

## DEVELOPMENT APPLICATION ASSESSMENT REPORT

<b>Application Number:</b>	DA2020/0704
----------------------------	-------------

<b>Responsible Officer:</b>	Gareth David
<b>Land to be developed (Address):</b>	Lot 5 DP 271139, 59 Lorikeet Grove WARRIEWOOD NSW 2102
<b>Proposed Development:</b>	Construction of a dwelling house
<b>Zoning:</b>	R3 Medium Density Residential
<b>Development Permissible:</b>	Yes
<b>Existing Use Rights:</b>	No
<b>Consent Authority:</b>	Northern Beaches Council
<b>Land and Environment Court Action:</b>	No
<b>Owner:</b>	Pauline Victoria Frewen John Christopher Frewen
<b>Applicant:</b>	Kate Frewen

<b>Application Lodged:</b>	26/06/2020
<b>Integrated Development:</b>	No
<b>Designated Development:</b>	No
<b>State Reporting Category:</b>	Residential - Single new detached dwelling
<b>Notified:</b>	06/07/2020 to 20/07/2020
<b>Advertised:</b>	Not Advertised
<b>Submissions Received:</b>	0
<b>Clause 4.6 Variation:</b>	Nil
<b>Recommendation:</b>	Approval

<b>Estimated Cost of Works:</b>	\$ 350,000.00
---------------------------------	---------------

### PROPOSED DEVELOPMENT IN DETAIL

The development application seeks consent for the construction of a new two (2) storey dwelling house.

The dwelling will consist of the following:

#### Ground Floor

- Living room
- Dining room
- Kitchen
- One (1) Bedroom and ensuite
- Laundry

- WC
- Porch
- Single garage

#### First Floor

- Three (3) bedrooms
- Ensuite
- Bathroom
- Rumpus Room

#### External

- Driveway
- Landscaping
- Fencing

### **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**

Pittwater Local Environmental Plan 2014 - 1.9A Suspension of covenants, agreements and instruments  
Pittwater 21 Development Control Plan - B6.3 Off-Street Vehicle Parking Requirements  
Pittwater 21 Development Control Plan - D16.12 Fences

### **SITE DESCRIPTION**

--	--

<b>Property Description:</b>	Lot 5 DP 271139 , 59 Lorikeet Grove WARRIEWOOD NSW 2102
<b>Detailed Site Description:</b>	<p>The subject site consists of one (1) allotment located on the north-western side of Lorikeet Grove. The site is located within the R3 Medium Density Residential zone and is currently vacant.</p> <p>The site is corner allotment with a primary frontage of 7.5m along Lorikeet Grove and two secondary frontages to Bubalo Street consisting of a splayed frontage of 7.55m and a another frontage measuring 22.64m. Side boundaries measure 28.415m and 10.52m respectively.</p> <p>The site has a surveyed area of 303.6m<sup>2</sup>. The site is relatively flat with with a fall of 0.2m towards the south-western boundary.</p> <p>The site is currently cleared of all significant vegetation or landscape features.</p> <p>Adjoining and surrounding development within the immediate vicinity of the subject site is characterised by vacant residential allotments and new dwelling houses under construction, along with existing low density residential development across Warriewood Road.</p>

Map:



## SITE HISTORY

- Development Application **N0491/16** for the subdivision of land and associated civil infrastructure was refused on the 8 March 2017
- An appeal (No. 53907 of 2017) of Development Application **N0491/16** was upheld with the Land and Environment Court, 29 November 2017, with the development application approved based

on amended plans and orders of the Court arising from a conciliation conference conducted pursuant to Section 34 of the Land and Environment Court Act 1979 (LEC Act 1979)

- Modification Application **Mod2019/0343** of Development Consent N0491/16 was lodged with Council pursuant to the provisions of Section 4.56 of the Environmental Planning and Assessment Act 1979. This application is yet to be determined.
- Subdivision Certificate **SC2019/0032** for the approved subdivision under Development Consent N0491/16 was endorsed by Council on the 6 December 2019. This subdivision plan has since been registered with Land and Property Information NSW, with the subject site now being formally identified as Lot 5 DP 271139 (59 Lorikeet Grove, Warriewood).

Note: This site history relates only to the individual allotment legally referred to as Lot 5 DP 271139 (59 Lorikeet Grove, Warriewood) and does not include applications relating to other properties located within the approved subdivision.

## APPLICATION HISTORY

### 18 May 2020

Council wrote to the applicant, raising concerns in relation to:

- The extent of the dwelling being located outside of the restrictive covenant building footprint
- Landscaped area non-compliance
- Non-compliance with D16.12 Fences Control of DCP

### 26 August 2020

Amended plans and additional information were submitted.

The amendments included:

- Reduction in the building footprint
- Increase in landscaped area
- Amendment of proposed fencing

## 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	Draft State Environmental Planning Policy (Remediation of Land) seeks to replace the existing SEPP No. 55 (Remediation of Land). Public consultation on the draft policy was completed on 13 April 2018. The subject site has been used for residential purposes for an extended period of time. The proposed development retains the residential use of the site, and is not considered a contamination risk.
Section 4.15 (1) (a)(iii) – Provisions	Pittwater 21 Development Control Plan applies to this proposal.

Section 4.15 Matters for Consideration'	Comments
of any development control plan	
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&amp;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&amp;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&amp;A Regulation 2000 allow Council to request additional information. Additional information was requested in relation to amended plans.</p> <p><u>Clause 92</u> of the EP&amp;A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent.</p> <p><u>Clauses 93 and/or 94</u> of the EP&amp;A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This matter has been addressed via a condition of consent.</p> <p><u>Clause 98</u> of the EP&amp;A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter has been addressed via a condition of consent.</p> <p><u>Clause 98</u> of the EP&amp;A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p>
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) <b>Environmental Impact</b> The environmental impacts of the proposed development on the natural and built environment are addressed under the Pittwater 21 Development Control Plan section in this report.</p> <p>(ii) <b>Social Impact</b> The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) <b>Economic Impact</b> 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 Matters for Consideration'	Comments
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 classified as bush fire prone land. Section 4.14 of the Environmental Planning and Assessment Act 1979 requires Council to be satisfied that the development conforms to the specifications and requirements of the version (as prescribed by the regulations) of the document entitled Planning for Bush Fire Protection.

A Bush Fire Report was submitted with the application that included a certificate (prepared by Bushfire Planning & Design, dated 17/04/2020) stating that the development conforms to the relevant specifications and requirements within Planning for Bush Fire Protection. The recommendations of the Bush Fire Report have been included as conditions of consent.

## NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited from 06/07/2020 to 20/07/2020 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the relevant Development Control Plan.

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

## REFERRALS

Internal Referral Body	Comments
Landscape Officer	<p>The proposal for the erection of a new dwelling and associated works, in terms of landscape is acceptable, subject to conditions to provide an amended landscape plan for approval, the subsequent completion of landscaping, and subject to conditions to protect existing street tree planting.</p> <p>Council's Landscape Referral staff have assessed the proposal against the following Pittwater 21 DCP Controls: B4.22 Preservation of Trees and Bushland Vegetation C1.1 Landscaping D16 Warriewood Valley Locality, and in particular D16.5 Landscaped Area for Newly Created Individual Allotments and D16.12 Fences</p> <p>A Landscape Plan is provided with the development application. The</p>



Internal Referral Body	Comments
	<p>Landscape Plan does not satisfy the landscape controls of clause D16.5 Landscaped Area for Newly Created Individual Allotments requirements in terms of landscape design information including selection of planting, sizes, and quantities, and conditions of consent shall be imposed for approval of an Amended Landscape Plan prior to the issue of a Construction Certificate.</p> <p>No Arboricultural Impact Assessment report is provided, nor required in this instance. The site does not contain any trees of significance. The existing street trees along the Lorikeet Grove and Bubalo Street frontage must be protected during all stages of works.</p>
NECC (Coast and Catchments)	<p>The application has been assessed in consideration of the <i>Coastal Management Act 2016</i>, State Environmental Planning Policy (Coastal Management) 2018 and has also been assessed against requirements of the Pittwater LEP 2014 and Pittwater 21 DCP.</p> <p><b>Coastal Management Act 2016</b> The subject site has been identified as being within the coastal zone and therefore <i>Coastal Management Act 2016</i> is applicable to the proposed development.</p> <p>The proposed development is in line with the objects, as set out under Clause 3 of the <i>Coastal Management Act 2016</i>.</p> <p><b>State Environmental Planning Policy (Coastal Management) 2018</b> As the subject site has been identified as being within the coastal zone and therefore SEPP (Coastal Management) 2018 is also applicable to the proposed development.</p> <p>The subject land has been identified as the 'Proximity Area to Coastal Wetlands' on the 'Coastal Wetlands and Littoral Rainforest Area Map but not been included on the Coastal Vulnerability Area Map under the State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP). Hence, Clauses 11 and 15 of the CM SEPP apply for this DA.</p> <p>Comment:</p> <p>On internal assessment, the DA satisfies requirements under clauses 11 and 15 of the CM SEPP.</p> <p>As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Coastal Management) 2018.</p> <p>Other sections of the Council may contribute further assessment on SEPP (CM).</p>

Internal Referral Body	Comments
	<p><b>Pittwater LEP 2014 and Pittwater 21 DCP</b></p> <p>No other coastal related issues identified.</p> <p>As such, it is considered that the application does comply with the requirements of the coastal relevant clauses of the Pittwater LEP 2014 and Pittwater 21 DCP.</p>
NECC (Development Engineering)	No objections to the proposed dwelling subject to conditions.
NECC (Stormwater and Floodplain Engineering – Flood risk)	This property is not flood affected (the ground was raised as part of the earthworks for the whole development area).
NECC (Water Management)	<p>This application has been assessed and is compliant with the Water Management Report Rev 7 for 41Warriewood Road and the Warriewood Valley Water Management Specification.</p> <ul style="list-style-type: none"> <li>- Water quality management has otherwise been dealt with under the subdivision application</li> <li>- The applicant has included a suitably sized rainwater tank</li> <li>- Adequate sediment controls are proposed.</li> </ul> <p>The lot is limited to 65% impervious area - the area restricted by the size of the bio-retention basin that provides detention and water treatment for the subdivision. Particular care should be taken to ensure sediment does not enter the street gutters, as this will impact the bio-retention basin for 41 Warriewood Road, which the residents will be responsible for maintaining.</p> <p>Council proactively inspects construction sites to ensure sediment controls are in place.</p>

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	The proposal was referred to Ausgrid who provided a response stating that the proposal is acceptable subject to compliance with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice. These recommendations will be included as a condition of consent.

## ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)\*

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

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and



LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

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

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

### **SEPP 55 - Remediation of Land**

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

### **SEPP (Building Sustainability Index: BASIX) 2004**

A BASIX certificate has been submitted with the application (see Certificate No. 1091053S dated 06 April 2020).

The BASIX Certificate indicates that the development will achieve the following:

<b>Commitment</b>	<b>Required Target</b>	<b>Proposed</b>
<b>Water</b>	40	42
<b>Thermal Comfort</b>	Pass	Pass
<b>Energy</b>	50	54

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

### **SEPP (Infrastructure) 2007**

#### Ausgrid

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

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

Comment:

The proposal was referred to Ausgrid who raised no objections subject to recommended conditions.

### SEPP (Coastal Management) 2018

The proposal is considered to be consistent with the provisions of the CM SEPP, including the matters prescribed by clauses 13, 14 and 15 of this policy.

### Pittwater Local Environmental Plan 2014

Is the development permissible?	Yes
After consideration of the merits of the proposal, is the development consistent with:	
aims of the LEP?	Yes
zone objectives of the LEP?	Yes

#### Principal Development Standards

Standard	Requirement	Proposed	% Variation	Complies
Height of Buildings:	10.5m	7.3m	N/A	Yes

#### Compliance Assessment

Clause	Compliance with Requirements
1.9A Suspension of covenants, agreements and instruments	Yes
4.3 Height of buildings	Yes
5.10 Heritage conservation	Yes
6.1 Warriewood Valley Release Area	Yes
7.1 Acid sulfate soils	Yes
7.2 Earthworks	Yes
7.3 Flood planning	Yes
7.6 Biodiversity protection	Yes
7.10 Essential services	Yes

#### Detailed Assessment

##### 1.9A Suspension of covenants, agreements and instruments

Clause 1.9A of Pittwater Local Environmental Plan 2014 states that for the purpose of enabling development on land in any zone, covenants that restrict the carrying out of that development do not apply to the extent necessary to serve that purpose. However, this does not apply in the case of a covenant imposed by Council (as in this case). As such, the covenant applies for the purpose of assessment, but may be modified at Council's discretion. An assessment of the relevant easements/covenants is as follows:

The subject lot is burdened and benefited by a number of easements and restrictive covenants,

specifically those numbered 5, 8, 9 and 10 in the Section 88B Instrument for DP271139, which were required as part of the approved subdivision of the land under development consent N0491/16.

The easement referred to and numbered 5 states that the proprietor of the lot burdened 'shall not place any obstructions within the site of the easement nor erect any building or other structure of any kind on or over the site of the easement except for any wall and/or slab, eave and/or gutter and/or roof structure attached to any dwelling or garage' in the area marked "H" in the Deposited Plan. The proposed development includes boundary fencing within this area. As fencing is not permitted within this area, a condition of consent will be imposed requiring the fencing along the north-western, north-eastern and south-eastern boundaries be located outside this easement and that no structures or fencing be built in this area.

The restriction on the use of land referred to and numbered 8 states that the registered proprietor 'shall not occupy or permit the occupation of any dwelling house or other structure on the lot burdened unless the registered proprietor has first constructed and/or installed a 4kL rainwater tank' as required by the conditions of consent from the original subdivision. A condition of consent has been included to ensure that a rainwater tank is installed in line with this requirement.

The restriction on the use of land referred to and numbered 9 states that 'no part of the dwelling, garage or other habitable building may be constructed or allowed to remain on the lot burdened unless it is wholly contained within the approved footprint delineated 'BE', it is limited to the specified heights in the areas delineated 'BE1' and 'BE2', and if the garage is located within the area delineated 'BE3' on the Deposited Plan'. The proposed development is inconsistent with the approved footprint in terms of the secondary (south eastern) front building line adjoining Bubalo Street. The portions of the proposed dwelling which extend beyond this building footprint include the proposed porch and between 0m-0.5m of the side elevation of the proposed dwelling facing Bubalo Street. The proposed development complies with all relevant DCP controls, includes appropriate architectural interest through stepping the footprint, articulation, use of varying materials and finishes and landscaping treatments and would not result in unacceptable impact to neighbouring properties or the surrounding streetscape. As such, the minor variation to the approved footprint delineated 'BE' is considered acceptable in this instance and Council is satisfied that the proposed development achieves the intention of the restriction.

The proposed development does not contravene the restriction on the use of land referred to and numbered 10, which relates to costs pertaining to the erection of boundary fencing. The applicant should note that boundary fencing adjoining the road is at the sole expense of the applicant.

## Pittwater 21 Development Control Plan

### Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
Front building line (Lorikeet Grove)	1.5m Articulation Zone 4.0m Garage 5.5m Dwelling	2m (porch) 6.5m (garage) 7.0m (dwelling)	N/A	Yes
Secondary Front building line (Bubalo Street)	2.0m Dwelling	2.0m (dwelling)	N/A	Yes
Side building line	0.9 Ground Floor	1.0m (North-East) 6.5m (North-West)	N/A	Yes
	1.5 First Floor	1.6m (North-East)	N/A	Yes

		7.0m (North-West)		
Landscaped area	35% (106.26sqm) (min dimensions 4m)	43.3 % (131.6sqm)	N/A	Yes

**\*Note:** The percentage variation is calculated on the *overall* numerical variation (ie: for Landscaped area - Divide the proposed area by the numerical requirement then multiply the proposed area by 100 to equal X, then 100 minus X will equal the percentage variation. Example:  $38/40 \times 100 = 95$  then  $100 - 95 = 5\%$  variation)

### Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A1.7 Considerations before consent is granted	Yes	Yes
A4.16 Warriewood Valley Locality	Yes	Yes
B1.4 Aboriginal Heritage Significance	Yes	Yes
B3.2 Bushfire Hazard	Yes	Yes
B3.6 Contaminated Land and Potentially Contaminated Land	Yes	Yes
B4.15 Saltmarsh Endangered Ecological Community	Yes	Yes
B6.3 Off-Street Vehicle Parking Requirements	No	Yes
B8.1 Construction and Demolition - Excavation and Landfill	Yes	Yes
B8.2 Construction and Demolition - Erosion and Sediment Management	Yes	Yes
B8.3 Construction and Demolition - Waste Minimisation	Yes	Yes
B8.4 Construction and Demolition - Site Fencing and Security	Yes	Yes
B8.5 Construction and Demolition - Works in the Public Domain	Yes	Yes
C1.3 View Sharing	Yes	Yes
C1.12 Waste and Recycling Facilities	Yes	Yes
C1.13 Pollution Control	Yes	Yes
C1.23 Eaves	Yes	Yes
C6.1 Integrated Water Cycle Management	Yes	Yes
C6.2 Natural Environment and Landscaping Principles	Yes	Yes
C6.3 Ecologically Sustainable Development, Safety and Social Inclusion	Yes	Yes
C6.5 Utilities, Services and Infrastructure Provision	Yes	Yes
D16.1 Character as viewed from a public place	Yes	Yes
D16.5 Landscaped Area for Newly Created Individual Allotments	Yes	Yes
D16.6 Front building lines	Yes	Yes
D16.7 Side and rear building lines	Yes	Yes
D16.9 Solar access	Yes	Yes
D16.10 Private and Communal Open Space Areas	Yes	Yes
D16.11 Form of construction including retaining walls, terracing and undercroft areas	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
D16.12 Fences	Yes	Yes
D16.13 Building colours and materials	Yes	Yes
D16.14 Pets and companion animals	Yes	Yes

#### Detailed Assessment

### **B6.3 Off-Street Vehicle Parking Requirements**

#### Description of non-compliance

The minimum off-street car parking requirement for dwellings with 2 or more bedrooms is 2 spaces.

The proposed dwelling incorporates a garage capable of accommodating one vehicle. It should be noted that the development proposes a 7.0m x 3.6m driveway which would be level in front of this proposed garage, which is sufficient in providing an informal tandem parking arrangement.

#### Merit consideration

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

- *An adequate number of parking and service spaces that meets the demands generated by the development.*

#### Comment:

The site will be capable of containing two vehicles parked simultaneously. This meets the minimum two space requirement.

- *Functional parking that minimises rainwater runoff and adverse visual or environmental impacts while maximising pedestrian and vehicle safety.*

#### Comment:

The garage is integrated into the dwelling and the area of the driveway is appropriate in minimising impervious surfaces and visual impact in the front setback area.

- *Safe and convenient parking.*

#### Comment:

The parking provided on-site for the principal dwelling is safe and convenient.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of P21DCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

### **D16.12 Fences**

Amended plans were received which removed all fencing forward of the front building line to Lorikeet Grove and reduced the height of the proposed fencing along the Bubalo Street boundary (behind the

front building line to Lorikeet Grove) to 1.4m with 20% transparency. This is considered to meet the requirements of this control. A condition has been imposed ensuring no fencing is built forward of the front building line to Lorikeet Grove.

No owners consent from the adjoining property owners has been provided in relation to the 1.8m side boundary fencing. Furthermore, as discussed in section 1.9A *Suspension of covenants, agreements and instruments* the proposed side fencing is proposed to be built on an easement which is required to be maintained for access and maintenance for adjoining properties. In turn, a condition of consent has been imposed which requires the plans be amended to ensure the new fencing is located entirely within the subject site and that no part of this new fencing is to be built on or over the easement for access and maintenance labelled "H".

## **THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES**

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

## **CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN**

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

## **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;
- Pittwater Local Environment Plan;
- Pittwater 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 DA2020/0704 for Construction of a dwelling house on land at Lot 5 DP 271139, 59 Lorikeet Grove, WARRIEWOOD, 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

<b>Architectural Plans - Endorsed with Council's stamp</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
Sheet 2 Rev.A (Site Plan)	24/08/2020	Triple9 Drafting & Design
Sheet 3 Rev.A (Ground Floor Plan)	19/08/2020	Triple9 Drafting & Design
Sheet 4 Rev.A (First Floor Plan)	19/08/2020	Triple9 Drafting & Design
Sheet 5 Rev.A (SW & SE Elevations)	19/08/2020	Triple9 Drafting & Design
Sheet 6 Rev.A (NW & NE Elevations)	19/08/2020	Triple9 Drafting & Design
Sheet 7 Rev.A (Sections)	19/08/2020	Triple9 Drafting & Design
Sheet 14 Rev.A (Roof Layout)	19/08/2020	Triple9 Drafting & Design
External Colour Schedule	12/06/2020	Triple9 Drafting & Design

<b>Engineering Plans</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
Sheet 10 Rev.A (Waste & Drainage Plan)	19/08/2020	Triple9 Drafting & Design
D1 Issue.A (Legend, Notes, Details, Calculations)	23/04/2020	StormCivil
D2 Issue.A (Stormwater Management Plan)	23/04/2020	StormCivil

<b>Reports / Documentation – All recommendations and requirements contained within:</b>		
<b>Report No. / Page No. / Section No.</b>	<b>Dated</b>	<b>Prepared By</b>
BASIX Certificate (1091053S)	06 April 2020	Building Energy Assessments
Bushfire Hazard Assessment Report (BR-215920-A)	17/04/2020	Bushfire Planning & Design

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

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

<b>Landscape Plans</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
Sheet 15 Rev.A (Landscape Layout)	19/08/2020	Triple9 Drafting & Design
Sheet 16 Rev.A (Landscape Details)	19/08/2020	Triple9 Drafting & Design

<b>Waste Management Plan</b>		
<b>Drawing No/Title.</b>	<b>Dated</b>	<b>Prepared By</b>
Waste Management Plan	10/06/2020	Kate Frewn

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. **Compliance with Other Department, Authority or Service Requirements**

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

<b>Other Department, Authority or Service</b>	<b>EDMS Reference</b>	<b>Dated</b>
Ausgrid	Response Ausgrid Referral	29/07/2020

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

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

## 3. **Fencing**

The proposed boundary fencing shall not extend forward of the front building line between the proposed dwelling and Lorikeet Grove.

Reason: To maintain compliance with the D16.12 Fences.

## 4. **Prescribed Conditions**

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);
- (c) A sign must be erected in a prominent position on any site on which building work,

subdivision work or demolition work is being carried out:

- (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
- (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- (d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:

- (i) in the case of work for which a principal contractor is required to be appointed:
  - A. the name and licence number of the principal contractor, and
  - B. the name of the insurer by which the work is insured under Part 6 of that Act,
- (ii) in the case of work to be done by an owner-builder:
  - A. the name of the owner-builder, and
  - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
  - (i) protect and support the adjoining premises from possible damage from the excavation, and
  - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
  - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
  - (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

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

Reason: Legislative requirement.

## 5. General Requirements

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

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

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

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

- (b) Should any asbestos be uncovered on site, its demolition and removal must be carried out in accordance with WorkCover requirements and the relevant Australian Standards.
- (c) 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.
- (d) 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.
- (e) 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.
- (f) 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.
- (g) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (h) No skip bins, building materials, demolition or excavation waste of any nature, and no hoist, plant or machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (i) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (j) 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.
- (k) 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.

- (l) A "Road Opening Permit" must be obtained from Council, and all appropriate charges paid, prior to commencement of any work on Council property. The owner/applicant shall be responsible for all public utilities and services in the area of the work, shall notify all relevant Authorities, and bear all costs associated with any repairs and/or adjustments as those Authorities may deem necessary.
- (m) The works must comply with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice.
- (n) 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.

#### 6. **Works in Close Proximity to the Allotment Boundary**

Consent given to build in close proximity to the allotment boundary is in no way to be construed as permission to build on or encroach over the allotment boundary. Your attention is directed to the provisions of the Dividing Fences Act 1991 which gives certain rights to adjoining owners,

including use of the common boundary.

Reason: To advise developers of their responsibilities and to protect the interests of adjoining owners.

**7. No works in access and maintenance easement**

No approval is granted under this Development Consent for any works to be conducted on or structures (including fences) to be built on or over the easement for access and maintenance labelled "H".

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

## FEES / CHARGES / CONTRIBUTIONS

**8. Security Bond**

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

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

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, and details demonstrating payment are to be submitted to the 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](http://www.northernbeaches.nsw.gov.au)).

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

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

**9. Stormwater Disposal**

The applicant is to submit Stormwater Plans for the new development prepared by an appropriately qualified Civil Engineer, indicating all details relevant to the collection and disposal of stormwater from the site. Stormwater shall be conveyed from the site to Lorikeet Grove kerb and gutter.

A 4000 litres rainwater tank for non-potable purposes is to be installed and used as part of an integrated on-site Stormwater management system in accordance with Development Consent N0491/16.

The non-potable purposes are prescribed in the NSW Code of Practice for Plumbing and Drainage and include toilet flushing, garden irrigation, car washing and cold water laundry.



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

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

10. **Amendments to the approved plans**

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

- a) The new fence along the north-western, north-eastern and south-eastern boundary adjoining 57 Lorikeet Grove, 20 Bubalo Street and Bubalo Street road reserve shall be located entirely within the subject site.
- b) No part of this new fencing is to be built on or over the easement for access and maintenance labelled "H"

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

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

11. **Boundary Identification Survey**

A boundary identification survey, prepared by a Registered Surveyor, is to be prepared in respect of the subject site.

The plans submitted for the Construction Certificate are to accurately reflect the property boundaries as shown on the boundary identification survey, with setbacks between the property boundaries and the approved works consistent with those nominated on the Approved Plans of this consent.

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

Reason: To ensure all approved works are constructed within the subject site and in a manner anticipated by the development consent.

12. **Amended Landscape Plan**

An Amended Landscape Plan shall be prepared to satisfy the landscape controls of the Pittwater DCP controls C1.1 Landscaping and D16.5 Landscaped Area for Newly Created Individual Allotments.

The Amended Landscape Plan shall be submitted to the Certifying Authority for approval and certification that the following landscape elements are provided on the Amended Landscape Plan:

- i) tree planting is to be nominated on the plan with one (1) small tree to be located within the front yard and two (2) small trees to be located within the rear yard,
- ii) the small tree planting shall be selected from the following list as contained under clause D16.5: *Backhousia myrtifolia*, or *Hymenosporum flavum*, or *Tristaniaopsis laurina* within the front yard, and a combination of *Banksia serrata*, or *Banksia integrifolia*, or *Syzygium paniculatum* within the rear yard,
- iii) each tree is to be located a minimum area of at least 1.5 metres from adjoining common residential side boundaries,
- iv) all tree planting is to be located a minimum of 4 metres from existing and proposed dwellings,
- v) the nominated trees shall be planted at minimum 75 litre size,

- vi) shrub screen planting shall be nominated on the Amended Landscape Plan along the rear boundary consisting of planting capable of attaining a mature height of 3 metres, and shall be located no more than 1 metre apart, and shall be planted at minimum 200mm pot size,
- vii) fencing is not permitted forward of the front building line. Boundaries between public and private land shall be delineated by vegetation, such as low hedges, garden beds or the like.

It is advised that a qualified Landscape Architect or Landscape Designer prepare the Amended Landscape Plan.

Reason: to provide a suitable landscape treatment to reduce the built form and provide privacy to private open space.

**13. Compliance with Standards**

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

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

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

**14. Sydney Water "Tap In"**

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

Please refer to the website [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

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

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

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

**15. External Finishes to Roof**

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

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

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

## CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

**16. Road Reserve**

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

Reason: Public safety.

17. **Survey Certificate**

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

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

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

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

18. **Stormwater Disposal**

The Applicant shall submit a certificate from the design engineer that the stormwater drainage works have been constructed/installed in accordance with all the approved stormwater plans and the relevant Australian Standards and Codes.

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

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

19. **Protection of existing street trees**

All existing street trees in the vicinity of the works and the street tree at the site frontage shall be retained during all construction stages. Existing tree guards shall be maintained in place.

Should any street tree along the site frontage not contain a tree guard or the existing tree guard is damaged during works, tree protection fencing consisting of a four sided 1.8m high x 2.4m length standard wire mesh construction fence, in accordance with Australian Standard AS 4687-2007: Temporary Fencing & Hoardings, shall be installed around the tree for the duration of the works.

Any street tree damaged or removed shall be replaced at a container size of 200 litres, and in accordance with guidelines provided by Council.

Reason: to retain and protect tree planting on development sites.

20. **Installation and Maintenance of Sediment and Erosion Controls**

Council proactively regulates construction sites for sediment management.

Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004) and the Erosion and Sediment Control Plan prepared by Triple 9 Drafting Design prior to commencement of any other works on site.

Erosion and sediment controls are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development

activities have been completed and vegetation cover has been re-established across 70 percent of the site, and the remaining areas have been stabilised with ongoing measures such as jute mesh or matting.

The discharge of sediment-laden waters from the site may result in clean-up orders and/or fines under Council's Compliance and Enforcement Policy and legislation including Protection of the Environment Operations Act 1997 and Contaminated Lands Act 1997.

Reason: Protection of the receiving environment

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

### **21. Landscape completion certification**

Landscaping shall be completed in accordance with the approved Amended Landscape Plan.

Prior to the issue of an Occupation Certificate, a landscape report prepared by a Landscape Architect or Landscape Designer shall be submitted to the Certifying Authority, certifying that the landscape works have been completed in accordance with the approved Amended Landscape Plan and inclusive of any conditions of consent, imposed for the approval of an Amended Landscape Plan as follows:

- i) one (1) small tree to be located within the front yard and two (2) small trees to be located within the rear yard,
- ii) tree planting shall be selected from the following list as contained under clause D16.5: *Backhousia myrtifolia*, or *Hymenosporum flavum*, or *Tristaniopsis laurina* within the front yard, and a combination of *Banksia serrata*, or *Banksia integrifolia*, or *Syzygium paniculatum* within the rear yard,
- iii) each tree is to be located a minimum area of at least 1.5 metres from adjoining common residential side boundaries,
- iv) all tree planting is to be located a minimum of 4 metres from existing and proposed dwellings,
- v) trees shall be planted at minimum 75 litre size,
- vi) shrub screen planting along the rear boundary consisting of planting capable of attaining a mature height of 3 metres, and shall be located no more than 1 metre apart, and shall be planted at minimum 200mm pot size,
- vii) fencing is not permitted forward of the front building line. Boundaries between public and private land shall be delineated by vegetation, such as low hedges, garden beds or the like.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity.

### **22. House / Building Number**

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

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

Reason: Proper identification of buildings.

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

### **23. Environmental and priority weed control**

All weeds are to be removed and controlled in accordance with the NSW Biosecurity Act 2015

for the life of the development.

Reason: preservation of environmental amenity.

24. **Landscape maintenance**

All landscape components are to be maintained for the life of the development or their safe useful life expectancy. A maintenance program is to be established. If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components and species.

Landscape works shall be maintained for a minimum period of 12 months following practical completion. If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Amended Landscape Plan.

Reason: to maintain local environmental amenity and ensure landscaping continues to soften the built form.

25. **Air Conditioning Unit**

The air conditioning unit is to not emit noise over 5dba above background noise at the nearest residential boundary

Reason: To ensure that amenity of the surrounding locality is maintained.

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

**Signed**



**Gareth David, Planner**

The application is determined on 02/09/2020, under the delegated authority of:



**Steven Findlay, Manager Development Assessments**