

JRPP No.	2010SYE016
Development Application No:	DA2010/0166
Description:	<p>The Re- Development of the Village Centre precinct within the RSL War Vets Retirement Village consist of the following:</p> <ul style="list-style-type: none"> • Demolition of existing structures • The construction of a Multi-purpose building consisting of residential units, communal facilities and staff offices. • Modifications to the Montgomery Centre and Bowling Club to accommodate a Chapel and War Museum.
Address / Property	<p>Lot 1 DP 803645 Lot 1/ Veterans Parade, Wheeler Heights</p>
Applicant:	Rsl Lifecare Limited
Reporting Officer	Malcolm Ryan, Warringah Council

Application Lodged:	08/02/2010
Plans Reference:	Drawing No. DA1.01 –DA1.18 (issue A) – prepared by Young Metcalf architect.
Amended Plans:	NO
Owner:	Rsl Lifecare Limited

Locality:	B6 War Veterans
Category:	Category 1 ('Housing for older people or people with a disability')
Draft WLEP 2009 Permissible or Prohibited Land use:	Permissible with consent under the Zoning (SP1 Special Activities)
Clause 20 Variations:	No variations sought
Land and Environment Court Action:	NO
Referred to JRPP:	YES (Capital Investment Value >\$10m)
Referred to WDAP:	YES (Category 3 components to the Application)
SUMMARY	
Submissions:	No submissions were received
Submission Issues:	None
Assessment Issues:	Desired Future Character for the B6 Locality, SEPP (HSPD) 2004, and SEPP 65.
Recommendation:	Approval (subject to conditions)
Attachments:	<p>Site Plan and Elevations Pre - Lodgement Notes</p>

LOCALITY PLAN (not to scale)



Subject Site: Lot 1 DP 803645, Lot 1/ Veterans Parade, Wheeler Heights.

Public Exhibition: The subject application has been publicly exhibited in accordance with the EPA Regulation 2000, Warringah Local Environment Plan 2000 and Warringah Development Control Plan. As a result, the application was notified to 88 adjoining land owners and occupiers for a period of 21 calendar days commencing on 26/02/2010 and being finalised on 23/03/2010. Furthermore, the application has been advertised within the Manly Daily on 27 February 2010 and a notice was placed upon the site.

No submissions were received as a result of the notification process.

SITE DESCRIPTION

The 'subject site' is commonly known as the 'RSL War Veterans Retirement Village' located on Veterans Parade, Wheeler Heights.

The site is approximately 44 hectares in area and occupies land (comprising 6 Lot titles) between Veterans Parade, Lantana Avenue and an unmade portion of South Creek Road. The Village comprises the following Lot titles:

- Lot 2611 – DP 752038
- Lot 573 – DP 752038
- Lot 1-DP 803645
- Lot 1 – DP 774980
- Lot 2026 – DP 752038
- Lot 2641-DP 752038

The development of the Village Centre is to be carried out on Lot 1 DP 803645, and is located in the centre of the RSL Anzac Village, in the north eastern portion of the site. The proposed Village Centre consists of a number of buildings including the village office, bowling club, Montgomery Centre as well as two bowling greens.

To the north of the Village Centre is a Hostel (known as Kokoda Hostel), a 2 storey building providing seniors housing in the form of a 63 bed residential aged care facility. To the north of Kokoda Hostel is Colooli Road, a public road connecting the Village to Veterans Parade and providing one of the main access points for the village. Beyond Colooli Road is the 'Anzac House' precinct which contains, Legacy Park (also known as Anzac House) building, which is a 2 storey heritage listed building and a recently constructed 3 storey building containing 18 self contained dwellings.

To the south of the proposed Village Centre is Edmondson Drive (an internal road), beyond which is the new Darby and Joan Precinct which is currently occupied by 25 single storey (self – contained dwellings).

To the east of the proposed Village Centre is the Colooli precinct which consists of 44 single and two storey self – contained dwellings (No's 200-243). Further to the east is Veterans Parade. To the west of the proposed development is Endeavour Drive (an internal road), beyond the road in another Hostel (known as Connie Fall Hostel).

The RSL village as whole contains a range of aged care and war veteran's accommodation for approximately 1200 residents, including; self care dwellings, assisted care hostels, and nursing homes.

Surrounding development outside the Village is characterised by residential dwellings to the east and south, bushland within Jamieson Park to the north and northwest and Narrabeen Lake to the north and west.

RELEVANT BACKGROUND

A pre-lodgement meeting was held with Council on the 16/09/2009. The main issue raised in the pre-DA notes was in relation to the height of the Village centre as viewed from various vantage points from Narrabeen Lake and its surrounds.

Copy of the pre-lodgement notes is attached to this report.

PROPOSAL IN DETAILS

The applicant is seeking consent for the redevelopment of the Village precinct involving the demolition of an existing self-contained dwelling, lawn bowling green and village office and the construction of a Village Centre building containing seniors accommodation and communal facilities as well as additions and alterations to the existing blowing club and the Montgomery Centre. In summary, the development comprises the following:

- The demolition of an existing self –contained dwelling, a lawn bowling green and Village Centre building;
- The Construction of a new 5 storey Village Centre building containing:

Level	PROPOSED USES
Low Ground Floor	<ul style="list-style-type: none"> ➤ Basement carpark accessed off Colooli Road and consisting off: <ul style="list-style-type: none"> ▪ 18 car parking spaces; ▪ Plant rooms; ▪ Garbage room; and ▪ Switch room. ➤ Maintenance shed; ➤ Main entrance area accessed off Colooli Road containing reception and waiting area; ➤ Entry lobby to the self – contained units on Level 1 and 2; ➤ Administration offices and marketing offices (relocated from the building to the east of the bowling club building which is to be demolished); ➤ Meeting room, toilet amenities and records store; and ➤ Central stairs in reception area provides access to community floor level above.
Ground Floor	<ul style="list-style-type: none"> ➤ Pedestrian entry from proposed plaza off Edmondson Drive containing reception, waiting area and florist; ➤ Village administration offices; <ul style="list-style-type: none"> ▪ Residents personal business centre; ▪ Bowling club lounge overlooking bowling green; ▪ Library; ▪ Meeting room; ▪ Lounge and Dining areas; ▪ Cafes; ▪ Bar; ▪ Shuffle board; ▪ Billiard room; and ▪ Oversize chess board located on western terrace, mini golf course to the east and west of the building, boules field and childrens playground to the east of the building.

Level	PROPOSED USES
Level 1 – Residential	<ul style="list-style-type: none"> ➤ 9 self – contained units consisting of:- <ul style="list-style-type: none"> • 6 x 2 bedrooms + study; and • 3 x 2 bedrooms
Level 2 – Residential	<ul style="list-style-type: none"> ➤ 9 self – contained units consisting of:- <ul style="list-style-type: none"> • 6 x 2 bedrooms + study; and • 3 x 2 bedrooms
Level 3 – Skylounge	<ul style="list-style-type: none"> ➤ Skylounge area; ➤ Boardroom / meeting room; ➤ Amenities; ➤ 4 x 1 bedroom motel type units containing ensuite and kitchen for the use by potential residents as a 'try before you buy' facility or for overnight / temporary resident accommodation; and ➤ Plant room.

- Additions and alterations to the existing blowing club (including the removal of the Dugout café and Diggers Inn) to accommodate a Chapel and a War and Village Museum; and
- Internal and external works to the Montgomery Centre and associated hardstand area to accommodate a roofed outdoor and assembly area;

Vehicular Access

Vehicular access to the proposed Village Centre precinct will be via Coloolie Road as well as the internal village roads (Edmondson Drive and Endeavour Drive). The lower ground level carpark of the Village Centre will be accessed from Coloolie Road. A new semi-circular driveway is proposed to be provided off Edmondson Drive which provides parking and a bus/car drop off area for the proposed Village Centre and Chapel.

Pedestrian System

A new pedestrian pathway system will be provided at the southern entrance to the Village Centre building which will connect into the existing pathway system.

Parking Provision

Parking provision for the proposed development is outlined below:

Proposed Number of parking spaces	Allocation to the proposed uses	Location of Parking spaces
18	18 Residential units (Level 1 & 2) of the proposed Village Centre	Lower Ground Floor Level of Village Centre Building
4	Visitor parking (for residential units)	Entrance to Village Centre building at Coloolie Road
22	Offices/ meeting rooms	Off – grade at entry plaza off Edmondson Drive (4 of which are existing)
	Community Facilities	
	Community Facilities	
	Chapel Museum	
23	Montgomery Centre	3 new spaces off Edmondson Drive 12 existing spaces off Endeavour Drive

Proposed Number of parking spaces	Allocation to the proposed uses	Location of Parking spaces
		8 spaces under proposed shade structure (space exist in hard stand area and are to be slightly relocated as par of the proposal).
6	Visitor /staff	6 new spaces off Edmondson Drive.
6-8	Minibus	At the rear of existing Bowling Club building off Edmondson Drive (existing spaces are formalised).
Total	73 plus 6- 8 spaces for minibuses	

STATUTORY CONTROLS

- a) Environmental Planning and Assessment Act 1979
- b) Environmental Planning and Assessment Regulation 2000
- c) State Environmental Planning Policy No. 55 – Remediation of Land
- d) State Environmental Planning Policy No. (Housing for Seniors or People with a Disability) 2004
- e) State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- f) State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development
- g) State Environmental Planning Policy (Infrastructure) 2007
- h) Warringah Local Environment Plan 2000
- i) Warringah Development Control Plan
- j) Warringah Section 94A Development Contributions Plan
- k) Draft Warringah Local Environmental Plan 2009

REFERRALS

Comments from External Authorities:

NSW Rural Fire Service

The NSW Rural Fire Service has provided comments as the integrated authority (as defined by Section 91 of the EPA Act 1979) and has issued a Bushfire Safety Authority under Section 100B of the Rural Fires Act 1997.

The NSW Rural Fire Service has issued conditions that have been included within the recommendation of this report.

Comments from Internal Departments:

Department	Comments
Council Landscape officer	<p>Council's Landscape officer has reviewed the proposal and has provided the following comments:</p> <p><i>"The plans indicate removal of a number of existing trees to accommodate the proposed works.</i></p> <p><i>The trees to be removed are within an existing developed area of the site and form part of the "landscaped" component of the site as opposed to the natural bushland component.</i></p> <p><i>In consideration of the use within this developed area, removal of</i></p>

Department	Comments
	<p><i>trees to upgrade facilities and improve amenity for the residents is unavoidable.</i></p> <p><i>It is considered that the retention of a number of trees in conjunction with the replanting of a significant number of local native trees is acceptable in this instance as the canopy to be removed will be replaced by the new trees over time as they grow.</i></p> <p><i>No objections subject to conditions</i></p> <p><i>No objection are raised to the proposed works, subsection to conditions"</i></p> <p>Comment: The conditions as recommended by Council's Landscape Officer have been included within the recommendation of this report.</p>
Council Traffic Engineer	The comments from Council's Traffic Engineer were not received at the time of writing this report.
Natural Environment	Council's Natural Environment section has reviewed the proposal and has raised no objection to the proposed development.
Development Engineers	<p>Council's Development Engineers section has reviewed the proposal and has raised no objection to the proposed development subject to conditions.</p> <p>Comment: The conditions as recommended by Council's Development Engineer have been included within the recommendation of this report.</p>
Heritage Officer	Council's Heritage Officers comments were not received at the time of writing this report
Waste Officer	<p>Council's Waste officer has reviewed the proposal and has provided the following comments:</p> <p><i>"Council does not provide waste collection services to this property and has no intention to do so.</i></p> <p><i>It is assumed that the private waste collector currently engaged to service the existing retirement village at this location will service this new proposal".</i></p>

NOTIFICATION & SUBMISSIONS RECEIVED

The subject application has been publicly exhibited in accordance with the EPA Regulation 2000, Warringah Local Environment Plan 2000 and Warringah Development Control Plan. As a result, the application was notified to 88 adjoining land owners and occupiers for a period of 21 calendar days commencing on 26/02/2010 and being finalised on 23/03/2010. Furthermore, the application has been advertised within the Manly Daily on 27 February 2010 and a notice was placed upon the site.

No submissions were received as a result of the notification process.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under Section 79C of 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 “SEPP 55”, “SEPP 65”, “SEPP BASIX”, “SEPP Infrastructure” and “WLEP 2000” in this report.
Section 79C (1) (a) (ii) – Provisions of any draft environmental planning instrument.	See discussion on “Draft Warringah Local Environmental Plan 2009 of this report”.
Section 79C (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies and has been addressed within this report.
Section 79C (1)(a)(iii(a) - Provisions of any Planning Agreement or Draft Planning Agreement	None applicable.
Section 79C (1) (a)(iv) - Provisions of the regulations	<p>Clause 50(1A) of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building designer at lodgement of the development application. A design verification certificate has been submitted with the application.</p> <p>Clause 92 of the EPA Regulations 2000 requires Consent Authority to consider AS 2601 - 1991: <i>The Demolition of Structures</i>. Accordingly, appropriate conditions of consent are recommended for imposition should this application be considered worthy of approval.</p> <p>Clause 98 of the EP&A Regulation 2000 states that a prescribed condition of consent is that the work is to be undertaken in accordance with the Building Code of Australia (BCA). If the application is approved a condition of consent could be included in the recommendation to ensure that the proposal complies with the BCA.</p>
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	<p>(i) The environmental impacts of the proposed development on the natural and built environment are addressed under the General Principles of Development Control table in this report. In summary, the proposed development is acceptable in relation to the environmental impacts.</p> <p>(ii) The proposed development will not have a detrimental social impact on the locality considering the continued use of the buildings for older people and people with disability, and all the associated uses that meet the needs of the residents.</p> <p>(iii) The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing land uses.</p>
Section 79C (1) (c) – The suitability of the site for the development	The proposal is considered consistent with development in the B6 locality and is appropriately designed to complement the site topography and size of the site. Accordingly, the site is considered suitable for the proposed development.
Section 79C (1) (d) – Any submissions made in accordance with the EPA Act or EPA Regulation	In regards to the public submissions, refer to ‘Notification and Submissions’ section of this report.
Section 79C (1) (e) – the public interest	The public interest is served by providing appropriate

Section 79C 'Matters for Consideration'	Comments
	land use for the site. The proposed development is in accordance with the planning controls under WLEP 2000. In this regard, the proposal is satisfactory and hence is consistent with maintaining and protecting the public interest.

DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS:

Draft Warringah Local Environmental Plan 2009 (Draft WLEP 2009)

The public exhibition of the draft Warringah Local Environmental Plan 2009 (the draft LEP) commenced on 12 October 2009 and ended on 30 December 2009. The draft LEP is therefore a relevant matter for consideration under Section 79C of the EP&A Act.

Definition: Seniors Housing

Land Use Zone: SP1 Special Activities (i.e. Housing and associated uses for older people and people with disability)

Permissible or Prohibited: Permissible

Additional Permitted used for particular land – Refer to Schedule 1: Not Applicable

Principal Development Standards:

Development Standard	Required	Proposed	Complies	Clause 4.6 Exception to Development Standard
Minimum Subdivision Lot Size:	The proposed development does not seek to subdivide the land	NA	NA	N/A
Rural Subdivision:	Not applicable to the proposed development	NA	NA	NA
No Strata Plan or Community Title Subdivisions in certain rural and environmental zones:	The subject site is not within rural or environmental zones.	NA	NA	NA
Height of Buildings:	There is no height control for this zone	NA	NA	NA

The proposed development is consistent with the aims and objectives of the Draft WLEP 2009.

State Environmental Planning Policies

Further consideration is required for the following State policies:

State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55)

Clause 7(1)(a) of State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) and Clause 48 of WLEP 2000 state that a consent authority must not consent to the carrying out of any development on land unless;

- It has considered whether the land is contaminated, and
- If the land is contaminated, it is satisfied that the land is suitable in its contaminated state for the purpose for which the development is proposed to be carried out, and
- If the land requires remediation to be made suitable for the development proposed to be carried out, it is satisfied that the land will be remediated before the development is carried out.

The site has been utilised for residential purposes and associated uses since 1943 and there are no records to indicate that there are contamination issues on this site. Additionally, a preliminary Stage1 Environmental Site report prepared by Jeffrey Katauskas consultancy dated September 2009 was submitted with the application.

The report concludes that the site does not identify any contamination in the vicinity of the proposed development. The proposed development is therefore consistent with the requirements of this SEPP.

SEPP (Housing for Seniors or People with a Disability) 2004

The subject application has been lodged under the provisions of WLEP 2000 not the former SEPP 5 or SEPP SL or the current State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP HSPD).

SEPP HSPD applies within the State of NSW. As such, SEPP HSPD is relevant to the assessment of this Development Application. However, any clauses in SEPP HSPD which are prefaced for their operation with the words 'development application made pursuant to this chapter' would not be relevant to the application as per the NSW Land and Environment Court decision of Talbot J on 31 May 2004, in *Mete v Warringah Council* (2004 NSWLEC 273).

In accordance with Section 79C of the EPA Act 1979, the assessment of this application has taken into consideration the relevant provisions of SEPP HSPD as per the above noted NSW LEC decision. As SEPP HSPD does apply (in part) to Warringah Council, an assessment is provided with regard to the relevant provisions of SEPP HSPD, as follows:

Chapter 1 – Preliminary

The proposed development is considered to be consistent with the aims of the policy, in that the proposed development will increase the supply and diversity of residences to meet the needs of seniors or people with a disability. The development will make efficient use of existing infrastructure and services available to the site and in the locality, and the proposed development is considered to be of satisfactory design.

The proposed development is considered to be consistent with the definitions contained in this policy, the policy applies to land within Warringah and there are no agreements or covenants that require suspension.

Accordingly, on this basis, it is considered that the proposed development is consistent with the provisions outlined under Chapter 1 of SEPP HSPD.

Chapter 2 – Key concepts

The proposed development is consistent with the key concepts contained within SEPP HSPD. The proposed development comprises the redevelopment of the of the Village precinct involving the demolition of an existing self-contained dwelling, lawn bowling green and village office and the construction of a Village Centre building containing seniors accommodation and communal facilities for use of residents.

Accordingly, on this basis, it is considered that the proposed development is consistent with the provisions outlined under Chapter 2 of SEPP HSPD.

Chapter 3 – Development for seniors housing

Chapter 3 of SEPP HSPD contains a number of development standards that are applicable only to development applications made pursuant to SEPP HSPD. However, as the development application was made pursuant to WLEP 2000, the specific provisions prefaced for their operation with the words “made pursuant to this chapter” of Chapter 3 do not apply. There are no relevant provisions of Chapter 3 applicable to this development application. Accordingly, the provisions outlined under Chapter 3 of the SEPP are not applicable to the assessment of this application.

Chapter 4 – Miscellaneous

The proposed development is consistent with the provisions contained in Chapter 4. The site (subject of this DA) is not on environmentally sensitive land, is not affected by amendments to other SEPPs, and the special provisions do not apply to this land. Accordingly, no further assessment of the application is required under Chapter 4 of the SEPP.

SEPP (Infrastructure) 2007

Clause 45 of SEPP Infrastructure 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; or*
- *Within 5m of an exposed overhead electricity power line.*

The application was referred to Energy Australia to determine if the subject site was within or immediately adjacent to any of the above electricity infrastructure. Energy Australia by letter dated 18 January 2010 stated that the subject site was not affected by any of the above electricity infrastructure. In this regard, the subject application is considered to satisfy the provisions of Clause 45 SEPP Infrastructure.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (SEPP BASIX) applies to the development.

BASIX Certificates for the residential component of the development have been submitted. The certificates confirm that the proposed development meets the NSW government's requirements for sustainability. The development meets the water and energy performance targets and achieves a pass for thermal comfort. Conditions should be included in any consent if the application is approved to ensure compliance with the commitments listed in the BASIX certificates.

State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development

SEPP 65 applies to new residential flat buildings, substantial redevelopment/refurbishment of existing residential flat buildings and conversion of an existing building to a residential flat building.

Clause 3 of SEPP 65 defines a residential flat building as follows:

“Residential flat building means a building that comprises or includes:

- (a) 3 or more storeys (not including levels below ground level provided for car parking or storage, or both, that protrude less than 1.2 metres above ground level), and*
- (b) 4 or more self-contained dwellings (whether or not the building includes uses for other purposes, such as shops), but does not include a Class 1a building or a Class 1b building under the Building Code of Australia.”*

The proposed development includes the construction of a 5 storey building which consists of 18 residential apartments and 4 motel type units and basement car parking for 18 vehicles.

Clause 50(1A) of the EPA Regulation 2000 requires the submission of a design verification statement from the building designer at lodgement of the development application. This documentation has been submitted.

The SEPP requires the assessment of any development application for residential flat development against 10 principles contained in Clauses 9-18 and Council is required to consider the matters contained in the publication “Residential Flat Design Code”.

Principle 1: Context

The provisions of SEPP 65 provide that:

“Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area.

Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the Desired

Future Character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area”.

Comment: The proposed land use is considered appropriate for the site, given the location of the site and its availability of public transport and the limited site constraints.

The development generally complies with all relevant built form controls and general principles of development control, therefore the scale of the development is considered to be consistent with the desired future character statement for the B6 locality. The proposal's consistency with the desired future character statement has been considered in detail under 'Warringah Local Environmental Plan 2000' in this report.

It is considered that the development has satisfactorily addressed the design objectives of this principle.

Principle 2: Scale

The provisions of SEPP 65 provide that:

“Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings.

Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the Desired Future Character of the area”.

Comment: The scale of the proposed development is considered to be appropriate given the scale of the existing, approved or potential surrounding development within B6 locality.

The built form of the Village Centre building in which the apartments are situated, defines the public domain and provides an adequate opportunity for landscaping which will assist in creating an appropriate transition between the scale of the development on the subject site and development on surrounding sites.

For these reasons, it is considered that the scale of the proposed development is consistent with this design quality principle.

Principle 3: Built Form

The provisions of SEPP 65 provide that:

“Good design achieves an appropriate Built Form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.

Appropriate Built Form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.”

Comment: Overall, the building achieves an appropriate built form, having regard to the site's constraints and opportunities. The proposed development defines the public domain and contributes in a positive way to the character of the RSL retirement village.

Principle 4: Density

The provisions of SEPP 65 provide that:

“Good design has a density appropriate for a site and its context; in terms of floor space yields (or number of units or residents).

Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality”.

Comment: Council's density control is based upon the way the proposed development responds to the DFC, built form control (i.e. Landscape open space) and other General Principles of Development Control.

A total of 18 residential units and 4 motel type units are proposed within the building. The building complies with the Landscape Open Space Control for the B6 locality and the amenity provided for future occupants meets the requirements of the Residential Flat Design Code. The proposed development does not result in any significant impacts on the adjoining development in terms of privacy or solar access. Consistency with all relevant controls indicates that the density of the proposed development is appropriate.

Accordingly, the proposal is considered to be consistent with the intent of this principle.

Principle 5 – Resource, energy and water efficiency.

The provisions of SEPP 65 provide that

“Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.

Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and Built Form, passive solar design principles, efficient appliances and mechanical and mechanical services, soil zones for vegetation and reuse of water”.

Comment: This design principle is concerned with environmental sustainability. The proposed construction materials and building design has incorporated passive solar design, insulation and sun protection.

In addition to the above, BASIX Certificates for the residential component of the development have been submitted. The certificates confirm that the proposed development meets the NSW government's requirements for sustainability. The development meets the water and energy performance targets and achieves a pass for thermal comfort. Conditions should be included in any consent if the application is approved to ensure compliance with the commitments listed in the BASIX certificates.

Accordingly, the proposal is considered to be consistent with the intent of this principle

Principle 6: Landscape

The provisions of SEPP 65 provide that:

“Good design recognises that together Landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain”.

Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, microclimate, and tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighborhood character or Desired Future Character.

Landscape design should optimise usability, privacy and social opportunity, equitable access and respect for neighbours' amenity and provide for practical establishment and long-term management.”

Comment: A landscape plan has been submitted with the application that demonstrates that the development will enhance the landscape character of the site and provide a quality landscape setting for the proposed development that will provide a reasonable level of amenity for the occupants of the proposed development and the surrounding and adjoining properties. The landscaping will also assist in softening the visual impact of the development as viewed from Narrabeen Lake and its surrounds.

Council's Landscape Officer has reviewed the proposal and raises no objections to the proposed landscape design.

Principle 7: Amenity

The provisions of SEPP 65 provide that:

“Good design provides amenity through the physical, spatial and environmental quality of a development.

Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility”.

Comment: The primary emphasis of this design principle is to create a pleasant living space for future occupants, both within dwellings and within the development generally.

The development has been designed to maximise solar access to the units within the development. Given the orientation and shape of the site, the ability to achieve a complying level of solar access has required the careful siting of buildings and layout of apartments.

As a high level of amenity has been provided through the careful siting of buildings and layout of apartments, it is considered that the proposed development is consistent with this design quality principle.

Principle 8 Safety and Security

The provisions of SEPP 65 provide that:

“The building design, separation of residential and retail elements, opens space, private central courtyard, car parking access and landscaping maximised casual surveillance and overlooking of common areas.

Secure gated access is provided to the car park entry plus additional security for the apartment residents. Similarly security access only is provided to the ground floor courtyard

Comment: The proposal is considered to adequately achieve safety and security for future occupants of the development by providing good casual visual surveillance of the street and the private domain, conditions would be recommended should the application be approved to require security lighting within the development.

Accordingly, it is considered that the proposed development is consistent with the intent of safety and security principle.

Principle 9 Social Dimensions

The provisions of SEPP 65 provide that:

“Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.

New developments should optimise the provisions of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community”.

Comment: The provision of housing within the Village Centre building will provide additional accommodation for aged and disabled people within the already established retirement village.

Accordingly, the proposal is considered to provide significant social benefit. Therefore, the proposal is considered to satisfy the objectives of this principle.

Principle 10 Aesthetics

The provision of SEPP65 provides that:

“Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the Desired Future Character of the area”.

Comment: The design of the building is compatible with the desired future character of the locality.

The proposed colours are considered to be satisfactory and will be consistent with the surrounding development within this locality.

The proposed and existing landscaping will contribute positively to the streetscape whilst softening the appearance of the built form.

For the above reasons the proposed development is considered to be consistent with this design quality principle.

Residential Flat Design Code Compliance Table

Pursuant to Clause 30(2) of SEPP 65 in determining a development application for a residential flat building the consent authority is to take into consideration the Residential Flat Design Code (RFDC). The following table is an assessment of the proposal against the guidelines provided in the RFDC.

	<i>Guideline</i>	<i>Consistency with Guideline</i>
PART 01 LOCAL CONTEXT		
Primary Development Controls		
<i>Building Height</i>	Where there is an existing floor space ratio (FSR), test height controls against it to ensure a good fit.	Not Applicable No FSR controls apply to the proposed development.
	Test heights against the number of storeys and the minimum ceiling heights required for the desired building use.	Not Applicable No height controls apply to the proposed development. The height of the new development is within the predominant tree-line when viewed from the Narrabeen Lake viewing catchment, which is consistent with the B6 DFC statement.
<i>Building Depth</i>	In general, an apartment building depth of 10-18 metres is appropriate. Developments that propose wider than 18 metres must demonstrate how satisfactory day lighting and natural ventilation are to be achieved.	YES The depths of proposed apartments vary between a minimum of 10m to maximum of approximately 14m. The depth of the building is appropriate given it is a freestanding building with multiple aspects.
<i>Building Separation</i>	For buildings up to four storeys / 12 metres, the following distances of separation are suggested; - 12 metres between habitable rooms/balconies - 9 metres between habitable/balconies and non-habitable rooms - 6 metres are provided between non-habitable rooms. A habitable room is any room or area used for normal domestic activities, including living, dining, family, lounge, bedrooms, study, kitchen, sun room and play room. A non-habitable room is a space of a specialised nature not occupied frequently or for extended periods, including bathrooms, toilets, pantries, walk in wardrobes, corridors, lobbies, photographic darkrooms and clothes drying rooms.	YES The proposed building is separated from the nearby Kokoda Hostel by approximately 6.9m. The minimum separation distance to the dwellings to the east is 14m. The setback proposed is considered to be consistent with objective of this control.

	Guideline	Consistency with Guideline
PART 01 LOCAL CONTEXT		
	The objectives of the suggested dimensions are to provide visual and acoustic privacy for existing and new residents, control overshadowing, and ensure that new development is scaled to support the desired area character with appropriate massing and spaces between buildings, to allow for the provision of open space and to provide deep soil zones.	
<i>Street Setbacks</i>	Identify the desired streetscape character, the common setback of buildings in the street, the accommodation of street tree planting and the height of buildings and daylight access controls.	YES The proposal generally maintains existing setbacks to Colooli Road to that which currently exist. The use of the proposed landscaping and the proposed driveway will aid in maintaining an appropriate setback.
	Identify the quality, type and use of gardens and landscaped areas facing the street.	YES A detailed Landscape Plan has been submitted with the application which provides a quality landscaped setting for the building and will provide a high level of amenity for future occupants.
	Test street setbacks with building envelopes and street sections.	YES The setback provided is assessed as being acceptable
<i>Site + Rear Setbacks</i>	Relate side setbacks to existing streetscape patterns.	YES The setback provided is assessed as being acceptable
<i>Floor Space Ratio</i>	Test the desired built form outcome against proposed floor space ratio to ensure consistency with: - building height - building footprint - the three dimensional building envelope - Open space requirements.	Not Applicable There is no maximum FSR for the site.

PART 02 SITE DESIGN		
Site Configuration		
<i>Deep Soil Zones</i>	A minimum of 25 percent of the open space area of a site should be a deep soil zone; more is desirable. Exceptions may be made in urban areas where sites are built out and there is no capacity for water infiltration. In these instances, stormwater treatment measures must be integrated with the design of the residential flat building.	YES The proposed development complies with the minimum landscaped open space requirement. Additionally, it should be noted that the area of deep soil landscaping over the entire site is well over 25% of the site area.
<i>Open Space</i>	The area of communal open space required should generally be at least between 25 and 30 percent of the site area. Larger sites and brownfield sites may	YES An area of communal space is not

PART 02 SITE DESIGN		
Site Configuration		
	have potential for more than 30 percent.	<p>required by WLEP 2000.</p> <p>The proposed development incorporates a number of communal outdoor open spaces at the ground level throughout the village.</p> <p>The proposed development incorporates balconies for each of the proposed apartments.</p>
<i>Orientation</i>	To optimise solar access to residential apartments within the development and adjacent development.	<p>YES</p> <p>The orientation of main activity areas within the Village Centre building are to the north. The applicant has advised that passive solar design principles have been employed where possible, using louvers, screens balcony overhangs and other shading devices.</p>
	The minimum recommended area of private open space for each apartment at ground level or similar space on a structure, such as on a podium or car park, is 25m ² ; the minimum preferred dimension in one direction is 4 metres. (see Balconies for other private open space requirements)	<p>Not Applicable</p> <p>There are no apartments proposed at the ground level.</p>
<i>Safety</i>	Carry out a formal crime risk assessment for all residential developments of more than 20 new dwellings.	<p>Not Applicable</p> <p>The proposed development has been designed to allow for an appropriate level of passive surveillance of the surrounding public areas.</p>
<i>Visual Privacy</i>	Refer to Building Separation minimum standards	<p>YES</p> <p>The spatial separation provided between the proposed development and the adjoining residents is considered to be satisfactory.</p>
<i>Pedestrian Access</i>	Identify the access requirements from the street or car parking area to the apartment entrance.	<p>YES</p> <p>The Village Centre building is provided with entrance points to Colooli Road at the lower floor level and Edmondson Drive at the ground floor level. The entrances have been designed to clearly identified and are an important element of the overall concept of the building.</p>
	<p>Follow the accessibility standard set out in Australian Standard AS 1428 (parts 1 and 2), as a minimum.</p> <p>Provide barrier free access to at least 20 percent of dwellings in the development.</p>	<p>YES</p> <p>All of the proposed car parking is designed to satisfy AS2890.1 requirements.</p>
<i>Vehicle Access</i>	Locate vehicle entries away from main pedestrian	YES

PART 02 SITE DESIGN		
Site Configuration		
	entries and on secondary frontages.	Pedestrian and vehicular access into and around the proposed development will not be affected by the proposed development. The existing pedestrian network will be upgraded around the proposed building.

PART 03 BUILDING DESIGN		
Building Configuration		
<i>Apartment layout</i>	Single-aspect apartments should be limited in depth to 8 metres from a window.	YES A total of 8 of the proposed 18 units (i.e. 45%) are single aspect. The depths for all single aspect units are within 8 metres of a window.
	The back of a kitchen should be no more than 8 metres from a window.	YES The back of all kitchens is no greater than 8m from a window.
<i>Apartment Mix</i>	If council chooses to standardise apartment sizes, a range of sizes that do not exclude affordable housing should be used. As a guide, the Affordable Housing Service suggest the following minimum apartment sizes, which can contribute to housing affordability: (apartment size is only one factor influencing affordability) - 1 bedroom apartment 50m ² - 2 bedroom apartment 70m ² - 3 bedroom apartment 95m ²	YES The design includes two bedrooms plus study and two apartments ranging in floor space from 98m ² to 130m ² .
<i>Balconies</i>	Provide primary balconies for all apartments with a minimum depth of 2 metres. Developments which seek to vary from the minimum standards must demonstrate that negative impacts from the context-noise, wind – can be satisfactorily mitigated with design solutions.	YES All apartments within the development are provided with balconies, which achieves a minimum 2.5m dimension.
<i>Ceiling Heights</i>	The following recommended dimensions are measured from finished floor level (FFL) to finished ceiling level (FCL). These are minimums only and do not preclude higher ceilings, if desired. - in residential flat buildings or other residential floors in mixed use buildings: - In general, 2.7 metre minimum for all habitable rooms on all floors, 2.4 metres is the preferred minimum for all non-habitable rooms, however 2.25m is permitted. - For two storey units, 2.4 metre minimum for second storey if 50 percent or more of the apartment has 2.7 metre minimum ceiling heights.	YES All habitable rooms have a floor to ceiling height of 2.7m. The floor to ceiling height of all bathrooms and laundries is 2.4m.

PART 03 BUILDING DESIGN		
Building Configuration		
<i>Ground Floor Apartments</i>	Optimise the number of ground floor apartments with separate entries and consider requiring an appropriate percentage of accessible units. This relates to the desired streetscape and topography of the site.	Not Applicable No units are proposed on the ground level.
<i>Internal Circulation</i>	In general, where units are arranged off a double-loaded corridor, the number of units accessible from a single core/corridor should be limited to eight. Exceptions may be allowed: <ul style="list-style-type: none"> - for adaptive reuse buildings - where developments can demonstrate the achievement of the desired streetscape character and entry response - where developments can demonstrate a high level of amenity for common lobbies, corridors and units, (cross over, dual aspect apartments). 	YES The proposed development provides for 9 units per level, which are accessed by one corridor. Whilst the development exceeds the limit of 8, it is considered that the proposed corridor has been designed to allow an easy access for the future occupants by providing generous circulation spaces and wider corridors and doorways. The proposed development is therefore found to be acceptable with regards to this control.
<i>Storage</i>	In addition to kitchen cupboards and bedroom wardrobes, provide accessible storage facilities at the following rates: <ul style="list-style-type: none"> - studio apartments 6m3 - one-bedroom apartments 6m3 - two-bedroom apartments 8m3 - three plus bedroom apartments 10m3 	YES Sufficient storage space has been provided for the residential component of the development.
Building Amenity		
<i>Daylight Access</i>	Living rooms and private open spaces for at least 70 percent of apartments in a development should receive a minimum of three hours direct sunlight between 9 am and 3 pm in mid winter. In dense urban areas a minimum of two hours may be acceptable.	YES A detailed solar access study has been submitted with the application. The study demonstrates that 72% of the proposed (i.e. 13 out of the 18) units will receive solar access to both 50% of their private open space and window to the main living area between 9am and 3pm mid winter.
	Limit the number of single-aspect apartments with a southerly aspect (SW-SE) to a maximum of 10% of the total units proposed. Developments which seek to vary from the minimum standards must demonstrate how site constraints and orientation prohibit the achievement of these standards and how energy efficiency is addressed (see Orientation and Energy Efficiency).	YES Only 4 units within the development are south facing but have dual aspect and are therefore considered to be satisfactory.
<i>Natural Ventilation</i>	Building depths, which support natural ventilation typically range from 10 to 18 metres.	YES The building depth is generally between 10 and 18 metres.
	Sixty percent (60%) of residential units should be naturally cross ventilated.	NO Only 10 out of the 18 (i.e.55%) of the total units proposed have dual aspect. The remaining eight (8) units have a single aspect.

PART 03 BUILDING DESIGN		
Building Configuration		
		<p>Units 2 and 11 (which have been counted as single aspect units) are north facing units and have been designed to allow cross ventilation via a recessed eastern wall which provides access onto the balconies from the dinning room, study and bedroom 2 of the units. This design effectively provides for partial dual aspect and allows for natural cross ventilation.</p> <p>For the above reasons, the proposed development has been found to be acceptable in relation to this requirement.</p>
Building Performance		
<i>Waste Management</i>	Supply waste management plans as part of the development application submission as per the NSW Waste Board.	<p>YES</p> <p>A Waste Management Plan has been not submitted with the application.</p> <p>However, appropriate areas for waste collection and recycling of materials are provided within the development and the village as a whole.</p>
<i>Water Conservation</i>	Rainwater is not to be collected from roofs coated with lead- or bitumen-based paints, or from asbestos- cement roofs. Normal guttering is sufficient for water collections provided that it is kept clear of leaves and debris.	<p>YES</p> <p>The proposed development is satisfactory in this regard.</p>

STATUTORY CONTROLS

Warringah Local Environmental Plan 2000

Desired Future Character

The subject site is located in the B6 War Veterans Locality under Warringah Local Environmental Plan 2000. The Desired Future Character Statement for this locality is as follows:

LOCALITY B6

The War Veterans locality will continue to provide housing for older people and associated uses to meet the needs of residents within the locality.

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 presences in the Narrabeen Lake viewing catchment are reduced will be strongly encouraged.

The scale and height of development along Veterans Parade and Lantana Avenue will be consistent with the adjacent established residential development and building are to address the street.

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.

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.

The proposed development incorporates the following categories of development in the B6 Locality:

Category 1

- Residential units (i.e. Housing for older people with disabilities) and all the associated communal facilities within the proposed village building (i.e. lounge and dinning facilities, a library and billiard room).

Category 3

- **Temporary Accommodation** - Four (4) studio units (motel type accommodation) – which will be utilised as temporary accommodation by guests of residents and as “Try before you buy” units for those interested in becoming a resident of the village.
- **Place of worship** – The proposed Chapel and War and Village Museum.
- **Offices Administration** - offices and marketing offices (relocated from an existing building to the east of the bowling club building which is to be demolished).
- **Outdoor recreation facilities** - Shuffle board, Billiard room, Oversize chess board located on western terrace, mini golf course to the east and west of the building, and boules field.

Clause 12 of WLEP 2000 provides that the consent authority is to consider the development against the localities Desired Future Character Statement. Pursuant to Clause 12(3) (b) of WLEP 2000, before granting consent for development classified as Category Three, the consent authority must be satisfied that the development is consistent with the desired future character described in the relevant locality statement. Accordingly, an analysis of the relevant components of the Desired Future Character of the B6 War Veterans Locality is as follows:

The War Veterans locality will continue to provide housing for older people and associated uses to meet the needs of residents within the locality.

Comment: The proposed development will provide additional housing for older people within the established RSL retirement village. The four (4) motel type units will provide temporary accommodation units for those visiting existing residents and also provide a display home (try before you buy) type of accommodation for potential residents of the

village. The proposed communal facilities and offices are associated uses required to meet the needs of the residents.

The proposed development will upgrade and augment the existing communal facilities and offices required to support the increased residential accommodation for seniors and disabled persons within the Village.

It is also noted that the proposed development does not purpose to introduce any additional uses onto the site which do not already exist. The proposed communal facility, which includes the recreation facilities, the chapel/ museum are all associated uses to the primary use of the site for seniors housing.

For the above reasons, the proposed development is found to be consistent with this component of the DFC.

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 presences in the Narrabeen Lake viewing catchment are reduced will be strongly encouraged.

Comment: In response to this component of the DFC, the applicant has submitted a detailed visual impact study of the proposed Village Centre building when viewed from the Narrabeen Lake viewing catchment. The visual impact study provides 3D models of the building and has been certified by a registered surveyor to ensure the veracity of the images and their relationship to the predominant tree line.

The visual Impact study shows that the proposed Village Centre building will be located below the predominant tree line when viewed from the Narrabeen Lake viewing catchment. The study also show that the proposed building will be visible in a similar way to existing buildings that are already exist within the RSL Village (such as the Anzac building in Colooli Road).

The proposed external colours and materials (submitted with the application) indicate that these colours will blend with the colours and textures of the natural landscape.

For the above reason, the proposed development is found to be consistent with this component of the DFC.

The scale and height of development along Veterans Parade and Lantana Avenue will be consistent with the adjacent established residential development and building are to address the street.

Comment: The proposed development is not located along Veterans Parade and Lantana Avenue and therefore this component of the DFC is not applicable to the proposed development.

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.

Comment: The siting of the proposed Village Centre building is generally within the location of existing buildings and uses which will be demolished as part of the proposed development. As such there is minimal disturbance of vegetation and landform proposed.

Bushfire hazard reduction has been adequately addressed and stormwater from the proposed development will be connected to the existing systems.

For the above reasons, the proposed development satisfies the requirement of this component of the DFC.

Visually and ecologically significant vegetation species and communities and significant natural landforms will be preserved in their natural state.

Comment: The new work does not affect any visually or ecologically sensitive area identified in the locality. Accordingly, this component of the DFC is not applicable to the proposed development.

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.

Comment: The proposed development is not located within the cross hatched areas as shown on the map. Accordingly, this component of the DFC is not applicable to the proposed development.

Built Form Controls for Locality B6 War Veterans

The following table outlines compliance with the Built Form Control's of the above locality statement:

Built Form Standard	Required	Proposed	Compliance
Landscaping	40% of Site Area	56%	YES

Note: The calculation of the Landscape open space is based on the landscape calculation plans (Drawing No. 4a and 4b) provided by the applicant. The calculation does not include areas shown as cross hatched on the map.

Clause 20 Variation

Clause 20 Variations are not applicable to this development.

Clause 29

Clause 29 does not apply to development within the B6 War Veterans Locality.

GENERAL PRINCIPLES OF DEVELOPMENT CONTROL

The following General Principles of Development Control as contained in Part 4 of Warringah Local Environmental Plan, 2000 are applicable to the proposed development;

General Principle	Applies	Comments	Compliance
CL38 Glare & reflection	Yes	Issues of glare and reflection, including building colours and materials, internal and external lighting of the buildings and flood lighting of the site will be the subject of conditions if the application was	Yes, subject to conditions

General Principle	Applies	Comments	Compliance
		<p>recommended for approval requiring:</p> <ul style="list-style-type: none"> • Compliance with the approved colours and materials as shown on the submitted sample board which is considered satisfactory, • Full details of lighting in the form of a Lighting Strategy which is to minimise impacts on the night-time amenity of adjoining residential properties. 	
CL39 Local retail centres	No	no Comment	Not Applicable

CL40 Housing for older people or people with disabilities

Comment: Clause 40 of WLEP 2000 provides that '*housing for older people of people with a disability*' with adequate access and compliance with the provisions of Schedule 16.

Assessments of the requirements under Clause 40 of the LEP are outlined as follows:

Control	Required	Proposed	Compliance
Adequate access to facilities (shops, bus stops, banks etc)	Site within 400m of a shopping centre or bus stop	<p>The proposed development is located within 400m of:</p> <ul style="list-style-type: none"> • A local shopping centre on Veterans Parade providing a variety of shops, a medical practitioner and postal facilities. • Residents of the Village have 24 hour, 7 day a week access to emergency assistance with care staff available to attend independent residents who need emergency assistance. • An on-site clinic where a number of local doctors and health professionals practise is also available to residents. • A bus stop that provides access to major regional shopping, commercial and recreational facilities including Warringah Mall, Manly, the City and Chatswood. 	YES

Control	Required	Proposed	Compliance
		<ul style="list-style-type: none"> The village has a fleet of buses, which provides services to local amenities on a regular timetable. 	
Adequate access to services	Reasonable access to meals, nursing and housework	As indicated above, adequate services are located within the development, commercial centres and through Council's community services directory.	YES
Wheelchair access	<u>Site Gradient</u> 100% of dwelling to have continuous path of travel to public road, internal road or driveway	<p>In relation to this Clause, the applicant has provided an access report, prepared by Morris – Goding Accessibility Consultants, dated 14 December 2009.</p> <p>The report found that the site with less than 1:10 will provide wheelchair access to 100% (22) units as well the sky lounge via a continuous accessible path of travel to the public pedestrian footpath located at Colooli Road.</p> <p>The report also found that the proposed community centre (ground floor of Village Centre building), external common facilities, chapel and museums have been designed for Wheelchair access.</p> <p>The lift in the Village Centre building allows access to all floors and has internal dimensions that comply with the requirement of this Clause.</p>	YES
	<u>Common Areas</u> Access to be provided to all common areas and facilities	All of the proposed development will have a continuous path of travel to all essential areas and facilities within the Village.	YES
	<u>Adaptability</u> 10% of dwellings to have a continuous path of travel to all essential areas and facilities inside the dwelling, including toilet, bathroom, bedroom and living area	<p>All the units are single storey and wheelchair access by a continuous path of travel to the essential areas of the dwellings.</p> <p>All dwellings are capable of being used or adapted for wheelchair access.</p>	YES

Schedule 16

The following is an assessment of the requirements outlined under Schedule 16 of WLEP 2000:

Control	Required	Proposed	Complies
1. Identification	If more than one (1) street, street signage incorporating house numbers at each intersection.	The existing village is well sign posted and the proposal will not introduce new signage.	Not Applicable
2. Security	Pathway lighting to be positioned at a low height and to be a minimum of 50 lux.	To be required as a condition of consent. Security lighting is currently provided throughout the village.	YES – Subject to condition
3. Letterboxes in multi-dwelling developments	Must be lockable, located together in a central location adjacent to the street entry and be situated on a hard standing area with wheelchair access.	The plans submitted with the application do not show the location of the letterboxes. The applicant has indicated that letterboxes for the proposed development will be located adjacent to the Colooli Road apartment foyer to suit Australia Post delivery requirements. Compliance with this standard will be incorporated as a condition of consent.	YES – subject to conditions
4. Private car accommodation	Spaces are to be not less than 6m x 3.2m and garages are to have an internal clearance of 2.5m and must have a power operated roller door.	Proposal complies and compliance with this standard will also be incorporated as a condition of consent.	YES – Subject to condition
5. Accessible entry	All entries must have a slope that does not exceed 1: 40 and must comply with Clauses 4.3.1 and 4.3.2 of AS4299 and must have an entry door handle and other hardware that complies with AS 1428	Compliance with this standard will be incorporated as a condition of consent.	YES – Subject to condition
6. Exterior – general	All external doors to any one (1) dwelling must be keyed alike.	Compliance with this standard will be incorporated as a condition of consent.	YES – Subject to condition
7. Interior general	Internal doors must have a clearance of at least 820mm and internal corridors must have a width of at least 1000mm and the width of internal door approaches must be at least 1200mm.	Compliance with this standard will be incorporated as a condition of consent.	YES – Subject to condition
8. Living & dining room	A living room must have a circulation space of at least 2250mm in diameter and as set out in Clause 4.7 of AS 4299 and a telephone adjacent to a general power outlet. Also a living and dining room must have a potential illumination level of at least 300 lux.	Compliance with this standard will be incorporated as a condition of consent.	YES – Subject to condition
9. Kitchen	A kitchen in a self-contained dwelling must have a width	Compliance with this standard will be incorporated as a condition of	YES – Subject to condition

Control	Required	Proposed	Complies
	of at least 2.7m and a clear space between benches of at least 1450mm, and additional requirements as specified in the schedule (see schedule 16).	consent.	
10. Main bedroom	The main bedroom must have an area sufficient to accommodate a wardrobe and a queen size bed and a minimum of 1200mm clear space at the foot of the bed, etc (see schedule)	Compliance with this standard will be incorporated as a condition of consent.	YES – Subject to condition
11. Bathroom	A bathroom must have an area in compliance with AS 1428 and a slip resistant floor surface and a shower complying with requirements of schedule 16, etc (see schedule)	Compliance with this standard will be incorporated as a condition of consent.	YES – Subject to condition
12. Toilet	A dwelling must have a toilet that is a visitable toilet within the meaning of Clause 1.4.12 of AS 4299, with a slip resistant floor surface, and additional requirements as per the schedule (see schedule 16).	Compliance with this standard will be incorporated as a condition of consent.	YES – Subject to condition
13. Access to kitchen, main bedroom, bathroom & toilet	Kitchen, main bedroom, bathroom and toilet must be located on the ground floor, etc (see schedule 16).	Compliance with this standard will be incorporated as a condition of consent.	YES – Subject to condition
14. Laundry	A self contained dwelling must have a laundry that has provision for the installation of an automatic washing machine, etc (see schedule 16)	Compliance with this standard will be incorporated as a condition of consent.	YES – Subject to condition
15. Storage	Dwelling must have a linen cupboard that is at least 600mm wide and has adjustable shelving.	Compliance with this standard will be incorporated as a condition of consent.	YES – Subject to condition
16. Doors	Door hardware provided as the means for opening doors must be able to be operated with one (1) hand and located between 900mm and 1100mm above floor level.	Compliance with this standard will be incorporated as a condition of consent.	YES – Subject to condition
17. Surface finishes	Balconies and external paved areas must have slip resistant surfaces.	Compliance with this standard will be incorporated as condition of consent.	YES – Subject to condition
18. Ancillary items	Switches must be located between 900mm and 1100mm above floor level and general purpose outlets must be located at least 600mm above floor level.	Compliance with this standard will be incorporated as a condition of consent.	YES – Subject to condition
19. Garbage	An outside garbage storage area must be provided in an accessible location.	The proposed development complies with this requirement.	YES

Control	Required	Proposed	Complies
20. Applications by certain housing providers	Clause 40 of the Warringah Local Environmental Plan 2000 and Clauses 7 – 19 of schedule 16 of Warringah Local Environmental Plan 2000 can be varied if the DA is made by the Department of Housing, or a local government or community housing provider.	Not applicable as the application is not by the Department of Housing.	Not Applicable
21. Neighbourhood amenity and streetscape	a. Contribute to an attractive residential environment with clear character and identity.	The location of the proposal will ensure their clear character and identity.	YES
	b. Where possible, retain, complement and sensitively harmonies with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan.	As detailed under Clause 79 of the General Principles table of this report. The proposed development is found to be satisfactory with respect to the impact of the development on items of heritage significance. The Village Centre building is well setback from Colooli Road and within the Galleghan Grove tree line to minimise impact on the building that are listed as having heritage significance. The existing flagpole and the formal placement around the bowling green have been used within the design of the proposed development.	YES
	c. Where possible, maintain reasonable neighbour amenity and appropriate residential character by providing building setbacks that progressively increase as wall heights increase to reduce bulk and overshadowing.	There is no specific height control for the B6 locality. The proposed development has been designed to minimise any visual amenity impact of the development on the adjoining development.	YES
	d. Where possible, maintain reasonable neighbour amenity and appropriate residential character by using building form and sitting that relates to the site's land form,	The proposal is considered to maintain neighbour amenity through design (built form, window location etc). The proposal will maintain adequate solar access to neighbouring properties and is not considered to create any sense of enclosure. The proposed developments have been designed to step back from Colooli Rd to minimise the apparent bulk.	YES
	e. Where possible, maintain reasonable neighbour amenity and appropriate residential character by adopting building heights at the street frontage that are compatible in scale with adjacent development,	The applicant has advised that it is not possible or desirable to maintain the predominantly two storey scale and bulk of the immediately adjacent built form. However, the proposed development has been designed by breaking the façade of the building through stepping the top	YES

Control	Required	Proposed	Complies
		storey of the building and stepping the development away from the internal street.	
	f. Where possible, maintain reasonable neighbour amenity and appropriate residential character by considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours,	<p>The existing buildings within the village that are closely associated with the proposed new Village Centre are Kokoda Hostel to the west and the proposed chapel conversion to the south.</p> <p>The building façade facing Kokoda at ground level has been designed to turn windows away from directly viewing westwards. At the residential and skylounge levels, windows have been screened and views into the Kokoda Hostel from these levels will be over the roof only.</p> <p>The relation to the chapel to the south, the applicant's architect has provided the following statement in relation to the design of the chapel:</p> <p><i>"The chapel is created by adoptively re-using the amenities section of the existing bowling club, extending the existing clerestory windows and roofline to the east, cladding new walls within the sandstone and adding a vertical element representing a spire. The architectural treatment of the chapel and the entry to the Village Centre will be in a compatible aesthetic".</i></p> <p>The comment provided by the architect is concurred with.</p>	YES
	g. Be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line,	As detailed throughout this report the proposal is considered to provide satisfactory amenity and appropriate character to the locality.	YES
	h. Embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape.	Neighbour amenity is considered to be maintained, to building form, provision of landscaping, and location of windows and balconies.	YES

General Principal	Applies	Comments	Compliance
CL41 Brothels	No	No Comment	Not Applicable
CL42 Construction Sites	Yes	Conditions are recommended to be imposed to maintain the amenity of neighbouring properties with regard to construction site access, sediment and erosion control, tree protection and hours of construction.	YES - Subject to conditions
CL43 Noise	Yes	<p>The proposed development will not result in any significant increase in noise emissions compared to the existing building.</p> <p>The proposed Village Centre is separated from the nearest residential development by approximately 170m. In this regard, the acoustic impact of the proposed development is found to be satisfactory and consistent with the requirement of this Clause.</p>	YES
CL44 Pollutants	No	Not applicable	Not Applicable
CL45 Hazardous Uses	No	Not applicable	Not Applicable
CL46 Radiation Emission Levels	No	Not applicable	Not Applicable
CL47 Flood Affected Land	No	Not applicable	Not Applicable
CL48 Potentially Contaminated Land	Yes	Based on the current and previous land uses it is considered that there is no contamination issue. (Refer to SEPP 55 heading previously for further information).	YES
CL49 Remediation of Contaminated Land	No	Not applicable	Not Applicable
CL49a Acid Sulphate Soils	No	Not applicable	Not Applicable
CL50 Safety & Security	Yes	The proposed development is satisfactory with regard to the provisions subject to the imposition of a condition requiring security lighting to be installed.	YES - Subject to conditions.
CL51 Front Fences and Walls	No	No applicable	Not Applicable
CL52 Development Near Parks, Bushland Reserves & other public Open Spaces	Yes	The existing building is well setback from Jamieson Park to the north-west, a bushland reserve which extends to the Narrabeen Lakes. The proposed development will not impact on the nearby reserve or parkland.	YES
CL53 Signs	No	Not applicable.	Not Applicable.
CL54 Provision and Location of Utility Services	Yes	Conditions have been imposed requiring connection to all utility services including an approved telecommunications provider, energy, water and sewerage.	YES – Subject to conditions
CL55 Site Consolidation in 'Medium Density Areas'	No	The subject land is not within the nominated areas under the Clause 55.	Not Applicable.
CL56 Retaining Unique Environmental Features on Site	Yes	<p>There are no unique or significant environmental features located in the immediate vicinity of the proposed development..</p> <p>Council records do not indicate that the location of the proposed works contains any threatened flora or habitat for fauna species.</p> <p>While it is noted that the adjoining Jamieson Park contains significant vegetation and critical habitat for flora and fauna, it is considered that</p>	YES

General Principal	Applies	Comments	Compliance
		<p>the proposed development will not impact on the environmentally sensitive areas of Jamieson Park.</p> <p>Further, Council's Natural Environment Section has reviewed the proposal and has raised no objection to the proposed development.</p>	
CL57 Development on Sloping Land	Yes	<p>In accordance with Clause 57, the height and bulk of the development is to be minimised on sloping land and the need for cut and fill reduced by designs which minimise the building footprint and allow the building mass to step down the slope.</p> <p>The proposed development has been designed in response to the topography of the site and there minimal cut and fill proposed as part of this application.</p> <p>The proposed development is satisfactory with regard to this Clause.</p>	YES
CL58 Protection of Existing Flora	Yes	<p>The proposed development is predominantly located within the footprint of existing buildings and structures and therefore the development will not result in any significant tree removal.</p> <p>Council's Landscape Officer has reviewed the proposal and has raised no objection to the proposed development in terms of the removal of these trees subject to conditions requiring replacement planting.</p> <p>Accordingly, the proposed development is found to be satisfactory with regards to this Clause.</p>	YES – Subject to Conditions
CL59 Koala Habitat Protection	Yes	The site is not known to contain any koala habitat.	YES
CL60 Watercourses & Aquatic Habitats	No	No applicable	Not Applicable
CL61 Views	Yes	<p>Clause 61 states that development is to allow for the reasonable sharing of views.</p> <p>Due to the topography and location of the proposal, it is unlikely that the proposed development will affect any significant views, as it is located below the predominant tree line.</p> <p>No submissions have identified view loss as a concern.</p> <p>For these reasons, it is considered that the proposed development is consistent with the provisions of Clause 61.</p>	YES
CL62 Access to Sunlight.	Yes	<p>Clause 62 requires that development is not to unreasonably reduce sunlight to surrounding properties. In the case of housing, sunlight to at least 50% of the private open space of principal private open spaces is not to be reduced to less than 2 hours between 9am and 3pm on 21 June.</p> <p>Shadow diagrams submitted with the application indicate compliance with the above provisions.</p>	YES

General Principal	Applies	Comments	Compliance
CL63 Landscaped Open Space (LOS)	Yes	The landscaped open space provision for the site complies with the numerical requirements as contained within Warringah LEP 2000. Accordingly, the proposal is considered satisfactory in terms of landscaped open space.	YES
CL64 Private opens space.	Yes	<p>In accordance with Clause 64 Private open space of WLEP 2000, private open space is not to be located within the street setback area unless the site is a corner allotment or the applicable Locality Statement provides otherwise.</p> <p>The private open space provided for each residential development is satisfactory in addressing the requirement of this Clause.</p>	YES
CL66 Building bulk	Yes	<p>Clause 66 states the following:</p> <p><i>'Buildings are to have a visual bulk and an architectural scale consistent with structures on adjoining or nearby land and are not to visually dominate the street or surrounding spaces, unless the applicable Locality Statement provides otherwise.</i></p> <p><i>In particular:</i></p> <ul style="list-style-type: none"> <i>• Side and rear setbacks are to be progressively increased as wall height increases,</i> <i>• Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief, and</i> <i>• Appropriate landscape plantings are to be provided to reduce the visual bulk of new buildings and works.'</i> <p>The bulk and scale of the proposed development is considered to be acceptable for the following reasons;</p> <ul style="list-style-type: none"> • The Village Centre building is proposed to be the 'front door' to the village and is the focus point of village life. In this regard, it is appropriate that the building should have a clear and immediate visual presence and stand apart from neighbouring buildings in the village. • The building has been designed to reduce the bulk of the building through setting back the topmost floor and avoidance of large areas of continuous walls planes. • Varieties of architectural elements have been incorporated into the design to provide visual interest such as pergolas, balconies, the integration of planter on the skylounge, and varied materials. • The bulk and scale of the development is consistent with the bulk and scale of other similar buildings within the village. • The proposed development is satisfactory in relation to the built form controls of the B6 War Veterans locality Statement and as 	YES

General Principal	Applies	Comments	Compliance
		such, is not excessive in size, bulk and scale. For the above reasons, the proposed development is considered to be consistent with Clause 66.	
CL67 Roofs	Yes	The proposed roof form will complement the local skyline and is integral to the style of the building.	YES
CL69 Accessibility – Public and Semi-Public Buildings	Yes	The proposed development has been designed to allow for continuous access for older people or people with a disability through the development. The proposal has been designed to comply with the relevant Australian Standards. A condition will be included within the recommendation of this report to ensure compliance with this Clause is achieved.	YES
CL70 Site facilities	Yes	The site contains adequate space for general waste and recycling storage and open air clothes drying facilities which will not be altered as part of this application.	YES
CL71 Parking facilities (visual impact)	Yes	The car parking spaces proposed as part of this application are in the form of basement parking for the residential development in the proposed Village Centre building. Parking for the communal facilities in the Village Centre building, chapel, Montgomery centre have been scattered throughout the Village centre precinct and will not be visible from outside the RSL Village. The proposed development is therefore found to be consistent with the requirement of this Clause.	YES
CL72 Traffic access & safety	Yes	The proposed vehicle access driveway into the Village Centre is proposed to be access from Colooli Road, which is an internal road within the Village, and is proposed to be upgraded as part of the development. The internal road design and parking arrangement satisfy AS 2890.1. In addition, the design of the road will minimise traffic hazards, avoid traffic queuing and traffic and pedestrian conflict. The proposed development is satisfactory with regard to this Clause.	YES
CL73 On-site Loading and Unloading	YES	The War Veterans Village contains collective designated locations for service vehicles, delivery and emergency services. These services are satisfactory in the requirement of this Clause for the proposed development.	YES
CL74 Provision of car parking	YES	Clause 74 stipulates that adequate off-street car parking is to be provided to serve a development and that the application must be assessed against the provisions of Schedule 17. <i>Assessment under the provisions of Schedule 17</i>	Yes

General Principal	Applies	Comments	Compliance
		<p>The provisions of Schedule 17 provides car parking requirements for 'older people or people with a disability' to be provided with 0.5 spaces per bedroom and 1 visitor space per 5 dwellings when the number of dwellings onsite exceeds 8. in addition Schedule 17 requires the following parking rate for the following uses:</p> <ul style="list-style-type: none"> • Short term accommodation – same as apartment style housing (i.e. 1 spaces per 1 bedroom unit); • Office – 1 space per 40m²; • Place of worship – comparison must be drawn with similar development. • Community facility - – comparison must be drawn with similar development. • Recreation facility - 3 space per court. <p>The proposed re-development of the Village centre will require the following parking rate:</p> <p>Residential Development –</p> <p>12 x 3 bedroom = 18 spaces 6 x 2 bedrooms = 6 spaces Visitor parking = 4 spaces</p> <p>4 (short term accommodation) – 4 spaces Office (478m²) = 12 spaces</p> <p>Total parking required = 44 spaces.</p> <p>The proposed development provides for a total of 73 spaces within the precinct, The proposed development exceeds the numerical requirements detailed under Schedule 17.</p> <p>In terms of the other uses (i.e. the recreation the community facilities, the chapel and museums) proposed as part of this application all be used by the residents of the Village and not open to the general public and therefore, it is inappropriate to apply a separate parking requirement for these uses. Appropriate conditions are included within the recommendation of this report to ensure these are utilised by the residents of the Village and not the general public.</p> <p>The proposed development is therefore satisfactory with regards to this clause.</p>	
CL75 Design of car parking Areas	Yes	Car parking areas are designed in accordance with AS1428 and AS2890. Conditions are recommended to ensure construction is completed to the relevant standards	YES - subject to conditions
CL76 Management of Stormwater	Yes	Councils Development Engineer has reviewed the proposal and has raised no objection to the method of stormwater disposal subject to conditions that shall be contained within the recommendation of this report.	YES – subject to conditions
CL77 Landfill	Yes	The proposed development has been designed in response to the land topography and there	YES

General Principal	Applies	Comments	Compliance
		are minimal cut and fill proposed as part of this application. The proposed development is satisfactory with regard to this Clause.	
CL78 Erosion & Sedimentation	Yes	Development is to be sited and designed and related construction work carried out, so as to minimise the potential for soil erosion. Appropriate conditions associated with management of erosion and sedimentation for the duration of works on the site shall be imposed with any consent.	YES - Subject to condition.
CL79 Heritage Control	Yes	<p>The RSL village contains a number of heritage items, being:-</p> <ul style="list-style-type: none"> • ANZAC War Memorial, located at the Veterans Parade village entrance; • The building formally known as "Legacy Park", now known as "Anzac House", located in the middle of the village on Colooli Road; • Ruins of Wheelers Homestead, located close to the western side of the site, near Narrabeen Lakes. <p>All three items are listed as local heritage items under Warringah Local Environmental Plan 2000 in Locality B6 – War Veterans.</p> <p>A Heritage Assessment has been prepared, and submitted with the application. The report found that the proposed development does not result in any adverse or unreasonable impact on the heritage significance of the site, given that the items identified as bearing heritage significance are a considerable distance from the location of the proposed works.</p> <p>Based on the finding of the report, the proposed development is not considered to impact upon the sites items of heritage significance and therefore no conditions or requirements are to be placed on the proposed development with regard to heritage matters.</p>	YES
CL80 Notice to Metropolitan Aboriginal Land Council and the National Parks and Wildlife Service	No	The subject site is not located within the vicinity of any known or potential Aboriginal sites.	Not Applicable
CL81 Notice to Heritage Council	No	The existing buildings are not identified as items of state heritage significance. Accordingly no consultation is required with the Heritage Council.	Not Applicable
CL82 Development in the Vicinity of Heritage Items	Yes	Clause 82 of the LEP provides that development in the vicinity of heritage items or heritage conservation areas is to complement the character of the heritage item or buildings of heritage significance within that area in terms of its architectural style, scale, setback, siting, external materials, finishes, colours and setting. Significant views to and from heritage items or heritage conservation areas, are not to be	YES

General Principal	Applies	Comments	Compliance
		adversely affected. The subject site is located within the vicinity of a locally listed item of heritage significance as noted and addressed under Clause 79 of this report. As detailed under Clause 79 of this report, the proposed development is found to be satisfactory with the impact of the development on the development that are listed as heritage significance.	
CL83 Development of Known or Potential Archaeological Sites	No	The subject site is not located within the vicinity of any known or potential archaeological sites	Not Applicable

SCHEDULES

Schedule 8 - Site analysis

Site Analysis	Adequate site analysis documentation has been submitted with this application.
----------------------	--

Schedule 15 – Statement of Environmental Effect

Clause 15(1) of Warringah Local Environmental Plan 2000 requires that the consent authority must consider a Statement of Environmental Effects prepared in accordance with the criteria listed in Schedule 15.

A Statement of Environmental Effects (SEE) prepared by BBC Consulting Planners (dated February 2010) has been submitted to address Schedule 15 of WLEP 2000. An assessment of the SEE against of the requirement of Schedule 15 is provided in the following table:

Consideration	Comment
(1) Summary of the Statement of Environmental Effects (SEE)	A Statement of Environmental Effects (SEE) prepared by BBC consulting Planners was submitted with the application. The documentation addresses the proposal's consistency with all relevant planning controls. Comment: It is considered that the statement submitted adequately addresses the proposal's consistency with all relevant planning controls.
(2) Consistency of the proposal with the desired future character statement and general principles of development control established by the plan.	The consistency of the proposal with the relevant desired future character statement and general principles of development control is considered in the SEE submitted with the application. Comment: An assessment of the consistency of the proposal with all relevant controls in WLEP 2000 is detailed in this report. The assessment has found that the proposal is generally consistent with the relevant planning controls. Accordingly, the assessment of the proposal in the SEE is considered to be satisfactory.
(3) Objectives of the proposed development.	The applicant has detailed the objectives of the proposed development in the SEE prepared by BBC consulting planners dated February 2010. The objectives for the proposed development as indicated within SEE are as follows: <i>"Meet the growing needs for aged car services through the provision of additional self-contained dwellings; Establish a village centre for the RSL Anzac village which provides a range of</i>

Consideration	Comment
	<p><i>support services and facilities for residents of the village;</i></p> <p><i>Update, augment and consolidate the existing communal facilities in response to increase in residents proposed as part of the redevelopment of Old and New Darby and Joan precincts;</i></p> <p><i>Provide a high quality addition to the existing RSL Anzac Village; and</i></p> <p><i>Provide a development that is compatible with the amenity of the existing retirement village and with the adjoining area”.</i></p> <p>Comment: The proposal is an attempt to provide additional housing and associated facilities to meet the growing needs for aged care services. The applicant has satisfactorily described the objectives of the proposal.</p>
<p>(4) An analysis of feasible alternatives.</p> <p>(including (a) Consequences of not carrying out the development and (b) Justification for the development)</p>	<p>The reasons why the applicant has stated that the development is necessary, is summarised as follows:</p> <p><i>“The RSL Village provides care for seniors in the form of independent living units, assisted living units and nursing homes. The village is one of the largest aged care services in Australia catering for over a large aged care services in Australia catering for over 1,200 residents over a large 44 hectare site. RSL Lifecare has recently carried out a review of the existing village in order to determine how the village could be enhanced to ensure its longevity and vitality. The review identified various deficiencies within the site which included the absence of a ‘front door’ to the village and the lack of a mixed –use building which will front Colooli Road and function as a ‘front door’ to the village. The proposal also seeks to create a village centre precinct which will operate as a focal point of village life.</i></p> <p><i>RSL Lifecare also seeks to extend and upgrade the existing seniors housing accommodation within the village, part of which has been the lodgement of DA’s for the redevelopment of the New and Old Darby and Joan precinct, which were subject for separate DA’s and lodged with Council in December 2009. This DA also proposes additional seniors housing in the form of 18 independent living units and 4 motel type units.</i></p> <p><i>The proposal the subject of this DA will upgrade and augment the existing communal facilities so as to support the increase in seniors housing accommodation. The proposed administration offices are similarly required in response to the demand created by existing and likely future increase in residents. Importantly, the provision of these supporting services within the village will ensure that an increase in population on the site will not burden local services and facilities.</i></p> <p><i>The communal facilities the subject of this DA includes recreation uses, lounge and dinning facilities, a library chapel, museum and billiard room, all of which are facilities currently available within the village. That is, the proposed development does not propose to introduce any additional uses onto the site which do not already exist.</i></p> <p><i>The communal facilities are all ancillary uses to the primary use of the site for seniors housing and would not be required (or viable) where the village not there. The facilities relate to the running of a vibrant village integrated into the wider community.</i></p> <p>Comment: The justification for the development is to provide additional housing and for convenient facilities for aged population within the RSL Village. The development is not considered to impact upon the ability of the area to be maintained as retirement village and will add to the services available to the residents and staff within the village.</p>
(5) Development and context analysis.	<p>The Statement of Environmental Effects submitted with the application provides a detailed description of the proposed development and the context of the development.</p> <p>Comment: The SEE has provided an appropriate description of the development and an analysis of the context of the site.</p>

Consideration	Comment
(6) Biophysical, economic and social considerations and the principles of ecologically sustainable development.	<p>The applicant has stated there are no adverse environmental impacts associated with the development.</p> <p>Section 1.4 of the SEE states that the proposal will provide an upgrade and augment the existing communal facilities so as to support the increase in seniors housing accommodation.</p> <p>Comment: The proposal as detailed in the SEE is not considered to involve adverse impacts in relation to the biophysical, economic and social considerations and the principles of ecologically sustainable development.</p>
(7) Measures to mitigate any adverse effects of the development on the environment	<p>The applicant has (within section 7 of the SEE) has provided the details of the measures proposed to mitigate and adverse effect of the development on the environment.</p> <p>Comment: Mitigation measures as contained within the SEE in relation to the proposed development are satisfactory in addressing the requirement of this Clause.</p>
(8) Other approvals required	<p>The proposal is intergrated development pursuant to Section 91 of the Environmental Planning and Assessment Act 1979. Accordingly a referral to the NSW Rural Fire Services is required under Section 100B of the Rural Fire Services Act 1997.</p> <p>Comment: The NSW Rural Fire Service has provided comments as the integrated authority (as defined by Section 91 of the EPA Act 1979) and has issued a Bushfire Safety Authority under Section 100B of the Rural Fires Act 1997.</p>

It is considered that the submitted Statement of Environmental Effects prepared by BBC Consulting Planners dated February 2010 in response to the provisions of Schedule 15 adequately addresses the compatibility of the development with the Locality and the DFC.

Schedule 16 – Principles and standards for housing for older people or people with disabilities

Housing for older people or people with disabilities	Refer to the General Principles of Development Control (Clause 40) of this report for assessment.
--	---

Schedule 17 – Car parking Provision

Car parking Provision	Refer to Clause 74 General Principles of Development Control WLEP 2000 of this report for assessment.
-----------------------	---

POLICY CONTROLS

Warringah Section 94A Development Contribution Plan 2008

The proposal is subject to the application of Council's Section 94A Development Contributions Plan. The following monetary contributions are required to provide for additional infrastructure generated from this development;

Warringah Section 94A Development Contributions Plan		
Contribution based on total development cost of		\$21,680,000.00
Contribution - all parts Warringah	Levy Rate	Contribution Payable
Total S94A Levy	0.95%	205,960.00
S94A Planning and Administration	0.05%	10,840.00
Total	1.0%	\$216,800

If the application is approved a condition of consent can be included to ensure the required contributions are paid prior to the issue of the Construction Certificate.

MEDIATION

Mediation was not requested for this development application.

CONCLUSION

The site has been inspected and the application assessed having regard to the provisions of Section 79C of the Environmental Planning and Assessment Act 1979, State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004, State Environmental Planning Policy (Infrastructure) 2007, State Environmental Planning Policy No.55 – Remediation of Land, State Environmental Planning Policy No. (Housing for Seniors or People with a Disability) 2004, State Environmental Planning Policy No 65 Design Quality of Residential Flat Development, Warringah Local Environmental Plan 2000, Draft Warringah Local Environmental Plan 2009, Warringah Development Control Plan and the relevant codes and policies of Council.

The proposal includes the redevelopment of the Village precinct at the RSL Anzac Village. The assessment of the application has found that the proposal satisfies the requirements of the relevant Desirable Future Character statement with respect to the visual pattern and predominant bulk and scale of development and is consistent with the location's current character and that the new buildings will contribute to the quality and identity of the area. The proposed development is a permissible form of development and the site is considered to be suitable for the proposal.

With respect to the Category 3 matters relating to this proposal, consideration has been given the objectives of the DFC for the B6 Locality and the relationship of the Category 3 uses to the RSL village as a whole. In summary, it is found that the proposed Category 3 uses, including the offices, community and recreation facilities, the chapel and war museum are compatible and associated uses to the primary use of the site for seniors housing.

The proposed development has been also been found to be consistent with the design quality principles of State Environmental Planning Policy No. 65 and the 'Rules of Thumb' under the Residential Flat Design Code.

For the above reasons, it is considered that the proposed development satisfies the appropriate controls applying and that all processes and assessments have been satisfactorily addressed. Accordingly, the proposal is recommended for approval.

Recommendation (APPROVAL)

That the Joint Regional Planning Panel, as the consent authority, grant Development Consent to Development Application No. DA2010/0166 for the demolition of existing structures and construction of a building that consists of Seniors Housing, Communal facilities, staff offices and modification to the Montgomery Centre and Bowling Club (comprising the Village Centre within the RSL War Veterans Retirement Village) at Lot 1 DP 803645 Lot 1/ Veterans Parade, Wheeler Heights , subject to the following conditions.

GENERAL CONDITIONS

CONDITIONS THAT IDENTIFY APPROVED PLANS

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:

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
SK01 SK03 (issue A)	September 2009 September 2009& February 2010	Young Metcalf Architects
DA1. 01 – DA1.18 (issue A)	September 2009& February 2010	Young Metcalf Architects
Drawing 01-11	27/11/2009	Young Metcalf Architects
Visual Impact study (Page 1 - 10)	4 February 2010	Virtualideas

Engineering Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
C-301, C-302, C-310, C-311, C-312 (issue C)	October 2009	Warren Smith and Partners Pty Ltd

No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

The development is to be undertaken generally in accordance with the following:

Landscape Plans - Endorsed with Council's stamp		
Drawing Number	Dated	Prepared By
LA03 (issue A)	[29/01/2010	Taylor Brammer

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.

2. No Approval for any Signage

No approval is granted under this Development Consent for signs (as defined under Warringah Local Environment Plan 2000 and State Environmental Planning Policy No. 64). A separate Development Application for any signs (other than exempt and signs permitted under Complying Development) must be submitted for the approval prior to the erection or display of any such signs.

Reason: Control of signage.

3. No Development is to occur on the Cross Hatched Area

No approval is granted under this Development Consent for any works to occur within areas of the locality shown as cross –hatched on the maps.

Reason: *To comply with the requirement of WLEP 2000.*

4. Prescribed Conditions

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) 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.*

5. 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) Smoke alarms are to be installed throughout all new and existing portions of any Class 1a building in accordance with the Building Code of Australia prior to the occupation of the new works.
- (g) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (h) No building, demolition, excavation or material of any nature shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (i) All sound producing plant, equipment, machinery or fittings will not exceed more than 5dB(A) above the background level when measured from any property boundary and will comply with the Environment Protection Authority's NSW Industrial Noise Policy.)
- (j) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) 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.

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

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

6. Section 94A Contributions

The Section 94A Contributions are required to be paid for this development. This amount has been calculated using the Warringah Section 94A Development Contributions Plan. The amount will be adjusted at the time of payment according to the quarterly CPI (Sydney - All Groups Index).

The basis for the contributions is as follows:

<i>Warringah Section 94A Development Contributions Plan</i>		
Contribution based on total development cost of		\$21,680,000.00
Contribution - all parts Warringah	Levy Rate	Contribution Payable
Total S94A Levy	0.95%	205,960.00
S94A Planning and Administration	0.05%	10,840.00
Total	1.0%	\$216,800

Details demonstrating payment are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: *To retain a level of service for the existing population and to provide the same level of service for the population resulting from new development.*

7. Compliance with Standards

The development (where applicable) is to be carried out in accordance with all relevant Australian Standards.

(Note: At the time of determination the following (but not limited to) Australian Standards applied:

- (a) AS/NZS 2890.1:2004 Parking facilities - Off-street car parking.
- (b) AS2601.2001 - Demolition of Structures
- (c) AS4361.2 - Guide to lead paint management - Residential and commercial buildings
- (d) AS 1428.2 - 1992, Design for access and mobility - Enhanced and additional requirements - Buildings and facilities.

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*

www.hreoc.gov.au/disability_rights/buildings/good.htm
<www.hreoc.gov.au/disability%20rights%20/buildings/good.htm>

- (e) AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting
- (f) AS 4373 - 2007 'Pruning of amenity trees' (Note: if approval is granted)
- (g) AS 4970 - 2009 'Protection of trees on development sites'

(**Note:** that the above list is not exhaustive and it is the responsibility of the applicant and the Certifying Authority to ensure compliance with this condition and that the relevant Australian Standards are adhered to.)

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)

8. External Colours and Materials (Dwellings)

External Roofing

The external finish to the roof shall have a medium to dark range in order to minimise solar reflections to neighbouring properties. Light colours such as off white, cream, silver or light grey colours are not permitted.

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

Reason: To ensure that excessive glare or reflectivity nuisance from glazing does not occur as a result of the development.

9. Bonds

(a) Security Bond

A bond (determined from cost of works) of \$10,000 and an inspection fee paid of \$210.00 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.

(b) Construction, Excavation and Associated Works Bond (Pollution)

A Bond of \$5,000 as security to ensure that there is no transmission of material, soil etc off the site and onto the public road and/or drainage systems.

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.

Reason: *To ensure adequate protection of Council infrastructure.*

10. On-site Stormwater Detention Compliance Certification

Drainage plans detailing the provision of On-site Stormwater Detention in accordance with Warringah Council's "On-site Stormwater Detention Technical Specification" and the concept drawing by Warren Smith & Partners, drawing number 3442 C - 301, C-302, C - 310, C - 311, C - 312 dated 29 January 2010.

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

Reason: *To ensure appropriate provision for the disposal of stormwater and stormwater management arising from the development.*

11. Submission of Engineering Plans - Roadworks in Colooli Road

Engineering plans are to be submitted to the Certifying Authority for approval. The submission is to include four (4) copies of Civil Engineering plans for the design of roadworks in Colooli Road which are to be generally in accordance with the civil design approved with the Development Application and Council's Minor Works Policy.

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

Reason: *To ensure compliance with Council's specification for engineering works.*

12. Structural Adequacy and Excavation Work

Excavation work is to ensure the stability of the soil material of adjoining properties, the protection of adjoining buildings, services, structures and / or public infrastructure from damage using underpinning, shoring, and retaining walls and support where required.

All retaining walls are to be structurally adequate for the intended purpose, designed and certified by a Structural Engineer, except where site conditions permit the following:

- (a) maximum height of 900mm above or below ground level and at least 900mm from any property boundary, and
- (b) Comply with AS3700, AS3600 and AS1170 and timber walls with AS1720 and AS1170.

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

Reason: *Safety.*

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

13. Public Liability Insurance - Works on Public Land

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$10 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note, and provide protection for Warringah Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

Reason: *To ensure the community is protected from the cost of any claim for damages arising from works on public land.*

CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

14. Maintenance of Road Reserve

The public footways and roadways adjacent to the site shall be maintained in a safe condition at all times during the course of the work.

Reason: *Public Safety.*

15. Traffic Control During Road Works

Lighting, fencing, traffic control and advanced warning signs shall be provided for the protection of the works and for the safety and convenience of the public and others in accordance with Council's Minor Works Policy and to the satisfaction of the Principal Certifying Authority. Traffic movement in both directions on public roads, and vehicular access to private properties is to be maintained at all times during the works.

Reason: *Public Safety.*

16. 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.*

17. Requirement to Notify about New Contamination Evidence

Any new information revealed during demolition works that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to the Council and the Principal Certifying Authority.

Reason: *To protect human health and the environment.*

18. Imported Fill

Prior to the importation of any landfill material onto the site, a validation report prepared in accordance with the Department of Environment & Climate Change's guidelines the validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the fill being imported to the site.

Reason: *To ensure that imported fill is of an acceptable standard.*

19. Water Quality from Contaminated Sites

Any runoff or water to be discharged from the site during construction works must be drained to an adequately bunded collection sump and treated, if necessary, to meet NSW Environment Protection Authority discharge criteria.

Reason: *To protect the environment from contaminated sedimentation and erosion from development sites.*

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

20. House / Building Number

House/building number is to be affixed to the building to be readily visible from the public domain.

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

Reason: *Proper identification of buildings.*

21. Authorisation of Legal Documentation Required for On-site Stormwater Detention

The original completed request forms (Department of Lands standard forms 13PC and/or 13RPA) must be submitted to Council, with a copy of the Works-as-Executed plan (details overdrawn on a copy of the approved drainage plan), hydraulic engineers certification and Compliance Certificate issued by an Accredited Certifier in Civil Works.

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

Reason: *To create encumbrances on the land.*

22. Registration of Encumbrances for On-site Stormwater Detention

A copy of the certificate of title demonstrating the creation of the positive covenant and restriction for on-site storm water detention as to user is to be submitted.

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

Reason: *To identify encumbrances on land.*

23. Restriction as to User for On-site Stormwater Detention

A restriction as to user shall be created on the title over the on-site stormwater detention system, restricting any alteration to the levels and/or any construction on the land. The terms of such restriction are to be prepared to Council's standard requirements, (available from Warringah Council), at the applicant's expense and endorsed by Council prior to lodgement with the Department of Lands. Warringah Council shall be nominated as the party to release, vary or modify such restriction.

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 modification to the on-site stormwater detention structure is not carried without Council's approval.*

24. On-Site Stormwater Detention Compliance Certification

Upon completion of the on-site stormwater detention (OSD) system, certification from a consulting engineer and a “work as executed” (WAE) drawing certified by a registered surveyor and overdrawn in red on a copy of the approved OSD system plans are to be provided to Council. Additionally a Compliance Certificate is to be issued by an Accredited Certifier in Civil Works registered with the Institute of Engineers Australia, stating that the works are in accordance with the approved plans.

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 stormwater disposal is constructed to Council's satisfaction.*

25. Positive Covenant for On-site Stormwater Detention

A positive covenant shall be created on the title of the land requiring the proprietor of the land to maintain the on-site stormwater detention structure in accordance with the standard requirements of Council. The terms of the positive covenant are to be prepared to Council's standard requirements, (available from Warringah Council), at the applicant's expense and endorsed by Warringah Council's delegate prior to lodgement with the Department of Lands. Warringah Council shall be nominated as the party to release, vary or modify such covenant.

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 ongoing maintenance of the on-site stormwater detention system.*

26. Creation of Positive Covenant and Restriction as a User

Where any conditions of this Consent require the creation of a positive covenant and/or restriction as a user, the original completed request forms, (Department of Lands standard forms 13PC and/or 13RPA), shall be submitted to Warringah Council for authorisation.

A certified copy of the documents shall be provided to Warringah Council after final approval and registration has been affected by the “Department of Lands”.

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

Reason: *To identify encumbrances on land.*

27. Environmental Reports Certification

Written certification from a suitably qualified person(s) shall submit to the Principal Certifying Authority and Warringah Council, stating that all the works/methods/procedures/control measures/recommendations approved by Council in the following reports have been completed:

- (a) Sediment & Erosion Control Plan
- (b) Construction & Waste Management Plan

- (c) Statement of Environmental Effects prepared by BBC Consulting Planners dated February 2010

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

Reason: *To ensure compliance with standards.*

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

28. Visitor Car parking

Visitor car parking must be permanently available, freely accessible and clearly marked / signposted. The visitor car parking spaces area not to be allocated to individual units / tenancies.

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 visitor carparking is available at all times and is clearly identified.*

29. The Anzac War Memorial

The Anzac War Memorial fronting Veterans Parade is to be protected at all times during demolition and construction works, to ensure that it is not damaged.

Reason: *To ensure that there is no damage to the heritage listed memorial as a result of construction traffic and works.*

30. Construction Work within Public Land

The written consent of Council must be obtained to enter or undertake any work within adjoining public lands prior to the commencement of works.

Reason: *Protection of existing public infrastructure.*

31. Occupancy (Mixed Use and Category 3 Development)

Nothing in this consent shall authorise the use of the following Land uses:

- Chapel and War Museum;
- Recreation Facilities;
- Community and communal Facilities; and
- Offices
- Motel type accommodation (Studio No: 1, 2, 3 & 4)

For any other purpose other than providing for the needs the residents of the RSL village.

Any variation to the approved land use and/occupancy of any Land uses beyond the scope of serving the need of the residents within the RSL retirement village will require the submission to Council of a new development application.

Reason: *To ensure compliance with the terms of this consent.*

SPECIAL CONDITIONS FOR HOUSING FOR OLDER PEOPLE OR PEOPLE WITH A DISABILITY

32. Occupation of Seniors Housing or Housing for Persons with a Disability

A positive covenant pursuant to S88E of the Conveyancing Act 1919 is to be registered on the title of the land to which this development consent applies.

The covenant shall stipulate that Council is the sole authority to release or modify the covenant and that the development is only permitted to be occupied by persons detailed as follows:

- (a) Seniors or people who have a disability;
- (b) People who live within the same household with seniors or people who have a disability;
- (c) Staff employed to assist in the administration of and provision of services to housing provided under this Policy.

(**Note:** Under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004):

Seniors are people aged 55 or more years, people who are resident at a facility at which residential care (within the meaning of the [Aged Care Act 1997](#) of the Commonwealth) is provided and / or people who have been assessed as being eligible to occupy housing for aged persons provided by a social housing provider.

AND

People with a disability are people of any age who have, either permanently or for an extended period, one or more impairments, limitations or activity restrictions that substantially affect their capacity to participate in everyday life.)

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

Reason: *Statutory requirements.*

33. Requirements for Seniors Housing or Housing for Persons with a Disability

The development is for the purposes of Seniors Housing or Housing for Persons with a Disability and is required to comply with the Schedule 3 (Standards concerning accessibility and useability for self-contained dwellings) of the State Environmental Planning Policy (Housing for seniors or people with Disability 2004.

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 statutory requirements have been completed, public safety and equitable access for seniors of people with a disability.*

34. Certification of completion of requirements for Seniors Housing or Housing for Persons with a Disability

Details demonstrating that all stipulated requirements of this development consent for Seniors Housing or Housing for Persons with a Disability have been completed.

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 statutory requirements have been completed, public safety and equitable access for seniors of people with a disability.*

CONDITIONS PROVIDED BY THE NSW RURAL FIRE SERVICES

35. General Conditions

The development proposal is to comply with the development design and layout identified in the drawings prepared by Young and Metcalf Pty Ltd, Drawing Numbers DA1.0t to DAU8, DA Issue, dated February 2010.

Reason: *To ensure compliance with the requirement of NSW Rural Fire Service.*

36. Asset Protection Zones

The intent of measures is to provide sufficient space for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants.

- a. At the commencement of building works and in perpetuity the property around the buildings and to the west for a distance of 70 metres, shall be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's Document 'Standards for asset protection zones'.
- b. At the commencement of building works and in perpetuity the property around the existing buildings situated adjacent to the unmanaged vegetation, for a minimum distance of 10 metres shall be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Reason: *To ensure compliance with the requirement of NSW Rural Fire Service.*

37. Water and Utilities

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities.

- Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006',

Reason: *To ensure compliance with the requirement of NSW Rural Fire Service.*

38. Access

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area.

Internal roads shall comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Reason: *To ensure compliance with the requirement of NSW Rural Fire Service.*

39. Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments.

An emergency/evacuation plan is to be prepared for the entire facility, in accordance with the emergency management provisions within 4.2.7 of 'Planning for Bush Fire Protection 2006' and consistent with the NSW Rural Fire Service 'Guidelines for the Preparation of Emergency / Evacuation Plan'. The prepared plan is for implementation by the occupants in the event of a bush fire emergency. If a plan already exists, it needs to be updated to include the proposed development.

Reason: *To ensure compliance with the requirement of NSW Rural Fire Service.*

40. Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack.

- a. Roller doors, tilt-a-doors and other such doors shall be sealed to prevent the entry of embers into the building
- b. Roofing shall be gutterless or guttering and valleys are to be screened to prevent the build up of flammable material. Any materials used shall have a Flammability Index of no greater than 5 when tested in accordance with Australian Standard AS1530.2-1993 'Methods for Fire Tests on Building Materials, Components and Structures ~ Test for Flammability of Materials'.
- c. Structure and shade materials in the inner protection area shall be non-combustible or have a Flammability Index of no greater than 5 when tested in accordance with Australian Standard AS1530.2-1993 'Methods for Fire Tests on Building Materials, Components and Structures - Test for Flammability of Materials'.
- d. New construction shall comply with Australian Standard AS3959-1999 'Construction of buildings in bush fire-prone areas' Level 3 to the northern and eastern elevations of the proposed Village Centre.
- e. New construction shall comply with Australian Standard AS3959-1999 'Construction of buildings in bush fire-prone areas' Level 2 to the southern and western elevations of the proposed Village Centre.

- f. New construction shall comply with Australian Standard AS3959-1999 Construction of buildings in bush fire-prone areas' Level 1 for the proposed Montgomery centre, Chapel and Village Museum and War Museum.

Reason: *To ensure compliance with the requirement of NSW Rural Fire Service.*

41. Landscaping

Landscaping site is to comply with the principles of Appendix 5 of Planning for Bush Fire protection 2006'.

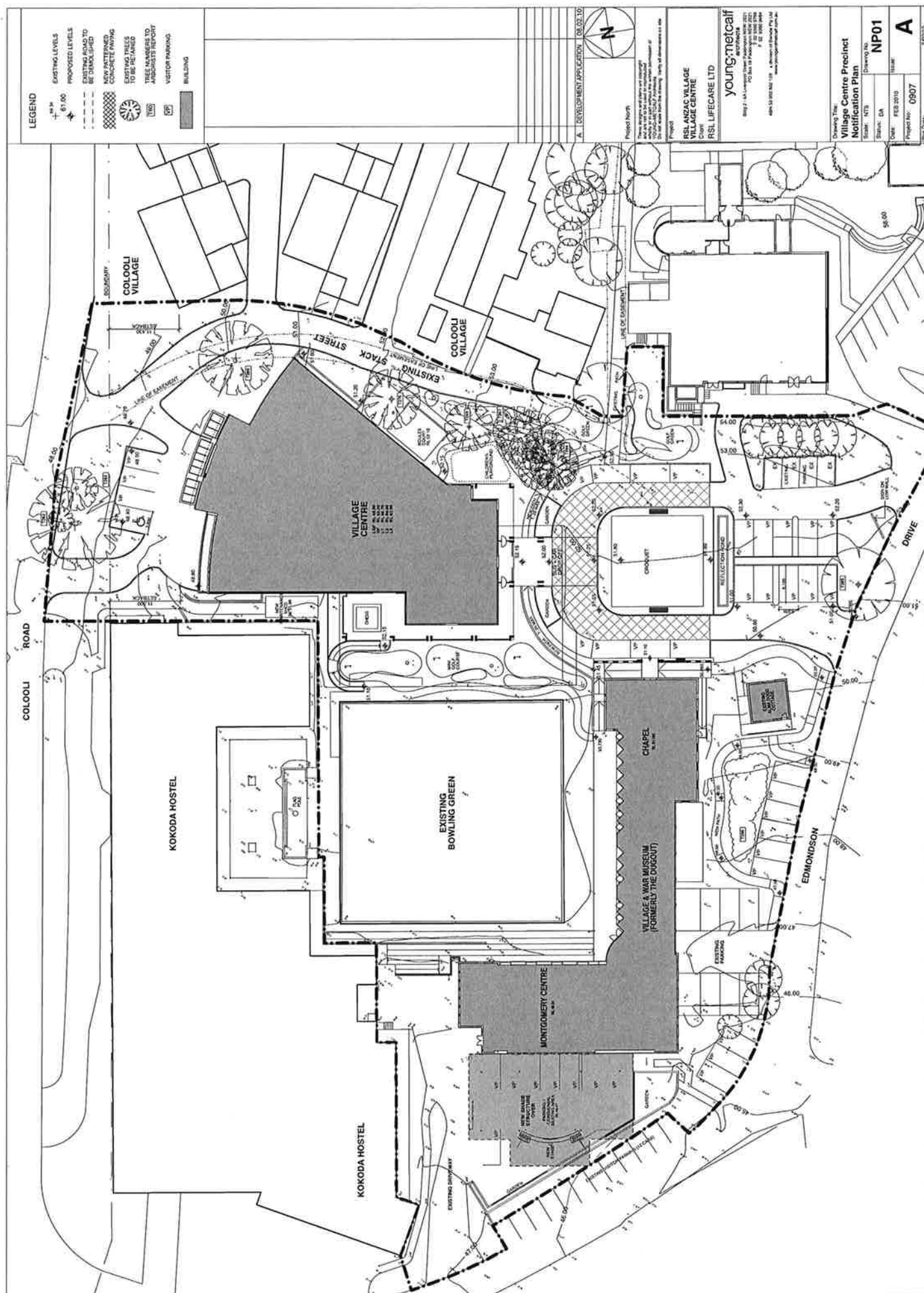
Reason: *To ensure compliance with the requirement of NSW Rural Fire Service.*

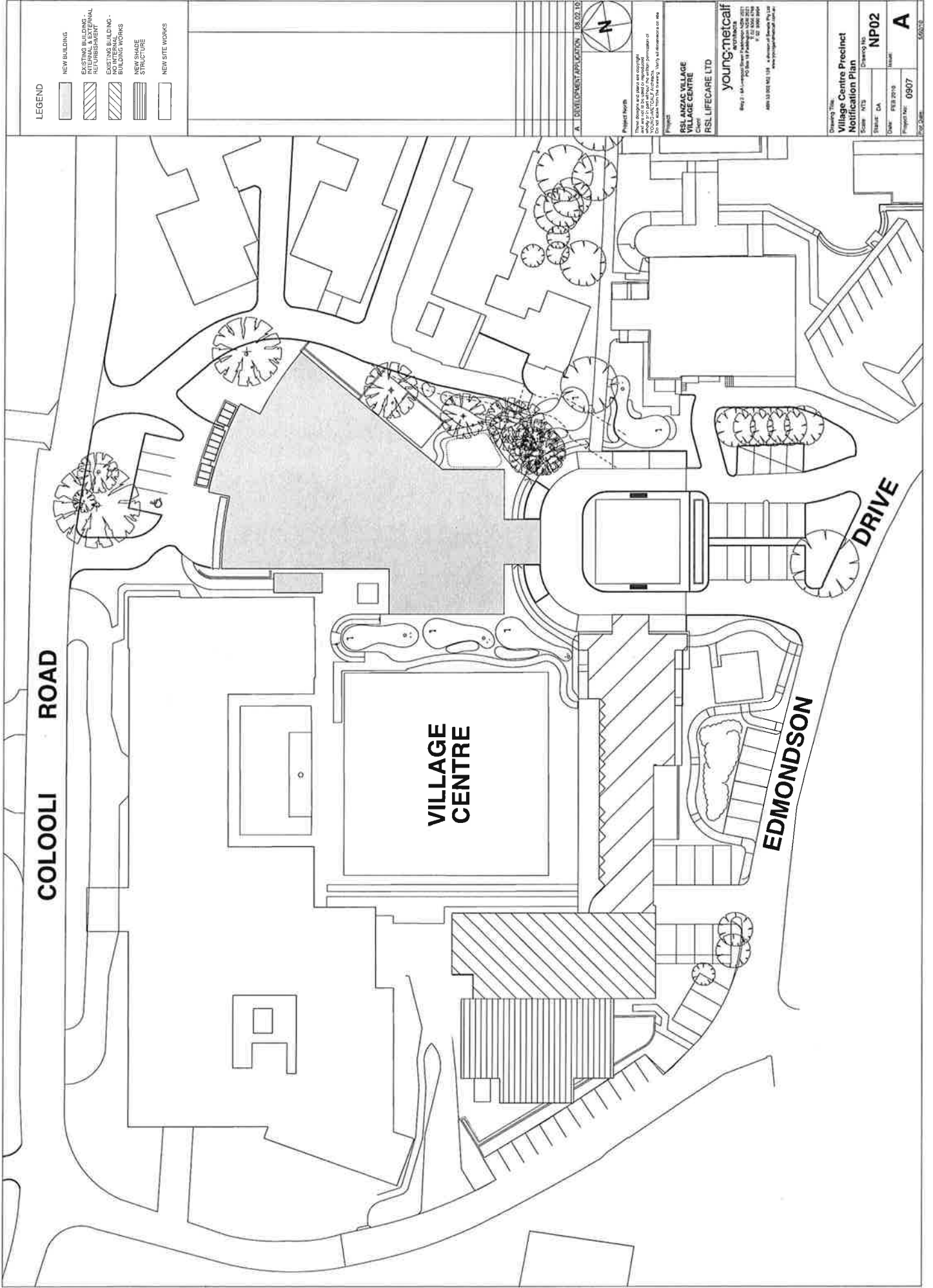
42. General Advice - consent authority to note

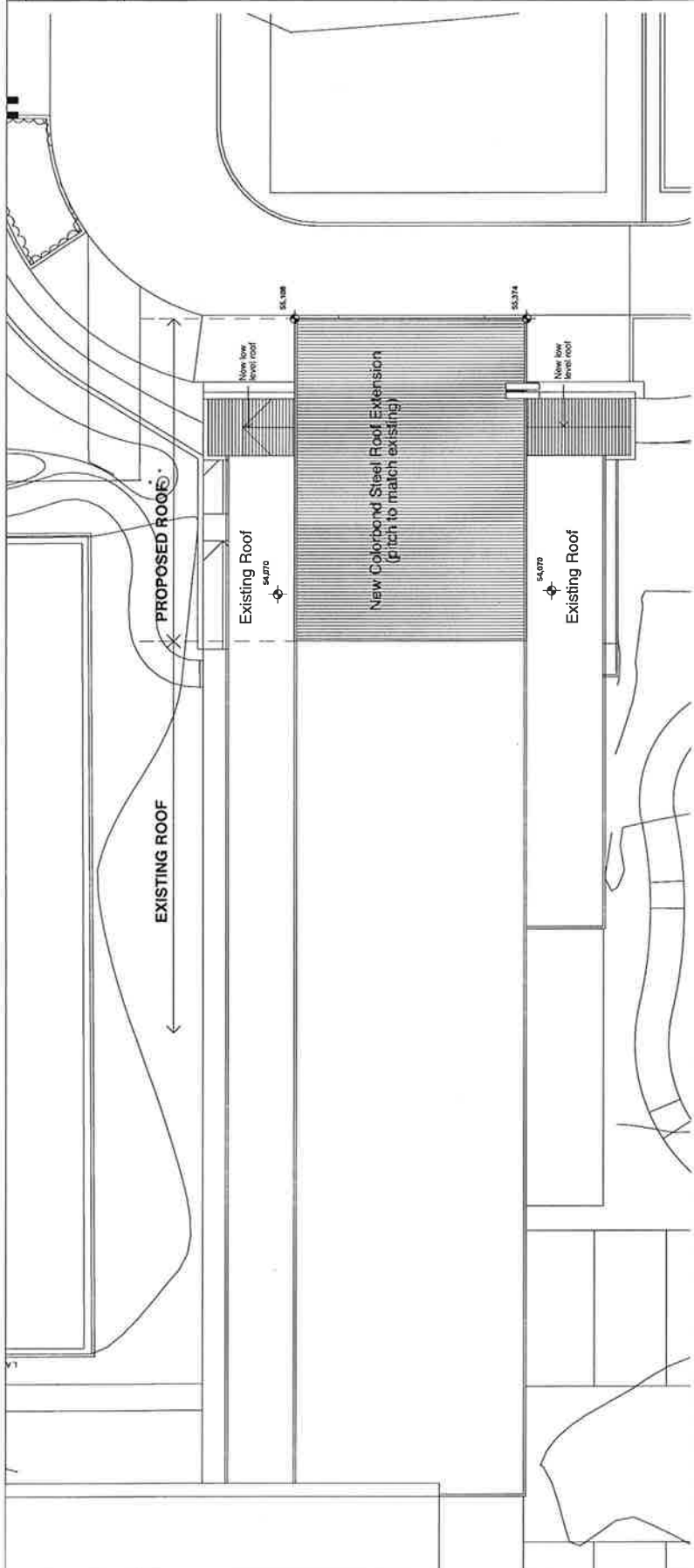
Riparian Areas

The asset protection zones (APZ) required as part of the development will encompass land that will be located within a riparian corridor/area. Ecological management of the riparian area may conflict with that required for the APZ's. In this regard the applicant will need to liaise with the relevant Government Department to identify their management requirements do not conflict with those required for the APZ's by the NSW Rural Fire Service.

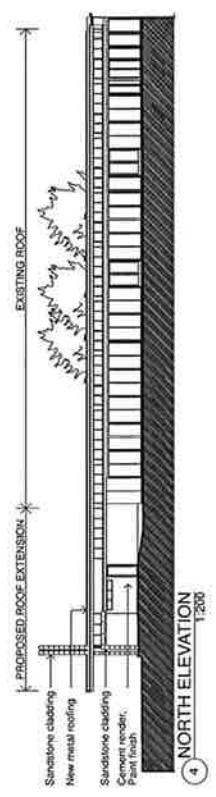
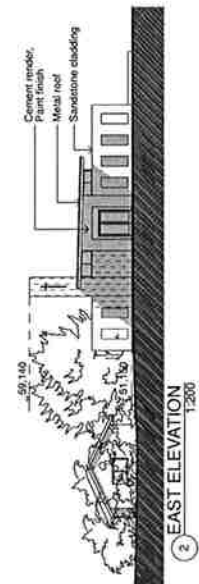
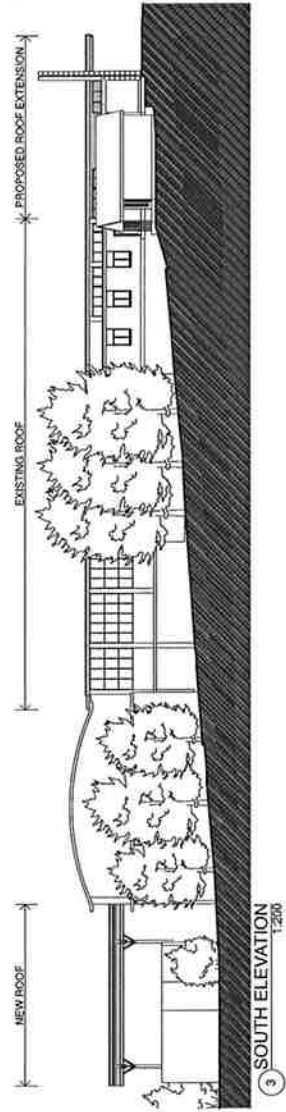
Reason: *To ensure compliance with the requirement of NSW Rural Fire Service.*







1 VILLAGE MUSEUMS + CHAPEL ROOF PLAN
1:100



LEGEND

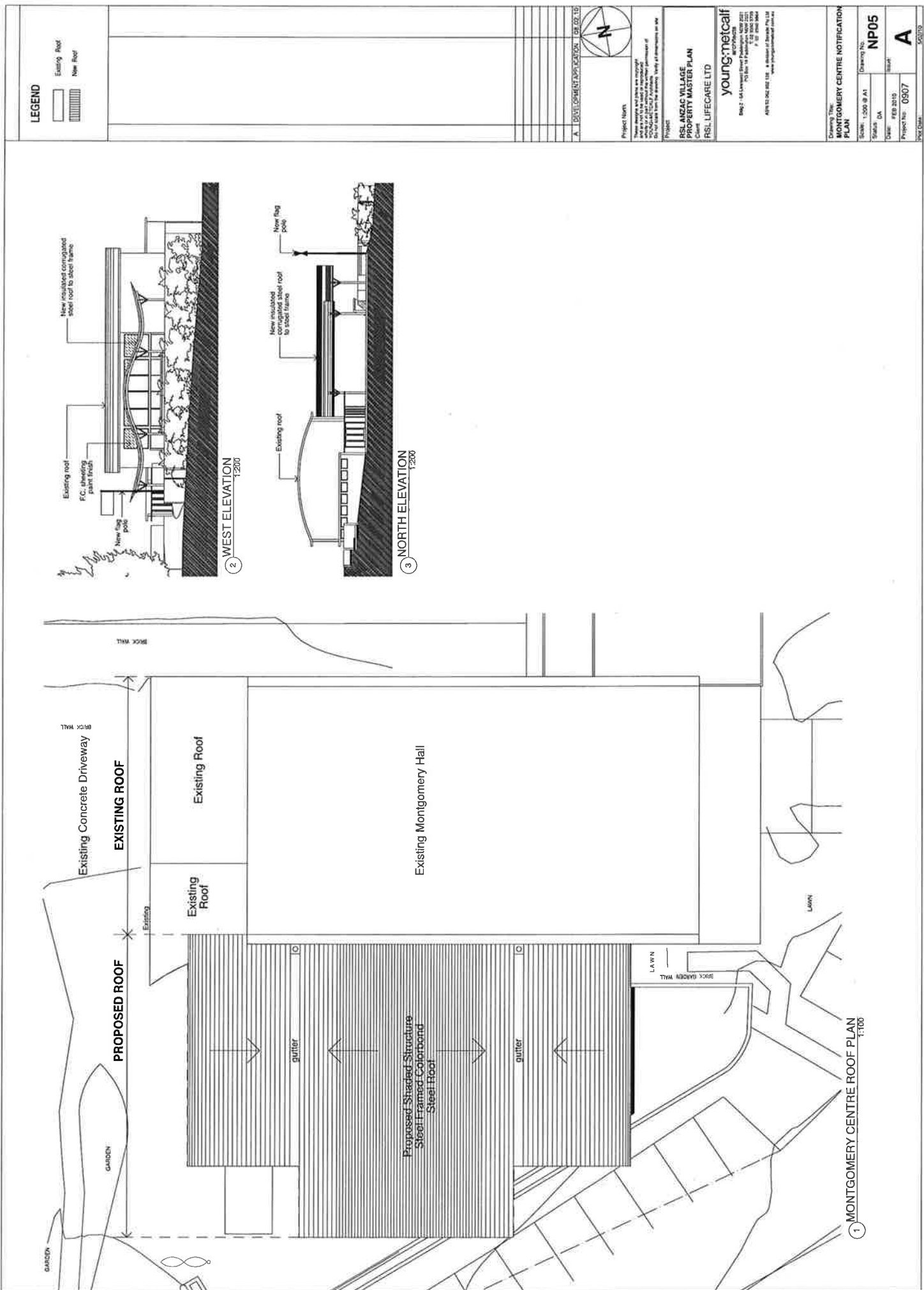
- Existing Roof
- New Roof



Project Name
New Village and Chapel and site
Architect
RSL ANGLICAN VILLAGE
PROPERTY MASTER PLAN
Client
RSL LIFECARE LTD

young:metcalfe
Architects
Reg 2 - 44 Liverpool Street, Sydney NSW 2000
PO Box 18, Paddington NSW 2021
T 02 9231 8888
F 02 9231 8888
www.youngmetcalfe.com.au

Drawing Title	MUSEUM + CHAPEL NOTIFICATION PLAN
Scale	1:100 @ A1
Status	DA
Date	FEB 2019
Project No	0907
Page No	A



Notes of Pre-DA meeting

Planning and Development Services

Application No: PLM2009/0081

Meeting Date: 15/09/2009

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

Proposal: Redevelopment of Village Centre including a new building to accommodate residential apartments, chapel, museum, administration offices & various communal facilities.

Attendees Council: **for** Rod Piggott – Team Leader, Development Assessment
Lashta Haidari – Senior Development Assessment Officer
David Halliday – Senior Development Engineer

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

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.

'The fundamentals'	
Definition of proposed development: (ref. WLEP 2000 Dictionary)	Redevelopment of Village Centre including a new building to accommodate residential apartments, chapel, museum, administration offices & various communal facilities.
Locality:	B6 – War Veterans
Category of Development:	Category 1 – “Housing” Category 3 – “Places of worship & Recreation Facilities” Category 2 – “any other uses within the village centre that are not prohibited or in Category 1 or 3”.

Desired Future Character
<p>The Desired Future Character Statement for this locality is as follows:</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 proposal to redeveloped the village centre includes various land uses which are defined into the following Categories within this locality:</p> <p>Category 1 – “Housing” Category 3 – “Places of worship & Recreation Facilities” Category 2 – “any other uses within the village centre that are not prohibited or in Category 1 or 3”.</p> <p>Clause 12(3) (b) provides that before granting consent for development classified as Category 2 and 3 , the consent authority must be satisfied that the development is consistent with the desired future character (DFC) described above in the Locality Statement.</p> <p>The relevant components of the Desired Future Character of the B6 locality is as follows</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>It is acknowledged that the land uses proposed within the application will be consistent with this component of the DFC as the uses are consistent with that of housing for older people (in the form residential apartments) and the other uses as identified on the plans submitted at the prelodgement meeting are associated uses that are needed for residents within the locality. However, the applicant is still required to address this component of DFC within the Statement of Environmental Effect (SEE), particularly in relation to Category 3 uses.</p> <p>Please note that Category 3 land uses that exist within this locality which are being relocated or modified as part of this application can be considered subject to consideration under Clause 16 “How is existing Category Three development dealt with?”.</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>The plans submitted at the prelodgement meeting indicates that the height of proposed village centre will not be below the predominant tree line when view from the Narrabeen Lake and its surrounds. This issue was discussed at length at the meeting where the applicant was advised that the proposed building should be amended to reduce the</p>

Note: No pre-application meeting nor this letter can provide an authoritative statement as to the likely outcome of an application. A determination can only be made following the lodgement of an application and the completion of the assessment process.

Desired Future Character
<p>height in order for the development to achieve consistency with this component of the DFC.</p> <p>Additionally the applicant was also advised that the use of natural materials (eg natural stone facing, timberwork, architectural louvres etc) and variation in the colours and finishes, including high quality materials should also be incorporated in the design, in order achieve compliance with the requirement of the DFC.</p> <p>A schedule of colours and materials including a sample board should be submitted which shows an appropriate mix of colours and material.</p> <p>The applicant is also required to address whether the new development will affect any visually or ecologically sensitive area identified in the locality.</p> <p>A bushfire report is also required to be submitted with application. The report should be prepared by qualified bushfire consultant and should take into account any environmental issue that arises as result of the proposed development.</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 <p>38 Glare and reflection 39 Local retail centres 40 Housing for older people or people with disabilities 41 Brothels 42 Construction sites</p>	Clause 38 - Glare and reflection <p>Particular regard must be made for low reflective colours and glazing. Medium range colours and textures that blend with the natural environment are encouraged. Changes to the design should include:</p> <ul style="list-style-type: none"> • Complementary use of articulation and landscaping to enhance wall planes and screen glare; • The sensitive location of night lighting on pathways and verandas to minimise light overspill for neighbours; • Use of natural stone finishes and variation in materials to provide visual interest and reduce reflectivity; • Articulation of wall planes; Clause 42 - Construction sites <p>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.</p>
Division 2 Health and safety <p>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</p>	Clause 43 - Noise <p>The proposal should give careful consideration in the design for noise protection between dwellings and other land uses (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.</p> Clause 48 - Potentially contaminated land <p>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</p>

Note: No pre-application meeting nor this letter can provide an authoritative statement as to the likely outcome of an application. A determination can only be made following the lodgement of an application and the completion of the assessment process.

General Principles of Development Control	
Division 3 Public domain 50 Safety and security 51 Front fences and walls 52 Development near parks, bushland reserves and other public open spaces 53 Signs	<p>Clause 50 - Safety and security</p> <p>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.</p> <p>Clause 58 - Protection of existing flora</p> <p>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.</p> <p>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).</p> <p>Clause 53 - Signs</p> <p>No signage proposals were presented at the prelodgement meeting.</p> <p>Details of the proposed sign/s are to be submitted with the application. The signs are to be consistent with the relevant provisions of State Environmental Planning Policy No.64 – Advertising and Signage (Clause 8 and Schedule 1). The signs are also to be consistent with the requirements of Clause 53 – Signs of WLEP 2000 and the Desired Future Character Statement for the B6 locality.</p> <p>Please note that Schedule 4 of WLEP 2000 lists the types of signs which are prohibited. Pole and pylon signs are listed as prohibited signs. Council was advised during the prelodgement meeting that no pole or pylon signs would be proposed.</p>
Division 4 Site planning and building design 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	<p>Clause 54 - Provision and location of utility services</p> <p>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.</p> <p>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.</p> <p>Clause 61 - Views</p> <p>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.</p> <p>Clause 62- Access to sunlight</p> <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>

Note: No pre-application meeting nor this letter can provide an authoritative statement as to the likely outcome of an application. A determination can only be made following the lodgement of an application and the completion of the assessment process.

General Principles of Development Control	
	<p>Clause 64 - Private open space</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>Clause 65- Privacy</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. Some use of fixed or operable louvre screens is likely to be necessary for some of the balconies within the design.</p> <p>The design also needs to take into consideration the acoustic privacy between apartments, particularly in relation to number of different uses within the village centre.</p> <p>Clause 66- Building bulk</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 & stone), use of louvres, landscaping and other detailing to all facades.</p> <p>Clause 68- Conservation of energy and water</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>Clause 69 Accessibility—premises available to the public</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>Clause 70- Site facilities</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>

General Principles of Development Control	
Division 5 Traffic, access and carparking 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	Clause 71 - Parking facilities (visual impact) Parking facilities are to be sited and designed so as not to dominate the street frontage or other public spaces. The proposed underground carparking satisfactory address the requirement of this Clause. Clause 72- Traffic access and safety A Traffic Report is to be submitted which addresses access from Veteran Parade, internal manoeuvring and demonstrates compliance with all relevant Australian Standards including AS 2890. Clause 74- Provision of carparking Adequate off-street car parking is to be provided within the subject property boundaries having regard to land use, hours of operation Clause 75- Design of carparking areas Car parking areas are to be provided in accordance with the most recent "Guide to Traffic Generating Developments" (NSW Roads and Traffic Authority)
Division 6 Soil and water management 76 Management of stormwater 77 Landfill 78 Erosion and sedimentation	Clause 76 - Management of stormwater A stormwater management plan is required to be submitted. The stormwater plans should be fully developed and not just concept plans. 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. Please liaise with Council's Team Leader Development Engineers, Mr Robert Barbuto on 9942 2339, should you require more information. Clause 78 - Erosion and sedimentation 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.
Division 7 Heritage 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	Clause 79 - Heritage control 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. The statements of significance for these items are contained in the State Heritage Inventory as follow: <ul style="list-style-type: none"> • 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. • 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

Note: No pre-application meeting nor this letter can provide an authoritative statement as to the likely outcome of an application. A determination can only be made following the lodgement of an application and the completion of the assessment process.

General Principles of Development Control	
	<p>detailing and is a good representative example of 1930s domestic architecture.</p> <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"> • 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. • 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. • RSL House - a good representative example of the late 20th century 'Sydney Regional' style of architecture and historically and socially significant as part of the ongoing provision of accommodation on the War Veterans site. <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"> • 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. • 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. • RSL House - a good representative example of the late 20th century 'Sydney Regional' style of architecture and historically and socially significant as part of the ongoing provision of accommodation on the War Veterans site. <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	

Note: No pre-application meeting nor this letter can provide an authoritative statement as to the likely outcome of an application. A determination can only be made following the lodgement of an application and the completion of the assessment process.

<p>General Principles of Development Control</p> <p>SEPP NO.65 – DESIGN QUALITY OF RESIDENTIAL FLAT 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 is required, demonstrating compliance, particularly in relation to natural ventilation and solar access.</p> <p>Daylight Access</p> <p>Detailed solar access diagrams (floor plans and elevations) should be submitted with the application to demonstrate that the private open space and living area of each residential apartment will receive adequate solar access. The shadow cast by any blade walls or privacy screens should be shown. The 'Rules of Thumb' in the RFDC will be used to determine whether a reasonable level of solar access is received.</p> <p>The 'Rules of Thumb' for Daylight Access in the RFDC states that the number of single-aspect apartments with a southerly aspect should be limited to a maximum of 10% of the total units proposed. The proposal should minimise the number of single aspect apartments with a southerly aspect.</p> <p>Storage</p> <p>Storage areas should be provided for each residential apartment which complies with the 'Rules of Thumb' for Storage in the RFDC.</p>
<p>Other Relevant WLEP 2000 Clauses</p> <ul style="list-style-type: none"> • Clause 15 – “Does Category three development involve extra procedures” • Clause 16 – “How is existing Category Three development dealt with
<p>Other Relevant Environmental Planning Instruments / Council Policies</p> <p>You are advised of the following (but not limited to all) Council's policies available at www.warringah.nsw.gov.au:</p> <ul style="list-style-type: none"> • Applications for Development - Policy for the handling of unclear, non conforming, insufficient and Amended applications: PDS-POL 140 • Stormwater drainage for low level properties PDS-POL 135 • Building over or adjacent to constructed Council drainage systems and easements: PAS-PL 130 • Common vehicular access to multiple properties: LAP-PL 310 • Development Applications relating to trading hours under the Liquor Act 1982: LAP-PL 610 • Onsite stormwater detention rainwater reuse policy for single residential dwellings: PAS-PL 100 • Vehicle access to all roadside development: LAP-PL 315
<p>Draft Environmental Planning Instruments</p> <p>Draft Warringah LEP 2009</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 (i.e. the Category 1 and 2 land uses) are permissible land use within this zone, however the land uses identified as Category 3 development are prohibited land uses 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>
<p>Required Documentation</p> <ul style="list-style-type: none"> • All information required to be submitted under Schedule 1 of the Environmental Planning and Assessment Regulation 2000. • All information as required on the Development Application form checklist • Site Analysis (prepared in accordance with Schedule 8 of WLEP 2000) • Site Survey (prepared by a registered Surveyor)

Note: No pre-application meeting nor this letter can provide an authoritative statement as to the likely outcome of an application. A determination can only be made following the lodgement of an application and the completion of the assessment process.

Required Documentation
<ul style="list-style-type: none"> Statement of Environmental Effects addressing: <ul style="list-style-type: none"> Section 79C of EPA Act, 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; and other relevant Environmental Planning Instruments BASIX Certificate Geo-technical report Phase 1 Site Contamination Report Remediation validation report Acid Sulphate Soils Report Bushfire Report Access Report Traffic and Parking Report Arborist Report Crime Prevention Through Environmental Design (CPTED) assessment against the Guidelines prepared by the former DUAP Erosion and Sediment Control Plan SEPP 65 Design verification statement from a qualified designer Construction/Site Management Plan Sample Board of External Finishes Model of proposed development Shadow diagrams Landscape Plan Waste Management Plan Stormwater Management Plans

Concluding Comments
<p>As indicated in this notes above, it is recommended that the proposed development should be amended to reduce the height of the village centre so it sits below the tree line when viewed from Narrabeen Lake and its surrounds. Further, the visual interest of the building is to be enhanced by the use of natural materials that will blends with the natural environment.</p> <p>In conclusion the proposal should <u>not</u> proceed to DA lodgement until the above matters raised in the notes have been incorporated into the design plans and supporting documentation.</p>

Other Matters
<ul style="list-style-type: none"> Requirement to Submit Correct, Clear and Accurate Information at Lodgement <p>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.</p> <p>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</p> <ul style="list-style-type: none"> Privacy and Personal Information <p>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.</p> <p>Should this proposal result in a development application being lodged these notes will form part of the development application documentation that will appear on Councils website – DA's online. www.warringah.nsw.gov.au</p> <ul style="list-style-type: none"> Monitoring DA progress after lodgement <p>Once lodged you can monitor the progress of your application through Council's website – DA's online. www.warringah.nsw.gov.au</p>

Drainage Lines:



Lantana Ave

Scale 1:1000

Note: No pre-application meeting nor this letter can provide an authoritative statement as to the likely outcome of an application. A determination can only be made following the lodgement of an application and the completion of the assessment process.



Colooli Rd

Scale 1:1000

Note: No pre-application meeting nor this letter can provide an authoritative statement as to the likely outcome of an application. A determination can only be made following the lodgement of an application and the completion of the assessment process.