

6 March 2007

Young & Metcalf Architects
Bldg 2, 6A Liverpool Street
Paddington NSW 2021

2004/0449MOD3
CC (PAS)

Dear Sir / Madam,

**RE: LOT 2611 VETERANS PARADE WHEELER HEIGHTS
MODIFICATION OF DEVELOPMENT CONSENT NO. 2004/0449**

We are writing to advise that the request to modify the above-mentioned Development Consent has been approved on **25 February 2007** and determined as follows:

“THAT Council, as the consent authority, grant approval to modify Development Consent No 2004/0449 for alterations and additions to an existing nursing home for conversion to 24 self contained residential apartments for older persons, conversion of an existing medical centre to a detached dwelling for older persons and new driveway and landscaping on land at Lot 2611 in DP 752038, L1 VETERANS PARADE WHEELER HEIGHTS

Condition 1a is to be deleted and replaced with Condition 1b below:

1b. Development in Accordance with Plans (S96 Amendments)

The development being carried out in accordance with development application DA2004/0449/1 plans numbered as seen below:

Architectural Drawing Number	Dated
DA01 Issue C	15/10/2004
DA02 Issue A	08/04/2004
DA03 Issue A	08/04/2004
DA04 Issue B	15/10/2004
DA05 Issue C prepared by Young and Metcalf	Feb 04
DA06 Issue B prepared by Young and Metcalf	June 05
DA07 Issue B prepared by Young and Metcalf	June 05
DA08 Issue A	08/04/2004
DA09 Issue D prepared by Young and Metcalf	June 05
DA10 Issue A	08/04/2004
Schedule of External Finishes – Number 26 by Young and Metcalf Architects	16/12/2004

Stormwater Drainage Drawing Number	Dated
23010.H.1 Sheet 1 Revision C (as notated in red)	28/05/2004
23010.H.2 Sheet 2 Revision B	26/03/2004
23010.H.3 Sheet 3 Revision B	26/03/2004
23010.H.4 Sheet 4 Revision B	26/03/2004
23010.H.5 Sheet 5 Revision B	26/03/2004
23010.H.6 Sheet 6 Revision B	26/03/2004

Landscape Plans	Dated
Landscape Materials and Finishes CD01 Issue B	Nov .04
Landscape Planting Layout Plan CD02	Nov .04
Landscape Planting Details and Plant Schedule	Nov .04

except as modified by Modification 3 Reference DA2004/0449/3 plans listed below:

Architectural Drawing Number	Dated
DA01 Issue E prepared by Young and Metcalf	08/09/2006
DA08 Issue B prepared by Young and Metcalf	08/09/2006

Except as amended by the following:

Add condition 16A:

16A. Car parking

For the purposes of on-site maneuverability the proposed garages located to the east of the apartment building shall be amended to comply with all the relevant provision of AS 2890 with particular regard given to swept paths for a 85 percentile vehicle. Plans demonstrating compliance with this requirement and certification from an appropriately qualified Traffic/Civil Engineer are to be to be submitted to the satisfaction of Council or an accredited certifier prior to the issuing of any Construction Certificate.

Reason: *Public amenity and safety and appropriate sight distance. [C27]*

Add condition 31A:

31A. Protection of Trees

- a. The following trees may be removed:
Trees No. 1 & 2 as identified within the Arborist Report prepared by GIS Environmental Consultants dated 28 August 2006
- b. The following trees are to be retained:
Trees No. 3 & 4 as identified within the Arborist Report prepared by GIS Environmental Consultants dated 28 August 2006

Reason: *Protection of existing environmental infrastructure and community assets. [E22]*

Add condition 32A:

32A Required Tree Planting

Four (4) trees in accordance with the tree species hereunder shall be planted prior to the issue of the final Compliance Certificate required on completion of works:

Tree Species:

Angophora costata

Grevillia robusta

Eucalyptus corymbia

The installation of such trees, their current health and their prospects for future survival shall be certified upon completion by an appropriately qualified horticulturalist.

Reason: *To ensure that replacement plantings are provided to enhance community landscaped amenity and cultural assets. [H2]*

Condition 86 is to be deleted and replaced with Condition 86a below:

86a. Bushfire protection

A revised Bush Fire Evacuation Plan is to be submitted to the NSW Rural Fire Service – Development Control Services for approval. The evacuation plan is to detail the following:

- a) Under what circumstances will the complex be evacuated.
- b) Where will all persons be evacuated to.
- c) Roles and responsibilities of persons co-ordinating the evacuation.
- d) Roles and responsibilities of persons remaining within the complex after evacuation.
- e) A procedure to contact the NSW Rural Fire Service District Office/ NSW Fire Brigade and inform them of the evacuation and where they will be evacuated to.

Reason: Protection from bushfire.

This letter should therefore be read in conjunction with Development Consent 2004/0449 dated 3 March 2005, Mod 1 dated 9 September 2005 and Mod 2 dated 31 May 2006. Please find attached a consolidated set of conditions incorporating both modifications of consent.

Please note that on site works cannot proceed unless a Construction Certificate application for the modified proposal has been lodged with and approved by Council or an accredited certifier, and relevant conditions of the Development Application have been carried out.

Section 97(1) of the Environmental Planning and Assessment Act confers on the applicant who is not satisfied with the determination of the Consent Authority has a right of appeal to the Land and Environment Court exercisable within 12 months of receipt of this notice.

You may request the Council to review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979. Any request to review the application must be within 12 months after the date of determination shown on this notice.

Should you have any further enquiries in connection with this matter, please contact the referred to Enquiry Officer.

Please note that if you nominate Council to assess your Construction Certificate, associated forms and information regarding what to submit is also enclosed in the determination kit.

Work must also be in accordance with the relevant MODIFIED conditions of the Development Consent.

Should you require any further information on this matter, please contact **Nick England** between the hours of 9.30am and 10.30am or 3.00pm and 4.00pm, Monday to Friday, on telephone number **9942 2111**, or at any time on facsimile number **9971 4522**.

Details of development applications lodged after July 1, 2005 are also available online, to access this facility please visit our DA's Online System at www.warringah.nsw.gov.au.

Yours faithfully,

Philip Hoffman
Senior Team Leader
Planning and Assessment Services