

17 January 2025

Northern Beaches Council
PO Box 82
Manly NSW 1655

Sent via NSW planning portal

Dear Sir/Madam,

BUILDING INFORMATION CERTIFICATE – UNAUTHORISED WORKS
133 STARKEY STREET, KILLARNEY HEIGHTS (LOT 83 DP215008)

This application for a Building Information Certificate (**BIC**) under Division 6.7 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* is made regarding the:

- Correspondence between Northern Beaches Council (the **Council**) and the owner of 133 Starkey Street, Killarney Heights (the Site) for unauthorised works (**BLD2024/01435**) and
- Subsequent inspection of the Site and unauthorised works on Site with Council on 7 January 2025

Works were undertaken to the dwelling, carport and attached pergola on the Site. These works were minor; however, they have increased in habitable floor area and were undertaken without development approval.

The works are documented in the Site survey, and the as-built plan is set under separate cover, also listed in **Table 1** below.

Table 1: Plans of works as built

DWG no.	Name	Rev.	Date	Prepared by
12157	SITE SURVEY OF No. 133, STARKEY STREET, KILLARNEY HEIGHTS BEING LOT 83 IN DP 215008	A	12/12/2024	ATS Land & Engineering
AB-01	Site Survey Plan	01	15/01/2025	All Dimensions
AB-02	Site Plan	01	15/01/2025	All Dimensions
AB-03	Floor Plan	01	15/01/2025	All Dimensions
AB-04	Roof Plan	01	15/01/2025	All Dimensions
AB-05	Landscape Area Plan	01	15/01/2025	All Dimensions
AB-06	As-Built Sections	01	15/01/2025	All Dimensions
AB-07	As-built Elevations	01	15/01/2025	All Dimensions

The works were undertaken in accordance with the necessary planning, building and structural standards:

- Planning Assessment against *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*– refer to **Attachment 1**
- Building and Structural Standards – refer to the following under separate cover:
 - Structural Engineers Certificate
 - Waterproofing Certificate
 - Stormwater Certificate
 - Gas Certificate

On this basis, it is requested that the Council issue a BIC To document and 'recognise' the works undertaken at the Site.

Please contact the undersigned at 0403 356 121 or via email at nem.planningservices@gmail.com to discuss this proposal.

Kind Regards,

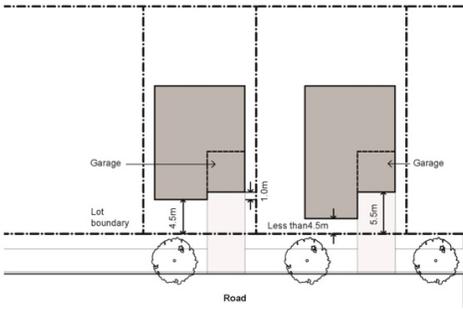
Nicole Topple
Planning Lead.

Attachment 1

Planning Assessment

The following table details that the works within this application for a BIC meet the criteria for “Complying development” in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Code SEPP)*.

Code SEPP	Comment	✓
Part 1 General		
1.4 Land to which Policy applies	Code SEPP applies to the Site.	✓
1.17 What development is complying development?	Complies.	✓
1.17A Requirements for complying development for all environmental planning instruments	Noted. The Site is not identified as affected by any of the matters in this section.	✓
1.18 General requirements for complying development under this Policy	Complies. All relevant certificates are provided under separate cover.	✓
1.19 Land on which complying development may not be carried out	Noted. Matters raised in this section are not relevant to the Site.	✓
1.19A Land on which complying development may not be carried out—bush fire prone land	Noted. The Site is not identified as Bushfire Prone.	✓
1.20 Suspension of covenants, agreements and instruments	Noted.	✓
Part 2 Exempt Development Codes – Not relevant.		
Part 2A Transitional development under former General Housing Code and related provisions – Not relevant		
Part 3 Housing Code		
3.1 Development that is complying development under this code	(1) Complies. The development comprises the alteration of, or an addition to, a 1 or 2 storey dwelling house (including any addition that results in a 2-storey dwelling house) and any attached development, (2) Noted (3) Complies (4) not relevant. (5) Noted	✓
3.2 Development that is not complying development under this code	Not relevant.	-
3.3 Determining lot type	The Site is a Standard Lot	✓
3.4 Complying development on bush fire prone land	Noted. Not relevant The Site is not Bushfire Prone	✓
3.5 Complying development on flood control lots	Noted. The Site is not a Flood Control Lot.	✓
3.6 (Repealed)	-	-
3.7 Application of Division	Noted. Division applies.	✓
3.8 Maximum building height	Complies.	✓

Code SEPP	Comment	✓						
3.9 Maximum gross floor area of all buildings	Complies.	✓						
3.10 Minimum setbacks and maximum height and length of boundary walls	Complies. <u>Dwelling:</u> Front setback – 9.34m Side setback – 0.93m <u>Carpport:</u> Front setback – 10.36m Side setback – 0.93m <u>Verandah:</u> Rear Setback – 13m	✓						
3.11 Exceptions to setbacks	Not relevant	-						
3.12 Other development standards for balconies, decks, patios, terraces and verandahs attached to side or rear of dwelling house—general	Not relevant	-						
3.13 Minimum landscaped area	Complies.	✓						
3.14 Building design	Complies.	✓						
3.15 Privacy screens for windows and certain attached development	Not relevant	-						
3.16 Car parking and vehicle access requirements	(5) An attached garage, carport or car parking space accessed from a primary road must have a minimum setback as shown in the following table— <table border="1"> <thead> <tr> <th>Setback of dwelling house from primary road</th> <th>Minimum off-street parking setback from primary road</th> </tr> </thead> <tbody> <tr> <td><4.5m</td> <td>5.5m</td> </tr> <tr> <td>4.5m or more</td> <td>1m or more behind the building line of the dwelling house</td> </tr> </tbody> </table> 	Setback of dwelling house from primary road	Minimum off-street parking setback from primary road	<4.5m	5.5m	4.5m or more	1m or more behind the building line of the dwelling house	✓
Setback of dwelling house from primary road	Minimum off-street parking setback from primary road							
<4.5m	5.5m							
4.5m or more	1m or more behind the building line of the dwelling house							
3.14-3.34	Not relevant.	-						
Part 3A-9 – Not relevant								