



THE COUNCIL OF THE
SHIRE OF WARRINGAH

COPY
TOWN PLANNING

All correspondence to be addressed to The General Manager,
Civic Centre, Pittwater Road, Dee Why, 2099 DX 9118 Dee Why
Telephone: (02) 982 0333 Fax: (02) 982 4770

File No: PF 810/Lot 1 Pt 2 VI.mb/2100D
Your Ref:

CONSENT NO: 87/8

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

NOTICE TO APPLICANT OF DETERMINATION

OF A DEVELOPMENT APPLICATION

Applicant's Name and Address: Bayview Garden Village P/L, C/- G
Twibill & Associates, Architects & Planners, 44 Miller St, North
Sydney.

Being the applicant in respect of Development Application
No. 1986/450.

Pursuant to section 92 of the Act, notice is hereby given of the
determination by the Council of the Shire of Warringah, as the
consent authority, of the Development Application No. 1986/450
relating to the land described as follows:-

Lots 11 & 12, DP 714902, Nos 36-42 Cabbage Tree Rd, Bayview

For the following development:-

Erect housing for aged or disabled persons consisting of 51 hostel
suites and village centre

The Development Application has been determined by granting of
consent subject to the following conditions:-

1. Development being generally in accordance with plans numbered
7346-1 to 3, dated June 1986, plan 7346-5, dated May 1986,
plan 7346-6 & 7, dated June 1986, and plan 7346-8, undated,
submitted 8.9.1986 and plan 7346-4B, dated June 1986,
submitted on 20.10.1986, as modified by any conditions of this
consent.
2. The use not commencing until such time as the requirements of
the conditions of this consent have been carried out to
Council's reasonable satisfaction as signified in writing.
3. No signs to be displayed without a separate approval.
4. The colour, texture and substance of all external components
of the building and hard surfaced areas being to Council's
satisfaction, details to be included at building application
stage.

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5. The visitors car parking and the like areas being kept permanently available for such use and not being allocated to any one person or persons. Visitors parking to be clearly marked as such.
6. All parking areas on plans granted consent herein being used solely for this purpose.
7. Compliance generally with Council's Car Parking Policy (Warringah Development Control Plan No 2) including the number of car parking spaces, the dimensions of parking bays, width of access driveway, widths and gradients of ramps, particularly that all dimensions be clear of obstructions.
8. The proposed height and materials of all fences being to Council's satisfaction, details to be included on building application plans.
9. Landscaping plans shall be submitted to Council together with any building application required, or where no building application is required, prior to the commencement of the development approved by this consent. The plans shall indicate all existing trees specifying those trees to be retained and those proposed to be removed. It shall specify details of proposed planting, including common and botanical names and height and spread at maturity. Such landscaping shall be designed and executed to Council's specification and shall be maintained in perpetuity to Council's satisfaction by the existing or future owners and occupiers of the property. Such landscaping shall be completed prior to the occupation of the building, or prior to the issue of a Certificate of Compliance under Section 317A of the Local Government Act, which ever occurs first. Furthermore, no tree or shrub of any kind whatsoever planted or retained pursuant to this consent shall be lopped, topped, pruned or removed without the prior written approval of the Council as a variation of this consent.
10. Pursuant to Section 90(1)(b) of the Environmental Planning and Assessment Act, the development GRANTED CONSENT shall not harm the environment by way of:-
 - (a) Denudation of the land
 - (b) Uncontrolled flow of water across the land.

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- (c) Uncontrolled disposal of animal, vegetable or chemical waste products on the land.
 - (d) Soil erosion caused by (a) and (b) above.
11. Pursuant to Section 90(1)(h) of the Act, the development shall not harm adjoining land or land in the locality by way of:-
- (a) Uncontrolled flow of water onto and from the land.
 - (b) The transmission of soil, sediment or waste products from the land onto adjoining land or land in the locality.
12. Pursuant to Section 91(b) and (h), the following steps shall be taken to mitigate harm caused to the environment by the development:-
- a) The rehabilitation of cleared or denuded areas by the planting, fertilising and maintenance of grasses, shrubs and trees, as appropriate.
 - b) Where earthworks are involved, the removal, stockpiling and replacement of topsoil, and the prevention of erosion of excavated areas and topsoil stockpiles.
 - c) The stabilisation and maintenance of the beds and banks of natural watercourses and open drains traversing the site.
 - d) The control of water flows onto and across the land by the provision of surface and sub-surface drains where appropriate.
 - e) The prevention of transmission of soil, sediment and waste products from the land by the construction and maintenance of settling ponds and sediment traps in all watercourses and drainage lines which discharge water from the site.

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13. In respect of 10-12 above, work undertaken should comply with the standards of the Soil Conservation Service of NSW, as set out in their publication "Urban Erosion and Sediment Control", copies of which are available from the Service or Council, and where relevant with the requirements of Council's Health and Building Department, the Health Commission, and the State Pollution Control Commission.
14. The amalgamation of Lots 11 & 12 as one lot and the registration of the appropriate survey plan by the Registrar-General.
15. In respect of Condition 14, the following condition should be observed:

The number allocated by the Registrar General's Department to the documents and/or plans referred to shall be advised in writing to the Council, together with a letter of intent to proceed with the amalgamation, prior to authority to occupy the premises being given.

A certified copy of the documents shall be provided to Council after final approval and registration has been effected by the Registrar-General's Department as ultimate compliance with that condition.
16. The land is subject to a Tree Preservation Order and no trees may be removed without the prior consent of Council.
17. Connection of roof and site drainage to Council's underground stormwater system from a pit within the property boundary by means of a RCP of 375mm minimum diameter.
18. Buildings to be located clear of any pipeline, natural watercourse or Council easement. Footings of any building adjacent to an easement or pipeline to be a minimum of 300mm below the invert of the pipe and may rise by 300mm for each 300mm removed therefrom.
19. All design and/or construction of works shall comply with the Standard Specifications of the Council of the Shire of Warringah. Copies of these are available at the prescribed fee from the Public Works Division of the Council.

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20. The adjustment of public utilities and services as necessary to be effected at full cost to the applicant.
21. Stormwater from the property being piped by gravitational means to Council's stormwater system and to the satisfaction of Council's engineer.
22. All rooms in the building being ventilated in accordance with the provisions of Ordinance 70.
23. Plans and details of all fittings pertaining to the layout of premises used for the manufacture, preparation, or serving of food, including cupboard fixtures, fittings, insect protection, etc. being submitted prior to the commencement of work.
24. Provision of emergency lighting and illuminated exit signs, throughout the building, in accordance with the provisions of Part 55 of Ordinance 70. Details are to be supplied prior to commencement of work.
25. Provision of hose reels within 36m of any part of the floor area in accordance with Part 27 of Ordinance 70. Details are to be supplied prior to commencement of work.
26. Openings in external loadbearing walls exceeding 1.8m wide to have lintels with a fire resistance rating of 1-1/2 hours.
27. No occupation prior to completion and the issue of a Certificate of Classification.
28. All rooms are to be provided with 1 hour fire rated doors.
29. The door to the lift motor room is to be provided with a 2 hour fire rated door.
30. The lift is to comply with Part 55 of Ordinance 70.
31. The service fees shall not, without Council's prior written approval, exceed \$120 per week, as adjusted on 30th June each year commencing 30.6.1987, in accordance with the consumer price index or 130% of the single aged pension, whichever is the greater.

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32. Construction hours of the consented to use shall be confined to Monday to Friday, 7.00am to 5.00pm, Saturday, 7.00am to 1.00pm, no work on Sunday where, in the opinion of Council, construction activity interferes with the amenity of the neighbourhood by the omission of noise, chemical, physical pollutants or otherwise.
33. No external flood lighting to be installed without Council's prior written approval.

The reason for the imposition of the above consent conditions is as follows:-

To ensure that the development consented to is carried out in such a manner as to achieve the objectives of the Environmental Planning and Assessment Act, pursuant to section 5(a) of the Act, having regard to the relevant matters for consideration contained in section 90 of the Act and the Environmental Planning Instrument applying to the land, as well as section 91(3) of the Act which authorises the imposing of the consent conditions.

Endorsement of date of consent 15 JAN 1987

IMPORTANT: You are advised to read these notes in addition to the Conditions of your consent.

- (1) It is to be clearly understood that the above consent is not an approval to carry out any structural work. A formal building application must be submitted to Council and be approved before any structural work is carried out to implement the above consent. Also the applicant is not relieved of any obligation to obtain any other approval required under any other Act.
- (2) Section 97 of the Environmental Planning and Assessment Act confers on the applicant who is not satisfied with the determination of the consent authority a right of appeal to the Land and Environment Court exercisable within 12 months of receipt of this notice.

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- (3) This consent shall be effective and operative from the endorsement date of this consent; however should an appeal be lodged against Council's determination of the application, the consent shall cease to be, or shall not become, operative, until that appeal is determined. See section 93 of the Act.
- (4) For information about the circumstances in which this consent may lapse; about commencement of a development granted consent; about extension of the consent; and about the circumstances in which Council may require completion of the development, see Section 99 of the Act.
- (5) For information about the procedure for the modification of this consent by Council, see Section 102 of the Act.
- (6) Any person who contravenes this notice of determination of the abovementioned development application shall be guilty of a breach of the Environmental Planning and Assessment Act, 1979, and shall be liable to a monetary penalty and for a restraining order which may be imposed by the Land and Environment Court.

F L Thomson
GENERAL MANAGER/
SHIRE CLERK

per *[Signature]*

Date 15 JAN 1987

C O N S E N T

COUNCIL REFERENCE NO. 600439

APPLICANT-BLOCK LETTERS

NAME
BAYVIEW GARDEN VILLAGE PTY LTD

POSTAL ADDRESS:
DR GEOFFREY TURBIN & ASSOC'S
ARCHITECTS & PLANNERS
44 MILLER ST
NORTH SYDNEY 2060

PHONE-PRIVATE: 46 6294 / 99 4969

BUSINESS (OFFICE HOURS): 959 3000

SUBJECT LAND-BLOCK LETTERS

STREET NAME NO. (INCL UNIT NO.)
ANNAM RD

SUBURB/LOCALITY
BAYVIEW

REAL PROPERTY DESCRIPTION.
LOT/PORTION SECTION/PARISH DP/FP
LOT 2 DP 618011
14, 15, 16 & 200851
18-24 WEL

NO. Check with Eng before determination.
As per advice 13.1.87 Description Lot 11 & 12
DP 714 902

PROPOSED DEVELOPMENT

DESCRIPTION OF DEVELOPMENT
AGED PERSONS HOSTEL
(51 SUITES) BEING PART
OF AREA 6 OF
BAYVIEW GARDEN VILLAGE
AND VILLAGE CENTRE.

ESTIMATED COST
\$1.8 MILLION

NOTES

Full name of person(s) or company making application.

Postal address for notices and correspondence.

All applications must be accompanied by a statement on the environmental effects of the proposed development and on the measures proposed to overcome any adverse effects. Some of the matters which should be addressed include noise, operating hours, traffic, parking, effect on adjacent development, etc. Additional details may be attached in a separate document. In the case of designated development (as defined), an environmental impact statement must be submitted.

It is essential that a complete real property description be provided. Council may require the submission of a Certificate of Title or a recent survey where, in Council's opinion, the details provided by the applicant are incorrect or inadequate.

Where the application is made by a company, partnership or trust, the person signing on behalf of the company etc must indicate the capacity in which he/she is signing; eg Director, Secretary etc. Council may request documentary evidence of authority to sign. The same requirements apply to the consent of the land owner(s).

Full name and postal address of person(s) or company etc who/which own(s) the land to which the application relates.

Describe in full the development proposed to be carried out. Development includes:

- the erection of a building
- the carrying out of a work
- the use of the land, building or work
- subdivision (including strata subdivision)
- where the development involves the erection of a building, the use of that building.

The estimated cost of the proposed development is the total construction cost including the cost of erecting, altering or adding to any building(s), plus ancillary work such as filling, excavation, drainage, landscaping, parking and the like. Council will assess this cost estimate to ensure that the correct fee has been paid.

Land Description Check
JA

Development Description Check
JA

Estimated Cost Check
SEE ADDITIONAL FEE PAID.
JA

COUNCIL

RECEIVED
FILE
FILE

ENVIRONMENTAL IMPACT

(SEE ATTACHED)

Environmental Impact

Adjacent Statement

Attached Statement

E.I.S. (Designated Development)

Check

APPLICATION

I/we, the undersigned, being the applicant(s) nominated in this application, hereby apply to carry out the development described in this application on the land specified in this application. I/we have read the explanatory notes for completing this application contained on this form and understand that if all required details are not provided, the application may be subject to delay or be rejected as incomplete. I also understand that Council may request more information or clarification.

Walter Barch FRAN ARIBA ARCHITECT 2.9.86
SIGNATURE(S) FLAT A CAPACITY DATE

Applicant's Signature Check

CONSENT OF OWNER(S) OF LAND

NAME OF OWNER(S) OF LAND

POSTAL ADDRESS

I/we, the undersigned, being the owner(s) nominated above, of the land to which this application relates, hereby consent to the making of this application.

[Signature] Common 2.9.86
SIGNATURE(S) CAPACITY DATE
Company seal.

Owner(s) of Land Check

Owner(s) Consent Check

CHECK LIST FOR APPLICANT

This is provided for your assistance. Check that you have:

1. Filled in all the details required on this form.
2. Attached 3 copies of plan(s) of the subject land.
3. Attached 3 copies of plan(s) of the proposed development.
4. Paid correct fee.
5. Provided the consent of the owner(s) if you are not the owner(s) of the land.

Plan Check

Consent Fee Check

STATUTORY D.A. No. 150

DATE RECEIVED: 8/9

ESTIMATED COST: 48m \$2m

ASSESSED FEE: \$2,200

FEE RECEIPT No.: 12863

ACTION OFFICER: SHARISA

TARGET DATE: 15/10

COMMENTS: STOPPS - notify? what the relationship with original consent.

JMK NB. Chq made out for \$2,200 by applicant which is fee for \$2m dev - which is est cost of dev. as nominated on DA

Final Check (Senior Planner)

[Signature]