

## Notes of Pre-DA meeting

Planning and Development Services

**Application No:** PLM2009/0080

**Meeting Date:** 16/09/2009

**Property Address:** Lot 1/ Veterans Parade, Wheeler Heights (War Veterans)

**Proposal:** Redevelopment of the old Darby & Joan Precinct involving demolition of 30 existing independent living units & construction of 62 new independent living units

**Attendees Council:** for Rod Piggott – Team Leader, Development Assessment  
Lashta Haidari – Senior Development Assessment Officer  
David Halliday – Senior Development Engineer  
Bruce Wilson - investigations & Support Officer - Drainage

**Attendees applicant:** for Dan Brindle  
Christine Young  
Robert Verga  
Louis Pangopoulos

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### General Comments:

All applications are assessed on individual merit, however a failure to comply with Council or a State Planning controls will generally indicate an over development of the site and may result in adverse impacts upon adjoining and nearby land and the streetscape.

You are advised to carefully read these notes. If there is an area of concern or non-compliance, you are strongly advised to review and reconsider the appropriateness of the design of your development for your site and the adverse impacts that may arise as a result of your development prior to the lodgement of any development application.

Council will seek to ensure that the development of land meets all provisions of all legislation and the relevant Environmental Planning Instrument/s, in addition to providing appropriate levels of amenity to surrounding and nearby lands.

Failure to achieve this may ultimately lead to the refusal of any application lodged without notice.

Consideration of proposal against Warringah Local Environment Plan 2000

‘The fundamentals’	
<b>Definition of proposed development:</b> (ref. WLEP 2000 Dictionary)	Housing
<b>Locality:</b>	B6 – War Veterans
<b>Category of Development:</b>	Category 1 – “Housing”

Desired Future Character
<p><b>The Desired Future Character Statement for this locality is as follows:</b></p> <p><i>The War Veterans locality will continue to provide housing for older people and associated uses to meet the needs of residents within the locality.</i></p> <p><i>Future development will respond to the prominence of this locality by keeping buildings below the predominant tree-line when viewed from the Narrabeen Lake viewing catchment. Articulated building forms, landscaping and colours will combine to break up apparent building mass and reduce the impact of new development on long distance views of the locality. The redevelopment of existing buildings so that their visual presence in the Narrabeen Lake viewing catchment is reduced will be strongly encouraged.</i></p> <p><i>The scale and height of development along Veteran Parade and Lantana Avenue will be consistent with the adjacent established residential development and buildings are to address the street.</i></p> <p><i>New buildings will be grouped in areas that will minimise disturbance of vegetation and landforms. Bushfire hazard reduction measure and stormwater detention required as a result of development will be confined to the locality.</i></p> <p><i>Visually and ecologically significant vegetation species and communities and significant natural landforms will be preserved in their natural state. There will be no development within areas within the locality shown cross-hatched on the maps, except for path ways and other passive recreation purposes and the existing approved vehicular access.</i></p> <p>The proposed development is defined as ‘housing for older people or people with a disability’ under the provisions of the WLEP 2000 Dictionary. ‘Housing for older people or people with a disability’ is identified as Category 1 development within the B6 War Veterans Locality.</p> <p>Clause 12 of WLEP 2000 provides that the consent authority is to consider the development against the localities Desired Future Character Statement. The concern raised in relation to the proposed development was in relation to buildings fronting Lantana Ave, where the applicant was advised that these buildings need to be redesigned to be more consistent with the adjacent established residential development. In this regard, it was recommended that buildings fronting Lantana Ave be broken up to provide landscaped setbacks between the buildings to achieve the appearance of detached style housing.</p> <p>The applicant was advised that generous landscaping within front setback, further articulation in the building forms and careful colour selection will further assist in address the street of Lantana Ave.</p> <p>Subject to the above amendment, the proposed development will satisfactory achieve consistency with the requirement of the DFC.</p>

Built Form Control	Requirement	Comment
Landscape Open Space	40%	<p>Landscaped open space calculations were not submitted for the prelodgement meeting. The applicant advised that the proposal will comply with the minimum landscaped open space requirement.</p> <p>A detailed “landscaped open space calculation plan” at 1:200 scale is to be submitted with the application, clearly indicating what areas of the site are included as landscaped open space. The plan is to be prepared in accordance with the definition of landscaped open space in the relevant locality statement.</p>

General Principles of Development Control	
Division 1 General	Clause 38 - Glare and reflection

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<b>General Principles of Development Control</b>	
38 Glare and reflection 39 Local retail centres 40 Housing for older people or people with disabilities 41 Brothels 42 Construction sites	Particular regard must be made for low reflective colours and glazing. Medium range colours and textures that blend with the natural environment are encouraged.  <b>Clause 42 - Construction sites</b>  A works management plan is to be submitted demonstrating that the construction site will not unreasonably impact on the surrounding amenity, pedestrian or road safety, or the natural environment.
<b>Division 2 Health and safety</b>  43 Noise 44 Pollutants 45 Hazardous uses 46 Radiation emission levels 47 Flood affected land 48 Potentially contaminated land 49 Remediation of contaminated land 49A Acid sulfate soils	<b>Clause 43 - Noise</b>  The proposal should give careful consideration in the design for noise protection between dwellings (acoustic amenity and also consideration of minimisation /restriction of noise during construction phases for neighbours. The sensitive location of carparking, vent ducts and air conditioning plant must be shown on the plans.  <b>Clause 48 - Potentially contaminated land</b>  The site must be visually checked to identify if there has been any contamination and if any buildings contain asbestos or lead based paints. Details of the site audit and the history of the use of the site are to be included with the SEE
<b>Division 3 Public domain</b>  50 Safety and security 51 Front fences and walls 52 Development near parks, bushland reserves and other public open spaces 53 Signs	<b>Clause 50 - Safety and security</b>  The objectives of the general principle are to be incorporated in the architectural design and listed in the SEE and must address the principles of design for the prevention of crime. A Crime Prevention Through Environmental Design (CPTED) Analysis must be completed for the development.  <b>Clause 58 - Protection of existing flora</b>  Development is to be sited and designed to minimize the impact on remnant indigenous flora, including canopy trees and understorey vegetation, and on remnant native ground cover species. Council's Environmental Officer has advised that an Aborist report should be prepared and submitted with the application.  The report is to address compliance with above Clause and clearly indicate on the plans, all trees that are proposed to be removed as part of the proposal or located within the vicinity of the proposed works. The report should also take into consideration the bushfire issues and the requirement of Asset Protection Zone (APZ) and Inner Protection Zone (IPZ).
<b>Division 4 Site planning and building design</b>  54 Provision and location of utility services 55 Site consolidation in "medium density areas" 56 Retaining distinctive environmental features on sites 57 Development on sloping land 58 Protection of existing flora 59 Koala habitat protection 60 Watercourses and aquatic habitat 61 Views 62 Access to sunlight 63 Landscaped open space 63A Rear building setback 64 Private open space 65 Privacy 66 Building bulk 67 Roofs 68 Conservation of energy and water 69 Accessibility—premises available to the public 70 Site facilities	<b>Clause 54 - Provision and location of utility services</b>  Utility services are to be provided to the site for the development. The Statement of Environmental Effects should address Clause 54 Provision and location of utility services of WLEP 2000 to demonstrate that adequate utility services are or will be available.  To reduce unnecessarily delays in the assessment of the application prelodgement consultation with Energy Australia is strongly recommended to determine whether a substation is required on the site. Energy Australia's written advice should be submitted with the application.  <b>Clause 61 - Views</b>  The impact of the proposed development on the views of surrounding properties is to be considered in accordance with Clause 61 Views of WLEP 2000. A reasonable sharing of views is to be achieved.  <b>Clause 62- Access to sunlight</b>

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General Principles of Development Control	
	<p>Shadow diagrams are to be submitted to demonstrate the development will not unreasonably reduce sunlight to surrounding properties as required by Clause 62 Access to sunlight of WLEP 2000.</p> <p><b>Clause 64 - Private open space</b></p> <p>In accordance with Clause 64 – Private open space of WLEP 2000, each residential apartment is to be provided with 10 square metres of private open space with minimum dimensions of 2.5m.</p> <p><b>Clause 65- Privacy</b></p> <p>Privacy is to be maintained between apartments and between neighbouring properties. The use of privacy screens should only be used to enhance natural privacy provided by good design separation and the effective location of windows, balconies and landscaping.</p> <p>The design also needs to take into consideration the acoustic privacy between apartments.</p> <p><b>Clause 66- Building bulk</b></p> <p>The objectives of the general principle are to be incorporated in the architectural design. The good use of articulation, a range of natural materials, and colour selection are critical considerations. Building articulation should be pronounced and enhanced by accentuation of window openings, attractive colours and finishes, variation and use of high quality materials (e.g. timber &amp; stone), use of louvres, landscaping and other detailing to all facades.</p> <p><b>Clause 68- Conservation of energy and water</b></p> <p>A BASIX certificate must be submitted with the application to demonstrate that the proposed development meets the NSW government's requirements for sustainability.</p> <p><b>Clause 69 Accessibility—premises available to the public</b></p> <p>An Access Report or statement prepared by a suitably qualified professional is to be submitted which indicates that the proposed development will be consistent with the intent of the Disability Discrimination Act 1992 and complies with Australian Standard 1428.2.</p> <p>The car parking spaces for people with a disability should be clearly shown on the plans.</p> <p><b>Clause 70- Site facilities</b></p> <p>Garbage facilities are to comply with Council's Waste Management Guidelines, Clause 70 of WLEP 2000, Council's Waste Management Guidelines and the Residential Flat Design Code.</p> <p>Consideration should be given to the streetscape presentation of the new garbage store. Please liaise directly with Mr Ray Creer, Council's Waste Services Officer on 9942 2533.</p>
<p><b>Division 5 Traffic, access and carparking</b></p> <p>71 Parking facilities (visual impact) 72 Traffic access and safety 73 On-site loading and unloading 74 Provision of carparking 75 Design of carparking areas</p>	<p><b>Clause 71 - Parking facilities (visual impact)</b></p> <p>Parking facilities are to be sited and designed so as not to dominate the street frontage or other public spaces.</p> <p><b>Clause 72- Traffic access and safety</b></p> <p>A Traffic Report is to be submitted which addresses access from Veteran Parade, internal manoeuvring and demonstrates</p>

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<b>General Principles of Development Control</b>	
	<p>compliance with all relevant Australian Standards including AS 2890.</p> <p><b>Clause 74- Provision of carparking</b></p> <p>Adequate off-street car parking is to be provided within the subject property boundaries having regard to land use.</p> <p><b>Clause 75- Design of carparking areas</b></p> <p>Car parking areas are to be provided in accordance with the most recent "Guide to Traffic Generating Developments" (NSW Roads and Traffic Authority)</p>
<p><b>Division 6 Soil and water management</b></p> <p>76 Management of stormwater 77 Landfill 78 Erosion and sedimentation</p>	<p><b>Clause 76 - Management of stormwater</b></p> <p>A stormwater management plan is required to be submitted. The stormwater plans should be fully developed and not just concept plans.</p> <p>The applicant has indicated that no dewatering is required. The Geotechnical Report is to confirm this. If dewatering is required the development constitutes integrated development and a cheque for \$250 made payable to the Department of Water and Energy is to be submitted with the development application.</p> <p>Please liaise with Council's Team Leader Development Engineers, Mr Robert Barbuto on 9942 2339, should you require more information.</p> <p><b>Clause 78 - Erosion and sedimentation</b></p> <p>An erosion and sediment control plan is required for the DA. Considerations detailed in the general principle are to be incorporated into the soil and erosion control plans.</p>
<p><b>Division 7 Heritage</b></p> <p>79 Heritage control 80 Notice to Metropolitan Aboriginal Land Council and Department of Environment and Conservation 81 Notice to Heritage Council 82 Development in the vicinity of heritage items 83 Development of known or potential archaeological sites</p>	<p><b>Clause 79 - Heritage control</b></p> <p>The RSL War Veterans Village complex has two heritage items listed under Warringah LEP 2000: the ANZAC War Memorial at Veterans Parade and 'Legacy Park' at Colooli Road.</p> <p>The statements of significance for these items are contained in the State Heritage Inventory as follow:</p> <ul style="list-style-type: none"> <li>The memorial has local historical, social and aesthetic significance both as an individual war memorial and due to its association with the War Veterans Village. It is a typical example of sculptured bas-relief monuments erected during this period.</li> <li>The Legacy Park building has social and historical significance as the first major building of the War Veteran's village complex. It retains much of its original fabric and detailing and is a good representative example of 1930s domestic architecture.</li> </ul> <p>Please note that several other items on the site were nominated for heritage listing in the heritage review carried out by Terranova Planning in June 1995 with their statements of significance below:</p> <ul style="list-style-type: none"> <li>Darby and Joan Cottages – as a group of post-war cottages, they possess local historic and social significance due to their association with the early development of the War Veterans Village.</li> </ul>

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General Principles of Development Control	
	<ul style="list-style-type: none"> <li>RSL Accommodation Complex – strong social and historic significance being part of the earlier housing facilities constructed as part of the War Veterans village. Typically representative of inter-war domestic architecture. Retains much original detailing and character.</li> <li>RSL House - a good representative example of the late 20<sup>th</sup> century 'Sydney Regional' style of architecture and historically and socially significant as part of the ongoing provision of accommodation on the War Veterans site.</li> </ul> <p>Please note that several other items on the site were nominated for heritage listing in the heritage review carried out by Terranova Planning in June 1995 with their statements of significance below:</p> <ul style="list-style-type: none"> <li>Darby and Joan Cottages – as a group of post-war cottages, they possess local historic and social significance due to their association with the early development of the War Veterans Village.</li> <li>RSL Accommodation Complex – strong social and historic significance being part of the earlier housing facilities constructed as part of the War Veterans village. Typically representative of inter-war domestic architecture. Retains much original detailing and character.</li> <li>RSL House - a good representative example of the late 20<sup>th</sup> century 'Sydney Regional' style of architecture and historically and socially significant as part of the ongoing provision of accommodation on the War Veterans site.</li> </ul> <p>Although these three items were not ultimately listed in WLEP 2000 as items of heritage significance, it is important to recognise that the War Veterans complex as a whole is important, especially in terms of its historical and social significance. In terms of the architectural significance, the Sydney School and the Sydney Regional style both utilised Australian bush settings.</p> <p>Accordingly, the applicant will need to prepare a thorough Statement of Heritage Impact, and a Conservation Plan of Management given the extent of the redevelopment of the site.</p> <p>The Statement of Heritage Impact / Conservation Management Plan should be prepared by a suitably qualified person experienced in the assessment of heritage. It should include the matters referred to above, and how the proposed developments will affect the historical, social and architectural significance of the listed items and the War Vets village complex as a whole, by giving the history of the site and having regard to its ongoing purpose of providing accommodation for veterans in a bushland setting.</p>
Other Relevant Environmental Planning Instruments / Council Policies	
<b>SEPP NO.65 – DESIGN QUALITY OF RESIDENTIAL FLAT DEVELOPMENT</b>	
<p>State Environmental Planning Policy No.65 (SEPP 65) applies to the development. As such, the provisions of SEPP 65 and the Residential Flat Design Code (RFDC) are required to be taken into consideration and should be addressed in the Statement of Environmental Effects submitted with the application. In this regard a detailed assessment against the RFDC is required, demonstrating compliance, particularly in relation to natural ventilation and solar access.</p>	
Other Relevant Environmental Planning Instruments / Council Policies	
<p>You are advised of the following (but not limited to all) Council's policies available at <a href="http://www.warringah.nsw.gov.au">www.warringah.nsw.gov.au</a>:</p> <ul style="list-style-type: none"> <li>Applications for Development - Policy for the handling of unclear, non conforming, insufficient and Amended applications: PDS-POL 140</li> <li>Stormwater drainage for low level properties PDS-POL 135</li> <li>Building over or adjacent to constructed Council drainage systems and easements: PAS-PL 130</li> <li>Common vehicular access to multiple properties: LAP-PL 310</li> </ul>	

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Other Relevant Environmental Planning Instruments / Council Policies
<ul style="list-style-type: none"> <li>• Development Applications relating to trading hours under the Liquor Act 1982: LAP-PL 610</li> <li>• Onsite stormwater detention rainwater reuse policy for single residential dwellings: PAS-PL 100</li> <li>• Vehicle access to all roadside development: LAP-PL 315</li> </ul>

Draft Environmental Planning Instruments
<p><b>Draft Warringah LEP 2009</b></p> <p>The Draft Warringah Local Environmental Plan 2009 (Draft WLEP 2009) was certified by the NSW Department of Planning on 9 September 2009. The Draft WLEP 2009 commences exhibition on Monday 12 October 2009.</p> <p>Upon commencement of the exhibition period, the Draft WLEP 2009 becomes a matter for consideration under section 79C (1) (a) (ii) of the Environmental Planning and Assessment Act, 1979, and weight must be given to it in the assessment of any application.</p> <p>The subject site is zoned SP 1 – Special Activities in the Draft WLEP 2009. The proposed development is permissible land use within this zone.</p> <p>The applicant is required to address the Draft WLEP 2009 within the SEE submitted with any application. Particularly consideration should be given to objectives of the zone and the relevant Development Standard.</p>

Required Documentation
<ul style="list-style-type: none"> <li>• All information required to be submitted under Schedule 1 of the Environmental Planning and Assessment Regulation 2000.</li> <li>• All information as required on the Development Application form checklist</li> <li>• Site Analysis (prepared in accordance with Schedule 8 of WLEP 2000)</li> <li>• Site Survey (prepared by a registered Surveyor)</li> <li>• Statement of Environmental Effects addressing: <ul style="list-style-type: none"> <li>◦ Section 79C of EPA Act,</li> <li>◦ all relevant sections of WLEP 2000, including demonstrating consistency with the locality's Desired Future Character Statement, Built Form Controls and General Principles of Development Control;</li> <li>◦ and other relevant Environmental Planning Instruments</li> </ul> </li> <li>• BASIX Certificate</li> <li>• Geo-technical report</li> <li>• Acid Sulphate Soils Report</li> <li>• Bushfire Report</li> <li>• Access Report</li> <li>• Traffic and Parking Report</li> <li>• Arborist Report</li> <li>• Crime Prevention Through Environmental Design (CPTED) assessment against the Guidelines prepared by the former DUAP</li> <li>• Erosion and Sediment Control Plan</li> <li>• SEPP 65 Design verification statement from a qualified designer</li> <li>• Construction/Site Management Plan</li> <li>• Sample Board of External Finishes</li> <li>• Model of proposed development</li> <li>• Shadow diagrams</li> <li>• Landscape Plan</li> <li>• Waste Management Plan</li> <li>• Stormwater Management Plans</li> </ul>

Concluding Comments
<p>The proposed development is defined as <i>'housing for older people or people with a disability'</i> under the provisions of the WLEP 2000 Dictionary. <i>'Housing for older people or people with a disability'</i> is identified as Category 1 development within the B6 War Veterans Locality.</p> <p>Clause 12 of WLEP 2000 provides that the consent authority is to consider the development against the localities Desired Future Character Statement. The concern raised in relation to the proposed development was in relation to buildings fronting Lantana Ave, where the applicant was advised that these buildings need to be redesigned to be more consistent with the adjacent established residential development.</p> <p>State Environmental Planning Policy No.65 (SEPP 65) applies to the development. As such, the provisions of SEPP 65 and the Residential Flat Design Code (RFDC) are required to be taken into consideration and should be addressed in the Statement of Environmental Effects submitted with the application. In this regard a detailed assessment against the RFDC</p>

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### Concluding Comments

is required, demonstrating compliance, particularly in relation to natural ventilation and solar access.

In conclusion, the proposal should not proceed to lodgement until all the matters raised in this notes are incorporated into the design and address within the documentation to be submitted with the application.

### Other Matters

- **Requirement to Submit Correct, Clear and Accurate Information at Lodgement**

You are advised, that if an application Unclear, NonConforming, provides Insufficient information or if Council requests additional information in accordance with Clause 54 of the EPA Regulations 2000 and it is not provided within the specified time frame – your application may be rejected or refused without notice.

The time to discuss and amend your design is prior to lodgement of your Development Application, as there will be no opportunity to do so during the assessment process

- **Privacy and Personal Information**

You are advised that Council is legally obliged to make Development Applications and supporting documents available for public inspection – see section 12 of the Local Government Act 1993. We do this at the Customer Service Centre and by placing copies of the applications and supporting documents on the Council website.

Should this proposal result in a development application being lodged these notes will form part of the development application documentation that will appear on Council's website – DA's online. [www.warringah.nsw.gov.au](http://www.warringah.nsw.gov.au)

- **Monitoring DA progress after lodgement**

Once lodged you can monitor the progress of your application through Council's website – DA's online. [www.warringah.nsw.gov.au](http://www.warringah.nsw.gov.au)

