

# Memo

## Environment

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| <b>To:</b>                    | Rodney Piggott , Development Assessment Manager   |
| <b>From:</b>                  | Adam Croft, Planner   |
| <b>Date:</b>                  | 28 November 2018  |
| <b>Application Number:</b>    | Mod2018/0640  |
| <b>Address:</b>               | <p>Lot 12 DP 1096038 , 22 Wentworth Street MANLY NSW 2095</p> <p>Lot 1 DP 223468 , 22 Wentworth Street MANLY NSW 2095</p> <p>Lot 3 DP 223468 , 22 Wentworth Street MANLY NSW 2095</p> <p>Lot C DP 333913 , 22 Wentworth Street MANLY NSW 2095</p> <p>Lot A DP 369972 , 22 Wentworth Street MANLY NSW 2095</p> <p>Lot C DP 369972 , 22 Wentworth Street MANLY NSW 2095</p> <p>Lot 2587 DP 752038 , 22 Wentworth Street MANLY NSW 2095</p> <p>Lot 1 DP 1093126 , 22 Wentworth Street MANLY NSW 2095</p> <p>Lot 2 DP 1093126 , 22 Wentworth Street MANLY NSW 2095</p> <p>Lot , 22 Wentworth Street MANLY NSW 2095</p> <p>Lot 4 DP 65707 , 22 Wentworth Street MANLY NSW 2095</p> <p>Lot 1 DP 72699 , 22 Wentworth Street MANLY NSW 2095</p> <p>Lot 1 DP 72969 , 22 Wentworth Street MANLY NSW 2095</p> <p>Lot 1 DP 979703 , 22 Wentworth Street MANLY NSW 2095</p> |
| <b>Proposed Modification:</b> | Modification of Development Consent DA0253/2014 granted for demolition works, construction of a building and alterations to Drummond House.   |

## Background

The abovementioned development consent was granted on 6 May 2015 for Demolition of existing "Elsie Hill Building, construction of a six (6) storey building "Centre for Child Health and Learning" over two (2) levels of basement car parking for fifty three (53) cars and the use of the building as clinical, educational and other facilities, alterations to Drummond House to connect to the new centre and landscape works;

## Details of Modification Application

Under Section 96(1) of the EPA Act 1979, a consent containing an error or mis-description may be amended. Warringah DCP (A7 Notification) does not require the notification of Section 96(1) modification applications as they are considered to be for minor changes that do not affect the development or the amenity of adjoining properties.

The application seeks to modify condition No. ANS32, which reads as follows:

### ANS32

That a suitably qualified arborist, minimum Level 5 AQF (Australian Qualification Framework), shall prepare a report to detail specific protection requirements and any methodologies

required to be undertaken within the Tree Protection Zones and Structural Root Zones of existing trees on site, neighbouring properties and street trees to be retained, during demolition and construction.

(NB: the extent of the TPZ's are as stated by the project arborists Landscape Matrix for Trees 'T4, T5 & T6', in their letter regarding 'Potential Impacts on Trees on Adjoining Property' dated 27 November 2014.)

This report shall be submitted to the Accredited Certifier, who shall issue it to all builders and contractors carrying out works on the site, prior to the issue of Construction Certificate. The project arborist shall then monitor the works to ensure the protection measures have been installed correctly and any methodologies are being adhered to on site, with a report confirming the health, structure, amenity and environmental value of the existing trees have not been adversely affected, shall be provided to the Accredited Certifier prior to the issue of Occupation Certificate.

Reason: To ensure that the existing trees to be retained have adequate protection measures installed and the correct methodology for any demolition and construction works on site are undertaken, with care, so that no damage occurs to any specimen.

### **Consideration of error or mis-description**

The applicant has requested that condition No. ANS32 be amended to be satisfied prior to the issue of the Final Occupation Certificate.

As the condition relates to landscaping and does not impact the physical occupation of the building, the condition was mis-described by Council and may be amended as requested.

### **Conclusion**

It is considered that the modification is minor in nature and consistent with the provisions of section 4.55(1) of the EPA Act 1979 and is therefore recommended for approval.

### **Recommendation**

THAT Council as the consent authority approve Modification Application No. Mod2018/0640 for Modification of Development Consent DA0253/2014 granted for demolition works, construction of a building and alterations to Drummond House. on land at Lot 4 DP 65707,22 Wentworth Street, MANLY, Lot 1 DP 72699,22 Wentworth Street, MANLY, Lot 1 DP 72969,22 Wentworth Street, MANLY, Lot 1 DP 979703,22 Wentworth Street, MANLY, as follows:

#### **A. Modify Condition ANS32 to read as follows:**

##### **ANS32**

That a suitably qualified arborist, minimum Level 5 AQF (Australian Qualification Framework), shall prepare a report to detail specific protection requirements and any methodologies required to be undertaken within the Tree Protection Zones and Structural Root Zones of existing trees on site, neighbouring properties and street trees to be retained, during demolition and construction.

(NB: the extent of the TPZ's are as stated by the project arborists Landscape Matrix for Trees 'T4, T5 & T6', in their letter regarding 'Potential Impacts on Trees on Adjoining Property' dated 27 November 2014.)

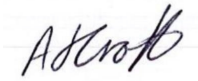
This report shall be submitted to the Accredited Certifier, who shall issue it to all builders and contractors carrying out works on the site, prior to the issue of Construction Certificate. The project arborist shall then monitor the works to ensure the protection measures have been installed correctly

and any methodologies are being adhered to on site, with a report confirming the health, structure, amenity and environmental value of the existing trees have not been adversely affected, shall be provided to the Accredited Certifier prior to the issue of the Final Occupation Certificate.

Reason: To ensure that the existing trees to be retained have adequate protection measures installed and the correct methodology for any demolition and construction works on site are undertaken, with care, so that no damage occurs to any specimen.

In signing this report, I declare that I do not have a Conflict of Interest.

**Signed**



**Adam Croft, Planner**

The application is determined on 28/11/2018, under the delegated authority of:



**Rodney Piggott, Manager Development Assessments**