

NORTHERN BEACHES COUNCIL

3 August 2017



Roche Products Pty Ltd
4-10 Inman Road
DEE WHY NSW 2099

Dear Sir/Madam

Application Number: Mod2017/0202
Address: Lot 1 DP 1220196 , 4 - 10 Inman Road, CROMER NSW 2099
Proposed Development: Modification of Development Consent DA2017/0438 granted for Demolition Works and Tree Removal

Please find attached the Notice of Determination for the above mentioned Application.

Please be advised that a copy of the Assessment Report associated with the application is available on Council's eServices website at www.warringah.nsw.gov.au

Please read your Notice of Determination carefully and the assessment report in the first instance.

If you have any further questions regarding this matter please contact the undersigned on (02) 9942 2111 or via email quoting the application number, address and description of works to council@warringah.nsw.gov.au

Regards,

Luke Perry
Principal Planner

NOTICE OF DETERMINATION

Application Number:	Mod2017/0202
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Roche Products Pty Ltd
Land to be developed (Address):	Lot 1 DP 1220196 , 4 - 10 Inman Road CROMER NSW 2099
Proposed Development:	Modification of Development Consent DA2017/0438 granted for Demolition Works and Tree Removal

DETERMINATION - APPROVED

Made on (Date)	03/08/2017
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The request to modify the above-mentioned Development Consent has been approved as follows:

A. Modify Condition No. 5 Tree Protection to read as follows:

8A. Tree protection

(a) Existing trees which must be retained

- i) All trees not indicated for removal on the approved plans, unless exempt under relevant planning instruments or legislation
- ii) Trees located on adjoining land

(b) Tree protection

- i) No tree roots greater than 50mm diameter are to be cut from protected trees unless authorised by a qualified Arborist on site.
- ii) All structures are to bridge tree roots greater than 50mm diameter unless directed otherwise by a qualified Arborist on site.
- iii) All tree protection to be in accordance with AS4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures.
- iv) All tree pruning within the subject site is to be in accordance with WDCP2011 Clause E1 Private Property Tree Management and AS 4373 Pruning of amenity trees
- v) All tree protection measures, including fencing, are to be in place prior to commencement of works.

Reason: To ensure compliance with the requirement to retain and protect significant planting

B. Modify Condition No 6 Compliance with Standards to read as follows:

8B. Compliance with Standards

The development is required to be carried out in accordance with all relevant Australian Standards.

Reason: To ensure the development is constructed in accordance with appropriate standards. (DACPLC02)

Advice to Applicants: At the time of determination in the opinion of Council, the following (but not limited to) Australian Standards are considered to be appropriate:

- (a) AS2601.2001 - Demolition of Structures**
- (b) AS4361.2 - Guide to lead paint management - Residential and commercial buildings**
- (c) AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting**
- (d) AS 4373 - 2007 'Pruning of amenity trees' (Note: if approval is granted) **
- (e) AS 4970 - 2009 'Protection of trees on development sites'**
- (f) AS/NZS 2890.1:2004 Parking facilities - Off-street car parking**
- (g) AS 2890.2 - 2002 Parking facilities - Off-street commercial vehicle facilities**
- (h) AS 2890.3 - 1993 Parking facilities - Bicycle parking facilities**
- (i) AS 2890.5 - 1993 Parking facilities - On-street parking**
- (j) AS/NZS 2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities**
- (k) AS 1742 Set - 2010 Manual of uniform traffic control devices Set**
- (l) AS 1428.1 - 2009* Design for access and mobility - General requirements for access - New building work**
- (m) AS 1428.2 - 1992*, Design for access and mobility - Enhanced and additional requirements - Buildings and facilities**
- (n) AS 4674 Design, construction and fit out of food premises
- (o) AS1668 The use of mechanical ventilation

**Note: The Australian Human Rights Commission provides useful information and a guide relating to building accessibility entitled "the good the bad and the ugly: Design and construction for access". This information is available on the Australian Human Rights Commission website
http://www.humanrights.gov.au/disability_rights/buildings/good.htm*

***Note: the listed Australian Standards is not exhaustive and it is the responsibility of the applicant and the those undertaking the work to ensure compliance with this condition and that the relevant Australian Standards are adhered to. (DACPLC02)*

Important Information

This letter should therefore be read in conjunction with DA2017/0438 dated 4 July 2017 .

Please note that on site works cannot proceed unless a Construction Certificate application for the modified proposal has been lodged with and approved by Council or an accredited certifier, and relevant conditions of the Development Application have been carried out.

Section 97AA of the Environmental Planning and Assessment Act confers on an applicant who is not satisfied with the determination of the Consent Authority a right of appeal to the Land and Environment Court within 6 months of determination.

Right to Review by the Council

You may request the Council to review the determination of the application under Section 96AB of the Environmental Planning and Assessment Act 1979. Any request to review the application must be lodged and determined within 28 days after the date of the determination shown on this notice.

NOTE: A fee will apply for any request to review the determination.

NORTHERN BEACHES COUNCIL

Signed On behalf of the Consent Authority

Signature _____

Name Luke Perry, Principal Planner

Date 03/08/2017