

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2017/0719
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Responsible Officer:	Kevin Short
Land to be developed (Address):	Lot 27 DP 752017, 335 Mona Vale Road TERREY HILLS NSW 2084
Proposed Development:	Alterations and Additions to an existing veterinary hospital
Zoning:	LEP - Land Zoned RU4 Primary Production Small Lots LEP - Land identified in Schedule 1 Additional Permitted Uses. Refer to attached extract of WLEP2011
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Terrey Hills Depot Holdings Pty Limited
Applicant:	Boston Blyth Fleming Pty Ltd

Application lodged:	24/07/2017
Integrated Development:	No
Concurrence Required:	No
State Reporting Category:	Commercial/Retail/Office
Notified:	03/08/2017 to 21/08/2017
Advertised:	Not Advertised, in accordance with A.7 of WDCP
Submissions Received:	1
Recommendation:	Approval

Estimated Cost of Works:	\$ 403,810.00
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ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;

- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Warringah Development Control Plan - C3 Parking Facilities

SITE DESCRIPTION

Property Description:	Lot 27 DP 752017 , 335 Mona Vale Road TERREY HILLS NSW 2084
Detailed Site Description:	The subject site comprises one allotment located on the north-western side of Mona Vale Road with secondary frontage to Myoora Road. The site is rectangular in shape and has an area of 17,039m². The site currently contains a bus depot for Forest Coach Lines (FCL) with ancillary maintenance and fuel facilities as well as a part two part 3 storey office building with basement parking. Bus access to the site is only available from Myoora Road with car access available from both Myoora Road and Mona Vale Road. However, no through access for vehicles is available within the site between these roads. Some other unrelated uses have consent to occupy floorspace within the main FCL headquarters building. The site slopes northward, toward Myoora Road, with a maximum fall of approximately 16m. The site has varying landscaped setbacks of between 1.0m to 23m along the front boundaries and side boundaries. The landscaped setbacks contain scattered trees, lawn and shrub plantings. Land to the west is used for a pine tree plantation in association with Forest Way Fresh fruit store at No.2 Myoora Road. Other land uses operating in the locality include function centres, golf practice facilities, nursery and landscape supplies, restaurant and childcare centre, intensive agriculture, and rural residential uses.

Austlink

Business Park is also located nearby, at the south-west corner of Forest Way and Mona Vale Road. Garigal National Park is situated opposite the site on the eastern side of Mona Vale Road.

Map:



SITE HISTORY

Development Consent DA2014/0427 for Alterations and additions to existing premises and use of premises as an emergency veterinary service and associated signage was approved 22 July 2017. Specifically, the veterinary hospital (Northside Emergency Veterinary Services) was approved with the following;

- Building works for an internal fit-out of the existing unit;
- Illuminated freestanding business identification sign, 4m in height and 1.2m in width and 4.8m² in area;
- Relocation of existing mailbox and street number structure to opposite side of existing driveway;
- Operating hours of twenty-four (24) hours per day, seven (7) days a week;
- Maximum five (5) employees; and
- Parking for six (6) vehicles.

Request to Withdraw Application Letter: A letter dated 21 September 2017 was sent to the applicant requesting that the application be withdrawn given insufficient information has been provided with the application to determine whether adequate on-site car parking spaces will be provided within the existing and approved carpark for the whole site, particularly as the proposal is reliant on the re-allocation of on-site car parking spaces.

In response to this letter, a revised Traffic and Parking report was received by Council which provided sufficient information to enable a complete and proper assessment of the traffic and parking impacts of the proposal.

Development Consent DA2004/0017 granted for "Construction of an office building containing 3381m² of floor space comprised of two floors of office space, one basement level of car parking and one lower basement level of bus parking, site landscaping and vehicle access from Mona Vale Road." on 23 November 2004.

PROPOSED DEVELOPMENT IN DETAIL

Development consent is sought for alterations and additions to an existing veterinary hospital use (Northside Emergency Veterinary Service).

Specifically, the development proposes the following;

- Extension to the existing veterinary hospital and consolidation of existing floor area within the ground floor level of the building previously occupied by 'Queen Bee Maternity';
- Internal fit out and reconfiguration to provide consultant rooms; operation theatre; pharmacy; ICU; dog treatment barking rooms; dog ward; cat treatment area; laundry and food preparation area; offices; and board room and staff room;
- Two (2) new entry/ exit doors with associated walkway/ ramp;
- Business identification signage on the entry door (not visible from the public domain);
- 3 x staff (7pm – 2am); 2 x staff (2am – 6am); and 10 x staff (8am – 7pm with maximum of 14 due to surgery team); and
- Total allocation of 18 carparking spaces.

In consideration of the application a review of (but not limited) documents as provided by the applicant in support of the application was taken into account detail provided within Attachment C.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

Section 79C 'Matters for Consideration'	Comments
Section 79C (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on "Environmental Planning Instruments" in this report.
Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument	None applicable.
Section 79C (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.
Section 79C (1) (a)(iia) – Provisions of any planning agreement	None applicable.
Section 79C (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	Division 8A of the EP&A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent. Clauses 54 and 109 of the EP&A Regulation 2000, permits Council to request additional information and therefore consider the number of days taken in this assessment in light of this Clause

Section 79C 'Matters for Consideration'	Comments
	within the Regulations. No additional information was requested. However, a revised Traffic and Parking report was received in response to raised Council concerns in relation to the allocation of existing and proposed on-site carparking spaces. <u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This Clause is not relevant to this application. <u>Clauses 93 and/or 94</u> of the EP&A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This matter has been addressed via a condition of consent. <u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This Clause is not relevant to this application. <u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.
Section 79C (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	(i) The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report. (ii) The proposed development will not have a detrimental social impact in the locality considering the character of the proposal. (iii) The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.
Section 79C (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Public Exhibition” in this report.
Section 79C (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and Warringah Development Control Plan.

As a result of the public exhibition process council is in receipt of 1 submission/s from:

Name:	Address:
Ezzy Architects	Suite 201, 16 Hunter Street HORNSBY NSW 2077

One submission was received which raised concern with insufficient on-site car parking for the whole site which is causing cars to park on the road reserve. As a consequence, the following impacts are being generated;

- Obscuring views of cars entering and leaving the site; signage; and location numbers;
- Rendering unsafe use of the adjoining bus stop; kerbside bike lane; and
- Prevent the veterinary practice to treat large animals which require the use of float.

- **Insufficient parking**

Comment:

As provided under the Referral: Traffic Engineer section of this report, a total of 18 carparking spaces are allocated to the premises within the on-site basement carpark which is deemed satisfactory for the proposed use. On this basis, all parking associated for the veterinary hospital is expected to be within the site and will not generate additional on-street parking demand and the associated adverse impacts described previously.

It is recommended that the Northern Beaches Traffic and Safety Committee be advised of the on-street parking situation so that this matter can be investigated.

Having regard to the above, the matters raised in the submission do not warrant the refusal of the application.

MEDIATION

No requests for mediation have been made in relation to this application.

REFERRALS

Internal Referral Body	Comments
Building Assessment - Fire and Disability upgrades	No objections subject to conditions to ensure compliance with the Building Code of Australia.
Development Engineers	No objections subject to recommended conditions.
Landscape Officer	No objections subject to conditions.
Traffic Engineer	This application is for an alterations and additions to an existing Veterinary Medical Centre, including an expansion from 3 to 5 consultation rooms, ancillary works, and a reallocation of parking spaces within the internal carpark. The revised traffic report has provided the existing and proposed car parking allocation within the two internal carparks. As indicated in the report the expanded Veterinary Medical Centre will require 16 spaces, will can be accommodated by the surplus of spaces from the depot owners THDH and the vacant spaces made from the former tenant 'Queenbee'. Assuming that there will be no additional tenancies within 335 Mona

Internal Referral Body	Comments
	Vale Road, there are no objections to the proposed development on traffic and parking grounds.
Waste Officer	No objections subject to recommended conditions.

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP 55 - Remediation of Land

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for commercial purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the proposed land use (veterinary hospital).

SEPP (Infrastructure) 2007

Ausgrid

Clause 45 of the SEPP requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead

electricity power line.

Comment:

The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

Warringah Local Environment Plan 2011

Is the development permissible?	Yes
After consideration of the merits of the proposal, is the development consistent with:	
aims of the LEP?	Yes
zone objectives of the LEP?	Yes

Principal Development Standards

The proposal does not comprise any changes to the established three dimensional building form. In this regard, the WLEP 2011 principal development standards are not applicable.

Compliance Assessment

Clause	Compliance with Requirements
Part 1 Preliminary	Yes

Warringah Development Control Plan

Built Form Controls

The proposal does not comprise any changes to the established three dimensional building form. In this regard, the WDCP built form controls are not applicable.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	Yes	Yes
D3 Noise	Yes	Yes
D18 Accessibility	Yes	Yes
D23 Signs	Yes	Yes

Detailed Assessment

C3 Parking Facilities

As provided under the Referral: Traffic Engineer section of this report, a total of 18 carparking spaces are allocated to the premises within the on-site basement carpark which is deemed satisfactory for the

proposed use.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly effect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Warringah Section 94A Development Contribution Plan

The proposal is subject to the application of Council's Section 94A Development Contributions Plan.

The following monetary contributions are applicable:

Warringah Section 94 Development Contributions Plan		
Contribution based on a total development cost of \$ 403,810		
Contributions	Levy Rate	Payable
Total Section 94A Levy	0.95%	\$ 3,836
Section 94A Planning and Administration	0.05%	\$ 202
Total	1%	\$ 4,038

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;
- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant Development Consent to DA2017/0719 for Alterations and Additions to an existing veterinary hospital on land at Lot 27 DP 752017, 335 Mona Vale Road, TERREY HILLS, subject to the conditions printed below:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

1. **Approved Plans and Supporting Documentation**

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
WD00-00 Rev A	21/03/17	Reid Campbell
WDGF-09 Rev A	21/03/17	Reid Campbell
WDGF-30 Rev A	21/03/17	Reid Campbell
WDGF-31 Rev A	21/03/17	Reid Campbell
WDGF-40 Rev A	21/03/17	Reid Campbell
WDGF-41 Rev A	21/03/17	Reid Campbell
Ground Floor	undated	Reid Campbell

b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

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)

2. **Prescribed Conditions**

- All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);

- (c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
 - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- (d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
- (i) in the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of that Act,
 - (ii) in the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
 - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
 - (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative Requirement (DACPLB09)

3. General Requirements

(a) Unless authorised by Council:

Building construction and delivery of material hours are restricted to:

- 7.00 am to 5.00 pm inclusive Monday to Friday,
- 8.00 am to 1.00 pm inclusive on Saturday,
- No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

(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 onsite 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 and no hoist, plant and machinery (crane, concrete pump or lift) 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) 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.
- (j) 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.

- (k) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.

- (1) Child resistant fencing is to be provided to any swimming pool or lockable cover to any spa containing water and is to be consistent with the following;

Relevant legislative requirements and relevant Australian Standards (including but not limited) to:

- (i) Swimming Pools Act 1992
- (ii) Swimming Pools Amendment Act 2009
- (iii) Swimming Pools Regulation 2008
- (iv) Australian Standard AS1926 Swimming Pool Safety
- (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
- (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.
- (2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.
- (3) Filter backwash waters shall be conveyed to the Sydney Water sewerage system in sewered areas or managed on-site in unsewered areas in a manner that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.
- (4) Swimming pools and spas must be registered with the Division of Local Government.

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

FEES / CHARGES / CONTRIBUTIONS

4. Policy Controls

Northern Beaches Council Section 94A Development Contribution Plan

The proposal is subject to the application of Council's Section 94A Development Contributions Plan.

The following monetary contributions are applicable:

Northern Beaches Council Section 94 Development Contributions Plan	
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Contribution based on a total development cost of \$ 403,810.00		
Contributions	Levy Rate	Payable
Total Section 94A Levy	0.95%	\$ 3,836.20
Section 94A Planning and Administration	0.05%	\$ 201.91
Total	1%	\$ 4,038.10

The amount will be adjusted at the time of payment according to the quarterly CPI (Sydney - All Groups Index). Please ensure that you provide details of this Consent when paying contributions so that they can be easily recalculated.

This fee must be paid prior to the issue of the Construction Certificate. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To provide for contributions in accordance with Northern Beaches Council's Development Contributions Plan.

5. **Security Bond**

A bond (determined from cost of works) of \$1,500 and an inspection fee in accordance with Council's Fees and Charges paid as security to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection).

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, details demonstrating payment are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at www.warringah.nsw.gov.au/your-council/forms).

Reason: To ensure adequate protection of Council's infrastructure.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

6. **Waste Management Plan**

A Waste Management Plan must be prepared for this development. The Plan must be in accordance with the Development Control Plan.

Details demonstrating compliance must be provided to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure that any demolition and construction waste, including excavated material,

is reused, recycled or disposed of in an environmentally friendly manner.

7. 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 on the site. (DACLAC01)

8. Compliance with Standards

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

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

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

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

9. Waste Management During Development

The reuse, recycling or disposal of waste during works must be done generally in accordance with the Waste Management Plan for this development.

Details demonstrating compliance must be submitted to the Principal Certifying Authority.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

10. Trees Condition

During the construction period the applicant is responsible for ensuring all protected trees are maintained in a healthy and vigorous condition. This is to be done by ensuring that all identified tree protection measures are adhered to. In this regard all protected plants on this site shall not exhibit:

- (a) A general decline in health and vigour.
- (b) Damaged, crushed or dying roots due to poor pruning techniques.
- (c) More than 10% loss or dieback of roots, branches and foliage.
- (d) Mechanical damage or bruising of bark and timber of roots, trunk and branches.
- (e) Yellowing of foliage or a thinning of the canopy untypical of its species.
- (f) An increase in the amount of deadwood not associated with normal growth.
- (g) An increase in kino or gum exudation.
- (h) Inappropriate increases in epicormic growth that may indicate that the plants are in a stressed condition.
- (i) Branch drop, torn branches and stripped bark not associated with natural climatic conditions.

Any mitigating measures and recommendations required by the Arborist are to be implemented.

The owner of the adjoining allotment of land is not liable for the cost of work carried out for the purpose of this clause.

Reason: Protection of Trees. (DACLA03)

11. **Waste/Recycling Requirements (Waste Plan Submitted)**

Applicant to complete a demolition and construction plan as outlined in Warringah DCP C8 and the works shall be generally consistent with the plan.

Reason: To ensure waste is minimised and adequate and appropriate waste and recycling facilities are provided. (DACWTE01)

12. **Waste/Recycling Requirements (Materials)**

During demolition and/or construction the following materials are to be separated for recycling – timber – bricks – tiles – plasterboard – metal – concrete, and evidence of disposal for recycling is to be retained on site.

Reason: To ensure waste is minimised and recovered for recycling where possible. (DACWTE02)

**CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE
OCCUPATION CERTIFICATE**

13. **Fire Safety Matters**

The Fire Safety Strategy and any upgrading measures and works to the building are to be consistent with the Fire Safety Engineering Strategy devised for the building (and any subsequent report by a Fire Engineer), as prepared by 'Exova Warrington Fire ' Australia P/L dated 18 August 2014 and updated review of the subject works by 'Exova Warrington Fire' dated 22 May 2017 doc Ref 49580800.

Details demonstrating implementation are to be submitted to the Principal Certifying Authority prior to the issue of the Interim / Final Occupation Certificate.

Reason: To ensure adequate provision is made for fire safety in the premises for building occupant safety. (DACBCF01)

14. **Waste Management Confirmation**

Prior to the issue of a Final Occupation Certificate, evidence / documentation must be submitted to the Principal Certifying Authority that all waste material from the development

site arising from demolition and/or construction works has been appropriately recycled, reused or disposed of generally in accordance with the approved Waste Management Plan.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

15. **Fire Safety Matters**

At the completion of all works, a Fire Safety Certificate will need to be prepared which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and Fire and Rescue NSW.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Interim / Final Occupation Certificate.

Each year the Owners must send to the Council and Fire and Rescue NSW, an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

Reason: Statutory requirement under Part 9 Division 4 & 5 of the Environmental Planning and Assessment Regulation 2000. (DACPLF07)

16. **Waste/Recycling Compliance Documentation**

Evidence of disposal for recycling from the construction/demolition works shall be submitted to the Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure waste is minimised and recycled. (DACWTF02)

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

17. **Allocation of Spaces**

Car parking spaces provided shall be provided, made accessible and maintained at all times. The spaces shall be allocated as follows:

- 18 spaces - Northside Emergency Veterinary Service staff and customers

Car-parking provided shall be used solely in conjunction with the uses contained within the development. Each car parking space allocated to a particular unit / tenancy shall be line marked and numbered or signposted to indicate the unit / tenancy to which it is allocated.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure that adequate parking facilities to service the development are provided on site. (DACPLG01)

18. **Hours of Operation**

The hours of operation are approved for twenty-four (24) hours per day, seven (7) days a week.

General services for the veterinary hospital on any day are to be only available between the hours of 7.00am and 9.00pm, with further operation outside of these hours only for emergency services.

Reason: Information to ensure that amenity of the surrounding locality is maintained.

(DACPLG08)

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

Signed

Kevin Short, Planner

The application is determined under the delegated authority of:

Steven Findlay, Manager Development Assessments

ATTACHMENT A

Notification Plan	Title	Date
 2017/249903	Plan - Notification	25/07/2017

ATTACHMENT B

Notification Document	Title	Date
 2017/262661	Notification Map	02/08/2017

ATTACHMENT C

Reference Number	Document	Date
 2017/249936	Report - Traffic	21/07/2017
 2017/249904	Report - Statement of Environmental Effects	21/07/2017
 2017/248621	Cost Summary Report	21/07/2017
 DA2017/0719	335 Mona Vale Road TERREY HILLS NSW 2084 - Development Application - Alterations and Additions	24/07/2017
 2017/247938	DA Acknowledgement Letter - Boston Blyth Fleming Pty Ltd	25/07/2017
 2017/248618	Development Application Form	25/07/2017
 2017/248619	Applicant Details	25/07/2017
 2017/249903	Plan - Notification	25/07/2017
 2017/249933	Builders Quote	25/07/2017
 2017/249935	Report - Fire Safety	25/07/2017
 2017/249938	Plans - Master Set	25/07/2017
 2017/252596	Waste Referral Response	26/07/2017
 2017/253939	Building Assessment - Fire and Disability upgrades - Assessment Referral - DA2017/0719 - 335 Mona Vale Road TERREY HILLS NSW 2084 - PH	26/07/2017
 2017/262637	ARP Notification Map	02/08/2017
 2017/262643	DA Acknowledgement Letter (not integrated) - Boston Blyth Fleming Pty Ltd	02/08/2017
 2017/262661	Notification Map	02/08/2017
 2017/262675	Notification Letter - 15	02/08/2017
 2017/282576	Development Engineering Referral Response	11/08/2017
 2017/296700	Building Assessment Referral Response	19/08/2017
 2017/303094	Submission - Ezzy Architects	22/08/2017
 2017/304492	Submission Acknowledgement Letter - Ezzy Architects - SA2017/303094	23/08/2017
 2017/322331	Landscape Referral Response	01/09/2017
 2017/350447	Traffic Engineer Referral Response	18/09/2017
 2017/350935	Request for Withdrawal of Development Application - Boston Blyth Fleming Pty Ltd	18/09/2017
 2017/357812	Email to applicant with attached Request to withdraw letter	21/09/2017
 2017/382569	Email comments traffic engineer	05/10/2017
 2017/387746	Email advice to applicant & owner to withdraw or determine application	11/10/2017
 2017/394026	Advice from applicant to determine application	13/10/2017
 2017/424807	Request for time extension on submission - 335 Mona Vale Road Terrey Hills	30/10/2017

	2017/426516	Email response advising that further information is to be provided within 14 days	31/10/2017
	2017/428992	Email advice from applicant that timeframe is OK.	01/11/2017
	2017/460002	Email to applicant with advice on timeline and traffic report requirements	15/11/2017
	2017/460009	Stamped Plans (not fully registered yet)	15/11/2017
	2017/481557	Revised traffic parking report	27/11/2017
	2017/498533	Traffic Engineer Referral Response 2	05/12/2017