



Warringah Council

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Assessment Officer: Lashta Haidari
Address / Property Description: Lot 1, DP 774980, Lot 1, Lot 1, DP 803645, Lot 2026, DP 752038, Lot 2611, DP 752038, Lot 573, DP 752038, and Lot 2641, DP 752038, Lot 1/ Veterans Parade, Wheeler Heights.

Proposal: Alterations and Additions to an existing Hostel at the RSL War Veterans Village.

Development Application No: DA2008/1078

Plans Reference: DA01, DA02, DA03, DA04, DA05, DA06, DA07, DA08, DA09, DA10 (issue A) prepared by Young + Metcalf, dated July 2008.

Applicant: Young & Metcalf

Owner: Rsl Lifecare Limited and Rely Lifecare Limited

Application Lodged: 23/07/2008

Amended Plans: There are no amended plans for this application.

Locality: B6 War Veterans

Category: Category 1 ('housing for older people or people with a disability')

Clause 20 Variations: No Variations sought

Land and Environment Court NO

Action:

Referred to IHAP: NO

Referred to ADP: NO

SUMMARY

Submissions: No Submissions Received

Submission Issues: N/A

Assessment Issues: No Issues

Recommendation: Approval

Attachments: None

LOCALITY PLAN (not to scale)



Subject Site: Lot 1, DP 774980, Lot 1, DP 803645, Lot 2026, DP 752038, Lot 2611, DP 752038, Lot 573, DP 752038, Lot 2641, DP 752038, Lot 1 Veterans Parade, Wheeler Heights.

Notified Residences: The subject application was notified in accordance with the EPA Regulation 2000 and Warringah DCP. As a result the application was notified by letter to 23 adjoining and nearby property owners and occupiers between the 08/08/2008 and 18/08/2008. No submissions were received as result.



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 site 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.

The form of accommodation 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.

This application relates to the North West Hostel (which has been recently renamed "Milne Bay") and is located to the south of Lakeshore Drive. The hostel is located in the south western part of the village and is accessed Via Lakeshore Drive.

The existing hostel is a predominantly single storey building (with some sections elevated above ground level). The building consists of a number of interconnected wings. The proposal relates to the addition of lounges within the northern and southern recessed areas of the building.

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.

LAND AND ENVIRONMENT COURT

Council has not been advised of any court action in relation to this matter.

PROPOSAL IN DETAIL

The application seeks consent for additions and alterations to the existing North West Hostel, to create two new lounges to provided recreational space for the residents of the Hostel. The proposed works is summarised below:

➤ Northern Lounge

A resident's lounge with an area of 42m² and an attached terrace is proposed within the north -eastern part of the existing hostel, which will be accessed through the main corridor of the existing hostel.

➤ Southern Lounge

A resident's lounge with an area of 79m² is proposed within the southern part of the hostel. The southern lounge includes an outdoor terrace area and a new ramp network around the perimeter of the southern most point of the existing hostel. A ramp will replace the existing stairs at the north of the proposed lounge. The ramp network will connect into the existing walkway.



A new section of outdoor path is also proposed to the south of the new lounge and will connect to the existing paths.

The application also seeks consent for minor demolition works to facilitate the construction of the northern and southern lounges. The works include:

- Demolition of door, walls and windows for northern lounge;
- Demolition of stairs (and roof over) walls, door. Windows and other structures for southern lounge;
- Relocation of sewer access, hydrant and outdoor light of the southern lounge; and
- Five trees are also proposed to be removed to allow access for the construction of the southern lounge.

AMENDMENTS TO THE PLAN

There are no amended plans for this application.

STATUTORY CONTROLS

- a) Environmental Planning and Assessment Act 1979
- b) Environmental Planning and Assessment Regulations 2000
- c) SEPP No. 55 – Remediation of Land
- d) SEPP (Housing for Seniors or People with a Disability) 2004
- e) SEPP (Infrastructure) 2007
- f) Warringah Local Environment Plan 2000
- g) Warringah Development Control Plan
- h) 94A Development Contribution Plan

REFERRALS

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 Bushfire Safety Authority under Section 100B of the Rural Fires Act 1997.

The NSW Rural Fire Service has issued conditions regarding Bushfire Safety and it should be noted that all conditions of granting Bushfire Safety Authority issued by the NSW Rural Fire Service have been included as conditions of this consent.

Bushland Management

Council's Bushland Management officer has reviewed the proposal and has raised no objection subject to conditions.

Accordingly, if the application were to be recommended for approval the recommended conditions by Council's Bushland Management officer would be included within the recommendation of this report.



Landscape Officer

Council's Landscape officer has reviewed the proposal and has raised no objection subject to conditions.

Accordingly, if the application were to be recommended for approval the recommended conditions by Council's Landscape officer would be included within the recommendation of this report.

NOTIFICATION & SUBMISSIONS RECEIVED

The application was notified by letter dated 1/08/2008 to 23 properties. No submissions were received in response to the application.

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 "Environmental Planning Instruments and WLEP 2000" of this report.
Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument.	None Applicable
Section 79C (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan addressed elsewhere 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 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 93 of the EPA Regulations 2000 requires the Consent Authority to consider whether the fire protection and structural capacity of the building will be appropriate to the building's proposed new use, where the proposed works seek the change of use of the existing building. As this application does not propose any change of use to the existing building, Clause 93 does not apply.</p> <p>Clause 94 of the EPA Regulations 2000 requires the Consent Authority to consider the adequacy of the existing provisions contained in the dwelling to protect persons using the building. Accordingly, appropriate conditions of consent are recommended for imposition should this application be considered worthy of approval.</p> <p>Clause 98 of the EPA Regulations 2000 requires the consent authority to consider the provisions of the Building Code of Australia. Accordingly, appropriate conditions of consent are recommended for imposition should this application be considered worthy of approval.</p>
Section 79C (1) (b) – The likely impacts of the	(i) The environmental impacts of the proposed



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Section 79C 'Matters for Consideration'	Comments
development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>development on the natural and built environment are addressed under the General Principles of Development Control in this report.</p> <p>(ii) The proposed development will not have a detrimental social impact in the locality considering the continues use of the building as hostel.</p> <p>(iii) The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing land use.</p>
Section 79C (1) (c) – The suitability of the site for the development	The site is considered suitable for the proposed development. Furthermore, the proposal is considered consistent with development in the locality and is appropriately designed to complement the site topography and size. 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	No submission were received
Section 79C (1) (e) – the public interest	The wider public interest is served by the continued maintenance of the site, the orderly development of the land, the provision of development which is consistent with the intent of the planning controls for the control of the urban form and the proposed land use within this locality.

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 SEPP 55 requires the consent authority to consider whether land is contaminated. Council records indicate that the subject site has been consistently used for residential purposes for a significant period of time. There is no evidence to indicate that the land is contaminated and as such, no further consideration under Clause 7(1) (b) and (c) of SEPP 55 is required. Therefore the land is considered to be suitable for the continued residential use.

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

The SEPP Seniors Living, the Seniors Living Policy does not apply to this proposal as this application is made under the provision of Warringah LEP 2000.

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 proposal is not within or immediately adjacent to any of the above electricity infrastructure and as such the development application is not required to be referred to the electricity supply authority. In this regard, the subject application is considered to satisfy the provision of Clause 45 SEPP Infrastructure.

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 Veteran 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 is defined as 'housing for older people or people with a disability' under the provisions of the WLEP 2000 Dictionary. 'Housing for older people or people with a disability' is identified as Category 1 development within the B6 War Veterans Locality.

Clause 12 of WLEP 2000 provides that the consent authority is to consider the development against the localities Desired Future Character Statement. The proposal is considered to be consistent with the localities Desired Future Character Statement for the following reasons:



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- The proposal is for additions and alterations to the existing hostel, to provide an additional accommodation for older people or people with a disability which satisfies the intent and requirement of the DFC to *“to provide housing for older people and associated uses to meet the needs of residents within the locality”*;
- The proposed new building works are not visible from the Narrabeen Lake and the work is integrated within the existing pattern of development and would not be significantly distinguishable to that of surrounding and nearby structures;
- The proposal is consistent with and will enhance through landscape planting, the predominant tree line, which reduces the visual presence of the proposal.
- The proposed additions are designed to be situated within existing structures, providing articulation and the consistency with the existing built form and natural environment. This combined with existing landscaping ensures the apparent visual mass and bulk of the proposal and the impact of long distance views are minimised.
- The new work does not affect any visually or ecologically sensitive area identified in the locality.
- Bushfire protection will be confined to the affected building structures on site and the work will not disrupt existing stormwater retention;

Built Form Controls for Locality B6 War Veterans

The following table outlines compliance with the Built form Control of the above locality statement:

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

Clause 20 Variation

Clause 20 Variations are not applicable to this development.

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	The proposal requires the use of various building elements that have reflective qualities such as glass and metal. Conditions are recommended to provide low reflective glass is used for windows in consideration of residential amenity. External colours and finishes to be in tones that harmonise with the surrounding natural environment.	Yes, subject to conditions
CL39 Local retail centres	No	Not applicable	Not applicable

CL40 Housing for older people or people with disabilities

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

Assessments of the requirements outlined 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	The development is located within 400 metres of Bus Route 146, 179 & L79, which provides access to Warringah Mall, Manly and Sydney City.	YES
Adequate access to services	Reasonable access to meals, nursing and housework	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	Proposed development will have a continuous path of travel.	YES
	<u>Road Access</u> 10% of dwellings to have continuous path of travel to public road	The proposed additions have a continuous path of travel.	YES
	<u>Common Areas</u> Access to be provided to all common areas and facilities	The proposed additions will have continuous paths of travel to common areas of the development.	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	Access is provided to all essential areas within proposed additions.	YES

Schedule 16

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

Control	Required	Proposed	Complies
1. Identification	If more than one (1) street, street signage incorporating house	No changes are proposed	N/A



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Control	Required	Proposed	Complies
	numbers at each intersection.		
2. Security	Pathway lighting to be positioned at a low height and to be a minimum of 50 lux.	No changes are proposed	N/A
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.	No changes are proposed	N/A
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.	No changes are proposed	N/A
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	Conditions will be imposed with regard to compliance with this requirement.	YES, subject to condition.
6. Exterior – general	All external doors to any one (1) dwelling must be keyed alike.	No new dwellings are proposed.	N/A
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.	To be required 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.	The plans indicate that the proposed new lounge will comply with the requirement. Conditions will be imposed with regard to compliance with AS 4299 and illumination level.	YES, subject, to condition.
9. Kitchen	A kitchen in a self-contained dwelling must have a width 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).	Not applicable	N/A
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)	Not applicable	N/A



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Control	Required	Proposed	Complies
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 16).	Not applicable	N/A
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).	Not applicable	N/A
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).	Not applicable – not a multi storey self contained dwelling	Not applicable.
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)	Not applicable	N/A
15. Storage	Dwelling must have a linen cupboard that is at least 600mm wide and has adjustable shelving.	Not applicable	N/A
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.	To be required as a condition of consent	YES, subject to condition.
17. Surface finishes	Balconies and external paved areas must have slip resistant surfaces.	To be required as a 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.	To be required as a condition of consent	YES, subject, to condition
19. Garbage	An outside garbage storage area must be provided in an accessible location.	Not applicable	N/A
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	Not applicable, the applicant is not a government or community housing provider.	N/A



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Control	Required	Proposed	Complies
	provider.		
21. Neighbourhood amenity and streetscape	a. Contribute to an attractive residential environment with clear character and identity.	The proposed development is considered to satisfactorily compliment the residential character of the locality.	YES
	b. Where possible, retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan,	The site is not in close proximity to any heritage items or conservation areas and is therefore considered consistent with the provisions in this regard.	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,	As detailed throughout this report the proposal is considered to provide satisfactory amenity and appropriate character to the locality.	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,	Neighbour amenity is considered to be maintained, to proposed additions form, provision of landscaping, and location of windows and balconies.	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 building height of proposed additions will match the existing building.	YES
	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,	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 any sense of enclosure.	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 noted elsewhere within this report the building alignment is considered to be satisfactory with that of surrounding development and the site constraints for corner allotments.	YES



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Control	Required	Proposed	Complies
	h. Embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape.	Council's Bushland management has reviewed the proposal and has raised no objections to the proposed development.	YES

Clause 29 – Does not apply to Development within the B6 War Veterans Locality.

General Principal	Applies	Comments	Compliance
CL41 Brothels	No	Not applicable	Not applicable
CL42 Construction Sites	Yes	Construction is proposed for the site. 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	The proposed development is for residential use which is not considered to significantly impact upon neighbouring properties with regard to noise. Accordingly, subject to conditions the proposal is considered to be satisfactory with regard to noise impact.	YES (subject to condition)
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	Not 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	No	The existing building is connected to all services including an approved telecommunications	N/A



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General Principal	Applies	Comments	Compliance
		provider, energy, water and sewerage.	
CL55 Site Consolidation in 'Medium Density Areas'	No	The subject land is not within the nominated areas under the CI 55.	Not Applicable.
CL56 Retaining Unique Environmental Features on Site	Yes	Council's Bushland have reviewed the proposal, subject to conditions it is considered that the proposal satisfies the requirements of the General Principle.	YES
CL57 Development on Sloping Land	No	Not applicable	Not Applicable
CL58 Protection of Existing Flora	Yes	Council's Bushland officer has reviewed the proposal and has raised no objection subject to conditions. It is considered that the proposal satisfies the requirements of the General Principle.	YES
CL59 Koala Habitat Protection	No	Not applicable	Not Applicable
CL60 Watercourses & Aquatic Habitats	Yes	The Narrabeen Lagoon is adjacent to the site and suitable conditions are recommended to control any construction activities that may contribute to sedimentation or pollution.	Yes. Subject to conditions.
CL61 Views	Yes	Due to the geography of the surrounding area the site does not affect any district, iconic or water views. The proposed development will not result in view loss from the public or private domain.	YES
CL62 Access to Sunlight.	Yes	The proposal will not create any overshadowing for adjoining development. In addition the proposed additions will have adequate access to sunlight of at least two (2) hours per day.	YES
CL63 Landscaped Open Space (LOS)	Yes	The proposed additions will decrease the impervious surface of the site by 250m ² , however the village as whole will have in excess of 40% of the site as Landscape open space.	YES
CL64 Private open space.	Yes	The proposed additions will not alter the existing private open spaces of the existing hostel. The proposed new additions will provide additional private open space to the existing hostel.	YES
CL66 Building bulk	Yes	The existing hostel building is single storey and surrounded by bushland. The proposed lounges will be located within existing recessed spaces of the existing building and therefore the built form will be consistent to that of surrounding development and that on site in with regard to bulk and scale.	YES



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General Principal	Applies	Comments	Compliance
		Notwithstanding the overall the design of the proposed additions is satisfactorily articulated with integrated landscaping around the perimeter to break up bulk and provide visual interest to the building. Accordingly, the proposed development is considered to result in any adverse impacts on the surrounding development and is considered to be satisfactory with regard to the provisions of Clause 66.	
CL67 Roofs	Yes	The proposed new roof form will match the existing building and is considered to be satisfactory.	YES
CL69 Accessibility – Public and Semi-Public Buildings	Yes	The proposal improves accessibility by providing additional ramps from the hostel which will be connected to Lakeshore Drive.	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)	No	The application will not alter the existing parking facilities.	Not Applicable
CL72 Traffic access & safety	Yes	The site is located on a local road network. Accordingly, the traffic using this part of the road way would be generally small volumes of local traffic. The proposed works will not change the existing traffic access and safety and therefore meets this requirement.	YES
CL73 On-site Loading and Unloading	No	The war veterans village contains collective designated locations for service vehicles, delivery and emergency services. These services will not be altered as part of this application.	Not Applicable
CL74 Provision of car parking	NO	No new dwelling or bedrooms are proposed as part of this application and therefore there are no requirements for additional carspaces to be provided.	Not Applicable
CL75 Design of car parking Areas	NO	No Comment	Not Applicable
CL76 Management of Stormwater	Yes	The proposed development will be connected to the existing stormwater system.	YES
CL77 Landfill	No	No Comment	Not Applicable
CL78 Erosion & Sedimentation	Yes	Erosion and sediment control measures are to be put in place during construction. The proposal is considered satisfactory with regard to erosion and sediment control principles under the WLEP	YES (subject to condition).



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General Principal	Applies	Comments	Compliance
		2000.	
CL79 Heritage Control	No	<p>The War Vets is identified as having items of heritage significance located on it. The items include 'ANZAC War Memorial', Veterans Parade, 'Darby & Joan Cottages' (units 11 and 12), Veterans Parade, 'Legacy Park', Veterans Parade, Collaroy, and the RSL House.</p> <p>The proposed development is not considered to have any adverse impact upon the existing items of heritage significance for the following reasons:</p> <ul style="list-style-type: none"> • The development will be located a considerable distance from the items; • The fact the development is considered appropriate for the site and the locality by way of design, bulk scale and the intended use; and • The significance of the items will not be altered. <p>Accordingly, 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 development with regard to heritage matters.</p>	Not Applicable
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 defined 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	<p>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, sitting, external materials, finishes, colours and setting. Significant views to and from heritage items or heritage conservation areas, are not to be adversely affected.</p> <p>The subject site is located within</p>	YES



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General Principal	Applies	Comments	Compliance
		<p>the vicinity of a locally listed item of heritage significance as noted above in Clause 79.</p> <p>The subject development is not considered to have any adverse impact upon the existing items of heritage significance for the following reasons:</p> <ul style="list-style-type: none"> • The development will be located a considerable distance from the items; • The fact the development is considered appropriate for the site and the locality by way of design, bulk scale and the intended use; • The development is not considered to provide any physical impact upon the items; and • The existing visual setting is considered to be maintained. <p>In addition it is considered that the proposal will have no adverse impact on the heritage value of the item.</p> <p>Accordingly, the proposal is considered to be satisfactory with regard to the requirements of the General Principle.</p>	
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	The applicant has provided a satisfactory site analysis for the property including access points, adjacent buildings and uses, geography of the site and surrounds, separations distances, access, sight distances, previous building footprint and natural features of interest including landform and drainage points.
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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.
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POLICY CONTROLS

Warringah Section 94A Development Contribution Plan 2008

DA No.DA2008/1078 R



The proposed development is subject to the provisions of Section 94A of the EP&A Act and the provisions of the Warringah Section 94A Development Contribution Plan. The applicable contributions are outlined within the table below. If the application is approved a condition of consent has been included on the draft consent to ensure the required contributions are paid prior to the issue of the Construction Certificate.

<i>Warringah Section 94A Development Contributions Plan</i>			
Contribution based on total development cost of		\$	385,550.00
Contribution - all parts Warringah	Levy Rate	Contribution Payable	Council Code
Total S94A Levy	0.95%	\$3,663	6923
S94A Planning and Administration	0.05%	\$193	6924
Total	1.0%	\$3,856	

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, the relevant Environmental Planning Instruments and the relevant codes and policies of Council.

The proposed development is for the alteration and additions to the existing North West Hostel. The proposed additions will provide additional recreation areas, both indoor and outdoor for residents of the hostel. The proposal is considered to satisfy the requirements of the relevant WLEP 2000 DFC statement with respect to the character, sitting, bulk and scale of the development and the proposed additions is compatible with the character of the existing hostel.

The proposed additions and alterations is a permissible form of development and the site is considered to be suitable for the proposal and the locality.

It is considered that the proposed development satisfies the appropriate controls (subject to conditions) and that all processes and assessments have been satisfactorily addressed. Accordingly, the proposal is recommended for approval.

RECOMMENDATION (APPROVAL)

- A. That the Development Application No: DA2008/1078 for alterations and additions to an existing hostel at the RSL war veterans village, at Lot 1, DP 774980, Lot 1, DP803645, Lot 2026, DP 752038, Lot 2611, DP 752038, Lot 573, DP 752038, and Lot 2641, DP 752038, Veterans Parade, Wheeler Heights be Approved subject to the following conditions.



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- B. That pursuant to Section 95(2) of the Environmental Planning and Assessment Act 1979, the Council vary the provisions of Section 95 (1) so this consent will lapse three (3) years from the date in which it operates, and the applicant be advised accordingly.

Signed

Date

Lashta Haidari – Senior Development Assessment Officer

Signed

Date

Amy Sutherland – Acting Team Leader

NOTICE OF DETERMINATION

Application Number: DA2008/1078

APPLICATION DETAILS

Applicant Name and Address: Young & Metcalf
PO Box 18
Paddington NSW 2021

Land to be developed (Address): Lot 2611 DP 752038 Lot 1/ Veterans Parade, Wheeler Heights.

Proposed Development: Alterations and additions to an existing Hostel at the RSL War Veterans Village.

DETERMINATION - APPROVED

Made on (Date): 13 January 2009

Consent to operate from (Date): 13 January 2009

Consent to lapse on (Date): 13 January 2012

Details of Conditions

The conditions, which have been applied to the consent, aim to ensure that the Environmental Impacts of Development are minimised and the Health and Safety of the community is maintained in accordance with the relevant standards and the Building Code of Australia.

NOTE:

If the works are to be certified by a Private Certifying Authority, then it is the certifier's responsibility to ensure all outstanding fees and bonds have been paid to Council prior to the issue of the Construction Certificate or as otherwise specified by Consent conditions.

Pursuant to Section 95(2) of the Environmental Planning and Assessment Act 1979, Council has varied the provisions of Section 95(1) and advise that the consent will lapse 3 years from the date upon which the consent operates.

Section 95A of the Environmental Planning and Assessment Act 1979, allows for an extension of 1 year to the period in which the consent will lapse, except for complying development. Such an application must be made in accordance with Clause 114 of the Environmental Planning and Assessment Regulation 2000.

GENERAL CONDITIONS

CONDITIONS THAT IDENTIFY APPROVED PLANS

1. Approved Plans And Supporting Documentation

The development is to be carried out in compliance with the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of consent:

Drawing Number	Dated	Prepared By
DA01 (Issue A)	July 2008	Young + Metcalf Architects
DA02 (Issue A)	July 2008	Young + Metcalf Architects
DA03 (Issue A)	July 2008	Young + Metcalf Architects
DA04 (Issue A)	July 2008	Young + Metcalf Architects
DA05 (Issue A)	July 2008	Young + Metcalf Architects
DA06 (Issue A)	July 2008	Young + Metcalf Architects
DA07 (Issue A)	July 2008	Young + Metcalf Architects
DA08 (Issue A)	July 2008	Young + Metcalf Architects
DA09 (Issue A)	July 2008	Young + Metcalf Architects
DA10 (Issue A)	July 2008	Young + Metcalf Architects

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

Note: Further information on Construction Certificates can be obtained by contacting Council's Call Centre on 9942 2111, Council's website or at the Planning and Assessment Counter.

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

2. Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

Reason: Prescribed - Statutory.

3. Demolition of Extra Fabric

Alterations to, and demolition of the existing building shall be limited to that shown on the approved plans (by way of notation). No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is shown to be retained.

Reason: To ensure compliance with the approved development.

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

4. Sediment Control

Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, details including plans and specifications shall be submitted to Council / Accredited Certifier accompanying the Construction Certificate, which provide adequate measures for erosion and sediment control. As a minimum, control techniques are to be in accordance with Soils and Construction Manual Volume 1 - Managing Urban Stormwater, or a suitable and effective alternative method. The Control Plan shall incorporate and disclose:

- (a) All details of drainage to protect and drain the site during the construction processes;
- (b) All sediment control devices, barriers and the like;
- (c) Sedimentation tanks, ponds or the like;
- (d) Covering materials and methods;
- (e) A schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.

Details from an appropriately qualified person showing that these design requirements have been met shall be submitted with the Construction Certificate and approved by the Council / Accredited Certifier prior to issuing of the Construction Certificate.

Reason: *To protect the environment from the effects of sedimentation and erosion from development sites*

5. Design for Access & Mobility

The development must be designed to comply with the requirements of Australian Standard AS1428.2-1992 Design for Access and Mobility - Enhanced and additional requirements - Buildings and facilities. Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: *To ensure equitable access to members of the community to all public facilities.*

6. Long Service Levy

Payment of the Long Service Levy is required prior to the release of the Construction Certificate. 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.

Reason: *Prescribed - Statutory.*



7. No External Service Ducts

Service ducts shall be provided within the building to keep external walls free of plumbing or any other utility installations. Such service ducts are to be concealed from view from the street. Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: *To ensure quality built form of the development.*

8. Reflectivity Index

The reflectivity index (expressed as a percentum of the reflected light falling upon any surface) of external glazing for windows, walls or roof finishes of the proposed development is to be no greater than 20%. Written confirmation of the reflectivity index of materials is to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Note: The reflectivity index of glazing elements can be obtained from glazing manufacturers. Glass with mirrored or reflective foil finishes is unlikely to achieve compliance with this requirement.

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

9. Section 94A Contribution

\$3,856 is to be paid to Warringah Council as a Section 94A levy prior to the issue of the Construction Certificate.

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). Please ensure that you provide details of this Consent when paying contributions so that they can be easily recalculated.

The basis for the contributions is as follows:

Warringah Section 94A Development Contributions Plan			
Contribution based on total development cost of		\$	385,550.00
Contribution - all parts Warringah	Levy Rate	Contribution Payable	Council Code
Total S94A Levy	0.95%	\$3,663	6923
S94A Planning and Administration	0.05%	\$193	6924
Total	1.0%	\$3,856	

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.*

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

10. Notice of Commencement

At least 2 days prior to work commencing on site Council must be informed, by the submission of a Notice of Commencement in Accordance with Section 81A of the Environmental Planning and Assessment Act 1979 of the name and details of the Principal Certifying Authority and the date construction work is proposed to commence.

Reason: *Legislative requirement for the naming of the PCA.*

11. Site Sign

- (1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - (a) Stating that unauthorised entry to the work site is prohibited;
 - (b) Showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
 - (c) Showing the name, address and telephone number of the Principal Certifying Authority for the work.
- (2) Any such sign must be maintained while building work or demolition work is being carried out, but must be removed when the work has been completed.
- (3) This condition does not apply to building works being carried out inside an existing building.

Reason: *Statutory requirement.*

12. Identification and Protection of Trees

- (1) All trees identified for retention/protection are to be clearly identified by signage as protected trees.
- (2) The primary root zone areas of the trees identified for protection are to be protected by fencing during the entire construction period except for specific areas directly to achieve construction works.
- (3) The tree protection fence shall be constructed of galvanised pipe at 2.4 m spacing and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres. The tree protection fencing is to be installed and fully operational prior to any demolition or construction works commencing on the site.

Reason: *To protect trees to be retained.*

13. Protection of Trees During Works

All trees that are to be specifically nominated to be retained by notation or condition as a requirement of development consent shall be maintained and protected during demolition, excavation and construction on the site. Details of required protection methods shall be provided to the Certifying Authority by an appropriately qualified person prior to commencement of any works on the site.



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Reason: To ensure compliance with the requirement to retain significant planting on the site.

CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

14. Applicant's Cost of Work on Council Property

The applicant shall bear the cost of all works associated with the development that occurs on Council's property.

Reason: To ensure the proper management of public land.

15. Notification of Inspections

Council's Development Engineer is to be given 48 hours notice when the works reach the following stages:

- (a) Installation of Silt and Sediment control devices
- (b) Prior to backfilling of pipelines
- (c) Prior to pouring of stormwater gully pits
- (d) Prior to pouring of kerb and gutter
- (e) Subgrade level / basecourse level
- (f) Sealing road pavement

NOTE: Any inspections carried out by Council do not imply Council approval or acceptance of the work, and do not relieve the developer/applicant from the requirement to provide an engineer's certification. Council approval or acceptance of any stage of the work must be obtained in writing, and will only be issued after completion of the work to the satisfaction of Council and receipt of the required certification.

Reason: To ensure new Council infrastructure is constructed to Council's requirements.

16. Silt & Sediment Control

Provision shall be made throughout the period of demolition / Excavation & Construction to prevent transmission of soil to the public road and drainage system by vehicles leaving the site.

Reason: To avoid siltation to adjoining properties and waterways.

17. Construction Hours

Building construction shall be restricted to within the hours of 7.00 am to 5.00 pm Monday to Friday and on Saturday to within the hours of 8.00 am to 1.00 pm inclusive, with no work on Sundays and Public Holidays.

Demolition and excavation works shall be restricted to within the hours of 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).



Where it is necessary for works to occur outside those hours allowed by these conditions, approval for such will be subject to issue of a permit on each occasion from Council's Customer Services Centre. Such permit must be obtained and the appropriate fee paid at least two (2) clear working days in advance of each relevant date. Such occurrence shall be limited to two occasions per calendar month and shall only be approved if public safety or convenience is at risk.

Note: Failure to obtain a permit for work outside of the approved hours will result in on the spot fines being issued, or Council pursuing any action required (including legal proceedings) to have the out of hours work cease, without prior warning.

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

18. Demolition Works

All Demolition Work shall be carried out in a safe manner by trained personnel under the management of a licensed demolisher who is registered with the WorkCover Authority, in accordance with all relevant Acts, Regulations and Australian Standards.

Note: The following Australian Standard applied at the time of determination

- Australian Standard AS2601.2001 - Demolition of Structures

Reason: *To ensure a satisfactory standard of demolition works.*

19. Plans on Site

A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) shall be kept on site at all times so as to be readily available for perusal by any officer of Council or the Certifying Authority.

Reason: *To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information and to ensure ongoing compliance.*

20. Trees

- (1) Tree roots of 50mm or greater in diameter encountered during excavation, shall only be cut following consultation with a qualified Arborist. Tree roots between 10mm and 50mm in diameter, severed during excavation, shall be cut cleanly by hand.

Reason: *Protection of trees.*

- (2) Underground services should use common trenches as far away from tree roots as possible. If the services need to be run within the protection zone, all utility pipes are to be laid using appropriate directional boring techniques. Directional Boring shall be carried out at least 600mm beneath natural ground to avoid damage to tree/trees root system. Entry and exit points are to be located outside the protected area. No tree roots are to be severed, or damaged during this work. Should problems arise, work is to cease until those problems are resolved and confirmed in writing by Council's Tree Management Officer.



Reason: *Protection of trees.*

- (3) All overhead utility services are to be located outside the canopies of existing trees.

Reason: *Protection of trees.*

- (4) The following guidelines are to be complied with at all times:
- (a) The applicant shall ensure that at all times during the development period no activities, storage or disposal of materials shall take place beneath the canopy of any tree covered under Council's Tree Preservation Order unless specifically approved by Council.
 - (b) Trees marked for retention are not to be damaged or used to display signage, or as fence or cable supports for any reason.
 - (c) Sitting of sheds, stockpiles and vehicle parking should be sited so that they are remote from trees.
 - (d) Site personnel are to be made aware of tree requirements and protective measures. Paving materials placed within the dripline of any tree should be of a porous material.

Reason: *Protection of trees.*

- (6) 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.

The presence of any of these symptoms or signs may be considered by Council as a breach of the Conditions of Development Approval.

Reason: *Protection of trees.*

- (7) All trees on neighbouring properties are to be protected from adverse impacts caused by the works. Any excavations or changes of level occurring within the canopy of trees on neighbouring properties shall only be undertaken following consultation by a suitably qualified Arborist.

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.*

21. Tree Pruning

Any tree pruning necessary for construction shall be carried out under the supervision of an appropriately qualified Arborist and be in accordance with the relevant Australian Standards.

Note: The following Australian Standard applied at the time of determination:

- Australian Standard AS 4373.2007 - Pruning of Amenity Trees.

Reason: *To ensure protection and longevity of existing trees.*

23. Tree Preservation Order

The land is subject to a Tree Preservation Order and no trees other than those expressly granted permission as a result of this development consent, may be removed without the prior consent of Council.

Reason: *Protection of trees.*

24. Asset Protection Zone

No approval is granted for clearing of native vegetation outside the approved Asset Protection Zone. The approved Asset Protection Zone is to be clearly indicated on site via fencing or other visible means to ensure future maintenance works do not encroach into surrounding bushland

Reason: *To protect remnant bushland.*

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

25. Occupation Certificate Required

An Interim / Final Occupation Certificate shall be obtained in relation to the approved works prior to any use or occupation of those parts of the building.

Note: In issuing an Interim / Final Occupation Certificate the Principal Certifying Authority must be satisfied that the requirements of Section 109H of the Environmental Planning and Assessment Act 1979 have been satisfied.

Reason: *To ensure compliance with the provisions of the Environmental Planning and Assessment Act.*

SCHEDULE 1: SPECIAL PROVISIONS FOR HOUSING FOR OLDER PEOPLE OR PEOPLE WITH A DISABILITY

26. Accessible Entry

Every entry (whether a front entry or not):

- (a) Must not have a slope that exceeds 1:40, and
- (b) Must comply with clauses 4.3.1 and 4.3.2 of AS 4299, and
- (c) Must have an entry door handle and other hardware that complies with AS 1428.

Details to be provided prior to Occupation.

Reason: *Safety and convenience.*

27. Internal Door

- (a) Internal doors must have a clearance of at least 820 millimetres.
- (b) Internal corridors must have a width of at least 1,000 millimetres.
- (c) The width at internal door approaches must be at least 1,200 millimetres.

Details to be provided prior to Occupation.

Reason: *Access and safety.*

28. Doors

Door hardware provided as the means for opening doors must be:

- (a) Able to be operated with one hand, and
- (b) Located between 900 millimetres and 1,100 millimetres above floor level.

Details to be provided prior to Occupation.

Reason: *Safety and convenience.*

29. Surface Finishes

Balconies and external paved areas must have slip-resistant surfaces.

Details to be provided prior to Occupation.

Reason: *Safety and convenience.*

30. Ancillary Items

Switches must be located between 900 millimetres and 1,100 millimetres above floor level.

General-purpose outlets must be located at least 600 millimetres above floor level.

Details to be provided prior to Occupation.

Reason: *Safety and convenience.*

31. Access for People with Disabilities

Provision shall be made for access to and within the building on the site for persons with a disability in accordance with the provisions of AS 1428 Parts 1 and 4 prior to occupation. Particular attention should be given to tactile ground surface indicators for the orientation of people with vision impairment (AS 1428.4).

Details to be provided prior to Occupation.

Reason: Equitable access for people with a disability.

CONDITIONS PROVIDED BY THE NSW RURAL FIRE SERVICES (INTEGRATED DEVELOPMENT UNDER SECTION 100B OF RURAL FIRES ACT 1997)

32. Asset Protection Zone

The intent of measures is to provide sufficient space and maintain reduces fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building.

1. At the commencement of building works the property around the new development to a distance of 20 metres shall be managed as an 'Inner Protection Area' as outlined within Planning for Bush Fire Protection 2006 and the services document 'Standards for asset Protection Zones'.

Design and Construction

2. New construction is to comply with Appendix 3 – Site Bush Fire Attack Assessment of Planning for Bush Fire Protection 2006. In this regard the following design standards for construction are to be incorporated into the development:
 - (a) New Construction shall comply with Australian Standard AS3959 -1999 'Construction of buildings in bushfire –prone areas' Level 3.
 - (b) Roofing shall be gutterless or have leafless guttering and valleys to prevent the built up flammable material. Any material used shall have a flammability index no greater than 5.
 - (c) All windows, including frames, shall have;
 - (i) The openable portions screened using a mesh with a maximum aperture of 2mm made of corrosion resistant steel or bronze, and
 - (ii) The windows assemblies protected by a complying bush fire shutter. These shutters shall –
 - Be fixed to the building and be non-removable,
 - When in the closed position, have no gap between the shutter and the wall, the sill or the head greater than 2mm,
 - Be readily manually operable from either inside or outside,



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- Protect the entire window or door assembly,
- Be made from non-combustible material,
- Where perforated, have –
 - Uniformly distributed perforations with a maximum aperture of 2mm, and
 - A perforated area no greater than 20% of the shutter.

Or where window assemblies are not protected by a complying bush fire shutter –

- Windows frames, window joinery and hardware shall be metal.
- Hardware fitted externally that supports the sash in its functions of opening and closing shall be metal.
- Glazing shall be toughened glass minimum 5mm.
- Seals to stiles, head and sills or thresholds shall be manufactured from materials having flammability index no greater than 5.

(d) There is to be no exposed timber on all new construction.

Reason: *NSW Rural Fire Services*



Warringah Council

Right to Review by the Council

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.

NOTE: *A fee will apply for any request to review the determination.*

Right of Appeal

If you are dissatisfied with this decision Section 97 of the Environmental Planning & Assessment Act 1979 may give you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

Signed on behalf of the consent authority

Signature _____
Name Lashta Haidari
 Senior Development Assessment Officer

Date: 13 January 2009