

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2018/0822
Responsible Officer:	Julie Edwards
Land to be developed (Address):	Lot 1229 DP 752038, 14 / 0 Blackbutts Road FRENCHS FOREST NSW 2086
Proposed Development:	Construction of a school electronic signboard
Zoning:	Warringah LEP2011 - Land zoned R2 Low Density Residential
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	NSW Department of Education Mimosa Public School Davidson High School
Applicant:	Northern Sydney Asset Management Unit
Application lodged:	15/08/2018
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Commercial/Retail/Office
Notified:	17/08/2018 to 04/09/2018
Advertised:	Not Advertised
Submissions Received:	0
Recommendation:	Approval
Estimated Cost of Works:	\$ 22,836.00

ASSESSMENT INTRODUCTION

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

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;

- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Warringah Development Control Plan - B7 Front Boundary Setbacks

Warringah Development Control Plan - D23 Signs

SITE DESCRIPTION

Property Description:	Lot 1229 DP 752038 , 14 / 0 Blackbutts Road FRENCHS FOREST NSW 2086
Detailed Site Description:	<p>The subject site consists of four allotment located on the corner of Blackbutts Road, Mimosa Street and Pound Avenue FRENCHS FOREST.</p> <p>The site is irregular in shape with a frontage of approximately 197.4m along Blackbutts Road, 297.1m along Mimosa Street and 391.6m along Pound Avenue. The site has a surveyed area of approximately 84535.3m².</p> <p>The site is located within the R2 Low Density Residential zone and accommodates Davidson High School and Mimosa Public School.</p> <p>The site is relatively flat.</p> <p>The site has vegetation along the boundaries and is located within the Duffys Forest endangered ecological community.</p> <p>Detailed Description of Adjoining/Surrounding Development</p> <p>Adjoining and surrounding development is characterised by one to two storey residential dwellings of varying architectural styles.</p>

Map:



SITE HISTORY

A search of Council's records has revealed the following:

Application DA2005/0886 for Landscaping Work to Entrance of School Including New Paving Retaining Wall Pedestrian Crossing and Removal of Existing Landscaping. Date of Approval 05/04/2005.

Application DA2002/1708 for Erection of Awning for "Davidson High School". Date of approval 04/12/2002.

Application DA1999/3483 for Long Day Care Centre. Date of approval 15/02/2000.

The land has been used for educational purposes for an extended period of time.

PROPOSED DEVELOPMENT IN DETAIL

The proposal is seeking approval for installation of one electronic sign.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

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

Section 4.15 Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on "Environmental Planning Instruments" in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	None applicable.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.

Section 4.15 Matters for Consideration'	Comments
Section 4.15 (1) (a)(iii) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clauses 54 and 109</u> of the EP&A Regulation 2000, Council requested additional information and has therefore considered the number of days taken in this assessment in light of this clause within the Regulations. No additional information was requested.</p> <p><u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter has been addressed via a condition of consent.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p>
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report.</p> <p>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on "Notification & Submissions Received" in this report.
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

NOTIFICATION & SUBMISSIONS RECEIVED

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

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

MEDIATION

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

REFERRALS

Internal Referral Body	Comments
NECC (Bushland and Biodiversity)	Council's Bushland & Biodiversity division has assessed the proposal against the Warringah LEP 2011 & Warringah DCP 2011 Controls: E3 Threatened species, populations, ecological communities listed under State or Commonwealth legislation (Duffys Forest Ecological Community in the Sydney Basin Bioregion) , E4 Wildlife Corridors, E5 Native Vegetation and believes the proposed development complies subject to conditions, as recommended.
Strategic and Place Planning (Heritage Officer)	HERITAGE COMMENTS
	Discussion of reason for referral
	This application has been referred to heritage as the subject property is a heritage item
	<i>Item I37 - Trees, Davidson High School</i>
	Details of heritage items affected
	Details of the item as contained in the Warringah heritage inventory are:
	<i>Item I37 - Trees, Davidson High School</i>
	<u>Statement of significance</u> An area which has scientific & aesthetic significance, being representative of the natural plateau vegetation which existed in the area. Historically provides evidence of the greater awareness of environment in the design of educational establishments.
	<u>Physical Description</u> Retained remnant vegetation which provides a screen and buffer around the Davidson High School. Vegetation is dominated by Eucalypt species.

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 the replacement of an existing manually operated sign with a new electronic sign for Mimosa Public School. The subject site which contains part of the public school and part of Davidson High School is listed as a heritage item under the Warringah LEP 2011 due to the remnant vegetation on the property. The proposed replacement sign is not considered to impact upon the heritage item or its significance as it retains the screening vegetation buffer to the school site. Heritage raises no objections to the proposal subject to a condition of consent that neighbouring trees are protected throughout demolition and construction works.
	Consider against the provisions of CL5.10 of WLEP.
	Is a Conservation Management Plan (CMP) Required? No Has a CMP been provided? No Is a Heritage Impact Statement required? Yes Has a Heritage Impact Statement been provided? No - however given the minor nature of the proposal the lack of a HIS is not considered fatal to this application.
	Further Comments
	COMPLETED BY: Brendan Gavin, Strategic Planner
	DATE: 29 October 2018

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

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 19 - Bushland in Urban Areas

The SEPP is not applicable as the bushland is not zoned or reserved for public open space.

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 education facility 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 education facility land use.

SEPP 64 - Advertising and Signage

Clauses 8 and 13 of SEPP 64 require Council to determine consistency with the objectives stipulated under Clause 3(1)(a) of the aforementioned SEPP and to assess the proposal against the assessment criteria of Schedule 1.

The objectives of the policy aim to ensure that the proposed signage is compatible with the desired amenity and visual character of the locality, provides effective communication and is of high quality having regards to both design and finishes.

In accordance with the provisions stipulated under Schedule 1 of SEPP 64, the following assessment is provided:

Matters for Consideration	Comment	Complies
1. Character of the area Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The site contains Mimosa Public School and the proposal is for an identification and electronic notification type sign. The proposed signage is a replacement of an existing sign and is compatible with the existing and desired future character of the area.	YES
Is the proposal consistent with a	The new sign will replace an existing noticeboard	YES

particular theme for outdoor advertising in the area or locality?	type sign and will remain consistent with the intended use of the site.	
2. Special areas Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The signage will not detract from any environmentally sensitive areas, natural or other conservation areas, open space, rural landscapes or residential areas.	YES
3. Views and vistas Does the proposal obscure or compromise important views?	The proposal will not affect any important views.	YES
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposal will not dominate the skyline or reduce the quality of vistas.	YES
Does the proposal respect the viewing rights of other advertisers?	The signage respects the viewing rights of other advertisers.	YES
4. Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the proposed signage is considered appropriate within the setting of a school.	YES
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage will replace an existing sign. The new signage is well designed and will contribute to the visual interest of the setting.	YES
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The replacement sign will not create visual clutter and will improve the overall appearance compared to the existing signage.	YES
Does the proposal screen unsightliness?	There is no unsightliness to be screened.	YES
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed sign does not protrude above buildings, structures or tree canopies.	YES
5. Site and building Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signage will replace an existing sign and is not considered out of proportion with the school and the site.	YES
Does the proposal respect important features of the site or building, or both?	The proposed signage would not affect any important features of the building or site.	YES
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage is considered innovative in its design with the use of the electronic notice board.	YES
6. Associated devices and logos with advertisements and advertising structures Have any safety devices, platforms, lighting devices or logos been designed	Nil proposed.	YES

as an integral part of the signage or structure on which it is to be displayed?		
7. Illumination Would illumination result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, detract from the amenity of any residence or other form of accommodation?	Only the electronic noticeboard element is proposed to be illuminated. There will be no illumination at night. The illumination is acceptable and would not result in unacceptable glare, affect pedestrian safety, vehicles or aircraft.	YES
Can the intensity of the illumination be adjusted, if necessary?	No details were provided in this regard, however, there will be no illumination of the sign at night and the sign does not face any residential properties.	YES
Is the illumination subject to a curfew?	There will be no illumination at night.	YES
8. Safety Would the proposal reduce the safety for any public road, pedestrians or bicyclists?	The proposal would not affect the safety of any public road, pedestrians or bicyclists.	YES
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposal would not obscure sightlines from public areas.	YES

Accordingly, the proposed signage is considered or is not considered to be of a scale and design suitable for the locality. The proposal is therefore deemed to be consistent or inconsistent with the provisions of the SEPP and its underlying objectives.

SEPP (Infrastructure) 2007

Ausgrid

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

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

Comment:

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

Warringah Local Environmental Plan 2011

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

Principal Development Standards

Standard	Requirement	Proposed	Complies
Height of Buildings:	8.5m	4.41m	Yes

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
5.10 Heritage conservation	Yes
6.4 Development on sloping land	Yes
Schedule 5 Environmental heritage	Yes

Warringah Development Control Plan

Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
B5 Side Boundary Setbacks	0.9m	Approximately 196m	N/A	Yes
B7 Front Boundary Setbacks - Blackbutts Road	6.5m	0.33m	95.39%	No
B7 Front Boundary Setbacks - Mimosa Street	6.5m	1.14m	82.47%	No
B7 Front Boundary Setbacks - Pound Avenue	6.5m	274.8m	N/A	Yes
D1 Landscaped Open Space (LOS) and Bushland Setting	40%	No change	N/A	Yes

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
B5 Side Boundary Setbacks	Yes	Yes
B7 Front Boundary Setbacks	No	Yes
C2 Traffic, Access and Safety	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
C8 Demolition and Construction	Yes	Yes
D6 Access to Sunlight	Yes	Yes
D7 Views	Yes	Yes
D10 Building Colours and Materials	Yes	Yes
D12 Glare and Reflection	Yes	Yes
D23 Signs	No	Yes
E3 Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat	Yes	Yes
E4 Wildlife Corridors	Yes	Yes
E5 Native Vegetation	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E10 Landslip Risk	Yes	Yes

Detailed Assessment

B7 Front Boundary Setbacks

Description of non-compliance

The proposed sign is located approximately 0.33 - 1.14m from the front boundary.

The control requires a 6.5m Front Boundary Setback.

Merit consideration:

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

- *To create a sense of openness.*
- *To maintain the visual continuity and pattern of buildings and landscape elements.*
- *To protect and enhance the visual quality of streetscapes and public spaces.*
- *To achieve reasonable view sharing.*

Comment:

The proposal is for an electronic notification sign for Mimosa Public School that will replace an existing sign. The new sign will not be visually dominant and will have no unreasonable impacts on the amenity of the surrounding land. The sign will not effect the existing landscaped open space and will maintain the sense of openness on the site.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP 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.

D23 Signs

Description of non-compliance and/or inconsistency

The application proposes one pieces of signage consisting of the following:

Sign	Requirement	Width	Height	M ²	Complies
Freestanding signs (not being a sign elsewhere listed in this table, and includes a bulletin board, tenancy board, and the like)	Shall not exceed 2 metres in height above the existing natural ground level; Shall not have an area greater than 4sqm; Shall not project beyond the boundary of the premises; and Shall not be illuminated.	1.88m	4.41m	3.7m ²	No

Merit consideration

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

- To encourage well designed and suitably located signs that allow for the identification of a land use, business or activity to which the sign relates.*

Comment:

The site has three street frontages, Blackbutts Road, Mimosa Street and Pound Avenue. The proposal will be on the corner of Blackbutts Road and Mimosa Street. The proposal is well designed and suitably located to allow for the identification of Mimosa Public School.

- To achieve well designed and coordinated signage that uses high quality materials.*

Comment:

The proposed signage is to replace an existing sign that has become dilapidated. The proposed sign is compatible with the character of the area, appropriately located and designed to allow for the identification of Mimosa Public School.

- To ensure that signs do not result in an adverse visual impact on the streetscape or the surrounding locality.*

Comment:

The proposed signage is to replace an existing dilapidated sign. The sign is appropriately located to allow for the identification of the landuse whilst not contributing to building clutter. The proposed signage will not result in adverse impact on the streetscape or the surrounding locality.

- *To ensure the provision of signs does not adversely impact on the amenity of residential properties.*

Comment:

The proposed signage will not adversely impact on the amenity of residential properties.

- *To protect open space areas and heritage items or conservation areas from the adverse impacts of inappropriate signage.*

Comment:

The proposed signage will not adversely impact on the open space areas, heritage items or conservation areas.

An assessment of the application has also found the development to be consistent with the requirements of *State Environmental Planning Policy No. 64 - Advertising and Signage*.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP 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.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

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

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

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

POLICY CONTROLS

Northern Beaches Council Contributions Plan 2018

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

CONCLUSION

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

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

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any

unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

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

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant Development Consent to DA2018/0822 for Construction of a school electronic signboard on land at Lot 1229 DP 752038, 14 / 0 Blackbutts Road, FRENCHS FOREST, 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
Single side digital sign - Rev 1	Nov	Denis Bunt
17131_DET_1A	28.03.18	Survey Plus
Site Plan (10681)	Printed: 15-Nov-2011	No Name

b) Any plans and / or documentation submitted to satisfy the Deferred Commencement Conditions of this consent as approved in writing by Council.

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

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. (DACPLB01)

2. Prescribed Conditions (Crown Land Only)

(a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

Reason: Legislative Requirement (DACPLB09)

3. General Requirements (Crown Land Only)

(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) 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.

(c) 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.

(d) Where works are to be carried out to a Class 1a building, smoke alarms are to be installed throughout all new and existing portions of that Class 1a building in accordance with the Building Code of Australia prior to the occupation of the new works.

(e) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.

(f) No building, demolition, excavation or material of any nature and no hoist, plant and machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.

(g) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.

(h) All sound producing plant, equipment, machinery or fittings and the use will not exceed more than 5dB (A) above the background level when measured from any property boundary and/or habitable room(s) consistent with the Environment Protection Authority's NSW Industrial Noise Policy and/or Protection of the Environment Operations Act 1997.

(i) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings

or other temporary works.

(j) Prior to the commencement of any development onsite for:

- i) Building/s that are to be erected
- ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
- iii) Building/s that are to be demolished
- iv) For any work/s that is to be carried out
- v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

(k) Any Regulated System (e.g. air-handling system, hot water system, a humidifying system, warm-water system, water-cooling system, cooling towers) as defined under the provisions of the Public Health Act 2010 installed onsite is required to be registered with Council prior to operating.

Note: Systems can be registered at www.northernbeaches.nsw.gov.au

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community. (DACPLB10)

4. **Compliance with Standards (Crown Land Only)**

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

Reason: To ensure the development is constructed in accordance with appropriate standards. (DACPLC02)

5. **Sewer / Water Quickcheck (Crown Land Only)**

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre prior to works commencing to determine whether the development will affect any Sydney Water asset's sewer and water mains, stormwater drains and/or easement, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- o Quick Check agents details - see Building Developing and Plumbing then Quick Check; and
- o Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building Developing and Plumbing then Building and Renovating.
- o Or telephone 13 20 92.

Reason: To ensure compliance with the statutory requirements of Sydney Water. (DACPLC12)

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

6. **Arboriculturist Input - Appointment of a Project Arborist**

Prior to works commencing, an appropriately experienced, minimally AQF Level 5

Arboriculturist is to be appointed to oversee all aspects of the signage installation. The appointed Arboriculturist is to directly supervise all works (specifically but not limited to the trenching works to supply the power to the signage) within 5m of existing site trees.

Reason: Protection of the Natural Environment (DACNEDPC1)

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

7. Protection of Heritage Listed Trees

The neighbouring heritage listed trees located on the property, are to be protected at all times during demolition and construction works on the site.

Reason: To ensure that the heritage listed trees are not damaged as a result of the proposed works (DACHEEDW1)

8. Tree Protection - Arborist Supervision of Works

All works within 5 metres of the existing trees to be retained including (but limited to); pruning, demolition, excavation, civil works, fencing and the like must be carried out by hand under the direct supervision of an experienced and minimally AQF Level 5 qualified Arborist (Project Arborist). Should roots larger than 30mm in diameter be encountered, all excavation works are to cease immediately and the Project Arborist is to advise on the impacts of the roots removal on the tree's survival. Where practicable, electrical cabling is to be threaded through existing tree roots removing the need for root severance and/or trench located outside tree structural root zones (SRZ).

Reason: To ensure protection and retention of the Urban Forest/Natural Environment.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO COMPLETION

9. Documentation of Arborist Site Supervision Required

Documented evidence of a qualified arborist supervising the works in proximity to trees being retained and ensuring that all tree protection measures as specified in the supplied arborist report is required. This documentation is to be provided prior to the issue of the Occupation Certificate.

Reason: To ensure the retention of the Urban Forest/Natural Environment.

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

10. Retention of Natural Features

All natural landscape features, including natural rock outcrops, natural vegetation, soil and watercourses, are to remain undisturbed except where affected by necessary works detailed on approved plans.

Reason: To ensure the retention of natural features.

11. Tree Retention

All existing trees as indicated in the Survey Plan authored by Survey Plus, dated 21/3/2018 reference no. 17131_DET_1A, shall be retained except where Council's prior written consent has been obtained, for trees that stand within the envelope of approved development areas and removal is approved through an arborist report. For all other tree issues not related to a development application, applications must be made to Council's Tree Management Officers.

Reason: To ensure the retention of the Urban Forest/Natural Environment.

12. Hours of Illumination

Illumination of signage at the subject premises shall cease between the hours of 12.00

midnight and 6.00 am daily.

Signs must not flash, move or be constructed of neon materials.

Reason: To ensure residential premises are not affected by inappropriate or excessive illumination. (DACPLG11)

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

Signed



Julie Edwards, Planner

The application is determined on 04/12/2018, under the delegated authority of:



Anna Williams, Manager Development Assessments