

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2018/1804
Responsible Officer:	Luke Perry
Land to be developed (Address):	Lot 8 DP 11209, 22 Alfred Road BROOKVALE NSW 2100 Lot 51 DP 839828, 2 Gulliver Street BROOKVALE NSW 2100 Lot 52 DP 839828, 2 A Gulliver Street BROOKVALE NSW 2100 Lot 1 DP 1220407, 37 - 43 Federal Parade BROOKVALE NSW 2100 Lot 7 DP 11209, 20 Alfred Road BROOKVALE NSW 2100
Proposed Development:	Use of land as part of an educational establishment (St Augustine's School)
Zoning:	Warringah LEP2011 - Land zoned R2 Low Density Residential Warringah LEP2011 - Land zoned R2 Low Density Residential Warringah LEP2011 - Land zoned R2 Low Density Residential Warringah LEP2011 - Land zoned R2 Low Density Residential Warringah LEP2011 - Land zoned R2 Low Density Residential
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	The Trustees of the Order of Hermits of St Augustine in Australasia
Applicant:	APG Constructions Pty Ltd
Application lodged:	09/11/2018
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Other
Notified:	19/11/2018 to 05/12/2018
Advertised:	Not Advertised
Submissions Received:	5
Recommendation:	Approval
Estimated Cost of Works:	\$ 86,900.00

ASSESSMENT INTRODUCTION

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

- 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

There are no assessment issues.

SITE DESCRIPTION

Property Description:	<p>Lot 8 DP 11209 , 22 Alfred Road BROOKVALE NSW 2100</p> <p>Lot 51 DP 839828 , 2 Gulliver Street BROOKVALE NSW 2100</p> <p>Lot 52 DP 839828 , 2 A Gulliver Street BROOKVALE NSW 2100</p> <p>Lot 1 DP 1220407 , 37 - 43 Federal Parade BROOKVALE NSW 2100</p> <p>Lot 7 DP 11209 , 20 Alfred Road BROOKVALE NSW 2100</p>
Detailed Site Description:	<p>The proposal relates to land which is commonly known as St Augustine's College (with the exception of No. 20 and No. 22 Alfred Street, No 2 and No. 2A Gulliver Street)</p> <p>The land to which this development application relates to is legally known as 20 Alfred Road, Brookvale: Lot 7 DP11209, 22 Alfred Road, Brookvale: Lot 8 DP11209, 2A Gulliver Street, Brookvale: Lot 52 DP839828, 2 Gulliver Street, Brookvale: Lot 51 DP 839828 and 37-43 Federal Parade, Brookvale: Lot 1 DP 1220407.</p> <p>The St Augustine's College campus (Primary and Secondary school) has frontages to Federal Parade to the north, Alfred Road to the east, Gulliver Street to the south and Consul Road to the west.</p>

Vehicular access to the site is currently available from Alfred Street, Gulliver Street and Federal Parade. The school bus zones and student drop off/pick up zone is within Alfred Street. The formal car parking for the school is within the school grounds and the open car park facing Gulliver Street.

The site is not listed as containing any a heritage items, nor is it located within a conservation area. The land is not identified as being bushfire prone land. The site is on Council's Landslip Risk Mapping as 'Area A' with no significant landslip risk. The dominant land use to the west and to the north are primarily low density residential dwelling houses, with two storey medium density development on the southern side of Gulliver Street. Other major land uses to the east and south of the site include Brookvale Park and Sports Stadium, Brookvale Primary School and mixed business uses along Pittwater Road.

St Augustine's College is characterised by clustered school buildings interspersed with wide setbacks and landscaped street frontages to the public domain.

Map:



SITE HISTORY

Complying Development Certificates

Complying development certificates for demolition works were issued by a Private Certifier in late December 2018 for demolition works at No. No. 20 and No. 22 Alfred Road, No. 2 and No. 2A Gulliver Street, Brookvale.

Development Application No.2013/1336 for Alterations and additions to an Educational Establishment (St. Augustine's College), including regularising an increase in enrollments to 1150, was approved by

way of a Deferred Commencement on 19 June 2014. The deferred matters were satisfied on 13 November 2014 and site works have subsequently commenced, including demolition of the former primary school building. This application has been modified twice since the original approval.

PROPOSED DEVELOPMENT IN DETAIL

The proposal seeks consent for the demolition of existing buildings and use of the land as an educational establishment (St Augustine's College).

Demolition works are proposed at No. 20 and No. 22 Alfred Road, No. 2 and No. 2A Gulliver Street, Brookvale.

Use of land as an educational establishment is proposed for No. 20 and No. 22 Alfred Road, No. 2, No. 2A and No. 4 Gulliver Street, No. 33 Consul Road Brookvale to be used in conjunction with 37-43 Federal Parade, Brookvale (existing school site).

APPLICATION HISTORY

A search of Council's records indicates that Complying Development Certificates for the demolition of structures at No. 20 and No. 22 Alfred Road, No. 2 and No. 2A Gulliver Street, Brookvale were issued in late December 2018. Subsequent site inspections and correspondence received from the Applicant confirm this. As a result of these works demolition works no longer form part of this application. This application is for use of land as an educational establishment only.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

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

Section 4.15 Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on "Environmental Planning Instruments" in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	None applicable.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clause 50(1A)</u> of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application.</p> <p><u>Clauses 54 and 109</u> of the EP&A Regulation 2000, Council requested additional information and has therefore</p>

Section 4.15 Matters for Consideration'	Comments
	<p>considered the number of days taken in this assessment in light of this clause within the Regulations. No additional information was requested.</p> <p><u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This clause is not relevant to this application.</p> <p><u>Clauses 93 and/or 94</u> of the EP&A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This clause is not relevant to this application.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This clause is not relevant to this application.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p> <p><u>Clause 143A</u> of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building designer prior to the issue of a Construction Certificate. / This clause is not relevant to this application.</p>
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report.</p> <p>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the relevant Development Control Plan.

As a result of the public exhibition process council is in receipt of 5 submission/s from:

Name:	Address:
Ms Emilia Saez Nieto	74 Federal Parade BROOKVALE NSW 2100
Carolyn Joyce Ali	47 Federal Parade BROOKVALE NSW 2100
Mr Paul Karl Stephens	PO Box 576 BROOKVALE NSW 2100
Joanne Carrie Haubus	35 Consul Road BROOKVALE NSW 2100
Nerida Joy Walton	16 Alfred Road BROOKVALE NSW 2100

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

- **Future building works**
- **Noise**
- **Trespassing**

The matters raised within the submissions are addressed as follows:

- **Future building works**

All of the submissions received raise concerns regarding building works, future building works and the impact upon surrounding properties and the local area.

Comment:

There are no building works proposed as part of this application. The proposal relates to the use of land, namely No. 20 and No. 22 Alfred Road, No. 2, No. 2A and No. 4 Gulliver Street, No. 33 Consul Road Brookvale, to be used in-conjunction with 37-43 Federal Parade, Brookvale (existing school site).

The matter of future building works are not a matter for consideration under this application and will be considered as part of any future development application made to Council for works on the subject site. The application is silent with respect of the intended use of the new allotments (open space or class rooms etc), however the proposed use of the land as an educational establishment is permissible with consent within the R2 Low Density Residential zone and the

use of the land is consistent with the school's normal activities.

It is noted that the approval of this application will allow for the school to exercise its rights to redevelopment the school site in accordance with the requirements and criteria outlined within the the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017. However, this Policy overrides Council controls and any plans to redevelopment the school utilising the provisions of this Policy should be raised with the School directly.

This matter does not warrant refusal of the application.

- **Noise**

Concern is raised that the approval of this application will increase the noise impact upon nearby properties.

Comment:

The subject site and surrounding properties are all located within close proximity to the school which has been in operation for a considerable length of time.

The approval of this application for the use of a number of sites in-conjunction with the existing school is not expected to result in any adverse acoustic impacts on nearby properties given the current use of the site and existing prominence within the locality.

This matter does not warrant refusal of the application.

- **Trespassing**

Concern is raised that the use of the subject site as a school will result in students trespassing onto adjoining properties.

Comment:

The matter of trespassing is a civil matter and not relevant to the assessment of this application or applicable planning legislation. However, it is noted that the proposal will result in the use of a number of parcels of land in-conjunction with the existing school that are currently used for residential purposes. Given the nature of the proposed land use it is considered reasonable to impose a condition requiring the erection of a 1.8 metre high lapped and capped boundary fence along the boundaries that the school site shares with residential properties. A condition to this effect has been included in the recommendation of this report.

This matter has been resolved by the imposition of a suitable condition.

MEDIATION

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

REFERRALS

No referrals were sent in relation to this application

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP 55 - Remediation of Land

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

SEPP (Infrastructure) 2007

Ausgrid

Clause 45 of the SEPP requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Comment:

The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

Warringah Local 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

No building works are proposed as part of this application and therefore no development standards are applicable to the assessment of the application.

Compliance Assessment

Clause	Compliance with Requirements
2.7 Demolition requires consent	Yes
4.3 Height of buildings	N/A
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes

Warringah Development Control Plan

Built Form Controls

No building works are proposed as part of this application and therefore there are not built form controls applicable to the assessment of the application.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
C2 Traffic, Access and Safety	Yes	Yes
C5 Erosion and Sedimentation	Yes	Yes
C8 Demolition and Construction	Yes	Yes
D3 Noise	Yes	Yes
D21 Provision and Location of Utility Services	Yes	Yes
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly effect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Northern Beaches Council Contributions Plan 2018

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

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;
- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- 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 DA2018/1804 for Use of land as part of an educational establishment (St Augustine's School) on land at Lot 8 DP 11209, 22 Alfred Road, BROOKVALE, Lot 51 DP 839828, 2 Gulliver Street, BROOKVALE, Lot 52 DP 839828, 2 A Gulliver Street, BROOKVALE, Lot 1 DP 1220407, 37 - 43 Federal Parade, BROOKVALE, Lot 7 DP 11209, 20 Alfred Road, BROOKVALE, subject to the conditions printed below:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

1. **Approved Plans and Supporting Documentation**

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

a) Approved Plans

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Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
A-1003 Revision 01	09/11/18	FJMT Architecture

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

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

2. **Prescribed Conditions**

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);
- (c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
 - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
 - (i) in the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of that Act,
 - (ii) in the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.
- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (i) protect and support the adjoining premises from possible damage from the

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

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

Reason: Legislative Requirement

3. **General Requirements**

- (a) Unless authorised by Council:
Building construction and delivery of material hours are restricted to:

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

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

- (b) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (c) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- (d) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (e) Prior to the release of the Construction Certificate, payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.

- (f) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (g) No building, demolition, excavation or material of any nature and no hoist, plant and machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (h) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (i) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.
- (j) Prior to the commencement of any development onsite for:
 - i) Building/s that are to be erected
 - ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
 - iii) Building/s that are to be demolished
 - iv) For any work/s that is to be carried out
 - v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.
- (k) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.
 - (1) Child resistant fencing is to be provided to any swimming pool or lockable cover to any spa containing water and is to be consistent with the following;

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

 - (i) Swimming Pools Act 1992
 - (ii) Swimming Pools Amendment Act 2009
 - (iii) Swimming Pools Regulation 2008
 - (iv) Australian Standard AS1926 Swimming Pool Safety
 - (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
 - (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.
 - (2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.
 - (3) Filter backwash waters shall be conveyed to the Sydney Water sewerage system in sewered areas or managed on-site in unsewered areas in a manner that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.
 - (4) Swimming pools and spas must be registered with the Division of Local

Government.

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

FEES / CHARGES / CONTRIBUTIONS

4. **Security Bond**

A bond (determined from cost of works) of \$1,500 and an inspection fee in accordance with Council's Fees and Charges paid as security to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

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

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

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

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

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

5. **Consolidation of Lots or Restrictive Covenant**

Lot 7 DP11209, Lot 8 DP11209, Lot 52 DP839828, Lot 51 DP 839828 and Lot 1 DP 1220407 must be consolidated as one (1) allotment and registered on a survey plan (prepared and signed by a Registered Surveyor) with the NSW Land & Property Information Service (NSW Department of Lands).

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

Reason: To ensure development is not constructed over property boundaries

6. **Boundary fencing**

A 1.8 metre high lapped and capped boundary fence is to be erected along the boundaries that the subject site shares with residential properties.

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

Reason: To protect private property.

7. **Landscaping**

The following lots are to be grassed:

- Lot 7 DP11209;
- Lot 8 DP11209;
- Lot 52 DP839828; and
- Lot 51 DP 839828.

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

Reason: To ensure the site is suitable for its approved use.

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

Signed



Luke Perry, Principal Planner

The application is determined on 17/01/2019, under the delegated authority of:



Steven Findlay, Manager Development Assessments