



SYDNEY NORTH PLANNING PANEL COUNCIL ASSESSMENT REPORT

Panel Reference	2017SNH081
Application Number	Mod2017/0304
LGA	Northern Beaches
Proposed Development	Modification of Development Consent DA2009/1693 granted for Seniors Housing Development at the RSL War Veterans Retirement Village.
Land to be developed (Address)	Lot 1 DP 774980, 1 / 0 Veterans Parade NARRABEEN NSW 2101
Owner	RSL LifeCare Limited
Applicant	TSA Management Pty Ltd
Date of Application lodgement	30/11/2017
Number of Submissions	0
Recommendation	Approval
Regional Development Criteria (Schedule 4A of the EP&A Act)	Section 4.55 (2) Application to Regional Development Application
List all documents submitted with this report for the Panel's consideration	Amended Architectural Plans
Report by	David Kerr, General Manager Planning, Place and Community
Responsible Officer	Lashta Haidari, Principal Planner
Report date	21/03/2018

Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report? **YES**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP **YES**

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **NO**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)? Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions **NO**

Conditions



Have draft conditions been provided to the applicant for comment? Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

YES

Executive Summary

Council is in receipt of a Section 4.55 (2) (previously known as Section 96 (2) Application from RSL War Veterans Retirement Village seeking approval for internal and external alterations to an approved development for the demolition of existing buildings and associated structures and construction of 47 self-contained dwellings for older people and people with a disability (Old Darby and Joan precinct) near the south-eastern corner of the War Veterans site off Veterans Parade, Narrabeen and identified as Lot 1 DP 774980

Development Application DA2009/1693 was approved by the Sydney East Joint Regional Planning Panel at its meeting of 18 May 2010, for the demolition of existing structures, and construction of 67 self-contained dwellings on the site. A separate application (DA 2014/0714) was granted consent by the former Warringah Council on 8 September 2014 approving the construction of 18 independent living units over part of the site subject to DA 2009/1693.

The consent for DA 2014/0714 was conditional on the modification of DA 2009/1693 to reflect the changes necessitated by the approval of DA 2014/0714 over part of the site. This was undertaken and approved by council on 1 July 2015, which changed the description of DA 2009/1693 to reference 47 dwellings and added an additional plan that removed reference to the dwellings that were approved under DA 2014/0714.

The main changes sought via the subject Section 4.55 (2) are as follows:

- Removal of "Stage 2" elements of the proposal (being the area now superseded by development consent granted in DA 2014/0714);
- Minor modifications to the site layout and building footprints (including site levels);
- Additional widening of James Wheeler Street (internal road);
- An amended landscaping plan to reflect the proposed changes to the site layout, and the removal of additional trees from the site; and
- Associated amended infrastructure plans (civil works, stormwater etc.).

The modification proposed under this application seeks to rationalise the approved scheme for construction without compromising the original design concept. The modifications proposed are generally consistent with the relevant planning controls which apply to the site. The overall use of the development, being seniors housing, remains unchanged, and remains permissible under the WLEP 2011.

The proposed development has been assessed against the relevant matters for consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979, including likely impacts, the suitability of the site for the development, and the public interest, and the proposed development is considered appropriate.

ASSESSMENT INTRODUCTION

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

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Warringah Development Control Plan - War Veterans Village, Narrabeen

SITE DESCRIPTION

Property Description:	Lot 1 DP 774980 , 1 / 0 Veterans Parade NARRABEEN NSW 2101
Detailed Site Description:	<p>The ‘subject site’ is commonly known as the ‘RSL War Veterans Retirement Village’ located on Veterans Parade, Wheeler Heights.</p> <p>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.</p> <p>The form of accommodation within the village varies from one and two storey detached bungalows to a large nursing home and hostel buildings of up to five storeys in height. The buildings are dispersed amongst landscaped areas, bushland and internal roads.</p> <p>The RSL Village consists of a number of ‘precincts’. This application relates to the old Darby and Joan precinct, which is located in the south/east part of the village and fronts Lantana Ave. Vehicle access to the old Darby and Joan precinct is via the internal village road (being First Avenue</p>



and Second Avenue) which intersects with Edmondson Drive. Edmondson Drive is one of the main internal roads in the village and intersects with Veterans Parade, which provides the main vehicular access to the village.

Pedestrian access to Lantana Avenue by residents of Old Darby and Joan is available via a number of ramps and stairs.

Surrounding development outside the Village is characterised by residential dwellings to the east (Veterans Parade) and south (Lantana Ave), bushland within Jamieson Park to the north and north-west and Narrabeen Lake to the north and west.

Map:



SITE HISTORY

Original Development Consent

On 18 May 2010, development consent was granted to DA 2009/1693 by the Sydney East Joint Regional Planning Panel (JRPP) for the “demolition of existing buildings and associated structures and construction of 67 self-contained dwellings for older people and people with a disability (Old Darby and Joan precinct of the RSL War Veterans Retirement Village)”.

Development Application DA 2014/0714

On 8 September 2014, a separate DA (DA 2014/0714) was approved by Council over part of the site of DA 2009/1693. This application resulted in the reconfiguration of 20 of the self-contained dwellings approved in DA 2009/1693. To achieve consistency, the conditions of consent for DA 2014/0714 included the requirement (Condition No. 27) that DA 2009/1693 be modified to reflect the changes



resulting from the approval of DA 2014/0714.

Modification No. 1 (Council Reference: Mod 2015/0056)

This modification was made in response to the requirements of Condition No. 27 of DA 2014/0714. It amended the description of the development and added an additional plan to clarify the effects on DA 2009/1693 by the approval of DA 2014/0714. Mod 2015/0056 was determined by Warringah Council on 1 July 2015.

PROPOSED DEVELOPMENT IN DETAIL

The applicant seeks to modify Development Consent No. DA2009/1693 in the following manner:

- Removal of “Stage 2” elements of the proposal (being the area now superseded by development consent granted in DA 2014/0714);
- Additional road widening and associated earthworks along James Wheeler Street;
- Modifying the building footprints and internal configuration;
- Relocation of proposed garage adjacent to Dwelling No. 607;
- Modification to proposed external bin storage areas;
- Adjustments to access pathways and associated landscaping, including the removal of 16 additional trees;
- associated amendments to infrastructure plans for works and stormwater management

In addition to the above, the application is also seeking the modification to the following conditions of Development Consent No DA2009/1693:

- Amendments to Condition No. 1 to reflect the plans and supporting reports of the proposed modification;
- Deletion of Condition No. 6 which requires the amendment of the plans to delete visitor parking spaces within the driveways of the dwellings fronting Lantana Avenue. The plans submitted for approval of the proposed modification do not show visitor parking spaces off Lantana Avenue. As a result, this condition will become obsolete and is requested for deletion from the consent in its entirety.
- Amended to Condition No. 7 which related to Section 94A contributions levied on the development. The proposed modification includes a revised estimated cost of works and as a result, this condition is requested to be updated to reflect this revised estimate.
- Amended to Condition No. 44 which relates to the original integrated development approval granted by the NSW Rural Fire Service and contains a reference to the plans originally. The applicant has requested that the condition be modified to reflect the revised conditions from NSW RFS.

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

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are: The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:



- An assessment report and recommendation has been prepared and is attached taking into all relevant provisions of the Environmental Planning and Assessment Act 1979 (as amended) and associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon all lands whether nearby, adjoining or at a distance;
- Consideration was given to all documentation provided (up to the time of determination) by the applicant, persons who have made submissions regarding the application and any advice given by relevant Council / Government / Authority Officers on the proposal;

In this regard, the consideration of the application adopts the previous assessment detailed in the Assessment Report for DA2009/1693, in full, with amendments detailed and assessed as follows:

The relevant matters for consideration under Section 4.55 (2) of the Environmental Planning and Assessment Act, 1979, are:

Section 4.55 - Other Modifications	Comments
A consent authority may, on the application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:	
(a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and	<p>The development as modified is considered to be substantially the same development as the development for which consent was originally granted. The changes proposed do not alter the height or scale of the approved development to any significant extent. The visual appearance of the development, as seen from the neighbouring buildings and the public domain will remain largely unchanged.</p> <p>Therefore, the subject application has been found to be substantially the same as those already approved under DA2009/1693.</p>
(b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and	The development application was integrated development requiring the general terms of approval of the NSW RFS. The proposed modification was referred back to NSW Rural Fire Service and no objections were raised subject to compliance with the original General Terms of Approval.
(c) it has notified the application in accordance with: (i) the regulations, if the regulations so require, or	The application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, Warringah Environment Plan 2011 and Warringah



Section 4.55 - Other Modifications	Comments
(ii) a development control plan, if the consent authority is a council that has made a development control plan under section 72 that requires the notification or advertising of applications for modification of a development consent, and	Development Control Plan.
(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.	No submissions were received in relation to this application.

Section 4.15 Assessment

In accordance with Section 4.55 (3) of the Environmental Planning and Assessment Act 1979, in determining a modification application made under Section 4.55 the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application.

The relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 'Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See the discussion on "Environmental Planning Instruments" in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	None Applicable.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.
Section 4.15(1) (a)(iiia) – Provisions of any planning agreement	None Applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	All relevant provisions of the EP&A Regulation 2000 have been taken into consideration during the assessment of the development application and this modification application.
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	(i) The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report. (ii) The proposed development will not have a detrimental social impact in the locality considering the character of the proposal. (iii) The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.
Section 4.15 (1) (c) – the suitability of the	The proposed modifications do not alter the site's



Section 4.15 'Matters for Consideration'	Comments
site for the development	suitability for the proposed use.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See the discussion on “Public Exhibition” in this report.
Section 4.15 (1) (e) – the public interest	The proposed modifications are generally consistent with the planning controls applying to the site and do not result in any unreasonable impacts on the adjoining properties. As such, the modifications are considered to be in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

NOTIFICATION & SUBMISSIONS RECEIVED

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

As a result of the public exhibition of the application Council received no submissions.

MEDIATION

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

REFERRALS

Internal Referral Body	Comments
Building Assessment - Fire and Disability upgrades	The application has been investigated with respects to aspects relevant to the Building Certification and Fire Safety Department. There are no objections to approval of the development.
Environmental Health (Acid Sulphate)	No objection to the proposed development.
Landscape Officer	No objections to the proposed modification.
NECC (Bushland and Biodiversity)	Council's Natural Environment and Climate Change (NECC) - Biodiversity section, raises no objection to approval, with no additional conditions recommended.
NECC (Coast and Catchments)	No objection as the proposed development is not impacted by coastal processes.
NECC (Development Engineering)	Proposed modification include some changes to building footprint and paved areas, some minor changes to site levels, reconfiguration of the driveways and amended infrastructure plans for civil and stormwater management.
NECC (Environment Resilience & Climate Change	No objection to the proposed development.



Internal Referral Body	Comments
- Riparian Lands / Creeks)	
NECC (Stormwater & Floodplain Engineering – Flood risk)	The proposed development is located outside of the flood-affected part of the property. No objection to the proposed modification.
Parks, reserves, beaches, foreshore	No objection to the proposed modification.
Traffic Engineer	This application proposes changes to the earlier development consent given to DA2009/1693. Some of the changes include the internal road layout and changes to the vehicular access to Lantana Avenue. Accordingly, there are no objections raised to the proposed arrangements.
Waste Officer	No objection to the proposed modification.

External Referral Body	Comments
Integrated Development – NSW Rural Fire Service (Subdivisions and Special Fire Protection Purposes under Section 100B of Rural Fires Act)	The NSW Rural Fire Service has provided comments dated 30 January 2018 as the integrated authority (as defined by Section 91 of the EPA Act 1979) and has issued modified 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.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

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

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

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

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

SEPP 55 - Remediation of Land

Clause 7(1) (a) of SEPP 55 requires the consent authority to consider whether the land is contaminated.

At the time of assessment of the original application, Council records did not indicate that the site was potentially contaminated. Similarly, there is no evidence at the time of this assessment to suggest the site is contaminated.



SEPP (Building Sustainability Index: BASIX) 2004

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

Amended BASIX Certificates for the individual dwellings have been submitted. The certificates confirm that the proposed development (as amended) meets the NSW government's requirements for sustainability. The development meets the water and energy performance targets and achieves a pass for thermal comfort.

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

The subject application to modify the original consent has been lodged under the provisions of Warringah Local Environmental Plan 2011 not under the provision of SEPP (Housing for Seniors or People with a Disability) 2004 (SEPP HSPD). Therefore, no further assessment is required in this regard.

SEPP (Infrastructure) 2007

Ausgrid

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

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

Comment:

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

Warringah Local Environmental Plan 2011

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



zone objectives of the LEP?	Yes
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Compliance Assessment

Clause	Compliance with Requirements
Part 1 Preliminary	Yes
Land Use Table	Yes
Part 5 Miscellaneous provisions	Yes
5.5 Development within the coastal zone	Yes
Part 6 Additional Local Provisions	Yes
6.4 Development on sloping land	Yes
Schedule 5 Environmental heritage	Yes

Warringah Development Control Plan

Built Form Controls

Standard	Requirement	Approved	Proposed	Complies
D1 Landscaped Open Space and Bushland Setting	40% of the site area	56%	remains unchanged	Yes

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
Part A Introduction	Yes	Yes
A.5 Objectives	Yes	Yes
Part B Built Form Controls	Yes	Yes
B6 Merit Assessment of Side Boundary Setbacks	Yes	Yes
B7 Front Boundary Setbacks	Yes	Yes
B10 Merit assessment of rear boundary setbacks	Yes	Yes
Part C Siting Factors	Yes	Yes
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	Yes	Yes
C4 Stormwater	Yes	Yes
C5 Erosion and Sedimentation	Yes	Yes
C6 Building over or adjacent to Constructed Council Drainage Easements	Yes	Yes
C7 Excavation and Landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	Yes	Yes
Part D Design	Yes	Yes



Clause	Compliance with Requirements	Consistency Aims/Objectives
D1 Landscaped Open Space and Bushland Setting	Yes	Yes
D2 Private Open Space	Yes	Yes
D3 Noise	Yes	Yes
D6 Access to Sunlight	Yes	Yes
D7 Views	Yes	Yes
D8 Privacy	Yes	Yes
D9 Building Bulk	Yes	Yes
D10 Building Colours and Materials	Yes	Yes
D11 Roofs	Yes	Yes
D12 Glare and Reflection	Yes	Yes
D14 Site Facilities	Yes	Yes
D20 Safety and Security	Yes	Yes
D21 Provision and Location of Utility Services	Yes	Yes
D22 Conservation of Energy and Water	Yes	Yes
Part E The Natural Environment	Yes	Yes
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes
E2 Prescribed Vegetation	Yes	Yes
E3 Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat	Yes	Yes
E4 Wildlife Corridors	Yes	Yes
E5 Native Vegetation	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E7 Development on land adjoining public open space	Yes	Yes
E8 Waterways and Riparian Lands	Yes	Yes
E10 Landslip Risk	Yes	Yes
E11 Flood Prone Land	Yes	Yes
Part F Zones and Sensitive Areas	Yes	Yes
F3 SP1 Special Activities	Yes	Yes
War Veterans Village, Narrabeen	Yes	Yes

Detailed Assessment

War Veterans Village, Narrabeen

The proposed modification is found to be consistent with the requirement of this Clause for the following reasons:

- The proposed modification will maintain housing for older people or people with a disability;
- The modified building works are not readily visible from the Narrabeen Lake viewing

catchment and the works are integrated within the existing pattern of development and would not be significantly distinguishable to that of surrounding and nearby structures.

- The proposed modification along Lantana Avenue will continue to address the street and will appear as single storey dwellings due to the significant drop from Lantana Ave into the site. The design of the proposed development (as amended) is consistent with the scale of the existing residential dwellings on the southern side of Lantana Avenue.
- The proposed modifications are largely confined to the approved building envelope and therefore the scale is appropriate and no further disturbance of vegetation and landforms is anticipated as a result of the modified development.
- The proposed modification does not affect any visually or ecologically sensitive area identified in the locality.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

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

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

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

POLICY CONTROLS

Warringah Section 94A Development Contribution Plan

The applicant has requested that the condition No.7 which relates to Section 94A contributions levied on the development to be amended to reflect the revised estimated cost of the development, given there is a reduction in the number of units from the original consent.

Accordingly, Condition No.7 has been amended to reflect the revised estimated cost of the development.

CONCLUSION

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

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

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all

other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

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

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

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

RECOMMENDATION

THAT Sydney North Planning Panel as the consent authority grant approval to Modification Application No. Mod2017/0304 for Modification of Development Consent DA2009/1693 granted for Seniors Housing Development at the RSL War Veterans Retirement Village. on land at Lot 1 DP 774980,1 / 0 Veterans Parade, NARRABEEN, subject to the conditions outlined in Attachment 1.



ATTACHMENT 1

A. Add Condition No.1A - Modification of Consent - Approved Plans and supporting Documentation to read as follows:

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

a) Modification Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
DA3.01, DA3.02, DA3.03, DA3.13, DA3.14, DA3.15, DA3.16, DA3.17, DA3.18, DA3.19, (Revision 01)	08/11/2017	Humel Architects
DA3.04, DA3.05, DA3.07, DA3.08, DA3.09, DA3.10, DA3.11, DA3.12, and DA3.14 (Revision 02)	14/11/2017	Humel Architects

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Access Report	26/09/2017	Accessible Building Solutions
Arboricultural Impact Assessment	10 November 2009	Urban Tree Management
Ecology Report	November 2009	Dragonfly Environment

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

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

Landscape Plans		
Drawing No.	Dated	Prepared By
Landscape - Section 96 - 00, 01, 02, 03, 04 and 05	24/11/2017	Taylor Brammer
Landscape Details - LD01	24/11/2017	Taylor Brammer

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

B. Modify Condition <No.7 - Section 94A Contributions > to read as follows:

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:



Warringah Section 94A Development Contributions Plan Contribution based on total development cost of -	\$18,730,804	
Contribution all parts - Warringah	Levy Rate	Contribution Payable
Total S94A Levy	0.95%	\$177,942.60
S94A Planning and Administration	0.05%	\$9,366.00
Total	1.0%	\$187,308.60

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.

C. Delete Condition No. 6 - Deletion of the Visitor Parking Spaces to read as follows:

The plans are to be amended to show the deletion of the visitors parking spaces located within the Driveways for the dwellings fronting Lantana Ave. Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To comply with the requirement of WLEP 2000.

D. Add Condition 1C - The development must be carried out in compliance with the following to read as follows:

Other Department, Authority or Service	e Services Reference	Dated
NSW Rural Fire Services	Response NSW RFS Referral	30 January 2018

(NOTE: For a copy of the above-referenced document/s, please see Council's 'E-Services' system at www.warringah.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other Department, Authority or Body's. (DACPBL02)