

16 October 2019



Opal Aged Care
Level 27 135 King Street
Sydney NSW 2000

Dear Sir/Madam

Application Number: Mod2019/0342
Address: Part Lot 2 DP 595174 , 184 Garden Street, WARRIEWOOD NSW 2102
Proposed Development: Demolition of an existing residential care facility and construction of a new 148 bed residential aged care facility

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 website at www.northernbeaches.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 1300 434 434 or via email quoting the application number, address and description of works to council@northernbeaches.nsw.gov.au

Regards,



Rebecca Englund
Principal Planner

NOTICE OF DETERMINATION

Application Number:	Mod2019/0342
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Opal Aged Care
Land to be developed (Address):	Part Lot 2 DP 595174 , 184 Garden Street WARRIEWOOD NSW 2102
Proposed Development:	Demolition of an existing residential care facility and construction of a new 148 bed residential aged care facility

DETERMINATION - APPROVED

Made on (Date)	15/10/2019
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The request to modify the above-mentioned Development Consent has been approved as follows:

A. Add Condition A0A - 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 plans and documents listed in Condition A0, as modified by:

a) Modification Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Title Page/Location Plan DA-0000, issue B	25 June 2019	Group GSA Pty Ltd
Demolition Plan - Stage 1 DA-1100, issue B	25 June 2019	Group GSA Pty Ltd
Demolition Plan - Stage 2 DA-1100.1, issue A	25 June 2019	Group GSA Pty Ltd
Ground Floor Plan DA-2000, issue C	25 June 2019	Group GSA Pty Ltd
Level 1 Floor Plan DA-2001, issue C	25 June 2019	Group GSA Pty Ltd
Roof Plan DA-2002, issue C	25 June 2019	Group GSA Pty Ltd
Elevations - Sheet 1 DA-3000, issue C	25 June 2019	Group GSA Pty Ltd
Elevations - Sheet 2 DA-3001, issue B	25 June 2019	Group GSA Pty Ltd
Sections 1 DA-3100, issue B	25 June 2019	Group GSA Pty Ltd
Staging Diagram DA-4001, issue B	25 June 2019	Group GSA Pty Ltd
Landscape Plans - Endorsed with Council's stamp		
Cover Page LA00	24 June 2019	Taylor Brammer
Landscape Plan - Ground Floor LA02	24 June 2019	Taylor Brammer

Planting Plan - Ground Floor LA03	24 June 2019	Taylor Brammer
Landscape Section A LA04	24 June 2019	Taylor Brammer
Landscape Section B&C LA05	24 June 2019	Taylor Brammer
Landscape Plan - Level 1 LA06	24 June 2019	Taylor Brammer
Standard Details LA07	24 June 2019	Taylor Brammer

Engineering Plans		
Drawing No.	Dated	Prepared By
DA_C000, revision 05	25 June 2019	Henry & Hymas
DA_C100, revision 10	27 June 2019	Henry & Hymas
DA_C110, revision 04	25 June 2019	Henry & Hymas
DA_C200, revision 07	25 June 2019	Henry & Hymas
DA_C201, revision 07	25 June 2019	Henry & Hymas
DA_C202, revision 05	25 June 2019	Henry & Hymas
DA_C203, revision 05	25 June 2019	Henry & Hymas
DA_C250, revision 07	25 June 2019	Henry & Hymas
DA_C500, revision 05	25 June 2019	Henry & Hymas
DA_C900, revision 03	25 June 2019	Henry & Hymas
DA_SE01, revision 04	25 June 2019	Henry & Hymas
DA_SE02, revision 04	25 June 2019	Henry & Hymas
DA_SE03, revision 03	25 June 2019	Henry & Hymas

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Arboricultural Impact Assessment Report Supplementary Letter	18 June 2019	Arterra Consulting Arboriculture
BCA Compliance Report Addendum, revision B	27 June 2019	Formiga 1
Traffic Impact Assessment Report	5 July 2019	Taylor Thomson Whitting (NSW) Pty Ltd
Water Management Report Addendum	26 June 2019	Henry & Hymas
Plan of Management	June 2019	Opal Aged Care

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

B. Modify Condition B11, to include:

- g. The enclosing of the café on the southern elevation including the roof, shall comply with Sections 3 and 8 (BAL 40) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

C. Amend Condition B23 to read as follows:

With the exception of solar panels and plant equipment within the nominated areas on the approved

plans, air-conditioning units, hot water systems, and other mechanical equipment shall not be located on any roof or in locations that are visible from a public place.

D. Amend Condition B34 to read as follows:

The proposed residential aged care facility is to maintain 148 high care beds.

E. Amend Condition B35 to read as follows:

No more than 52 staff shall be on duty at any one time.

F. New Condition B43 to read as follows:

This consent authorises the use of a health service facility in the location depicted on the Modification Approved Plans. The health services facility is to remain an ancillary component of the residential care facility. The use/management of the health service facility is to be maintained in accordance with the approved Plan of Management referenced in Condition A0A, as amended by Condition 26 of this consent.

G. Amend C9 to read as follows:

The approved Acoustic Report referenced in this consent is to be amended to specifically detail the measures proposed to all plant and operating equipment to ensure that the noise levels associated with the operation of the proposed development is consistent with the Protection of the Environment Operations Act 1997 and the NSW EPA Industrial Noise Policy. The staff courtyard is to be enclosed by a masonry wall of minimum 2.1m height setback 3.5m from the site's western boundary. **The acoustic wall is to also extend along the length of both access stairways.** The actual height shall be as recommended by the amended Acoustic Report to minimise impacts upon adjoining properties to the west associated with the use of the courtyard, and the 24 hour use of the staff room (assuming both the window and door are open and the staff room is at maximum occupancy during the night). The recommendations of the amended Acoustic Report are to be included in the plans presented to obtain any construction certificate.

H. New Condition C26 to read as follows:

The approved Plan of Management referenced in Condition A0A of this consent is to be amended, as follows:

- a. Operating hours of the health services facility are to be limited to 7:00am to 6:30pm Monday to Friday, and 8:00am to 5:00pm Saturday.
- b. A minimum of 70% of appointments in any month are to be associated with on site residents.
- c. There are to be no more than 4 additional staff members associated with the health services facility on site at any one time.

The amended Plan of Management is to be presented to the certifying authority prior to the issuance of the construction certificate.

Important Information

This letter should therefore be read in conjunction with **N0123/17**.

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.

Right to Review by the Council

You may request Council to review this determination of the application under Division 8.2 of the Environmental Planning & Assessment Act 1979. Any Division 8.2 Review of Determination application should be submitted to Council within 3 months of this determination, to enable the assessment and determination of the application within the 6 month timeframe.

Right of Appeal

Section 8.10 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.

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

Signed	On behalf of the Consent Authority 
Name	Rebecca Englund, Principal Planner
Date	15/10/2019