

2 June 2006

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

2004/0449MOD2  
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 **31 May 2006** 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 74 is to be deleted and replaced with condition 74a below:***

***Condition 74a. Kitchen***

*A kitchen in a self-contained dwelling must have:*

- (a) a width of at least 2.7 metres and a clear space between benches of at least 1,450 millimetres, and
- (b) a width at door approaches of at least 1,200 millimetres, and
- (c) benches that include at least one work surface:
  - (i) *that is at least 800 millimetres in length, and*
  - (ii) *the height of which can be adjusted from 750 millimetres to 850 millimetres, and*
- (d) a tap set:
  - (i) *that is located within 300 millimetres of the front of the sink, and*
  - (ii) *that is a capstan tap set or that comprises lever handles or a lever mixer, and*

- (e) a tempering valve for the hot water outlet, and
- (f) cook tops:
  - (i) with either front or side controls, and
  - (ii) with controls that have raised cross bars for ease of grip, and
  - (iii) that include an isolating switch, and
- (g) a work surface adjacent to the cook top and at the same height and that is at least 800 millimetres in length, and
- (h) an oven that is located adjacent to a work surface the height of which can be adjusted, and
- (i) “D” pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards, and
- (j) general power outlets:
  - (i) at least one of which is a double general power outlet within 300 millimetres of the front of a work surface, and
  - (ii) one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed.

*Details to be provided prior to Occupation.*

**Reason:** *Safety and convenience. [S1(9)]*

**Condition 76 is to be deleted and replaced with condition 76a below:**

**Condition 76a. Bathrooms**

*A bathroom must have:*

- (a) an area that complies with AS 1428, and
- (b) a slip-resistant floor surface, and
- (c) a shower:
  - (i) the recess of which is at least 1,160 millimetres x 1,100 millimetres, or that complies with AS 1428, or that complies with clause 4.4.4 and Figures 4.6 and 4.7 of AS 4299, and
  - (ii) the recess of which does not have a hob, and
  - (iii) that is waterproofed in accordance with AS 3740, and
  - (iv) the floor of which falls to a floor waste, and
  - (v) that can accommodate a grab rail that complies with Figure 4.6 of AS 4299 and AS 1428, and
  - (vi) that has a tap set that is a capstan tap set or that comprises lever handles and that has a single outlet, and
  - (vii) that has the tap set positioned so as to be easily reached from the entry to the shower, and
  - (viii) that can accommodate an adjustable, detachable hand-held shower rose mounted on a slider grab rail or a fixed hook, and
  - (ix) that can accommodate a folding seat that complies with Figure 4.6 of AS 4299, and
- (d) tempering valves for all hot water outlets, and
- (e) a washbasin with clearances that comply with Figure 4.4 of AS 4299, and

- (f) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it, and
- (g) a mirror, and
- (h) a double general power outlet beside the mirror.

*Details to be provided prior to Occupation.*

***Reason: Safety and convenience. [S1(11)]***

***Condition 78 is to be deleted and replaced with condition 78a below:***

***Condition 78a. Laundry***

*A self-contained dwelling must have a laundry:*

- (a) that has provision for the installation of an automatic washing machine, and
- (b) that has provision for the installation of a clothes dryer, and
- (c) that has a clear space in front of appliances of at least 1,300 millimetres, and
- (d) that has tempering valves for all hot water outlets, and
- (e) that has a slip-resistant floor surface, and
- (f) that has an accessible path of travel to any clothesline provided in relation to the dwelling.

*Details to be provided prior to Occupation.*

***Reason: Safety and convenience. [S1(13)]***

***Condition 89 is to be deleted and replaced with condition 89a below:***

***Condition 89a: Bushfire protection***

- a) *An asset protection zone (APZ) shall be provided to the west of the building as far as is practicable (to a minimum of 40m) recognizing the need to ensure the stability of protected vegetation communities and soil stability;*
- b) *A 30m asset protection zone (APZ) shall be extended around the existing dwellings to the north, south and east of the approved building site;*
- c) *A turning bay shall be provided at the northern extreme of the access road (at the beginning if the access to the new development site to the west) this shall be 15m deep 6m wide and min 6m radius capable of supporting a 15 ton Cat 1 tanker.*
- d) *A Bushfire Hazard Management Plan is required to address the management of the Asset Protection Zone into the future, detailing the trees required to be removed, weed control methods, fuel reduction methods and fauna habitat preservation and preservation of a buffer around the threatened Pimelea curviflora var. curviflora population along the ridge to the north-west. The Bushfire Hazard Management Plan is to be forwarded to the PCA prior to any*

*clearance being undertaken for the Asset Protection Zone. A copy of the Bush Fire Hazard Management Plan is to be forwarded to Council.*

***Reason:*** Protection from bushfire.

***Condition 92 is to be deleted and replaced with condition 92a below:***

***Condition 92a: Tree Preservation Order***

*The land is subject to a Tree Preservation Order and no trees other than those expressly required as part of the Asset Protection Zone or as detailed by any other condition of consent, may be removed without the prior consent of council.*

***Reason:*** Protection of trees. S2(21)-(1)”

This letter should therefore be read in conjunction with Development Consent 2004/0449 dated 3 March 2005 and Mod 1 dated 9 September 2005. 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 **Annelize Kaalsen** 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](http://www.warringah.nsw.gov.au).

Yours faithfully,

Rebecca Fisher  
Team Leader  
Planning and Assessment Services