural plans. End of trip facilities are located in the basement.

- c) include a Workplace Travel Plan (WTP) for the commercial development, including a Travel Access Guide (TAG) and provision for car-share, be developed and implemented prior to occupation of the development; and

The accompanying Traffic Impact Assessment prepared by Stantec includes an Overview Green Travel Plan which addresses this assessment requirement.

- d) include an assessment, undertaken in association with advice from Council, the RMS and STA, of the intersections between:

- Sydney Road and Belgrave Street
- South Steyne and Wentworth Street, and
- The entry / exit to the basement car park off Wentworth Street (opposite entry to the Council car park) and which identifies any improvements requires at the relevant intersections as a result of the subject development.

The accompanying traffic and parking report prepared by Stantec addresses this assessment requirement.

8. SYDNEY WATER REQUIREMENTS

Future development applications shall demonstrate that the Sydney Water requirements have been met in relation to:

- Water servicing: To service the proposed development the existing 150mm potable water main is required to be upgraded to a 200mm main. The proposed potable water infrastructure must be designed and configured according to the Water Supply Code of Australia (Sydney Water Edition WSA 03-2002).
- Wastewater servicing: The site has access to a 300mm wastewater main in Wentworth Street and a connection/extension to this main, for a minimum 225mm main, is acceptable at the developer's cost. The developer is required to design and construct a wastewater main (connecting to the 300mm main in Wentworth Street), which provides a point of connection at least 1m inside the property's boundary.
- Trade waste: All customers discharging trade waste must have written permission from Sydney Water. A permit or agreement must be obtained from Sydney Water before discharging any trade waste into Sydney Water's wastewater system.

Submitted infrastructure designs should be sized and configured according to the Water Supply Code of Australia (Sydney Water Edition WSA 03-2002) and the Sewerage Code of Australia (Sydney Water Edition WSA 02-2002).

Noted and able to be satisfied.

The Proponent should engage the services of a Water Servicing Coordinator to attain a Section 73 Certificate and to manage the servicing aspects of the development.

9. FLOODING

Future applications shall ensure that:

- a) A flood evacuation plan is to be prepared for relevant stages. The plan is to include warning alarms and evacuation routes.
- b) Underground car parking areas are to be flood proofed upon completion of the development and are to incorporate flood warning alarms and designated evacuation routes. The flood proofing system is to be independent of the stormwater drainage system.
- c) All local services (power, water, gas, telephone) within the sub-podium levels must be flood protected to the 0.5% AEP level
- d) The detailed design takes into account the relevant flood planning levels for the site, having regard to Council's Manly to Seaforth Flood Study 2019.

This application is accompanied by a Flood Statement prepared by Northrop with such report containing the following conclusions:

The outcomes of this assessment demonstrate:

- *That the property is mostly outside of the 1% AEP floodplain.*
- *Flood Planning Levels have been advised in accordance with the Flood Information provided by the Northern Beaches Council, and Flood Study Report "Manly to Seaforth Flood Study Revision 3" (Cardno, 22 February 2019).*
- *Floor levels and the basement entrance to the proposed development achieve Flood Planning Level requirements.*

This assessment requirement has been addressed.

10. CAR PARKING

Future applications shall include:

- a) Details of the total amount of car parking to be provided as part of the development which shall be not less than 184 spaces.

The development provides for 2 levels of basement car parking comprising a total of 231 car parking spaces on the site as detailed within the accompanying Traffic Impact Assessment prepared by Stantec Australia Pty Limited.

- b) An updated schedule of parking allocations.

Provided in the Traffic Impact Assessment.

- c) Details of parking facilities (public, commercial and bicycle) designed in accordance with relevant Australian Standards.

Proposal is consistent with this requirement. All car parking has been designed in accordance with AS 2890.1 and AS 2890.6. Bicycle parking has been designed in accordance with AS 2890.3.

- d) The design of the parking and commercial vehicle facilities that will enable all vehicles, including commercial vehicles, to enter and exit the development in a forward direction.

Proposal is consistent. All vehicular access is designed in accordance with AS 2890.1 and AS 2890.6.

- e) The provision and implementation of a car share scheme.

The development provides for two car share spaces in the basement as detailed within the accompanying Traffic Impact Assessment prepared by Stantec Australia Pty Limited.

- f) Details of all loading and unloading associated with the use of the development which is to take place wholly within the site from designated loading bays as identified in the Concept Plan. Loadings bays shall not be used for storage or any other purpose that would restrict their use for the purposes of loading and unloading.

The servicing arrangements for the proposed development are detailed within the Traffic Impact Assessment Report prepared by Stantec. All servicing will occur from the basement.

11. STORMWATER AND DRAINAGE

Future applications shall address the following:

- a) The design of stormwater drainage facilities shall be detailed in future applications and will generally be consistent with Manly Council technical specifications for the design of stormwater management facilities, and the principles of Water Sensitive Urban Design (WSUD). Water recycling facilities may be considered in lieu of any Council rainwater tank requirements.

Proposal is consistent with this requirement. The Stormwater Report and Plans prepared by Northrop have been prepared in accordance with Manly Council's requirements and incorporate the principles of WSUD.

- b) A stormwater drainage system shall be designed and implemented through the site and shall comprise pipe or culvert underground.

Proposal is consistent. Refer to the Stormwater Report and Plans prepared by Northrop.

- c) A Positive Covenant is required, binding all present and future owners of the property to the following:

- submission to Manly Council of a structural check of any pipeline/culvert every ten (10) years; and
- responsibility for maintenance of any pipes/culverts in perpetuity and their replacement when required.

Proposal is consistent. Refer to the Stormwater Report and Plans prepared by Northrop.

12. GROUNDWATER AND CONTAMINATION

Future applications are to demonstrate that the development does not impact upon the health of any groundwater dependant ecosystems and that where basements intercept groundwater, the basements are to be tanked.

These matters are addressed with in the accompanying Geotechnical Desktop Assessment, Site Investigation (Contamination) Report and Remediation Action Plan prepared by Douglas Partners.

Site contamination is to be monitored and controlled in accordance with the findings and recommendations of the Phase 1 - Contamination Assessment Report prepared by Douglas Partners.

As above.

13. STAGING OF DEVELOPMENT

Future applications shall provide details of the final form of staging of the development generally in accordance with the indicative staging plan and are to be submitted with the first application to ensure the orderly and coordinated development of the site. Each stage described shall provide full details of inclusions in respect of:

- a) demolition;
- b) earthworks;
- c) buildings and all other structures (including basements);
- d) any elements of the overall public domain plan to be dedicated or embellished;
- e) any site remediation works;
- f) stormwater management works;
- g) any vehicular or pedestrian access to the site;
- h) waste and Construction Management.

The proposal implements stages 3 and 4 of the approved staging plan and to that extent is consistent with this requirement.

<p>i) measures to mitigate and manage nuisance caused by stages, under construction through to completed stages, including vehicle access, noise, parking and safety; and</p>	
<p>An access application shall be made to Council to obtain footpath crossing and boundary alignment levels.</p>	<p>The proposed basement car parking and associated servicing utilises the existing driveway crossing.</p>
<p>14. DEVELOPMENT DESIGN GUIDELINES</p>	
<p>Future applications for the site shall be generally consistent with the Modifications in Part B and Future Assessment Requirements in Schedule 3 and shall:</p> <ul style="list-style-type: none"> a) Ensure the built form complies with the provisions of the State Environmental Planning Policy 65 <ul style="list-style-type: none"> - Design Quality of Residential Flat Development (SEPP 65) and the accompanying Residential Flat Design Code 2002, except where modified by this Concept Plan approval; b) Provide for sufficient building modulation/articulation to achieve an acceptable built form; c) Ensure future apartments achieve compliance with the requirements of the Apartment Design Guide in terms of solar access; and d) Ensure that the internal residential amenity of the proposed apartments are not unduly affected by the noise and vibration impacts from surrounding traffic and should comply with the requirements of Clause 102 of State Environmental Planning Policy (Infrastructure) 2007 and the Department of Planning and Infrastructure's 	<p>The accompanying SEPP 65 Design Verification Statement and Apartment Design Guide Compliance Table and Architectural Design Excellence Statement prepared by the project architect demonstrate consistency with the provisions of SEPP 65 and the Apartment Design Guide. Such outcomes are achieved through compliance with the modification requirements at Part B and Future Assessment Requirements in Schedule 3 of the approval instrument.</p> <p>The accompanying Acoustic Assessment prepared by Acoustic Logic demonstrates compliance with the noise and vibration provisions of State Environmental Planning Policy (Transport and Infrastructure) 2021 (formerly State Environmental Planning Policy (Infrastructure) 2007).</p>

<p>'Development Near Rail Corridors and Busy Roads -Interim Guidelines'.</p>	
<p>15. CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN</p>	
<p>Future applications shall ensure that design and treatments of the proposed buildings have due regard to the principles of the Crime Prevention Through Environmental Design (CPTED) Guidelines, 2001 and incorporate these principles into the relevant design Stage, and should include:</p> <ul style="list-style-type: none"> a) The location of street furniture on streets or in thoroughfares being identified on the plans for each stage. Street furniture shall be positioned to take advantage of well lit and open areas to minimise crime. b) The landscape design shall provide adequate sight lines and avoid creation of places of concealment within the open space areas. c) Lighting of areas adjacent to public spaces shall be provided in accordance with the AS/NZS 1158.3.1:2005 Lighting for Roads and Public Spaces 	<p>The proposal is consistent with this condition with the principles of CPTED incorporated into the final design as detailed within the accompanying Crime Risk and Prevention Through Environmental Design (CPTED) report prepared by Harris Crime Prevention Services.</p>
<p>16. PROTECTION OF TREES</p>	
<p>Future applications shall demonstrate how the detailed design will not adversely impact on the health of any street trees in Wentworth Street and south Steyne and trees that are being retained on-site. Future applications shall also ensure these trees are protected during construction, having regard to the recommendations of the Arboricultural Impact Assessment Report, dated 21 July 2021.</p>	<p>This assessment requirement has been addressed in detail in the accompanying Arboricultural Impact Assessment Report prepared by Jacksons Nature Works</p>

17. HERITAGE

Future applications shall demonstrate consistency with the recommendations of:

- the Conservation Management Plan (20 November 2020) and, Heritage Impact Statement (22 July 2021) prepared by URBIS Pty Ltd; and
- the “Cultural Heritage Assessment and Aboriginal Archaeological Assessment” (2011) prepared by Mary Dallas and Dan Tuck

that have been prepared in support of the Concept Plan.

In relation to these assessment requirements, we rely on the following documents:

- Heritage Impact Statement prepared by URBIS
- Heritage Conservation Management Plan prepared by URBIS
- Aboriginal Due Diligence Assessment and Archaeological Impact Assessment prepared by URBIS

18. WASTE MANAGEMENT

Future applications shall include a waste management plan in accordance with Council's requirements.

The proposal is consistent. Operational and Construction Waste Management Plans have been prepared in accordance with Council's requirements by Low Impact Development Consulting.

19. SALE OF LIQUOR

Future applications shall not provide for the sale of liquor other than to service venues located on the site.

The proposal is consistent. The application does not involve the sale of liquor.

20. WIND

Future applications shall be supported by a detailed wind study, prepared by suitably qualified expert having regard to the Wind Conditions Advice Letter prepared by Arup dated 21 July 2021. This study must demonstrate that the wind conditions in all public domain areas are comfortable for its intended use and identify any mitigation measures required to achieve this.

Potential wind impacts have been addressed in the accompanying Environmental Wind Assessment prepared by ARUP

STATEMENT OF COMMITMENTS

In accordance with the Director-General's Preferred Project Requirements, the proponent was required to include a Statement of Commitments. The following are the commitments made by Royal Far West to manage and minimise potential impacts arising from the Concept Plan. The consistency of the Stage 3 and 4 DA with the Statement of Commitment is summarised in Table 2 below.

	COMMITMENT	COMMENT
Contributions	Section 94 contributions to be made for the commercial component of the project will be in accordance with Manly Section 94 Plan.	Noted.
	<i>Timing: Calculation confirmed at Project Application Stage in accordance with Manly Section 94 Contributions Plan 2004 and paid prior to the commencement of Stage 2 works.</i>	
Car share	Discussions will be undertaken with car share providers and a parking space will be made available for use by shared vehicles.	The development provides for two car share spaces in the basement as detailed within the accompanying Traffic Impact Assessment prepared by Stantec Australia Pty Limited.
	<i>Timing: Provision of car share space/s to be confirmed in Project Application.</i>	
Bicycle facilities	The project will provide for bicycle facilities and parking in accordance with Council's relevant standards	The bicycle facilities provided within the basement are in accordance with Councils requirements.
	<i>Timing: Bicycle facilities and parking to be confirmed in Project Application.</i>	

Sustainability	The educational component of the development commits to a minimum 4 Star Green Star Certified Rating under the Education v1 tool.	Compliance with these commitments is detailed in the accompanying ESD Energy Performance and Green Star Report prepared by Aspire.
	<i>Timing: These actions are to be further progressed in the project approvals phase.</i>	
	The residential units will be subject to the Multi Unit BASIX criteria.	Complies.
	<i>Timing: The BAS/X criteria will be assessed at the Project Application stage.</i>	
Aboriginal Heritage	<p>At the commencement of any earthworks or remediation works on site the excavation workers be provided Cultural Heritage Awareness Induction by a qualified archaeologist and a representative of the Metropolitan Local Aboriginal Land Council. The induction should ensure that workers can identify cultural remains so that they can be managed appropriately.</p> <p>An Aboriginal archaeological test excavation be conducted within the areas identified as archaeologically sensitive immediately following demolition of the court surfaces of the Far West School and the concrete slab surface of the rear car park of the Elsie Hill building and across the footprint of the Terrace should it not be retained. These areas should be investigated before neighbouring demolition to avoid contamination of sediments.</p>	We rely on the accompanying Aboriginal Due Diligence Assessment and Archaeological Impact Assessment prepared by URBIS to demonstrate compliance with this commitment.

European Archaeology	A European Archaeological Assessment and subsequent archaeological investigations of the subject site be undertaken prior to any excavation works.	We rely on the accompanying Aboriginal Due Diligence Assessment and Archaeological Impact Assessment prepared by URBIS to demonstrate compliance with this commitment.
	<i>Timing: Following demolition/commencement of earthworks or remediation</i>	
Construction Management Plan	The proponent agrees to prepare a Construction Management Plan outlining the methods of construction, traffic management, crane height and location details and the like.	This application is accompanied by a Construction Traffic Management Plan prepared by Stantec and Draft Construction Management Plan prepared by Lighthouse Project Group.
	<i>Timing: To be issued as a condition of consent at the Project Application stage.</i>	
Compliance with the Building Code of Australia	All buildings will be designed in accordance with the Building Code of Australia.	The accompanying BCA Statement of Compliance notes the proposed can readily achieve compliance with the relevant provisions of the BCA. Compliance issues raised can be readily addressed at Construction Certificate stage, without giving rise to significant changes to the proposed as submitted in this DA.
	<i>Timing: A BCA statement can be provided at the Project Application stage, and conditioned as part of subsequent detailed design stages of the development.</i>	

Augmentation of services	<p>The approval of all existing utility service providers (e.g. gas, electricity, telephone, water, sewer) will be obtained, and any required augmentation works undertaken.</p>	<p>Gas: An application will be made to Jemena via the clients preferred retailer once the DA conditions have been provided and the design has advanced with the duty capacity required by the building.</p> <p>Water & Sewer: A Section 73 application will be issued to Sydney Water upon approval of the Development Application to allow Sydney Water to specify any works required to either the sewer or water mains as a result of the development.</p> <p>Electricity: The proposed ground-level kiosk substations will adequately service the development.</p> <p>Telephone: No major upgrades would be required associated with the proposal.</p>
	<p><i>Timing: At project application stage detailed negotiations and approval from utility provider will be confirmed.</i></p>	
Noise mitigation	<p>An acoustic assessment will be undertaken as part of subsequent Project Applications when detailed design matters are resolved.</p>	<p>This application is accompanied by an Acoustic Assessment prepared by Acoustic Logic.</p>
	<p><i>Timing: To be provided as part of the Project Application submission</i></p>	

Traffic Management Measures	Implement traffic management measures including the relocation of the pedestrian crossing at the corner of South Steyne and Wentworth Street, and the provision of an additional raised (paved) pedestrian threshold across Wentworth Street as described in the Traffic and Car Parking Report, if required by Manly Council under the <i>Roads Act 1993</i> .	These matters, where relevant to the Section 75W Concept Approval, are addressed in detail in the accompanying Traffic Impact Assessment prepared by Stantec.
	<i>Timing: If required, potential traffic management measures to be submitted to Council for approval at the Project Application stage and, subject to Council approval, Implemented prior to occupation.</i>	
Boarding House Occupants	RFW will assist the current boarding house occupants within Elsie Hill by providing an extended notice of leave period and assisting these occupants where possible.	The boarding house residents were relocated as a component of the Stage 1 and 2 works to CCK.
	<i>Timing: Extended notice of leave period to be negotiated prior to demolition of Elsie Hill building.</i>	
Remediation of Land	If necessary, a Remedial Action Plan will be submitted for approval and audited upon implementation.	This application is accompanied by a Site Investigation (Contamination) Report and Remediation Action Plan prepared by Douglas Partners.
	<i>Timing: RAP to be provided at the Project Application Stage.</i>	