

# untapped **PLANNING**

## **Existing Use Rights**

“Alterations and Additions to an Attached Dual Occupancy”

62A Iris Street, Beacon Hill

Lot 11 DP 877070

Prepared for: Nick Thomas

Date: June 2022

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# 1. Executive Summary

## 1.1 Introduction

Untapped Planning has been commissioned by Nick Thomas to prepare documentation confirming existing use rights for a Dual Occupancy on Lot 11 DP 877070 at 62A Iris Street, Beacon Hill.

## 1.2 Site Details

The subject site comprises Lot 11 DP 877070 with a street address of 62A Iris Street, Beacon Hill.

The site has a total combined area of 474m<sup>2</sup>, with a street frontage of approximately 11.725m to Iris Street.

The site is zoned R2 – Low Density Residential under the Warringah Local Environmental Plan (LEP) 2011.

Development for the purposes of a attached Dual Occupancies and subsequent alterations and additions are prohibited within the zone. The attached Dual Occupancy on site is the subject of historical Development consent.

The following plan shows the site location in the context of the local area.

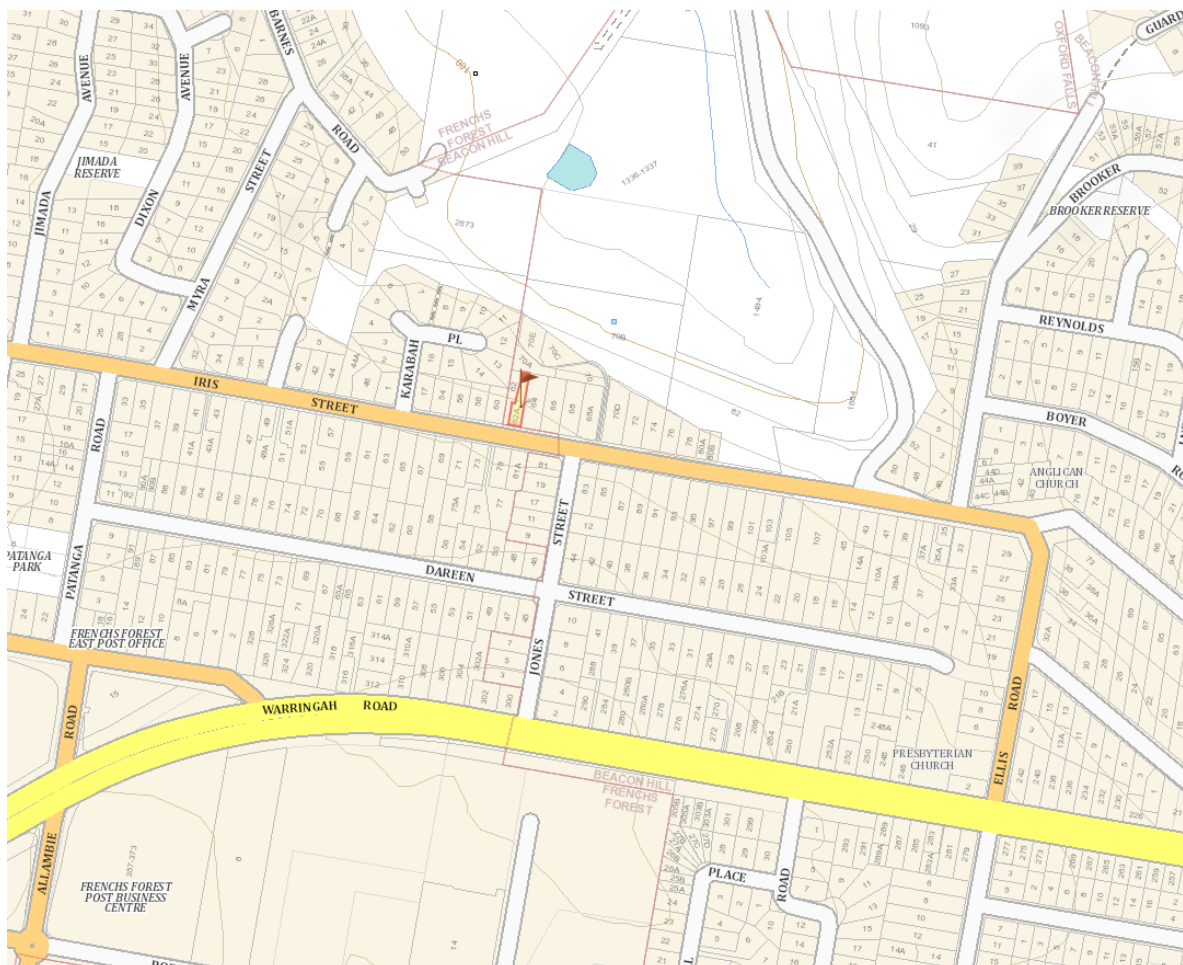


Figure 1: Locality of the subject site.

## **2. Proposed Development**

### **2.1 Legislative Context**

#### **Environmental Planning and Assessment Act 1979**

##### **Division 4.11 Existing uses**

###### **4.65 Definition of “existing use”**

*(cf previous s 106)*

*In this Division, existing use means—*

- (a) the use of a building, work or land for a lawful purpose immediately before the coming into force of an environmental planning instrument which would, but for this Division, have the effect of prohibiting that use, and*
- (b) the use of a building, work or land—*
  - (i) for which development consent was granted before the commencement of a provision of an environmental planning instrument having the effect of prohibiting the use, and*
  - (ii) that has been carried out, within one year after the date on which that provision commenced, in accordance with the terms of the consent and to such an extent as to ensure (apart from that provision) that the development consent would not lapse.*

**Comment:** The use of the site is consistent with the definition of existing use

###### **4.66 Continuance of and limitations on existing use**

*(cf previous s 107)*

- (1) Except where expressly provided in this Act, nothing in this Act or an environmental planning instrument prevents the continuance of an existing use.*
- (2) Nothing in subsection (1) authorises—*
  - (a) any alteration or extension to or rebuilding of a building or work, or*
  - (b) any increase in the area of the use made of a building, work or land from the area actually physically and lawfully used immediately before the coming into operation of the instrument therein mentioned, or*
  - (c) without affecting paragraph (a) or (b), any enlargement or expansion or intensification of an existing use, or*
  - (d) the continuance of the use therein mentioned in breach of any consent in force under this Act in relation to that use or any condition imposed or applicable to that consent or in breach of any condition referred to in section 4.17(1)(b), or*
  - (e) the continuance of the use therein mentioned where that use is abandoned.*
- (3) Without limiting the generality of subsection (2)(e), a use is to be presumed, unless the contrary is established, to be abandoned if it ceases to be actually so used for a continuous period of 12 months.*
- (4) During the period commencing on 25 March 2020 and ending on 25 March 2022, the reference to 12 months in subsection (3) is taken to be a reference to 3 years.*

**Comment:** This report demonstrates that the use of the site was a valid legal use that continued into 2022. With reference to subclause (4), the use of the land has been continuous and not lapsed. Development consent was granted for alterations and additions to create a dual occupancy (95/486) and consent for the subdivision of the approved attached dual occupancy (95/605).

#### **4.67 Regulations respecting existing use**

*(cf previous s 108)*

(1) *The regulations may make provision for or with respect to existing use and, in particular, for or with respect to—*

- (a) the carrying out of alterations or extensions to or the rebuilding of a building or work being used for an existing use, and*
- (b) the change of an existing use to another use, and*
- (c) the enlargement or expansion or intensification of an existing use.*
- (d) (Repealed)*

(2) *The provisions (in this section referred to as the incorporated provisions) of any regulations in force for the purposes of subsection (1) are taken to be incorporated in every environmental planning instrument.*

(3) *An environmental planning instrument may, in accordance with this Act, contain provisions extending, expanding or supplementing the incorporated provisions, but any provisions (other than incorporated provisions) in such an instrument that, but for this subsection, would derogate or have the effect of derogating from the incorporated provisions have no force or effect while the incorporated provisions remain in force.*

(4) *Any right or authority granted by the incorporated provisions or any provisions of an environmental planning instrument extending, expanding or supplementing the incorporated provisions do not apply to or in respect of an existing use which commenced pursuant to a consent of the Minister under section 4.33 to a development application for consent to carry out prohibited development.*

**Comment:** This report demonstrates that the use of the site was a valid legal use that continued into 2022. With reference to subclause (4), the use of the land has been continuous and not lapsed. Development consent was granted for alterations and additions to create a dual occupancy (95/486) and consent for the subdivision of the approved attached dual occupancy (95/605).

#### **4.68 Continuance of and limitations on other lawful uses**

*(cf previous s 109)*

(1) *Nothing in an environmental planning instrument operates so as to require consent to be obtained under this Act for the continuance of a use of a building, work or land for a lawful purpose for which it was being used immediately before the coming into force of the instrument or so as to prevent the continuance of that use except with consent under this Act being obtained.*

(2) *Nothing in subsection (1) authorises—*

- (a) any alteration or extension to or rebuilding of a building or work, or*
- (b) any increase in the area of the use made of a building, work or land from the area actually physically and lawfully used immediately before the coming into operation of the instrument therein mentioned, or*
- (c) without affecting paragraph (a) or (b), any enlargement or expansion or intensification of the use therein mentioned, or*
- (d) the continuance of the use therein mentioned in breach of any consent in force under this Act in relation to that use or any condition imposed or applicable to that consent or in breach of any condition referred to in section 4.17(1)(b), or*
- (e) the continuance of the use therein mentioned where that use is abandoned.*

(3) *Without limiting the generality of subsection (2)(e), a use is presumed, unless the contrary is established, to be abandoned if it ceases to be actually so used for a continuous period of 12 months.*

(4) *During the period commencing on 25 March 2020 and ending on 25 March 2022, the reference to 12 months in subsection (3) is taken to be a reference to 3 years.*

**Comment:** This report demonstrates that the use of the site was a valid legal use that continued into 2022. With reference to subclause (4), the use of the land has been continuous and not lapsed. Development consent was granted for alterations and additions to create a dual occupancy (95/486) and consent for the subdivision of the approved attached dual occupancy (95/605).

#### **4.69 Uses unlawfully commenced**

*(cf previous s 109A)*

- (1) The use of a building, work or land which was unlawfully commenced is not rendered lawful by the occurrence of any subsequent event except—
  - (a) the commencement of an environmental planning instrument which permits the use without the necessity for consent under this Act being obtained therefor, or*
  - (b) the granting of development consent to that use.**
- (2) The continuation of a use of a building, work or land that was unlawfully commenced is, and is taken always to have been, development of the land within the meaning of and for the purposes of any deemed environmental planning instrument applying, or which at any time applied, to or in respect of the building, work or land.*

**Comment:** It is considered that the use had been lawfully commenced by way of development consent 95/486 and 95/605.

The use has been continually acted upon in subsequent Environmental Planning Instruments that would have otherwise prohibited the development.

#### **4.70 Saving of effect of existing consents**

*(cf previous s 109B)*

- (1) Nothing in an environmental planning instrument prohibits, or requires a further development consent to authorise, the carrying out of development in accordance with a consent that has been granted and is in force.*
- (2) This section—
  - (a) applies to consents lawfully granted before or after the commencement of this Act, and*
  - (b) does not prevent the lapsing, revocation or modification, in accordance with this Act, of a consent, and*
  - (c) has effect despite anything to the contrary in section 4.66 or 4.68.**
- (3) This section is taken to have commenced on the commencement of this Act.*

**Comment:** Noted

## Environmental Planning and Assessment Regulations 2021

*Part 7 Existing uses—the Act, Div 4.11*

### **162 Application of Part**

*(1) The provisions of this Part are provisions in force for the purposes of the Act, section 4.67(1).*

*Note—*

*The Act, section 4.67(2) provides that the provisions in force for the purposes of the Act, section 4.67(1) are taken to be incorporated in every environmental planning instrument.*

*(2) In this Part—*

*relevant day means—*

*(a) in relation to an existing use referred to in the Act, section 4.65(a)—the day on which an environmental planning instrument having the effect of prohibiting the existing use first comes into force, or*

*(b) in relation to an existing use referred to in the Act, section 4.65(b)—the day on which the building, work or land being used for the existing use was first erected, carried out or used.*

**Comment:** The continuation of the existing use is consistent with this clause

### **163 Certain development allowed**

*(1) An existing use may, subject to this Part—*

*(a) be enlarged, expanded or intensified, or*

*(b) be altered or extended, or*

*(c) be rebuilt, or*

*(d) be changed to another use, but only if the other use is a use that may be carried out with or without development consent under the Act, or*

*(e) if it is a commercial use—be changed to another commercial use, including a commercial use that would otherwise be prohibited under the Act, or*

*(f) if it is a light industrial use—be changed to another light industrial use or a commercial use, including a light industrial use or commercial use that would otherwise be prohibited under the Act.*

*(2) However, an existing use must not be changed under subsection (1)(e) or (f) unless the change—*

*(a) involves only minor alterations, and*

*(b) does not involve an increase of more than 10% in the gross floor area of the premises associated with the existing use, and*

*(c) does not involve the rebuilding of the premises associated with the existing use, and*

*(d) does not involve a significant intensification of the existing use.*

*(3) In this section—*

*commercial use means the use of a building, work or land for the purposes of commercial premises.*

*light industrial use means the use of a building, work or land for the purposes of light industry.*

**Comment:** The proposal is for alterations and additions to an existing approved attached dual occupancy.

The proposed alterations are minor in nature and represent internal alterations and a rear deck.

The development does not represent greater than as 10% increase in gross floor area. The proposal is not a rebuild or intensification of use.

**164 Enlargement, expansion and intensification of existing uses**

- (1) Development consent is required for any enlargement, expansion or intensification of an existing use.
- (2) The enlargement, expansion or intensification must be—
  - (a) for the existing use and for no other use, and
  - (b) carried out only on the land on which the existing use was carried out immediately before the relevant day.

**Comment:** It is not proposed to enlarge, intensify or expand the existing use. The alterations are internal to the existing structure.

**165 Alteration of buildings and works**

- (1) Development consent is required for an alteration of a building or work used for an existing use.
- (2) The alteration must be—
  - (a) for the existing use of the building or work and for no other use, and
  - (b) erected or carried out only on the land on which the building or work was erected or carried out immediately before the relevant day.

**Comment:** Consent is being sought for the internal alterations.

**166 Rebuilding of buildings and works**

- (1) Development consent is required for any rebuilding of a building or work used for an existing use.
- (2) The rebuilding must be—
  - (a) for the existing use of the building or work and for no other use, and
  - (b) carried out only on the land on which the building or work was erected or carried out immediately before the relevant day.

**Comment:** No rebuilding is proposed.

**167 Change of existing uses**

- (1) Development consent is required for—
  - (a) a change of an existing use to another use, and
  - (b) for a building, work or land that is used for different existing uses—a change in the proportions in which the various parts of the building, work or land are used for the different existing uses.
- (2) This Part does not prevent the granting of a development consent referred to in another provision of this Part at the same time as the granting of a development consent referred to in subsection (1).



## 2.2 Site History

The Dual Occupancy on Site was originally approved by way of Development Consent 95/486. This application was for Alterations and Additions to create an attached Dual Occupancy.

A copy of this consent and the Development Assessment is include within Attachment A.

At the time the site was zones 2(a) Residential under the Warringah Local Environmental Plan 1985. The provisions of the following plans were also applicable to the approval;

- Sydney Regional Environmental Plan No12,
- State Environmental Planning Policy 25
- Councils Policy for Dual Occupancy Development and Subdivision
- Councils Building Lines and Building Setback Policy

Further weight was given to the Draft Warringah Local Environmental Plan 1995. Under this draft instrument the site was to be zoned Residential 2/300.

The proposal as approved on 14<sup>th</sup> September 1995 was permissible subject to the provisions of the Sydney Regional Environmental Plan 12 and the provisions of Councils Policy for Dual Occupancy and Subdivision.

Further approval for the subdivision was granted om 13<sup>th</sup> December 1995 by way of Development Consent 95/605, refer Attachment B.

The granting of the consent for alterations and additions to create a dual occupancy (95/486) and consent for the subdivision of the approved attached dual occupancy (95/605) demonstrate that the development was approved and permissible at the time of construction.

The site has been continually used as a residential attached dual occupancy since this time and the use has not been abandoned.

### **3. Conclusion**

It is considered that the site has continually operated as an attached Dual Occupancy since development consent was granted by Council in 1995.

This use as an attached dual occupancy, and the subsequent subdivision were lawfully approved by Council by way of;

- alterations and additions to create a dual occupancy (95/486), and
- subdivision of the approved attached dual occupancy (95/605).

It is considered that the site benefits from existing use rights and these rights have not been extinguished. The proposal is consistent with the provisions for the Environmental Planning and Assessment Act 1979 and Regulations 2000.

## Attachment A – Approved Attached Dual Occupancy Documentation



# Warringah Council

PF 2330/62..KS.LP/6990D  
Ms Jillian Sneyd  
8.30-10am, Mon-Fri

14th September, 1995

P R & J H Edwards  
62 Iris Street  
FRENCHS FOREST NSW 2086

Dear Sir/Madam

re: Development Application No. 1994/404 at Lot 1, DP 245524, No. 62 Iris Street, Frenchs Forest for alterations and additions to create an attached dual occupancy.  
Consent No. 95/486

I have pleasure in attaching Consent under section 91 of the Environmental Planning & Assessment Act, 1979, for the above land, and where relevant a copy of the appropriately stamped plan to which consent has been granted, subject to the conditions set out.

It should be noted that commencement of the land use, work or activity pursuant to this decision implies your acceptance of all the conditions imposed by Council. It is therefore most important that, prior to proceeding, you satisfy yourself that you are able to comply with all conditions.

Please note that where any building work is proposed as a result of the attached consent, a Building Application, together with plans and specifications complying with the conditions of the consent, is to be submitted to Council's Health & Building Branch and approval obtained prior to any work commencing.

You are advised that the application is unable to be determined as a joint development/building application as conditions above are required to be satisfied prior to release of the Building Approval. The Building Application will be held in abeyance pending submission of those details.

If there is any aspect of the decision that you are uncertain of or unclear about, or if you would like to discuss further anything in connection with it, I would invite you to contact Ms J Sneyd, who will be pleased to assist you.

Yours faithfully

K Smith  
CHAIRMAN, DEVELOPMENT UNIT

Encl



# Warringah Council

PF 2330/62 KS.LP/6990D

*CONSENT NO: 95/486*

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

NOTICE TO APPLICANT OF DETERMINATION

OF A DEVELOPMENT APPLICATION

Applicant's Name and Address: P R & J H Edwards, 62 Iris Street,  
FRENCHS FOREST NSW 2086

Being the applicant in respect of Development Application  
No. 1994/404.

Pursuant to section 92 of the Act, notice is hereby given of the  
determination by Warringah Council, as the consent authority, of the  
Development Application No. 1994/404 relating to the land described  
as follows:-

Lot 1, DP 245524, No. 62 Iris Street, Frenchs Forest.

For the following development:-

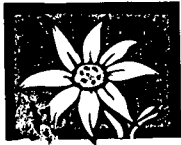
Alterations and additions to create an attached dual occupancy.

The Development Application has been determined by granting of  
consent subject to the following conditions:-

1. Development being generally in accordance with Dwg  
No.9303/P1,S2, P3D4, E5, D6, D7, dated June 94, submitted 15th  
July 1994 as modified by any conditions of this  
consent/approval.(A1)
2. The use not commencing until such time as the requirements of  
this consent have been carried out to Council's reasonable  
satisfaction.(A2)
3. The colours, texture and substance of all external components  
of the building and hard surfaced areas being submitted for  
approval with the Building Application. In this regard,  
finishes are to be consistent with the existing dwelling.(A4)
4. The payment of the following contributions pursuant to section  
94 of the Environmental Planning and Assessment Act 1979, as  
amended prior to the release of building approval or linen  
plan of subdivision.

Plan 7 - \$250 - Open Space - Frenchs Forest Large Park (AC  
27009)

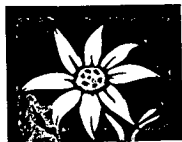
Plan 10 - \$424 - Children's Centres - Belrose Long Day Care  
(AC 27015).



## *CONSENT NO: 95/486*

The above amounts are subject to quarterly adjustment based on economic trends. They are current until such adjustment. Final assessment will be made at the time of payment prior to release of building approval having consideration of such revised adjustments.(A7)

5. Driveways to be constructed of decorative materials such as exposed aggregate, pattern stamped concrete , paving bricks or similar to Council's satisfaction.(A11)
6. The provision of 3 paved carparking spaces to be used solely for carparking purposes.(B1)
7. A separate garbage service shall be provided to each dwelling in the development, charged at the current rate.(D1)
8. The applicant to install electricity supply in an underground formation to each and/or the second dwelling unless otherwise approved by Council.(D2)
9. The land is subject to a Tree Preservation Order and no trees may be removed without the prior consent of Council.(J2)
10. The proposed dining room window on the western elevation is to be amended to be of highlight design. In this regard the floor to sill height is to be 1.6m (minimum) or of an alternative design to prevent overlooking of the adjoining property to the satisfaction of Council. Details to be submitted with the Building Application.
11. Bathroom 1 being ventilated in accordance with the provision of Part F4 of the Building Code of Australia.(W4)
12. Wall between occupancies to have a Fire Resistance Level of not less than 60/60/60. This wall is to be taken to the underside of non-combustible roof material/eaves , in accordance with Part C of the Building Code of Australia. Details to be submitted with the Building Application.(W13d)
13. The installation of a smoke alarm system complying with AS3786, connected to the mains electrical power and having a standby power supply to each storey of every dwelling in accordance with Clause E1.7 of the Building code of Australia.(W35)
14. The provision of a drainage easement over downstream properties to Council's satisfaction to receive collected stormwater from No.62 Iris Street. Such easement to be created and lodged with the Land Titles Office prior to release of building approval.(W26)



*CONSENT NO: 95/486*

15. The development shall not harm the environment by way of denudation of the land, soil erosion or the transmission of soil and sediment from the land. Appropriate mitigation measures are to be implemented during the construction of the development and the future use of the land.(L1)
16. Proposed balcony 1 is to be screened on the eastern side to a height of 1.6m above floor level to prevent overlooking of the adjoining dwelling. Details to be submitted with the Building Application.
17. All works on the site shall be undertaken to prevent erosion and transport of soil and sediment off the site and onto adjoining properties. Measures shall be taken in accordance with the requirements of Council's Specification for Erosion and Sediment Control. An erosion and sediment control plan shall be submitted for Council's approval prior to Building Approval. (L2)
18. The payment of \$1000 to account Reg 009-\*TF 036 prior to issue of building approval or approval for subdivision works as security to ensure that:
  - a) all silt and sediment control measures are installed and maintained;
  - b) there is no transmission of material, soil etc off the site and onto the public road and/ or drainage systems; and
  - c) maintenance of all facilities in accordance with Council's Specification for Erosion Control and Sediment Control.(L3)
19. Provision shall be made throughout the period of construction to prevent transmission of soil to the public road and drainage system by vehicles leaving the site. Details to be included with the Erosion and Sediment Control plan for the site.(L4)
20. The provision of an on-site stormwater detention facility to control the rate of stormwater runoff from the site in accordance with Council's "Specification for On-site Detention System Design".(R3)
21. Restoration and maintenance to approved levels and safe condition of the footway reserve/s adjoining the site Iris Street to Council's reasonable satisfaction.(S4)
22. The public footways and roadways adjacent to the site shall be maintained at all times during the course of the work in a safe condition to the satisfaction of Council.(S7)
23. Provision of 1 vehicle crossing, 3.5 metres wide to Council's satisfaction and in accordance with Council Drawing No.A43330 to approved levels and specifications. An application for street levels is to be made with the Building Application.(T1)



# Warringah Council

PF 2330/62 KS.LP/6990D

## *CONSENT NO: 95/486*

24. Prior to finalising detailed designs of the proposed development, the applicant should check all existing public service utilities adjacent to the site and ensure that where necessary appropriate arrangements are made for the relocation and/or adjustment of any services at the applicant's expense.(U4)
25. The requirements of condition ending in code R3 shall be designed and supervised during the works by an Engineer with qualifications and expertise recognised by the Institution of Engineers Australia as being adequate for the purpose. The Engineer shall certify to Council's satisfaction prior to occupation, the issue of a certificate of classification or release of Linen Plan of Subdivision that the works have been completed strictly in accordance with the approved design and to appropriate standards of workmanship.(U6)
25. All fences, letter boxes and any other structures erected on the street alignment to conform to the approved back of footpath levels.(V2)
27. Building waste containers or "skips" and the like are not to be placed within the public road reserve unless prior approval from Council has been obtained and appropriate fees paid.(V6)
28. The provision of a piped stormwater drainage system incorporating the on-site stormwater detention system, to adequately drain all collected stormwater from the site to Council's satisfaction.(D3)
29. The provision of separate electricity, gas, Telecom, sewer and water services to each lot.(D15)
30. Plant and building materials should not be placed or stored within the public road reserve , and shall be stored within the boundaries of the site during building works. Failure to comply with this condition may result in Council taking action to remove the offending items from the public road reserve and all costs incurred by Council will be deducted from any deposit monies held in relation to the subject property.(D18)
31. The submission to Council of Compliance Certificate issued from Sydney Water in accordance with the provisions Division 9, Section 73 of the Water Board Corporatisation Act 1994. Such certificate is to be submitted to Council prior to release of Building Approval.(P1)
32. Balcony 1 shall be set back a minimum of 900mm from any proposed boundary.





# Warringah Council

PF 2330/62 KS.LP/6990D

## *CONSENT NO: 95/486*

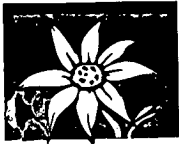
The reason for the imposition of the above consent conditions is as follows:-

To ensure that the development consented to is carried out in such a manner as to achieve the objectives of the Environmental Planning and Assessment Act, pursuant to section 5(a) of the Act, having regard to the relevant matters for consideration contained in section 90 of the Act and the Environmental Planning Instrument applying to the land, as well as section 91(3) of the Act which authorises the imposing of the consent conditions.

Endorsement of date of consent 18 SEP 1995

**IMPORTANT:** You are advised to read these notes in addition to the Conditions of your consent.

- (1) It is to be clearly understood that the above consent is not an approval to carry out any structural work. A formal building application must be submitted to Council and be approved before any structural work is carried out to implement the above consent. Also the applicant is not relieved of any obligation to obtain any other approval required under any other Act.
- (2) The foregoing determination was taken under delegated authority on behalf of the elected Council and, pursuant to Council policy, if you are dissatisfied with the determination you may request the Council to review the determination.
- (3) Section 97 of the Environmental Planning and Assessment Act confers on the applicant who is not satisfied with the determination of the consent authority a right of appeal to the Land and Environment Court exercisable within 12 months of receipt of this notice.
- (4) This consent shall be effective and operative from the endorsement date of this consent; however should an appeal be lodged against Council's determination of the application, the consent shall cease to be, or shall not become, operative, until that appeal is determined. See section 93 of the Act.
- (5) For information about the circumstances in which this consent may lapse; about commencement of a development granted consent; about extension of the consent; and about the circumstances in which Council may require completion of the development, see Section 99 of the Act.
- (6) For information about the procedure for the modification of this consent by Council, see Section 102 of the Act.



# Warringah Council

PF 2330/62 KS.LP/6990D

## *CONSENT NO: 95/486*

- (7) Any person who contravenes this notice of determination of the abovementioned development application shall be guilty of a breach of the Environmental Planning and Assessment Act, 1979, and shall be liable to a monetary penalty and for a restraining order which may be imposed by the Land and Environment Court.

R Kent

DIRECTOR ENVIRONMENTAL MANAGEMENT

per:

Date

18 SEP 1995

Report to Development Unit, 11 SEP 1995

JOINT DEVELOPMENT/BUILDING APPLICATION (No. 1994/404)  
(Lodged 15.7.94)

FILE PF 2330/62

DEVELOPMENT PROPOSAL

Alterations and additions to create an attached dual occupancy.

SITE DESCRIPTION

Lot 1, DP 245524, No.62 Iris Street, Frenchs Forest. The site has an area of 864.7sqm and is located on the northern side of Iris Street to the east of Karabah Place.

PRESENT DEVELOPMENT

An existing single storey dwelling occupies the site.

APPLICANT'S NAME AND ADDRESS

P R & J H Edwards  
62 Iris Street  
FRENCHS FOREST NSW 2086

ZONING DETAILS

The land is zoned 2(a) Residential under Warringah Local Environmental Plan 1985. The provisions of SREP No.12, SEPP No.25, Council's Policy for Dual Occupancy Development and Subdivision and Council's Building Lines and Building Setbacks Policies also apply to the site.

DRAFT WARRINGAH LOCAL ENVIRONMENTAL PLAN

The land is proposed to be zoned Residential 2/300 under Draft Warringah Local Environmental Plan 1995. The provisions of the Draft Plan maintain the existing legislation for applications lodged prior to gazettal of the Draft Plan.

PROPOSAL IN DETAIL

The site is currently developed with a single dwelling house. It is proposed to demolish the existing garage and laundry and construct an attached dual occupancy.

The proposed dwelling is to contain two bedrooms, study, dining, living, kitchen and bathroom. The existing dwelling is to remain as existing. An existing store room is to be converted to provide a new laundry for the existing dwelling.

Carparking for three (3) vehicles is proposed forward of the building behind the 6.5m building line.



Report to Development Unit,

11 SEP 1995

Compliance with Building Codes/Local Government Act

The proposal complies with the relevant requirements of the Building Code of Australia and the Local Government Act and is satisfactory subject to conditions as contained within the recommendation.

Building Lines & Building Setbacks

A 6.5m building line applies to the subject site. The proposal complies with the building line and with the applicable side and rear setbacks.

Public Road & Drainage Infrastructure

The site falls to the rear, initial delays in processing the application were caused by the need to acquire agreement from a downstream property owner to create a drainage easement. Such has since been obtained and the on-site detention details submitted to Council's satisfaction. The proposed vehicular access is satisfactory. No objections are raised in this regard subject to conditions as contained within the recommendation.

Legislation & Policy Compliance

The proposal is permissible subject to the provisions of Sydney Regional Environmental Plan 12 and the provisions of Council's Policy for Dual Occupancy and Subdivision apply.

Development Statistics

The proposal compares with the requirements for dual occupancy development as follows:-

	<u>PROPOSED</u>	<u>REQUIRED</u>	<u>COMPLIES</u>
Site area	864.7sqm	400sqm	Yes
Floor space	220sqm	-	-
F.S.R.	0.25:1	0.5:1	Yes
Carparking	3	2	Yes
Private Open Space	166 & 251sqm	50sqm/dwg	Yes
Landscaped area	56%	33%	Yes

Character & Streetscape

The proposal will appear from the street as a large single dwelling house as the extension is toward the rear and the entrances screened from view by the proposed carports. The proposal is consistent with the appearance of the existing dwelling and the character of the general location.



Report to Development Unit, 11 SEP 1995Privacy

The site falls away to the rear, as a result the addition is elevated above ground level. Concern is raised as to the proposed dining room window and its potential to overlook the adjoining property. In order to overcome this concern, a condition of consent is suggested which requires the window to be of highlight design to prevent overlooking.

The proposed balcony for the second occupancy also has the potential to overlook the private open space of the existing dwelling. Similarly, it is proposed to require screening of this balcony as a condition of consent.

Overshadowing

The proposal will result in the loss of some morning sun to the property to the west. The subject property and adjoining properties are located on the northern side of Iris Street and thus solar access will not be affected generally. The proposal is reasonable in this regard.

Height, Bulk and Scale

The proposal maintains the floor level of the existing dwelling and due to the fall of the land, the building is elevated at the rear. Due to the design and subject to conditions it is not considered that the proposal will result in adverse impacts upon the adjoining property adjacent to the extension.

In addition, the plans indicate the location of the windows of the property to the west which potentially will suffer a reduction in outlook from the rear of the dwelling. The submitted plans indicate a minor encroachment into the field of view. This is not considered to be of sufficient impact to warrant refusal of the proposal.

Private Open Space

An area in excess of 150m<sup>2</sup> is proposed for each dwelling. Due to the fall of the land, these areas are located at a lower level and accessed by stairs from the dwellings. Whilst this is not ideal it is commensurate with that of the existing dwelling and considered reasonable in the circumstances. Each dwelling is also provided with a deck area located adjacent to the living areas which assists in complying with the requirement of an outdoor area associated with the living area of the dwelling.

Carparking

The proposal provides for three carparking spaces within a carport. Two carparking spaces are required to satisfy the requirements of Sydney Regional Environmental Plan No. 12. Accordingly, the proposal is acceptable in this regard.



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Section 94 Contributions

Under Council's Section 94 Contributions Plans, contributions are payable for the likely increase in the use of facilities and services in the area. The following contributions are payable:-

- Plan 7 - \$250 - Open Space - Frenchs Forest Large Park (AC 27009)  
Plan 10 - \$424 - Children's Centres - Belrose Long Day Care (AC 27015).

NOTIFICATION

Nine (9) adjoining property owners were notified of the proposal. During the 14 day notification period, two (2) letters of objection were submitted. The objections raised are as follows:-

1. Loss of privacy.

Comment: The proposal provides for small windows along the side and generally faces out to the rear of the property. The exception being the dining room window. A condition has been imposed requiring the window to be of highlight design to prevent overlooking. This objection is not given determining weight.

2. Excessive height.

Comment: The subject site drops away from street level. This results in the extensions being elevated. The overall height has been minimised by floor level changes and roof design. The maximum height of the proposal is 4.5m.

3. Loss of views.

Comment: The proposal will not result in an unreasonable level of view reduction. This objection is not given determining weight.

4. Loss of value.

Comment: The proposal is considered satisfactory having regard to all relevant considerations. The development will present a single dwelling and no adverse impacts are anticipated on adjoining properties. In light of the above this objection cannot be substantiated.

5. Loss of sunshine and light.

Comment: The subject property runs north/south. Thus it is not anticipated that the proposal will result in unreasonable reductions in levels of solar access.



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Report to Development Unit,

## 6. Carports inappropriate.

Comment: The proposed carports are located behind the building line. The design of the dwelling has been considered in the design of the carports and it is considered that the design is appropriate.

CONCLUSION

The proposal has been assessed in accordance with the provisions of Section 90 of the Environmental Planning and Assessment Act, 1979, SREP No.12, SEPP 25, WLEP 1985, Council's Policy for Dual Occupancy Development and Subdivision and other relevant codes and policies.

The design is considered to be reasonable and appropriate to the site and is accordingly recommended for approval subject to conditions.

RECOMMENDATION (Consent)

A That the application for alterations and additions to create an attached dual occupancy at Lot 1, Sec 193, DP 245524, No.62 Iris Street, Frenchs Forest be approved subject to the following conditions;

1. Development being generally in accordance with Dwg No.9303/P1,S2, P3D4, E5, D6, D7, dated June 94, submitted 15th July 1994 as modified by any conditions of this consent/approval.(A1)
2. The use not commencing until such time as the requirements of this consent have been carried out to Council's reasonable satisfaction.(A2)
3. The colours, texture and substance of all external components of the building and hard surfaced areas being submitted for approval with the Building Application. In this regard, finishes are to be consistent with the existing dwelling.(A4)
4. The payment of the following contributions pursuant to section 94 of the Environmental Planning and Assessment Act 1979, as amended prior to the release of building approval or linen plan of subdivision.

Plan 7 - \$250 - Open Space - Frenchs Forest Large Park (AC 27009)  
Plan 10 - \$424 - Children's Centres - Belrose Long Day Care (AC 27015).

The above amounts are subject to quarterly adjustment based on economic trends. They are current until such adjustment. Final assessment will be made at the time of payment prior to release of building approval having consideration of such revised adjustments.(A7)

5. Driveways to be constructed of decorative materials such as exposed aggregate, pattern stamped concrete, paving bricks or similar to Council's satisfaction.(All)



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6. The provision of 3 paved carparking spaces to be used solely for carparking purposes.(B1)
7. A separate garbage service shall be provided to each dwelling in the development, charged at the current rate.(D1)
8. The applicant to install electricity supply in an underground formation to each and/or the second dwelling unless otherwise approved by Council.(D2)
9. The land is subject to a Tree Preservation Order and no trees may be removed without the prior consent of Council.(J2)
10. The proposed dining room window on the western elevation is to be amended to be of highlight design. In this regard the floor to sill height is to be 1.6m (minimum) or of an alternative design to prevent overlooking of the adjoining property to the satisfaction of Council. Details to be submitted with the Building Application.
11. Bathroom 1 being ventilated in accordance with the provision of Part F4 of the Building Code of Australia.(W4)
12. Wall between occupancies to have a Fire Resistance Level of not less than 60/60/60. This wall is to be taken to the underside of non-combustible roof material/eaves, in accordance with Part C of the Building Code of Australia. Details to be submitted with the Building Application.(W13d)
13. The installation of a smoke alarm system complying with AS3786, connected to the mains electrical power and having a standby power supply to each storey of every dwelling in accordance with Clause E1.7 of the Building code of Australia.(W35)
14. The provision of a drainage easement over downstream properties to Council's satisfaction to receive collected stormwater from No.62 Iris Street. Such easement to be created and lodged with the Land Titles Office prior to release of building approval.(W26)
15. The development shall not harm the environment by way of denudation of the land, soil erosion or the transmission of soil and sediment from the land. Appropriate mitigation measures are to be implemented during the construction of the development and the future use of the land.(L1)
16. Proposed balcony 1 is to be screened on the eastern side to a height of 1.6m above floor level to prevent overlooking of the adjoining dwelling. Details to be submitted with the Building Application.



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11 SEP 1995Report to Development Unit,

17. All works on the site shall be undertaken to prevent erosion and transport of soil and sediment off the site and onto adjoining properties. Measures shall be taken in accordance with the requirements of Council's Specification for Erosion and Sediment Control. An erosion and sediment control plan shall be submitted for Council's approval prior to Building Approval. (L2)
18. The payment of \$1000 to account Reg 009-\*TF 036 prior to issue of building approval or approval for subdivision works as security to ensure that:
- a) all silt and sediment control measures are installed and maintained;
  - b) there is no transmission of material, soil etc off the site and onto the public road and/ or drainage systems; and
  - c) maintenance of all facilities in accordance with Council's Specification for Erosion Control and Sediment Control.(L3)
19. Provision shall be made throughout the period of construction to prevent transmission of soil to the public road and drainage system by vehicles leaving the site. Details to be included with the Erosion and Sediment Control plan for the site.(L4)
20. The provision of an on-site stormwater detention facility to control the rate of stormwater runoff from the site in accordance with Council's "Specification for On-site Detention System Design".(R3)
21. Restoration and maintenance to approved levels and safe condition of the footway reserve/s adjoining the site Iris Street to Council's reasonable satisfaction.(S4)
22. The public footways and roadways adjacent to the site shall be maintained at all times during the course of the work in a safe condition to the satisfaction of Council.(S7)
23. Provision of 1 vehicle crossing, 3.5 metres wide to Council's satisfaction and in accordance with Council Drawing No.A43330 to approved levels and specifications. An application for street levels is to be made with the Building Application.(T1)
24. Prior to finalising detailed designs of the proposed development, the applicant should check all existing public service utilities adjacent to the site and ensure that where necessary appropriate arrangements are made for the relocation and/or adjustment of any services at the applicant's expense.(U4)

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Report to Development Unit,

25. The requirements of condition ending in code R3 shall be designed and supervised during the works by an Engineer with qualifications and expertise recognised by the Institution of Engineers Australia as being adequate for the purpose. The Engineer shall certify to Council's satisfaction prior to occupation, the issue of a certificate of classification or release of Linen Plan of Subdivision that the works have been completed strictly in accordance with the approved design and to appropriate standards of workmanship.(U6)
25. All fences, letter boxes and any other structures erected on the street alignment to conform to the approved back of footpath levels.(V2)
27. Building waste containers or "skips" and the like are not to be placed within the public road reserve unless prior approval from Council has been obtained and appropriate fees paid.(V6)
28. The provision of a piped stormwater drainage system incorporating the on-site stormwater detention system, to adequately drain all collected stormwater from the site to Council's satisfaction.(D3)
29. The provision of separate electricity, gas, Telecom, sewer and water services to each lot.(D15)
30. Plant and building materials should not be placed or stored within the public road reserve , and shall be stored within the boundaries of the site during building works. Failure to comply with this condition may result in Council taking action to remove the offending items from the public road reserve and all costs incurred by Council will be deducted from any deposit monies held in relation to the subject property.(D18)
31. The submission to Council of Compliance Certificate issued from Sydney Water in accordance with the provisions Division 9, Section 73 of the Water Board Corporatisation Act 1994. Such certificate is to be submitted to Council prior to release of Building Approval.(P1)
32. Balcony 1 shall be set back a minimum of 900mm from any proposed boundary.
- B. That the applicant be advised that the application is unable to be determined as a joint development/building application as conditions above are required to be satisfied prior to release of the Building Approval. The Building Application will be held in abeyance pending submission of those details.

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Chairman

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Report to Development Unit,

(signed)

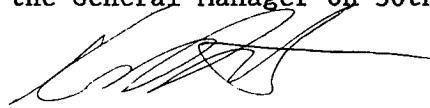
(date)

DECISION OF DEVELOPMENT UNIT 11 SEP 1995 :

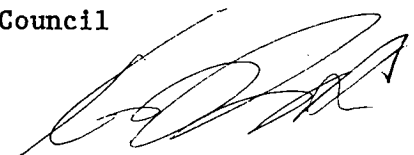
**ADOPTED**

INSTRUMENT OF EXERCISE OF DELEGATED AUTHORITY

The within application for DEVELOPMENT CONSENT is hereby DETERMINED as set out above, including any additional conditions/reasons, pursuant to delegated authority granted by the General Manager on 30th September, 1993.



CHAIRMAN



## Attachment B – Approved Subdivision Documentation



# Warringah Council

PF 2330/62..KS.LP/7173D  
Ms Jillian Sneyd  
8.30-10am, Mon-Fri

13th December, 1995

Mr & Mrs P Edwards  
62 Iris Street  
FRENCHS FOREST NSW 2086

Dear Mr & Mrs Edwards

re: Proposed Development for Torrens title subdivision of an  
approved attached dual occupancy at Lot 1, DP 245524, No.  
62 Iris Street, Frenchs Forest

I have pleasure in attaching Consent No. 95/605 under Section 91 of  
the Environmental Planning & Assessment Act, 1979, and a copy of the  
appropriately stamped plan to which Consent has been granted.

I am also pleased to advise that Council is prepared to approve of  
the subdivision under Part XII of the Local Government Act, subject  
to the following conditions:-

1. Development being generally in accordance with plans numbered  
Dwg No. 9303/S2B, dated 9.95, submitted 28.9.95 as modified by  
any conditions of this consent/approval.(A1)
2. Submission of final plan of subdivision and nine copies,  
prepared in accordance with the requirements of the  
Conveyancing Act. All plans of survey are to show connections  
to at least two Survey Co-ordination Permanent Marks.(P5)
3. Council will release the linen plan of subdivision at any time  
within a period of 2 years from the date of this approval.  
Should these conditions not be complied with in the above time  
a new application will be required subject to Council's  
current standards/practices.(P6)
4. Compliance with the conditions contained in the development  
consent attached hereto.(P8)
5. Street numbers are to be displayed on the building or property  
in accordance with Councils requirements. The allocation of  
these numbers is to be obtained from Council.(V1)

6. The submission of a plan prepared by a registered surveyor showing the location of water, gas, Telecom, electricity and stormwater drainage in relation to boundaries and/or relevant easements. The plan should be a copy of the final plan of subdivision on which the above items are clearly annotated. The plan should be accompanied by a statement certifying the location of services and structures shown.(D14)

Before committing yourself to further expenditure in relation to this subdivision, you are advised to satisfy yourself that you are able to comply with all of Council's conditions.

If there is any aspect of the decision that you are uncertain of or unclear about, or if you would like to further discuss anything in connection with it, please do not hesitate to contact the referred to enquiry officer, who will be happy to assist you.

Finally, you are advised that you have a right of appeal to the Land & Environment Court against Council's decision, or against any condition imposed in connection therewith.

Yours faithfully



K Smith  
CHAIRMAN, DEVELOPMENT UNIT



# Warringah Council

PF 2330/62 KS.LP/7173D

*CONSENT NO: 95/605*

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

NOTICE TO APPLICANT OF DETERMINATION

OF A DEVELOPMENT APPLICATION

Applicant's Name and Address: Mr & Mrs P Edwards, 62 Iris Street,  
FRENCHS FOREST NSW 2086

Being the applicant in respect of Development Application  
No. 1995/326.

Pursuant to section 92 of the Act, notice is hereby given of the  
determination by Warringah Council, as the consent authority, of the  
Development Application No. 1995/326 relating to the land described  
as follows:-

Lot 1, DP 245524, No. 62 Iris Street, Frenchs Forest.

For the following development:-

Torrens title subdivision of an approved attached dual occupancy.

The Development Application has been determined by granting of  
consent subject to the following conditions:-

1. Development being generally in accordance with plans numbered  
Dwg 9303/S2B, dated 9.95, submitted 28.9.95 as modified by any  
conditions of this consent/approval.(A1)
2. The provision of separate electricity, gas, Telecom, sewer and  
water services to each lot.(D15)
3. The creation of reciprocal Rights of Carriageway for both lots  
over the driveway and vehicular turning area.(D17)
4. The creation of easements to drain water in favour of either  
proposed lot over the stormwater drainage and detention system  
where it drains through the other proposed lot.(D8)
5. Compliance with the conditions contained in the Part XII  
approval attached hereto.(P7)
6. The submission to Council of Compliance Certificate issued  
from Sydney Water in accordance with the provisions Division  
9, Section 73 of the Water Board Corporatisation Act 1994.  
Such certificate is to be submitted to Council prior to  
release of Building Approval or linen plan of subdivision,  
whichever occurs first.(P1)



# Warringah Council

PF 2330/62 KS.LP/7173D

## CONSENT NO: 95/605

7. Creation of a Positive Covenant on the title of the land requiring the proprietor of the land to maintain any water quality control and/or stormwater detention structures required by this Consent, in accordance with the standard requirements of Council. The Positive Covenant is to be prepared by the applicant using terms acceptable to, and which are available from Council.(N8)
8. That the applicant be advised that an approval under Part XII of the Local Government Act must be obtained to enable the subdivision to be effected.( P3)
9. Compliance with Consent No. 95/486 prior to release of linen plan of subdivision.

The reason for the imposition of the above consent conditions is as follows:-

To ensure that the development consented to is carried out in such a manner as to achieve the objectives of the Environmental Planning and Assessment Act, pursuant to section 5(a) of the Act, having regard to the relevant matters for consideration contained in section 90 of the Act and the Environmental Planning Instrument applying to the land, as well as section 91(3) of the Act which authorises the imposing of the consent conditions.

Endorsement of date of consent 14 DEC 1995

**IMPORTANT:** You are advised to read these notes in addition to the Conditions of your consent.

- (1) It is to be clearly understood that the above consent is not an approval to carry out any structural work. A formal building application must be submitted to Council and be approved before any structural work is carried out to implement the above consent. Also the applicant is not relieved of any obligation to obtain any other approval required under any other Act.
- (2) The foregoing determination was taken under delegated authority on behalf of the elected Council and, pursuant to Council policy, if you are dissatisfied with the determination you may request the Council to review the determination.
- (3) Section 97 of the Environmental Planning and Assessment Act confers on the applicant who is not satisfied with the determination of the consent authority a right of appeal to the Land and Environment Court exercisable within 12 months of receipt of this notice.
- (4) This consent shall be effective and operative from the endorsement date of this consent; however should an appeal be lodged against Council's determination of the application, the consent shall cease to be, or shall not become, operative, until that appeal is determined. See section 93 of the Act.





# Warringah Council

PF 2330/62 KS.LP/7173D

## *CONSENT NO: 95/605*

- (5) For information about the circumstances in which this consent may lapse; about commencement of a development granted consent; about extension of the consent; and about the circumstances in which Council may require completion of the development, see Section 99 of the Act.
- (6) For information about the procedure for the modification of this consent by Council, see Section 102 of the Act.
- (7) Any person who contravenes this notice of determination of the abovementioned development application shall be guilty of a breach of the Environmental Planning and Assessment Act, 1979, and shall be liable to a monetary penalty and for a restraining order which may be imposed by the Land and Environment Court.

R Kent  
DIRECTOR ENVIRONMENTAL MANAGEMENT

per:

Date 14 DEC 1995

## DUAL OCCUPANCY CHECKLIST/FILE NOTE

Sydney Regional Environmental Plan 12 - DUAL OCCUPANCY  
 State Environmental Planning Policy 25 - DUAL OCCUPANCY SUBDIVISION  
 Warringah Council - DUAL OCCUPANCY POLICY

## 1. What are the details of the application?

File: PF 2330/62

Development Application No.: 1995/326

Property Description: Lot 1, DP 245524 62 Ivis St

Planning Control: 2(a). Frencho Forest

DNLEP 2/300 - a 7. - saving provision applies

2. Does the application require notification? ☒ Yes/No

What date were letters sent? 25/5/95

Did they get sent to the correct addresses? ☒ Yes/NoIf NO, were additional letters sent? ☒ Yes/No

What date were additional letters sent? / / or n.a.

## 3. What type of development is proposed (tick appropriate)

(i) Dual occupancy ( )

(ii) Dual occupancy subdivision ( ☒ )

(iii) Both (i) and (ii) ( )

4. Is subdivision permissible? ☒ Yes/No

Proposal is presented development  
 for the purposes of SEPP 25 (Amendment 4)

5. Does the proposal comply with numerical development standards contained in SREP 12, SEPP 25 and Council's Dual Occupancy Policy?

DEVELOPMENT STANDARDS

<u>STANDARD</u>	<u>REQUIRED</u>	<u>PROPOSED</u>	<u>COMPLIES</u>
<u>SREP No.12</u>			
Min site Area	400m <sup>2</sup> attached 600m <sup>2</sup> detached	864.7m <sup>2</sup>	Yes/No
FSR	0.5:1 (max)	0.25:1	Yes/No
Height of second dwelling house	3.6 (max)	NA	Yes/No
Carparking	1 space/dwelling less than 125m <sup>2</sup> g.f.a. 2 spaces/dwelling greater than 125m <sup>2</sup> g.f.a.	3	Yes/No
<u>SEPP No.25 (if applicable)</u>			
Min site area	as above	As Above	Yes/No
Carparking	as above		Yes/No
<u>Dual Occupancy Policy</u>			
Site Landscaping	33% min	56%	Yes/No
Private Open Space	50m <sup>2</sup> /dwelling (attached) 80m <sup>2</sup> /dwelling (detached)	166 & 251m <sup>2</sup>	Yes/No
FSR	0.5:1 per dwelling	0.25:1	Yes/No

6. (i) Is there is any proposal to vary a statutory development standard?

Yes/No

- (ii) If YES, has a SEPP 1 objection been lodged with the application?

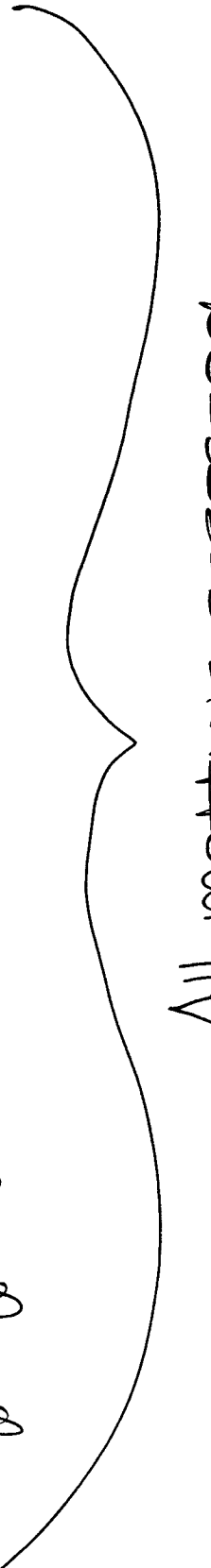
Yes/No

7. Are details of the SEPP 1 objection attached to the D.U. report?

Yes/No



8. Does the dual occupancy development adequately address the following issues?

	<u>ISSUE</u>	<u>YES/NO</u>	<u>COMMENT</u>
(i)	Privacy and access to natural light	Yes	 All matters assessed with original Dual Occ Assessment.
(ii)	Heritage item	NA	
(iii)	Services	Yes	
	- water supply		
	- sewer connection		
	- stormwater		
	- on-site detention		
(iv)	Urban bushland	NA	
(v)	Carparking design in accordance with DCP 2 and Building Line Policy	Yes	
(vi)	Vehicular access/driveway widths	Yes	
(vii)	Vehicle footpath crossings	Yes	
(viii)	Building Lines and Building Setback Policy	Yes	
(ix)	Residential amenity	Yes	
(x)	Character design and external appearance	Yes	
(xi)	Space between adjoining buildings	Yes	
(xii)	Use of relocatable or movable dwellings	NA	

- (xiii) - Geotechnical risk  
- Bushfire risk

NO

- (xiv) Garbage disposal

Yes

- (xv) Use of underground power  
lines

Yes

9. (i) Should the linen plan of subdivision be  
released prior to construction of the dual  
occupancy?

Yes/No

- (ii) If NO, has an appropriate condition  
been attached to the Consent?

Yes/No

10. (i) Is subdivision of an existing or planned dual occupancy proposed? Yes/No

(ii) If YES, are the following special conditions listed in SEPP 25, adequately addressed?

	<u>ISSUE</u>	<u>YES/NO</u>	<u>COMMENT</u>
(i)	Adequate waste disposal	Yes	
(ii)	Adequate water supply	Yes	
(iii)	Adequate sewage and stormwater disposal	Yes	
(iv)	Adequate privacy	Yes	
(v)	Adequate solar access	Yes	
(vi)	Adequate access to each lot.	Yes	

11. (i) Are any contributions under Section 94 of Act required?

Yes/No

(ii) If YES, which Section 94 Contribution Plans apply and what contribution is payable?

(iii) Is this development in a Release Area?

Yes/No

(iv) If YES, which of these specific plans apply?

1 7 8 9 10

Section 94 Plan

Account No.

Amount

Total \$ \_\_\_\_\_

12.

Was there any response to notification?

YES/NO

4 submissions  
2 objections.

13.

If YES, what issues were raised and what comments need to be made?

Issues raised relate to the built form of the dual occupancy & not the subdivision. All matters have been considered in assessment of dual occ & are not given determining weight.

(attach separate sheets if space insufficient)

14.

What comments have other Council Divisions made on the application?

Eng - No obj. subject to  
conditions 11/10/95  
H/B - No objections 30/11/95

15.

Are there any other comments?

16.

Does the application require a report to Council?

Yes ☐ No ☒

17.

Based on the above assessment, what is your recommendation for this application?  
(tick appropriate)

Consent subject to conditions ( ☒ )  
Refusal ( ☐ )

J Sneyd  
NAME

William Dyer  
SIGNATURE

24.11.95  
DATE