

28 May 2007

Humel Architects Pty Ltd
P O BOX 153
MANLY NSW 2095

6000/6478 MOD 3
LP (PAS)

Dear Sir/Madam,

**RE: LOT 1, VETERANS PARADE, WHEELER HEIGHTS
MODIFICATION OF DEVELOPMENT CONSENT NO. 6000/6478DA
REVISION TO THE DESIGN AND FOOTPRINT OF AN APPROVED
COMMUNITY BUILDING WITHIN THE WAR VETERANS
RETIREMENT VILLAGE**

We are writing to advise that the request to modify the above-mentioned Development Consent has been approved on 24 May 2007 and determined as follows:

- **Amendment to Condition No. 1 to read as follows:**

1. Development in Accordance with Plans (S96 Amendments)

The development being carried out in accordance with development application DA6000/6478 plans numbered as seen below:

Drawing No.	Drawing Title	Revision Date	Date
Architecturals: Prepared by Cox Richardson Architects			
94072 DA-01 Rev A	Master plan	-	March 1998
94072 DA-02 Rev B	Site Plan	-	March 1998
94072 DA-03	Site Sections	-	March 1998
94072 DA-04	Units	-	March 1998
94072 DA-05	Community Club	-	March 1998

except as modified by Modification 2 Reference 6000/6478/2 plans listed below:

Drawing No.	Drawing Title	Revision No.	Date
Architecturals: Prepared by Humel Architects			
100	Stage 1 Masterplan	-	December 2005
101 Rev G	Stage 1: Site Plan	08/02/2006	February 2006
102 Rev G	Stage 1: Ground Floor Plan	08/02/2006	February 2006
103 Rev G	Stage 1: First Floor Plan	08/02/2006	February 2006
104 Rev G	Stage 1: Building elevations & site sections 1 & 2	08/02/2006	February 2006
105 Rev G	Typical detail plans of units, garbage areas, clothes line pavilion and gazebo	08/02/2006	February 2006
106 Rev G	Typical floor plan & Roof plan & Elevations units blocks: A; B; D; E; F; G & H	08/02/2006	February 2006

107 Rev G	Typical floor plan & Roof plan & Elevations units blocks: C	08/02/2006	February 2006
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and as modified by the following plans in relation to 6000/6478/3:

Plan Number / Title	Dated
PSL3391A/LA/CD-000 (Issue A) "Cover Sheet"	Oct 06
PSL3391A/LA/CD-001 (Issue A) "GA Materials and Finishes Plan – Community Building"	Oct 06
PSL3391A/LA/CD-005 (Issue A) "Planting Layout Plan – Community Building"	Oct 06
PSL3991A/LA/CD-009 (Issue A) "Landscape Hardworks Details"	Oct 06
PSL3391A/LA/CD-010 (Issue A) "Softworks Details and Plant Schedule"	Oct 06
2003.10-101 (Rev A) "Stage 1A – Site Plan Community Building"	20-10-06
2006.50-103 (Rev B) "Ground Floor Plan Community Building"	31-10-06
2006.50-106 (Rev CC) "Stage 1A – Community Building Elevations & Sections"	1-02-2007

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. **[A1 (1)]"**

- (1) Relocation of connector road shown as Revision B on plan DA-02B (ex 25);
- (2) Deletion of two units also shown as Revision B on plan DA-02B; and
- (3) Replacement of the water quality/sedimentation ponds shown on drawings DA01A and DA02A (and shown as Revision B on DA01B and DA02B) with the stormwater management system as described in the Sinclair Knight Merz "Stormwater Management Concept Report" dated August 2003 (Reference NB22222.100); and
- (4) **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 Principal 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. **[A2]**

- (5) **Compliance with notations in red on plans**
Compliance with notations made in red on the face of the plans. Amended plans demonstrating compliance with these notations are to be submitted and approved by an accredited certifier prior to the issue of the Construction Certificate.

Reason: To ensure compliance with the conditions of this consent

Except as amended by the following conditions:

- **Imposition of Condition No. 39 to read as follows:**

CONDITIONS IMPOSED BY THE NSW DEPARTMENT OF NATURAL RESOURCES

39. The following General Terms of Approval have been imposed by the NSW Department of Natural Resources in relation to the community building and associated works pursuant to Section 91A(2) of the Environmental Planning and Assessment Act 1979:

- (a) The Construction Certificate for the subject community building and associated works shall not be issued until a copy of the Part 3A Permit, issued by the NSW Department of Natural Resources, has been provided to Council / Accredited Certifier.

The following conditions apply only to works related to the subject community building and associated structures / works pursuant to Section 96 Modification Application 6000/6478/3:

- (i) Works are to be carried out in accordance with the plans presented to the Department of Natural Resources for the subject application.
- (ii) All works proposed must be designed, constructed and operated to minimise sedimentation, erosion and scour of the banks or bed of the watercourse / foreshore and to minimise adverse impacts on aquatic and riparian environments.
- (iii) Erosion and sediment control measures are to be implemented prior to any works commencing at the site and must be maintained for as long as necessary after the completion of works, to prevent sediment and dirty water entering the watercourse / foreshore environment. These control measures are to be in accordance with the requirements of Council, or the determining authority, and best to follow management practices as outlined in the Landcom manual "Managing Urban Stormwater: Soils and Construction – Volume 1" (4th Ed., 2004) – the "Blue Book".
- (iv) The Part 3A Permit from the Department is issued for works on FREEHOLD land only. This Permit is null and void for any works on Crown Land.
- (v) The Part 3A Permit from the Department must be kept current for the duration of any works and any required establishment and maintenance periods.
- (vi) Rehabilitation of the area in accordance with the Part 3A Permit conditions or any direction from the Department is the responsibility of the permit holder and owner or occupier of the land.
- (vii) If requested by the Department, work as executed survey plans of a professional standard and including information required by the Department shall be provided to the Department within 14 days of such

request. (Note: the Department usually only invokes this condition in matters of contention.)

(viii) If, in the opinion of a Departmental officer, any work is being carried out in such a manner that they may damage or detrimentally affect the watercourse or foreshore or its environment, or damage or interfere with any thing not authorised to be so affected, such work shall cease immediately upon oral or written direction of such officer.

(ix) If any Part 3A Permit condition is breached, the Permit holder shall follow the Department's directions to address the breach and shall rehabilitate the site as directed by, and to the satisfaction of, the Department.

Special Conditions:

There is to be no encroachment, harm or damage to the area and plants of the riparian area, as defined in the Part 3A Permit for LEC proceeding 10566 of 1996.

This letter should therefore be read in conjunction with Court Consent (Proceedings No. 10566 of 1996) (Development Application No. 6000/6478) dated 28 May 1998, Court Orders dated 17 April 2003 and Court Orders dated 5 May 2006.

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 **Simon Ip** 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,

Phil Hoffman
Senior Team Leader
Planning and Assessment Services