



Warringah Council

RESIDENTIAL DEVELOPMENT - DEVELOPMENT APPLICATION ASSESSMENT REPORT

DA No. DA2008/1561

Assessment Officer: Maya Elnazer

Property Address: Lot 10 DP 881696, 1 Molong Street NORTH CURL CURL NSW 2099

Proposal Description: Swimming pool

Plan Reference: BHP 08L16277 Sheets 1 – 8.

Report Section	Applicable	Complete & Attached
Section 1 – Code Assessment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 2 – Issues Assessment	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Section 3 – Site Inspection Analysis	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 4 – Application Determination	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Estimated Cost of Works: \$48,097

Are S94A Contributions Applicable?

☐ Yes ☒ No

Notification Required?

☒ Yes ☐ No

Period of Public Exhibition?

☒ 14 days ☐ 21 days ☐ 30 days ☐ N/A

Submissions Received?

☐ Yes ☒ No

No. of Submissions: Nil

Are any trees impacted upon by the proposed development? ☒ Yes ☐ No

SECTION 1 – CODE ASSESSMENT REPORT

ENVIRONMENTAL PLANNING INSTRUMENTS

WLEP 2000

Locality: F5 Curl Curl

Development Definition: ☐ Housing ☒ Ancillary Development to Housing ☐ Other

Category of Development: ☒ Category 1 ☐ Category 2 ☐ Category 3

Desired Future Character:

☒ Category 1 Development with no variations to BFC's (Section 2 Assessment not required)

Is the development considered to be consistent with the Locality's Desired Future Character Statement?

☒ Yes ☐ No

☐ Category 1 Development with variations to BFC's (Section 2 Assessment Required)

☐ Category 2 Development Consistency Test (Section 2 Assessment Required)

☐ Category 3 Development Consistency Test (Section 2 Assessment Required)



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Built Form Controls:

<p>Building Height (overall):</p> <p>Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Requirement:</p> <p><input checked="" type="checkbox"/> 8.5m</p> <p><input type="checkbox"/> 11.0m</p> <p><input type="checkbox"/> Other</p>	<p><input type="checkbox"/> Existing and unchanged</p> <p>Proposed: Swimming pool coping will be maximum 1.05m above natural ground level at the northern side where the topography falls gently to the rear.</p> <p>Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Building Height (underside of upper most ceiling):</p> <p>Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Requirement:</p> <p><input type="checkbox"/> 7.2m</p> <p><input type="checkbox"/> Other</p>	<p><input type="checkbox"/> Existing and unchanged</p> <p>Proposed:m</p> <p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Front Setback:</p> <p>Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Requirement:</p> <p><input checked="" type="checkbox"/> 6.5m</p> <p><input type="checkbox"/> Other</p> <p>Is the Corner Allotment / Secondary Street Frontage control applicable?:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Requirement:</p> <p><input type="checkbox"/> 3.5m</p> <p><input type="checkbox"/> Other</p>	<p><input checked="" type="checkbox"/> Existing and unchanged</p> <p>Proposed: Works pertain to the rear of the existing dwelling.</p> <p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Corner Allotment: N/A</p> <p><input type="checkbox"/> Existing and unchanged</p> <p>Proposed:m</p> <p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Housing Density:</p> <p>Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Requirement:</p> <p><input type="checkbox"/> 1 dwelling per 450sqm</p> <p><input type="checkbox"/> 1 dwelling per 600sqm</p> <p><input type="checkbox"/> Other</p>	<p><input type="checkbox"/> Existing and unchanged</p> <p>Proposed:dwelling / persqm</p> <p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>



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<p>Landscape Open Space:</p> <p>Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> 40% (.....sqm)</p> <p><input type="checkbox"/> 50% (.....sqm)</p> <p><input type="checkbox"/> Other</p>	<p><input type="checkbox"/> Existing and unchanged</p> <p>Proposed: 55% (985sqm)</p> <p>Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Rear Setback:</p> <p>Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Requirement:</p> <p><input checked="" type="checkbox"/> 6.0m</p> <p><input type="checkbox"/> Other</p> <p>Outbuildings: Yes – swimming pool</p> <p>Requirement:</p> <p><input checked="" type="checkbox"/> 50% of rear setback</p> <p><input type="checkbox"/> Other</p>	<p><input type="checkbox"/> Existing and unchanged</p> <p>Proposed: 19.5m</p> <p>Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Outbuildings:</p> <p><input type="checkbox"/> Existing and unchanged</p> <p>Proposed: Less than 50%</p> <p>Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Side Boundary Envelope:</p> <p>Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Requirement:</p> <p><input type="checkbox"/> 4m / 45 degrees</p> <p><input type="checkbox"/> 5m / 45 degrees</p> <p><input type="checkbox"/> Other</p>	<p>Boundary: <input type="checkbox"/> Nth <input type="checkbox"/> Sth <input type="checkbox"/> Est <input type="checkbox"/> Wst</p> <p><input type="checkbox"/> Existing and unchanged</p> <p>or</p> <p>Fully within Envelope: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Minor Breach: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Boundary: <input type="checkbox"/> Nth <input type="checkbox"/> Sth <input type="checkbox"/> Est <input type="checkbox"/> Wst</p> <p><input type="checkbox"/> Existing and unchanged</p> <p>or</p> <p>Fully within Envelope: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Minor Breach: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>



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<p>Side Setbacks:</p> <p>Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> 900mm</p> <p><input type="checkbox"/> 4.5m</p> <p><input type="checkbox"/> Other</p>	<p>Boundary <input type="checkbox"/> Nth <input type="checkbox"/> Sth <input checked="" type="checkbox"/> Est <input type="checkbox"/> Wst</p> <p><input type="checkbox"/> Existing and unchanged</p> <p>or</p> <p>Proposed: 2.257m to pool coping.</p> <p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Boundary <input type="checkbox"/> Nth <input type="checkbox"/> Sth <input type="checkbox"/> Est <input checked="" type="checkbox"/> Wst</p> <p><input type="checkbox"/> Existing and unchanged</p> <p>or</p> <p>Proposed: 21m to pool coping. (Pool is located on the north-eastern side of the site)</p> <p>Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
Other:	

General Principles of Development Control:

<p>CL38 Glare & reflections</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL39 Local retail centres</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL40 Housing for Older People and People with Disabilities</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL41 Brothels</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL42 Construction Sites</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL43 Noise</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL44 Pollutants</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>



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CL45 Hazardous Uses Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL46 Radiation Emission Levels Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL47 Flood Affected Land Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL48 Potentially Contaminated Land Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: Based on the previous land uses if the site likely to be contaminated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is the site suitable for the proposed land use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
CL49 Remediation of Contaminated Land Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL49a Acid Sulfate Soils Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL50 Safety & Security Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL51 Front Fences and Walls Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL52 Development Near Parks, Bushland Reserves & other public Open Spaces Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL53 Signs Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL54 Provision and Location of Utility Services Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No



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CL55 Site Consolidation in 'Medium Density Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL56 Retaining Unique Environmental Features on Site Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL57 Development on Sloping Land Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL58 Protection of Existing Flora Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL59 Koala Habitat Protection Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL60 Watercourses & Aquatic Habitats Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL61 Views Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL62 Access to sunlight Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL63 Landscaped Open Space Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL63A Rear Building Setback Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL64 Private open space Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL65 Privacy Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No



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CL66 Building bulk Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL67 Roofs Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL68 Conservation of Energy and Water Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL69 Accessibility – Public and Semi-Public Buildings Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL70 Site facilities Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL71 Parking facilities (visual impact) Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL72 Traffic access & safety Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL73 On-site Loading and Unloading Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL74 Provision of Carparking Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL75 Design of Carparking Areas Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL76 Management of Stormwater Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL77 Landfill Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No



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CL78 Erosion & Sedimentation Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL79 Heritage Control Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <p>WLEP2000 identifies the subject site as a heritage item of local significance. The applicant submitted a Heritage Impact Statement in accordance with this clause for consideration by Council.</p> <p>The proposed works and associated documentation have been assessed by Councils Heritage Officer and no objections were raised in relation to heritage conservation.</p> <p>Refer to detailed Heritage Officer comments under the Referrals Section within this report.</p> <p>The proposed development is considered acceptable in terms of conserving the local heritage item and is satisfactory in addressing this general principle.</p>	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL80 Notice to Metropolitan Aboriginal Land Council and the National Parks and Wildlife Service Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL81 Notice to Heritage Council Repealed	
CL82 Development in the Vicinity of Heritage Items Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL83 Development of Known or Potential Archaeological Sites Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No



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Schedules:

Schedule 5 State policies Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
Schedule 6 Preservation of bushland Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
Schedule 7 Matters for consideration in a subdivision of land Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
Schedule 8 Site analysis Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
Schedule 9 Notification requirements for remediation work Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
Schedule 10 Traffic generating development Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
Schedule 11 Koala feed tree species and plans of management Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
Schedule 12 Requirements for complying development Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
Schedule 13 Development guidelines for Collaroy/Narrabeen Beach Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
Schedule 14 Guiding principles for development near Middle Harbour Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No



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Schedule 15 Statement of environmental effects Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
Schedule 17 Carparking provision Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No The existing car parking provision remains unchanged and is satisfactory in terms of the minor nature of the proposed development.	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No

Other Relevant Environmental Planning Instruments:

SEPPs: Applicable? ☒ Yes ☐ No

SEPP Basix: Applicable?

☐ Yes ☒ No

If yes: Has the applicant provided Basix Certification?

☐ Yes ☒ No

SEPP 55 Applicable?

☒ Yes ☐ No

Based on the previous land uses if the site likely to be contaminated?

☐ Yes ☒ No

Is the site suitable for the proposed land use?

☒ Yes ☐ No

SEPP Infrastructure

Applicable?

☒ Yes ☐ No

Is the proposal for a swimming pool:

Within 30m of an overhead line support structure?

☐ Yes ☒ No

Within 5m of an overhead power line ?

☐ Yes ☒ No

Does the proposal comply with the SEPP?

☒ Yes ☐ No

REPs: Applicable?: ☐ Yes ☒ No



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EPA Regulation Considerations:

Clause 54 & 109 (Stop the Clock) Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The applicant was required to submit a Heritage Impact Statement prepared by an appropriately qualified person in accordance with Clause 79 Heritage Control of the WLEP2000. The information was submitted to Council on 20 th January 2009 and referred to Councils Heritage Officer for consideration.
Clause 92 (Demolition of Structures) Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Addressed via condition? <input type="checkbox"/> Yes <input type="checkbox"/> No
Clause 92 (Government Coastal Policy) Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is the proposal consistent with the Goal and Objectives of the Government Coastal Policy ? <input type="checkbox"/> Yes <input type="checkbox"/> No
Clause 93 & 94 (Fire Safety) Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Addressed via condition? <input type="checkbox"/> Yes <input type="checkbox"/> No
Clause 94 (Upgrade of Building for Disability Access) Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Addressed via condition? <input type="checkbox"/> Yes <input type="checkbox"/> No
Clause 98 (BCA) Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Addressed via condition? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

REFERRALS

Referral Body/Officer	Required	Response
Development Engineering	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Landscape Assessment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Councils Landscape officer raised no objections to the proposal subject to conditions that shall be included in the recommendation.	<input type="checkbox"/> Satisfactory <input checked="" type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Bushland Management	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Bushland raised no objections to the proposal subject to conditions that shall be included in the recommendation.	<input type="checkbox"/> Satisfactory <input checked="" type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory



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Catchment Management	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Aboriginal Heritage	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Env. Health and Protection	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
NSW Rural Fire Service	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Energy Australia	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Heritage Officer	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <p>Councils Heritage Officer has reviewed the proposed development and associated documentation including the Heritage Impact Statement prepared by Kallah Pty Ltd, and has provided the following comments:</p> <p><i>"The subject land is listed as an item of local heritage significance under Locality F5 – Curl Curl Lagoon Catchment, of Warringah Local Environmental Plan (WLEP) 2000. The site also adjoins a heritage conservation area, listed under WLEP 2000, being the Coastal Cliffs between Dee Why Beach and Curl Curl Lagoon. Referral to an external heritage consultant for comment is not required in this instance.</i></p> <p><i>The application proposes the construction of a swimming pool, 12.3 m x 3 m, immediately to the north of the existing house. It is proposed that the swimming pool will adjoin the existing timber deck. There is vegetation in this area which will</i></p>	<input checked="" type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory



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	<p><i>need to be removed, but the owner has stated that anything that can be moved, will be replanted on-site. There are no significant trees which will be affected by the construction of the pool. Given that the pool will be a separate structure from the house, it will not have any impact upon the physical structure of the heritage item.</i></p> <p><i>As it is located below the level of the lowest floor of the house, it will not visually intrude upon the heritage item. Its low level will also ensure that views from the heritage item will not be impeded, which is important as the house was originally built in this location to take advantage of the views to the north-east towards Long Reef headland.</i></p> <p><i>The location of the pool is such that it will be surrounded by vegetation and it is considered that it will not be visible from the public coastal walkway which adjoins the property. This coastal walkway is located on the land which is the listed coastal cliffs heritage conservation area. The subject proposal to build a pool will not be visible from this heritage conservation area and therefore it is considered that there will be no impact upon the heritage conservation area.</i></p> <p><i>A Heritage Impact Assessment by Grahame Brooks & Associates, dated 4 December 2008, was submitted with the development application. This report has been reviewed and the "Assessment of Heritage Impact" and the "Recommendation" are concurred with.</i></p> <p><i>As such, there are no objections to this development application on heritage grounds."</i></p> <p><i>The proposed development is thus considered satisfactory in terms of heritage significance and does not require any further consideration in this regard.</i></p>	
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Applicable Legislation/ EPI's /Policies:

- | | |
|---|--|
| <input checked="" type="checkbox"/> EPA Act 1979
<input checked="" type="checkbox"/> EPA Regulations 2000
<input type="checkbox"/> Disability Discrimination Act 1992
<input checked="" type="checkbox"/> Local Government Act 1993
<input type="checkbox"/> Roads Act 1993
<input checked="" type="checkbox"/> Rural Fires Act 1997
<input type="checkbox"/> RFI Act 1948
<input type="checkbox"/> Water Management Act 2000
<input type="checkbox"/> Water Act 1912
<input checked="" type="checkbox"/> Swimming Pools Act 1992; | <input checked="" type="checkbox"/> SEPP No. 55 – Remediation of Land
<input type="checkbox"/> SEPP No. 71 – Coastal Protection
<input type="checkbox"/> SEPP BASIX
<input checked="" type="checkbox"/> SEPP Infrastructure
<input checked="" type="checkbox"/> WLEP 2000
<input checked="" type="checkbox"/> WDCP
<input type="checkbox"/> S94 Development Contributions Plan
<input type="checkbox"/> S94A Development Contributions Plan
<input type="checkbox"/> NSW Coastal Policy (cl 92 EPA Regulation)
<input type="checkbox"/> Other |
|---|--|

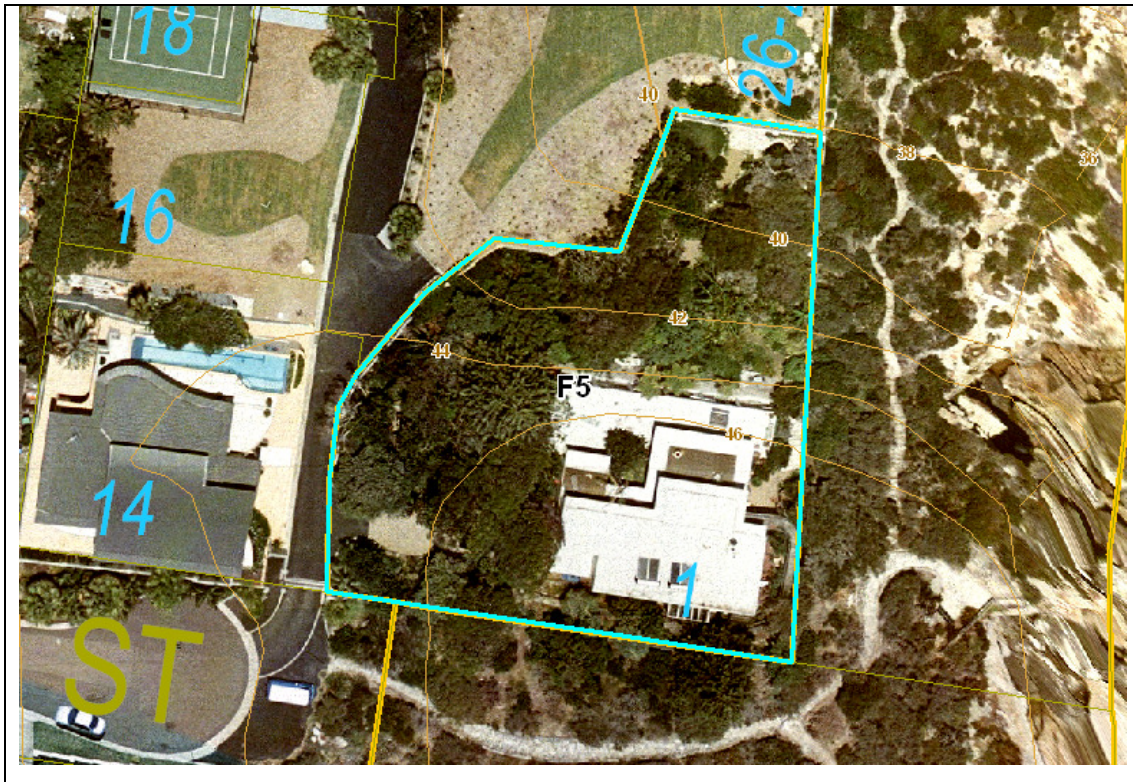
SECTION 79C EPA ACT 1979

Section 79C (1) (a)(i) – Have you considered all relevant provisions of any relevant environmental planning instrument?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(ii) – Have you considered all relevant provisions of any provisions of any draft environmental planning instrument	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(iii) – Have you considered all relevant provisions of any provisions of any development control plan	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(iia) - Have you considered all relevant provisions of any Planning Agreement or Draft Planning Agreement	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Section 79C (1) (a)(iv) - Have you considered all relevant provisions of any Regulations?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (b) – Are the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality acceptable?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (c) – Is the site suitable for the development?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (d) – Have you considered any submissions made in accordance with the EPA Act or EPA Regs?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (e) – Is the proposal in the public interest?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No



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SECTION 3 – SITE INSPECTION ANALYSIS



Site area: 1773sqm

Detail existing onsite structures:

- ☐ None
- ☒ Dwelling
- ☐ Detached Garage
- ☐ Detached shed
- ☐ Swimming pool
- ☐ Tennis Court
- ☐ Cabana
- ☐ Other

Site Features:

- ☐ None
- ☒ Trees
- ☐ Under Storey Vegetation
- ☐ Rock Outcrops
- ☐ Caves
- ☐ Overhangs

- ☐ Waterfalls
- ☐ Creeks / Watercourse
- ☐ Aboriginal Art / Carvings
- ☐ Any Item of / or any potential item of heritage significance

Potential View Loss as a result of development

- ☐ Yes ☒ No

If Yes where from (in relation to site):

- ☐ North / South
- ☐ East / West
- ☐ North East / South West
- ☐ North West / South East

View of:

- Ocean / Waterways ☐ Yes ☐ No
- Headland ☐ Yes ☐ No
- District Views ☐ Yes ☐ No
- Bushland ☐ Yes ☐ No
- Other:



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Bushfire Prone?

☒ Yes ☐ No (Swimming pools do not require referral to RFS)

Flood Prone?

☐ Yes ☒ No

Affected by Acid Sulfate Soils

☐ Yes ☒ No

Located within 40m of any natural watercourse?

☐ Yes ☒ No

Located within 1km landward of the open coast watermark or within 1km of any bay estuaries, coastal lake, lagoon, island, tidal waterway within the area mapped within the NSW Coastal Policy?

☐ Yes ☒ No

Located within 100m of the mean high watermark?

☐ Yes ☒ No

Located within an area identified as a Wave Impact Zone?

☐ Yes ☒ No

Any items of heritage significance located upon it?

☒ Yes ☐ No

Located within the vicinity of any items of heritage significance?

☐ Yes ☒ No

Located within an area identified as potential land slip?

☒ Yes ☐ No

Is the development Integrated?

☐ Yes ☒ No

Does the development require concurrence?

☐ Yes ☒ No

Is the site owned or is the DA made by the "Crown"?

☐ Yes ☒ No

Have you reviewed the DP and s88B instrument?

☒ Yes ☐ No

Does the proposal impact upon any easements / Rights of Way?

☐ Yes ☒ No



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Site Inspection / Desktop Assessment Undertaken by:

Does the site inspection <Section 3> confirm the assessment undertaken against the relevant EPI's <Section's 1 & 2>?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there any additional matters that have arisen from your site inspection that would require any additional assessment to be undertaken?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes provide detail:

Signed

Date 3 April 2009

Maya Elnazer, Development Assessment Officer



SECTION 4 – APPLICATION DETERMINATION

Conclusion:

The proposal has been considered against the relevant heads of consideration under S79C of the EPA Act 1979 and the proposed development is considered to be:

- ☒ Satisfactory
☐ Unsatisfactory

Recommendation:

That Council as the consent authority

- ☒ **GRANT DEVELOPMENT CONSENT** to the development application subject to:
- (a) the conditions detailed within the associated notice of determination; and
 - (b) the consent lapsing within three (3) from operation
- ☐ **GRANT DEFERRED COMMENCEMENT CONSENT** to the development application subject to:
- (a) the conditions detailed within the associated notice of determination;
 - (b) limit the deferred commencement condition time frame to 3 years;
 - (c) one the deferred commencement matter have been satisfactorily addressed issue an operational consent subject to the time frames detailed within part (d); and
 - (d) the consent lapsing within three (3) from operation
- ☐ **REFUSE development consent** to the development application subject to:
- (a) the reasons detailed within the associated notice of determination.

Signed

Date 3 April 2009

Maya Elnazer, Development Assessment Officer

The application is determined under the delegated authority of:

Signed

Date 3 April 2009

Rodney Piggott, Team Leader, Development Assessment