

MINUTES

DEVELOPMENT UNIT - WLEP

Held in the Executive Meeting Room

Civic Centre, Dee Why

1 JUNE 2017

Minutes of a Meeting of the Development Unit - WLEP

held on Thursday 1 June 2017

in the Executive Meeting Room

Civic Centre, Dee Why

Commencing at 11.30 a.m.

ATTENDANCE:

Panel Member

Peter Robinson (Chair) Executive Manager, Development Assessment

Phil Jemison Sustainable Urban Planning Manager

Anna Williams Planning Assessment Manager

Advisors

Adam Mitchell Development Planner

Item 3.1 – Mod2017/0063 – 80 Evans Street FRESHWATER
Modification of Development Consent DA2014/0875 granted for Demolition
and Excavations works and Construction of Seniors Housing Registered
Club Childcare Centre and associated carparking and landscaping Harbord
Diggers

Lashta Haidari Senior Development Planner

Mod2017/0106 - 9 Howard Avenue DEE WHY
Modification of Development Consent DA2015/0612 granted for Drainage
and Stormwater Management works and Installation of shoring walls and
bulk excavation

Minute Secretary

Teresa Fazzolari Technical Planning Coordinator

Development Unit - WLEP Panel

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1. CONFIRMATION OF MINUTES

DECISION OF DEVELOPMENT UNIT - WLEP

1. That the Panel note that the Minutes of the Development Unit - WLEP Meeting held on 25 May 2017 have been signed off by all Panel Members and have been posted on Councils website.
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2. DECLARATION OF PECUNIARY INTEREST

Nil

3. DEVELOPMENT APPLICATIONS

3.1	Mod2017/0063 - 80 Evans Street FRESHWATER Modification of Development Consent DA2014/0875 granted for Demolition and Excavations works and Construction of Seniors Housing Registered Club Childcare Centre and associated carparking and landscaping Harbord Diggers
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Proceedings in Brief

The Panel acknowledge that many submissions raised concern that work hours on the site were occurring outside of approved hours. The Panel was informed that the compliance team has responded to complaints and issued fines when breaches have occurred.

The Panel concurred with the assessment report and recommendation of the assessment officer to reduce the proposed extended hours and to make the following changes to conditions.

Condition 6 - to ensure works during extended hours are confined behind a sealed facade of the building.

Condition 45A - that no intrusive noise is generated to residential premises during extended hours and that noise from workers are managed in the hour before and after extended hours.

Condition 45B - to references each specific recommendation in the Acoustic Report to be implemented.

Condition 45C – adjusts the hours of the hotline and the requirements for implementation.

DECISION OF DEVELOPMENT UNIT - WLEP

That the recommendation of the Assessment Officer for approval be adopted subject to the following:

Modify Condition No. 6 - General Requirements (Part a) - to read as follows:

Unless authorised by Council:

Building and construction and delivery of material hours are restricted to:

- a. 7.00 am to 5.00 pm inclusive Monday to Friday;

- b. 8.00 am to 1.00 pm inclusive on Saturday;
- c. No work on Sundays and Public Holidays.

With the exception of the following;

- Monday - Friday - extend working time from 5.00 pm to 7.00 pm for internal finishing works once the external facade is installed and all openings are sealed;
- Saturday - extend working hours from 1.00 pm to 4.00 pm for internal finishing once the external facade is installed and all openings are sealed.

Add Condition No. 45A - Noise Impact on Surrounding Areas - to read as follows:

Any noise from the premises during the extended working hours shall not be audible above the background level when measured from within any property boundary and will comply with the Environmental Protection Authority's NSW Industrial Noise Policy and any appropriate legislation to prevent offensive noise.

The activity of any workers in the hour before and the hour after extended hours i.e. loading and unloading of equipment from vehicles, congregation of works, movement of vehicles and volume of any radio/music shall be managed to reduce the impact of noise to surrounding residential properties.

Reason: To ensure that noise generated from the premise does not create offensive noise (DACHPGOG5)

Add Condition No. 45B - Acoustic Report - to read as follows:

The following recommendations made in the Acoustic Report (Extended Working Hours Acoustic Report by ref. 20160551.3 Acoustic Logic dated 30 November 2015) are to be implemented during the extended construction hours for the duration of the project:

- 4.1 Proposed works;
- 7.2 Site required management controls;
- 7.5 Acoustic barrier;
- 7.6 Material Handling;
- 7.7 Silencing devices;
- 7.8 Establishment of site practices;
- 7.9 Regular noise checks of equipment;
- 7.10 Noise monitoring;
- 8.1 Establishment of direct communication with affected parties;
- 8.2 Dealing with complaints;
- 9 Staff training;
- 10 Noise and vibration monitoring, reporting and response procedures; and
- 10.1 Reporting requirements.

Reason: To protect the acoustic amenity of neighbouring properties. (DACHPGOG5)

Add Condition No. 45C - Acoustic Report - to read as follows:

A telephone complaints hotline is to be established and manned between the hours of:

- 6:00am - 8:00pm - Monday to Friday; and
- 7:00am - 5:00pm - Saturday.

The complaints hotline telephone number is to be distributed to all surrounding residential properties prior to the extended construction hours commencing and is to be displayed in a prominent location upon on the site hoarding for the duration of works.

The *Northern Beaches Council - Executive Manager Development Assessment* is to be notified in writing 7 days prior to the extended construction hours commencing and indicating which properties have been provided a copy of the hotline.

Complaints received through the hotline are to be addressed immediately by the Site Manager to rectify any unacceptable noise, logged and provided to an acoustic engineer for potential corrective action.

The log is to detail who made the call, at what date and time, what the complaint was, what immediate action was taken and what on-going action has been undertaken.

The log is to be available to Council upon request and will be considered in future Section 96 applications for the site.

Reason: To ensure development minimises unreasonable impacts in accordance with WLEP and WDCP 2011. (DACPLB02)

3.2	Mod2017/0106 - 9 Howard Avenue DEE WHY Modification of Development Consent DA2015/0612 granted for Drainage and Stormwater Management works and Installation of shoring walls and bulk excavation
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Proceedings in Brief

The Panel discussed the application and concurred with the assessment report and concluded that for one (1) Saturday each month should provide respite for residents from extended construction hours with works finishing at 1.00 p.m. Northern Beaches Council is to be notified in writing as to which day in that month will be the respite day so that all surrounding residents and businesses can be informed.

The extended hours are granted for a period not exceeding six (6) months from the date of determination.

The Panel acknowledge that many submissions raised concern that work hours on the site were occurring outside of approved hours. The Panel was informed that the compliance team has responded to complaints and issued fines when breaches have occurred.

DECISION OF DEVELOPMENT UNIT - WLEP PANEL

That the recommendation of the Assessment Officer for approval be adopted subject to the following:

A. Add Condition No.1A - Modification of Consent - Approved Plans and Supporting Documentation to read as follows:

The development must be carried out in compliance (except as amended by any other

condition of consent) with the following:

a) Approved Plans

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Proposed Further Extended Construction Hours for Construction to Ground Level at 888 Pittwater Road, Dee Why Noise and Vibration Impact Assessment	19/04/2017	Acoustic Logic

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)

B. Modify Condition No. 4 General Requirements to read as follows:

(a) Unless authorised by Council:

Building construction and delivery of material hours are restricted to:

- 7.00 am to 7.00 pm inclusive Monday to Friday,
- 8.00 am to 5.00 pm inclusive – Saturday. For one Saturday in each four week period commencing on 10 June 2017, works are to finish at 1.00 p.m. to provide respite to local residents from construction noise. At the beginning of each 4 week period Council is to be notified in writing as to which day in that 4 week period will be the respite day and surrounding residents and businesses are to be informed.

The extended hours is granted for a period not exceeding six (6) months from the date of the determination of Modification Application No. MOD2017/0106.

Demolition works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

Excavation works are restricted to:

- 7.00 am to 6.00 pm Monday to Friday
- 8.00 am to 4.00 pm inclusive - Saturday. For one Saturday in each four week period commencing on 10 June 2017, works are to finish at 1.00 p.m. to provide respite to local residents from construction noise. At the beginning of each 4 week period Council is to be notified in writing as to which day in that 4 week period will be the respite day and surrounding residents and businesses are to be informed.

No work on Sundays and Public Holidays.

The use of rock breakers, rock saws and jack hammers are not to be used during the extended hours on Saturday.

The extended hours is granted for a period not exceeding six (6) months from the date of the determination of Modification Application No. MOD2017/0106.

All the recommendations made in the report titled "*Proposed Further Extended Construction Hours for Construction to Ground Level at 888 Pittwater Road, Dee Why Noise and Vibration Impact Assessment*", project no. 20160744.7 dated 19 April 2017 must be implemented.

(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 on site 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) 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.

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

Meeting Concluded 12.50 p.m.



Peter Robinson
**Executive Manager, Development Assessment
Chairperson**



Phil Jemison
Sustainable Urban Planning Manager



Anna Williams
Manager, Development Assessment