

## DEVELOPMENT APPLICATION ASSESSMENT REPORT

<b>Application Number:</b>	DA2020/0836
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<b>Responsible Officer:</b>	Thomas Burns
<b>Land to be developed (Address):</b>	Lot 402 DP 16902, 125 Palmgrove Road AVALON BEACH NSW 2107
<b>Proposed Development:</b>	Alterations and additions to a dwelling house
<b>Zoning:</b>	R2 Low 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>	Luis Armando De Florio Julieri Elsa De Florio
<b>Applicant:</b>	Building Approval Solutions

<b>Application Lodged:</b>	28/07/2020
<b>Integrated Development:</b>	No
<b>Designated Development:</b>	No
<b>State Reporting Category:</b>	Residential - Alterations and additions
<b>Notified:</b>	05/08/2020 to 19/08/2020
<b>Advertised:</b>	Not Advertised
<b>Submissions Received:</b>	1
<b>Clause 4.6 Variation:</b>	Nil
<b>Recommendation:</b>	Approval

<b>Estimated Cost of Works:</b>	\$ 48,623.00
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### PROPOSED DEVELOPMENT IN DETAIL

The applicant seeks development consent for alterations and additions to an existing dwelling house. Specifically, the proposed works are as follows:

#### Lower Ground Floor

- Remove internal walls and provide new glazed sliding doors; and
- New rumpus room under the first floor patio.

#### Upper Ground Floor

- Demolish the existing rear deck and construct a new patio with a 1.8m high privacy screen on the north-eastern elevation; and
- New external staircase to access the rear yard.

#### Ancillary Works

- Landscaping works.

### **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 - 5.10 Heritage conservation

Pittwater Local Environmental Plan 2014 - 7.1 Acid sulfate soils

Pittwater Local Environmental Plan 2014 - 7.2 Earthworks

Pittwater Local Environmental Plan 2014 - 7.6 Biodiversity protection

Pittwater 21 Development Control Plan - A4.1 Avalon Beach Locality

Pittwater 21 Development Control Plan - B5.10 Stormwater Discharge into Public Drainage System

Pittwater 21 Development Control Plan - C1.1 Landscaping

Pittwater 21 Development Control Plan - D1.5 Building colours and materials

Pittwater 21 Development Control Plan - D1.9 Side and rear building line

Pittwater 21 Development Control Plan - D1.14 Landscaped Area - Environmentally Sensitive Land

### **SITE DESCRIPTION**

<b>Property Description:</b>	Lot 402 DP 16902 , 125 Palmgrove Road AVALON BEACH NSW 2107
<b>Detailed Site Description:</b>	The subject site consists of one allotment located on the north-western side of Palmgrove Road, Avalon Beach.

The site is regular in shape with a frontage of 15.24m along Palmgrove Road and a depth of 38.1m. The site has a surveyed area of 580.6sqm.

The site is located within the R2 Low Density Residential zone and accommodates a part-one part-two storey detached dwelling house and a detached carport in the front setback area.

The site experiences a fall of approximately 5m that slopes from the southern front corner towards the northern rear corner. The site contains a eucalyptus tree in the front yard and fig tree in the rear yard, with respective heights of approximately 18m and 14m.

The site is identified within the 'Biodiversity' area on the Biodiversity Map and the 'Class 5' area on the Acid Sulfate Soils Map pursuant to the Pittwater Local Environmental Plan 2014 (PLEP 2014).

#### **Detailed Description of Adjoining and Surrounding Development**

Adjoining and surrounding development is characterised by one, two and three storey detached dwelling houses, typically of timber clad facades with hipped or gable roof forms.

Map:



#### **SITE HISTORY**

The site has been used for residential purposes for an extended period of time. A search of Council's

records has revealed the following relevant history:

- Development Application T0159/17 for Tree/Bushland Works approved by Council on 29 May 2017.

### Site Visits

A site visit was undertaken at the subject site on 12 August 2020.

### Application History

The applicant submitted revised plans on 1 September 2020 in response to concerns raised from the owners of 127 Palmgrove Road (north-eastern adjoining property). The amended plans included a solid privacy screen along the north-eastern elevation of the proposed elevated patio, to a height of 1.8m above the finished floor level. The adjoining neighbours have reviewed the amended plans and provided written correspondence to Council offering their support to the development.

The revised plans did not entail an increased environmental impact and as such, the application was not re-notified for an additional 14 days, in accordance with the Northern Beaches Community Participation Plan.

## **ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)**

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

<b>Section 4.15 Matters for Consideration'</b>	<b>Comments</b>
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 of any development control plan	Pittwater 21 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&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</p>



Section 4.15 Matters for Consideration'	Comments
	<p>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. The applicant submitted revised 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 clause is not relevant to this application.</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> <p><u>Clause 143A</u> of the EP&amp;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) <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 (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	No matters have arisen in this assessment that would justify the

Section 4.15 Matters for Consideration'	Comments
interest	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 from 05/08/2020 to 19/08/2020 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 process council is in receipt of 1 submission/s from:

Name:	Address:
Mr Glen Edward Burgess	127 Palmgrove Road AVALON BEACH NSW 2107

One submission was received by Council from the owners of the north-eastern adjoining property (125 Palmgrove Road). The submission requested that a solid 1.8m high privacy screen be provided along the north-eastern elevation of the proposed elevated patio. It is noted that the applicant initially proposed a 1.8m high fixed louvre style screen along the north-eastern elevation to negate opportunities for overlooking.

Upon reviewing the neighbours submission, the applicant agreed to submit revised plans indicating a solid 1.8m high privacy screen along the north-eastern elevation of the patio. The adjoining owners have subsequently reviewed the revised plans and submitted correspondence to Council confirming their support of the revised development.

## REFERRALS

Internal Referral Body	Comments
Landscape Officer	<p>The development application is for the construction of a new patio to replace an existing deck with rumpus room.</p> <p>A Landscape Plan and an Arborist's report were provided with the application. The Arborist's report identifies a <i>Ficus Macrocarpa</i> which is to be retained and states that the subject works are "unlikely to compromise this tree's useful life expectancy".</p> <p>Council's Landscape Referral section have assessed the proposal against the following Pittwater 21 DCP Controls: B4.22 Preservation of Trees and Bushland Vegetation C1.1 Landscaping</p>

Internal Referral Body	Comments
	D1 Avalon Beach Locality
NECC (Bushland and Biodiversity)	The site is captured by Pittwater LEP 7.6 Biodiversity and P21 DCP B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community. The proposed development is not located on parts of the site identified as containing PSGF, will not impact on PSGF on the site or adjoining properties, and there will be no significant net loss of PSGF vegetation. Therefore the development is designed, sited and will be managed to avoid any significant adverse environmental impact.
NECC (Development Engineering)	No objection to approval subject to conditions as recommended.
Strategic and Place Planning (Heritage Officer)	<b>HERITAGE COMMENTS</b>
	Discussion of reason for referral
	The proposal has been referred to Heritage as the subject property adjoins a heritage conservation area  <b>Ruskin Rowe Heritage Conservation Area</b>
	Details of heritage items affected
	<p>Details of the conservation area, as contained within the Pittwater inventory is as follows:</p> <p><u>Statement of significance:</u> The Ruskin Rowe Heritage Conservation Area is significant in the evolution and pattern of the history of New South Wales for its design principles and patterns that are still clearly legible.</p> <p>The street is named after Harry Ruskin Rowe, a prominent Sydney architect who subdivided the area in 1950. Rowe's vision was to create a special subdivision with large lots in which vegetation would dominate over houses. This area represents the most "pure" example of the character of residential developments which were occurring in the Avalon area after WWII. Ruskin Rowe has research potential for its innovative subdivision design and is also scientifically significant due to the low density nature of the area and the retention of a wide range of fauna, including koalas, bandicoots and native birds.</p> <p><u>Physical description:</u> The first section of Ruskin Rowe runs southwest from Avalon Parade to Elouera Road, then continues for a short distance west before curving again to the southwest and continuing in that direction, terminating in a loop at its southern end. The original subdivision lots are arranged on either side of this central thoroughfare and are long rectangular parcels with houses set well back from the street with a mix of sweeping lawns, remnant native trees and in many cases dense landscaping. The relatively few lots subdivided since 1950 are battleaxe subdivisions of some of the earlier lots.</p>

Internal Referral Body	Comments
	Other relevant heritage listings
	Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
	Australian Heritage Register
	NSW State Heritage Register
	National Trust of Aust (NSW) Register
	RAIA Register of 20th Century Buildings of Significance
	Other
	Consideration of Application
	The proposal seeks consent for alterations and additions to an existing dwelling. The heritage conservation area is to the rear of the subject property. Given the proposed works are minor, their impact upon the conservation area is considered to be neutral.
	Therefore Heritage raises no concerns and requires no conditions.
	Consider against the provisions of CL5.10 of PLEP.
	Is a Conservation Management Plan (CMP) Required? No Has a CMP been provided? No Is a Heritage Impact Statement required? No Has a Heritage Impact Statement been provided? No
	Further Comments
	COMPLETED BY: Brendan Gavin, Principal Planner
	DATE: 28 July 2020

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 (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 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.

### **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
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Height of Buildings:	8.5m	4.63m (new privacy screen on upper floor)	-	Yes
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#### Compliance Assessment

Clause	Compliance with Requirements
1.9A Suspension of covenants, agreements and instruments	Yes
2.7 Demolition requires development consent	Yes
4.3 Height of buildings	Yes
5.10 Heritage conservation	Yes
7.1 Acid sulfate soils	Yes
7.2 Earthworks	Yes
7.6 Biodiversity protection	Yes
7.10 Essential services	Yes

#### Detailed Assessment

##### **5.10 Heritage conservation**

The rear boundary adjoins the Ruskin Rowe Heritage Conservation Area. Accordingly, the application was referred to Council's Heritage Officer for comment.

Council's Heritage Officer has reviewed the proposal and noted as follows: *"The proposal seeks consent for alterations and additions to an existing dwelling. The heritage conservation area is to the rear of the subject property. Given the proposed works are minor, their impact upon the conservation area is considered to be neutral. Therefore Heritage raises no concerns and requires no conditions".*

Therefore, no further consideration of this clause is required for the purposes of this assessment.

##### **7.1 Acid sulfate soils**

Given the minor scale of the earthworks and the proximity of the site in relation to nearby 'Class 4' area, it is not anticipated that the proposal will disturb, expose or drain acid sulfate soils and cause environmental damage.

##### **7.2 Earthworks**

The objective of Clause 6.2 - 'Earthworks' requires development to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

The proposed development comprises excavation work up to a maximum depth of 1.021m. In this regard, before granting development consent for earthworks, Council must consider the following matters:

*(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development*

Comment:

The proposal is unlikely to unreasonably disrupt existing drainage patterns and soil stability in the locality.

*(b) the effect of the proposed development on the likely future use or redevelopment of the land*

Comment:

The proposal will not unreasonably limit the likely future use or redevelopment of the land.

*(c) the quality of the fill or the soil to be excavated, or both*

Comment:

The excavated material will amount to approximately 10m<sup>3</sup> and will be spread throughout the backyard, in accordance with the approved Waste Management Plan. No fill will be imported from off-site.

*(d) the effect of the proposed development on the existing and likely amenity of adjoining properties*

Comment:

Having regard to the extent of the earthworks, it is not anticipated that the earthworks will result in unreasonable amenity impacts on adjoining properties.

*(e) the source of any fill material and the destination of any excavated material*

Comment:

The excavated material will amount to approximately 10m<sup>3</sup> and will be spread throughout the backyard, in accordance with the approved Waste Management Plan. No fill will be imported from off-site.

*(f) the likelihood of disturbing relics*

Comment:

The site is not mapped as being a potential location of Aboriginal or other relics.

*(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area*

Comment:

The site is not located in the vicinity of any watercourse or drinking water catchments. The site is mapped within a precinct containing Pittwater Spotted Gum Forest. Despite this, the earthworks will not have an adverse impact on the endangered Spotted Gum Forest.

*(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Comment:

Conditions are included in the recommendation of this report that will minimise the impacts of the development.

*(i) the proximity to and potential for adverse impacts on any heritage item, archaeological site or*

heritage conservation area.

Comment:

The rear if the site backs onto the Ruskin Rowe Heritage Conservation Area. Council's Heritage Officer has reviewed the proposal and noted that the works are minor and will have a neutral impact upon the adjoining conservation area.

Concluding Remarks

Having regard to the above assessment, it is concluded that the proposed development is consistent with the aims and objectives of Clause 6.2 of the PLEP 2014. Therefore, the application is supported in this particular circumstance.

## 7.6 Biodiversity protection

The site is identified within the 'Biodiversity' area pursuant to the PLEP 2014. Accordingly, the application was referred to Council's Biodiversity Officer for comment.

Council's Biodiversity Officer has reviewed the proposal and noted that the development has been designed, sited and will be managed to avoid any significant adverse environmental impact. Therefore, it is concluded that the proposal demonstrates consistency with this clause.

## Pittwater 21 Development Control Plan

Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
Front building line	6.5m	>6.5m and no change to existing front building line	-	Yes
Rear building line	6.5m	5.765m	11.31%	<b>No</b>
Side building line	2.5m (south-west)	>2.5m and no change to existing side building line	-	Yes
	1m (north-east)	1.35m	-	Yes
Building envelope	3.5m then projected at 45 degrees (south-west)	Within envelope	-	Yes
	3.5m then projected at 45 degrees (north-east)	Within envelope	-	Yes
Landscaped area	60% (348.36sqm)	35.93% (208.64sqm)	40.12%	<b>No</b>

**\*Notes:**

1. 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).

2. The Landscape Area calculations includes allowable variations to the control (impervious areas less than 1m in width and 6% of impervious private open space.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A1.7 Considerations before consent is granted	Yes	Yes
A4.1 Avalon Beach Locality	Yes	Yes
B1.2 Heritage Conservation - Development in the vicinity of heritage items, heritage conservation areas, archaeological sites or potential archaeological sites	Yes	Yes
B3.6 Contaminated Land and Potentially Contaminated Land	Yes	Yes
B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community	Yes	Yes
B5.10 Stormwater Discharge into Public Drainage System	Yes	Yes
B6.3 Off-Street Vehicle Parking Requirements	Yes	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
C1.1 Landscaping	No	Yes
C1.2 Safety and Security	Yes	Yes
C1.3 View Sharing	Yes	Yes
C1.4 Solar Access	Yes	Yes
C1.5 Visual Privacy	Yes	Yes
C1.6 Acoustic Privacy	Yes	Yes
C1.7 Private Open Space	Yes	Yes
C1.12 Waste and Recycling Facilities	Yes	Yes
C1.13 Pollution Control	Yes	Yes
D1.1 Character as viewed from a public place	Yes	Yes
D1.4 Scenic protection - General	Yes	Yes
D1.5 Building colours and materials	No	Yes
D1.8 Front building line	Yes	Yes
D1.9 Side and rear building line	No	Yes
D1.11 Building envelope	Yes	Yes
D1.14 Landscaped Area - Environmentally Sensitive Land	No	Yes
D1.17 Construction, Retaining walls, terracing and undercroft areas	Yes	Yes

#### Detailed Assessment

#### **A4.1 Avalon Beach Locality**

The proposal is considered to demonstrate consistency with the desired future character statement of the Avalon Beach locality for the following reasons:

- The proposal is minimal in terms of bulk and scale;
- The proposal does not substantially modify the natural topography;
- The resulting built form is commensurate to the existing streetscape character;



- The development is located well below the established tree canopy; and
- The proposal will not have an adverse impact on the natural environment.

## **B5.10 Stormwater Discharge into Public Drainage System**

Council's Development Engineer has imposed suitable conditions to ensure that stormwater is appropriately managed.

### **C1.1 Landscaping**

#### Description of non-compliance

The proposal is technically non-compliant with the landscaping requirements of this control, which require at least 60% of the front setback area to be landscaped and for at least one canopy tree to be planted in the front yard and two in the rear.

#### Merit Assessment

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

- *A built form softened and complemented by landscaping.*
- *Landscaping reflects the scale and form of development.*
- *Retention of canopy trees by encouraging the use of pier and beam footings.*
- *Development results in retention of existing native vegetation.*
- *Landscaping results in the long-term retention of Pittwater's locally native tree canopy.*
- *Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species.*
- *Landscaping enhances habitat and amenity value.*
- *Landscaping results in reduced risk of landslip.*
- *Landscaping results in low watering requirement.*

#### Comment:

Whilst technically non-compliant with the control, the proposal is for minor alterations and additions to a dwelling house, which is screened from the public domain and surrounding properties due to the rear location and vegetation located on adjoining properties. Moreover, the proposed works are generally located over an existing impervious area, thereby resulting in a minor reduction in landscaped open space. The proposed development will not result in the removal of existing trees, in turn preserving Pittwater's native tree canopy. The proposal is considered to be acceptable from a landscaping standpoint.

#### Concluding remarks

Having regard to the above assessment, it is concluded that the applicable outcomes of the control have been achieved. Therefore, the application is supported on merit in this particular circumstance.

### **D1.5 Building colours and materials**

The chosen colours do not strictly meet the prescribed dark and earthy tones required by this control. Nevertheless, the works are at the rear of the property and not visible from the public domain and

adjoining properties. No objection is raised of the proposed finishes.

### **D1.9 Side and rear building line**

#### Description of non-compliance

The control requires development to be setback at least 6.5m from the rear boundary. The proposed patio is setback 9.27m from the rear boundary, which complies with the control. However, the external stairs are setback 5.765m from the rear boundary, numerically non-compliant with the control.

#### Merit Assessment

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

- *To achieve the desired future character of the Locality.*

#### Comment:

As discussed in the section of this report relating to Clause A4.1 of the Pittwater 21 Development Control Plan, the proposal is considered to demonstrate consistency with the desired future character statement of the Avalon Beach locality.

- *The bulk and scale of the built form is minimised.*

#### Comment:

The development at large comprises a new rumpus room on the lower ground floor and timber decking on the upper floor. The rumpus room will be located under the decking and is not considered to be a dominant feature in the context of development on the site. Moreover, the timber decking is an open structure and will not present with visual prominence from the rear yard. Existing vegetation within the locality will further screen the development from adjoining properties.

- *Equitable preservation of views and vistas to and/or from public/private places.*

#### Comment:

The development is sited well below the established ridge level and will not compromise views and vistas to and from public and private places.

- *To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.*

#### Comment:

As noted above, the proposal will allow for reasonable view sharing.

- *To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.*

Comment:

The existing vegetation located on adjoining properties will screen the development, thereby ensuring a reasonable level of privacy is maintained. A privacy screen has been included on the eastern elevation of the deck for added privacy. Given the modest height of the development, no unacceptable overshadowing impacts are anticipated to arise.

- *Substantial landscaping, a mature tree canopy and an attractive streetscape.*

Comment:

The existing vegetation on the site and surrounding properties contribute to the natural amenity of the area. The proposal is considered to be acceptable from a landscaping standpoint.

- *Flexibility in the siting of buildings and access.*

Comment:

Flexibility is afforded in this circumstance, as the non-complaint staircase will not give rise to unacceptable streetscape or amenity impacts.

- *Vegetation is retained and enhanced to visually reduce the built form.*

Comment:

The development will result in a minor reduction in landscaped open space and will not require the removal of any trees. Noting the development will be screened from adjoining properties due to existing vegetation within the locality and that the development is modest in terms of bulk and scale. The additional landscape treatments proposed within the rear yard will further enhance the natural amenity of the locality.

- *A landscaped buffer between commercial and residential zones is achieved.*

Comment:

This outcome is not applicable, as the locality is characterised by residential development.

Concluding Remarks

Having regard to the above assessment, it is concluded that the applicable outcomes of the control have been achieved. Therefore, the application is supported on merit in this particular circumstance.

**D1.14 Landscaped Area - Environmentally Sensitive Land**

Description of non-compliance

The control requires at least 60% (348.36sqm) of the site area to be landscaped. The proposed landscaping is non-compliant with the control as follows:

- landscaping with no variations: 27.68% (160.7sqm); and
- landscaping with permitted variations: 35.93% (208.64sqm).

### Merit Assessment

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

- *To achieve the desired future character of the Locality.*

### Comment:

As discussed in the section of this report relating to Clause A4.1 of the Pittwater 21 Development Control Plan, the proposal is considered to demonstrate consistency with the desired future character statement of the Avalon Beach locality.

- *The bulk and scale of the built form is minimised.*

### Comment:

The development at large comprises a new rumpus room on the lower ground floor and timber decking on the upper floor. The rumpus room will be located under the decking and is not considered to be a dominant feature in the context of development on the site. Moreover, the timber decking is an open structure and will not present with visual prominence from the rear yard. Existing vegetation within the locality will further screen the development from adjoining properties.

- *A reasonable level of amenity and solar access is provided and maintained.*

### Comment:

The existing vegetation located on adjoining properties will screen the development, thereby ensuring a reasonable level of privacy is maintained. A privacy screen has been included on the eastern elevation of the deck for added privacy. Given the modest height of the development, no unacceptable overshadowing impacts are anticipated to arise. The existing vegetation located within the site and adjoining properties, in conjunction with the proposed landscape treatments in the rear yard, will enhance the natural amenity of the area.

- *Vegetation is retained and enhanced to visually reduce the built form.*

### Comment:

The development will result in a minor reduction in landscaped open space and will not require the removal of any trees. Noting the development will be screened from adjoining properties due to existing vegetation within the locality and that the development is modest in terms of bulk and scale, no further planting is required for the purposes of softening the built form.

- *Conservation of natural vegetation and biodiversity.*

Comment:

The development will not have an adverse impact on the biodiversity of the locality.

- *Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.*

Comment:

Suitable conditions have been included with this consent to ensure that stormwater is appropriately managed.

- *To preserve and enhance the rural and bushland character of the area.*

Comment:

Having regard to the modest scale of the development, it is considered that the proposal will preserve the bushland character of the area.

- *Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.*

Comment:

As noted above, suitable conditions have been included to ensure that stormwater is appropriately managed.

Concluding Remarks

Having regard to the above assessment, it is concluded that the applicable outcomes of the control have been achieved. Therefore, the application is supported on merit in this particular circumstance, subject to conditions.

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

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

## **CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN**

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

## **POLICY CONTROLS**

### **Northern Beaches Section 7.12 Contributions Plan 2019**

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;
- 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 DA2020/0836 for Alterations and additions to a dwelling house on land at Lot 402 DP 16902, 125 Palmgrove Road, AVALON BEACH, 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

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Sheet 2 - Site Plan & Stormwater Concept	31 August 2020	Building Drafting Solutions

Sheet 3A - Proposed Upper Ground Floor Plan	31 August 2020	Building Drafting Solutions
Sheet 4A - Proposed Lower Ground Floor Plan	31 August 2020	Building Drafting Solutions
Sheet 5 - Elevations	31 August 2020	Building Drafting Solutions
Sheet 6 - Elevations	31 August 2020	Building Drafting Solutions
Sheet 7 - Section & Roof Plan	31 August 2020	Building Drafting Solutions

Engineering Plans		
Drawing No.	Dated	Prepared By
SW02 - Specifications Sheet	18 June 2020	Prime Engineering Consultants
SW03 - Site Stormwater Drainage Plan & Details	18 June 2020	Prime Engineering Consultants

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Stormwater Design Certificate No. PSW20081.DC1	19 June 2020	Prime Engineering Consultants

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

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

Landscape Plans		
Drawing No.	Dated	Prepared By
Sheet 2A - Landscape Plan	3 July 2020	Building Drafting Solutions

Waste Management Plan		
Drawing No/Title.	Dated	Prepared By
Waste Management Plan		Julieri Elsa De Florio and Luis Armando De Florio

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:

Other Department, Authority or Service	EDMS Reference	Dated
Ausgrid	Ausgrid Referral Response	31 August 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. 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.

#### 4. **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.

## **FEES / CHARGES / CONTRIBUTIONS**

### **5. Security Bond**

A bond (determined from cost of works) of \$1,000 and an inspection fee in accordance with Council's Fees and Charges paid as security are required to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

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

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

### **6. Stormwater Disposal Details**

The Applicant is to provide a certification of drainage plans detailing the disposal stormwater in accordance with Northern Beaches Council's PITTWATER DCP 21 and generally in accordance with the concept drainage plans prepared by Prime Engineering Consultants Pty Ltd, drawing number PSW20081, sheet SW01 to SW03, dated 18/06/2020. Detailed drainage plans are to be prepared by a suitably qualified Civil Engineer, who has membership to the Institution of Engineers Australia, National Professional Engineers Register (NPER) and registered in the General Area of Practice for civil engineering.

The drainage plans must address the following:

- i. Site discharge shall be in accordance with PITTWATER DCP 21 B5.10 Stormwater Discharge into Public Drainage System.
- ii. Detailed drainage plans, including engineering certification, are to be submitted to the

Certifying Authority for approval prior to the issue of the Construction Certificate.

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

**7. 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.

## **CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

**8. Tree Protection**

A) Existing trees and vegetation shall be retained as follows:

i) all trees and vegetation within the site, shall be protected during all construction stages, excluding exempt trees under the relevant planning instruments or legislation,

ii) all other trees and vegetation located on adjoining properties,

iii) all road reserve trees and vegetation.

B) Tree protection shall be undertaken as follows:

i) all tree protection shall be in accordance with AS4970- 2009 Protection of Trees on Development Sites, with particular reference to Section 4,

ii) any tree roots exposed during excavation with a diameter greater than 25mm within the TPZ must be assessed by an Arborist. Details including photographic evidence of works undertaken shall be submitted by an AQF Level 5 Arborist to the Certifying Authority,

iii) to minimise the impact on trees and vegetation to be retained and protected, no excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of trees and other vegetation required to be retained,

iv) no tree roots greater than 25mm diameter are to be cut from protected trees unless authorized by the Project Arborist on site,

v) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF Level 5 Arborist on site,

vi) should either or both iv) and v) occur during site establishment and construction works, a AQF Level 5 Arborist shall provide recommendations for tree protection measures provided.

Details including photographic evidence of works undertaken shall be submitted by the Arborist to the Certifying Authority.

Reason: To ensure compliance with the requirement to retain and protect significant planting on development sites.

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

**9. 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.

**10. Removing, Handling and Disposing of Asbestos**

Any asbestos material arising from the demolition process shall be removed and disposed of in accordance with the following requirements:

- Work Health and Safety Act;
- Work Health and Safety Regulation;
- Code of Practice for the Safe Removal of Asbestos [NOHSC:2002 (1998)];
- Guide to the Control of Asbestos Hazards in Buildings and Structures [NOHSC: 3002 (1998)];
- Clause 42 of the Protection of the Environment Operations (Waste) Regulation 2005; and
- The demolition must be undertaken in accordance with Australian Standard AS2601 – The Demolition of Structures.

Reason: For the protection of the environment and human health.

**11. Installation and Maintenance of Sediment Control**

Prior to any works commencing on site, including demolition, sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004). Techniques used for erosion and sediment control on site 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 the site is sufficiently stabilised with vegetation.

Reason: To protect the surrounding environment from the effects of sedimentation and erosion from the site.

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

**12. Landscape completion certification**

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 landscape plan and inclusive of any conditions of consent.

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

**13. Stormwater Disposal**

The stormwater drainage works shall be certified as compliant with this consent, all relevant Australian Standards and Codes by a suitably qualified Civil Engineer. 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 appropriate provision for the disposal of stormwater arising from the development.

**14. Removal of All Temporary Structures/Material and Construction Rubbish**

Once construction has been completed all silt and sediment fences, silt, rubbish, building debris, straw bales and temporary fences are to be removed from the site.

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

Reason: To ensure bushland management.

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

15. **Landscape maintenance**

- i) Trees shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilized as required at the time of planting.
- ii) If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Landscape Plan.

Reason: To maintain local environmental amenity.

16. **Control of Weeds**

Prior to the completion of works, all priority weeds (as listed under the Biosecurity Act 2015) are to be removed/controlled within the subject site using an appropriately registered control method. Information on weeds of the Northern Beaches can be found at the NSW WeedWise website (<http://weeds.dpi.nsw.gov.au/>). All environmental weeds are to be removed and controlled. Refer to Council website [http://www.pittwater.nsw.gov.au/environment/noxious\\_weeds](http://www.pittwater.nsw.gov.au/environment/noxious_weeds)

**Reason:** Weed management.

17. **No Planting Environmental Weeds**

No environmental weeds are to be planted on the site. Information on weeds of the Northern Beaches can be found at the NSW WeedWise website (<http://weeds.dpi.nsw.gov.au/>).

**Reason:** Weed management.

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

**Signed**



**Thomas Burns, Planner**

The application is determined on 07/09/2020, under the delegated authority of:



**Tony Collier, Acting Development Assessment Manager**