

AGENDA

DEVELOPMENT DETERMINATION PANEL MEETING

Notice is hereby given that a Meeting of the Development Determination Panel will be held in the Walamai Room, Northern Beaches Council, Dee Why on

WEDNESDAY 9 MAY 2018



Ashleigh Sherry
Manager Business System and Administration

**Agenda for a Meeting of the Development Determination Panel
to be held on Wednesday 9 May 2018
in the Walamai Room, Northern Beaches Council, Dee Why**

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2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 MINUTES OF DEVELOPMENT DETERMINATION PANEL HELD 24 APRIL 2018

RECOMMENDATION

That the Panel note that the Minutes of the Development Determination Panel held 24 April 2018 were approved by all Panel Members and have been posted on Council's website.

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

ITEM 3.1	DA2017/1321 - 47 MCDONALD STREET, FRESHWATER - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE
REPORTING MANAGER	ANNA WILLIAMS
TRIM FILE REF	2018/262817
ATTACHMENTS	1 ↓ Assessment Report 2 ↓ Site Plan and Elevations

PURPOSE

To refer the attached application for determination as required under adopted delegations of the Charter

RECOMMENDATION OF DEVELOPMENT ASSESSMENT MANAGER

That Council as the consent authority grant Development Consent to DA2017/1321 for Alterations and additions to a dwelling house on land at Lot 1 DP 204227, 47 Mcdonald Street Freshwater, subject to the conditions outlined in the Assessment Report.



REPORT TO DEVELOPMENT DETERMINATION PANEL

Meeting held on 27 April 2018

47 Mcdonald Street Freshwater - Alterations and additions to a dwelling house

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2017/1321
Responsible Officer:	Isaac Toledano
Land to be developed (Address):	Lot 1 DP 204227, 47 Mcdonald Street FRESHWATER NSW 2096
Proposed Development:	Alterations and additions to a dwelling house
Zoning:	Warringah LEP2011 - Land zoned R2 Low Density Residential
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Development Determination Panel
Land and Environment Court Action:	No
Owner:	Andrew Stephen Bradford Nicole Anne Williams
Applicant:	Andrew Stephen Bradford Nicole Anne Williams
Application lodged:	21/12/2017
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Residential - Alterations and additions
Notified:	08/01/2018 to 29/01/2018
Advertised:	Not Advertised
Submissions Received:	0
Recommendation:	Approval
Estimated Cost of Works:	\$ 285,729.00

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning
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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 the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Warringah Local Environmental Plan 2011 - 4.3 Height of buildings
Warringah Development Control Plan - B1 Wall Heights
Warringah Development Control Plan - B3 Side Boundary Envelope
Warringah Development Control Plan - C3 Parking Facilities
Warringah Development Control Plan - C4 Stormwater

SITE DESCRIPTION

Property Description:	Lot 1 DP 204227 , 47 McDonald Street FRESHWATER NSW 2096
Detailed Site Description:	<p>The subject site consists of one (1) allotment located on the western side of McDonald Street.</p> <p>The site is regular in shape with a frontage of 14.3m along McDonald Street and a depth of 41.1m. The site has a surveyed area of 589.4m².</p> <p>The site is located within the R2 Low Density Residential zone and accommodates a two storey detached dwelling house.</p> <p>The site is characterised by a steep slope, down in a westerly and northerly direction.</p> <p>The site has some vegetation in the front setback, consisting of a tree and grass landscaping. The rear yard is characterised by grass landscaping, rock outcrops and some trees.</p> <p>Detailed Description of Adjoining/Surrounding Development</p>

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Adjoining and surrounding development is characterised by similar single to two storey detached dwelling houses and residential flat buildings.

Map:



SITE HISTORY

The land has been used for residential purposes for an extended period of time. A search of Council's records has revealed the following relevant history:

The subject site is the result of a Torrens subdivision that occurred 22 September 1960:

- Last Plan D.P.6098
- Now D.P. 204227s

C603/74

No specific plans can be found, however, the McDonald Street building cards indicate that a swimming pool was approved and finalized 22 November 1974.

PLM2011/0003

A pre-lodgement meeting for the construction of a garage and alterations and additions including decks. This meeting took place 9 February 2011 and advice was provided that the garage would not be supported.

PROPOSED DEVELOPMENT IN DETAIL

The proposed development is for alterations and additions to an existing dwelling house, including a first floor addition. Specifically:

Ground Floor Alterations:

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- Construction of an internal first floor access staircase.
- Internal wall demolition.
- Erect roofing over the portico entry and rear back deck.

First Floor Addition:

- A master bedroom with ensuite and built-in-wardrobe.
- Two (2) bedrooms with built-in-wardrobes.
- Bathroom.
- Sitting area.
- Internal ground floor access staircase.

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 C.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on "Environmental Planning Instruments" in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	None applicable.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><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.</p> <p><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.</p> <p><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.</p> <p><u>Clauses 93 and/or 94</u> of the EP&A Regulation 2000 requires the consent authority to consider the upgrading of a building</p>



Section 4.15 Matters for Consideration'	Comments
	<p>(including fire safety upgrade of development). This matter has been addressed via a condition of consent.</p> <p>Clause 98 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.</p> <p>Clause 98 of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p>
Section 4.15 (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	<p>(i) Environmental Impact 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.</p> <p>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	No submissions were received in relation to this application.
Section 4.15 (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 the relevant Development Control Plan.

As a result of the public exhibition of the application Council received no submissions.

MEDIATION

No requests for mediation have been made in relation to this application.



REFERRALS

Internal Referral Body	Comments
NECC (Development Engineering)	Development Engineers have reviewed the proposed first floor addition and raise no objections to the proposal subject to conditions.
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 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 (see Certificate No. A303528_02 dated 20 December 2017).

A condition has been included in the recommendation of this report requiring compliance with the commitments indicated in the BASIX 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:

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- 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 Environmental 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:	8.50m	9.79m	15.2%	No

Compliance Assessment

Clause	Compliance with Requirements
2.7 Demolition requires consent	Yes
4.3 Height of buildings	No (see detail under Clause 4.6 below)
4.6 Exceptions to development standards	Yes
6.4 Development on sloping land	Yes

Detailed Assessment

4.6 Exceptions to development standards

The following assessment of the variation to Clause 4.3 – Height of Buildings development standard has taken into consideration the questions established in *Winten Property Group Limited v North Sydney Council* (2001) NSW LEC 46.

Requirement:	8.5 metres
Proposed:	9.8 metres
Is the planning control in question a development standard?	YES

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Is the non-compliance with to the clause requirement a Numerical and / or Performance based variation?	Numerical
If numerical enter a % variation to requirement	15.2%

The proposal must satisfy the objectives of Clause 4.3 – Height of Buildings, the underlying objectives of the particular zone, and the objectives of Clause 4.6 - Exceptions to Development Standards under the WLEP 2011. The assessment is detailed as follows:

Is the planning control in question a development standard?

The prescribed Height of buildings limitation pursuant to Clause 4.3 of the WLEP 2011 is a development standard.

What are the underlying objectives of the development standard?

The underlying objectives of the standard, pursuant to Clause 4.3 – 'Height of buildings' of the WLEP 2011 are:

(1) The objectives of this clause are as follows:

a) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,

Comment:

The streetscape is characterised by steeper sloping topography, down in a north westerly direction. This has established a pattern of buildings that steps down with the slope, presenting a mix of facades of single to two storey dwelling houses and residential flat buildings towards the street. Towards the rear, structures are incorporated into the landform, revealing lower levels, presenting the primary visual presence, as the slope steps away from the street. The proposed first floor addition will protrude above the southern adjoining property, which sits on higher ground levels than that of the subject site. However, potential future first floor development of the southern adjoining property would result in building heights that are consistent with the current step down pattern of the area.

Sites across the street are positioned on higher elevations, and due to the slope of the area, will not result in a development that protrudes above the neighbouring structures. The residential flat buildings in the street are characterised by greater separation from the streetscape. In this regard, given the topographical constraints of the area and potential future development, the building is considered compatible with the height and scale of surrounding / nearby development.

b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access,

Comment:

The site includes significant separation from the street due to the size of the road reserve. The road reserve is also characterised by a minor slope which positions the start of the dwelling house at an elevation notably lower than the street. The facades at the front, rear and steeper sections of the topography have been sufficiently articulated and thus it is considered that the visual impact has been minimised. Given the slope of the site and relationship between structures, there will be no unreasonable disruption of views. Windows have been sized, and positioned sensitively to ensure that no unreasonable positions of overlooking are created, protecting the privacy of neighbouring sites. Furthermore, the provided shadow diagrams have

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demonstrated that all surrounding sites will retain sufficient solar access as a result of the development. The greatest increase in overshadowing will occur at 9:00AM and 3:00PM on the 21st of June. It should be noted that solar access will be greater at all other times of the year and that the sites to be overshadowed at 9:00AM will progressively receive more sunlight through the day. The sites to be overshadowed at 3:00PM will not be impacted by the development until around 3:00PM. In this regard, it is considered satisfactory.

c) to minimise adverse impact of development on the scenic quality of Warringah's coastal and bush environments,

Comment:

There will be no adverse impact of development on the scenic quality of Warringah's coastal and bush environments.

d) to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities,

Comment:

The dwelling house provides significant separation to the streetscape, by virtue of the road reserve, and sufficient front boundary setbacks. The proposal and current dwelling house maintain a general response to the natural topography of the site, reducing the perceivable visual presence from the road. It is therefore considered that the visual impact of development has been effectively managed.

What are the underlying objectives of the zone?

The underlying objectives of the R2 Low Density Residential zone are:

- *To provide for the housing needs of the community within a low density residential environment.*

Comment:

The proposal will increase the number of bedrooms in the dwelling house, improving its capability in providing for the housing needs of the community within a low density residential environment.

It is considered that the development satisfies this objective.

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Comment:

The proposal is located within the existing building footprint, and will continue to enable other land uses that provide facilities or services to meet the day to day needs of residents. There is no change of use proposed in the subject application.

It is considered that the development satisfies this objective.

- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*



Comment:

The proposed development will not increase the amount of hard stand space on the site, nor will it result in the removal of any existing landscaped settings. The proposal will provide in excess of the 40% requirement for Landscaped Open Space and the landscaping configuration in the frontage of the site will be maintained.

It is considered that the development satisfies this objective.

Is the variation to the development standard consistent with the objectives of Clause 4.6 of the WLEP 2011?

(1) The objectives of this clause are as follows:

(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development.

(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

Comment:

The proposed variation is consistent with the clause in providing an appropriate degree of flexibility when applying the building height development standard, given the topographical constraints of the site and scale of the first floor addition.

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

Comment:

The applicant has provided a written request in the form of a formal Clause 4.6 exception to development standards:

"The proposed encroachment occurs centrally on-site for the pitched roof.

Strict compliance with the development standard is unreasonable and unnecessary in the circumstances of the site for the reason that a revised design would significantly alter the form and aesthetics of the building. Strict compliance would unnecessarily erode quality floor space and function of the space, without any material benefit derived. Other sites in the precinct also have prominent buildings designed to negotiate the terrain. The proposed development does not introduce the need for cut and fill on-site consistent with the above.

Additional shadows cast are reasonable in the context of the site and surrounding development. As the non-compliance occurs at the front of the dwelling, no added overshadowing is caused.



No additional privacy implications arise. It is reasonably concluded that "there are sufficient environmental planning grounds to justify contravening the development standard" in this instance."

(4) Development consent must not be granted for development that contravenes a development standard unless:

(a) the consent authority is satisfied that:

(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and

Comment:

The applicants written request has adequately addressed the matters required to be demonstrated by subclause (3).

(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

Comment:

For reasons detailed above, the proposal is considered to be consistent with the objectives of the R2 Low Density Residential zone in the WLEP 2011.

(b) the concurrence of the Director-General has been obtained

Comment:

Planning Circular PS 08-003 dated 9 May 2008, as issued by the NSW Department of Planning, advises that the concurrence of the Director-General may be assumed for exceptions to development standards under environmental planning instruments that adopt Clause 4.6 of the Standard Instrument. In this regard, given the consistency of the variation to the objectives of the zone, the concurrence of the Director-General for the variation to the Height of buildings Development Standard is assumed.

Warringah Development Control Plan

Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
B1 Wall height	7.2m	8.3m	12%	No
B3 Side Boundary Envelope	5m North	One encroachment for a length of 4.2m, at a maximum height of 0.7m (without roof) One encroachment for a length of 5.8m, at a maximum height of 1.6m (with roof)	14% 32%	No

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	5m South	One encroachment for a length of 9.4m, at a maximum height of 1.47m (without roof) One encroachment for a length of 9.6m, at a maximum height of 2.4m (with roof)	29.4% 52%	No
B5 Side Boundary Setbacks	0.9m North	2.8m	N/A	Yes
	0.9m South	1.5m	N/A	Yes
B7 Front Boundary Setbacks	6.5m	7.5m	N/A	Yes
B9 Rear Boundary Setbacks	6m	18.3m	N/A	Yes
D1 Landscaped Open Space (LOS) and Bushland Setting	40% (235.76m ²)	44.6% (262.94m ²)	N/A	Yes

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
B1 Wall Heights	No	Yes
B3 Side Boundary Envelope	No	Yes
B5 Side Boundary Setbacks	Yes	Yes
B7 Front Boundary Setbacks	Yes	Yes
B9 Rear Boundary Setbacks	Yes	Yes
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	No	Yes
C4 Stormwater	Yes	Yes
C5 Erosion and Sedimentation	Yes	Yes
C6 Building over or adjacent to Constructed Council Drainage Easements	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	Yes	Yes
D2 Private Open Space	Yes	Yes
D3 Noise	Yes	Yes
D6 Access to Sunlight	Yes	Yes
D7 Views	Yes	Yes
D8 Privacy	Yes	Yes
D9 Building Bulk	Yes	Yes

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Clause	Compliance with Requirements	Consistency Aims/Objectives
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
D22 Conservation of Energy and Water	Yes	Yes
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes
E2 Prescribed Vegetation	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E10 Landslip Risk	Yes	Yes

Detailed Assessment

B1 Wall Heights

Description of non-compliance

The proposal includes a wall height of 8.3 metres, which demonstrates a 12% variation to the 7.2 metre 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 minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.*

Comment:

The wall height variation is not visible from the street due to the sloping topography of the site. The subject site provides greater distance to the northern adjoining property by virtue of additional separation provided by the driveways. This results in the development being in closer proximity to the southern adjoining property. However, the degree of revealed wall is lesser, given the topography and relationship between the two sites. The northern elevation has been sufficiently articulated to alleviate the pressure of the visual presence revealed by the landform. It is therefore considered that the visual impact of the development has been adequately managed.

- *To ensure development is generally beneath the existing tree canopy level*

Comment:

The proposed development will remain generally beneath the existing tree canopy level.



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

Comment:

The development will achieve a reasonable sharing of views to and from public and private properties.

- *To minimise the impact of development on adjoining or nearby properties.*

Comment:

The impact on adjoining sites has been minimised in the following ways to the relevant adjoining sites. The northern property includes greater distance from the subject site than that of the southern adjoining property due to the driveway. However, the slope of the site reveals a greater degree of bulk on the northern elevation. The upper level includes varied setbacks to ensure that the facade is sufficiently articulated. This assists in reducing the impact of the predominant bulk of the first floor addition. The southern adjoining property is positioned on higher elevations due to the slope but is in closer proximity to the southern site. Windows have been designed so as to not create positions of unreasonable overlooking.

The southern adjoining property is located on higher elevations than that of the subject site, locating the single floor on the southern upper side of the allotment. The lower floor garage is revealed on the northern side of the southern adjoining property as the landform steps away towards the subject site. The first floor addition of the subject site will protrude slightly above the overall height of the southern adjoining property, but will appear consistent based upon the varying roof pitches. Given the constraints of the site in terms of the topography, it is considered that the impacts of the development have been sufficiently minimised.

- *To ensure that development responds to site topography and to discourage excavation of the natural landform.*

Comment:

The site is characterised by steep sloping topography and the proposal does not include any excavation of the natural landform. It is considered that as the first floor addition has been positioned over the existing building footprint, on the upper side of the site that it maintains a general response to the site topography.

- *To provide sufficient scope for innovative roof pitch and variation in roof design.*

Comment:

Sufficient scope for innovative roof pitch and variation in roof design has been provided.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the aims and objectives of WLEP 2011, WDCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

B3 Side Boundary Envelope

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Description of non-compliance

The proposed development includes two side boundary envelope encroachments:

North Elevation:

- One encroachment for a length of 4.2 metres, at a maximum height of 0.7 metres [without roof] - 14% variation to the 5 metre control.
- One encroachment for a length of 5.8 metres, at a maximum height of 1.6 metres (with roof) - 32% variation to the 5 metre control.

South Elevation:

- One encroachment for a length of 9.4 metres, at a maximum height of 1.47 metres [without roof] - 29.4% variation to the 5 metre control.
- One encroachment for a length of 9.6 metres, at a maximum height of 2.4 metres (with roof) - 52% variation to the 5 metre control.

Two measurements have been provided to reflect the full extent of the side boundary envelopment encroachments both with, and without the roof. This assessment will focus on the impact without the roof as the predominant impact will result from the parts of the building wall. This is because the roof pitch steps away from all elevations, and the visibility of the parts of the roof due to the angles are only perceivable from an aerial or elevated position.

Merit consideration

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

- *To ensure that development does not become visually dominant by virtue of its height and bulk.*

Comment:

The proposed first floor addition includes sufficient articulation by virtue of varying setbacks and roof pitches on the northern, western and eastern elevations. Thus, it is considered that through increased separation and articulation that the the greatest visual impact will occur along the Southern elevation. The southern elevation is the least articulated when compared to the other elevations. However, the southern elevation is located on the upper position of the site and thus, second to the eastern elevation, presenting as the lowest heights. The roof on the existing ground floor will be retained and additional side setback is provided to ensure that a degree of articulation is provided through the southern elevation. The parts of the addition that will protrude above the southern adjoining property are confined to the apex of the roof and minor portions of the roof around the apex. With this exception, the first floor addition will appear consistent with the height of the southern adjoining property. In this regard, sufficient design consideration has been implemented to ensure that the development does not result in visual dominance by virtue of its height and bulk.

- *To ensure adequate light, solar access and privacy by providing spatial separation between buildings.*



Comment:

The greatest impacts of overshadowing from the proposed development will occur at 9:00AM and 3:00PM. The proposed first floor addition is in line with the properties in a southerly direction and sufficient setbacks in excess of 0.9 metres are provided on both sides. Increased separation is provided towards the north due to the location of the driveways. The properties to be overshadowed at 9:00AM will progressively receive more sunlight throughout the day and the sites to be overshadowed at 3:00PM will receive sufficient solar access prior to this time. The windows on all elevations have been designed to ensure that no unreasonable positions of overlooking are created by locating larger windows to the rear and front. Increased separation from the rear boundary ensures that the potential for overlooking is effectively mitigated. It is therefore considered that adequate light, solar access and privacy is provided by virtue of sufficient spatial separation between buildings.

- *To ensure that development responds to the topography of the site.*

Comment:

It is considered that as the development will be constructed within the existing building footprint, and that no excavation is included in the proposal that the development maintains a general response to the topography of the site.

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 s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

C3 Parking Facilities

Description of non-compliance

The current configuration will be maintained as a result of this development. Two cars are able to be parked in the hard stand area in the frontage of the site within the boundaries.

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 adequate off street carparking.*

Comment:

The site is able to provide two off-street parking spaces in the frontage of the allotment, and the proposed development will not result in changes to this. This is consistent with the requirement for two off-street parking spaces as per the requirements of Appendix 1 - Car Parking Requirements.

- *To site and design parking facilities (including garages) to have minimal visual impact on the street frontage or other public place.*



Comment:

The area is characterised by a larger road reserve and sloping topography down in a western and northerly direction. This ensures that the parking area is obscured by the slope and softened by greater distance to the road. There are no associated above-ground parking structures and thus it is considered that there will be minimal visual impact on the street frontage.

- *To ensure that parking facilities (including garages) are designed so as not to dominate the street frontage or other public spaces.*

Comment:

The site and proposal do not accommodate any parking facilities, aside from the hard-stand areas. These areas are on the lower side of the slope at the front of the site and the cars that are parked there are less visible because of the slope. The distance of the road reserve assists in further softening the impact of the parked cars on the streetscape. It is therefore considered satisfactory, not to result in any unreasonable visual presence.

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 s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

C4 Stormwater

Concern has been raised regarding the existing stormwater drainage impact in the area. The application and concerns have been reviewed by Council Development Engineers who have included relevant conditions to ensure that stormwater runoff from the development is adequately managed.

Any concerns regarding the existing stormwater runoff impact is not a matter relevant to this application and is to be addressed through Council's Compliance department. A search of Council's records has found that an investigation has been completed under DF2018/0178 for the same issues.

Please see the Development Engineers referral response and relevant conditions. They have raised no objection to the development, subject to conditions of consent and it is therefore considered satisfactory.

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

The proposal is consistent with the principles of 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 \$ 285,729		
Contributions	Levy Rate	Payable
Total Section 94A Levy	0.95%	\$ 2,714
Section 94A Planning and Administration	0.05%	\$ 143
Total	1%	\$ 2,857

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 DA2017/1321 for Alterations and additions to a dwelling house on land at Lot 1 DP 204227, 47 McDonald Street, FRESHWATER, 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
Plans, Elevations and Sections - 7206 DA 1 Issue C	27 March 2018	Add-Style MB

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Waste Minimization and Management Plan 47 McDonald Street, Freshwater	20 December 2017	Marcus Betts
Preliminary Geotechnical Assessment J1603	19 December 2017	White Geotechnical Group

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

c) The development is to be undertaken generally in accordance with the following:

Waste Management Plan		
Drawing No.	Dated	Prepared By
Site Analysis & Waste Management Plan - 7206 DA 2 Issue B	15 December 2017	Add-Style MB

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

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) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (g) No building, demolition, excavation or material of any nature and no hoist, plant and machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (h) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (i) 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.
- (j) 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.

- (k) 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 sewered 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

Northern Beaches Council 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:

Northern Beaches Council Section 94 Development Contributions Plan		
Contribution based on a total development cost of \$ 285,729.00		
Contributions	Levy Rate	Payable
Total Section 94A Levy	0.95%	\$ 2,714.43

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Section 94A Planning and Administration	0.05%	\$ 142.86
Total	1%	\$ 2,857.29

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.

This fee must be paid prior to the issue of the Construction Certificate. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To provide for contributions in accordance with Northern Beaches Council's Development Contributions Plan.

5. **Security Bond**

A bond (determined from cost of works) of \$1,500 and an inspection fee in accordance with Council's 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.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at www.northernbeaches.nsw.gov.au).

Reason: To ensure adequate protection of Council's infrastructure.

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

6. **Stormwater Disposal from Low Level Property**

Stormwater shall be disposed of to an existing approved system or in accordance with Council's "Water Management Policy PL 850" in particular the Stormwater Drainage from Low Level Properties Technical Specification. Details demonstrating that the existing approved system can accommodate the additional flows or compliance with the "Water Management Policy PL 850" are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for disposal and stormwater management arising from development. (DACENC02)

7. **Compliance with Standards**

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

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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)

8. **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:

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

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

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

9. **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)

10. **Waste Management During Development**

The reuse, recycling or disposal of waste during works must be done generally in accordance with the Waste Management Plan for this development.

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

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

11. **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 Council's 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.

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



12. **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.

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

13. **Waste Management Confirmation**

Prior to the issue of a Final Occupation Certificate, evidence / documentation must be submitted to the Principal Certifying Authority that all waste material from the development site arising from demolition and/or construction works has been appropriately recycled, reused or disposed of generally in accordance with the approved Waste Management Plan.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

**ATTACHMENT A**

Notification Plan	Title	Date
 2017/542302	Plan - Notification	20/12/2017

ATTACHMENT B

Notification Document	Title	Date
 2018/014830	Notification Map	05/01/2018




ATTACHMENT C

Reference Number	Document	Date
 2017/542297	Plans - Survey	06/08/2017
 2017/542310	Plans - External	19/12/2017
 2017/542305	Report - Geotechnical	20/12/2017
 2017/542303	Report - Statement of Environmental Effects	20/12/2017
 2017/542304	Report - BASIX Certificate	20/12/2017
 2017/542312	Plans - Internal	20/12/2017
 2017/542302	Plan - Notification	20/12/2017
 DA2017/1321	47 Mcdonald Street FRESHWATER NSW 2096 - Development Application - Alterations and Additions	21/12/2017
 2017/536658	DA Acknowledgement Letter - Nicole Anne Williams - Andrew Stephen Bradford	21/12/2017
 2017/542287	Development Application Form	29/12/2017
 2017/542289	Applicant Details	29/12/2017
 2017/542291	Cost Summary Report	29/12/2017
 2017/542306	Report - Waste Management	29/12/2017
 2017/542309	Plans - Certification of Shadow Diagrams with Plans	29/12/2017
 2017/542313	Plans - Master Set	29/12/2017
 2018/014749	DA Acknowledgement Letter (not integrated) - Nicole Anne Williams - Andrew Stephen Bradford	05/01/2018
 2018/014820	Notification Letter - 7	05/01/2018
 2018/014830	Notification Map	05/01/2018
 2018/014892	ARP Map	05/01/2018
 2018/024366	Development Engineering Referral Response - superseded	09/01/2018
 2018/089774	Confirmation of notification sign - 47 Mcdonald Street Freshwater	01/02/2018
 2018/147356	Request for additional information on DA - 47 McDonald Street Freshwater	01/03/2018
 2018/160600	Concerns regarding stormwater - McDonald Street Freshwater	05/03/2018
 2018/189698	Site Photos	21/03/2018
 2018/215290	Potential Amendments to Plan	28/03/2018
 2018/226669	RE: Submission Post Referral Completion	10/04/2018
 2018/226762	Development Engineering Referral Response	10/04/2018
 2018/247797	A1 Plan Issue C	19/04/2018

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	2018/248561	Working Plans	20/04/2018
	2018/254326	Plans for DDP	24/04/2018
	2018/257752	Request for the assessment panel meeting 9th May - DA2017/1321 - 47 McDonald Street Freshwater	24/04/2018

PANEL PLANS

No plans titled 'DDP Panel Plans' found in TRIM.

ITEM NO.	DESCRIPTION	UNIT	QUANTITY
1	CONCRETE	m ²	100.00
2	ROCK	m ²	100.00
3	GRASS	m ²	100.00
4	PAVING	m ²	100.00
5	PAVING	m ²	100.00
6	PAVING	m ²	100.00
7	PAVING	m ²	100.00
8	PAVING	m ²	100.00
9	PAVING	m ²	100.00
10	PAVING	m ²	100.00
11	PAVING	m ²	100.00
12	PAVING	m ²	100.00
13	PAVING	m ²	100.00
14	PAVING	m ²	100.00
15	PAVING	m ²	100.00
16	PAVING	m ²	100.00
17	PAVING	m ²	100.00
18	PAVING	m ²	100.00
19	PAVING	m ²	100.00
20	PAVING	m ²	100.00

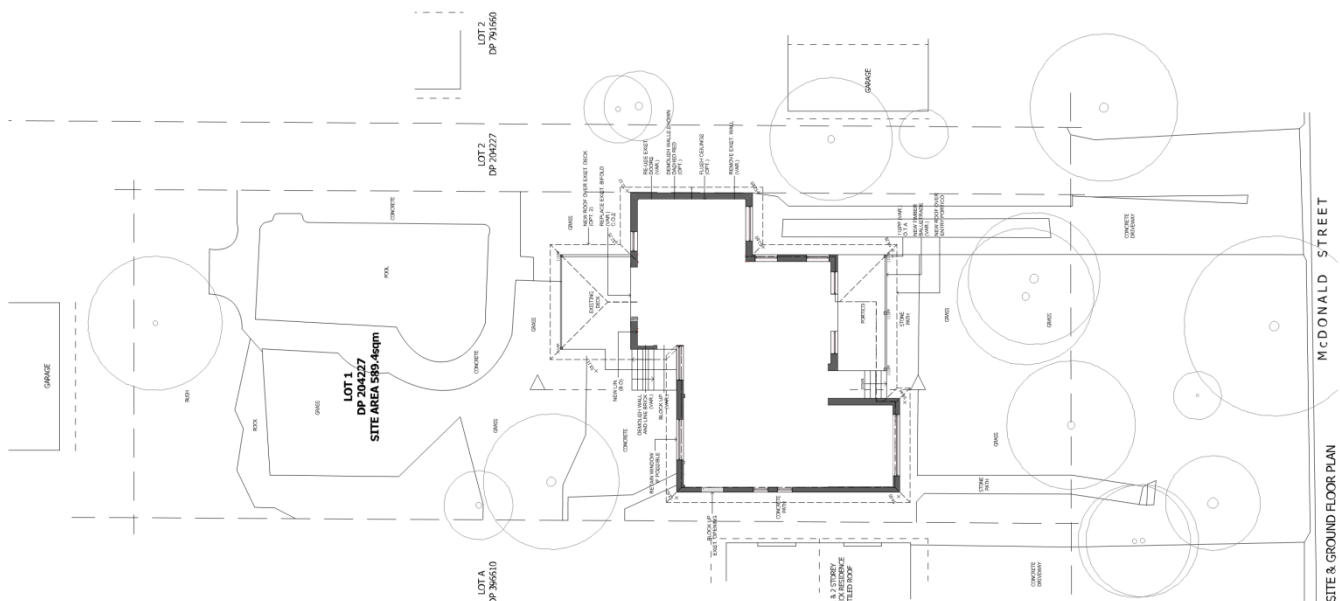
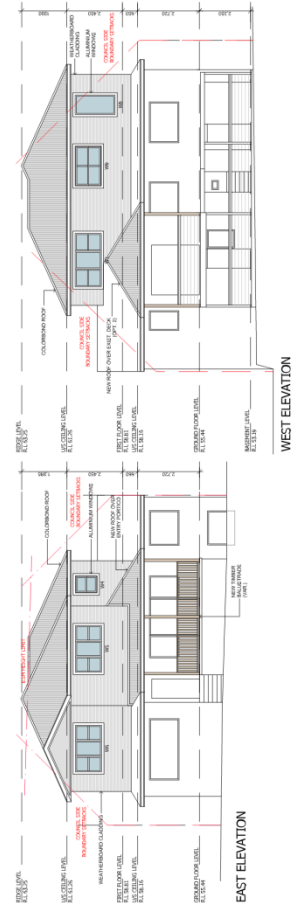
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13	PAVING	m ²	100.00
14	PAVING	m ²	100.00
15	PAVING	m ²	100.00
16	PAVING	m ²	100.00
17	PAVING	m ²	100.00
18	PAVING	m ²	100.00
19	PAVING	m ²	100.00
20	PAVING	m ²	100.00

ITEM NO.	DESCRIPTION	UNIT	QUANTITY
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3	GRASS	m ²	100.00
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15	PAVING	m ²	100.00
16	PAVING	m ²	100.00
17	PAVING	m ²	100.00
18	PAVING	m ²	100.00
19	PAVING	m ²	100.00
20	PAVING	m ²	100.00



ARTIST'S IMPRESSION
FOR ILLUSTRATION PURPOSES ONLY - NOT TO SCALE

PROJECT TITLE: FIRST FLOOR ADDITION 47 McDONALD STREET, PRESHWATER 2095		ADD-STYLE HOME ARCHITECTS Brisbane & Gold Coast Branches	
SCALE: 1:100	DATE: 20.12.17	CONTRACTOR: 700	DATE: 20.12.17
DESIGNER: ADD-STYLE HOME ARCHITECTS	CLIENT: 700	PROJECT NO.: 700-001	PROJECT NO.: 700-001



ITEM 3.2	DA2017/1353 - 6 CARINYA CLOSE, ALLAMBIE HEIGHTS - ALTERATIONS AND ADDITIONS TO THE DWELLING HOUSE AND THE CONSTRUCTION OF A SWIMMING POOL
REPORTING MANAGER	RODNEY PIGGOTT
TRIM FILE REF	2018/262576
ATTACHMENTS	1 ↓ Assessment Report 2 ↓ Site Plan and Elevations

PURPOSE

To refer the attached application for determination as required under adopted delegations of the Charter

RECOMMENDATION OF DEVELOPMENT ASSESSMENT MANAGER

That Council as the consent authority grant Development Consent to DA2017/1353 for Alterations and additions to the dwelling house and the construction of a swimming pool on land at Lot 6 DP 242893, 6 Carinya Close, Allambie Heights, subject to the conditions outlined in the Assessment Report.



REPORT TO DEVELOPMENT DETERMINATION PANEL

Meeting held on 09 May 2018

6 Carinya Close Allambie Heights - Alterations and additions to the dwelling house and the construction of a swimming pool

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2017/1353
Responsible Officer:	Adam Mitchell
Land to be developed (Address):	Lot 6 DP 242893, 6 Carinya Close ALLAMBIE HEIGHTS NSW 2100
Proposed Development:	Alterations and additions to the dwelling house and the construction of a swimming pool
Zoning:	Warringah LEP2011 - Land zoned R2 Low Density Residential
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Scott Russell Findlay Williams Madeline Ashley Cox
Applicant:	Norrskén Ko
Application lodged:	22/12/2017
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Residential - Alterations and additions
Notified:	09/01/2018 to 29/01/2018
Advertised:	Not Advertised
Submissions Received:	2
Recommendation:	Approval
Estimated Cost of Works:	\$ 600,000.00

ASSESSMENT INTRODUCTION

DA2017/1353

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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 the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Warringah Local Environmental Plan 2011 - 4.3 Height of buildings
Warringah Development Control Plan - B1 Wall Heights
Warringah Development Control Plan - B5 Side Boundary Setbacks
Warringah Development Control Plan - B7 Front Boundary Setbacks
Warringah Development Control Plan - B9 Rear Boundary Setbacks
Warringah Development Control Plan - E7 Development on land adjoining public open space

SITE DESCRIPTION

Property Description:	Lot 6 DP 242893 , 6 Carinya Close ALLAMBIE HEIGHTS NSW 2100
Detailed Site Description:	<p>The subject site is located at the northern end of the cul-de-sac Carinya Close in Allambie Heights. The site is upon land zoned for R2 Low Density Residential development.</p> <p>The site is bound by bushland zoned for RE1 Public Recreation to the north and east and adjoins other detached dwelling houses to the west and south-west.</p> <p>The allotment is irregular in shape with an arced frontage of 11.58m to Carinya Close and depths of 26m and 38m respectively. In total the site has a surveyed area of 562m².</p> <p>Presently the site accommodates a part one / part two storey detached dwelling house. Other surrounding developments consist of detached dwelling houses of varying age, size and construction.</p> <p>Topographically the site inclines from south to north (front to rear) by up to 2m.</p>

The site has mature trees and vegetation throughout.

Map:



SITE HISTORY

Planning Consent No. 81A/238

Former owners/developers of 6 Carinya Street (formally known as being within the suburb of North Manly) had applied to the former Warringah Shire Council to convert the existing dwelling house into a **dual occupancy (granny flat)** development. From the records Council has available it appears that the application was refused by the Council on 17 March 1981 on the premise of:

- the lack of adequate transport facilities in Warringah Shire, including the decision of the State Government to abandon the Warringah Expressway extension;
- because of the lack of adequate employment opportunities in the Shire;
- because of the strain on the existing facilities and resources of the Council, including playing field, libraries, garbage services etc. and because of the inability of Council to administer the scheme long term.

Council's records are missing a nexus of history, but the application was later heard before the NSW Land and Environment Court - the outcome of any s34 conference of hearing is unrecorded.

Notwithstanding the gap of information pertaining to Court action, on 20 August 1981 the Council granted consent for a development to convert the existing dwelling house on site to a **dual occupancy (granny flat)** development. Physically the consent granted the removal of an internal staircase and the addition of a kitchen on the lower floor of the building.

Since the the granting of this consent in 1981 the use of the second occupancy downstairs has changed into a use that is better described as a 'secondary dwelling' rather than a wholly separate occupancy. From Council's records it does not appear that the two occupancies were ever strata subdivided.



There have been no other recent applications on this site.

PROPOSED DEVELOPMENT IN DETAIL

The development application is for alterations and additions to an existing dwelling house including an extension of the lower ground floor, reconfiguration and extension of the ground floor and the addition of a first floor level. The application also seeks consent for the construction of a swimming pool, decking and terrace area and associated landscape and site works.

AMENDED PLANS

After a preliminary assessment of the application Council raised concern with the deck and cabana encroachment into the rear boundary setback area and the reduction this encroachment caused to the provision of landscaped open space.

Accordingly, the applicant submitted amended plans to Council which deleted the cabana area, reduced the size of the rear deck and provided additional opportunities for deep soil landscaping around the perimeter of the site. The modifications made to the plans are minor in nature and do not give rise to additional amenity impacts upon adjoining lands and accordingly, the amended plans were not re-notified in accordance with Part A7 of the WDCP 2011.

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 C.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on "Environmental Planning Instruments" in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	None applicable.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan 2011 applies to this proposal.
Section 4.15 (1) (a)(iia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><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.</p> <p><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.</p> <p><u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The</p>



Section 4.15 Matters for Consideration'	Comments
	<p>Demolition of Structures. This matter has been addressed via a condition of consent.</p> <p>Clause 98 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.</p> <p>Clause 98 of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p>
Section 4.15 (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	<p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan 2011 section in this report.</p> <p>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on "Notification & Submissions Received" in this report.
Section 4.15 (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 the relevant Development Control Plan.

As a result of the public exhibition process council is in receipt of 2 submission/s from:

Name:	Address:
Mrs Jacquelynn Elizabeth Watson	5 Carinya Close ALLAMBIE HEIGHTS NSW 2100

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Name:	Address:
Mr Andrew Stuart Watson	5 Carinya Close ALLAMBIE HEIGHTS NSW 2100

During the notification period of this application one submission was received objecting to elements of the development application as follows:

Front Balcony

The submission raises concern that the proposed ground level first floor balcony will restrict the penetration of direct sunlight into the objecting property by virtue of the width of the balcony. Similarly, it raises concern that width of the balcony will give rise to adverse privacy impacts.

It is acknowledged that the balcony may cause some element of overshadowing of the adjoining property, but it is not considered to give rise to adverse privacy impacts given the location at the front of the dwelling.

However, the front balcony is encroaching in the front setback area and gives rise to amenity impacts, and therefore a recommendation of this report reduces the depth of the front balcony to 900mm that still provides amenity to occupants of the development without unreasonably impacting on neighbouring properties.

Therefore, this condition is adopted from a recommendation from the objector (pursuant to submission dated 12 March 2018) and thereby resolves the objection.

MEDIATION

No requests for mediation have been made in relation to this application.

REFERRALS

Internal Referral Body	Comments
Building Assessment - Fire and Disability upgrades	<p><i>The proposed development as described on the plans does not comply with requirements of the National Construction Code for conversion of a Class 1a Building to a Class 2 Building including the Type of Construction required as per Part C1 of the NCC. Issues including matters raised below, will be required to be demonstrated as compliant, (or capable of being complied with), at the Development Application stage for any Consent to issue:</i></p> <p><i>1. The Granny flat is required to be provided with a minimum floor to ceiling height (for all habitable rooms), consistent with Part 3.8.2 of the National Construction Code (NCC) 2016. <u>It is not possible to achieve compliance based on the plans/information provided.</u></i></p> <p><i>2. Appropriate Sound Transmission Ratings to the secondary dwelling are to be achieved by incorporating construction that fully complies with Part F of the NCC. Such construction is likely to further compromise the required minimum floor to ceiling heights based on the information provided.</i></p> <p><i>3. Appropriate Fire Rating of the Building is to be achieved by incorporating construction that fully complies with Part C of the NCC including protection of openings where required. The DA plans are</i></p>

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Internal Referral Body	Comments
	<p><i>required to demonstrate that the building will be capable of compliance prior to the issue of any Consent.</i></p> <p><i>4. The Granny flat is required to be provided with separate laundry facilities complying with Part 3.8.3 of the NCC.</i></p> <p><u>Planner comment</u> This current development application is for alterations and additions to a dwelling house only. It is noted that there is a previously approved secondary dwelling/dual occupancy on the lower ground floor (see Site History in this report). No works are proposed to this occupancy.</p> <p>If the application were for alterations and additions to the dwelling house and secondary dwelling then the above listed criteria would be applicable, however for the purposes of this application that is for works to a dwelling house only, they are not. In the event that this application is approved and the consent is activated, the recommendation of this consent makes clear that it grants no approval for the use of or works to the secondary dwelling.</p> <p>It is therefore most suitable that considerations for fire upgrades of the lower ground floor of the building be made through compliance action rather than the development application process. Accordingly, this matter will be raised with Council's Compliance department upon finalisation of this application.</p>
Landscape Officer	<p><i>The provision of the rear deck and a pergola area along the rear boundary is not considered to be consistent with WDCP 2011 Clause E7-Development on land adjoining public space in that it fails to provide a visual transition between open space, bushland reserves or other public spaces and buildings, including avoiding abutting public open space with back fences.</i></p> <p><i>At this stage, the proposal is not supported with regard to landscape issues.</i></p> <p><u>Planner comment</u> The application has been modified in accordance with the Landscape Officer comments to create a greater setback between the bushland and development on the site to enable a better visual transition.</p>
NECC (Development Engineering)	Development Engineer have reviewed the proposal and raise no objections to the proposal subject to conditions.
Parks, reserves, beaches, foreshore	<i>No objections and no conditions recommended.</i>
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 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 (Affordable Rental Housing) 2009

The building on site has an approved dual occupancy / granny flat use, as detailed in the Site History component of this report earlier. Whilst this application makes no changes to the use of this space, Council's Building Assessment Officer is not satisfied that the current lower ground floor is suitable for use as a secondary habitable space.

The applicant has indicated that they are not intending to monetize this space and are satisfied in having references to a 'existing granny flat' be deleted from the application.

This application proposes no physical or operational changes to the use of the lower ground floor level of the development and the issues raised are therefore not considered to warrant refusal under this development application, but are rather suitably to be dealt with by compliance action under a separate cover.

SEPP (Building Sustainability Index: BASIX) 2004

A BASIX certificate has been submitted with the application (see Certificate No. A303590 dated 20 December 2017).

A condition has been included in the recommendation of this report requiring compliance with the commitments indicated in the BASIX Certificate.

SEPP (Infrastructure) 2007

Ausgrid

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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 Environmental 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	9.8m (RL42.63)	15.2% (1.3m)	No

Compliance Assessment

Clause	Compliance with Requirements
2.7 Demolition requires consent	Yes
4.3 Height of buildings	No (see detail under Clause 4.6 below)
4.6 Exceptions to development standards	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes

Detailed Assessment

4.6 Exceptions to development standards

The following assessment of the variation to Clause 4.3 – Height of Buildings development standard has taken into consideration the questions established in *Winten Property Group Limited v North Sydney Council [2001] NSW LEC 46*.

Requirement:	8.5m
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Proposed:	9.8m (RL42.63)
Is the planning control in question a development standard?	YES
Is the non-compliance with to the clause requirement a Numerical and / or Performance based variation?	Numerical
If numerical enter a % variation to requirement	15.2% (1.3m)

The proposal must satisfy the objectives of Clause 4.3 – Height of Buildings, the underlying objectives of the particular zone, and the objectives of Clause 4.6 - Exceptions to Development Standards under the WLEP 2011. The assessment is detailed as follows:

Description of area of non-compliance

The proposed first floor pitched roof contains the only element of the building which exceeds the Height of Buildings development standard.

Is the planning control in question a development standard?

The prescribed Height of buildings limitation pursuant to Clause 4.3 of the WLEP 2011 is a development standard.

What are the underlying objectives of the development standard?

The underlying objectives of the standard, pursuant to Clause 4.3 – 'Height of buildings' of the WLEP 2011 are:

(1) The objectives of this clause are as follows:

a) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,

Comment: The site shares only one boundary to another residential allotment being No. 5 Carinya Close to the south-west. Other land surrounding the development comprises of public reserve.

The streetscape of Carinya Close is an eclectic mix of architectural styles over a range of periods, generally restricted to two storey detached dwelling houses of an older style. It is noted that, at present, the ridge height of the subject dwelling is almost the same as the adjoining dwelling at No. 5 (minus 19cm) and therefore, the first floor addition of the proposed development is not only considered to be compatible with the existing streetscape but, upon the adjoining single storey house being developed, will be compatible by virtue of height with surrounding properties.

b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access,

Comment: Amenity issues are discussed under their respective clauses elsewhere in this report, however in summary it is found that the variation sought to the building height standard does not give rise to any adverse amenity impacts upon adjoining land.

c) to minimise adverse impact of development on the scenic quality of Warringah's coastal and bush environments,

Comment: The development is considered to be of an improved visual aesthetic when viewed from the surrounding public reserve bushland given the high-quality architecture and the additional opportunities for casual surveillance into the bushland, thereby enhancing the amenity of the bushland. More generally, the proposal is considered to be of a height, scale and



architecture that is consistent with the general residential character in the Northern Beaches and will be an enhancement to the streetscape.

d) to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities,

Comment: The non-complying portion of the building height will not be readily discernible from surrounding public places given the topography of the site and the positioning of the dwelling on the site. The development overall enhances the quality of the architecture of site which is considered to enhance the overall visual impact of the development.

What are the underlying objectives of the zone?

In assessing the developments the non-compliance, consideration must be given to its consistency with the underlying objectives of the R2 Low Density Residential zone.

The underlying objectives of the R2 Low Density Residential zone:

- *To provide for the housing needs of the community within a low density residential environment.*

Comment: The site will continue its current use as a dwelling house, thereby providing for the housing needs of the community.

It is considered that the development satisfies this objective.

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Comment: The continuation of the residential land use will be compatible with surrounding developments.

It is considered that the development satisfies this objective.

- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

Comment: The site has a sufficient provision of landscaped open space and is surrounded by largely undisturbed bushland, thereby retaining the existing bushland character.

It is considered that the development satisfies this objective.

Is the variation to the development standard consistent with the objectives of Clause 4.6 of the WLEP 2011?

(1) The objectives of this clause are as follows:

(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development.

Comment: The development as proposed is capable of meeting the requisite 8.5m Height of Buildings if the roof form were to be modified to be a flat or low-skillion roof. In *Veloshin v Randwick Council [2007] NSWLEC 428* Senior Commissioner Roseth establishes a Planning Principle regarding the assessment of height and bulk of a development. The first step in the test



established is to determine if the impacts are consistent with the impacts that may be reasonably expected under the planning controls. In this particular circumstance, as established in this report, the variation sought to the development standards has no amenity impact on neighbouring properties or the streetscape by virtue of privacy, view loss, overshadowing or visual impact; and it could be reasonably expected that a proposal that did comply with the standard would similarly have no to little impacts, therefore it can be considered that the potential impacts caused by the building height variation are consistent with those of a complying proposal.

As noted elsewhere the only non-complying portion of the building that exceeds the height standard is the uppermost portions of the pitched roof. The height of this roof is consistent with the heights that could reasonably be expected on surrounding properties if and when they are to be redeveloped in the future. The bulk of the development is compatible with surrounding developments in the R2 zone and the more immediate streetscape.

The variation sought to the Height of Buildings control has no material impact on any surrounding properties or residential amenity. The variation could be resolved by a reconfiguration of the proposed roof form, however such amendment would require a roof form that is incompatible with the design proposed and existing roofs of the building, and inconsistent with the roof forms in the wider streetscape. Thereby it is found justified to apply an appropriate degree of flexibility in the particular circumstances of the application.

(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

Comment: Allowing the variation as sought allows for a consistent architectural style throughout the entire building that will significantly enhance the dated aesthetic of the site, the streetscape, and will be compatible with the surrounding reserves. It is argued that the aforementioned alternatives to the roof form would be of a lesser outcome from the development to the streetscape and it is thereby found justified to vary the standard in this circumstance.

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

Comment: The applicant's written Clause 4.6 Variation request accompanying the development application goes into detail that compliance with the development standard is unreasonable and unnecessary in the circumstances of the case on the premise of:

- there are no unreasonable amenity impacts are caused or exacerbated by the variation sought;
- the area of variation sought is *utterly indistinguishable to that of the compliant area*;
- the topographical constraints of the land and the existing building on site; and



- an enhanced visual impact and appearance of the building and site by virtue of the development proposed.

It is found that the written request from the applicant demonstrates sufficient environmental planning grounds to justify the contravention to the development standard.

(4) Development consent must not be granted for development that contravenes a development standard unless:

(a) the consent authority is satisfied that:

(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and

Comment: The applicant's written Clause 4.6 Variation request has adequately addressed the matters required to be demonstrated by subclause (3) as above.

(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

Comment: For reasons detailed above, the proposal is considered to be consistent with the objectives of the zone in the WLEP 2011.

(b) the concurrence of the Director-General has been obtained

Comment: Planning Circular PS 17-006 dated 15 December 2017, as issued by the NSW Department of Planning, advises that the concurrence of the Secretary may be assumed for exceptions to development standards under environmental planning instruments that adopt Clause 4.6 of the Standard Instrument where the variation to a numerical standard is not greater than 10%. Following the release of PS 17-006, Council received correspondence from a delegate of the Secretary which granted Council staff, for 12 months from 1 March 2018, the ability to assume the Secretary's concurrence for Class 1 buildings which seek to vary the building height standard by more than 10%. Accordingly, the Secretary's concurrence can be assumed for this application as it is a Class 1 building and is being determined within 12 months of 1 March 2018. The determining authority for this particular application will be the Northern Beaches Development Determination Panel.

Warringah Development Control Plan

Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
B1 Wall height	7.2m	7.9m	9.7%	No
B3 Side Boundary Envelope	East - 4.0m	No encroachment	-	Yes
	South-West - 4.0m	No encroachment	-	Yes
B5 Side Boundary Setbacks	East - 0.9m	0.6m - 6.0m	up to 33%	No
	South-West -	1.3m - 4.4m	-	Yes

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	0.9m			
B7 Front Boundary Setbacks	6.5m	Front deck - 5.5m	15.4%	No
		Addition - 12.1m	-	Yes
B9 Rear Boundary Setbacks	6.0m	Dwelling - 3.8m	36.7%	No
		Pool and deck - 0.6m - 5.4m	up to 90%	No
D1 Landscaped Open Space (LOS) and Bushland Setting	40%	42.1% (237m ²)	-	Yes

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
B1 Wall Heights	No	Yes
B3 Side Boundary Envelope	Yes	Yes
B5 Side Boundary Setbacks	No	Yes
B7 Front Boundary Setbacks	No	Yes
B9 Rear Boundary Setbacks	No	Yes
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	Yes	Yes
C4 Stormwater	Yes	Yes
C5 Erosion and Sedimentation	Yes	Yes
C6 Building over or adjacent to Constructed Council Drainage Easements	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	Yes	Yes
D2 Private Open Space	Yes	Yes
D3 Noise	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
D16 Swimming Pools and Spa Pools	Yes	Yes
D20 Safety and Security	Yes	Yes
D21 Provision and Location of Utility Services	Yes	Yes

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Clause	Compliance with Requirements	Consistency Aims/Objectives
D22 Conservation of Energy and Water	Yes	Yes
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes
E2 Prescribed Vegetation	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E7 Development on land adjoining public open space	Yes	Yes
E10 Landslip Risk	Yes	Yes

Detailed Assessment

B1 Wall Heights

The proposed development exceeds the maximum 7.2m wall height development control by up to 9.7%, proposing a wall height of up to 7.9m (700mm higher than the standard).

- ***To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.***

Comment: When viewed from the streetscape, adjoining residential properties and the surrounding public reserves the site will generally be of an increased visual aesthetic through the high-quality architecture proposed. Thereby, given the architectural merit of the proposal and the setbacks proposed to the first floor, it is not found that the development would have any adverse impact on surrounding properties.

- ***To ensure development is generally beneath the existing tree canopy level***

Comment: The development will remain beneath the established tree canopy level of the surrounding reserve.

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

Comment: The development will not unreasonably impact on the provision of any existing views from surrounding properties to a magnitude that would warrant the refusal of or amendment to the application.

- ***To minimise the impact of development on adjoining or nearby properties.***

Comment: The breach of the wall height control is not found to have any detrimental nor unreasonable amenity impacts upon adjoining or nearby properties.

- ***To ensure that development responds to site topography and to discourage excavation of the natural landform.***

Comment: The proposed development adequately responds to the topography of the site and the level of non-compliance proposed is primarily caused by the existing and proposed lower



ground floor level.

- ***To provide sufficient scope for innovative roof pitch and variation in roof design.***

Comment: The roof pitch and form proposed is considered to be an acceptable solution as it is sympathetic to the characteristics of the streetscape and is complementary to the surrounding bushland. The level of non-compliance of this control, as with the breach of the Height of Buildings control, could be remedied by forcing a flat roof on the development, however by doing so, it is considered that the development would not meet this objective.

Thereby, the development as proposed satisfies this objective.

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

B5 Side Boundary Setbacks

The development seeks consent to encroach into the eastern side boundary setback area by up to 30cm, equating to a variation to the control of 33%. The variation sought is assessed below against the control objects:

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

Comment: The site has a sufficient provision of deep soil landscaping and the portion of the building that encroaches the side boundary setback line is minor in scale, thereby not equating to any significant opportunities to increase deep soil landscaping beyond what is already available.

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

Comment: Given the site adjoins a public reserve the encroaching element of the building will not be visually dominant as the property boundary line will not be readily discernible because of dense landscaping and without the provision of a boundary fence.

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

Comment: The portion of the development which encroaches the side boundary setback is two storeys in height, 3.4m in width and is clad in stone and glazing. The built form of this portion of the building is interesting and different within the streetscape and will not reasonably be perceived as bulky.

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

Comment: The portion of the development which encroaches the side boundary setback adjoins a public reserve, thereby negating any opportunity for amenity impacts.

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

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Comment: The development does not give rise to any unreasonable view loss from public and private properties.

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

The proposed deck located off of Bed 3 and Bed 4 on the ground floor of the dwelling encroaches within the 6.5m front boundary setback area by up to 1.0m, equating to a variation to the control of 15.4%. An assessment of the variation sought against the control objectives follows:

- ***To create a sense of openness.***

Comment: The proposed deck does not unreasonably impact upon a sense of openness, however it does alter the existing line of buildings along the cul-de-sac and the setback that they all have. Additionally, given the bushland surrounding the site, it is considered that any opportunities to increase a sense of openness should be explored.

The deck encroaches in the front setback area and is objected to by a neighbouring property on the grounds of privacy and overshadowing. It is found reasonable in the circumstances of the application to reduce the depth of the deck to a maximum of 900mm to achieve compliance with the front setback control, given the other non-compliances sought and the potential amenity impacts it may give rise to. It is considered that reducing the depth of the deck will also contribute to a greater sense of openness and therefore, subject to conditions as recommended, the development satisfies this objective.

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

Comment: The modified deck setback (via condition) attains consistency with the existing pattern of buildings and visual continuity throughout the circumference of the cul-de-sac. The amended design satisfies this objective.

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

Comment: As stated elsewhere in this report, this development overall will enhance the visual quality of the streetscape, and it is considered that the modified setback will contribute to the enhancement and is therefore satisfying the objective.

- ***To achieve reasonable view sharing.***

Comment: No views will be unreasonably nor detrimentally impacted upon by this development.

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.

B9 Rear Boundary Setbacks

The proposed first floor addition, rear deck and swimming pool encroach within the 6m rear setback area.

The first floor addition replicates a portion of the ground floor footprint which has a minimum setback to the rear boundary of 3.8m, therefore the first floor is proposed to have the same setback, equating to a 36.7% contravention to the control.

The proposed decking and swimming pool have a setback of between 0.6m and 5.4m, equating to a maximum variation of up to 90%.

An assessment of the variations sought against the control objects follows:

- ***To ensure opportunities for deep soil landscape areas are maintained.***

Comment: The site has a sufficient provision of landscaped open space in accordance with the requirements of Part D1 of the DCP. The proposed decking and swimming pool have a setback of between 600mm and 5.5m which enables the planting and establishment of landscaping that will blend in with the heavily vegetated reserve to the rear of the property, without impeding on the potential for additional planting. Accordingly, the development satisfies this objective.

- ***To create a sense of openness in rear yards.***

Comment: The rear yard of the site has a steep slope of approximately 4 - 5m which inhibits the practical and functional use of the space. By creating a deck and swimming pool the existing sense of openness from the rear reserve will not be impacted upon by virtue of the opportunities for landscaping, and from the dwelling itself, the proposal will significantly enhance a sense of openness by making the space usable and accessible.

- ***To preserve the amenity of adjacent land, particularly relating to privacy between buildings.***

Comment: The encroachments into the rear setback area do not impact upon the amenity of any adjoining land, given that the property abuts a public reserve and the structures will be located some distance from adjoining properties.

- ***To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.***

Comment: The existing streetscape has a varying level of rear boundary setback with varying structures throughout including sheds, garages and swimming pools. The development proposed has a similar setback to other surrounding developments and thereby satisfies this objective.

- ***To provide opportunities to maintain privacy between dwellings.***

Comment: The development will not give rise to any adverse privacy impacts upon adjoining



dwellings.

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.

E7 Development on land adjoining public open space

The proposed allotment backs onto a public reserve that is filled with dense bushland and scrub. The development sought has an elevated deck located some 500mm from the boundary for a length of 6m.

The amended plans received, as addressed elsewhere in this report, removed a large portion of decking and an elevated cabana from the rear boundary.

- ***To protect and preserve bushland adjoining parks, bushland reserves and other public open spaces.***

Comment: The works sought under this application do not give rise to adverse impacts on the bushland to the rear of the dwelling. At present the reserve appears to be seldom used and accordingly, the decking proposed will contribute to the safety and security of the area by allowing passive casual surveillance of the bushland. Accordingly, it is found that the development as proposed will enhance, protect and preserve the bushland.

- ***To ensure that development responds to its adjacent surroundings to preserve and enhance the natural qualities of the environment.***

Comment: The works proposed do not result in the removal of any vegetation on the public reserve, nor does it compromise the quality and character of the bushland, thereby satisfying this objective.

- ***Development on land adjoining open space is to complement the landscape character and public use and enjoyment of the adjoining parks, bushland reserves and other public open spaces.***

Comment: The works will provide a casual and passive surveillance over the otherwise isolated reserve which is considered to be of community benefit. The works proposed do not impact on the ecological nor social attributes of the reserve and will allow it to continue operation in its current form, thereby satisfying 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.

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



The proposal is consistent with the principles of 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 \$ 600,000		
Contributions	Levy Rate	Payable
Total Section 94A Levy	0.95%	\$ 5,700
Section 94A Planning and Administration	0.05%	\$ 300
Total	1%	\$ 6,000

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

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THAT Council as the consent authority grant Development Consent to DA2017/1353 for Alterations and additions to the dwelling house and the construction of a swimming pool on land at Lot 6 DP 242893, 6 Carinya Close, ALLAMBIE HEIGHTS, 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
A-DA-100-002 Rev. A	23 March 2018	Norrsken Ko.
A-DA-110-001 Rev. A	23 March 2018	Norrsken Ko.
A-DA-110-002 Rev. A	23 March 2018	Norrsken Ko.
A-DA-110-003 Rev. A	23 March 2018	Norrsken Ko.
A-DA-210-001 Rev. A	23 March 2018	Norrsken Ko.
A-DA-210-002 Rev. A	23 March 2018	Norrsken Ko.
A-DA-210-003 Rev. A	23 March 2018	Norrsken Ko.
A-DA-210-004 Rev. A	23 March 2018	Norrsken Ko.
A-DA-310-001 Rev. A	23 March 2018	Norrsken Ko.
A-DA-310-002 Rev. A	23 March 2018	Norrsken Ko.
A-DA-310-003 Rev. A	23 March 2018	Norrsken Ko.

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
BASIX Certificate No. A303590	20 December 2017	Norrsken Kolektiv
Preliminary Geotechnical Report J1606	22 December 2017	White Geotechnical Group

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

c) The development is to be undertaken generally in accordance with the following:

Waste Management Plan		
Report Title	Dated	Prepared By
Waste Management Plan	22 December 2017	Norrsken Ko.

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

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

2. Amendments to the approved plans

The following amendments are to be made to the approved plans:

- The balcony located off of Bed 3 and Bed 4 is to be reduced in depth to a maximum of 900mm.
- Reference to 'Existing Granny Flat' is to be deleted from the architectural plans.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure development minimises unreasonable impacts upon surrounding land. (DACPLB02)

3. Land Use Approvals

No approval is granted under this Development Consent for the use of the lower ground floor as a secondary dwelling.

Reason: To ensure compliance with the relevant Local Environmental Plan.

4. 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)

5. **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) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (g) No building, demolition, excavation or material of any nature and no hoist, plant and machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (h) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (i) 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.
- (j) 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.

- (k) 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 sewered 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

6. Policy Controls

Northern Beaches Council 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:

Northern Beaches Council Section 94 Development Contributions Plan		
Contribution based on a total development cost of \$ 600,000.00		
Contributions	Levy Rate	Payable
Total Section 94A Levy	0.95%	\$ 5,700.00
Section 94A Planning and Administration	0.05%	\$ 300.00
Total	1%	\$ 6,000.00

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.

This fee must be paid prior to the issue of the Construction Certificate. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To provide for contributions in accordance with Northern Beaches Council's Development Contributions Plan.



7. Security Bond

A bond (determined from cost of works) of \$2,000 and an inspection fee in accordance with Council's 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.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at www.northernbeaches.nsw.gov.au).

Reason: To ensure adequate protection of Council's infrastructure.

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

8. Off Street Parking Facility and internal driveway

The off-street parking facility gradients, levels, internal dimensions are to comply with AS/NZS 2890.1:2004 Parking facilities Part 1: Off-street car parking.

A suitably experienced and qualified civil engineer is to certify that the proposed car parking facility complies with all requirements of this condition.

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

Reason: To ensure suitable vehicular access to private property. (DACENCPCC3)

9. 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)

10. External Finishes to Roof

The external finish to the roof shall have a medium to dark range (BCA classification M and D) in order to minimise solar reflections to neighbouring properties. Any roof with a metallic steel finish is not permitted.

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

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

11. 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:

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

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

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

12. Tree protection

(a) Existing trees which must be retained

- i) All trees not indicated for removal on the approved plans, unless exempt under relevant planning instruments or legislation
- ii) Trees located on adjoining land

(b) Tree protection

- i) No tree roots greater than 50mm diameter are to be cut from protected trees unless authorised by a qualified Arborist on site.
- ii) All structures are to bridge tree roots greater than 50mm diameter unless directed otherwise by a qualified Arborist on site.
- iii) All tree protection to be in accordance with AS4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures.
- iv) All tree pruning within the subject site is to be in accordance with WDCP2011 Clause E1 Private Property Tree Management and AS 4373 Pruning of amenity trees
- v) All tree protection measures, including fencing, are to be in place prior to commencement of works.

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

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

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. Waste Management During Development

The reuse, recycling or disposal of waste during works must be done generally in accordance with the Waste Management Plan for this development.

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

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

15. Trees Condition

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.

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.

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

16. 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.

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

17. Required Planting

Trees shall be planted in accordance with the following schedule:

No. of Trees Required.	Species	Location	Pot Size

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1	Tree/s selected from Council's Plants and Trees List available at www.warringah.nsw.gov.au or species capable of attaining a minimum height of 6 metres at maturity	In the front setback area of the site.	200mm
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Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To maintain environmental amenity.

18. Removal of All Temporary Structures/Material and Construction Rubbish

Once construction has been completed all silt and sediment fences, silt, rubbish, building debris, straw bales and temporary fences are to be removed from the site.

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

Reason: To ensure bushland management. (DACPLF01)

19. Waste Management Confirmation

Prior to the issue of a Final Occupation Certificate, evidence / documentation must be submitted to the Principal Certifying Authority that all waste material from the development site arising from demolition and/or construction works has been appropriately recycled, reused or disposed of generally in accordance with the approved Waste Management Plan.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

20. Swimming Pool Requirements

The Swimming Pool shall not be filled with water nor be permitted to retain water until:

(a) All required safety fencing has been erected in accordance with and all other requirements have been fulfilled with regard to the 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

(b) A certificate of compliance prepared by the manufacturer of the pool safety fencing, shall be submitted to the Principal Certifying Authority, certifying compliance with Australian Standard 1926.

(c) Filter backwash waters shall be discharged to the Sydney Water sewer mains in accordance with Sydney Water's requirements. Where Sydney Water mains are not available in rural areas, the backwash waters shall be managed onsite 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. Appropriate instructions of artificial resuscitation methods.

(d) A warning sign stating **'YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING**

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THIS POOL' has been installed.

- (e) Signage showing resuscitation methods and emergency contact
- (f) All signage shall be located in a prominent position within the pool area.
- (g) Swimming pools and spas must be registered with the *Division of Local Government*.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of an Interim / Final Occupation Certificate.

Reason: To protect human life (DACPLF09)

**ATTACHMENT A**

No notification plan recorded.

ATTACHMENT B










Notification Document	Title	Date
 2018/023703	Notification Map	08/01/2018



ATTACHMENT C

Reference Number	Document	Date
 2018/002599	Plan - Survey	03/10/2017
 2018/002614	Report - BASIX Certificate	20/12/2017
 2018/002641	Certification Of Shadow Diagrams	21/12/2017
 2018/002645	Political Donations And Gifts Disclosure Statement	21/12/2017
 2018/002629	Report - Waste Management	21/12/2017
 2018/002557	Cost Summary Report	21/12/2017
 2018/002654	Report - Preliminay Geotechnical Assessment	22/12/2017
 2018/002633	Plans - Waste Management, Erosion And Sediment Control Plan	22/12/2017
 2018/002636	Plans - Stormwater Management Plan	22/12/2017
 2018/002602	Plan - Notification Plan	22/12/2017
 2018/002607	Report - Statement Of Environmental Effects	22/12/2017
 2018/002652	Report - Clause 4.6 Variation	22/12/2017
 2018/002845	Plans - Master Set	22/12/2017
 2018/002639	Plans - BASIX Commitments	22/12/2017
 2018/002628	Plans - Shadow Diagrams	22/12/2017
 DA2017/1353	6 Carinya Close ALLAMBIE HEIGHTS NSW 2100 - Development Application - Alterations and Additions	22/12/2017
 2017/539068	DA Acknowledgement Letter - Norrsken Ko	22/12/2017
 2018/002023	delete	02/01/2018
 2018/002025	Applicant Details	02/01/2018
 2018/002026	Development Application Form	02/01/2018
 2018/002752	delete	03/01/2018
 2018/002847	Plans - Internal	03/01/2018
 2018/002843	Plans - External	03/01/2018
 2018/004204	Building Assessment - Fire and Disability upgrades - Assessment Referral - DA2017/1353 - 6 Carinya Close ALLAMBIE HEIGHTS NSW 2100 - PH	03/01/2018
 2018/023656	ARP Map	08/01/2018
 2018/023660	DA Acknowledgement Letter (not integrated) - Norrsken Ko	08/01/2018
 2018/023699	Notification Letter - 11	08/01/2018
 2018/023703	Notification Map	08/01/2018
 2018/024778	Building Assessment Referral Response	09/01/2018
 2018/040361	Development Engineering Referral Response	10/01/2018
 2018/069470	Submission - Watson	19/01/2018



	2018/082114	Submission - Watson	25/01/2018
	2018/134219	Parks, Reserves and Foreshores Referral Response	26/02/2018
	2018/141354	Working drawings >8.5m	28/02/2018
	2018/142582	Request for Withdrawal of Development Application - Norrsken Ko	01/03/2018
	2018/168400	Submission - Watson	12/03/2018
	2018/169535	Submission Acknowledgement Letter - Andrew Stuart Watson & Jacquelynn Elizabeth Watson - SA2018/168400	13/03/2018
	2018/189348	Landscape Referral Response	21/03/2018
	2018/197273	Amended Master Set	26/03/2018
	2018/234453	Master Set	13/04/2018

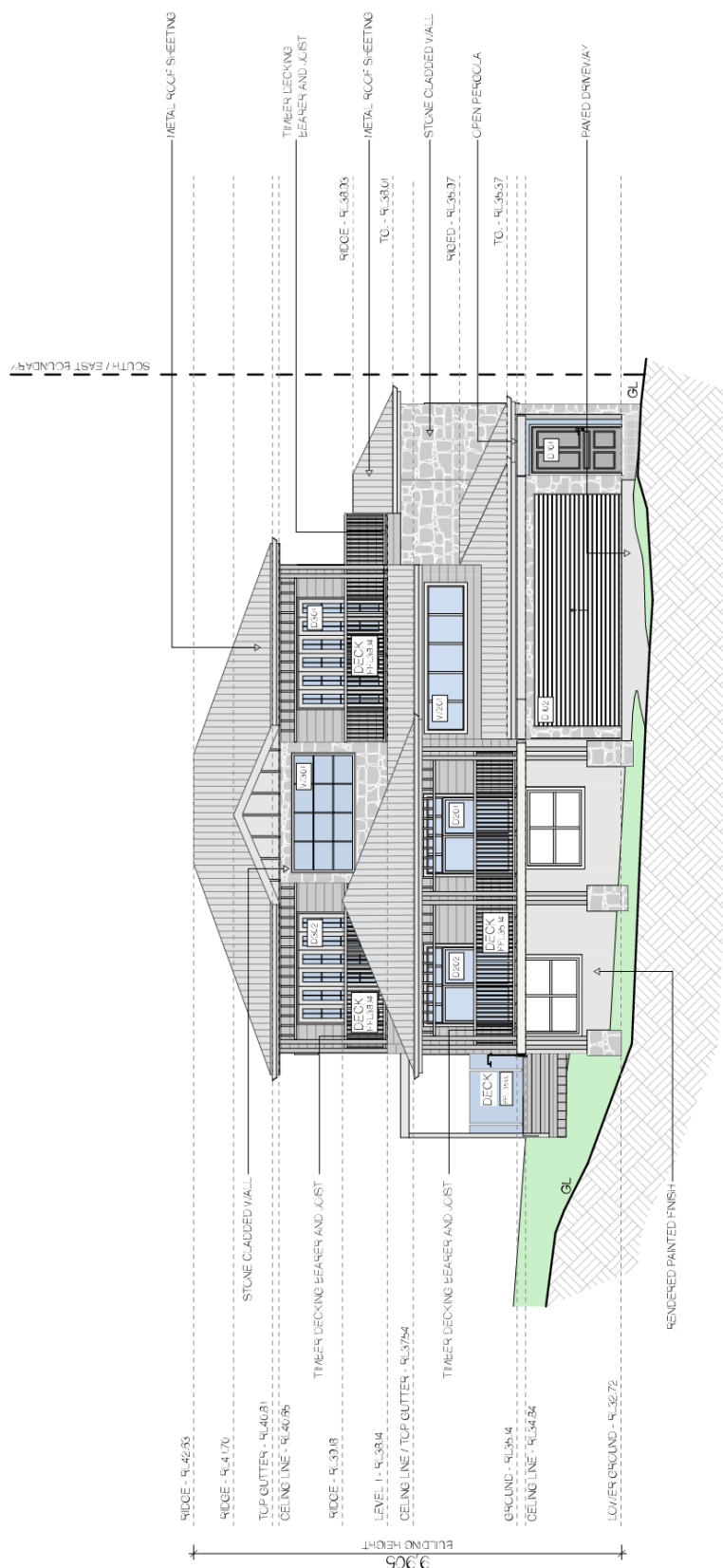
PANEL PLANS

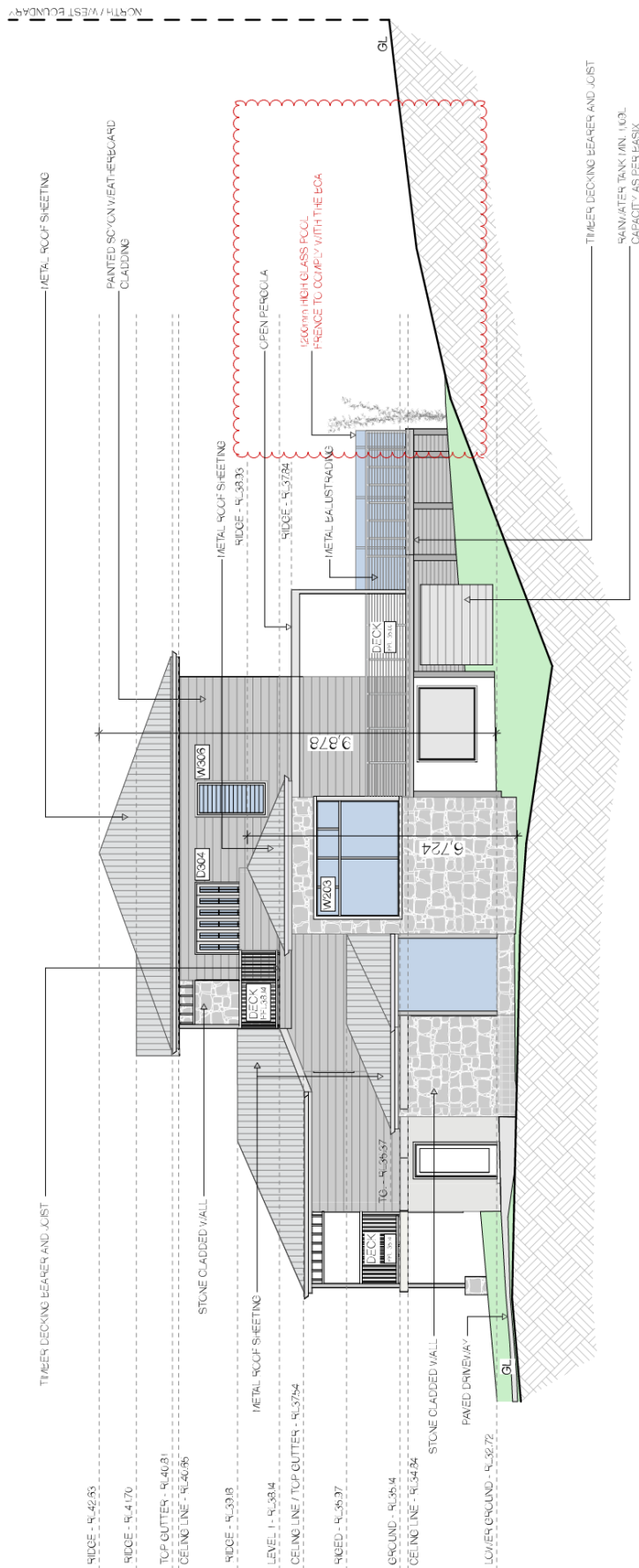
No plans titled 'DDP Panel Plans' found in TRIM.



DEVELOPMENT APPLICATION TABLE		
SITE AREA 562,000 ²	EXISTING FRONTAGE 115.0m	PROPOSED
LANDSCAPE	3,627.0m ² (6.5%)	25.0m ² (0.05%)
PARKING	340,144m ²	254.3m ²
BASEMENT	210,794m ²	30,707m ²
PRIVATE OPEN SPACE	178,450m ²	172,044m ²
BUILDING FOOT	5,484m ²	3,396m ²

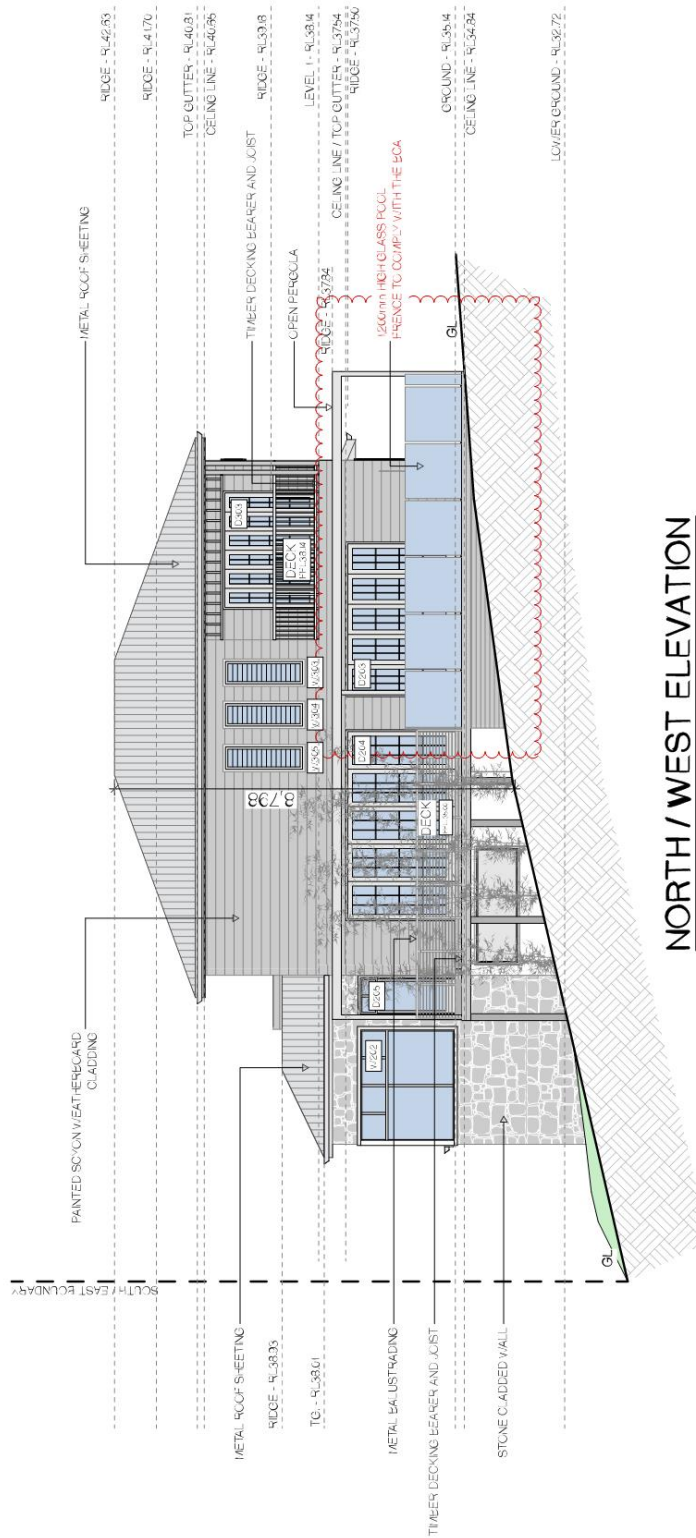
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SOUTH / EAST ELEVATION[illegible]



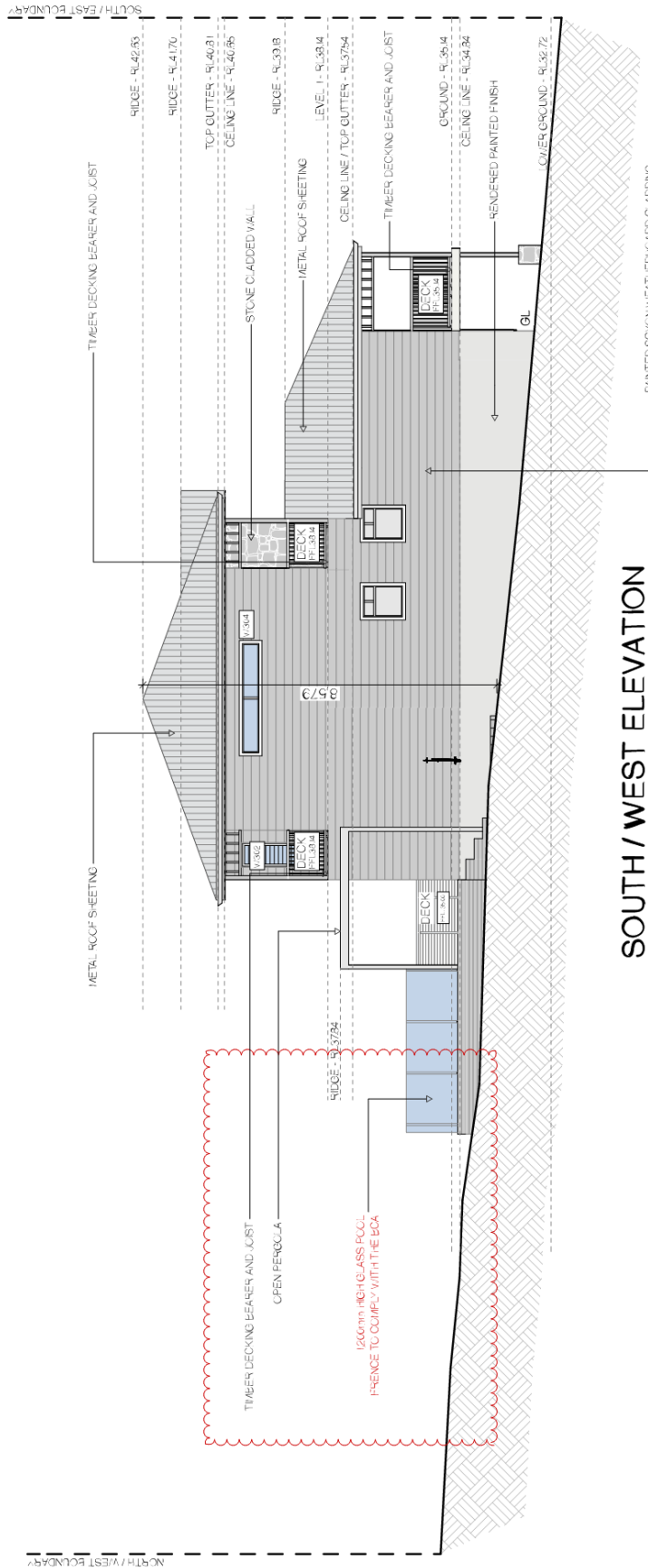
NORTH / EAST ELEVATION

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NORTH / WEST ELEVATION

<div><div>Norrskan Ko.</div><div>100 Harris Street Pyrmont NSW 2009 AUSTRALIA Tel: 02 9550 1000 WWW.NORRSKAN.CO.AU 0422 515 227</div></div>		<div><div>LEGEND</div><div><div><div><div></div></div><div>NEW EXTERNAL WALL</div></div><div><div><div></div></div><div>EXISTING STRUCTURE</div></div><div><div><div></div></div><div>EARTH</div></div><div><div><div></div></div><div>GROUND LINE</div></div><div><div><div></div></div><div>BOUNDARY LINE</div></div></div></div>	<div><div>NOTES</div><div><div>ALL CONSTRUCTION AND DEMOLITION WORKS TO COMPLY WITH THE PROVISIONS OF THE BUILDING CODE OF AUSTRALIA.</div><div>MEASUREMENTS TO BE CHECKED ON SITE AND ADJUSTED AS NECESSARY TO ACCORD WITH THE ACTUAL CONDITIONS.</div><div>DESCRIBE SPACES BETWEEN ARCHITECTURAL & STRUCTURAL ELEMENTS IN STRUCTURAL DRAWINGS.</div><div>LINE IS SHOWN USE OF FINISH FROM INITIAL SITE WORKS.</div><div>TERMINATE PROTECTION SYSTEM TO BE USED IN THE PROTECTION AGAINST SUBSTANTIAL TENDITION IN THE PROTECTION AGAINST SUBSTANTIAL TENDITION AND TO MANUFACTURE SPECIFIC DETAILS.</div></div></div>	<div><div>PROJECT</div><div><div>ALTERATION & ADDITIONS</div><div>PROPERTY ADDRESS: 8 CARINYA CLOSE, ALLAMBLE HEIGHTS NSW 2100</div><div>TITLE DESCRIPTION: LOT 8 - DP 242203 - 592 m²</div><div>PLANNING: S/DNEY SURVEYORS</div><div>CLIENT: SCOTT WILLIAMS</div></div></div>	<div><div>REVISIONS</div><div><div>NO.</div><div>DESCRIPTION</div><div>1.</div><div>22/12/17</div><div>2.</div><div>22/12/17</div><div>3.</div><div>22/12/17</div><div>4.</div><div>22/12/17</div><div>5.</div><div>22/12/17</div><div>6.</div><div>22/12/17</div><div>7.</div><div>22/12/17</div><div>8.</div><div>22/12/17</div><div>9.</div><div>22/12/17</div><div>10.</div><div>22/12/17</div><div>11.</div><div>22/12/17</div><div>12.</div><div>22/12/17</div><div>13.</div><div>22/12/17</div><div>14.</div><div>22/12/17</div><div>15.</div><div>22/12/17</div><div>16.</div><div>22/12/17</div><div>17.</div><div>22/12/17</div><div>18.</div><div>22/12/17</div><div>19.</div><div>22/12/17</div><div>20.</div><div>22/12/17</div><div>21.</div><div>22/12/17</div><div>22.</div><div>22/12/17</div><div>23.</div><div>22/12/17</div><div>24.</div><div>22/12/17</div><div>25.</div><div>22/12/17</div><div>26.</div><div>22/12/17</div><div>27.</div><div>22/12/17</div><div>28.</div><div>22/12/17</div><div>29.</div><div>22/12/17</div><div>30.</div><div>22/12/17</div><div>31.</div><div>22/12/17</div><div>32.</div><div>22/12/17</div><div>33.</div><div>22/12/17</div><div>34.</div><div>22/12/17</div><div>35.</div><div>22/12/17</div><div>36.</div><div>22/12/17</div><div>37.</div><div>22/12/17</div><div>38.</div><div>22/12/17</div><div>39.</div><div>22/12/17</div><div>40.</div><div>22/12/17</div><div>41.</div><div>22/12/17</div><div>42.</div><div>22/12/17</div><div>43.</div><div>22/12/17</div><div>44.</div><div>22/12/17</div><div>45.</div><div>22/12/17</div><div>46.</div><div>22/12/17</div><div>47.</div><div>22/12/17</div><div>48.</div><div>22/12/17</div><div>49.</div><div>22/12/17</div><div>50.</div><div>22/12/17</div><div>51.</div><div>22/12/17</div><div>52.</div><div>22/12/17</div><div>53.</div><div>22/12/17</div><div>54.</div><div>22/12/17</div><div>55.</div><div>22/12/17</div><div>56.</div><div>22/12/17</div><div>57.</div><div>22/12/17</div><div>58.</div><div>22/12/17</div><div>59.</div><div>22/12/17</div><div>60.</div><div>22/12/17</div><div>61.</div><div>22/12/17</div><div>62.</div><div>22/12/17</div><div>63.</div><div>22/12/17</div><div>64.</div><div>22/12/17</div><div>65.</div><div>22/12/17</div><div>66.</div><div>22/12/17</div><div>67.</div><div>22/12/17</div><div>68.</div><div>22/12/17</div><div>69.</div><div>22/12/17</div><div>70.</div><div>22/12/17</div><div>71.</div><div>22/12/17</div><div>72.</div><div>22/12/17</div><div>73.</div><div>22/12/17</div><div>74.</div><div>22/12/17</div><div>75.</div><div>22/12/17</div><div>76.</div><div>22/12/17</div><div>77.</div><div>22/12/17</div><div>78.</div><div>22/12/17</div><div>79.</div><div>22/12/17</div><div>80.</div><div>22/12/17</div><div>81.</div><div>22/12/17</div><div>82.</div><div>22/12/17</div><div>83.</div><div>22/12/17</div><div>84.</div><div>22/12/17</div><div>85.</div><div>22/12/17</div><div>86.</div><div>22/12/17</div><div>87.</div><div>22/12/17</div><div>88.</div><div>22/12/17</div><div>89.</div><div>22/12/17</div><div>90.</div><div>22/12/17</div><div>91.</div><div>22/12/17</div><div>92.</div><div>22/12/17</div><div>93.</div><div>22/12/17</div><div>94.</div><div>22/12/17</div><div>95.</div><div>22/12/17</div><div>96.</div><div>22/12/17</div><div>97.</div><div>22/12/17</div><div>98.</div><div>22/12/17</div><div>99.</div><div>22/12/17</div><div>100.</div><div>22/12/17</div></div></div>	<div><div>DEVELOPMENT APPLICATION</div><div><div>NORTH / WEST ELEVATION</div><div>PROJECT NO: NSK 1720</div><div>DRAWN: KS</div><div>CHECKED: CN</div><div>SCALE: 1:100 @ A3</div><div>ISSUE DATE: 22/12/17</div><div>DRAWING NO: A</div></div></div>
		<div><div>REVISIONS</div><div><div>NO.</div><div>DESCRIPTION</div><div>1.</div><div>22/12/17</div><div>2.</div><div>22/12/17</div><div>3.</div><div>22/12/17</div><div>4.</div><div>22/12/17</div><div>5.</div><div>22/12/17</div><div>6.</div><div>22/12/17</div><div>7.</div><div>22/12/17</div><div>8.</div><div>22/12/17</div><div>9.</div><div>22/12/17</div><div>10.</div><div>22/12/17</div><div>11.</div><div>22/12/17</div><div>12.</div><div>22/12/17</div><div>13.</div><div>22/12/17</div><div>14.</div><div>22/12/17</div><div>15.</div><div>22/12/17</div><div>16.</div><div>22/12/17</div><div>17.</div><div>22/12/17</div><div>18.</div><div>22/12/17</div><div>19.</div><div>22/12/17</div><div>20.</div><div>22/12/17</div><div>21.</div><div>22/12/17</div><div>22.</div><div>22/12/17</div><div>23.</div><div>22/12/17</div><div>24.</div><div>22/12/17</div><div>25.</div><div>22/12/17</div><div>26.</div><div>22/12/17</div><div>27.</div><div>22/12/17</div><div>28.</div><div>22/12/17</div><div>29.</div><div>22/12/17</div><div>30.</div><div>22/12/17</div><div>31.</div><div>22/12/17</div><div>32.</div><div>22/12/17</div><div>33.</div><div>22/12/17</div><div>34.</div><div>22/12/17</div><div>35.</div><div>22/12/17</div><div>36.</div><div>22/12/17</div><div>37.</div><div>22/12/17</div><div>38.</div><div>22/12/17</div><div>39.</div><div>22/12/17</div><div>40.</div><div>22/12/17</div><div>41.</div><div>22/12/17</div><div>42.</div><div>22/12/17</div><div>43.</div><div>22/12/17</div><div>44.</div><div>22/12/17</div><div>45.</div><div>22/12/17</div><div>46.</div><div>22/12/17</div><div>47.</div><div>22/12/17</div><div>48.</div><div>22/12/17</div><div>49.</div><div>22/12/17</div><div>50.</div><div>22/12/17</div><div>51.</div><div>22/12/17</div><div>52.</div><div>22/12/17</div><div>53.</div><div>22/12/17</div><div>54.</div><div>22/12/17</div><div>55.</div><div>22/12/17</div><div>56.</div><div>22/12/17</div><div>57.</div><div>22/12/17</div><div>58.</div><div>22/12/17</div><div>59.</div><div>22/12/17</div><div>60.</div><div>22/12/17</div><div>61.</div><div>22/12/17</div><div>62.</div><div>22/12/17</div><div>63.</div><div>22/12/17</div><div>64.</div><div>22/12/17</div><div>65.</div><div>22/12/17</div><div>66.</div><div>22/12/17</div><div>67.</div><div>22/12/17</div><div>68.</div><div>22/12/17</div><div>69.</div><div>22/12/17</div><div>70.</div><div>22/12/17</div><div>71.</div><div>22/12/17</div><div>72.</div><div>22/12/17</div><div>73.</div><div>22/12/17</div><div>74.</div><div>22/12/17</div><div>75.</div><div>22/12/17</div><div>76.</div><div>22/12/17</div><div>77.</div><div>22/12/17</div><div>78.</div><div>22/12/17</div><div>79.</div><div>22/12/17</div><div>80.</div><div>22/12/17</div><div>81.</div><div>22/12/17</div><div>82.</div><div>22/12/17</div><div>83.</div><div>22/12/17</div><div>84.</div><div>22/12/17</div><div>85.</div><div>22/12/17</div><div>86.</div><div>22/12/17</div><div>87.</div><div>22/12/17</div><div>88.</div><div>22/12/17</div><div>89.</div><div>22/12/17</div><div>90.</div><div>22/12/17</div><div>91.</div><div>22/12/17</div><div>92.</div><div>22/12/17</div><div>93.</div><div>22/12/17</div><div>94.</div><div>22/12/17</div><div>95.</div><div>22/12/17</div><div>96.</div><div>22/12/17</div><div>97.</div><div>22/12/17</div><div>98.</div><div>22/12/17</div><div>99.</div><div>22/12/17</div><div>100.</div><div>22/12/17</div></div></div>	<div><div>REVISIONS</div><div><div>NO.</div><div>DESCRIPTION</div><div>1.</div><div>22/12/17</div><div>2.</div><div>22/12/17</div><div>3.</div><div>22/12/17</div><div>4.</div><div>22/12/17</div><div>5.</div><div>22/12/17</div><div>6.</div><div>22/12/17</div><div>7.</div><div>22/12/17</div><div>8.</div><div>22/12/17</div><div>9.</div><div>22/12/17</div><div>10.</div><div>22/12/17</div><div>11.</div><div>22/12/17</div><div>12.</div><div>22/12/17</div><div>13.</div><div>22/12/17</div><div>14.</div><div>22/12/17</div><div>15.</div><div>22/12/17</div><div>16.</div><div>22/12/17</div><div>17.</div><div>22/12/17</div><div>18.</div><div>22/12/17</div><div>19.</div><div>22/12/17</div><div>20.</div><div>22/12/17</div><div>21.</div><div>22/12/17</div><div>22.</div><div>22/12/17</div><div>23.</div><div>22/12/17</div><div>24.</div><div>22/12/17</div><div>25.</div><div>22/12/17</div><div>26.</div><div>22/12/17</div><div>27.</div><div>22/12/17</div><div>28.</div><div>22/12/17</div><div>29.</div><div>22/12/17</div><div>30.</div><div>22/12/17</div><div>31.</div><div>22/12/17</div><div>32.</div><div>22/12/17</div><div>33.</div><div>22/12/17</div><div>34.</div><div>22/12/17</div><div>35.</div><div>22/12/17</div><div>36.</div><div>22/12/17</div><div>37.</div><div>22/12/17</div><div>38.</div><div>22/12/17</div><div>39.</div><div>22/12/17</div><div>40.</div><div>22/12/17</div><div>41.</div><div>22/12/17</div><div>42.</div><div>22/12/17</div><div>43.</div><div>22/12/17</div><div>44.</div><div>22/12/17</div><div>45.</div><div>22/12/17</div><div>46.</div><div>22/12/17</div><div>47.</div><div>22/12/17</div><div>48.</div><div>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SOUTH / WEST ELEVATION

<p>Norrsken Ko. 100 Harris Street Pyrmont NSW 2009 AUSTRALIA tel: 02 9550 1000 www.norrskenko.com.au 0402 15 95 227</p>		<p>LEGEND</p> <ul style="list-style-type: none"> NEW EXTERNAL WALL EXISTING STRUCTURE FAIRF GROUND LINE BOUNDARY LINE 		<p>NOTES</p> <p>ALL CONSTRUCTION AND DEMOLITION WORKS TO COMPLY WITH THE PROVISIONS OF THE BUILDING CODE OF AUSTRALIA.</p> <p>MEASUREMENTS TO BE CHECKED ON SITE AND ADJUSTED TO REFLECT ACTUAL CONDITIONS.</p> <p>DISCREPANCIES BETWEEN ARCHITECTURAL & STRUCTURAL DOCUMENTATION, STRUCTURAL DRAWINGS, SITE PLAN & SURVEY SHALL BE USED IN THE PROTECTION AGAINST SUBTERRANEAN TENDRERS IN MANUFACTURE'S SPECIFICATIONS.</p>	<p>PROJECT</p> <p>ALTERATION & ADDITIONS</p> <p>PROPERTY ADDRESS: 8 CARINYA CLOSE, ALLAMBLE HEIGHTS NSW 2100</p> <p>TITLE DESCRIPTION: LOT 8 - DP 242803 - 592 m²</p> <p>CLIENT: S/DNEY SURVEYORS</p> <p>CLIENT: SCOTT WILLIAMS</p>	<p>DEVELOPMENT APPLICATION SOUTH / WEST ELEVATION</p> <p>PROJECT NO: NSK 1720</p> <p>DRAWN: KS</p> <p>CHECKED: CN</p> <p>SCALE: 1:100 @ A3</p> <p>ISSUE DATE: 22/12/17</p> <p>DRAWING NO: A</p>
<p>NOT FOR CONSTRUCTION</p>		<p>NOT FOR CONSTRUCTION</p>		<p>NOT FOR CONSTRUCTION</p>	<p>NOT FOR CONSTRUCTION</p>	<p>NOT FOR CONSTRUCTION</p>

ITEM 3.3	N0563/17 - 40 TASMAN ROAD, AVALON BEACH - ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING
REPORTING MANAGER	MATT EDMONDS
TRIM FILE REF	2018/262768
ATTACHMENTS	1 ↓ Assessment Report 2 ↓ Site Plan and Elevations

PURPOSE

To refer the attached application for determination by the discretion of the Executive Manager Development Assessment

RECOMMENDATION OF DEVELOPMENT ASSESSMENT MANAGER

That Council as the consent authority grant Development Consent to N563/17 for Alterations and additions to an existing dwelling on land at Lot 19 Sec 4 DP 13811, 40 Tasman Road, Avalon Beach, subject to the conditions outlined in the Assessment Report.

N563/17– 40 Tasman Road, Avalon Beach NSW 2107
Alterations and additions to an existing dwelling

Determination Level:	Development Unit
Summary of recommendation:	Approval
REPORT PREPARED BY:	Natalie Nolan
APPLICATION SUBMITTED ON:	5 December 2017
APPLICATION SUBMITTED BY:	Mitch Clark Drafting Services (" the Applicant ")
OWNERS:	Peter Hunt
NO. OF OBJECTORS:	1
COST OF WORKS:	\$57,368.00

1.0 SITE DETAILS

The site is known as 40 Tasman Road, Avalon Beach and has a legal description of Lot 19, Section 4 in Deposited Plan 13811. The site is a rectangular shaped allotment, with a total area of 929m². The site has a gradual slope from the street (RL11.25) towards the rear boundary (RL6.35). It is understood that stormwater is currently discharged on site.

The site is currently occupied by a single storey clad dwelling located centrally on site. A detached fibro garage is located forward of the dwelling setback approximately 6.0m to the front boundary. A detached timber outbuilding with deck is located towards the rear southwest corner of the site.

2.0 PROPOSED DEVELOPMENT

The applicant seeks consent for alterations and additions to the existing dwelling and construction of a new detached garage with storeroom/workshop. The existing detached garage will be demolished.

3.0 LEGISLATION, PLANS AND POLICIES

The following planning legislation, environmental planning instruments, development control plans and policies are relevant to the subject Development Application:

- Environmental Planning and Assessment Act 1979 ("**The Act**")
- Environmental Planning and Assessment Regulation 2000 ("**The Regulations**")
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ("**BASIX**")
- Pittwater Local Environmental Plan 2014 ("**PLEP 2014**");
 - Zoning Map – R2 Low Density Residential
 - Acid Sulphate Soils Map - Area 5
 - Height of Buildings Map – 8.5m
 - Lot Size Map – 700m²
- Pittwater 21 Development Control Plan ("**P21 DCP**");
 - Avalon Beach Locality

4.0 PERMISSIBILITY

The site is zoned R2 Low Density Residential, as shown on the Zoning Map of PLEP 2014, and pursuant to the land use table of this instrument, dwelling houses and associated development are permissible with consent.

5.0 BACKGROUND

The application was lodged on 5 December 2017 and subsequently referred to Council's Development Engineer and Natural Environment Officer for comments and/or recommendations.

No concerns are raised by the internal referrals subject to conditions which have been included in the Recommendation of the report.

6.0 NOTIFICATION

In response to the notification of the proposed development, submissions were received on behalf of one (1) residence. The details of the person preparing the submission have been withheld, but the issues are summarised below:

- Adjoining property (details withheld), raising concerns with regard to:
 - Potential for loss of privacy from southern windows of garage.

7.0 KEY ASSESSMENT ISSUES

- Building envelope
- Front Building Line
- Side Building Line
- Privacy

8.0 COMPLIANCE TABLE

T - Can the proposal satisfy the technical requirements of the control?

O - Can the proposal achieve the control outcomes?

N - Is the control free from objection?

Control	Standard	Proposal	T	O	N
Pittwater Local Environmental Plan 2014					
1.9A Suspension of covenants, agreements and instruments			Y	Y	Y
2.7 Demolition requires development consent			Y	Y	Y
Zone R2 Low Density Residential			Y	Y	Y
4.3 Height of buildings	8.5 metres	4.9 metres	Y	Y	Y
4.6 Exceptions to development standards					
5.10 Heritage conservation			Y	Y	Y
7.1 Acid sulphate soils			Y	Y	Y
7.2 Earthworks			Y	Y	Y
7.6 Biodiversity Protection			Y	Y	Y
7.7 Geotechnical Hazards			Y	Y	Y
7.8 Limited development on foreshore area			Y	Y	Y
7.10 Essential services			Y	Y	Y
Pittwater 21 Development Control Plan					
3.1 Submission of a Development Application and payment of appropriate fee			Y	Y	Y
3.2 Submission of a Statement of Environmental Effects			Y	Y	Y
3.3 Submission of supporting documentation Site Plan / Survey Plan / Development Drawings			Y	Y	Y
3.4 Notification			Y	Y	Y
3.5 Building Code of Australia			Y	Y	Y
A1.7 Considerations before consent is granted			Y	Y	Y

Control	Standard	Proposal	T	O	N
A4.1 Avalon Beach Locality			Y	Y	Y
B1.3 Heritage Conservation General			Y	Y	Y
B1.4 Aboriginal Heritage Significance			Y	Y	Y
B3.1 Landslip Hazard			Y	Y	Y
B3.2 Bushfire Hazard			Y	Y	Y
B3.6 Contaminated land and potentially contaminated land			Y	Y	Y
B4.3 Flora and Fauna Habitat Enhancement Category 2 Land			Y	Y	Y
B5.4 Stormwater Harvesting			Y	Y	Y
B5.7 Stormwater Management – On site Detention			Y	Y	Y
B5.8 Stormwater Management – Water Quality			Y	Y	Y
B5.10 Stormwater Discharge into Public Drainage System			Y	Y	Y
B6.1 Access driveways and works in the public road reserve			Y	Y	Y
B6.2 Internal driveways			Y	Y	Y
B6.3 Off street Vehicle Parking Requirements			Y	Y	Y
B8.1 Construction and Demolition Excavation and Landfill			Y	Y	Y
B8.2 Construction and Demolition Erosion and Sediment			Y	Y	Y
B8.3 Construction and Demolition – Waste minimisation			Y	Y	Y
B8.4 Construction and Demolition – Site fencing and security			Y	Y	Y
B8.5 Construction and Demolition Works in the Public Domain			Y	Y	Y
C1.1 Landscaping		Tree protection conditions included for Eucalyptus species on the front of the site.	Y	Y	Y
C1.2 Safety and Security			Y	Y	Y
C1.3 View Sharing			Y	Y	Y
C1.4 Solar Access			Y	Y	Y
C1.5 Visual Privacy		See discussion.	Y	Y	N
C1.6 Acoustic Privacy			Y	Y	Y
C1.7 Private Open Space			Y	Y	Y
C1.12 Waste and Recycling Facilities			Y	Y	Y
C1.13 Pollution Control			Y	Y	Y
C1.14 Separately Accessible Structures			Y	Y	Y
C1.23 Eaves			Y	Y	Y
C1.24 Public Road Reserve Landscaping and Infrastructure			Y	Y	Y
C1.25 Plant, Equipment Boxes and Lift Overrun			Y	Y	Y
D1.1 Character as viewed from a public place			Y	Y	Y
D1.5 Building colours and materials			Y	Y	Y
D1.4 Scenic Protection – General			Y	Y	Y
D1.8 Front building line		See discussion.	N	Y	Y
D1.9 Side and Rear Building lines		See discussion.	N	Y	Y
D1.11 Building envelope		See discussion.	N	Y	Y
D1.13 Landscaped Area – General	50% minimum	55%	Y	Y	Y
D1.16 Fences – General			Y	Y	Y
D1.17 Construction, Retaining walls, terracing and undercroft areas			Y	Y	Y
SEPP (Building Sustainability Index: BASIX)			Y	Y	Y

Issues marked with a (-) are not applicable to this Application.
Issues marked with a (N) are addressed in further detail, in the discussion section below.

9.0 DISCUSSION OF ISSUES

Privacy

- C1.5 Visual Privacy

Concerns were raised from an adjoining property owner (details withheld) in relation to potential loss of privacy from the southern windows of the proposed detached garage structure. The proposal does not provide for any windows on the southern elevation of the garage, with windows only on the northern and western elevations which do not overlook the adjoining properties. This issue is not justified and it is considered that appropriate privacy is provided to the surrounding residents in accordance with C1.5.

Front Setback

- D1.8 Front building line

This clause requires a minimum front building line of 6.5m or the established building line whichever is the greater. The proposal provides for a setback of 6.058m to the street frontage. The setback as proposed is consistent with the setback currently provided to the existing garage on site, which is to be demolished. The setback proposed is also compatible with the existing surrounding development, with the adjoining southern premises being setback approximately 6.3m to the street frontage. A number of other properties provide for similar setbacks to garages and buildings ranging from 6.0m including No. 48 and 50 Tasman Road. It is considered that the objectives of the clause have been achieved by ensuring sufficient area for planting within the front yard without the need to remove any existing trees and that the proposal is compatible with the streetscape. It is therefore considered that the setback as proposed is appropriate in this instance.

Side Setback

- D1.9 Side and Rear Building lines

This clause requires side setbacks be a minimum of 2.5m to one side and 1.0m to the other. The proposal provides for setbacks of 0.97m to the southern side boundary from the proposed works, with ample setback to the northern boundary. The non-compliance is considered justified in this instance as the non-compliance is very minor, being only 0.03m and this would not be discernible. Further the existing garage provides for a setback of approximately 600mm to the southern side boundary and therefore the proposal seeks to improve the separation to the adjoining property. The structure is single storey and is well separated from the built forms on the adjoining property. The non-compliance does not have any detrimental impact.

Building Envelope

- D1.11 Building envelope

This clause specifies a building envelope of 45 degrees measured on the boundary at a height of 3.5m. The proposed additions to the rear of the dwelling result in an encroachment of the building envelope. However, the encroachment is very minor and the bulk of the structure is minimized through the use of a flat roof. It is noted that the existing dwelling encroaches the required building envelope and that the proposal does not result in any further encroachment. This portion of the additions are not visible from the street and maintain the existing side boundary setback. As the structure is single storey it does not result in any unreasonable

overshadowing or bulk when viewed from the adjoining property. This element does not result in any loss of privacy, given the provision of a privacy screen to the deck. The minor encroachment does not result in any detrimental impact and the objectives of the clause have been achieved.

10.0 CONCLUSION

The Development Application has been assessed in accordance with the provisions of Section 79C of the Environmental Planning and Assessment Act 1979, Pittwater Local Environmental Plan 2014, Pittwater 21 DCP and other relevant policies and regulations.

One submission has been received and there were a few minor non-compliances with the controls of the DCP. However, the issue raised in the submission can be resolved with the use of frosted glass or highlight windows and the areas of non-compliance with the DCP are minor and do not result in any detrimental impact. The proposal is consistent with the objectives of the development controls and as such, the proposal is recommended for approval subject to the conditions contained within the recommendation.

RECOMMENDATION OF DEVELOPMENT OFFICER / PLANNER

That Council as the consent authority pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 grant consent to Development Application N0563/17 for alterations and additions to the existing dwelling at 40 Tasman Road, Avalon Beach 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) Architectural plans prepared by Mitch Clarke Design & Draft Services, Job No. DA. A1, A6, A7, A8, A9, A10, A11, A12, A13, A14, A16, A17 & A19 dated November 2017.
- b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

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

2. Prescribed conditions (Demolition):

- (a) 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 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
 - (ii) 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.

- (b) 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.

- (c) 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.

Reason: Legislative Requirement (DACPLB09)

3. 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)

4. General requirements (Demolition):

- (a) Unless authorised by Council:
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 a Notice of Commencement to Council, a copy of the Development Consent is to remain onsite at all times until completion of demolition works. 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) The applicant shall bear the cost of all works that occur on Council's property.

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

(g) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.

(h) 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.)

(i) 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.

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

5. 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) The applicant shall bear the cost of all works that occur on Council's property.

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

(h) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.

(i) 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.

(j) 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.

(k) 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 sewered 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)

6. Compliance with standards (Demolition):

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 Council prior to the commencement of demolition works.

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

7. Site Management Sign

A clearly legible Site Management Sign is to be erected and maintained throughout the course of the works. The sign is to be centrally located on the main street frontage of the site and is to clearly state in legible lettering the following:

- a) The builder's name, builder's telephone contact number both during work hours and after hours.
- b) That no works are to be carried out in Council's Road Reserve without prior application and approval of a Road Opening Permit from Council.
- c) That a Road Opening Permit issued by Council must be obtained for any road openings or excavation within Council's Road Reserve associated with development of the site, including stormwater drainage, water, sewer, electricity, gas and communication connections. During the course of the road opening works the Road Opening Permit must be visibly displayed at the site.
- d) That no skip bins or materials are to be stored on Council's Road Reserve.
- e) That the contact number for Northern Beaches Council for permits is 9970 1111.

Reason: Protection of Council Property.

FEES / CHARGES / CONTRIBUTIONS

8. Security Bond

A bond (determined from cost of works) of \$1,500 and an inspection fee in accordance with Council's 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.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at www.northernbeaches.nsw.gov.au).

Reason: To ensure adequate protection of Council's infrastructure.

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

9. 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)

10. On-Site Detention Tank

As part of an integrated on-site stormwater management system a minimum 9000 litre on-site detention tank is to be installed, operated and maintained in association with the development.

Reason: Appropriate stormwater management

11. Engineering Details - On-Site Stormwater Detention

Engineering plans including specifications and details of the on-site stormwater detention system are to be submitted to the Accredited Certifier or Council with the Construction Certificate application. Such details are to be accompanied by a certification by a qualified experienced

practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a corporate member and has appropriate experience and competence in the related field, confirming that the plans/details comply with B5.7 of Pittwater 21 DCP.

Reason: Appropriate stormwater management

12. 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)

13. External Finishes to Roof

The external finish to the roof shall have a medium to dark range (BCA classification M and D) in order to minimise solar reflections to neighbouring properties. Any roof with a metallic steel finish is 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 does not occur as a result of the development. (DACPLC03)

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

14. Works as Executed Plans

An application for the authorisation of legal documents is to be lodged with Council and payment of the associated fee. The application is to include the original completed request forms (Department of Lands standard forms 13PC and/or 13RPA) must be submitted to Council, with a copy of the Works-as-Executed plan (details overdrawn on a copy of the approved drainage plan), hydraulic engineers certification and photographic evidence of the completed system.

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

Reason: Appropriate stormwater management.

15. Positive Covenant

A positive covenant shall be created on the title of the land requiring the proprietor of the land to maintain the on-site stormwater detention structure in accordance with the standard requirements of Council. The terms of the positive covenant are to be prepared to Council's standard requirements at the applicant's expense and endorsed by Northern Beaches Council's delegate prior to lodgement with the Department of Lands. Northern Beaches Council shall be nominated as the party to release, vary or modify such covenant.

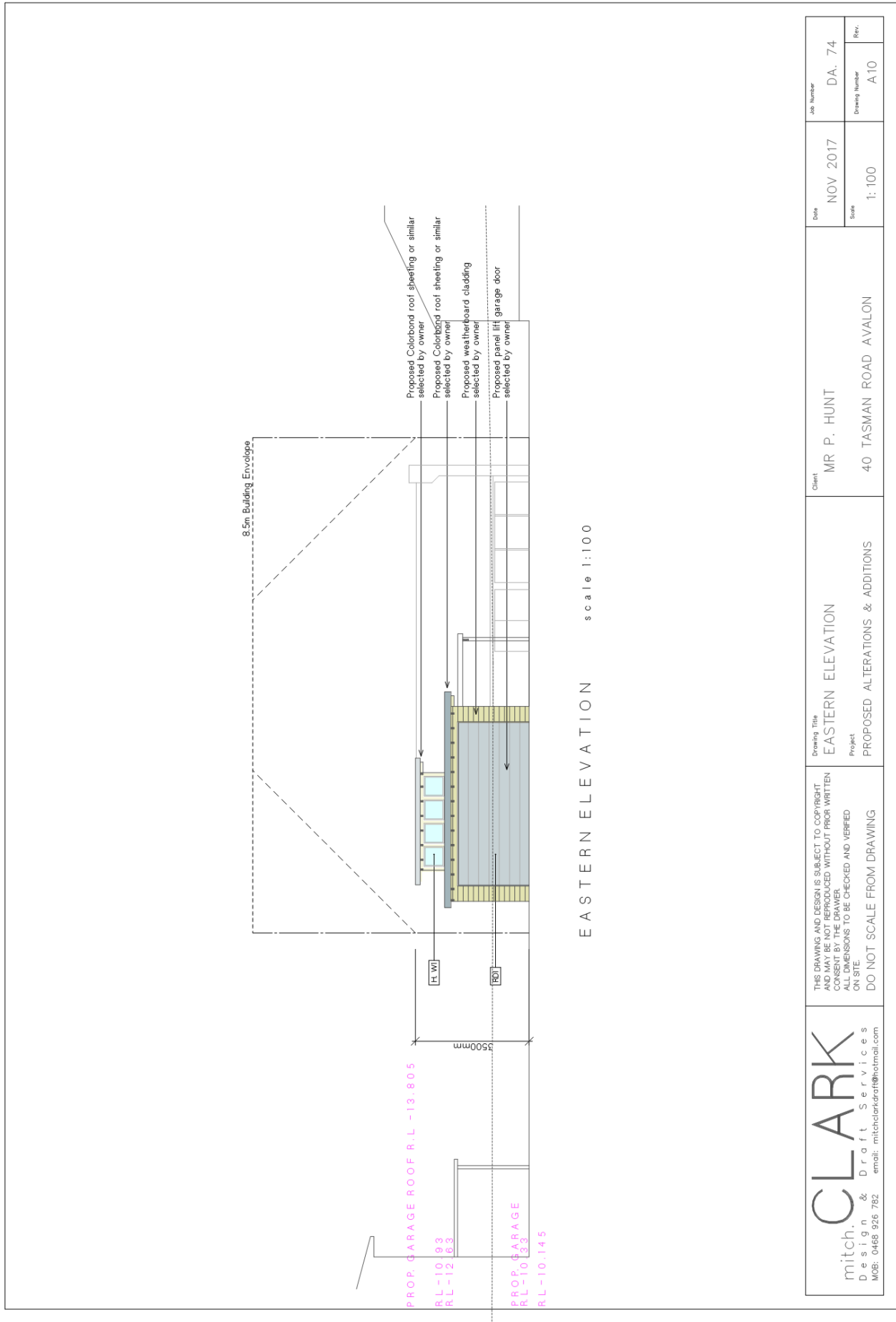
A restriction as to user shall be created on the title over the on-site stormwater detention system, restricting any alteration to the levels and/or any construction on the land. The terms of such restriction are to be prepared to Council's standard requirements at the applicant's expense and

endorsed by Council prior to lodgement with the Department of Lands. Northern Beaches Council shall be nominated as the party to release, vary or modify such restriction.

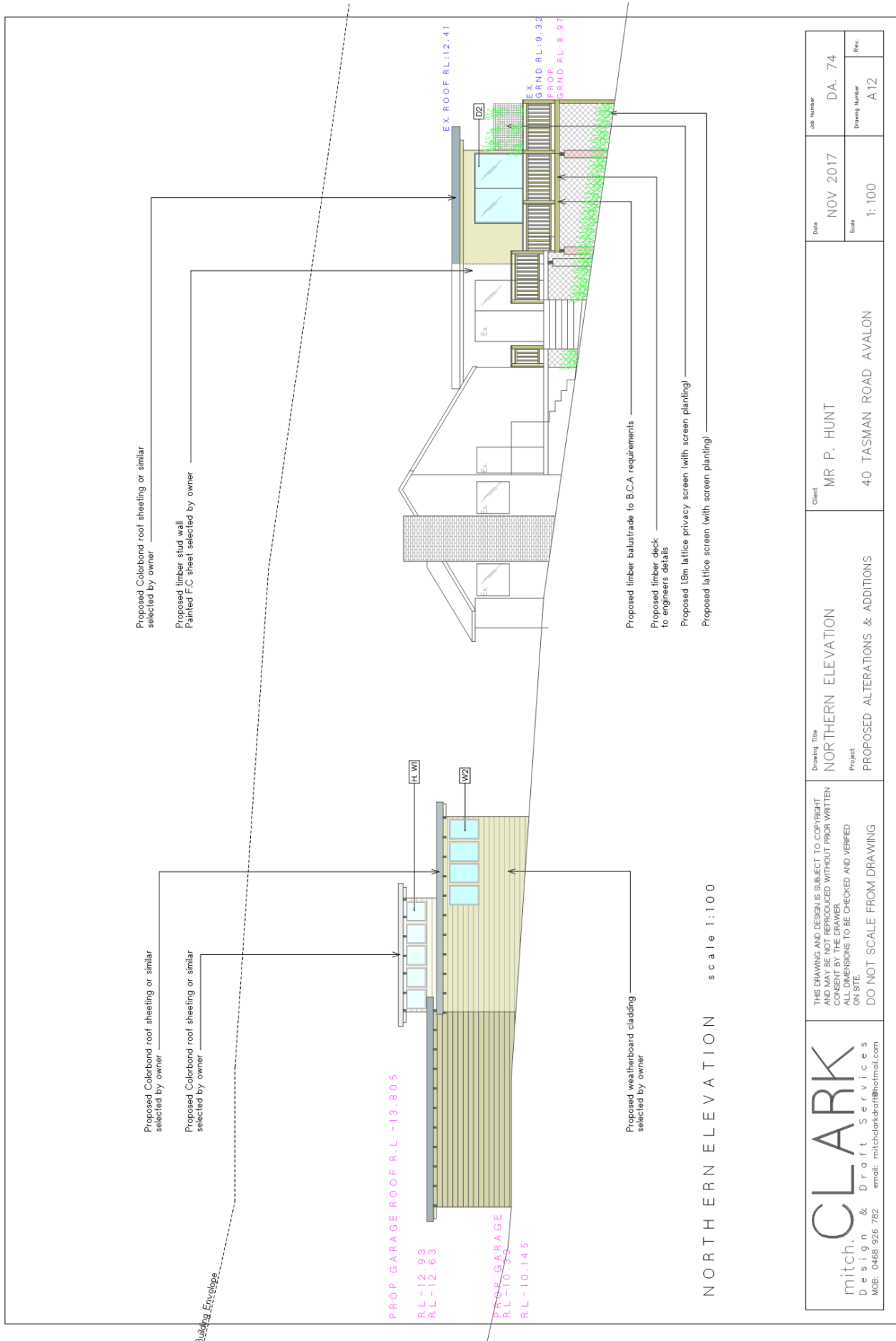
Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: Appropriate stormwater management.

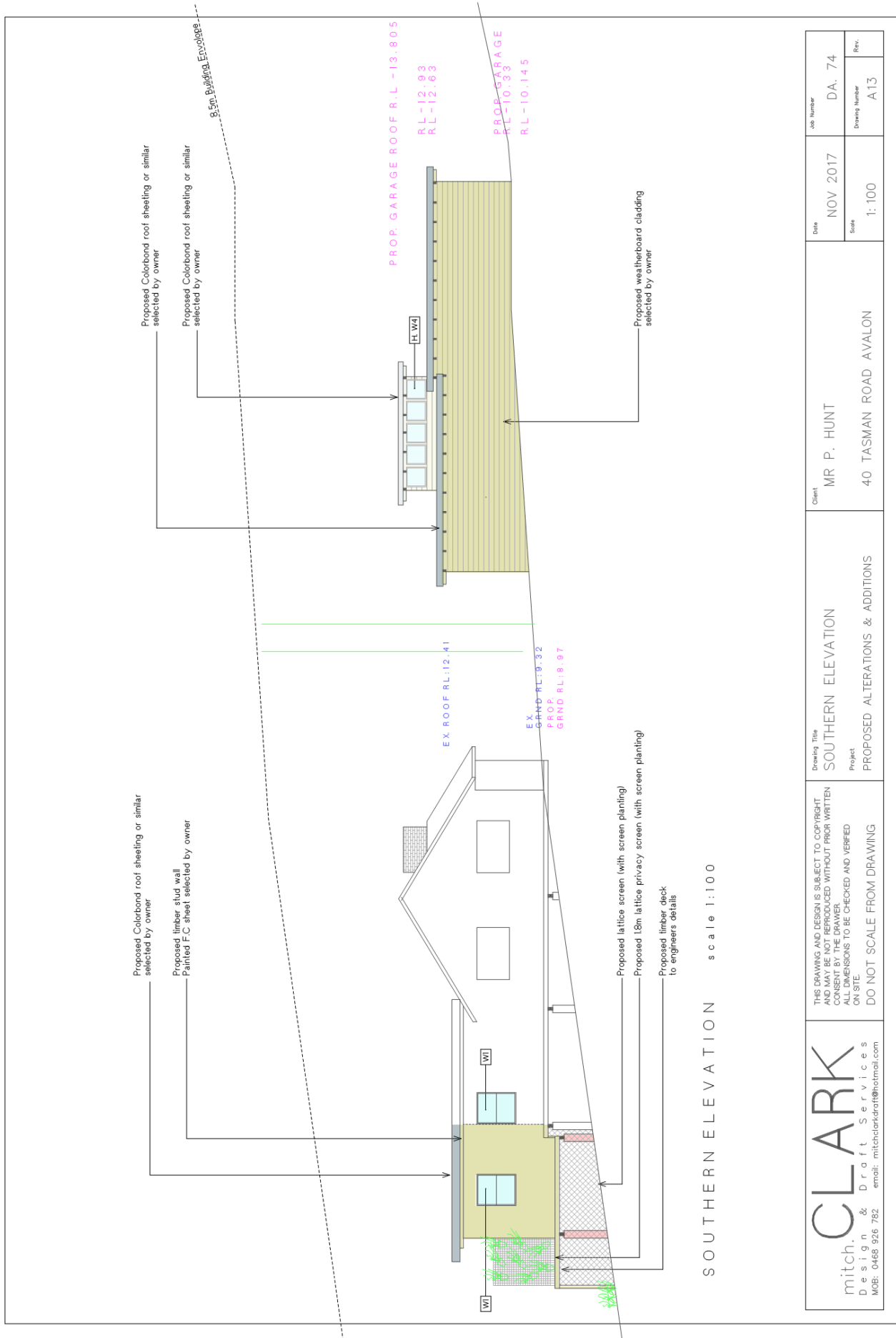








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				Scale 1:100	Drawing Number A12 Rev.



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ITEM 3.4	REV2018/0001 - 1344 PITTWATER ROAD, NARRABEEN - REVIEW OF DETERMINATION OF APPLICATION USE AND FITOUT OF PREMISES AS A RECREATION FACILITY INDOOR
REPORTING MANAGER	STEVE FINDLAY
TRIM FILE REF	2018/262877
ATTACHMENTS	1 ↓ Assessment Report 2 ↓ Site Plan

PURPOSE

To refer the attached application for determination as required under adopted delegations of the Charter

RECOMMENDATION OF DEVELOPMENT ASSESSMENT MANAGER

That Council as the consent authority grant Development Consent to REV2018/0001 for Review of Determination of Application Use and fitout of Premises as a Recreation Facility Indoor on land at Lot 1 DP 1084432, 1344 Pittwater Road, Narrabeen, subject to the conditions outlined in the Assessment Report.



REPORT TO DEVELOPMENT DETERMINATION PANEL

Meeting held on 09 May 2018

1344 Pittwater Road Narrabeen - Review of Determination of Application Use and fitout of Premises as a Recreation Facility Indoor

REVIEW OF DETERMINATION ASSESSMENT REPORT

Application Number:	REV2018/0001
Responsible Officer:	Nick England
Land to be developed (Address):	Lot 1 DP 1084432, 1344 Pittwater Road NARRABEEN NSW 2101
Proposed Development:	Review of Determination of Application Use and fitout of Premises as a Recreation Facility Indoor
Zoning:	Warringah LEP2011 - Land zoned B2 Local Centre
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Piclaw Holdings Pty Limited
Applicant:	Australian Fitness Management
Application lodged:	08/01/2018
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Refer to Development Application
Notified:	18/01/2018 to 05/02/2018
Advertised:	Not Advertised
Submissions Received:	14
Recommendation:	Approval
Estimated Cost of Works:	\$ 80,000.00

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:

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- 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 the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Environmental Planning and Assessment Act 1979 - Section 82A - Environmental Planning and Assessment Act 1979 - Section 82A
Warringah Development Control Plan - C3 Parking Facilities
Warringah Development Control Plan - D3 Noise
Warringah Development Control Plan - D18 Accessibility

SITE DESCRIPTION

Property Description:	Lot 1 DP 1084432 , 1344 Pittwater Road NARRABEEN NSW 2101
Detailed Site Description:	<p>The subject site consists of one (1) allotment located on the intersection of Pittwater Road and Waterloo Street.</p> <p>The site is irregular in shape with a combined frontage of 45m along Pittwater Road and Waterloo Street and a depth of 33.5m. The site has a surveyed area of 411m².</p> <p>The site is located within the B2 Local Centre zone and accommodates a single storey commercial building, formerly occupied as a branch of Westpac Bank. An informal parking area is located to the rear of the site, accessed from Waterloo Street. The north-eastern corner of the building contains an automatic teller machine.</p> <p>The site is generally flat with no vegetation.</p> <p>Adjoining and surrounding development is characterized by commercial premises, shops and mixed use buildings with residences located above the ground floor.</p>

Map:



SITE HISTORY

History relevant to the proposed development includes the following:

64/53: Consent for "bank premises" dated 1953. No specific date or records are available for this consent, however it can be reasonably assumed that this is the consent for the existing building on the premises.

B1227/63: Consent for additions to Bank of NSW approved on 31 December 1963.

2379/88: Consent granted for "Erection of additions" on 31 August 1988.

97/168: Development consent granted for "Installation of an Automatic Teller Machine" on 27 June 1997.

DA2017/0985: Application made for "Use and fitout of Premises as a Recreation Facility Indoor", which was refused on 14 December 2017.

Investigation of other sites in the vicinity of the subject premises has uncovered the following relevant consents:

1334 Pittwater Road: "Change of use from a retail premises to a recreation facility (indoor) - gymnasium" approved on 9 November 2015. This premises was approved to operate between 5am to 10pm, seven days a week. A total of three (3) car spaces are available.

1332 Pittwater Road: "Use of premises as a Recreation facility indoor gymnasium and signage" approved on 2 May 2017. The hours of operation (as modified on 14 March 2018) permits 24 hour operation of this premises.

PROPOSED DEVELOPMENT IN DETAIL



The subject application seeks a review of the determination of DA2017/0985 for "Use and fitout of Premises as a Recreation Facility Indoor", made pursuant to Section 8.2(1)(a) of the EP&A Act 1979. This application was refused on 14 December 2017.

The application was refused for the following reasons:

- Insufficient owner's consent provided;
- Non-compliance with the parking requirements and objectives of Part C3 Parking Requirements of WDCP 2011; and
- Non-compliance with the waste management requirements of Part C9 Waste Management of WDCP 2011.

As part of the application for review of the original determination, the applicant has provided:

- Revised Traffic and Parking Study;
- Waste Management Plan; and
- Updated owners consent information (ASIC documentation).

The application itself seeks to use the existing premises for the purposes of a recreation facility (indoor), specifically as a "fitness studio".

The proposed fitness studio will be operated 24 hours a day, 7 days a week. A maximum of 2 employees will be on the premises at any time, between the hours of 8.30am to 7.30pm, Monday to Saturday.

Building works as part of the application consist of internal alterations to reconfigure the premises for the fitness studio and installation of various exercise machines. External signage consist of 5 signs, with 2 new wall signs on the Waterloo Street frontage, 2 replacement signs within the existing awning signage and 1 sign located on the existing access doors on Pittwater Road.

Two (2) car parking spaces are provided.

Access to the premises will be only be available to members (via a card system), with general public access not available. No classes or other specialist services are proposed.

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 C.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

Review of Determination

In accordance with Section 8.2(1)(a) of the Act, an applicant may request Council to review a determination of a development application, other than for a complying development, designated development or a determination made by Council in respect to an application by the Crown. The development application does not fall into any of these categories, therefore the applicant may request a review.

In accordance with Section 8.3(2)(a) of the Act, the request for the review must be made and

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determined within 6 months after the date of determination of the development application. The application was determined on 14 December 2017, which results in a determination deadlines of 14 June 2018. The review was lodged on 8 January 2018 and at the time of reporting to the Development Determination Panel was within the 6 month period specified.

Section 8.3(3) provides that the Council may review a determination if in the event that the applicant has made amendments to the development described in the original application, the consent authority is satisfied that the development, as amended, is substantially the same as the development described in the original application.

The amendments to the proposal are outlined in the 'Detailed Description of Works' section of this report. No amended plans are proposed as part of this application, however a revised traffic and parking study (amongst other information provided) has been provided. It is concluded that the amended scheme is substantially the same as the original proposal.

Accordingly, it is considered that the proposal satisfies the requirements of Division 8.2 "Reviews" of the Act

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 the relevant Development Control Plan.

As a result of the public exhibition process council is in receipt of 14 submission/s from:

Name:	Address:
Ms Ashley Millar	48 A Taiyul Road NORTH NARRABEEN NSW 2101
Brett Clark	
Mr James Stephen Hunt	34 Pagoda Crescent QUAKERS HILL NSW 2763
Mrs Kelly Anne Casey	21 Weeroona Avenue ELANORA HEIGHTS NSW 2101
Ms Kylie Llewellyn	
Ms Elizabeth Deirdre Wall	25 / 237 Macpherson Street WARRIEWOOD NSW 2102
Kat White	13 / 3 King Street NARRABEEN NSW 2101
Ms Jessica Gomes	9 / 196 Ocean Street NARRABEEN NSW 2101
Ms Sarah Maree Connelly	6 Melaleuca Place WARRIEWOOD NSW 2102
Miss Louise Williams	1 Namona Street NORTH NARRABEEN NSW 2101
Mr Billy Wooden	1 Namona Street NORTH NARRABEEN NSW 2101
Catherine Nicosia	7 / 23 Wetherill Street COLLAROY NSW 2097
Mrs Vicki Lee Smith	64 Woorarra Avenue Elanora Heights NSW 2101
Mr Shane Christopher Casey	21 Weeroona Avenue ELANORA HEIGHTS NSW 2101

A total of 14 submissions were received during the notification period. All of the submissions objected to the application.

A summary of the issues raised in these submissions is provided below, together with commentary on

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each of the submissions.

- *Insufficient parking is provided to service the proposed development.*

Comment: A detailed assessment of the application's deficiency with Council's minimum requirements for car parking is provided elsewhere in this report. Based on the information provided with the application, comments from Council's Traffic Engineer and the particular circumstances of the site, the non-compliance with Council's requirements is acceptable under the circumstances.

- *A maximum limit of 15 patrons should be set on the premises if approval is granted.*

Comment: Ultimately the traffic generated from the premises is a result of the existing floor space in the building, which is reflected in Council's policies which are based on floor space. No new floor space is proposed as part of this application. Hence, a limitation on the number of patrons is not considered an appropriate condition of development consent.

- *Insufficient information has been provided to determine the noise impact on the surrounding area.*

Comment: The applicant has provided a Noise Assessment report on the proposed use, which demonstrates that the proposed use will not have an adverse impact on the surrounding area. Council's Environmental Health Officer has reviewed this report and is satisfied with the conclusions and recommendations of the report and raises no objection to the proposed use. In addition, the Plan of Management provided with the application sets out specific recommendations for the management of any noise generated by the proposed use. In the context of the surrounding business zone and arterial road, the proposed use is not of a nature that is likely to result in an adverse impact to surrounding residential properties in respect to noise. In the event that consent is granted to the application, conditions could apply to the application that would require the use to be compliant with the recommendations made in the Plan of Management and a general condition that any noise generated from the premises not exceed a certain level above the existing background level of noise. This issue is therefore not considered a valid reason to refuse the application.

- *The proposed cost of works schedule in the application is insufficient to determine the exact cost of the proposal.*

Comment: The information provided to substantiate the cost of works is considered adequate. This issue is therefore not a valid reason to refuse the application.

- *The development represents an oversupply in this type of service and the application should be refused for this reason.*

Comment: Commercial viability is not a valid matter for consideration in the assessment of a development application. This issue is therefore not a valid reason to refuse the application.

- *A Need and Desirability study should be undertaken to determine if the proposal does not represent an oversupply of this type of land use.*

Comment: The subject land is zoned B2 Local Centre under the provisions of WLEP 2011. This



allows a wide range of land uses on any premises / land within that zone, for the purposes of encouraging business uses, services and employment opportunities. It is not within Council's power or responsibility to restrict the permitted land uses within that zone to certain premises. To do so would be contrary to the objectives of the state and local planning legislation and the broader government commitment to encourage business competition and innovation. Hence, a study of this type is neither necessary or reasonable to be provided as part of this application.

MEDIATION

No requests for mediation have been made in relation to this application.

REFERRALS

Internal Referral Body	Comments
Environmental Health (Industrial)	Is the proposal for an industrial use?
	YES
	Was sufficient documentation provided appropriate for referral?
	YES
	Are the reports undertaken by a suitably qualified consultant?
	N/A
	Have you reviewed the Statement of Environmental Effects, and consider ongoing use, such as: - Processes with emphasis on potential pollution (air, noise, water and land) - Hazardous Materials, liquids stored on site - Waste storage, disposal. - Mechanical ventilation
	YES
	Have you Consider impact of noise, hours of operation, location to nearest residential, location of equipment, times of deliveries, noise management plans, acoustic reports etc.
	YES
	If the proposal is a scheduled premises have you recommended that the DAO refer the proposal to OEH?
	N/A
	General Comments The Gym is proposed to operate 24hrs a day. It is located on a busy noisy intersection although there are residential units nearby where customers are likely to park. An Acoustic report has not been submitted. However the building is brick with closed windows, air-conditioning , music/amplified sound will only be preset at low volume TV and/or music. Customers parking in the street during the night will increase noise of cars - closing doors , starting engines etc but being a public area there is no current control or standard. Possible issues include : Noise escaping when the entry door is opened.

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Internal Referral Body	Comments												
	<p>Transmission of noise through window glass Unsupervised use - control of customer noise Dropping of weights Intensification of car noise (starting, closing doors) parking adjacent to elevated residential noise receivers.</p> <p>On this basis a minimal acoustic report should be obtained including the above issues and how they will be effectively managed to avoid "offensive noise" particularly overnight and early morning.</p>												
	<table> <tr> <th>Recommendation</th><th>Additional information to be obtained</th></tr> <tr> <td>Comments completed</td><td></td></tr> <tr> <td>Date: 28.3.2018</td><td></td></tr> <tr> <td>UPDATE: 16.4.2018</td><td></td></tr> <tr> <td>The applicant has submitted a Noise Assessment as suggested. I have also inspected the area at night (10pm) and agree that any noise from customers inside, outside or parking cars would be "lost" amongst the considerable noise from traffic flow in the area which is 24hrs a day. Together with the Management Plan proposed and conditions approval can be granted.</td><td></td></tr> <tr> <td>RECOMMENDATION APPROVAL with conditions.</td><td></td></tr> </table>	Recommendation	Additional information to be obtained	Comments completed		Date: 28.3.2018		UPDATE: 16.4.2018		The applicant has submitted a Noise Assessment as suggested. I have also inspected the area at night (10pm) and agree that any noise from customers inside, outside or parking cars would be "lost" amongst the considerable noise from traffic flow in the area which is 24hrs a day. Together with the Management Plan proposed and conditions approval can be granted.		RECOMMENDATION APPROVAL with conditions.	
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RECOMMENDATION APPROVAL with conditions.													
NECC (Environment Resilience & Climate Change - Riparian Lands / Creeks)	No objection raised as the development will not impact on waterway and riparian lands.												
NECC (Stormwater & Floodplain Engineering – Flood risk)	The proposed fit out of an existing commercial premises is not considered to increase flood risk. No flood related development controls applied.												
Traffic Engineer	The application is not supported due to the insufficient number of off-street parking spaces.												
Traffic Engineer	The proposal is unacceptable as it fails to provide sufficient parking to meet the parking requirements for the use. Only 1 disabled parking space is proposed when 12 parking spaces are required. The applicant has sought to justify the shortfall by reference to parking studies in the surrounding streets and car parks however this is considered inappropriate. While there may be vacant parking spaces in the surrounding streets each development application should provide for its generated parking demands on site in accordance with DCP requirements. Parking demands are likely to remain high and intensify as B Line use increases and use of unrestricted parking in												

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Internal Referral Body	Comments
	<p>carparks and on-street rises as a result of commuters.</p> <p>In addition, the applicant's parking study is considered deficient. It has failed to examine parking demands within the critical afternoon period (3pm to 6pm). At these times the applicant's traffic study reveals high levels of gym use and it is also a time of high on-street parking demand. A spot survey conducted on Friday 2nd March between 3:15pm and 4pm found an on-street parking occupancy of 68% in the streets surveyed in the applicants parking study and offstreet occupancies of 79% and 95% in the two offstreet carparks. Notably streets within closest proximity to the gym Waterloo Street (west of Lagoon Street) and Pittwater Road had no vacant parking spaces.</p> <p><u>Planner's comment:</u> A more detailed discussion on the parking requirements of Council is provided under the WDCP 2011 section of this report. In this particular instance, the assessment and conclusion of Council's Traffic Engineer is not concurred with. Notwithstanding, the analysis of the Traffic Engineer on the on-street parking conditions in the area and commentary on the applicant's traffic report provides assistance in the determination of whether adequate parking is provided for the proposed use. In summary, despite the deficiency in car parking based on the requirements of WDCP 2011, the proposed use is acceptable under the circumstances.</p>
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 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 commercial 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 commercial land use.

SEPP 64 - Advertising and Signage

Clauses 8 and 13 of SEPP 64 require Council to determine consistency with the objectives stipulated under Clause 3(1)(a) of the aforementioned SEPP and to assess the proposal against the assessment criteria of Schedule 1.

The objectives of the policy aim to ensure that the proposed signage is compatible with the desired amenity and visual character of the locality, provides effective communication and is of high quality having regards to both design and finishes.

In accordance with the provisions stipulated under Schedule 1 of SEPP 64, the following assessment is provided:

Matters for Consideration	Comment	Complies
1. Character of the area Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed business identification signage will relate to a commercial activity within an area that is zoned to facilitate such uses. In this context, the proposed signage is consistent with this matter for consideration.	YES
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	No particular theme for signage is apparent in the vicinity. The application is hence consistent with this matter for consideration.	YES
2. Special areas Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	Narrabeen Lagoon is in close proximity to the site, approximately 75m to the west, at its closest point. Despite the proximity, the characteristics of the signage is unlikely to have an adverse impact on this special area of environmental quality.	YES
3. Views and vistas Does the proposal obscure or compromise important views?	The proposed signage consists of wall signage and replacement of existing awning signage. Hence, no views from adjoining properties are likely to be effected.	YES
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed signage will not cause any adverse impact in this regard.	YES
Does the proposal respect the viewing rights of other advertisers?	The proposed signage will not cause any adverse impact in this regard.	YES
4. Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signage will be an appropriate response to the existing context, consistent with this matter.	YES
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The theme of the proposed signage will create appropriate visual interest within the existing context, consistent with this matter.	YES

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Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The existing building is currently vacant and does not have any signage. Hence, the matter is not applicable to the proposal.	YES
Does the proposal screen unsightliness?	Not applicable to the application.	YES
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	Not applicable to the application.	YES
5. Site and building Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signage is consistent with the visual scale of the existing building.	YES
Does the proposal respect important features of the site or building, or both?	Not applicable to the proposal.	YES
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	Not applicable to the proposal.	YES
6. Associated devices and logos with advertisements and advertising structures Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	Not applicable to the proposal.	YES
7. Illumination Would illumination result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, detract from the amenity of any residence or other form of accommodation?	No illumination is proposed.	YES
Can the intensity of the illumination be adjusted, if necessary?	No illumination is proposed.	YES
Is the illumination subject to a curfew?	No illumination is proposed.	YES
8. Safety Would the proposal reduce the safety for any public road, pedestrians or bicyclists?	No adverse impact on road users is likely as a result of the proposal.	YES
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No adverse impact on road users is likely as a result of the proposal.	YES

Accordingly, the proposed signage is considered to be of a scale and design suitable for the locality. The proposal is therefore deemed to be consistent with the provisions of the SEPP and its underlying objectives.



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 Environmental 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

Compliance Assessment

Clause	Compliance with Requirements
6.1 Acid sulfate soils	Yes
6.3 Flood planning	Yes
6.4 Development on sloping land	Yes

Warringah Development Control Plan

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
C3 Parking Facilities	No	Yes
C5 Erosion and Sedimentation	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	Yes	Yes
D3 Noise	Yes	Yes

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Clause	Compliance with Requirements	Consistency Aims/Objectives
D18 Accessibility	Yes	Yes
D20 Safety and Security	Yes	Yes
D23 Signs	Yes	Yes
E10 Landslip Risk	Yes	Yes
E11 Flood Prone Land	Yes	Yes
F1 Local and Neighbourhood Centres	Yes	Yes

Detailed Assessment

C3 Parking Facilities

Description of non-compliance

Based on the proposed change of land use from business premises to recreation facility (indoor) and the existing floor space in the building (258m²), a total of 12 car spaces are required.

Two (2) spaces are provided on site, hence the application represents a deficiency of ten (10) car spaces.

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 adequate off street carparking.***

Comment:

The development provides the following on-site car parking:

Use	Appendix 1 Calculation	Required	Provided	Difference (+/-)
<i>Recreation facility (indoor) is analogous with the "gymnasium" definition in Schedule 1.</i>	258m ² of existing floor space @ 4.5 spaces per 100m ²	12	2	10

To support the application, a Parking Demand Assessment has been provided, prepared by Auswide Consulting. This report estimates the maximum potential occupancy of the proposed fitness studio based on comparisons with similar premises in the Sydney metropolitan area. A parking demand study of the surrounding area within a 250m radius of the site was also undertaken as part of this assessment.

The shortfall in car spaces on the site to service the proposed change of use is justified, under



the following circumstances:

1) Existing Use - The existing building was constructed in 1953, with no formal parking area provided. This building was originally (and until very recently) used as a bank branch premises, which traditionally entailed a high rate of customer visits. This rate of occupancy would certainly have been equal to, or higher, than the average rate of occupancy for the proposed fitness studio. Therefore, the existing condition is of an approved high traffic generating activity with no formal parking. This has relevance to the second point below:

2) Business Premise v Gymnasium - If applied under today's standards, a bank premises would require parking at the "business premises" rate of 1 space per 16.4m² of GFA, which equates to 16 spaces. By way of contrast, the "gymnasium" standard requires 1 space per 22m² of GFA. In effect, the proposed change of use will have a lower rate of traffic generation than that of the existing building, based on Council's current parking requirements.

3) Assessment of Parking Shortfall - The shortfall in parking spaces on the site will need to be accommodated by the existing supply of on-street parking in the surrounding area. The parking demand assessment report provided by the applicant demonstrates a maximum on-street parking occupancy of 56% at the times the survey was undertaken. A total of 203 on-street car spaces are identified as being available within the area.

Council's Traffic Engineer notes that the report did not survey during the period of 3pm to 6pm, which in their opinion is the peak period of demand for the proposed use. The Traffic Engineer undertook their own survey for this period, which demonstrated that there will be a 68% occupancy of on-street car parking in the surrounding area.

The common result in these investigations is that there is still spare capacity in the surrounding on-street parking supply to service the proposed use. Therefore, even in the peak periods, there will be at least 32% of the surrounding areas parking supply free for the proposed use.

Based on the reasons provided above, it would be unreasonable to expect full compliance with Council's parking requirements. Therefore the proposed off-street parking of two (2) car spaces is considered adequate. A condition of consent is recommended that the car spaces provided on the site be used only for the employees of the fitness studio.

- ***To site and design parking facilities (including garages) to have minimal visual impact on the street frontage or other public place.***

Comment:

The proposal will formalise the open area of the site adjoining the eastern rear boundary of the site, to provide 2 car spaces, 1 of which will need to be provided as disabled parking to comply with the provisions of the Building Code of Australia. No physical structure is proposed as part of this formalisation. The proposal satisfies this objective.

- ***To ensure that parking facilities (including garages) are designed so as not to dominate the street frontage or other public spaces.***

Comment:

The proposal does not involve physical works to provide parking, hence it satisfies this objective.



Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP 2011 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.

D3 Noise

Council's Environmental Health Officer has reviewed the documentation provided with the application and is satisfied that this information is adequate to support the proposal. The Plan of Management provided with the application sets out specific recommendations for the management of any noise generated by the proposed use. In the context of the surrounding business zone and arterial road, the proposed use is not of a nature that is likely to result in an adverse impact to surrounding residential properties in respect to noise. Conditions are recommended that would require the use to be compliant with the recommendations made in the Plan of Management and further general conditions are recommended to ensure that any noise generated from the premises will remain at an acceptable level.

D18 Accessibility

The original application (DA2017/0985) was referred to Council's Building Assessment Officer for comment. No objection was raised and no specific conditions recommended. This application for the review of the determination was not referred again, as no physical change is proposed and the reasons for the refusal of the original application did not relate to fire safety or Building Code of Australia matters.

POLICY CONTROLS

Warringah Section 94A Development Contribution Plan

As the estimated cost of works is less than \$100,001.00 the policy is not applicable to the assessment of this application.

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:

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- 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 REV2018/0001 for Review of Determination of Application Use and fitout of Premises as a Recreation Facility Indoor on land at Lot 1 DP 1084432, 1344 Pittwater Road, NARRABEEN, 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 / Title.	Dated	Prepared By
Sheet 2 / 10 Floor Plan Issue D	12 May 2017	M.A.D.S
Sheet 9 / 10 Locality Plan Issue D	12 May 2017	M.A.D.S
Signage Plans Version 1.0	28 September 2017	-

Reports / Documentation – All recommendations and requirements contained within:		
Report Title / No.	Dated	Prepared By
Plan of Management Version 1.0	September 2017	Plus Fitness

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

c) The development is to be undertaken generally in accordance with the following:

Waste Management Plan		
Drawing No.	Dated	Prepared By
-	-	Australian Fitness Management

In the event of any inconsistency between conditions of this consent and the

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drawings/documents referred to above, the conditions of this consent will prevail.

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



- (iv) of the excavation to the owner of the building being erected or demolished.
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) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (g) No building, demolition, excavation or material of any nature and no hoist, plant and machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (h) Demolition materials and builders' wastes are to be removed to approved

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waste/recycling centres.

- (i) 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.
- (j) 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.
- (k) 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 sewered 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. Security Bond

A bond (determined from cost of works) of \$1,500 and an inspection fee in accordance with Council's 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.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at www.northernbeaches.nsw.gov.au).

Reason: To ensure adequate protection of Council's infrastructure.

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

5. 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)

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

6. Waste Management During Development

The reuse, recycling or disposal of waste during works must be done generally in accordance with the Waste Management Plan for this development.

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

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

7. 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 Council's 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.

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

8. Removal of All Temporary Structures/Material and Construction Rubbish

Once construction has been completed all silt and sediment fences, silt, rubbish, building debris, straw bales and temporary fences are to be removed from the site.

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

Reason: To ensure bushland management. (DACPLF01)

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

9. Generation of Noise

The use of the premises shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the generation of any noise .at any time of the day.

Reason: To ensure the surrounding area and people within the neighbourhood are not affected adversely and to ensure compliance with the Protection of the Environment Operations Act 1997.

10. Plan Of Management

The Plan of Management being implemented immediately on operations commencing , a copy being provided on site and a complaints phone number being clearly visible to members of the public on the premises and on the premises web site.

Reason: To ensure the surrounding area and people within the neighbourhood are not affected adversely and to ensure compliance with the Protection of the Environment Operations Act 1997.

11. Allocation of Spaces

Two (2) car parking spaces provided shall be provided, made accessible and maintained at all times. The spaces shall be allocated as follows:

- 1 - Employees
- 1 - Spaces for persons with a disability

Car-parking provided shall be used solely in conjunction with the uses contained within the development. Each car parking space shall be line marked and numbered or signposted to indicate the use to which it is allocated.

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

Reason: To ensure that adequate parking facilities to service the development are provided on site. (DACPLG01)



12. **Illumination Intensity and design**

The level of illumination and/or lighting intensity used to illuminate the signage is to be minimised and the design is to be such to ensure that excessive light spill or nuisance is not caused to any nearby premises.

Reason: To ensure appropriate forms of signage that are consistent with Council's controls and those that are desired for the locality, and do not interfere with amenity of nearby properties. (DACPLG12)

13. **Commercial Waste Collection (DACPLG18)**

Waste and recyclable material, generated by this premises, must not be collected between the hours of 10pm and 6am on any day.

Reason: To protect the acoustic amenity of surrounding properties.(DACPLG18)

14. **Noise Impact**

The premises will not generate any noise above 5 decibels (dBA) above the existing background level of noise, when measured from the nearest residential dwelling.

Reason: To ensure no adverse impact on the amenity of surrounding residents (DACPLGOG1)

15. **Amplified Music**

No amplified music or speaker system is permitted to be used between the following hours:

Monday to Friday: 9pm to 7am.

Saturday, Sunday and Public Holidays: 10pm to 8am.

Reason: To provide respite periods from audible music to surrounding properties (DACPLGOG2)
















**ATTACHMENT A**

Notification Plan	Title	Date
 2018/025041	Plan - Notification	09/01/2018

ATTACHMENT B

Notification Document	Title	Date
 2018/065811	Notification Map	18/01/2018






















ATTACHMENT C

Reference Number	Document	Date
 2018/025015	Report - Annual Fire Safety Statement	05/09/2017
 2018/025020	Report - Certificate of Maintenance - Fire Safety	05/09/2017
 2018/025024	Report - Plan of Management	22/09/2017
 2018/025013	Report - Statement of Environmental Effects	26/09/2017
 2018/024985	Builders Quote	26/09/2017
 2018/025043	Plans - Signage	28/09/2017
 2018/025021	Report - Parking Demand Study	21/12/2017
 2018/025012	Report - Section 82A Statement	02/01/2018
 2018/025028	Report - Waste Management	02/01/2018
 REV2018/0001	1344 Pittwater Road NARRABEEN NSW 2101 - Reviews - Section 82A Review of Determination	08/01/2018
 2018/024701	Section 82A Review of Determination Application Form	09/01/2018
 2018/024709	Applicant Details	09/01/2018
 2018/024943	DA Acknowledgement Letter - Australian Fitness Management	09/01/2018
 2018/025005	Owners Consent	09/01/2018
 2018/025008	DA Quote Estimate	09/01/2018
 2018/025041	Plan - Notification	09/01/2018
 2018/025045	Plans - Master Set	09/01/2018
 2018/060515	Natural Environment Referral Response - Riparian	16/01/2018
 2018/061183	Natural Environment Referral Response - Flood	16/01/2018
 2018/065799	Notification Letter - Rev (152)	18/01/2018
 2018/065811	Notification Map	18/01/2018
 2018/065833	DA Acknowledgement Letter (not integrated) - Australian Fitness Management	18/01/2018
 2018/070839	Online Submission - Donofrio	22/01/2018
 2018/089033	Online Submission - Millar	31/01/2018
 2018/091183	Online Submission - Parker	01/02/2018
 2018/091249	Online Submission - Clark	01/02/2018
 2018/091250	Online Submission - Hunt	01/02/2018
 2018/091270	Online Submission - Casey	01/02/2018
 2018/091272	Online Submission - Llewellyn	01/02/2018

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	2018/091288	Online Submission - White	01/02/2018
	2018/091282	Online Submission - Wall	01/02/2018
	2018/091289	Online Submission - Gomes	01/02/2018
	2018/091290	Online Submission - Connelly	02/02/2018
	2018/093731	Online Submission - Williams	02/02/2018
	2018/093746	Online Submission - Wooden	02/02/2018
	2018/093765	Online Submission - Nicosia	02/02/2018
	2018/093862	Online Submission - Smith	04/02/2018
	2018/094205	Online Submission - Selwood	04/02/2018
	2018/096418	Online Submission - Casey	05/02/2018
	2018/155519	1344 Pittwater Road - REV2018/0001 - Traffic Engineer Referral Response	05/03/2018
	2018/157958	Working Plans	06/03/2018
	2018/158816	E-mail - Response to Craig Schulman	06/03/2018
	2018/200552	Environmental Health (Industrial) - Assessment Referral - REV2018/0001 - 1344 Pittwater Road NARRABEEN NSW 2101	26/03/2018
	2018/205324	Environmental Health Referral Response - industrial use 1344 Pittwater Road NARRABEEN	28/03/2018
	2018/207117	DAO Checklist Development Panel Reports - Australian Fitness Management	28/03/2018
	2018/232544	E-mail - Acoustic Report	12/04/2018
	2018/232546	Acoustic Report	12/04/2018
	2018/233623	Environmental Health (Industrial) - Assessment Referral - REV2018/0001 - 1344 Pittwater Road NARRABEEN NSW 2101	12/04/2018
	2018/241964	Environmental Health Referral Response - industrial use	17/04/2018
	2018/244352	DDP Plans	18/04/2018

PANEL PLANS

No plans titled 'DDP Panel Plans' found in TRIM.

