

REPORT TO APPLICATION DETERMINATION PANEL

Meeting held on 22 April 2014

1217 Pittwater Road Collaroy - Alterations & Additions to an existing dwelling house to create a dual occupancy development

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2013/1449
Responsible Officer:	Kevin Short
Land to be developed (Address):	Lot A DP 371463 , 1217 Pittwater Road COLLAROY NSW 2097
Proposed Development:	Alterations & Additions to an existing dwelling house to create a dual occupancy development
Zoning:	LEP - Land zoned R3 Medium Density Residential
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Warringah Council Application Determination Panel
Land and Environment Court Action:	No
Owner:	Michelle Isabelle Hackett
Applicant:	Michelle Isabelle Hackett
Application lodged:	04/12/2013
Application Type:	Local
State Reporting Category:	Residential - Alterations and additions
Notified:	10/12/2013 to 10/01/2014
Advertised:	Not Advertised in accordance with A.7 of WDCP
Submissions:	3
Recommendation:	Approval
Estimated Cost of Works:	\$ 330,000

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 all lands whether nearby, adjoining or at a distance;
- Consideration was given to all documentation provided (upto the time of determination) by the applicant, persons who have made submissions regarding the application and any advice provided by relevant Council / Government / Authority Officers on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Warringah Development Control Plan - B5 Side Boundary Setbacks

Warringah Development Control Plan - B7 Front Boundary Setbacks

Warringah Development Control Plan - C3 Parking Facilities

Warringah Development Control Plan - D1 Landscaped Open Space and Bushland Setting

Warringah Development Control Plan - D7 Views

SITE DESCRIPTION

Property Description:	Lot A DP 371463 , 1217 Pittwater Road COLLAROY NSW 2097
Detailed Site Description:	The subject site is regular in shape, located on the western side of Pittwater Road with an area of 561.1m². The site has double street frontage top Pittwater Road and Stuart Street, respectively. The site is located within the R3 Medium Density zone and currently accommodates a one and two storey dwelling. An inground swimming pool and detached single garage is located within the rear western portion of the site. Apartment style housing surrounds the site on all boundaries with the exception of the northern boundary on which construction of a residential flat building has commenced. The eastern side of Pittwater Road is generally characterised by a mixture of three and four storey apartment style buildings and two storey dwelling houses. Collaroy Beach adjoins the eastern side of the property. Topographically, the site is relatively flat with no unique landform or environmental features. Landscaped open space on the site is characterised by grass lawn areas, shrubs and small to medium size canopy trees located within all setback areas.

Vehicular access to each residential lot is provided from Stuart Street.

Map:



SITE HISTORY

Development Application No.2013/0777

DA2013/0777 for Demolition works and construction of a residential flat building at 1219-1225 Pittwater Road was approved by the Land and Environment Court on 15 January 2013. The residential flat building is currently under construction.

Development Application No.2002/0907

DA2002/0907 for Demolition of existing dwellings and construction of a residential flat building at 1217-1225 Pittwater Road was approved by Council on 17 December 2002.

Prelodgement PLM2013/0154

PLM2013/0154 for Alterations and additions to an existing dwelling and construction of a secondary dwelling was held on 14 October 2013.

PROPOSED DEVELOPMENT IN DETAIL

The proposed development seeks approval for alterations and additions to the existing two storey dwelling house and construction of an attached dual occupancy. Specifically, the proposal comprises alterations and additions to the existing dwelling to provide the following:

Ground floor level

- provision of a double garage with an open terrace above and living room with sunroom above

- located adjacent to the front eastern portion of the site
- new metal roof over the existing single carport and storage room located within the rear western portion of the site
- internal reconfiguration to provide a dining and kitchen room
- internal modifications and additions to the rear western portion of the existing dwelling to provide for the second dwelling
- landscaping and site works to provide two new entries to the dwelling and secondary dwelling and landscape garden areas within the front and side setback areas
- new vehicle access at eastern end of site
- a series of 1.2m and 1.8m high masonry front fences facing Stuart Street and Pittwater Road, respectively

First floor level

- second storey deck and sunroom at the northern portion of the dwelling
- addition of a bedroom, bathroom and deck at the rear western portion of the dwelling

External materials and finishes

- metal gable and flat klip lock roof forms
- rendered external brick walls
- aluminium framed glass door, windows and balustrade

Stormwater disposal

- stormwater to be collected from the roof and dispersed by gravity to Pittwater Road

Dual Occupancy Development

In summary, the proposed development comprises an attached dual occupancy development.

It is noted that the original description of the development provides reference to a 'secondary dwelling' and the Statement of Environmental Effects submitted with the application references a 'granny flat'. However, it was found that the floor area of the proposed 'granny flat' was 69m² which exceeds the maximum 60m² requirement for a secondary dwelling under SEPP (Affordable Rental Housing) 2009. As such, this component of the development cannot be assessed as a secondary dwelling as defined under the SEPP.

Notwithstanding, the proposed development can be assessed as an attached dual occupancy which is permissible development in the R3 Medium Density Residential Zone under WLEP 2011. As per WLEP 2011, an attached dual occupancy means:

'2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling'.

Having regard to the above, the description of the original application has been amended to reflect the proposed development (ie. dual occupancy). Additionally, in accordance with the notification requirements of WDCP this change is not required to be re-notified as it differs only in minor respects from the original application, and does not result in a greater environmental impact.

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 A.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under 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” in 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 applies to this proposal.
Section 79C (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 79C (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent. <u>Clause 50(1A)</u> of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This Clause is not relevant to this application. <u>Clauses 54 and 109</u> of the EP&A Regulation 2000, Council requested additional information and has therefore considered the number of days taken in this assessment in light of this Clause within the Regulations. No additional information was requested. <u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent. <u>Clauses 93 and/or 94</u> of the EP&A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This Clause is not relevant to this application. <u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter has been addressed via a condition of consent. <u>Clause 98</u> of the EP&A Regulation 2000 requires the

Section 79C 'Matters for Consideration'	Comments
	consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent. <u>Clause 143A</u> of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building designer prior to the issue of a Construction Certificate. This Clause is not relevant to this application.
Section 79C (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 79C (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Public Exhibition” in this report.
Section 79C (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application 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 Warringah Development Control Plan.

As a result of the public exhibition process council is in receipt of 3 submission/s from:

Name:	Address:
Robert Hudson	5 / 1211 Pittwater Road COLLAROY NSW 2097
Benjamin John Turner	6 / 1 Stuart Street COLLAROY NSW 2097
Lauren Turner	1 Stuart Street COLLAROY NSW 2097

The following issues were raised in the submissions and each have been addressed below:

- Loss of street carparking spaces and traffic impacts

- View Loss

The matters raised within the submission are addressed as follows:

- **Loss of street carparking spaces**

Comment: Concern has been raised in the submission that the proposed development will result in traffic impacts and the loss of on-street carparking spaces.

The proposed provision of on-site car parking has been assessed as being satisfactory with the requirements of WDCP Clauses - C2 Traffic, Access and Safety and C3 Parking Facilities.

The proposed development will provide three (3) on-site car parking spaces, comprising a double garage located at the front of the site and the single garage located at the rear of the site. Under C3 Parking Facilities, Four (4) car parking spaces are required. Notwithstanding, a variation to the numerical requirement has been supported on merit for the following reasons:

- i) only one (1) formal car parking space is currently provided on site
- ii) a condition has been included in the Recommendation for the existing vehicle cross-over from Pittwater Road to be made redundant and converted back to curb and gutter, and therefore, an additional on-street carparking space is provided on Pittwater Road
- iii) the proposed new vehicle crossover from Stuart Street will traverse through an existing no-standing zone, and therefore, no net loss of on-street carparking spaces on Stuart Street will occur.

Based on the above, the proposal will result in an overall net gain of two (2) off-street spaces and one (1) on-street carparking space, respectively.

Council's Traffic Engineer has also reviewed the proposal and raises no concern in relation to the proposal, including the location of the new vehicle cross over from Stuart Street, subject to conditions which have been included in the Recommendation.

Concerns raised in relation to the appropriateness of the current parking and traffic situation should be directed to Council's Traffic Committee and/or the Roads and Maritime Services for consideration. Similarly, dangerous driving behaviour or incidents should be reported to police.

Based on the above, the proposal is satisfactory in terms of the provision of on-site carparking spaces and traffic and pedestrian safety issues.

Accordingly, the concerns raised in relation to the provision of carparking and traffic impacts do not carry determining weight and do not warrant the refusal of the application.

- **View loss**

Comment: The concern is that the proposal will result in further view loss impacts on the occupants of Unit 6 No.1 Stuart Street, particularly given the loss of views that are to occur from the recently approved residential flat building located on the adjacent property to the east, Nos.1219 to 1223 Pittwater Road.

The impact of the proposed development on the available views of adjoining and surrounding properties, including Unit 6 No.1 Stuart Street, are assessed under WDCP - D7 Views. In summary, the extent of view loss to this property, and adjoining and surrounding properties, is assessed as

being acceptable.

Furthermore, it was found that the protection of views obtained across the side boundary of the Collaroy Beach land/water interface from Unit 6 No.1 Stuart Street would be problematic when assessed against the four view loss planning principles outlined within the Land and Environment Court Case Tenacity Consulting Pty Ltd Vs Warringah Council (2004) NSWLEC 140.

This assessment has accounted for the residential flat building (RFB) currently under construction on the adjoining properties located to the east, Nos.1219 to 1223 Pittwater Road.

This development, being DA2013/0777, was approved by the Land and Environment Court through an agreement between the Applicant and Council and included amendments to the south-west corner of the building to preserve a view corridor of the Collaroy Beach land/water interface available from Unit 6, No.1 Stuart Street.

Based on the above, it is concluded that the proposed development will have an acceptable impact on the available views from Unit 6, No.1 Stuart Street and adjoining and surrounding properties. Therefore, the concerns raised in relation to view loss do not warrant refusal or redesign of the application.

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 was referred to Council's Building Assessment - Fire and Disability Upgrades Officer for assessment and no concerns were raised in relation to the proposed development subject to conditions which have been included in the Recommendation.
Development Engineers	The application was referred to Council's Development Engineer for assessment and no concerns were raised in relation to the proposed development subject to conditions which have been included in the Recommendation.
Environmental Health and Protection (Acid Sulphate)	The application was referred to Council's Environmental Health and Protection (Acid Sulphate) Officer for assessment and no concerns were raised in relation to the proposed development subject to conditions which have been included in the Recommendation.
Landscape Officer	The application was referred to Council's Landscape Officer for assessment and no concerns were raised in relation to the proposed development.

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no

External Referral Body	Comments
	objections are raised and no conditions are recommended.

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 land is contaminated. Council records indicate that the subject site has been used for residential purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the residential land use.

SEPP (Building Sustainability Index: BASIX) 2004

A BASIX certificate has been submitted with the application and is supported by an ABSA Assessor Certificate.

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 electricity 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 Environment 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

Principal Development Standards

Standard	Requirement	Proposed	% Variation	Complies
Height of Buildings:	8.5m	8.1m	N/A	yes

Compliance Assessment

Clause	Compliance with Requirements
Part 1 Preliminary	Yes
4.3 Height of buildings	Yes
5.9AA Trees or vegetation not prescribed by development control plan	Yes
6.1 Acid sulfate soils	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes

Warringah Development Control Plan

Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
B2 Number of storeys	3	2	N/A	yes
B1 Wall height	7.2m	5.8m	N/A	yes
B3 Side Boundary Envelope	4m	north elevation: contained within projected envelope	N/A	yes
B5 Side Boundary Setbacks	4.5m	north elevation: varying setbacks from 1.0m to 5.6m	up to 87.5%	no
B7 Front Boundary Setbacks	6.5m (primary)	east elevation Pittwater Road: varying setbacks from 4.2m to 5.9m	up to 35.4% (2.3m)	no
	3.5m (secondary)	south elevation Stuart Street: varying setbacks from 2.0m to 2.331m	up to 42.8% (1.5m)	no

B9 Rear Boundary Setbacks	6m	west elevation: 9.1m	N/A	yes
D1 Landscaped Open Space (LOS) and Bushland Setting	50% (280.5m ²)	40.4% (226.5m ²)	19.3% (54m ²)	no

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
B3 Side Boundary Envelope	Yes	Yes
B5 Side Boundary Setbacks	No	Yes
B7 Front Boundary Setbacks	No	Yes
B9 Rear Boundary Setbacks	Yes	Yes
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	Yes	Yes
C4 Stormwater	Yes	Yes
C5 Erosion and Sedimentation	Yes	Yes
C7 Excavation and Landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	Yes	Yes
D1 Landscaped Open Space and Bushland Setting	No	Yes
D2 Private Open Space	Yes	Yes
D3 Noise	Yes	Yes
D5 Orientation and Energy Efficiency	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
E1 Private Property Tree Management	Yes	Yes
E2 Prescribed Vegetation	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E10 Landslip Risk	Yes	Yes

Detailed Assessment

B5 Side Boundary Setbacks

Description of non-compliance

The proposed first floor sunroom and ground floor living room on the northern elevation have varying side setbacks to the northern boundary from 1.0m to 1.9m respectively, which does not comply with the minimum 4.5m requirement of the control.

Merit consideration

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *To provide opportunities for deep soil landscape areas.*

Comment:

In summary, the areas of non-compliance will be confined to the north-eastern portion of the dwelling and overall, the site will retain an appropriate landscape setting. In fact, the proposal will provide 40.4% (226.5m²) of landscape open space on site which will complement the streetscape.

The proposal satisfies this objective.

- *To ensure that development does not become visually dominant.*

Comment:

The resultant dual occupancy is two storeys in scale, has a maximum height of 8.1m and varying side setbacks from 1.0m to 5.6m to the northern boundary. On this basis, the resultant built form will not become visually dominant as it adjoins three storey residential flat development to the north and west. Additionally, the development will maintain an adequate landscape setting.

The proposal satisfies this objective.

- *To ensure that the scale and bulk of buildings is minimised.*

Comment:

As described above, the resultant dual occupancy will not become visually dominant as it adjoins three storey residential flat development to the north and west. Additionally, elevations of the building are sufficiently articulated to break-up continuous wall planes and to provide visual relief to bulk and scale. On this basis, the scale and bulk of buildings is minimised.

The proposal satisfies this objective.

- *To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained.*

Comment:

Adequate separation between buildings is provided to ensure a reasonable level of privacy, amenity and solar access is maintained. Additionally, the areas of non-compliance do not generate unreasonable amenity impacts on adjoining land in terms of view loss, overlooking and overshadowing.

The proposal satisfies this objective.

- *To provide reasonable sharing of views to and from public and private properties.*

Comment:

The resultant building, including the areas of non-compliance, will maintain view sharing between properties. Additionally, the development has been assessed against the four (4) step view sharing planning principle outlined within the Land and Environment Court case of Tenacity Consulting Pty Ltd v Warringah Council (2004) NSWLEC 140, where it was found that the impact of the development on view sharing is reasonable (refer to Clause D7 – ‘Views’ in this report).

The proposal satisfies this Objective.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WLEP 2011 / WDCP and the objectives specified in section 5(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

B7 Front Boundary Setbacks

Description of non-compliance

The non-compliances are described in detail below:

East elevation (Pittwater Road)

The first floor deck and ground floor living room roof have varying setbacks from 4.2m to 5.9m to the eastern boundary (fronting Pittwater Road) which does not comply with the minimum 6.5m requirement of the control.

South elevation

The new building additions on the ground and first floor levels of the southern elevation have varying side setbacks from 2.0m to 2.331m (fronting Stuart Street) which does not comply with the minimum 6.5m requirement of the control.

Merit consideration:

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *To create a sense openness.*

Comment:

The articulation and visual appearance of the the building elements located within the front setbacks are satisfactory and will have a satisfactory presentation to the streetscape. Therefore, a sense of openness is still maintained across the average setback for the building.

The proposal satisfies this Objective.

- *To maintain the visual continuity and pattern of buildings and landscape elements.*

Comment:

The two storey scale of the resultant dual occupancy development is compatible and consistent with the surrounding three storey residential flat development and on this basis will not detract from the visual continuity and pattern of buildings in the area. The building structure is articulated to break-up continuous wall planes and to provide visual relief to bulk and scale. Additionally, the development will maintain an adequate landscape setting.

The proposal satisfies this Objective.

- *To protect and enhance the visual quality of streetscapes and public spaces.*

Comment:

The non-complying building elements provide visual interest to the resultant built form and the bulk of the resultant dwelling will remain acceptable. The front setbacks will also maintain an adequate landscaped setting.

On this basis the proposal will enhance the visual quality of the streetscape and assist to lessen the bulk and scale of the building.

The proposal satisfies this Objective.

- *To achieve reasonable view sharing.*

Comment:

The resultant building, including the areas of non-compliance, will maintain view sharing between properties. Additionally, the development has been assessed against the four (4) step view sharing planning principles outlined within the Land and Environment Court case of Tenacity Consulting Pty Ltd v Warringah Council (2004) NSWLEC 140, where it was found that the impact of the development on view sharing is reasonable (refer to Clause D7 – ‘Views’ in this report).

The proposal satisfies this Objective.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WLEP 2011 / WDCP and the objectives specified in section 5(a) of the

Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

C3 Parking Facilities

The proposed development, comprising an attached dual occupancy, requires four (4) car parking spaces under WDCP - C3 Parking Facilities.

The proposed development will provide three (3) on-site car parking spaces, comprising a double garage located at the front of the site and the single garage located at the rear of the site. A variation to the numerical requirement is supported on merit for the following reasons:

- only 1 carparking space is currently provided on site
- a condition has been included in the Recommendation for the existing vehicle cross-over from Pittwater Road to be made redundant and converted back to curb and gutter, and therefore, one additional on-street carparking space will be provided
- the proposed new vehicle crossover from Stuart Street will traverse through an existing no-standing zone, and therefore, no net loss of on-street carparking spaces will occur on Stuart Street.

Based on the above, the proposal will result in an overall net gain of two (2) off-street and one (1) on-street carparking spaces, respectively.

Council's Traffic Engineer has also reviewed the proposal and raises no concern in relation to the proposal, including the location of the new vehicle cross over from Stuart Street, subject to conditions which have been included in the Recommendation.

Based on the above, the proposal is satisfactory in terms of the provision of on-site carparking spaces and traffic and pedestrian safety issues.

D1 Landscaped Open Space and Bushland Setting

Description of non-compliance

The minimum requirement for landscaped open space is 50% of the site area and is measured by excluding landscaped areas with a width less than 2.0m.

An assessment of the plans reveals that the proposed landscaped open space (LOS) for the site, as a result of the development increases from 26.3% (148sqm) to 40.4% (226.5m²). Notwithstanding, the proposal does comply with the 50% requirement of the control.

Merit consideration

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *To enable planting to maintain and enhance the streetscape.*

Comment:

The proposal provides for 40.4% (226.5m²) which will provide a satisfactory landscape setting on site, particularly as the development relates to a two storey dual occupancy development surrounded by three storey apartment style development. As such, the proposed landscaping on site will complement the landscape setting of the site and complement the streetscape.

The proposal satisfies this Objective.

- *To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.*

Comment:

The site will continue to provide for the planting of native vegetation through the on-site planting of indigenous shrubs, small size canopy trees and ground covers.

The proposal satisfies this Objective.

- *To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.*

Comment:

The site provides adequate landscaped open space areas within the rear and front setback areas and road reserve with dimensions sufficient enough to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to assist to visually soften the bulk and scale of the building.

The proposal satisfies this Objective.

- *To enhance privacy between buildings.*

Comment:

The proposed vegetation located within the front, rear and side setbacks is appropriate in size, foliage, density and height to assist in maintaining privacy and amenity between adjoining residences.

The proposal satisfies this Objective.

- *To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.*

Comment:

The proposed landscaped open space, including the existing swimming pool, will allow for more recreational areas for the occupants to utilise.

The proposal satisfies this Objective.

- *To provide space for service functions, including clothes drying.*

Comment:

The proposed landscaped open space will allow for more areas for the occupants to utilise for service functions, such as clothes drying.

The proposal satisfies this Objective.

- *To facilitate water management, including on-site detention and infiltration of stormwater.*

Comment:

The proposed landscaped open space will assist to facilitate stormwater management, including onsite detention and the infiltration of stormwater.

The proposal satisfies this Objective.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WLEP 2011 / WDCP and the objectives specified in section 5(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

D7 Views

One submission was received from Unit 6, No.1 Stuart Street which raised concerns that the development would obstruct views of the Collaroy Beach water/land views. Accordingly, a site inspection of this unit occurred.

It is important to note that this view has only recently become available following the demolition of dwelling house on the adjoining property to the east, No.1219 Pittwater Road. The demolition of this dwelling, as well as three (3) other dwellings, located on Nos.1221, 1123 and 1225 Pittwater Road, was a component of Development Application DA2013/0777 for construction of a residential flat building (RFB) which was approved by the Land and Environment Court on 15 January 2013.

Prior to the demolition of these dwellings the available view from Unit 6 and 4, No.1 Stuart Street was severely obscured by vegetation located within the rear setback of No.1219 Pittwater Road.

The construction of the RFB has commenced and the view loss assessment will also account for the construction of this building using the approved plans.

Also, height poles have been erected on the subject property to represent the northern elevation of the proposed development.

In summary, it is concluded that the proposal will not unreasonably affect the views of adjoining and surrounding properties. In determining the extent of potential view loss to the adjoining property, the four (4) steps within the view sharing planning principle outlined in the Land and Environment Court Case of Tenacity Consulting Pty Ltd Vs Warringah Council (2004) NSWLEC 140, were considered and are discussed below:

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *To allow for the reasonable sharing of views.*

Comment:

In determining the extent of potential view loss to adjoining and nearby properties, the four (4) planning principles outlined within the Land and Environment Court Case of Tenacity Consulting Pty Ltd Vs Warringah Council (2004) NSWLEC 140, are applied to the proposal.

1. Nature of the views affected

"The first step is the assessment of the views to be affected. Water views are valued more highly than land views. Iconic views (e.g. of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured".

Comment to Principle 1:

The nature of the views available from surrounding properties include partial land/water interface views of Collaroy Beach and distant and partial views of the Pacific Ocean.

The partial land/water interface views of Collaroy Beach are considered moderate in value and are obtained from Unit 4 and 6, No.1 Stuart Street.

The remaining views will be completely obstructed by the RFB, and not the subject dwelling, currently under construction on the adjoining properties to the east, Nos.1219 - 1223 (as discussed above).

Accordingly, the view sharing assessment will relate to Unit 6 and 4, No.1 Stuart Street only.

2. What part of the affected property are the views obtained

"The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic".

Comment to Principle 2:

The partial land/water interface view of Collaroy Beach view are obtained from the south-east portion of the balcony of each unit directly over the eastern side boundary in a standing and sitting position.

These views can also be obtained from the kitchen window and south-east portion of the living room in a standing position only.

Additionally, this view corridor is partial as it is obtained between the RFB currently under construction on the adjoining properties to the east, being Nos.1219 - 1223, and the existing RFB located on the eastern side of Pittwater Road, being No.1150 Pittwater Road.

3. Extent of impact

“The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating”.

Comment to Principle 3:

The views obtained from the balcony and living room will be moderately impacted on.

The views obtained from the kitchen window will be severely impacted on.

4. Reasonableness of the proposal that is causing the impact

“The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.”

Comment to Principle 4:

The northern elevation addition to the existing dwelling, located at the front portion of the site, is the responsible part of the dwelling which will cause the view loss. This section of the dwelling complies with the building height and envelope and front setback controls.

However, this part of the dwelling will have a side setback of 1.0m to 1.9m front setback which does not comply with the minimum 4.5m requirement of the side building setback control.

The subject site, and adjoining properties to the north and west, are zoned R3 Medium Residential Density and have (or are currently being) developed as residential flat buildings. On this basis, the subject site is effectively isolated from adjoining medium density development and will therefore always retain a lower density of development, being a dual occupancy.

Given these circumstances, it would be unreasonable to warrant the strict application of medium density numerical controls on the subject site as it would severely restrict the development potential of the site. On this basis, a merit based assessment was carried out against the control and supported under the B5 Side Boundary Setbacks of WDCP section of the report.

Additionally, the views obtained are considered highly vulnerable as they are partial, only available from the south-east portion of a balcony and living room and east facing kitchen window and are obtained directly over the eastern side boundary.

Therefore, on balance, the extent of the view loss impact is deemed acceptable and reasonable with regard to the requirements of Clause D7 – View Sharing.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WLEP 2011 / WDCP and the objectives specified in section 5(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

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

POLICY CONTROLS

Warringah Section 94A Development Contribution Plan

The proposal is subject to the application of Council's Section 94A Development Contributions Plan.

The following monetary contributions are applicable:

Warringah Section 94 Development Contributions Plan		
Contribution based on a total development cost of \$ 330,000		
Contributions	Levy Rate	Payable
Total Section 94A Levy	0.95%	\$ 3,135
Section 94A Planning and Administration	0.05%	\$ 165
Total	1%	\$ 3,300

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 Council as the consent authority grant Development Consent to DA2013/1449 for Alterations & Additions to an existing dwelling house to create a dual occupancy development on land at Lot A DP 371463, 1217 Pittwater Road, COLLAROY, subject to the conditions printed below:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

1. **Approved Plans and Supporting Documentation**

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

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
DA-00 Issue A	June 13	Design Associates

DA-11 Issue A	June 13	Design Associates
DA-03 Issue A	June 13	Design Associates
DA-04 Issue A	June 13	Design Associates
DA-08 Issue A	June 13	Design Associates
DA-02 Issue A	June 13	Design Associates
DA-12 Issue A	June 13	Design Associates
DA-07 Issue A	June 13	Design Associates
DA-09 Issue A	June 13	Design Associates
DA-05 Issue A	undated	Design Associates
External colours and finishes board		

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Waste Management Plan	undated	Michelle Hackett

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

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

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

2. **Prescribed Conditions**

(a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

(b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);

(c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
- (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

(d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:

- (i) in the case of work for which a principal contractor is required to be appointed:

- A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of that Act,
- (ii) in the case of work to be done by an owner-builder:
- A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

(e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- (i) protect and support the adjoining premises from possible damage from the excavation, and
- (ii) where necessary, underpin the adjoining premises to prevent any such damage.
- (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative Requirement (DACPLB09)

3. **General Requirements**

(a) Unless authorised by Council:

Building construction and delivery of material hours are restricted to:

- 7.00 am to 5.00 pm inclusive Monday to Friday,
- 8.00 am to 1.00 pm inclusive on Saturday,
- No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:

- 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).

(b) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.

(c) Where demolition works have been completed and new construction works have not commenced

within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.

(d) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.

(e) Prior to the release of the Construction Certificate payment of the Long Service Levy is required. 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.

(f) Smoke alarms are to be installed throughout all new and existing portions of any Class 1a building in accordance with the Building Code of Australia prior to the occupation of the new works.

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

(h) No building, demolition, excavation or material of any nature shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.

(i) All sound producing plant, equipment, machinery or fittings will not exceed more than 5dB(A) above the background level when measured from any property boundary and will comply with the Environment Protection Authority's NSW Industrial Noise Policy.)

(j) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.

(k) Prior to the commencement of any development onsite for:

- i) Building/s that are to be erected
- ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
- iii) Building/s that are to be demolished
- iv) For any work/s that is to be carried out
- v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

(l) Any Regulated System (e.g. air-handling system, hot water system, a humidifying system, warm-water system, water-cooling system, cooling towers) as defined under the provisions of the Public Health Act 2010 installed onsite is required to be registered with Council prior to operating.

Note: Systems can be registered at www.warringah.nsw.gov.au

(m) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.

(1) Child resistant fencing is to be provided to any swimming pool or lockable cover to any spa containing water and is to be consistent with the following;

Relevant legislative requirements and relevant Australian Standards (including but not limited) to:

- (i) Swimming Pools Act 1992
- (ii) Swimming Pools Amendment Act 2009
- (iii) Swimming Pools Regulation 2008
- (iv) Australian Standard AS1926 Swimming Pool Safety
- (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
- (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.

(2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.

(3) Filter backwash waters shall be conveyed to the Sydney Water sewerage system in sewerred areas or managed on-site in unsewered areas in a manner that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.

(4) Swimming pools and spas must be registered with the Division of Local Government.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community. (DACPLB10)

FEES / CHARGES / CONTRIBUTIONS

4. Policy Controls

Warringah Section 94A Development Contribution Plan

The proposal is subject to the application of Council's Section 94A Development Contributions Plan.

The following monetary contributions are applicable:

Warringah Section 94 Development Contributions Plan		
Contribution based on a total development cost of \$ 330,000		
Contributions	Levy Rate	Payable
Total Section 94A Levy	0.95%	\$ 3,135
Section 94A Planning and Administration	0.05%	\$ 165
Total	1%	\$ 3,300

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.

Reason: To provide for contributions in accordance with the Warringah Section 94A Development Contributions Plan 2012.

5. **Bonds**

Security Bond

A bond (determined from cost of works) of \$1000 and an inspection fee in accordance with Councils Fees and Charges paid as security to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection)

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, details demonstrating payment are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure adequate protection of Councils infrastructure. (DACENZ01)

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

6. **Vehicle Crossings Application Formwork Inspection**

An application for street levels shall be made with Council subject to the payment of fee applicable at the time of payment. The fee includes all Council inspections relating to the driveway construction and must be paid.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To facilitate suitable vehicular access to private property. (DACENC12)

7. **Compliance with Standards**

The development is required to be carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with appropriate standards. (DACPLC02)

Advice to Applicants: At the time of determination in the opinion of Council, the following (but not limited to) Australian Standards are considered to be appropriate:

(a) AS2601.2001 - Demolition of Structures**

(b) AS4361.2 - Guide to lead paint management - Residential and commercial buildings**

- (c) AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting**
- (d) AS 4373 - 2007 'Pruning of amenity trees' (Note: if approval is granted) **
- (e) AS 4970 - 2009 'Protection of trees on development sites'***
- (f) AS/NZS 2890.1:2004 Parking facilities - Off-street car parking**
- (g) AS 2890.2 - 2002 Parking facilities - Off-street commercial vehicle facilities**
- (h) AS 2890.3 - 1993 Parking facilities - Bicycle parking facilities**
- (i) AS 2890.5 - 1993 Parking facilities - On-street parking**
- (j) AS/NZS 2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities**
- (k) AS 1742 Set - 2010 Manual of uniform traffic control devices Set**
- (l) AS 1428.1 - 2009* Design for access and mobility - General requirements for access - New building work**
- (m) AS 1428.2 - 1992*, Design for access and mobility - Enhanced and additional requirements - Buildings and facilities**
- (n) AS 4674 Design, construction and fit out of food premises
- (o) AS1668 The use of mechanical ventilation

*Note: The Australian Human Rights Commission provides useful information and a guide relating to building accessibility entitled "the good the bad and the ugly: Design and construction for access". This information is available on the Australian Human Rights Commission website http://www.humanrights.gov.au/disability_rights/buildings/good.htm

**Note: the listed Australian Standards is not exhaustive and it is the responsibility of the applicant and the Certifying Authority to ensure compliance with this condition and that the relevant Australian Standards are adhered to. (DACPLC02)

8. **External Finishes to Roof**

The external finish to the roof shall have a medium to dark range in order to minimise solar reflections to neighbouring properties. Light colours such as off white, cream, silver or light grey colours are not permitted.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure that excessive glare or reflectivity nuisance from glazing does not occur as a result of the development. (DACPLC03)

9. **Sewer / Water Quickcheck**

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre prior to works commencing to determine whether the development will affect any Sydney Water asset's sewer and water mains, stormwater drains and/or easement, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- Quick Check agents details - see Building Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building Developing and Plumbing then Building and Renovating.
- Or telephone 13 20 92.

Reason: To ensure compliance with the statutory requirements of Sydney Water. (DACPLC12)

10. Property Boundary Levels

The property boundary levels shall match the existing levels except where modified for the vehicular crossing. The applicant shall design and construct having regard for the existing levels. No approval is granted for any change to existing property alignment levels to accommodate the development.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To maintain the existing profile of the nature strip/road reserve. (DACENE01)

11. Vehicle Crossings

The provision of Normal vehicle crossing 5 metres wide at kerb and 6 metres at the boundary in accordance with Warringah Council Drawing No A4-3330/1 and specifications. The vehicular crossing must be located clear of the adjoining parking bay kerb return. An Authorised Vehicle Crossing Contractor shall construct the vehicle crossing and associated works within the road reserve in plain concrete. The redundant laybacks and crossing in Pittwater Road is to be restored to footpath/grass. Prior to the pouring of concrete, the vehicle crossing is to be inspected by Council and a satisfactory "Vehicle Crossing Inspection" card issued.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To facilitate suitable vehicular access to private property. (DACENE05)

12. Layback Construction

A layback 5.0 metres wide (excluding the wings) is to be constructed in accordance with Warringah Council Drawing No A4-2276 and specifications.

Reason: To ensure suitable vehicular access to private property. (DACENE08)

13. Maintenance of Road Reserve

The public footways and roadways adjacent to the site shall be maintained in a safe condition at all times during the course of the work.

Reason: Public Safety. (DACENE09)

14. Installation and Maintenance of Sediment Control

Measures used for erosion and sediment control on building sites are to be adequately maintained at all times and must be installed in accordance with Warringah Council Specifications for Erosion and Sediment Control. All measures shall remain in proper operation until all development activities have been completed and the site fully stabilised.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To protect the environment from the effects of sedimentation and erosion from development sites. (DACPLE02)

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

15. **Stormwater Disposal**

The stormwater drainage works shall be certified as compliant with all relevant Australian Standards and Codes by a suitably qualified person.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Note: The following Standards and Codes applied at the time of determination:

- (a) Australian/New Zealand Standard **AS/NZS 3500.3** - 2003 - Plumbing and drainage - Stormwater drainage
- (b) Australian/New Zealand Standard **AS/NZS 3500.3** - 2003/Amdt 1 - 2006 - Plumbing and drainage - Stormwater drainage
- (c) National Plumbing and Drainage Code.

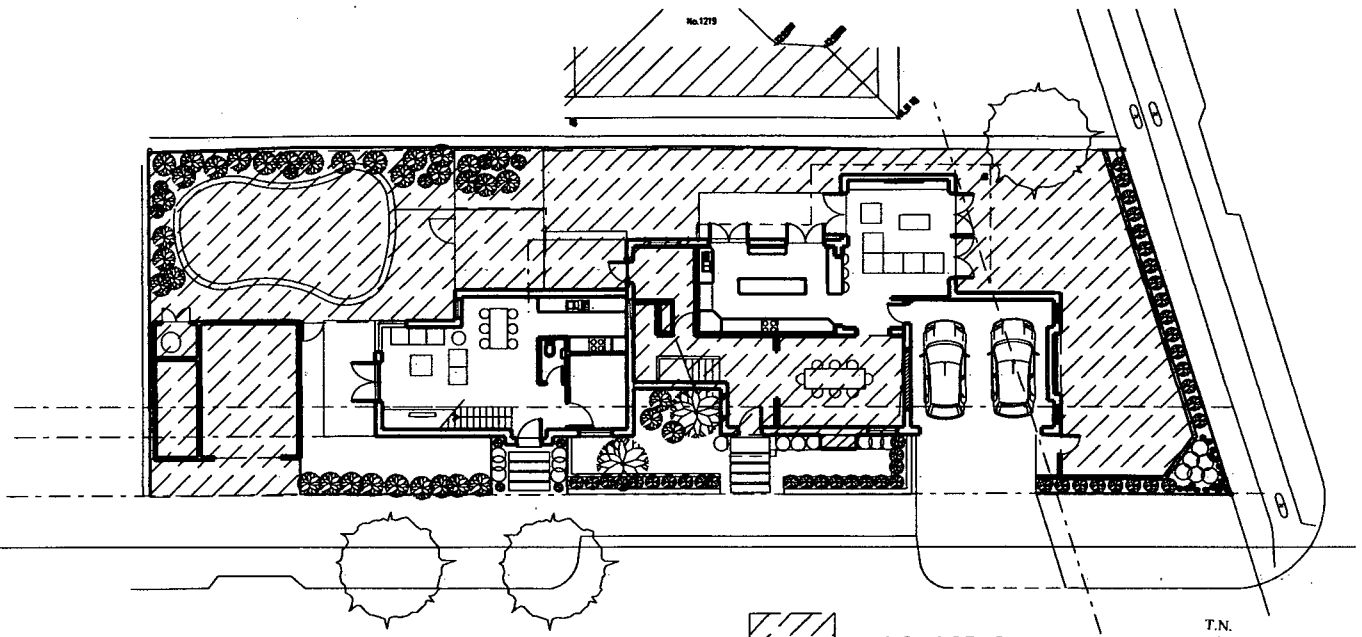
Reason: To ensure appropriate provision for the disposal of stormwater arising from the development. (DACENF05)

16. **House / Building Number**

House/building number is to be affixed to the building to be readily visible from the public domain.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

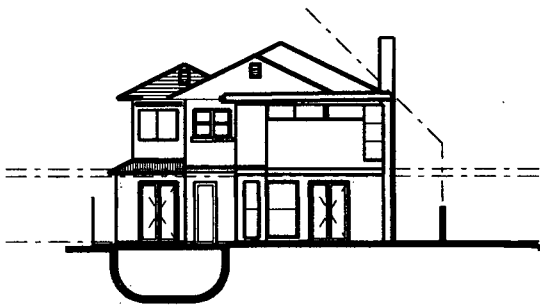
Reason: Proper identification of buildings. (DACPLF04)



1 PLAN
SCALE NTS



2 SOUTH ELEVATION
SCALE 1:300



3 WEST ELEVATION
SCALE 1:300



4 EAST ELEVATION
SCALE 1:300

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27 PARK AVENUE MOSMAN NSW 2088 Phone: 0416 003 095 kate-howse@hotmail.com	Address 1217 PITTWATER ROAD COLLAROY	Project ALTERATIONS & ADDITIONS	Scale NTS Date JUNE 13 Drawn KH Ckd	N-1