

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2023/0520
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Responsible Officer:	Jordan Howard
Land to be developed (Address):	Lot 1 DP 808703, 5 Chiltern Road INGLESIDE NSW 2101
Proposed Development:	Alterations and additions to an educational establishment (Galstaun College)
Zoning:	RU2 Rural Landscape SP2 Infrastructure
Development Permissible:	Yes, under State Environmental Planning Policy (Transport and Infrastructure) 2021
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Hamazkaine - Arshak & Sophie Galstaun College Ltd
Applicant:	ES Engineering & Design

Application Lodged:	30/05/2023
Integrated Development:	Yes
Designated Development:	No
State Reporting Category:	Other
Notified:	05/07/2023 to 19/07/2023
Advertised:	Not Advertised
Submissions Received:	1
Clause 4.6 Variation:	Nil
Recommendation:	Approval

Estimated Cost of Works:	\$ 80,000.00
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PROPOSED DEVELOPMENT IN DETAIL

The proposed development is for alterations and additions to an educational establishment (Galstaun College). Specifically, this Development Application seeks development consent for the construction and installation of a new two storey lift to service an existing school building.

The subject site is legally defined as Lot 1 DP 808703, with the common address of 5 Chiltern Road INGLESIDE. The site is currently occupied by Hamazkaine Arshak and Sophie Galstaun College (known as Galstaun College). *Figure 1* below shows the general location of the proposed lift in respect to the site as a whole.



Figure 1 - Aerial image showing the general location of the proposed lift (within the red square) in respect to the site as a whole.

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 - Zone RU2 Rural Landscape

Pittwater Local Environmental Plan 2014 - 5.10 Heritage conservation

Pittwater Local Environmental Plan 2014 - 5.21 Flood planning

Pittwater Local Environmental Plan 2014 - 7.10 Essential services

Pittwater 21 Development Control Plan - D6.8 Landscaped Area - Non Urban General

SITE DESCRIPTION

Property Description:	Lot 1 DP 808703 , 5 Chiltern Road INGLESIDE NSW 2101
Detailed Site Description:	<p>The subject site consists of one (1) allotment located on the western side of Chiltern Road and north-western side of Mona Vale Road.</p> <p>The site is irregular in shape with a frontage of 15.24m along Chiltern Road and a maximum depth of 609.37m. The site has a surveyed area of 94,910m² (9.491 ha).</p> <p>The site is located mostly within the RU2 Rural Landscape zone, with a small undeveloped portion bordering Mona Vale Road zoned as SP2 Infrastructure (Classified Road).</p> <p>The site is currently occupied by Hamazkaine Arshak and Sophie Galstaun College (known as Galstaun College). An internal driveway provides access from Chiltern Road to a cluster of buildings out of which the College operates from. This developed section of the site includes car parking, buildings, playgrounds and sports fields. The rear of the site is mostly undeveloped bushland.</p> <p>The site slopes from the front (east) to rear (west). The slope is more significant at the area of undeveloped bushland, with the site relatively flat at the developed portion.</p> <p>The site landscaping is characterised by lawn areas, sports fields, play areas, landscaping and gardens within the developed portion of the site. The rear of the site is characterised by undeveloped bushland.</p> <p>Detailed Description of Adjoining/Surrounding Development</p> <p>Adjoining and surrounding development is characterised by large, rural properties. Surrounding properties operate varying land uses, with surrounding businesses including a plant nursery, crane hire, timer supplier and stone supplier. Other properties are predominantly rural residential.</p>

Map:



SITE HISTORY

The land has been used as an educational establishment for an extended period of time. A search of Council's records has revealed the following history:

- **DA2022/2219** - for alterations and additions to an educational establishment (Galstaun College). This application was returned on 22 December 2022 due to inadequate and/or insufficient information being provided to assess the proposed development.
- **DA2018/1543** - for alterations and additions to an existing school. This application was returned on 24 September 2018 due to inadequate and/or insufficient information being provided to assess the proposed development.
- **DA2018/1158** - for alterations and additions to an existing school. This application was returned on 19 July 2018 due to inadequate and/or insufficient information being provided to assess the proposed development.
- **N0247/11** - for subdivision of the land into four lots with associated access from Addison Rd. Approved 23 September 2011.

History relating to the ongoing development and use of the site as an educational establishment dates back further. An application for a School Complex in 1989 (Application Number: 0515/89) is noted. Galstaun College states that it established its Ingleside campus in 1991.

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	See discussion on “Environmental Planning Instruments” in this report.

Section 4.15 Matters for Consideration	Comments
environmental planning instrument	
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	There are no current draft environmental planning instruments.
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)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021)	<p><u>Part 4, Division 2</u> of the EP&A Regulation 2021 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 29</u> of the EP&A Regulation 2021 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application.</p> <p><u>Clauses 36 and 94</u> of the EP&A Regulation 2021 allow Council to request additional information. Additional information was requested in relation to a Bushfire Report.</p> <p><u>Clause 61</u> of the EP&A Regulation 2021 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 62 and/or 64</u> of the EP&A Regulation 2021 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 69</u> of the EP&A Regulation 2021 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This clause is not relevant to this application.</p> <p><u>Clause 69</u> of the EP&A Regulation 2021 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 Pittwater 21 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>

Section 4.15 Matters for Consideration	Comments
	<p>(iii) Economic Impact</p> <p>The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is classified as bush fire prone land and the proposed development is for a special fire protection purpose (being a school) under Section 100B of the *Rural Fires Act 1997*. As such, the proposal is integrated development and requires a bush fire safety authority from the NSW Rural Fire Service.

The application was referred to the NSW RFS as integrated development. The NSW RFS issued a bush fire safety authority, subject to conditions. The recommendations of the Bush Fire Report, along with the conditions from the NSW RFS as part of the bush fire safety authority, have been included as part of the recommended conditions of consent.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited from 05/07/2023 to 19/07/2023 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021 and the Community Participation Plan.

As a result of the public exhibition process council is in receipt of 1 submission/s from:

Name:	Address:
Mrs Kathleen Kerrie Amy Hayes	30 Addison Road INGLESIDE NSW 2101

The following issues were raised in the submission:

- **Bushfire concerns**

The submission raised concerns that the subject site includes overgrown vegetation, which presents a fire hazard to surrounding properties. The submission noted that bush generation in this area was a condition of a previous DA. The submission raised further concerns relating to the issuing of a bush fire safety authority by the NSW Rural Fire Service and the compliance of any development with documentation and conditions.

Comment:

The site is classified as bush fire prone land and the proposed development is for a special fire protection purpose (being a school) under Section 100B of the Rural Fires Act 1997. As such, the proposal is integrated development and requires a bush fire safety authority from the NSW Rural Fire Service.

The application was referred to the NSW RFS as integrated development. The NSW RFS issued a bush fire safety authority, subject to conditions. The recommendations of the Bush Fire Report, along with the conditions from the NSW RFS as part of the bush fire safety authority, have been included as part of the recommended conditions of consent.

As conditions of consent, the development must be carried out in accordance with the recommendations of the Bush Fire Report and the conditions provided by the NSW RFS.

It is noted that the previous development consent noted in the submission related to subdivision, and this development consent may not have been activated. Nonetheless, this Development Application relates to the construction and installation of a new two storey lift to service an existing school building, and is a matter separate to that raised.

If it is believed that development has been undertaken not in accordance with the requirements of a development consent, concerns should first be raised directly with the Principal Certifying Authority (PCA) that has been nominated. A complaint can be made to Council regarding building works not complying with an approval if further investigation is sought.

REFERRALS

Internal Referral Body	Comments
Building Assessment - Fire and Disability upgrades	<p>The application has been investigated with respects to aspects relevant the Building Certification and Fire Safety Department. There are no objections to approval of the development subject to inclusion of the attached conditions of approval and consideration of the notes below.</p> <p>Note: The proposed development may not comply with some requirements of the BCA and the Premises Standards. Issues such as this however may be determined at Construction Certificate Stage.</p>
Environmental Health (Unsewered Lands)	<p>General Comments</p> <p>The DA seeks to approve the construction of a two (2) storey lift. The proposal intends to remain compatible with the established building forms in the immediate locality. It</p>

Internal Referral Body	Comments
	<p>endeavours to comply with all the requirements of Pittwater LEP 2014 and Pittwater 21 Development Control Plan 2014 (PDCP 2014).</p> <p>The proposal within the building does not impact on waste water disposal and is therefore supported by Environmental Health</p>
NECC (Bushland and Biodiversity)	<p>Council's Biodiversity referrals team have assessed the Development Application against the following applicable provisions:</p> <ul style="list-style-type: none"> • Biodiversity Conservation Act 2016 (BC Act) • Pittwater LEP 2014 cl. 7.6 Biodiversity Protection • Pittwater 21 DCP cl. B4.13 Freshwater Wetlands (non Endangered Ecological Communities) • Pittwater 21 DCP cl. B4.14 Development in the Vicinity of Wetlands • Pittwater 21 DCP cl. B4.18 Heathland/Woodland Vegetation • Planning for Bushfire Protection 2019 <p>The Development Application seeks consent for Alterations and additions to an educational establishment (Galstaun College). The alterations include the construction of a two (2) storey lift inside an existing building.</p> <p>A Bushfire Hazard Assessment Report (Control Line Consulting 2022) was submitted with the Development Application as the site is located within bushfire prone land. The Bushfire Consultant has recommended that <i>"the site where not built upon is maintained to the requirements of an inner protection area of an asset protection zone and managed to these provisions for the lifetime of the development as follows;</i></p> <ul style="list-style-type: none"> • <i>From the proposed lift installation site to the adjacent sections of northern eastern and southern boundaries; and</i> • <i>From the proposed lift installation site for a distance of 93 metres to the west".</i> <p>As a result, a small portion of vegetation on the edge of a patch of remnant native vegetation in the west of the site, will form part of an IPA as recommended by the Bushfire Consultant (Control Line Consulting 2022). The management of this vegetation to IPA standards is not likely to adversely impact on wetlands, nor will it reduce or degrade habitat for locally native species, threatened species, endangered populations or endangered ecological communities.</p> <p>The Biodiversity referrals team refer to the Riparian referrals team for comments in reference to riparian habitats.</p> <p>Subject to conditions, Council's Biodiversity referrals team raise no objections.</p>

Internal Referral Body	Comments
NECC (Flooding)	<p>The proposal seeks consent for the construction and installation of a new two storey lift within an existing school building.</p> <p>The works are located outside of the identified flood extent, and there is no expected impact to the existing flood regime. The following flood-related development controls are not applicable:</p> <ul style="list-style-type: none"> • Section B3.11 Flood Prone Land from the Pittwater 21 DCP 2021. • Clause 5.21 of the Pittwater LEP 2014
NECC (Riparian Lands and Creeks)	<p>This application was assessed in consideration of:</p> <ul style="list-style-type: none"> - Supplied plans and reports; - Coastal Management Act 2016; - State Environmental Planning Policy (Resilience and Hazards) 2021; - Relevant LEP and DCP clauses; and - Northern Beaches Council Water management for development policy. <p>No objection. DA proposed changes to the building are minor and are not expected to impact the riparian environment.</p>
Strategic and Place Planning (Heritage Officer)	HERITAGE COMMENTS
	Discussion of reason for referral
	<p>The proposal has been referred to Heritage as the subject site contains a heritage item and adjoins a site containing a heritage item</p> <p>Smokey Dawson's Ranch gates - 5 Chiltern Road Group of Monterey Pines (Pinus Radiata) - 169 and 169A Mona Vale Road</p>
	Details of heritage items affected
	<p>Smokey Dawson's Ranch Gates <u>Statement of Significance</u> The gates are historically associated with the country and western music singer Smoky Dawson who, together with his wife, managed the ranch for the 26 years. The current gates are a combination of restoration of original gate elements and reconstruction works in 2002, and officially opened by Dot and Smoky Dawson, after the original gates went missing in a fire. The extensive community involvement that promoted the restoration and reconstruction demonstrates their social significance.</p> <p>Monterey Pines <u>Statement of Significance</u> The Group of Monterey Pines (Pinus Radiata) are a cultural landscape feature associated with land clearing and farm activities</p>

Internal Referral Body	Comments		
	at the beginning of the 20th Century. They are also associated with the Larkin family a significant local pioneer family.		
	Other relevant heritage listings		
	SEPP (Biodiversity and Conservation) 2021	No	
	Australian Heritage Register	No	
	NSW State Heritage Register	No	
	National Trust of Aust (NSW) Register	No	
	RAIA Register of 20th Century Buildings of Significance	No	
	Other	N/A	
	Consideration of Application		
	<p>The proposal seeks consent for a lift to an existing school building on site. Smokey Dawson's gates are located on the boundary of the site where it adjoins Mona Vale Road, over 200m away from the site of the proposed works. The Monterey Pines are located on the adjoining property to the south, with the common boundary being located over 70m away. Given the physical separation from the proposed works and the heritage items, the proposal is considered to not impact upon the heritage items or their significance.</p> <p>Therefore Heritage raises no objections and requires no conditions.</p> <p>Consider against the provisions of CL5.10 of PLEP.</p> <p>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</p>		

External Referral Body	Comments
Ausgrid - SEPP (Transport and Infrastructure) 2021, s2.48	The proposal was referred to Ausgrid who provided a response stating that a decision was not required.
Aboriginal Heritage Office	<p>Development Application No. DA2023/0520</p> <p>Description: Alterations and additions to an educational establishment (Galstaun College)</p> <p>Address: 5 Chiltern Road INGLESIDE</p>

External Referral Body	Comments
	<p>Reference is made to the proposed development at the above area and Aboriginal heritage.</p> <p>No sites are recorded in the current development area and the area has been subject to previous disturbance reducing the likelihood of surviving unrecorded Aboriginal sites.</p> <p>Given the above, the Aboriginal Heritage Office considers that there are no Aboriginal heritage issues for the proposed development.</p> <p>Under the National Parks and Wildlife Act 1974 (NPW Act) all Aboriginal objects are protected. Should any Aboriginal Cultural Heritage items be uncovered during earthworks, works should cease in the area and the Aboriginal Heritage Office assess the finds. Under Section 89a of the NPW Act should the objects be found to be Aboriginal, Heritage NSW and the Metropolitan Local Aboriginal Land Council (MLALC) should be contacted.</p>
Integrated Development - Rural Fire Service - Rural Fires Act, s100B - Subdivisions and Special Fire Protection Purposes	<p>The site is classified as bush fire prone land and the proposed development is for a special fire protection purpose (being a school) under Section 100B of the <i>Rural Fires Act 1997</i>. As such, the proposal is integrated development and requires a bush fire safety authority from the NSW Rural Fire Service.</p> <p>The application was referred to the NSW RFS as integrated development. The NSW RFS issued a bush fire safety authority, subject to conditions. The recommendations of the Bush Fire Report, along with the conditions from the NSW RFS as part of the bush fire safety authority, have been included as part of the recommended conditions of consent.</p>

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs 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 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 (Transport and Infrastructure) 2021

Chapter 2 – Infrastructure

Ausgrid

Section 2.48 of Chapter 2 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 a decision was not required.

Chapter 3 Educational establishments and child care facilities

Permissibility.

The development is for the purposes of an educational establishment (specifically a school, which is a type of educational establishment). This type of development within the RU2 Rural Landscape zone of the PLEP 2014 is 'prohibited', in that 'educational establishment' is not specified in the 'permitted without consent' or 'permitted with consent' land use tables for the zone. However, Part 3.4, Section 3.36 of Chapter 3 of the State Environmental Planning Policy (Transport and Infrastructure) 2021 stipulates that:

(1) Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.

Part 3.4, Section 3.34 of Chapter 3 stipulates that a prescribed zone includes RU2 Rural Landscape.

Where inconsistencies arise between State Environmental Planning Policies and Local Environmental Plans, the provisions of a State Environmental Planning Policy prevail (see Section 1.9 of the PLEP 2014 and Section 3.28 of the EP&A Act 1979).

Therefore, the development is permitted with consent in the RU2 Rural Landscape zone.

Design Quality Principles in Schools

Part 3.4, Section 3.36 of Chapter 3 stipulates that:

(6) Before determining a development application for development of a kind referred to in subclause (1), (3) or (5), the consent authority must take into consideration—

- (a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 8, and*
- (b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.*

In response to item (a):

The design quality principles are set out and addressed as follows:

Principle 1 – context, built form and landscape

Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate.

Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites.

School buildings and their grounds on land that is identified in or under a local environmental plan as a scenic protection area should be designed to recognise and protect the special visual qualities and natural environment of the area, and located and designed to minimise the development's visual impact on those qualities and that natural environment.

Comment:

The proposal seeks development consent for the construction and installation of a new two storey lift to service an existing school building. This is a relatively minor alteration and addition which will not significantly impact the context, built form and landscape of the existing educational establishment, which as existing is well integrated into the rural landscape. The proposal will not create streetscape or amenity impacts on neighbouring properties, and does not reduce landscaped area.

Principle 2 – sustainable, efficient and durable

Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling.

Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.

Comment:

The proposal seeks development consent for the construction and installation of a new two storey lift to service an existing school building. This is a relatively minor alteration and addition which will not significantly alter the existing design of the existing educational establishment.

In adding a lift the school is providing greater accessibility to the associated building. This is characteristic of a design which combines positive outcomes in providing for greater accessibility, and a school which is evolving and adapting to meet future requirements.

Principle 3 – accessible and inclusive

School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.

Note. Wayfinding refers to information systems that guide people through a physical environment and enhance their understanding and experience of the space.

Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.

Comment:

The proposal seeks development consent for the construction and installation of a new two storey lift to service an existing school building. This is directly related to providing welcoming, accessible and inclusive school building and grounds for people with differing needs and capabilities.

Principle 4 – health and safety

Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.

Comment:

The proposal seeks development consent for the construction and installation of a new two storey lift to service an existing school building. This is directly related to creating a welcoming and accessible environment.

Principle 5 – amenity

Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood.

Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.

Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.

Comment:

The proposal seeks development consent for the construction and installation of a new two storey lift to service an existing school building. This is a relatively minor alteration and addition which will not create streetscape or amenity impacts on neighbouring properties. Furthermore, the proposal will increase amenity for occupants, in that the proposal increases accessibility.

Principle 6 – whole of life, flexible and adaptive

School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of adaptation and maximise multi-use facilities.

Comment:

The proposal seeks development consent for the construction and installation of a new two storey lift to service an existing school building. By increasing accessibility for people with differing needs and capabilities the proposal is designed to be flexible and adaptive, and consider a whole-of-life-cycle approach.

Principle 7 – aesthetics

School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the

quality and character of a neighbourhood.

The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.

Comment:

The proposal seeks development consent for the construction and installation of a new two storey lift to service an existing school building. This is a relatively minor alteration and addition which will not significantly impact the built form or aesthetics of the existing buildings. The proposal will be integrated with the existing build form and provide a functional expansion of the building which increases accessibility. The proposal will not create streetscape or amenity impacts on neighbouring properties.

In response to item (b):

(b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.

Comment:

The proposal seeks development consent for the construction and installation of a new two storey lift to service an existing school building. By increasing accessibility the proposal is ensuring that school facilities are able to be shared and accessed by community members with differing needs and capabilities.

SEPP (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Sub-section 4.6 (1)(a) of Chapter 4 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for educational establishment 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 sub-section 4.6 (1)(b) and (c) of this Chapter and the land is considered to be suitable for the educational establishment land use.

Pittwater Local Environmental Plan 2014

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

Principal Development Standards

Standard	Requirement	Proposed	% Variation	Complies
Height of Buildings:	8.5m	6.2m	-	Yes

Compliance Assessment

Clause	Compliance with Requirements
1.9A Suspension of covenants, agreements and instruments	Yes
4.3 Height of buildings	Yes
5.10 Heritage conservation	Yes
5.21 Flood planning	Yes
7.1 Acid sulfate soils	Yes
7.2 Earthworks	Yes
7.4 Floodplain risk management	Yes
7.6 Biodiversity protection	Yes
7.10 Essential services	Yes

Detailed Assessment

Zone RU2 Rural Landscape

The proposed development is located within the area of the subject site zoned as RU2 Rural Landscape, and is not located within the area of the subject site zoned as SP2 Infrastructure (Classified Road).

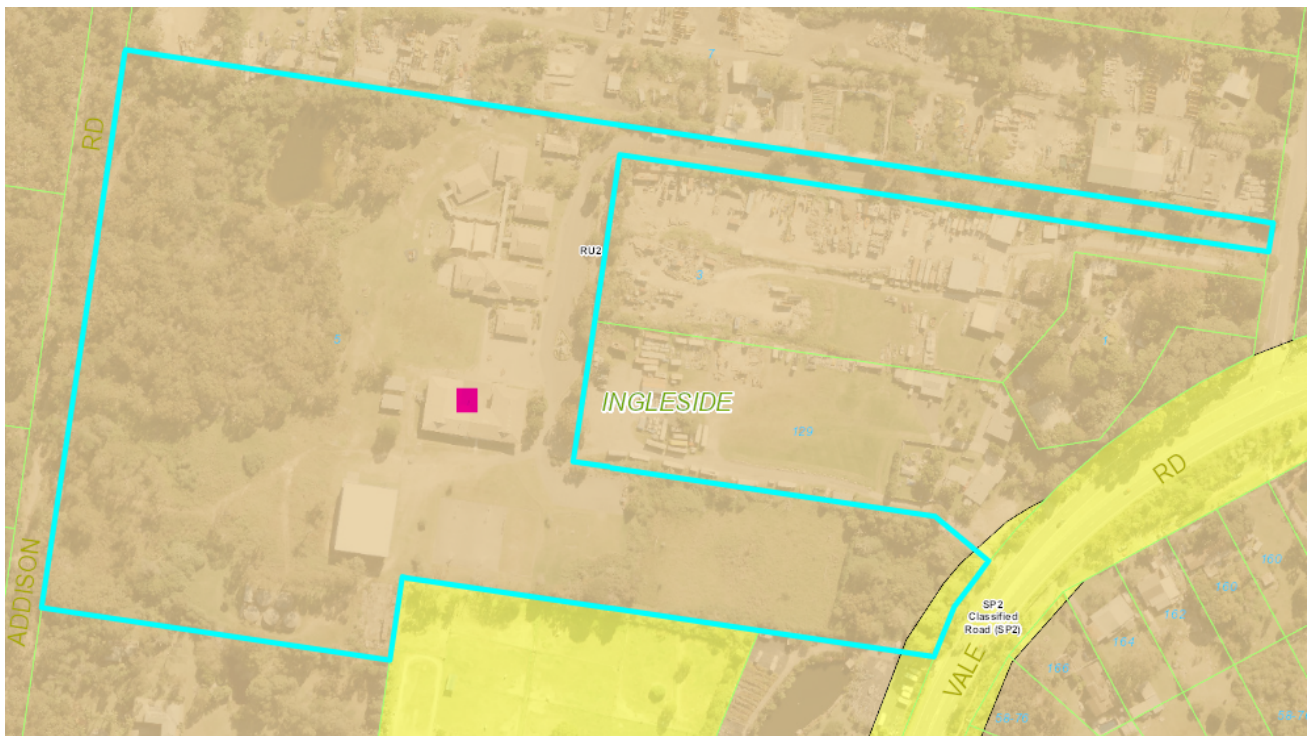


Figure 2 - Aerial image with zoning overlay showing the general location of the proposed lift (within the red square) in respect to the whole site. The brown area is the RU2 Rural Landscape zone and the yellow area is the SP2 Infrastructure zone.

The development is for the purposes of an educational establishment (specifically a school, which is a type of educational establishment). This type of development within the RU2 Rural Landscape zone of the PLEP 2014 is 'prohibited', in that 'educational establishment' is not specified in the 'permitted without consent' or 'permitted with consent' land use tables for the zone. However, Part 3.4, Section 3.36 of Chapter 3 of the State Environmental Planning Policy (Transport and Infrastructure) 2021

stipulates that:

(1) Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.

Part 3.4, Section 3.34 of Chapter 3 stipulates that a prescribed zone includes the RU2 Rural Landscape zone.

Where inconsistencies arise between State Environmental Planning Policies and Local Environmental Plans, the provisions of a State Environmental Planning Policy prevail (see Section 1.9 of the PLEP 2014 and Section 3.28 of the EP&A Act 1979).

Therefore, the development is permitted with consent in the RU2 Rural Landscape zone.

5.10 Heritage conservation

A non-integrated referral to Heritage NSW was made during the course of the assessment, based on Clause 5.10(7) of the PLEP 2014, which requires Council to make such a referral where development is proposed on an archeological site. This referral was sent error, with the nearest Archaeological Site (as listed in Part 3 Archaeological sites of the PLEP 2014) being "Ruins of Powder Works" at 2 and 10 Manor Road INGLESIDE, over 500m away.

Nonetheless, a referral response was received from Heritage NSW, which recommended a condition of consent be included relating to unexpected heritage finds and raising no objection to the proposal. This condition is included as a recommended condition of consent.

The application has been referred to Council's Heritage Officers on the basis that the site contains, and is in proximity to, heritage items. However, these items are located at significant distances from the proposed works. Given the physical separation between the proposed works and the heritage items, the proposal is considered to not impact upon the heritage items or their significance. Council's Heritage Officers have reviewed the proposal and are supportive, without conditions.

5.21 Flood planning

Under this clause, development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development:

- (a) is compatible with the flood function and behaviour on the land, and*
- (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and*
- (d) incorporates appropriate measures to manage risk to life in the event of a flood, and*
- (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.*

Comment:

Whilst a small portion of the front of the subject site is mapped as high and medium risk flood hazard precincts, the works are located outside of the identified flood extent, and there is no expected impact to the existing flood regime. Council's Flood Engineers have reviewed the proposal and are supportive, without conditions.

In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters:

- (a) *the impact of the development on projected changes to flood behaviour as a result of climate change,*
- (b) *the intended design and scale of buildings resulting from the development,*
- (c) *whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,*
- (d) *the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.*

Comment:

Whilst a small portion of the front of the subject site is mapped as high and medium risk flood hazard precincts, the works are located outside of the identified flood extent, and there is no expected impact to the existing flood regime. Council's Flood Engineers have reviewed the proposal and are supportive, without conditions.

7.10 Essential services

Under this clause, development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:

- (a) *the supply of water,*
- (b) *the supply of electricity,*
- (c) *the disposal and management of sewage,*
- (d) *stormwater drainage or on-site conservation,*
- (e) *suitable vehicular access.*

Comment:

The subject site is an unsewered property. The proposal seeks development consent for the construction and installation of a new two storey lift to service an existing school building. The proposal has been reviewed by Council's Environmental Health officers in regard to waste water disposal as is supported, without conditions, noting that the proposal does not impact on waste water disposal.

Pittwater 21 Development Control Plan

Built Form Controls

Built Form Control	Requirement	Proposed	% Variation	Complies
Front building line	20m	>20m	-	Yes
Rear building line	7.5m, 20m to road/reserve	>20m	-	Yes
Side building line	7.5m, 20m to road/reserve	>20m	-	Yes
	7.5m, 20m to road/reserve	>20m	-	Yes
Building envelope	3.5m	Within envelope	-	Yes
	3.5m	Within envelope	-	Yes

Landscaped area	94% (89,215m ²)	79.4% (75,333m ² landscaped)*	15.6% (13,882m ²)*	No but existing and unchanged
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*This is an approximation, based on a partial site survey and aerial imagery.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A1.7 Considerations before consent is granted	Yes	Yes
A4.6 Ingheside Locality	Yes	Yes
B1.1 Heritage Conservation - Heritage items, heritage conservation areas and archaeological sites listed in Pittwater Local Environmental Plan 2014	Yes	Yes
B1.2 Heritage Conservation - Development in the vicinity of heritage items, heritage conservation areas, archaeological sites or potential archaeological sites	Yes	Yes
B1.4 Aboriginal Heritage Significance	Yes	Yes
B3.6 Contaminated Land and Potentially Contaminated Land	Yes	Yes
B3.11 Flood Prone Land	Yes	Yes
B4.13 Freshwater Wetlands (non Endangered Ecological Communities)	Yes	Yes
B4.14 Development in the Vicinity of Wetlands	Yes	Yes
B4.18 Heathland/Woodland Vegetation	Yes	Yes
B5.5 Rainwater Tanks - Business, Light Industrial and Other Development	Yes	Yes
B5.13 Development on Waterfront Land	Yes	Yes
B5.15 Stormwater	Yes	Yes
B8.1 Construction and Demolition - Excavation and Landfill	Yes	Yes
B8.3 Construction and Demolition - Waste Minimisation	Yes	Yes
B8.4 Construction and Demolition - Site Fencing and Security	Yes	Yes
C5.1 Landscaping	Yes	Yes
C5.2 Safety and Security	Yes	Yes
C5.4 View Sharing	Yes	Yes
C5.5 Accessibility	Yes	Yes
C5.7 Energy and Water Conservation	Yes	Yes
C5.8 Waste and Recycling Facilities	Yes	Yes
C5.10 Protection of Residential Amenity	Yes	Yes
C5.16 Building Facades	Yes	Yes
C5.17 Pollution control	Yes	Yes
C5.21 Plant, Equipment Boxes and Lift Over-Run	Yes	Yes
D6.1 Character as viewed from a public place	Yes	Yes
D6.3 Building colours and materials	Yes	Yes
D6.5 Front building line	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
D6.6 Side and rear building line	Yes	Yes
D6.7 Building envelope	Yes	Yes
D6.8 Landscaped Area - Non Urban General	No	Yes
D6.11 Fences - Flora and Fauna Conservation Areas	Yes	Yes
D6.12 Construction, Retaining walls, terracing and undercroft areas	Yes	Yes

Detailed Assessment

D6.8 Landscaped Area - Non Urban General

This control requires the minimum landscape area as being of 94% of the total site area (89,215m²).

The existing development on the site has a landscaped area of 75,333m², or 79.4% of the site. This represents a variation of 15.6% (13,882m²) to the control. This is an approximation, based on a partial site survey and aerial imagery.

The proposed lift is located in an internal courtyard, which is an existing hard surface area. Therefore, it is not considered that any existing landscaping on the site would be detrimentally impacted by the works.

As such, it is considered the proposed development generally achieves consistency with the control objectives and further merit assessment is not required.

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 2022

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 2021;
- 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 DA2023/0520 for Alterations and additions to an educational establishment (Galstaun College) on land at Lot 1 DP 808703, 5 Chiltern Road, INGLESIDE, subject to the conditions printed below:

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

1. Approved Plans and Supporting Documentation

The development must be carried out in compliance with the endorsed stamped plans and documentation listed below, except as amended by any other condition of consent:

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
19159-01, Issue A, Proposed Site Plan	Not Dated	ES Design
19159-03, Issue A, Proposed Ground Floor Plan	Not Dated	ES Design

19159-04, Issue A, Proposed First Floor Plan	Not Dated	ES Design
19159-05, Issue A, Section View	Not Dated	ES Design

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
DA Stage Combined BCA & Access Compliance Report, Ref. P230001	11 April 2023	Guild Certification
Bushfire Hazard Assessment Report, Ref. 22.11.443	16 November 2022	Control Line Consulting

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:

Waste Management Plan		
Drawing No/Title.	Dated	Prepared By
Waste Management Plan	3 May 2023	Elie Sleiman of ES Design

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
New South Wales Rural Fire Service (NSW RFS)	NSW RFS Determination - DA2023/0520 - 5 Chiltern Road Ingleside	10 August 2023

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website 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**

- All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- 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 Certifier 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 Certifier 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 Certifier 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 an 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 \$250,000. The Long Service Levy is calculated on 0.25% 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.), on the land to be developed, or within adjoining properties, shall be removed or damaged during excavation or 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 2018
 - (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 \$2,000 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 Certifier prior to the issue of the Construction Certificate.

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

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

BUILDING WORK – BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

6. No Clearing of Vegetation

Unless otherwise exempt, no vegetation is to be cleared prior to issue of a Construction Certificate.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to issue of Construction Certificate.

Reason: To protect native vegetation.

7. Access for People with Disabilities

Access to and within the building is to be provided for Persons with a Disability in accordance with the Building Code of Australia and AS1428. Details are to be provided to the Certifying Authority prior to the issue of the Construction Certificate and be implemented prior to occupation of the building.

Reason: To ensure adequate provision is made for access to and within the building for Persons with a disability.

8. 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 Certifier prior to the issue of the Construction Certificate.

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

9. Sydney Water "Tap In"

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

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

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

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

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

DURING BUILDING WORK

10. Wildlife Protection

If construction activity associated with this development results in injury or displacement of a native mammal, bird, reptile or amphibian, a licensed wildlife rescue and rehabilitation organisation must be contacted for advice.

Reason: To protect native wildlife.

11. Protection of Habitat Features

All natural landscape features, including any rock outcrops, native vegetation and/or watercourses, are to remain undisturbed during the construction works, except where affected by necessary works detailed on approved plans.

Reason: To protect wildlife habitat.

12. Clearing for Asset Protection Zones

Clearing of vegetation during works for APZ establishment must only occur within the surveyed and marked APZ boundaries. No clearing is to be undertaken outside of the APZ boundaries.

Written certification of compliance is to be submitted to the Principal Certifier.

Reason: To protect native vegetation and wildlife.

13. 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.

14. Survey Certificate

A survey certificate prepared by a Registered Surveyor is to be provided demonstrating all perimeter walls columns and or other structural elements, floor levels and the finished roof/ridge height are in accordance with the approved plans.

Details demonstrating compliance are to be submitted to the Principal Certifier when the external structure of the building is complete.

Reason: To demonstrate the proposal complies with the approved plans.

15. Waste Management During Development

The reuse, recycling or disposal of waste during works must be done generally in accordance with the Waste Management Plan for this development.

Details demonstrating compliance must be submitted to the Principal Certifier.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

16. Aboriginal Heritage

If in undertaking excavations or works any Aboriginal site or object is, or is thought to have been found, all works are to cease immediately and the applicant is to contact the Aboriginal Heritage Officer for Northern Beaches Council, and the Cultural Heritage Division of the Department of Planning and Environment.

Any work to a site that is discovered to be the location of an Aboriginal object, within the meaning of the National Parks and Wildlife Act 1974, requires a permit from the Director of the Department of Planning and Environment.

Reason: Aboriginal Heritage Protection.

17. Unexpected Heritage Finds

If any archaeological deposits or relics are discovered during works, works must cease and the Heritage Council of NSW must be notified immediately. To address this discovery, a s146 notification to the Heritage Council of NSW must be lodged through HMS. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery. Advice would be provided in response to the lodged s146 notification.

Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological relics, or other unexpected buried discoveries such as works are identified during the approved project.

BEFORE ISSUE OF THE OCCUPATION CERTIFICATE

18. No Weeds Imported On To The Site

No Priority or environmental weeds (as specified in the Northern Beaches Local Weed Management Plan) are to be imported on to the site prior to or during construction works.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To reduce the risk of site works contributing to spread of Priority and environmental weeds.

19. **Waste Management Confirmation**

Prior to the issue of an Occupation Certificate, evidence / documentation must be submitted to the Principal Certifier that all waste material from the development site arising from demolition and/or construction works has been appropriately recycled, reused or disposed of generally in accordance with the approved Waste Management Plan.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

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

Signed



Jordan Howard, Planner

The application is determined on 21/08/2023, under the delegated authority of:



Steven Findlay, Manager Development Assessments