

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2023/1747
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Responsible Officer:	Anaiis Sarkissian
Land to be developed (Address):	Lot 42 DP 228171, 3 Arrabri Place WARRIEWOOD NSW 2102
Proposed Development:	Alterations and additions to a dwelling house including a swimming pool
Zoning:	C4 Environmental Living
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Robert Ipschwitz Bianca Leanne Ipschwitz
Applicant:	Bianca Leanne Ipschwitz

Application Lodged:	30/11/2023
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Residential - Alterations and additions
Notified:	12/12/2023 to 17/01/2024
Advertised:	Not Advertised
Submissions Received:	1
Clause 4.6 Variation:	Nil
Recommendation:	Approval

Estimated Cost of Works:	\$ 154,000.00
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PROPOSED DEVELOPMENT IN DETAIL

The proposal involves alterations and additions to the existing dwelling, including the following works:

- New carport and expansion of existing driveway
- New swimming pool, spa and decking
- Alterations to existing ground floor to provide for a rumpus room and rear patio
- A new window opening to the rumpus room on the northern elevation
- Two new window openings on the southern elevation
- New glazed door servicing the rumpus room on the western elevation
- New roofing

- New roofing over rear patio

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

Assessment - SEPP (Sustainable Buildings) 2022

Pittwater Local Environmental Plan 2014 - Zone C4 Environmental Living

Pittwater 21 Development Control Plan - B6.3 Off-Street Vehicle Parking Requirements

Pittwater 21 Development Control Plan - D14.8 Side and rear building line

Pittwater 21 Development Control Plan - D14.13 Landscaped Area - Environmentally Sensitive Land

SITE DESCRIPTION

Property Description:	Lot 42 DP 228171 , 3 Arrabri Place WARRIEWOOD NSW 2102
Detailed Site Description:	<p>The subject site consists of one (1) allotment located on the northern side of Arrabri Place.</p> <p>The site is irregular in shape with a frontage of 9.15m along Arrabri Place and a depth of approximately 55m. The site has a surveyed area of 985m².</p> <p>The site is located within the C4 Environmental Living zone and accommodates a single storey brick dwelling house with attached single garage, shed and single storey granny flat.</p> <p>The site slopes from north to south across the site over approximately 10 metres.</p>

The site contains lawn areas, trees and shrubs.

Detailed Description of Adjoining/Surrounding Development

Adjoining and surrounding development is characterised by 1-2 storey dwelling houses of varying architectural style and design.

Map:



SITE HISTORY

The land has been used for residential purposes for an extended period of time. A search of Council's records has revealed the following relevant history:

N0263/17

Development Application for construction of a secondary dwelling.
Approved on 25 July 2017.

CC2018/0121

Construction Certificate for construction of a secondary dwelling.
Approved on 12 January 2018.

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 on 8 January 2024 in relation to stormwater management and landscaped area.</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 matter has been addressed via a condition of consent.</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</p>

Section 4.15 Matters for Consideration	Comments
	in the locality considering the character of the proposal. (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.
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject application has been publicly exhibited from 12/12/2023 to 17/01/2024 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:
Mr Timothy Allan Howard	6 Arrabri Place WARRIEWOOD NSW 2102

The following issues were raised in the submissions:

- Pool filter pump location and noise

The above issues are addressed as follows:

- **Pool filter pump location and noise**

The submissions raised concerns that the proposed location of the pool filter pump on the eastern boundary of the property backing onto a brick wall will broadcast motor noises towards

his house at #6 Arrabri Place, particularly during the evening when pool filter pumps are most likely to run.

Comment:

The proposed pool filter pump is situated at least 30m from the sensitive areas of #6 Arrabri Place. Relocation of the pool filter pump to the western side of the house near the proposed carport would mean the pump is located approximately 10m from #2 Arrabri Place and approximately 15m from #6 Baree Place. It is therefore considered that relocation of the pump would not substantially reduce the noise level to nearby properties; rather, the noise impacts would affect a greater number of properties and thus have a more negative outcome overall.

Furthermore, it is evident from the aerial image below that #6 Arrabri Place is separated from the subject site by two driveways, and is further separated from the subject property by dense vegetation. Additionally, due to the site and immediate surrounds being characterised by irregular lot shapes, #6 Arrabri Place is not aligned with the western elevation of the subject site.

It is therefore considered that the proposed pool filter pump has been sited in the most appropriate and logical location with respect to the location of nearby properties. The degree of potential noise impact is not considered to be adverse and does not warrant design amendments or refusal of the application. A condition has been included in this consent to limit the noise generated by the swimming pool motor. As such, the location of the pool filter pump is considered to be acceptable in terms of potential acoustic impacts to 6 Arrabri Place.

Notwithstanding this, conditions have been recommended requiring acoustic treatment of the pool filter equipment.



REFERRALS

Internal Referral Body	Comments
NECC (Development Engineering)	<p>Properties within Region 1 require an OSD facility to be installed where the development results in additional hard (impervious) surface area of greater than 50m² (on a cumulative basis since February 1996).</p> <p>A secondary dwelling was constructed under Consent No. N0263/17. On-site detention for the secondary dwelling was required in accordance with the following conditions:</p>

Internal Referral Body	Comments
	<p>Section B. Matters to be incorporated into the development and maintained over the life of the development:</p> <p>3. As part of an integrated onsite stormwater management system a minimum 4500 litre onsite detention tank is to be installed, operated and maintained in association with the development.</p> <p>Section C. Matters to be satisfied prior to the issue of the Construction Certificate:</p> <p>9. Engineering plans including specifications and details of the onsite stormwater detention system, are to be submitted to the Accredited Certifier or Council with the Construction Certificate application. Such details are to be accompanied by a certification by a qualified experienced practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a corporate member and has appropriate experience and competence in the related field, confirming that the plans/details comply with B5.7 of Pittwater 21 DCP.</p> <p>E. Matters to be satisfied prior to the issue of Occupation Certificate:</p> <p>4. The stormwater drainage system must be constructed and completed in accordance with the approved design and relevant Australian Standards. A plan showing pipe locations and diameters of the stormwater drainage system, together with certification by a Licensed Plumber or qualified practicing Civil Engineer that the drainage system has been constructed in accordance with the approved design and relevant Australian Standards must be provided.</p> <p>Works as Executed plans need to be provided showing a 4500 litre on-site detention tank collecting run-off from the entire roof area of the secondary dwelling. The on-site detention system needs to have an orifice designed to limit discharge to 2 l/s from the secondary dwelling in accordance with Table 7. of the Water Management for Development Policy. If this cannot be provided, it will need to be designed and constructed as part of the subject development application.</p> <p>Engineering Comments 12.02.24 Stormwater documentaion has been provided. I have no further objections to the proposed development subject to the inclusion of</p>

Internal Referral Body	Comments
	the recommended engineering conditions of consent.
Strategic and Place Planning (Heritage Officer)	HERITAGE COMMENTS
	Discussion of reason for referral
	The proposal has been referred to Heritage as the subject property is within the vicinity of a heritage item
	House - 66 Elimatta Road, Mona Vale
	Details of heritage items affected
	Statement of Significance The house at 66 Elimatta Road, Mona Vale, built c.1910s, has historic and aesthetic significance as a good example of a Federation House typical of the early 1906 Warriewood Estate/Narrabeen subdivision.
	Physical Description The house sits on a large recessed lot on Elimatta Road in Mona Vale. It is a one-storey brick Federation house. Typical features of the style are the use of brickwork, ornamental timber frieze or valance, large simple roof planes extending on the veranda supported by decorated timber posts, timber awning with shaped timber stays and the use of bay windows.
	Other relevant heritage listings
	SEPP (Biodiversity and Conservation) 2021
	Australian Heritage Register
	NSW State Heritage Register
	National Trust of Aust (NSW) Register
	RAIA Register of 20th Century Buildings of Significance
	Other
	Consideration of Application
	The proposal seeks consent for alterations and additions. The works include a new carport, landscaping, pool, internal reconfiguration and a roof over the patio at the rear. The heritage item is located to the north of the subject site, on the other side of 4 Arrabri Place. Given the physical separation, and the change in elevation between the subject site and the heritage item, the proposal is considered to not impact upon the heritage item or its significance.
	Therefore Heritage raises no objections and requires no conditions.

Internal Referral Body	Comments
	<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 the proposal is acceptable subject to compliance with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice. These recommendations will be included as a condition of consent.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs 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 (Sustainable Buildings) 2022

A BASIX certificate has been submitted with the application (see Certificate No. A1373970_02 dated 6 November 2023).

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

SEPP (Transport and Infrastructure) 2021

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 raised no objections, subject to conditions which have been included in the recommendation of this report.

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 residential purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under sub-section 4.6 (1)(b) and (c) of this Chapter and the land is considered to be suitable for the residential 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	6.5m	N/A	Yes

Compliance Assessment

Clause	Compliance with Requirements
1.9A Suspension of covenants, agreements and instruments	Yes
4.3 Height of buildings	Yes
5.10 Heritage conservation	Yes
7.1 Acid sulfate soils	Yes
7.2 Earthworks	Yes

Clause	Compliance with Requirements
7.10 Essential services	Yes

Detailed Assessment

Zone C4 Environmental Living

The proposal has been assessed against the objectives of the C4 zone and in this instance, the proposal satisfied the objectives, as detailed below.

- ***To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.***

Comment:

The proposal will continue to provide for low-impact residential development within an area that contains special ecological, scientific or aesthetic values.

- ***To ensure that residential development does not have an adverse effect on those values.***

Comment:

The proposal does not seek to significantly intensify the development of the land and it is therefore satisfied that the proposal will not adversely affect those values.

- ***To provide for residential development of a low density and scale integrated with the landform and landscape.***

Comment:

The proposal will continue to provide for residential development of a low density and scale that is integrated with the landform and landscape as the works largely retain the shell of the existing dwelling.

- ***To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.***

Comment:

The amended proposal provides 54% landscaped areas on the site, which is 6% more than what was originally proposed as part of this application. The architectural plans submitted with the application indicate that all existing trees are to be retained. The proposed development does not negatively impact riparian and foreshore vegetation and wildlife corridors.

Pittwater 21 Development Control Plan

Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
Front building line	6.5m	16.2m	N/A	Yes
Rear building line	6.5m	14.4m	N/A	Yes

Side building line	2.5m (west)	0.9m (carport) 3.6m (rumpus room)	64% (1.6m)	No
	1m (east)	1.1m	N/A	Yes
Building envelope	3.5m	Within envelope	N/A	Yes
	3.5m	Within envelope	N/A	Yes
Landscaped area	60% (591m ²)	48% (476.3m ²) 6% impervious = 59.1m ² Total = 54% (535.4m ²)	6% (55.6m ²)	No

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A1.7 Considerations before consent is granted	Yes	Yes
A4.14 Warriewood Locality	Yes	Yes
B1.2 Heritage Conservation - Development in the vicinity of heritage items, heritage conservation areas, archaeological sites or potential archaeological sites	Yes	Yes
B1.4 Aboriginal Heritage Significance	Yes	Yes
B4.5 Landscape and Flora and Fauna Enhancement Category 3 Land	Yes	Yes
B5.15 Stormwater	Yes	Yes
B6.1 Access driveways and Works on the Public Road Reserve	Yes	Yes
B6.2 Internal Driveways	Yes	Yes
B6.3 Off-Street Vehicle Parking Requirements	No	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
C1.1 Landscaping	Yes	Yes
C1.2 Safety and Security	Yes	Yes
C1.3 View Sharing	Yes	Yes
C1.4 Solar Access	Yes	Yes
C1.5 Visual Privacy	Yes	Yes
C1.6 Acoustic Privacy	Yes	Yes
C1.7 Private Open Space	Yes	Yes
C1.12 Waste and Recycling Facilities	Yes	Yes
C1.13 Pollution Control	Yes	Yes
C1.17 Swimming Pool Safety	Yes	Yes
C1.23 Eaves	Yes	Yes
D14.1 Character as viewed from a public place	Yes	Yes
D14.2 Scenic protection - General	Yes	Yes
D14.3 Building colours and materials	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
D14.7 Front building line	Yes	Yes
D14.8 Side and rear building line	No	Yes
D14.11 Building envelope	Yes	Yes
D14.13 Landscaped Area - Environmentally Sensitive Land	No	Yes
D14.15 Fences - General	Yes	Yes

Detailed Assessment

B6.3 Off-Street Vehicle Parking Requirements

Clause B6.3 Off-Street Vehicle Parking Requirements of Pittwater 21 Development Control Plan, stipulates two (2) off-street parking spaces for a dwelling house, and an additional one (1) space for a secondary dwelling.

The subject site currently provides off-street parking for one (1) vehicle as a single garage.

While the proposal does not seek to increase the number of dwellings on the site, the proposed development increases the level of off-street parking provision to two (2) spaces through a new double carport.

Nevertheless, clause 53(2)(b) of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) stipulates the following non-discretionary development standard in relation to secondary dwellings:

"The number of parking spaces provided on the site is the same as the number of parking spaces provided on the site immediately before the development is carried out."

While the proposal is technically non-compliant with the off-street parking requirements of the Pittwater 21 DCP, the Housing SEPP prevails over the DCP. The proposal does not increase the number of dwellings on the site and the existing parking level is increased, albeit to two rather than three parking spaces. As such, the proposal satisfies the requirements of the Housing SEPP, preventing Council from requiring more onerous parking rates. Furthermore, the site is located in a quiet cul-de-sac, which provides readily-available on-street parking. Therefore, a detailed merit assessment is not required in this instance and the variation to the minimum off-street vehicle parking requirement is considered acceptable.

D14.8 Side and rear building line

Description of non-compliance

Pursuant to Section D14.8 of the Pittwater 21 Development Control Plan, any built structures other than driveways, fences and retaining walls must have a minimum side setback of 2.5m to one side and 1m to the other side.

The proposed carport is set back 0.9m from the western side boundary, representing a 64% variation to the minimum standard of 2.5m.

It is important to note that the side setback to the proposed rumpus room and main dwelling is 3.6m. The south-western boundary is also screened by dense vegetation and high hedges, as evident in the

site photo below, minimising potential amenity impacts for the adjoining property. The carport structure is non-habitable and therefore privacy impacts are not a major issue.



Furthermore, the land topography and lot shapes of the site and immediate surrounds are such that the building lines of the adjoining property to the south-west and the proposed carport are not parallel, but rather splayed. As such, the proposed carport is located a minimum of 3.6m from the building line of the neighbouring property up to 9m.

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It is also important to note that the proposed carport facilitates the provision of an additional car parking space where there is currently just one parking space servicing the dwelling house and secondary dwelling on the site.

A detailed assessment has been undertaken that concludes that the proposal is consistent with the outcomes of the control, as outlined below. Therefore, the variation to the western side setback is supportable in this circumstance.

Merit consideration

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

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

Comment:

The proposed development is consistent with the desired future character of the Warriewood locality, being a low-density residential area with a maximum of two storeys, integrated with the landform and landscape.

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

Comment:

The proposal demonstrates compliance with the height of buildings standard and the bulk and scale of the built form is consistent with that of other dwellings along the streetscape.

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

Comment:

The proposal demonstrates compliance with the height of buildings standard and as such continues to preserve views and vistas to and from public and private places.

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

Comment:

The proposed carport has been designed and sited appropriately as there is limited option for locating the carport on the site. The proposal also retains a large portion of the existing landscaped areas. The proposal demonstrates compliance with the rear setback and building height controls and will allow for view sharing.

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

Comment:

The shadow diagrams submitted with the application demonstrate that the proposed development does not significantly affect solar access to the front and rear private open spaces of the adjoining residential properties, thereby maintaining a reasonable level of amenity and solar access. The south-western side elevation also does not contain windows, ensuring a reasonable level of privacy.

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

Comment:

The proposal does not require the removal of any existing trees and the expanded driveway will not detract from the attractiveness of the streetscape.

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

Comment:

The site is irregular in shape and therefore the carport has been suitably designed and sited to provide for the best access in this instance. This location provides safe vehicular and pedestrian access, as well as an additional required car parking space, and therefore flexibility is warranted in this instance. The front and rear setbacks are the same as existing and therefore the dwelling continues to be appropriately sited wholly within the site.

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

Comment:

The application includes architectural plans that demonstrates the proposal does not seek to remove any existing trees on site and provides 54% landscaped areas.

- ***To ensure a landscaped buffer between commercial and residential zones is established.***

Comment:

The site does not adjoin a commercial zone and therefore this objective is not applicable to this application.

D14.13 Landscaped Area - Environmentally Sensitive Land

Description of non-compliance

Pursuant to Section D14.13 of the Pittwater 21 Development Control Plan, at least 60% (591m²) of the site area is to be landscaped.

The proposal provides 535.4m² of landscaped area, representing 54% of the site area. This presents a 6% (55.6m²) variation to the landscaped area requirement.

It is important to note that the existing landscaped area on the site is 554.9m², representing 56% of the site area. As such, the proposal development results in only 2% less landscaped area than existing. It is also important to note that the original submission proposed a landscaped area of 48%. Following design amendments, an additional 6% of landscaped area was accommodated on the site.

A detailed assessment has been undertaken that concludes that the proposal is consistent with the outcomes of the control, as outlined below. Therefore, the variation to the landscaped area requirement is supportable in this circumstance.

Merit consideration

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

- ***Achieve the desired future character of the Locality.***

Comment:

The proposal is consistent with the desired low-density residential character of the Warriewood

locality and has a building height below the tree canopy.

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

Comment:

The proposed development is largely compliant with required setbacks and building height, thereby minimising the bulk and scale of the built form.

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

Comment:

The proposal maintains a reasonable level of amenity and solar access, with consideration to the sloping topography of the site.

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

Comment:

The proposal seeks to retain all existing trees on the site and provides 54% landscaped areas, which minimises the visual impact of the built form.

- ***Conservation of natural vegetation and biodiversity.***

Comment:

The proposal seeks to retain all existing trees on the site and provides 54% landscaped areas.

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

Comment:

Council's Development Engineer has reviewed the proposal in relation to stormwater drainage and has confirmed it is supportable, subject to suitable conditions, which have been included as part of this consent.

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

Comment:

The proposal only reduces the amount of soft landscaping on the site by 2%. The proposal does not seek to remove any trees or significant vegetation from the site.

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

Comment:

The soft surface of the proposal has been slightly reduced from the existing development; however, stormwater management for the site has been supported by Council's Development Engineer.

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

The proposal is subject to the application of Northern Beaches Section 7.12 Contributions Plan 2022.

A monetary contribution of \$ 770 is required for the provision of new and augmented public infrastructure. The contribution is calculated as 0.5% of the total development cost of \$ 154,000.

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 DA2023/1747 for Alterations and additions to a dwelling house including a swimming pool on land at Lot 42 DP 228171, 3 Arrabri Place, WARRIEWOOD, 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

Development must be carried out in accordance with the following approved plans (stamped by Council) and supporting documentation, except where the conditions of this consent expressly require otherwise.

Approved Plans				
Plan Number	Revision Number	Plan Title	Drawn By	Date of Plan
DA3	A	Site Analysis Plan & Waste Management	Northern Beaches Designs	18 January 2024
DA4	A	Ground Floor Plan	Northern Beaches Designs	18 January 2024
DA5	A	Roof Floor Plan	Northern Beaches Designs	18 January 2024
DA6	A	Elevations Plan North / South	Northern Beaches Designs	18 January 2024
DA7	A	Elevations Plan East / West	Northern Beaches Designs	18 January 2024
DA8	A	Section A-A, B-B, C-C, D-D	Northern Beaches Designs	18 January 2024

Approved Reports and Documentation			
Document Title	Version Number	Prepared By	Date of Document
DA15 - Sediment Control Plan	A	Northern Beaches Designs	18 January 2024
BASIX Certificate	A1373970_02	Northern Beaches Designs	6 November 2024
Waste Management Plan	-	No Author	n.d.

In the event of any inconsistency between the approved plans, reports and documentation, the approved plans prevail.

In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

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

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

Other Department, Authority or Service	EDMS Reference	Dated
Ausgrid	Ausgrid Referral Response	11 December 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**

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);
- (c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (i) showing the name, address and telephone number of the Principal 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 following is required:
 - i) Long Service Levy - Payment should be made to Service NSW (online or in person) or alternatively to Northern Beaches Council in person at a Customer Service Centre. 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.
 - ii) Section 7.11 or Section 7.12 Contributions Plan – Payment must be made to Northern Beaches Council. Where the subject land to which the development is proposed is subject to either a Section 7.11 or 7.12 Contributions Plan, any contribution to which the development is liable under the respective plan that applies is to be paid to Council. The outstanding contribution will be indexed at time of payment in accordance with the relevant Contributions Plan.
 - iii) Housing and Productivity Contribution - Payment must be made on the NSW Planning Portal for development to which this contribution applies. The amount payable is subject to indexation at the time of payment.
- (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. Policy Controls

Northern Beaches Section 7.12 Contributions Plan 2022

A monetary contribution of \$770.00 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan (as amended).

The monetary contribution is based on a development cost of \$154,000.00.

The total amount payable will be adjusted at the time the payment is made, in accordance with the provisions of the Northern Beaches Section 7.12 Contributions Plan (as amended).

Details demonstrating compliance, by way of written receipts issued by Council, are to be submitted to the Certifier prior to issue of any Construction Certificate or, if relevant, the Subdivision Certificate (whichever occurs first).

A copy of the Contributions Plan is available for inspection at 725 Pittwater Road, Dee Why or on Council's website at Northern Beaches Council - Development Contributions.

Reason: To provide for contributions in accordance with the Contribution Plan to fund the provision of new or augmented local infrastructure and services.

6. 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

7. Stormwater Disposal

The applicant is to demonstrate how stormwater from the new development within this consent is disposed of to an existing approved system or in accordance with Northern Beaches Council's Water Management for Development Policy. Stormwater shall be conveyed from the site to the street. Details by an appropriately qualified and practicing Civil or Hydraulic Engineer demonstrating that the existing approved stormwater system can accommodate the additional flows, or compliance with Council's policy are to be submitted to the Certifier for approval prior to the issue of the Construction Certificate.

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

8. Off Street Parking Design

The Applicant shall submit a design for the parking facility in accordance with the relevant

provisions of Australian/New Zealand Standard AS/NZS 2890.1:2004 parking facilities - Off-street car parking, in particular Section 2.4.5 Physical Controls and Section 2.6 Design of Domestic Driveways.

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

Reason: Compliance with this consent.

9. Boundary Identification Survey

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

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

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

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

10. Installation and Maintenance of Sediment Control

Prior to any works commencing on site, including demolition, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to the Principal Certifier:

1. Council's relevant development control plan,
2. The guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time), and
3. The 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time).

Techniques used for erosion and sediment control on site are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and the site is sufficiently stabilised with vegetation.

Reason: To ensure no substance other than rainwater enters the stormwater system and waterways.

11. 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.

12. External Finishes to Roof

The external finish to the roof shall have a Solar Absorptance (SA) greater than 0.46 in accordance with the requirements of the BASIX Certificate to minimise solar reflections to neighbouring properties. Any roof with a metallic steel or reflective finish is not permitted.

Green roofs and areas where solar panels (PV) are installed are excluded from conforming to the SA range.

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

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

13. 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

14. Road Reserve

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

Reason: Public safety.

15. 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.

16. Demolition Works - Asbestos

Demolition works must be carried out in compliance with WorkCover Short Guide to Working with Asbestos Cement and Australian Standard AS 2601 2001 The Demolition of Structures.

The site must be provided with a sign containing the words DANGER ASBESTOS REMOVAL IN PROGRESS measuring not less than 400 mm x 300 mm and be erected in a prominent visible position on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site and disposed to a lawful waste disposal facility.

All asbestos laden waste, including flat, corrugated or profiled asbestos cement sheets must be disposed of at a lawful waste disposal facility. Upon completion of tipping operations the applicant must lodge to the Principal Certifier, all receipts issued by the receiving tip as evidence of proper disposal.

Adjoining property owners are to be given at least seven (7) days' notice in writing of the intention to disturb and remove asbestos from the development site.

Reason: To ensure the long term health of workers on site and occupants of the building is not put at risk unnecessarily.

17. 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.

18. 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.

BEFORE ISSUE OF THE OCCUPATION CERTIFICATE

19. Stormwater Disposal

The stormwater drainage works shall be certified as compliant with all relevant Australian Standards and Codes by a suitably qualified person. Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

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

20. 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.

21. **Certification of Off Street Parking Works**

The Applicant shall submit a certificate from a suitably qualified person certifying that the parking facility was constructed in accordance within this development consent and the relevant provisions of Australian/New Zealand Standard AS/NZS 2890.1:2004 parking facilities - Off-street car parking, in particular Section 2.4.5 Physical Controls and Section 2.6 Design of Domestic Driveways.

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

Reason: Compliance with this consent.

22. **Swimming Pool Requirements**

The Swimming Pool shall not be filled with water nor be permitted to retain water until:

(a) All required safety fencing has been erected in accordance with and all other requirements have been fulfilled with regard to the 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

(b) A certificate of compliance prepared by the manufacturer of the pool safety fencing, shall be submitted to the Principal Certifier, certifying compliance with Australian Standard 1926.

(c) Filter backwash waters shall be discharged to the Sydney Water sewer mains in accordance with Sydney Water's requirements. Where Sydney Water mains are not available in rural areas, the backwash waters shall be managed onsite 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. Appropriate instructions of artificial resuscitation methods.

(d) A warning sign stating '**YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS POOL**' has been installed.

(e) Signage showing resuscitation methods and emergency contact

(f) All signage shall be located in a prominent position within the pool area.

(g) Swimming pools and spas must be registered with the *Division of Local Government*.

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

Reason: To protect human life.

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

23. **Swimming Pool/Spa Motor Noise**

The swimming pool / spa motor shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary.

Reason: To ensure that the development does not impact on the acoustic privacy of surrounding residential properties.

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

Signed



Anais Sarkissian, Planner

The application is determined on 13/02/2024, under the delegated authority of:



Adam Richardson, Manager Development Assessments