

11 September 2013

Mr Stuart Withington  
Manager - Regional Panel Secretariat  
Regional Panels Secretariat  
GPO Box 39  
SYDNEY NSW 2000

Dear Mr Withington,

**Development Application for Stage 1 Development at the Harbord Diggers Site,  
Freshwater - 2013SYE031**

We write to you in response to Warringah Council's proposed draft conditions of consent in relation to the Stage 1 Master Plan Development Application for the proposed development at Harbord Diggers' site at Freshwater.

Upon reviewing the draft conditions of consent we request the Panel give consideration to the following amendments to the relevant conditions during their final assessment of the Stage 1 DA. Our proposed deletions are struck through and additions are shown in bold, and where deemed necessary commentary regarding the proposed amendments is provided.

**1. Approved Plans and Supporting Documentation**

The description of development should be amended to also include the consolidation of the existing Club (Lot 100 DP 1136132) and 4A Lumsdaine Drive (Lot 2 DP 579837) into a single lot. We recommend the following wording:

*Stage 1 development consent is granted only for the following:*

*The above and below ground building envelopes, **and the consolidation of the existing Club (Lot 100 DP 1136132) and 4A Lumsdaine Drive (Lot 2 DP 579837) into a single lot**, but no building works in accordance with the following:*

The remainder of the condition should read as per table of plans and documentation in the draft conditions of consent.

**4. Assessment and Determination of Future Applications**

*The ~~assessment and determination of the~~ Stage 2 development application must be generally consistent with the approved plans and conditions of approval contained in this development consent.*

**Reason:** *To ensure the future Stage 2 DA is consistent with the concept proposal.*

**5. Building Envelopes**

*The above and below ground building envelopes shown on approved drawings in Condition 1 are only approved on the basis that the final building design, including lift overruns, plant, equipment, services, vents, communication devices, architectural features and the like will be ~~entirely within the approved~~*

~~envelopes~~ **generally consistent with the approved building envelopes** and provide an appropriate relationship with neighbouring buildings and structures and the public domain.

**Reason:** To ensure compliance with the approved concept plans and satisfactory amenity.

It is noted that the application of this condition is inconsistent with Warringah LEP 2011 building height definition. Therefore some flexibility is requested in relation to the future location of vents, communication devices, architectural features communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

## 6. Architectural and Urban Design Report

The Stage 2 DA is to be accompanied by a detailed **Architectural and Urban Design Report** addressing **required matters**. ~~SEPP (HSPD) 2004, SEPP No. 65—Design Quality of Residential Flat Development and the provisions of the Residential Flat Design Code. The Stage 2 design is to demonstrate compliance or fully justify any non-compliance with SEPP (HSPD) 2004, SEPP 65 and the RFDC. The detailed design of the buildings is to be~~ **generally** consistent with the Stage 1 concept design parameters to ensure that the intended development outcome is achieved.

**Reason:** To ensure **appropriate** ~~the architectural and urban design outcomes are consistent with the concept approval, SEPP (HSPD) 2004, SEPP 65 and the RFDC.~~

The development proposes seniors living housing, and not a residential flat building. The requirement for compliance with SEPP 65 and the Residential Flat Design Code should be deleted from the draft condition of consent, as the SEPP (HSPD) provides specific urban design guidelines in relation to seniors housing, and is the principal planning document related to seniors housing.

## 7. Design Excellence

The applicant is to provide detailed architectural plans and visual aids in the form of an architectural scale model, photomontages, 3D modelling and a comprehensive sample board of external finishes ~~to demonstrate the design excellence of the development.~~

**Reason:** To ensure **appropriate architectural and urban design outcomes** ~~design excellence is achieved at Stage 2.~~

## 9. Use of Recyclable and Renewable Materials Sustainability

The Stage 2 DA is to be accompanied by a **sustainability report which will provide details** of how renewable and recyclable materials can be integrated into the design of the development.

**Reason:** To ensure ESD principles are provided for in the development

## 17. Pedestrian Access

It is unclear if the condition relates to the external foot path network. Clarity on this issue is requested to be added to the condition.

## 23. Traffic/Construction Management Plan

~~The Stage 2 is to be accompanied by a~~ **Traffic and Construction Management Plan** ~~in order to enable unencumbered movement of traffic in the public road during construction works.~~

~~A Construction Management Plan including construction staff car parking, storage of materials, machinery and plan and a staging plan of works (including time periods), Traffic Management Plan and~~

~~scaled construction plan prepared by a suitable Chartered and qualified worksite traffic controller shall be prepared for the proposed development.~~

~~The Construction Management Plan is to also include a **Dust Management Strategy**.~~

~~**Reason:** To ensure adequate arrangements are made for infrastructure (DACENBOC2)~~

We propose the deletion of Condition 23 in its entirety as this matter would be better applied as a condition of consent prior to a Construction Certificate being issued.

Should you wish to discuss the proposed amendments to the draft conditions of consent further, then please do not hesitate to contact me on (02) 8233 7609.

Yours sincerely,



Matthew O'Donnell  
Associate Director