

DEVELOPMENT APPLICATION ASSESSMENT REPORT

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| Application Number: | DA2025/0367 |
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| Responsible Officer: | Thomas Burns |
| Land to be developed (Address): | Lot A DP 396160, 22 Suffolk Avenue COLLAROY NSW 2097 |
| Proposed Development: | Construction of a new dwelling to create a dual occupancy (detached) |
| 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 |
| Applicant: | Incidental Architecture |

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|----------------------------------|------------------------------------|
| Application Lodged: | 11/04/2025 |
| Integrated Development: | No |
| Designated Development: | No |
| State Reporting Category: | Residential - New second occupancy |
| Notified: | 21/04/2025 to 05/05/2025 |
| Advertised: | Not Advertised |
| Submissions Received: | 0 |
| Clause 4.6 Variation: | Nil |
| Recommendation: | Approval |

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| Estimated Cost of Works: | \$ 1,067,000.00 |
|---------------------------------|-----------------|

PROPOSED DEVELOPMENT IN DETAIL

The applicant seeks development consent for the retention of the existing dwelling house located on the western portion of the site adjacent to the Suffolk Avenue frontage and the construction of a part one / two storey dwelling on the eastern portion of the site adjacent to the Bedford Crescent frontage, resulting in a detached dual occupancy development. No strata subdivision is proposed.

Specifically, the development involves:

Earthworks

- Excavation to a maximum depth of 5.3 metres (m) at the rear of the proposed dwelling to facilitate the partially subterranean garage level. Excavation and retaining walls are also proposed to facilitate the proposed driveway and vehicle crossing.
- Minor filling and small retaining walls up to 0.5m in height to the west of the new dwelling to provide levelled private open space for the new dwelling.

Tree Removal and Landscaping

- Removal of seven (7) prescribed trees to facilitate the development, being trees number 3, 4, 5, 7, 12, 13 and 14 as per the applicant's Arborist Report.
- New landscaping consisting of lawn areas and shrub planting (however, a condition is recommended requiring the provision of three new native trees on the site).

Construction

- Construction of a new vehicle crossing and driveway from the western side of Bedford Crescent.
- Construction of a two storey dwelling to form part of a detached dual occupancy, which includes:
 - Lower Ground Floor: partially subterranean garage, storage and internal lift to access the ground floor; and
 - First Floor: Two bedrooms, open plan kitchen, living and dining area, separate pedestrian entryway on the southern side of the dwelling, a laundry/WC, a bathroom, a study and a solid fuel burning fire place.

Stormwater Management

- Convey stormwater downslope into the Bedford Crescent kerb and gutter.

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon 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 - 1.1 Name of Plan

Warringah Local Environmental Plan 2011 - Zone R2 Low Density Residential

Warringah Local Environmental Plan 2011 - 6.2 Earthworks

Warringah Local Environmental Plan 2011 - 6.4 Development on sloping land

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

SITE DESCRIPTION

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|-----------------------------------|--|
| Property Description: | Lot A DP 396160 , 22 Suffolk Avenue COLLAROY NSW 2097 |
| Detailed Site Description: | <p>The subject site consists of one allotment that has frontages to Suffolk Avenue (primary frontage) and Bedford Crescent (secondary frontage) and is located within the Collaroy locality. Vehicular and pedestrian access is provided via the Suffolk Avenue frontage, while only pedestrian access is provided via the Bedford Crescent frontage.</p> <p>The site is irregular in shape with a 18.5 metres (m) wide frontage to Suffolk Avenue and a 19.19m wide frontage to Bedford Crescent. The site has a surveyed area of 840.1 square metres (sqm).</p> <p>The site is located within the R2 Low Density Residential zone pursuant to the Warringah Local Environmental Plan 2011 (WLEP) and currently accommodates a three storey dwelling house including an attached carport on the front façade. These structures are located on the western (i.e. high side) side of the allotment adjacent to Suffolk Avenue.</p> <p>Landscaping on the property is largely confined to the rear half of the property, comprising lawn areas, gardens, shrubs and small trees.</p> <p>The site experiences a fall of approximately 14.7m that slopes away from Suffolk Avenue towards Bedford Crescent.</p> <p>The site is burdened by a Council stormwater drainage pipe that is located along the southern boundary for the eastern half of the site. The site is also environmentally constrained by its steep slope.</p> |

The surrounding built environment is characterised by detached low density residential development (i.e. dwelling houses) within landscaped settings.

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:

- Development Application DA2009/1664 for alterations and additions to a dwelling house approved by the former Warringah Council on 3 May 2010.

APPLICATION HISTORY

Following the preliminary assessment of the application, which included a site inspection, Council wrote to the applicant raising the following concerns with the development:

- The development had the potential to adversely impact upon Council's stormwater pipeline located along the southern boundary. Additional engineering details were requested to ensure that there was sufficient clearance from the pipeline to mitigate damage.
- A driveway long-section plans demonstrating compliance with Council's Driveway profile was not submitted.
- The stormwater management plans did not include on-site detention tanking, contrary to the Water Management for Development Policy (WMDP).

- The development involves a significant landscaped open space (LOS) non-compliance, which was not supported.
- The plans did not include the finished levels of the retaining walls.
- A fence for privacy was not provided between both dwellings.

The applicant subsequently amended the application pursuant to Section 37 of the Environmental Planning and Assessment Regulation 2021 to incorporate the following changes:

- Provide an additional southern side setback to remove the development from the drainage easement.
- Increase the LOS from 29.94% to 37.03%.
- Provided the finished levels of the retaining walls and a long section of the driveway crossover.
- Provided on-site detention tanking in accordance with the WMDP.
- A fence for privacy was provided between the existing dwelling and proposed dwelling.

The amended application constitutes a reduced environmental impact and therefore, the application was not required to be re-notified, in accordance with the Northern Beaches Community Participation Plan.

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 | There are no current draft environmental planning instruments. |
| 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)(iiia) – Provisions of any planning agreement | None applicable. |
| Section 4.15 (1) (a)(iv) – Provisions of the | <u>Part 4, Division 2</u> of the EP&A Regulation 2021 requires the consent authority to consider "Prescribed conditions" of development consent. |

| Section 4.15 Matters for Consideration | Comments |
|--|--|
| Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021) | <p>These matters have been addressed via a condition of consent.</p> <p><u>Clause 29</u> of the EP&A Regulation 2021 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application.</p> <p><u>Clauses 36 and 94</u> of the EP&A Regulation 2021 allow Council to request additional information. Additional information was requested in relation to amended architectural plans and engineering plans.</p> <p><u>Clause 61</u> of the EP&A Regulation 2021 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This clause is not relevant to this application.</p> <p><u>Clauses 62 and/or 64</u> of the EP&A Regulation 2021 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This clause is not relevant to this application.</p> <p><u>Clause 69</u> of the EP&A Regulation 2021 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><u>Clause 69</u> of the EP&A Regulation 2021 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 and Environmental Planning Instruments sections 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. |

| Section 4.15 Matters for Consideration | Comments |
|--|---|
| 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.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject application has been publicly exhibited from 21/04/2025 to 05/05/2025 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021 and the Community Participation Plan.

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

REFERRALS

| Internal Referral Body | Comments |
|--|---|
| Environmental Health (Solid Fuel/Oil Heater) | <p>General Comments</p> <p>The proposal seeks the inclusion of a solid fuel heater as part of the development. The heaters flue appears to be appropriately sited in relation to neighbouring dwellings and the prevailing winter winds when it will be most in use.</p> <p>The proposal is supported with a number of consent conditions recommended</p> <p>Recommendation</p> <p>APPROVAL - subject to conditions</p> |
| Landscape Officer | <p>The application as described in reports and as illustrated on plans is assessed by Landscape Referral against Warringah Local Environmental Plan 2011 (WLEP) and the following Warringah Development Control Plan 2011 (WDCCP) controls (but not limited to): D1 Landscaped Open Space and Bushland Setting; E1 Preservation of Trees or Bushland Vegetation; and E2 Prescribed Vegetation.</p> <p>An Arboricultural Impact Assessment (AIA) and a Landscape Plan accompany the application and are assessed as part of this Landscape Referral.</p> <p>The AIA report recommends the removal of seven prescribed trees (identified as tree numbers 3, 4, 5, 7, 12, 13 and 14) impacted by the</p> |

| Internal Referral Body | Comments |
|--------------------------------|--|
| | <p>development proposal. Should the application be approved Landscape Referral advice that these trees will require removal and there is no design alternative considered available to lessen the impact upon existing trees. Offset replacement planting shall be the subject to conditions.</p> <p>The Landscape Plan submitted indicates landscape hard and soft works without providing detailed information as listed by Council's DA Lodgement Requirements, and an amended Landscape Plan shall be issued prior to Construction Certificate as the existing landscape character is altered. Additionally, it is noted that the Landscape Plan identifies existing tree 6 to be removed, however this is recommended for retention in the AIA report that shall take precedence for such tree matters. The Landscape Plan indicates two defined landscape zone at the rear (backyard) of the property fronting Bedford Crescent containing lawn in one zone and mass planting in the other zone and conditions shall be imposed for replacement tree planting in this zone. The front yard fronting Bedford Crescent shall support tree and other planting to satisfy the landscape intent of WDCP control D1.</p> |
| NECC (Development Engineering) | <p>Council records indicate that the subject property is impacted by Council's stormwater drainage assets located along the southern boundary. The architectural plans show proposed building works encroaching on the Council's drainage easement and asset.</p> <p>The applicant must demonstrate compliance with Northern Beaches Council's Water Management for Development Policy, specifically clauses 6.0 and 6.7, which pertain to "Stormwater Drainage System" for any development over or adjacent to Council's constructed drainage systems. This includes accurately locating, confirming dimensions, and plotting the Council's stormwater pipelines and related infrastructure to scale on the DA plans that show the proposed works clear of Council easement and drainage assets. A service locating contractor and a registered surveyor must carry out this work. The applicant is required to provide evidence of the methodology used for locating Council's stormwater drainage assets. A plan indicating the general locations (guide only) of Council's stormwater infrastructure can be accessed via the Northern Beaches Council website under "Planning and Development.</p> <p>Required Actions:</p> <ul style="list-style-type: none"> Amended building plans are needed to ensure that all structures are clear of any Council pipelines or drainage easements. The footings of any structures adjacent to an easement or pipeline must be designed in accordance with the aforementioned policy. Structural details, prepared by a suitably qualified Civil Engineer, demonstrating compliance with Council's policy must also be submitted. |

| Internal Referral Body | Comments |
|------------------------|--|
| | <p>Due to insufficient information, the Development Engineers are unable to support the application for the following reasons:</p> <ul style="list-style-type: none"> The proposed development does not comply with stormwater control requirements outlined in Part C4 of the Warringah Council DCP. The submitted stormwater management plan does not comply with Northern Beaches Council's "Water Management for Development Policy." In particular, the applicant has failed to provide an On-Site Detention Stormwater Management plan. The proposed driveway has an excessive slope. A detailed long-section plan demonstrating compliance with Council Driveway profile as outlined in Council's web page is required. https://www.northernbeaches.nsw.gov.au/planning-development/permits-and-certification/driveway-and-vehicle-crossings <p>DATED 12/06/2025</p> <p>The additional information provided has been reviewed and referred to Council's Stormwater Operation and Renewal Team. In accordance with Northern Beaches Council's Water Management for Development Policy, the proposal to construct any permanent structures over or within Council 1.525m wide drainage easement, such as a roof, stairs, or similar, are not supported. As a result, the application cannot be supported in its current form.</p> <p>DATED 03/07/2025</p> <p>The applicant has submitted an amended plan indicating that the proposed dwelling is located clear of Council's drainage easement and associated drainage infrastructure. The submitted stormwater management and driveway plans are considered acceptable. There are no objections from Development Engineering, subject to compliance with the recommended conditions.</p> |

| External Referral Body | Comments |
|---|--|
| Ausgrid - SEPP (Transport and Infrastructure) 2021, s2.48 | The proposal was referred to Ausgrid who provided a response stating that the proposal is acceptable subject to compliance with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice. These recommendations will be included as a condition of consent. |
| Aboriginal Heritage Office | <p>Development Application No: DA2025/0367</p> <p>Description: Construction of a dual occupancy (detached)</p> <p>Address: 22 Suffolk Avenue COLLAROY</p> |

| External Referral Body | Comments |
|------------------------|--|
| | <p>Reference is made to the proposed development at the above area and Aboriginal heritage.</p> <p>No sites are recorded in the current development area and the area has been subject to previous disturbance reducing the likelihood of surviving unrecorded Aboriginal sites.</p> <p>Given the above, the Aboriginal Heritage Office considers that there are no Aboriginal heritage issues for the proposed development.</p> <p>Under the National Parks and Wildlife Act 1974 (NPW Act) all Aboriginal objects are protected. Should any Aboriginal Cultural Heritage items be uncovered during earthworks, works should cease in the area and the Aboriginal Heritage Office assess the finds. Under Section 89a of the NPW Act should the objects be found to be Aboriginal, Heritage NSW and the Metropolitan Local Aboriginal Land Council (MLALC) should be contacted.</p> |

ENVIRONMENTAL PLANNING INSTRUMENTS (EPis)*

All, Environmental Planning Instruments (SEPPs 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 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)

Housing and Productivity Contribution

Part 2 Development for which contribution is require and determination of contribution, Division 2 Housing and productivity contribution amounts, Clause 7 Base component.

This Clause details the base component amounts that apply to the calculation of the housing and productivity contribution, as set out in the following table:

| Region | HPC class of development | Amount | HPC unit |
|----------------|---------------------------------------|----------|-------------------------|
| Greater Sydney | Residential subdivision | \$12,000 | new dwelling lot |
| | Residential strata subdivision | \$10,000 | new strata dwelling lot |
| | Non-strata multi-dwelling development | \$10,000 | new non-strata dwelling |
| | Commercial development | \$30 | square metre of new GFA |
| | Industrial development | \$15 | square metre of new GFA |

Comment:

The development provides a new dwelling that will form part of a detached dual occupancy. While no subdivision is proposed, the assessment considers that the development comprises a new strata allotment, given the site could be strata subdivided in the future. Torrens title subdivision is not feasible for this site as the development would not meet the minimum lot size requirements under the WLEP. No minimum lot size applies for strata subdivision, only torrens title subdivision.

Therefore, the contributions payable under this scheme are \$10,000.

SEPP (Sustainable Buildings) 2022

A valid BASIX Certificate has been submitted with this application to meet the requirements of State Environmental Planning Policy (Sustainable Buildings) 2022. A condition is recommended to ensure compliance with the BASIX Certificate.

SEPP (Housing) 2021

Chapter 6 - Part 2 - Dual occupancies and semi-detached dwellings on R2 zoned land

Clause 166 of State Environmental Planning Policy (Housing) 2021 (Housing SEPP) provides that development for the purposes of dual occupancies and semi-detached dwellings is permitted with development consent in Zone R2 Low Density Residential, on land to which this part applies.

Comment:

The proposed development is for the purpose of a dual occupancy in the R2 Low Density Residential Zone of the WLEP. As such, clause 166 above applies.

It is noted that this land use is prohibited within the R2 zone per the Land Use Table of the WLEP. Clause 8(1) of the Housing SEPP provides that, if there is an inconsistency between the Housing SEPP and another environmental planning instrument (such as the WLEP in this case), the Housing SEPP prevails.

As such, the development is permissible via clause 166 of the Housing SEPP. An assessment of the proposed development against the Aims of the WLEP and the objectives of the R2 Low Density Residential zone is provided in the relevant sections of this report.

SEPP (Transport and Infrastructure) 2021

Chapter 2 - Infrastructure

Section 2.48 of Chapter 2 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 who raised no objections, subject to conditions which have been included in the recommendation of this report.

SEPP (Biodiversity and Conservation) 2021

Chapter 2 - Vegetation in non-rural areas

Chapter 2 of State Environmental Planning Policy (Biodiversity and Conservation) 2021 (BC SEPP) applies to the development pursuant to clause 2.3 and aims to protect the biodiversity and amenity values of trees within non-rural areas of the state.

While the development proposes the removal of seven prescribed trees to facilitate the development, Council's Landscape Officer has concluded that the tree removal is acceptable, subject to suitable conditions of consent requiring the provision of new canopy tree planting on the site. This will ensure that the biodiversity and amenity values of trees within the locality are reasonably maintained.

The development is consistent with Chapter 2 of the BC SEPP.

SEPP (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Sub-section 4.6 (1)(a) of Chapter 4 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 sub-section 4.6 (1)(b) and (c) of this Chapter and the land is considered to be suitable for the residential land use.

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 | 7.21m | - | Yes |

Compliance Assessment

| Clause | Compliance with Requirements |
|---------------------------------|------------------------------|
| 1.1 Name of Plan | Yes |
| 4.3 Height of buildings | Yes |
| 6.2 Earthworks | Yes |
| 6.4 Development on sloping land | Yes |

Detailed Assessment

1.1 Name of Plan

The assessment finds that the proposed development is consistent with the aims of the WLEP, notwithstanding that dual occupancies are prohibited within the R2 zone under the WLEP and permissible under the Housing SEPP.

An assessment against the aims of the WLEP is provided below as follows:

(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,

Comment:

N/A - the proposal relates to a residential land use.

(a) to create a land use framework for controlling development in Warringah that allows detailed provisions to be made in any development control plan made by the Council,

Comment:

The development is consistent with the aims and objectives of the WLEP and Warringah Development Control Plan 2011 (WDCP).

(b) to recognise the role of Dee Why and Brookvale as the major centres and employment areas for the sub-region,

Comment:

N/A - the development is not located within these localities.

(c) to maintain and enhance the existing amenity and quality of life of the local community by providing for a balance of development that caters for the housing, employment, entertainment, cultural, welfare

and recreational needs of residents and visitors,

Comment:

The development provides for appropriate housing that will meet the needs of the residents within the locality and assist in achieving the State Government's housing targets.

(d) in relation to residential development, to—

- (i) protect and enhance the residential use and amenity of existing residential environments, and*
- (ii) promote development that is compatible with neighbouring development in terms of bulk, scale and appearance, and*
- (iii) increase the availability and variety of dwellings to enable population growth without having adverse effects on the character and amenity of Warringah,*

Comment:

The development meets these requirements for the following reasons:

- The proposal has been designed to allow for acceptable levels of internal amenity, while also not resulting in adverse residential amenity impacts on neighbouring properties in terms of visual impacts, noise intrusion, visual privacy, solar access and view sharing.
- The development is a modest part one / two storey building that incorporates suitable landscaping around the building, thereby resulting in a built form that will be visually compatible with surrounding development.
- The resulting development will provide for a detached dual occupancy, which will assist in achieving the State Government's housing targets which have been prepared in response to meeting the demand from population growth.

(e) in relation to non-residential development, to—

- (i) ensure that non-residential development does not have an adverse effect on the amenity of residential properties and public places, and*
- (ii) maintain a diversity of employment, services, cultural and recreational facilities,*

Comment:

N/A - the proposal is for residential development.

(f) in relation to environmental quality, to—

- (i) achieve development outcomes of quality urban design, and*
- (ii) encourage development that demonstrates efficient and sustainable use of energy and resources, and*
- (iii) achieve land use relationships that promote the efficient use of infrastructure, and*
- (iv) ensure that development does not have an adverse effect on streetscapes and vistas, public places, areas visible from navigable waters or the natural environment, and (v) protect, conserve and manage biodiversity and the natural environment, and*
- (vi) manage environmental constraints to development including acid sulfate soils, land slip risk, flood and tidal inundation, coastal erosion and biodiversity,*

Comment:

The development achieves these requirements for the following reasons:

- The proposed development include varied colours and materials and is highly articulated. The development is considered to be a high quality urban design outcome.
- The BASIX Certificate submitted with this application demonstrates that the development will achieve efficient and sustainable use of energy and resources.
- The development will not unreasonably constrain local infrastructure or significantly increase the demand for local public infrastructure.
- The development will not have an adverse impact on the streetscape or vistas.
- The development has been appropriately designed to respond to the landslip constraints that constrain the site.

(g) in relation to environmental heritage, to recognise, protect and conserve items and areas of natural, indigenous and built heritage that contribute to the environmental and cultural heritage of Warringah,

Comment:

N/A - The site is not located within an area that contains indigenous or non-indigenous heritage.

(h) in relation to community well-being, to—

(i) ensure good management of public assets and promote opportunities for social, cultural and community activities, and

(ii) ensure that the social and economic effects of development are appropriate.

Comment:

The development will not result in adverse social or economic impacts, nor will the development adversely impact upon public assets.

Zone R2 Low Density Residential

While the development is prohibited under the WLEP but permissible under the Housing SEPP, the assessment finds that the proposal is consistent with the objectives of the R2 Low Density Residential zone, as demonstrated below:

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

Comment:

The development provides additional housing on the site and therefore, will provide for the housing needs of the community within a low density residential environment. The proposed dwelling that will form part of the detached dual occupancy has separate access from the existing dwelling due to the dual street frontages and will essentially read as a single dwelling

house that is visually compatible with surrounding development.

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

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Comment:

- N/A - the development pertains to housing and not other facilities or services permitted in the R2 zone under the WLEP.

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 dwelling that will form part of the detached dual occupancy has separate access from the existing dwelling due to the dual street frontages and will essentially read as a single dwelling house that is visually compatible with surrounding development. Suitable landscaping has been provided within the Bedford Crescent setback area to provide for appropriate amenity to the future occupants and to ensure that the landscaped setting will be compatible with surrounding development.

6.2 Earthworks

The development proposes excavation to a maximum depth of 5.3m at the rear of the proposed dwelling to facilitate the partially subterranean garage level. Excavation and retaining walls are also proposed to facilitate the proposed driveway and vehicle crossing, while some minor filling and retaining walls to a height of 0.5m to the west of the new dwelling is proposed.

The Geotechnical Report (GR) submitted with this application concluded that the earthworks and the development are not likely to cause significant risk to property and life. The GR has recommended several engineering requirements to mitigate geotechnical risk, of which are included in the recommended conditions of consent.

Other conditions have been recommended to mitigate the impacts of earthworks and construction they pertain to sediment control, water management and noise impacts.

With these conditions in place, the development will meet the relevant considerations under Clause 6.2 of the WLEP.

6.4 Development on sloping land

The site is located within Area D and Area E on the WLEP Landslip Risk Map. As such, Clause 6.4 of the WLEP is applicable.

The Geotechnical Report (GR) submitted with this application concluded that the earthworks and the development are not likely to cause significant risk to property and life. The GR has recommended several engineering requirements to mitigate geotechnical risk, of which are included in the

recommended conditions of consent.

Council's Development Engineers have reviewed the application and are satisfied that the stormwater management scheme complies with the WMDP and that there will not be adverse off-site impacts as a result of stormwater being discharged into the street.

For these reasons, the development satisfies the relevant considerations under Clause 6.4 of the WLEP.

Warringah Development Control Plan

Built Form Controls

| Built Form Control | Requirement | Proposed | % Variation* | Complies |
|---|---|--|--------------|-----------|
| B1 Wall height | 7.2m | 6.5m | - | Yes |
| B3 Side Boundary Envelope | 4m / 45 degrees (north) | Within Envelope | - | Yes |
| | 4m / 45 degrees (south) | Within Envelope | - | Yes |
| B5 Side Boundary Setbacks | 0.9m (north) | 1.2m | - | Yes |
| | 0.9m (south) | 2.5m | - | Yes |
| B7 Front Boundary Setbacks | Primary Frontage (Suffolk Avenue): 6.5m | No change to existing | - | N/A |
| | Secondary Frontage (Bedford Crescent): 3.5m | minimum setback of 3.5m (balcony - maximum setback of 8.48m (facade) | - | Yes |
| D1 Landscaped Open Space (LOS) and Bushland Setting | 40% (336.04sqm) | 311.1sqm or 37.03% | 7.42% | No |

Note: As the site has dual frontages, there is no applicable 'rear boundary', but rather two front boundaries.

Compliance Assessment

| Clause | Compliance with Requirements | Consistency Aims/Objectives |
|--|------------------------------|-----------------------------|
| A.5 Objectives | Yes | Yes |
| B1 Wall Heights | Yes | Yes |
| B3 Side Boundary Envelope | Yes | 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 | Yes | Yes |
| C4 Stormwater | Yes | Yes |
| C6 Building over or adjacent to Constructed Council Drainage Easements | Yes | Yes |

| Clause | Compliance with Requirements | Consistency Aims/Objectives |
|---|------------------------------|-----------------------------|
| C7 Excavation and Landfill | Yes | Yes |
| C8 Demolition and Construction | Yes | Yes |
| C9 Waste Management | Yes | Yes |
| D1 Landscaped Open Space and Bushland Setting | No | Yes |
| D2 Private Open Space | Yes | Yes |
| D3 Noise | Yes | Yes |
| D6 Access to Sunlight | Yes | Yes |
| D7 Views | Yes | Yes |
| D8 Privacy | Yes | Yes |
| D9 Building Bulk | Yes | Yes |
| D10 Building Colours and Materials | Yes | Yes |
| D11 Roofs | Yes | Yes |
| D12 Glare and Reflection | Yes | Yes |
| D14 Site Facilities | Yes | Yes |
| D20 Safety and Security | Yes | Yes |
| D21 Provision and Location of Utility Services | Yes | Yes |
| 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

D1 Landscaped Open Space and Bushland Setting

Description of non-compliance

Section D1 of the WDCP requires at least 40% (336.04sqm) of the site area to comprise of LOS. When calculating LOS, the following matters are considered:

- a) Driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks, etc, and any open space areas with a dimension of less than 2 metres are excluded from the calculation;*
- b) The water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the calculation;*
- c) Landscaped open space must be at ground level (finished); and*
- d) The minimum soil depth of land that can be included as landscaped open space is 1 metre.*

The proposed LOS equates to 37.03% (311.1sqm) of the site area, which does not satisfy the numerical requirement of 40%. When calculating areas of deep soil landscaping that are not 2m x 2m in dimension, the total landscaped area is 344.3sqm (40.98% of site area), which exceeds the 40% requirement.

Merit consideration

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

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

Comment:

The development proposes adequate tree planting within the Bedford Crescent setback area which will maintain an appropriate landscaped setting and adequately soften the proposed building.

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

Comment:

While the development proposes the removal of seven prescribed trees, Council's Landscape Officer has concluded that the new replacement planting will appropriately offset the extent of tree removal that is proposed. Suitable conditions are recommended to this effect. In this regard, it is considered that the development will maintain native planting, which will also provide for appropriate wildlife habitat. It is noted that no significant topographical features such as rock outcrops are proposed for removal.

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

Comment:

The development proposes adequate tree planting within the Bedford Crescent setback area which will maintain an appropriate landscaped setting and adequately soften the proposed building.

- *To enhance privacy between buildings.*

Comment:

The screen planting between the existing dwelling and proposed dwelling, coupled with the internal fencing, will provide suitable privacy between the existing dwelling and proposed dwelling on the subject site. The development does not result in any adverse off-site privacy impacts.

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

Comment:

The decking area at the front of the new dwelling and the terraced lawn area to the rear of the

new dwelling will provide suitable recreational opportunities that will meet the needs of the new occupants.

To provide space for service functions, including clothes drying.

•
Comment:

There is adequate space to service functions, including clothes drying.

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

Comment:

Council's Development Engineers are satisfied that the development complies with the WMDP and the areas of deep soil landscaping proposed will assist in water infiltration.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the objectives of Section D1 of the WDCP. In this regard, flexibility is afforded to the numerical requirements of the control, consistent with Section 4.15(3A)(b) of the Environmental Planning and Assessment Act 1979.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly affect 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

Northern Beaches Section 7.12 Contributions Plan 2024

The proposal is subject to the application of Northern Beaches Section 7.12 Contributions Plan 2024.

A monetary contribution of \$10,670 is required for the provision of new and augmented public infrastructure. The contribution is calculated as 1% of the total development cost of \$1,067,000.

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 2021;
- 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 DA2025/0367 for Construction of a new dwelling to create a dual occupancy (detached) on land at Lot A DP 396160, 22 Suffolk Avenue, COLLAROY, subject to the conditions printed below:

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

1. Approved Plans and Supporting Documentation

Development must be carried out in accordance with the following approved plans (stamped by Council) and supporting documentation, except where the conditions of this consent expressly require otherwise.

| Approved Plans | | | | |
|----------------|-----------------|-------------------------------|-------------------------|--------------|
| Plan Number | Revision Number | Plan Title | Drawn By | Date of Plan |
| DAC | A | Cover Sheet and General Notes | Incidental Architecture | 1 July 2025 |
| DA1 | A | Site Plan / Site Analysis | Incidental Architecture | 1 July 2025 |
| DA2 | A | Ground Floor Plan | Incidental Architecture | 1 July 2025 |
| DA3 | A | Garage Plan | Incidental Architecture | 1 July 2025 |
| DA4 | A | North Elevation | Incidental Architecture | 1 July 2025 |

| | | | | |
|------|---|----------------------------|-------------------------|-------------|
| DA5 | A | West and South Elevations | Incidental Architecture | 1 July 2025 |
| DA6 | A | East Elevation | Incidental Architecture | 1 July 2025 |
| DA7 | A | Section AA | Incidental Architecture | 1 July 2025 |
| DA10 | A | Driveway Long Section Plan | Incidental Architecture | 1 July 2025 |

| Approved Reports and Documentation | | | |
|---|------------------------|--|------------------|
| Document Title | Version Number | Prepared By | Date of Document |
| BASIX Certificate | 1784023S_02 | Victoria Walker | 25 February 2025 |
| Arboricultural Impact Assessment & Tree Protection Plan | Version 1.2 | Vertical Tree Management & Consultancy Pty Ltd | 17 January 2025 |
| Geotechnical Assessment | AG 25009, Version 1 | AscentGeo | 20 January 2025 |
| Waste Management Plan | - | Daina Cunningham | 14 March 2025 |
| Stormwater Drainage Plans | Job No. 181130, Rev. A | NB Consulting Engineers | 19 May 2025 |

In the event of any inconsistency between the approved plans, reports and documentation, the approved plans prevail.

In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2. Compliance with Other Department, Authority or Service Requirements

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

| Other Department, Authority or Service | EDMS Reference | Dated |
|--|---------------------------|-------|
| Ausgrid | Ausgrid Referral Response | N/A |

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website www.northernbeaches.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies.

3. **Approved Land Use**

Nothing in this consent shall authorise the use of the resulting development as detailed on the approved plans for any land use of the site beyond the definition of a dual occupancy (detached). This land use is defined as follows:

- **dual occupancy** means a dual occupancy (attached) or a dual occupancy (detached).

Any variation to the approved land use and/occupancy of any unit beyond the scope of the above definition will require the submission to Council of a new development application.

Reason: To ensure compliance with the terms of this consent.

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 Certifier 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 Certifier 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 Certifier 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.

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) Construction certificate plans are to be in accordance with all finished levels identified on approved plans. Notes attached to plans indicating tolerances to levels are not approved.
- (c) Should any asbestos be uncovered on site, its demolition and removal must be carried out in accordance with WorkCover requirements and the relevant Australian Standards.
- (d) At all times after the submission of 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 an Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (e) 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.
- (f) 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.

- (g) Prior to the release of the Construction Certificate, payment of the following is required:
- i) Long Service Levy - Payment should be made to Service NSW (online or in person) or alternatively to Northern Beaches Council in person at a Customer Service Centre. Payment is not required where the value of the works is less than \$250,000. The Long Service Levy is calculated on 0.25% 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.
 - ii) Section 7.11 or Section 7.12 Contributions Plan – Payment must be made to Northern Beaches Council. Where the subject land to which the development is proposed is subject to either a Section 7.11 or 7.12 Contributions Plan, any contribution to which the development is liable under the respective plan that applies is to be paid to Council. The outstanding contribution will be indexed at time of payment in accordance with the relevant Contributions Plan.
 - iii) Housing and Productivity Contribution - Payment must be made on the NSW Planning Portal for development to which this contribution applies. The amount payable is subject to indexation at the time of payment.
- (h) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (i) No skip bins, building materials, demolition or excavation waste of any nature, and no hoist, plant or machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (j) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (k) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.), on the land to be developed, or within adjoining properties, shall be removed or damaged during excavation or construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.
- (l) 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.
- (m) A "Road Opening Permit" must be obtained from Council, and all appropriate charges paid, prior to commencement of any work on Council property. The owner/applicant shall be responsible for all public utilities and services in the area of the work, shall notify all relevant Authorities, and bear all costs associated with any repairs and/or adjustments as those Authorities may deem necessary.

- (n) The works must comply with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice.
- (o) Should any construction cranes be utilised on site, they are to be fitted with bird deterrents along the counterweight to discourage raptor (bird) nesting activity. Deterrents are to remain in place until cranes are dismantled. Selection of deterrent methods is to be undertaken in accordance with the recommendations of a suitably qualified ecologist.
- (p) 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 2018
 - (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.

6. **Certificate of Compliance**

The applicant must provide Council's Environmental Health Department a certificate from an appropriately qualified person indicating the system is compliant with all relevant legislation, Building Code of Australia, Australian Standards, Specifications and manufacturer requirements. This information must be submitted with a Section 68 Application to operate the solid fuel heater.

Reason: To ensure the system operates in a legislatively compliant manner.

7. **No Consent for Subdivision**

No consent is granted for any subdivision of land, including strata subdivision.

Reason: The applicant has not sought consent for subdivision of land.

FEES / CHARGES / CONTRIBUTIONS

8. Policy Controls

Northern Beaches Section 7.12 Contributions Plan 2024

A monetary contribution of \$10,670.00 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan (as amended).

The monetary contribution is based on a development cost of \$1,067,000.00.

The total amount payable will be adjusted at the time the payment is made, in accordance with the provisions of the Northern Beaches Section 7.12 Contributions Plan (as amended).

Details demonstrating compliance, by way of written receipts issued by Council, are to be submitted to the Certifier prior to issue of any Construction Certificate or, if relevant, the Subdivision Certificate (whichever occurs first).

A copy of the Contributions Plan is available for inspection at 725 Pittwater Road, Dee Why or on Council's website at Northern Beaches Council - Development Contributions.

Reason: To provide for contributions in accordance with the Contribution Plan to fund the provision of new or augmented local infrastructure and services.

9. Security Bond

A bond (determined from cost of works) of \$10,000 and an inspection fee in accordance with Council's Fees and Charges paid as security are required 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, and details demonstrating payment are to be submitted to the Certifier 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.

10. Housing and productivity contribution - Development consents

1. The housing and productivity contribution (HPC) set out in the table below, but as adjusted in accordance with condition 2, is required to be made:

| Contribution Type | Amount |
|---------------------------------------|---------------------|
| Housing and Productivity Contribution | \$ 10,000.00 |
| Total: | \$ 10,000.00 |

2. The amount payable at the time of payment is the amount shown in condition 1 as the total housing and productivity contribution adjusted by multiplying it by:

highest PPI number

consent PPI number

where—

highest PPI number is the highest PPI number for a quarter following the June quarter 2023 and up to and including the 2nd last quarter before the quarter in which the payment is made.

consent PPI number is the PPI number last used to adjust HPC rates when consent was granted.

June quarter 2023 and PPI have the meanings given in clause 22 (4) of the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023.

If the amount adjusted in accordance with this condition is less than the amount at the time consent is granted, the higher amount must be paid instead.

3. The HPC must be paid before the issue first construction certificate in relation to the development, or before the commencement of any work authorised by this consent (if no construction certificate is required). However, if development is any of the kinds set out in the table below, the total housing and productivity contribution must be paid as set out in the table:

| Development | Time by which HPC must be paid |
|--|--|
| Development consisting only of residential subdivision within the meaning of the HPC Order | Before the issue of the first subdivision certificate |
| High-density residential development within the meaning of the HPC Order for which no construction certificate is required | Before the issue of the first strata certificate |
| Development that consists only of residential strata subdivision (within the meaning of the HPC Order) or only of residential strata subdivision and a change of use of an existing building | Before the issue of the first strata certificate |
| Manufactured home estate for which no construction certificate is required | Manufactured home estate for which no construction certificate is required |

4. The HPC must be paid using the NSW planning portal (<https://pp.planningportal.nsw.gov.au/>).
5. If the Minister administering the Environmental Planning and Assessment Act 1979 agrees, the HPC (apart from any transport project component) may be made, instead of as a monetary contribution, in the following ways:
 - a) the dedication or provision of land for the purpose of regional infrastructure in the region in which the development will be carried out,
 - b) the carrying out of works for the purpose of regional infrastructure in the region in which the HPC development will be carried out.

If the HPC is made partly as a monetary contribution, the amount of the part payable is the amount of the part adjusted in accordance with condition 2 at the time of payment.
6. Despite condition 1, a housing and productivity contribution is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the Environmental Planning and Assessment Act 1979 to the development, or the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023 exempts the development from the contribution. The amount of the contribution may also be reduced under the order, including if payment is made before 1 July 2025.

Reason: Statutory requirement.

11. Construction, Excavation and Associated Works Security Bond(s)

The applicant is to lodge a bond with Council for the following:

Security Bond

As security for any damage to Council's drainage infrastructure or failure to complete the construction of the stormwater drainage works associated with this development consent, a bond of \$20,000.00 shall be provided.

Reason: Protection of Council's infrastructure.

BUILDING WORK – BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

12. Amended Landscape Plan

An Amended Landscape Plan shall be issued to the Principal Certifier prior to the issue of a Construction Certificate to include the following details:

- a) existing tree retention and removal shall be co-ordinated with the approved Arboricultural Impact Assessment,
- b) planting within the back yard as shown on the approved Landscape Plan shall consist of the following:

- i) two small native trees within the back yard and one small native tree within the front yard, capable of achieving at least 6.0 metres in height at maturity; and selected from Northern Beaches Council's Native Plant Species Guide, or Council's Tree Guide,
- ii) all tree planting shall be a minimum pre-ordered planting size of 45-75 litres; and shall be located at least 3.0 metres from buildings or more, at least 1.5 metres from common boundaries; and located either within garden bed or within a prepared bed within lawn,
- c) mass planting shall be installed at minimum 1 metre intervals for shrubs of a minimum 200mm container size at planting, and at 4 plants per metre square for groundcovers/accents of a minimum 140mm container size at planting and shall be in a garden bed.
- d) the front boundary shall contain a garden bed along the boundary within the property consisting of mass planting as described above in c).

Certification shall be submitted to the Principal Certifier that these amendments have been documented.

Reason: Landscape amenity.

13. On-Site Stormwater Detention Details

The Applicant is to provide a certification of drainage plans detailing the provision of on-site stormwater detention in accordance with Northern Beaches Council's Water Management for Development Policy, and generally in accordance with the concept drainage plans prepared by NB Consulting Engineers, drawing number D01, D02, D03, D04, D10, D20, dated 19/06/25. Detailed drainage plans are to be prepared by a suitably qualified Civil Engineer, who has membership to Engineers Australia, National Engineers Register (NER) or Professionals Australia (RPENG) and registered in the General Area of Practice for civil engineering.

Detailed drainage plans, including engineering certification, are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for the disposal of stormwater and stormwater management arising from the development.

14. Vehicle Crossings Application

The Applicant is to submit an application with Council for driveway levels to construct one vehicle crossing 3.0 metres wide at kerb and 4.8 metres at boundary in accordance with Northern Beaches Council Standard Drawing Max high-profile in accordance with Section 138 of the Roads Act 1993.

Note, driveways are to be in plain concrete only.

The fee associated with the assessment and approval of the application is to be in accordance with Council's Fee and Charges.

A Council approval is to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To facilitate suitable vehicular access to private property.

15. Off Street Parking Design

The Applicant shall submit a design for the parking facility in accordance with the relevant provisions of Australian/New Zealand Standard AS/NZS 2890.1:2004 parking facilities.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the

issue of the Construction Certificate.

Reason: Compliance with this consent.

16. Structures Located Adjacent to Council Pipeline or Council Easement

All structures are to be located clear of any Council pipeline or easement. Footings of any structure adjacent to an easement or pipeline are to be designed in accordance with Council's Water Management Policy; (in particular Section 6 - Building Over or Adjacent to Constructed Council Drainage Systems and Easements Technical Specification). Structural details prepared by a suitably qualified Civil Engineer, who has National Engineers Register (NER) or Professionals Australia (RPENG) demonstrating compliance are to be submitted to the Certifier for approval prior to the issue of construction Certificate.

Reason: Protection of Council's infrastructure.

17. Geotechnical Report Recommendations have been Incorporated into Designs and Structural Plans

The recommendations of the risk assessment required to manage the hazards as identified in the Geotechnical Report referenced in Condition 1 of this consent are to be incorporated into the construction plans.

Details demonstrating compliance are to be submitted to the Certifier prior to the issue of a Construction Certificate.

Reason: To ensure geotechnical risk is mitigated appropriately.

18. Pre-Construction Stormwater Assets Dilapidation Report

The Applicant is to submit a pre-construction / demolition Dilapidation Survey of Council's Stormwater Assets prepared by a suitably qualified person in accordance with Council's Guidelines for Preparing a Dilapidation Survey of Council Stormwater Asset, to record the existing condition of the asset prior to the commencement of works. Council's Guidelines are available at: <https://www.northernbeaches.nsw.gov.au/media/60355?1730767288>

The pre-construction / demolition Dilapidation Report must be submitted to Council for approval and the Principal Certifier prior to the issue of the Construction Certificate.

Reason: Protection of Council's infrastructure.

19. 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 Certifier prior to the issue of the Construction Certificate.

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

20. External Finishes to Roof

The external finish to the roof shall have a Solar Absorptance (SA) greater than 0.43 in accordance with the requirements of the BASIX Certificate to minimise solar reflections to neighbouring properties. Any roof with a reflective finish is not permitted.

Green roofs and areas where solar panels (PV) are installed are excluded from conforming to

the SA range.

Details demonstrating compliance are to be submitted to the Certifier 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.

21. Sydney Water "Tap In"

The approved plans must be submitted to the Sydney Water Tap in service, prior to works commencing, to determine whether the development will affect any Sydney Water assets and/or easements. The appropriately stamped plans must then be submitted to the Certifier demonstrating the works are in compliance with Sydney Water requirements.

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

- "Tap in" details - see <http://www.sydneywater.com.au/tapin>
- Guidelines for Building Over/Adjacent to Sydney Water Assets.

Or telephone 13 000 TAP IN (1300 082 746).

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

22. Section 68 Approval for Solid Fuel Burning Device

The applicant must obtain an approval under Section 68 of the Local Government Act 1993 to install a solid fuel heating appliance.

Details demonstrating compliance must be submitted to the Certifier prior to the issue of a Construction Certificate.

Reason: Statutory requirement.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

23. Project Arborist

A Project Arborist with minimum AQF Level 5 in arboriculture shall be engaged prior to any commencement of works on site to provide tree protection measures in accordance with AS4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment.

The Project Arborist shall be in attendance and supervise all works as nominated in the Arboricultural Impact Assessment, and in particular:

a) section 8 arboricultural works: 8.1.1 to 8.1.12 inclusive.

All tree protection measures specified must: be in place before work commences on the site; be maintained in good condition during the construction period; and remain in place for the duration of the construction works. The Project Arborist shall provide certification to the Certifier that all tree protection measures under AS4970-2009 have been satisfied, and the recommendations listed for the protection of the existing tree(s) have been carried out satisfactorily to ensure no impact to the health of the tree(s). Photographic documentation of the condition of all trees to be retained shall be recorded, including at commencement, during the works and at completion.

Note: Any potential impact to trees as assessed by the Project Arborist will require redesign of

any approved component to ensure existing trees upon the subject site and adjoining properties are preserved and shall be the subject of a modification application where applicable.

Reason: Tree protection.

24. Tree Removal Within the Property

This consent approves the removal of existing prescribed trees on the subject site as identified in the Arboricultural Impact Assessment, and as listed below:

- a) tree number 3, 4, 5, 7, 12, 13 and 14.
- b) a qualified AQF level 5 Arborist shall identify these trees on site and tag or mark prior to removal.

Reason: To enable authorised development works.

25. Sediment and Erosion Controls

For developments that include more than 2500sqm of disturbance:

A Soil and Water Management plan (SWMP), in accordance with section 2.3 of the Blue Book, must be prepared and certified by a suitably qualified professional.

For sites larger than 250sqm and less than 2500sqm of disturbance:

An Erosion and Sediment Control Plan (ESCP) must be prepared by a suitably qualified person in accordance with the following considerations and documents:

- Sites that have slopes exceeding 20% (measured in any direction across the site), and/or where works are within the high-water mark or adjacent to a waterway or watercourses are considered environmentally sensitive areas. These sites require a site-specific ESCP which must be prepared and certified by a suitably qualified professional,
- The guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate – Volume 1, 4th Edition (2004)' (the Blue Book), and
- The 'Guidelines for Erosion and Sediment Control on Building Sites' (Department of Planning, Housing and Infrastructure).

The ESCP must include the following as a minimum:

- Site Boundaries and contours,
- Approximate location of trees and other vegetation, showing items for removal or retention (consistent with any other plans attached to the application),
- Location of site access, proposed roads and other impervious areas (e.g. parking area and site facilities),
- Existing and proposed drainage patterns with stormwater discharge points,
- Locations and methods of all erosion and sediment controls that must include sediment fences, stabilised site access, materials and waste stockpiles locations, location of any stormwater pits on the site and how they are going to be protected,
- North point and scale,
- Type of erosion control measures to divert and slow run-off around and within the site.

Environmentally sensitive areas (i.e. Sites that have slopes exceeding 20% and/or where works are within the high-water mark or adjacent to a waterway or watercourses) must also

consider:

- Identify and mark any environmentally sensitive areas on and immediately next to the site and how you will protect these, including any appropriate buffer zones (for example, marking them out as 'no-go' areas),
- Details on vegetation you will clear, as well as areas of vegetation you will keep (mark no go areas),
- Detail on soil information and location(s) of problem soil types, especially dispersive soils and potential or actual acid sulfate soils,
- Location of any natural waterways that could receive run-off and how these will be protected these from run-off.

For sites smaller than 250sqm or where the disturbance is less than 50sqm:

Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:

- Diverting uncontaminated run-off around cleared or disturbed areas, and
- Erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
- Preventing the tracking of sediment by vehicles onto roads, and
- Stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.
- Identifying any environmentally sensitive areas on and immediately next to the site, and demonstrating how these will be protected (for example, by designation as no-go areas).

Details demonstrating compliance with the relevant requirements above are to be submitted to the Certifier, and the measures implemented, prior to the commencement of works.

Reason: To ensure no substance other than rainwater enters the stormwater system and waterways.

DURING BUILDING WORK

26. **Tree and Vegetation Protection**

a) Existing trees and vegetation shall be retained and protected, including:

- i) all trees within the site not approved for removal, and as identified in the Arboricultural Impact Assessment for retention,
- ii) all trees and vegetation located on adjoining properties,
- iii) all trees and vegetation within the road reserve.

b) Tree protection shall be undertaken as follows:

- i) tree protection shall be in accordance with AS4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment,
- ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture,
- iii) removal of existing tree roots at or >25mm (Ø) diameter is not permitted without consultation with an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture,
- iv) no excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of trees and other vegetation required to be retained,

- v) structures are to bridge tree roots at or >25mm (Ø) diameter unless directed by an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture on site,
- vi) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture including advice on root protection measures,
- vii) should either or all of v) or vi) occur during site establishment and construction works, an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist/Project Arborist to the Principal Certifier,
- viii) any temporary access to, or location of scaffolding within the tree protection zone of a protected tree or any other tree to be retained during the construction works is to be undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of AS4970-2009 Protection of trees on development sites,
- ix) the activities listed in section 4.2 of AS4970-2009 Protection of trees on development sites, shall not occur within the tree protection zone of any tree on the lot or any tree on an adjoining site,
- x) tree pruning from within the site to enable approved works shall not exceed 10% of any tree canopy, and shall be in accordance with AS4373-2007 Pruning of amenity trees,
- xi) the tree protection measures specified in this clause must: i) be in place before work commences on the site, and ii) be maintained in good condition during the construction period, and iii) remain in place for the duration of the construction works.

The Principal Certifier must ensure that:

- c) The arboricultural works listed in a) and b) are undertaken as compliant to AS4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment and/or Project Arborist as applicable.

Reason: Tree and vegetation protection.

27. **Road Reserve**

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

Reason: Public safety.

28. **Survey Certificate**

A survey certificate prepared by a Registered Surveyor at the following stages of construction:

- (a) Commencement of perimeter walls columns and or other structural elements to ensure the wall or structure, to boundary setbacks are in accordance with the approved details.
- (b) At ground level to ensure the finished floor levels are in accordance with the approved levels, prior to concrete slab being poured/flooring being laid.
- (c) At completion of the roof frame confirming the finished roof/ridge height is in accordance with levels indicated on the approved plans.

Details demonstrating compliance are to be submitted to the Principal Certifier.

Reason: To determine the height of buildings under construction comply with levels shown on approved plans.

29. Maintenance of Sediment and Erosion Controls

Erosion and sediment controls must be adequately maintained and monitored at all times, particularly surrounding periods of rain, and shall remain in proper operation until all development activities have been completed and the site is in a state where no substance other than rainwater can enter the stormwater system and waterways.

All sediment control measures must be maintained at, or above, their design capacity.

Where more than 2500 square metres of land are disturbed or if the site has a slope of more than 20%, a self-auditing program must be developed for the site. A site inspection using a log book or inspection test plan (ITP) must be undertaken by the site supervisor:

- at least each week
- immediately before site closure
- immediately following rainfall events that cause runoff.

Details demonstrating compliance must be provided to the Certifier during demolition and building works.

Reason: Protection of the receiving environment and to ensure no substance other than rainwater enters the stormwater system and waterways.

30. Property Boundary Levels

The Applicant is to maintain the property boundary levels unless approved by Council. No approval is granted for any change to existing property alignment levels to accommodate the development.

Details demonstrating compliance are to be submitted to the Principal Certifier.

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

31. 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 Certifier.

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

32. Aboriginal Heritage

If in undertaking excavations or works any Aboriginal site or object is, or is thought to have been found, all works are to cease immediately and the applicant is to contact the Aboriginal Heritage Officer for Northern Beaches Council, and the Cultural Heritage Division of the Department of Planning, Housing and Infrastructure.

Any work to a site that is discovered to be the location of an Aboriginal object, within the meaning of the National Parks and Wildlife Act 1974, requires a permit from the Director of the Department of Planning, Housing and Infrastructure.

Reason: Aboriginal Heritage Protection.

33. Installation and certification of solid/fuel burning heater

The solid fuel heater must be certified to comply with Australian Standards 4012 and 4013.

Provide to the Principal Certifier certification that the solid fuel heater has been installed by an appropriately experienced and qualified person, in accordance with the relevant provisions of AS2918 – Domestic Solid Fuel Burning Appliances – Installation.

Reason: To ensure the installation is completed in a legislatively compliant manner.

34. Landscape Completion

Landscape works are to be implemented in accordance with the approved Landscape Plan as Amended, and inclusive of the following conditions:

- a) landscape works are to be contained within the legal property boundaries,
- b) planting shall be installed as indicated on the approved Landscape Plan as Amended.

Prior to the issue of an Occupation Certificate, details (from a landscape architect, landscape designer or qualified horticulturalist) shall be submitted to the Principal Certifier, certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Environmental amenity.

35. Condition of Retained Vegetation

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture shall be submitted to the Principal Certifier, assessing the health and impact on all existing trees required to be retained on the approved Plans or as listed in the Arboricultural Impact Assessment, including the following information:

- a) compliance to any Arborist recommendations for tree protection generally and during excavation works,
- b) extent of damage sustained by vegetation as a result of the construction works,
- c) any subsequent remedial works required to ensure the long term retention of the vegetation.

Reason: Tree and vegetation protection.

36. Post- Construction Stormwater Assets Dilapidation Report (Council stormwater assets)

The Applicant shall submit a post-construction Dilapidation Survey of Council's Stormwater Assets is to be prepared by a suitably qualified person in accordance with Council's Guidelines for Preparing a Dilapidation Survey of Council Stormwater Asset in order to determine if the asset has been damaged by the works. Council's Guidelines are available at: <https://www.northernbeaches.nsw.gov.au/media/60355?1730767288>

The post-construction / demolition dilapidation report must be submitted to Council for review and approval. Any damage to Council's stormwater infrastructure is to be rectified prior to the release of any Drainage security bonds. Council's acceptance of the Dilapidation Survey is to be submitted to the Principal Certifier prior to the issue of the Occupation Certificate.

Reason: Protection of Council's infrastructure.

37. Geotechnical Certification Prior to Occupation Certificate

A Geotechnical Engineer or Engineering Geologist is to provide written confirmation that they have inspected the site during construction or reviewed information relating to the construction and that they are satisfied that development referred to in the development consent has been constructed in accordance with the intent of the Geotechnical Report referenced in Condition 1 of this consent.

Written certification is to be provided to the Principal Certifier prior to the issue of the Occupation Certificate.

Reason: To ensure geotechnical risk is mitigated appropriately.

38. Certification of Structures Located Adjacent to Council Pipeline or Council Easement

The Applicant shall submit a suitably qualified Structural Engineer's certification that the completed footing works have been constructed in accordance with this consent, Northern Beaches Council's Water Management for Development Policy and the approved Construction Certificate plans. Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of the Occupation Certificate.

Reason: Protection of Council's infrastructure

39. Positive Covenant and Restriction as to User for On-site Stormwater Disposal Structures

The Applicant shall lodge the Legal Documents Authorisation Application with the original completed request forms (NSW Land Registry standard forms 13PC and/or 13RPA) to Council and a copy of the Works-as-Executed plan (details overdrawn on a copy of the approved drainage plan by a Registered Surveyor), and Civil Engineers' certification.

The Applicant shall create on the Title a restriction on the use of land and a positive covenant in respect to the ongoing maintenance and restriction of the on-site stormwater disposal structures within this development consent. The terms of the positive covenant and restriction 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 NSW Land Registry Services. Northern Beaches Council shall be nominated as the party to release, vary or modify such covenant. A copy of the certificate of title demonstrating the creation of the positive covenant and restriction for on-site storm water detention as to user is to be submitted.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

Reason: To ensure the on-site stormwater disposal system is maintained to an appropriate operational standard.

40. Installation of solid/fuel burning heaters

Installation work for the solid fuel heater must be carried out by an appropriately experienced and qualified person and in accordance with the relevant provisions of AS2918 – Domestic Solid Fuel Burning Appliances – Installation.

Details demonstrating compliance must be submitted to Council's Environmental Health Department prior to the operation of the solid fuel burning device.

Reason: To ensure the installation is completed in a legislatively compliant manner.

41. Certification of solid fuel burning heaters

A certificate from an appropriately qualified person indicating the system is compliant with all relevant legislation, Building Code of Australia, Australian Standards, Specifications and manufacturer requirements is to be submitted to Council's Environmental Health Department prior to the operation of the solid fuel heater.

Reason: To ensure the system operates in a legislatively compliant manner.

42. 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 Certifier prior to the issue of an Occupation Certificate.

Reason: To ensure bushland management.

43. House / Building Number

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

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

Reason: Proper identification of buildings.

44. Waste Disposal Verification Statement

On completion of excavation work:

- a signed statement must be submitted to the Certifier verifying that excavation work were undertaken in accordance with the waste management plan approved under this consent.

Reason: To provide for the submission of a statement verifying that excavation waste management and recycling has been undertaken in accordance with the approved waste management plan.

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

45. Landscape Maintenance

If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. Trees, shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilised as required at the time of planting. If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Landscape Plan as Amended and any conditions of consent.

The approved landscape area shall in perpetuity remain as planting under the development consent and shall not be replaced with any hard paved surfaces or structures.

Reason: To maintain local environmental amenity.

46. Geotechnical Recommendations

Any ongoing recommendations of the risk assessment required to manage the hazards identified in the Geotechnical Report referenced in Condition 1 of this consent are to be maintained and adhered to for the life of the development.

Reason: To ensure geotechnical risk is mitigated appropriately.

47. Maintenance of solid fuel heaters

The owner/occupier shall ensure servicing of the heater is maintained according to the manufacturer's specifications.

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

48. Operation of solid fuel burning heaters

The owner/operator must take all practicable measures to prevent the likelihood of causing smoke and/or odour nuisances. Such measures must include:

- Using dry seasoned hardwood
- Storing wood in a dry well-ventilated place
- Having a hot and well oxygenated fire
- Ensuring that the chimney flue is clean
- Checking the chimney at different stages of the fire to see if there is any smoke
- Maintenance according to the manufacturer's specifications

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

In signing this report, I declare that I do not have a Conflict of Interest.

Signed



Thomas Burns, Principal Planner

The application is determined on 04/07/2025, under the delegated authority of:



Steven Findlay, Manager Development Assessments