

APPLICATION FOR MODIFICATION ASSESSMENT REPORT

Application Number:	Mod2022/0371
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Responsible Officer:	Nick Keeler
Land to be developed (Address):	Lot 4 DP 601758, 4 / 0 Bennett Street CURL CURL NSW 2096
Proposed Development:	Modification of Development Consent DA2020/1465 granted for Alterations and additions to a recreation facility
Zoning:	Warringah LEP2011 - Land zoned RE2 Private Recreation
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Harbord Bowling Club
Applicant:	Rapid Plans Pty Ltd

Application Lodged:	19/07/2022
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Refer to Development Application
Notified:	28/07/2022 to 11/08/2022
Advertised:	Not Advertised
Submissions Received:	3
Clause 4.6 Variation:	Nil
Recommendation:	Approval

PROPOSED DEVELOPMENT IN DETAIL

The applicant seeks to modify development consent DA2020/1465 granted for alterations and additions to a recreation facility. The proposal consists of the following elements:

External works

- Approved amenities building modified & reduced
- Modified amenities building moved 1135mm east clear of existing Sydney Water manhole
- Existing office to be remain with new window
- Roof posts moved north out to playing fields for access
- Reduce southern side of approved roof to retain garden bed area
- Extend eastern end of approved roof over relocated building below

Internal works

- Within the modified amenities building new store, women's bath, accessible & baby change bath & men's bath is proposed
- Existing office to remain

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

There are no assessment issues.

SITE DESCRIPTION

Property Description:	Lot 4 DP 601758 , 4 / 0 Bennett Street CURL CURL NSW 2096
Detailed Site Description:	<p>The site is located adjacent to the public land surrounding Greendale Creek, which flows into Curl Curl Lagoon. It is irregular in shape, and has an approximate are of 1.75 hectares.</p> <p>The site is occupied by the Harbord Bowling Club. The application relates to the futsal courts located at the northern end of the site, adjacent to the public land surrounding the creek and lagoon.</p> <p>Apart from the the public land generally to the north, north east and north west, the site is surrounded by low density residential development to the east, west and south.</p>

Map:



SITE HISTORY

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

Application **DA2020/1465** for Alterations and additions to a recreation facility was approved on 13/10/2021 by Council staff.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

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

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 and is attached taking into all relevant provisions of the Environmental Planning and Assessment Act 1979 and associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon all lands whether nearby, adjoining or at a distance;
- Consideration was given to all documentation provided (up to the time of determination) by the applicant, persons who have made submissions regarding the application and any advice given by relevant Council / Government / Authority Officers on the proposal;

In this regard, the consideration of the application adopts the previous assessment detailed in the Assessment Report for DA2020/1465, in full, with amendments detailed and assessed as follows:

The relevant matters for consideration under Section 4.55 (2) of the Environmental Planning and Assessment Act, 1979, are:

Section 4.55 (2) - Other Modifications	Comments
A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:	
(a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and	<p>The development, as proposed, has been found to be such that Council is satisfied that the proposed works are substantially the same as those already approved under DA2020/1465 for the following reasons:</p> <ul style="list-style-type: none"> the modification is generally consistent with the approved alterations and additions to the existing recreation facility the modification does not alter the recreation land use of the site all expected outcomes of the original assessment are maintained under the modification
(b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and	Development Application DA2020/1465 did not require concurrence from the relevant Minister, public authority or approval body.
(c) it has notified the application in accordance with: (i) the regulations, if the regulations so require, or (ii) a development control plan, if the consent authority is a council that has made a development control plan under section 72 that requires the notification or advertising of applications for modification of a development consent, and	The application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, and the Northern Beaches Community Participation Plan.
(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.	See discussion on "Notification & Submissions Received" in this report.

Section 4.15 Assessment

In accordance with Section 4.55 (3) of the Environmental Planning and Assessment Act 1979, in determining an modification application made under Section 96 the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development

the subject of the application.

The relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 'Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	There are no current draft environmental planning instruments.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Warringah 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. No additional information was requested in this case.</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	<p>(i) Environmental Impact</p> <p>The environmental impacts of the proposed development on the natural and built environment are</p>

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

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited from 28/07/2022 to 11/08/2022 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 3 submission/s from:

Name:	Address:
Ms Melinda Jayne McIntosh	47 Bennett Street CURL CURL NSW 2096
Mrs Alexandria Phillippa Mawhinney	C/- Trias Pty Ltd 34 Kings Lane DARLINGHURST NSW 2010
Mr Simon Edward Mawhinney	100 Beatrice Street BALGOWLAH HEIGHTS NSW 2093

The following issues were raised in the submissions:

- Hours of operation
- Interpretation of plans

The above issues are addressed as follows:

- **Hours of operation**

The submissions raised concerns that the modification proposes to extend the approved hours of operation.

Comment:

Council has clarified with the applicant whether an extension of the approved hours of operation to 6am to 11pm Monday to Friday and 9am to 7pm Weekends is proposed in this modification. The applicant advises that consent to extend the approved hours of operation is not sought under this application and the approved hours of operation are to be maintained.

- **Interpretation of plans**

The submissions raised concerns that the submitted plans are hard to interpret and it is unclear what development is proposed.

Comment:

The submitted plans satisfy Council's Lodgement Requirements and are suitable for assessment. The plans should be read in conjunction with the submitted Statement of Modification to clarify the specific modifications sought under this application. The modifications relate to minor alterations to the approved amenities building at the northern end of the site and retention of the existing office building adjacent to the new amenities building. The modification is considered to be substantially the same as the approved development and will not result in any unreasonable amenity impact to adjacent properties or the public domain.

REFERRALS

Internal Referral Body	Comments
Building Assessment - Fire and Disability upgrades	<p>The application has been investigated with respect to aspects relevant to the Building Certification and Fire Safety Department. There are no objections to approval of the development.</p> <p>Note: The proposed development may not comply with some requirements of the BCA. Issues such as these however may be determined at Construction Certificate stage.</p>
Environmental Health (Industrial)	<p>General Comments</p> <p>Environmental Health have reviewed the proposed modification and its potential to alter findings under the previous acoustic report. Based on changes being minimal in nature and not in direct view of residential receivers it is unlikely that the proposed modification would make any difference to previous acoustic assessment findings. No further conditions of consent need to be applied to the development.</p>

Internal Referral Body	Comments
	<p>Recommendation</p> <p>Supported- no conditions</p>
NECC (Coast and Catchments)	<p>The application has been assessed in consideration of the Coastal Management Act 2016, State Environmental Planning Policy (Resilience and Hazards) 2021 and has also been assessed against requirements of the Warringah LEP 2011 and Warringah DCP 2011.</p> <p>Coastal Management Act 2016 The subject site has been identified as being within the coastal zone and therefore Coastal Management Act 2016 is applicable to the proposed development. The proposed development is in line with the objects, as set out under Clause 3 of the Coastal Management Act 2016.</p> <p>State Environmental Planning Policy (Resilience and Hazards) 2021 As the subject site has been identified as being within the coastal zone and therefore SEPP (Resilience and Hazards) 2021 is also applicable to the proposed development. The subject land has been included on the 'Coastal Environment Area' map under the State Environmental Planning Policy (Resilience and Hazards) 2021 (RH SEPP). Hence, Clauses 2.10, 2.12 and 2.13 of the RH SEPP apply for this DA. On internal assessment the DA satisfies requirements under clauses 2.10, 2.12 and 2.13 of the RH SEPP. As such, it is considered that the application complies with the requirements of the State Environmental Planning Policy (Resilience and Hazards) 2021.</p> <p>Warringah LEP 2011 and Warringah DCP 2011 No coastal related issues identified. As such, it is considered that the application complies with the requirements of the coastal relevant clauses of the Warringah LEP 2011 and Warringah DCP 2011.</p>
NECC (Riparian Lands and Creeks)	<p>This application has been assessed against relevant legislation and policy relating to waterways, riparian areas, and groundwater. The site is near Greendale Creek and as such the development must not significantly impact on the biophysical, hydrological or ecological integrity of Greendale Creek, or the quantity and quality of surface and ground water flows that it receives. The proposal is unlikely to have an adverse effect on the integrity and resilience of the biophysical, ecological and hydrological environment of Greendale Creek.</p>
NECC (Stormwater and Floodplain Engineering – Flood risk)	<p>The property at 4/0 Bennett St is identified as being flood affected, with the following flood levels derived from 'Dee Why and Curl Curl Lagoons Floodplain Risk Management Study' by Lyall & Associates (2006):</p> <ul style="list-style-type: none"> - 1% AEP Flood Level: 4.8m AHD. - Flood Planning Level (FPL): 5.3m AHD. - Probable Maximum Flood level (PMF): 5.8m AHD. <p>The proposed approved building from previous DA submission (DA2020/1465) modified & reduced as follow:</p>

Internal Referral Body	Comments
	<ul style="list-style-type: none"> • Modified amenities building moved 1135mm east clear of existing Sydney Water manhole • Existing office to be remain with new window • Roof posts moved north out to playing fields for access • Reduce southern side of approved roof to retain garden bed area • Extend eastern end of approved roof over relocated building below <p>The proposed development generally complies with the flood requirements of the DCP and LEP, provided that it is in accordance with the conditions listed below.</p> <p>The proposed development generally complies with the flood requirements of the DCP and LEP, provided that it is in accordance with the conditions listed below.</p> <p><u>Planner Note:</u></p> <p>The recommended conditions in this modification have been reviewed against the conditions recommended in the original consent. The conditions in the modification do not alter any wording of the conditions of the original consent. However, a formatting error in the original Notice of Determination cut off part of Condition No. 13 - Flooding. As such, it is recommended to modify Condition No. 13 to clarify the condition wording and retain the other conditions as approved.</p>
NECC (Water Management)	<p>This application has been assessed in consideration of the supplied plans and reports, the Northern Beaches Water Management for Development Policy (WM Policy), and other relevant policy and legislation.</p> <p>On assessment the proposal meets the water management requirements.</p>
Parks, reserves, beaches, foreshore	<p>The application is for modification to development consent DA2020/1465, as described and illustrated in reports and plans.</p> <p>No concerns are raised with the proposed modifications.</p>

External Referral Body	Comments
Ausgrid - SEPP (Transport and Infrastructure) 2021, s2.48	<p>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.</p>

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational

provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP (Transport and Infrastructure) 2021

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.

SEPP (Resilience and Hazards) 2021

Chapter 2 – Coastal Management

The site is subject to Chapter 2 of the SEPP. Accordingly, an assessment under Chapter 2 has been carried out as follows:

Division 3 Coastal environment area

2.10 Development on land within the coastal environment area

- 1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:
 - a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,
 - b) coastal environmental values and natural coastal processes,
 - c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,
 - d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,
 - e) existing public open space and safe access to and along the foreshore, beach,

- headland or rock platform for members of the public, including persons with a disability,
- f) Aboriginal cultural heritage, practices and places,
 - g) the use of the surf zone.

Comment:

The proposed development is not expected to cause adverse impact to the coastal environment area.

- 2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:
- a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or
 - b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
 - c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

Comment:

Council is satisfied that the proposed development is appropriately designed and sited to ensure adverse impact to the items referred to in subsection (1) is avoided.

Division 5 General

2.12 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

Comment:

Council is satisfied the proposed development will not cause an increased risk of coastal hazards on the site or surrounding land.

As such, it is considered that the application complies with the requirements of Chapter 2 of the State Environmental Planning Policy (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 recreation 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 recreation land use.

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

Development Standard	Requirement	Approved	Proposed	% Variation	Complies
Height of Buildings:	8.5m	Replacement fencing - 5.5m	Unaltered	N/A	Yes
		Amenities block - 3m	3.3m	N/A	Yes

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
5.21 Flood planning	Yes
6.1 Acid sulfate soils	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes

Warringah Development Control Plan

Built Form Controls

Standard	Requirement	Approved	Proposed	Complies
D1 Landscaped Open Space and Bushland Setting	40%	60.4%	Unaltered	Yes

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	Yes	Yes
C4 Stormwater	Yes	Yes
C6 Building over or adjacent to Constructed Council Drainage Easements	Yes	Yes
C7 Excavation and Landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
D1 Landscaped Open Space and Bushland Setting	Yes	Yes
D3 Noise	Yes	Yes
D6 Access to Sunlight	Yes	Yes
D7 Views	Yes	Yes
D8 Privacy	Yes	Yes
D9 Building Bulk	Yes	Yes
D10 Building Colours and Materials	Yes	Yes
D11 Roofs	Yes	Yes
D12 Glare and Reflection	Yes	Yes
D14 Site Facilities	Yes	Yes
D18 Accessibility and Adaptability	Yes	Yes
D20 Safety and Security	Yes	Yes
D21 Provision and Location of Utility Services	Yes	Yes
D22 Conservation of Energy and Water	Yes	Yes
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes
E2 Prescribed Vegetation	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E7 Development on land adjoining public open space	Yes	Yes
E8 Waterways and Riparian Lands	Yes	Yes
E10 Landslip Risk	Yes	Yes
E11 Flood Prone Land	Yes	Yes

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

Section 7.12 contributions were levied on the Development Application.

CONCLUSION

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

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2021;

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

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

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

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

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

RECOMMENDATION

THAT Council as the consent authority grant approval to Modification Application No. Mod2022/0371 for Modification of Development Consent DA2020/1465 granted for Alterations and additions to a recreation facility on land at Lot 4 DP 601758,4 / 0 Bennett Street, CURL CURL, subject to the conditions printed below:

A. Add Condition No. 1A - Modification of Consent - Approved Plans and supporting Documentation to read as follows:

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Modification Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
DA1004	29/04/2022	Rapid Plans
DA1007	29/04/2022	Rapid Plans
DA1008	29/04/2022	Rapid Plans
DA1009	29/04/2022	Rapid Plans
DA2001	29/04/2022	Rapid Plans
DA2002	29/04/2022	Rapid Plans

DA2003	29/04/2022	Rapid Plans
DA2004	29/04/2022	Rapid Plans
DA3000	29/04/2022	Rapid Plans
DA3001	29/04/2022	Rapid Plans
DA3002	29/04/2022	Rapid Plans
DA4000	29/04/2022	Rapid Plans
DA4001	29/04/2022	Rapid Plans
DA4002	29/04/2022	Rapid Plans

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

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.

B. Modify Condition No. 13 - Flooding to read as follows:

In order to protect property and occupants from flood risk the following is required:

Flood Effects Caused by Development – A2

Doors to the ground floor level of the proposed toilet and storage area are all to be open grated, with a minimum storage.

The levelling of the area between the two courts is to be through the use of a suspended concrete slab, with entrance to the void under the slab, it must be at least 50% open, with openings to be at least 75mm. The finished surface of the courts is to be no higher than the existing surface as shown on the site plan.

Building Components and Structural Soundness – C1

All new development shall be designed and constructed as flood compatible buildings in accordance with Reducing Vulnerability of Buildings to Flood Damage: Guidance on Building in Flood Prone Areas, Hawkesbury-Nepean Floodplain Management Steering Committee (2006). The proposed toilet and storage block is to be constructed of flood compatible materials up to the Flood Planning Level of 5.3m AHD.

Building Components and Structural Soundness – C2

All new development must be designed and constructed to ensure structural integrity up to the Flood Planning Level of 5.3m AHD, taking into account the forces of floodwater, wave action, flowing water with debris, buoyancy and immersion. Structural certification shall be provided confirming the above.

Building Components and Structural Soundness – C3

All new electrical equipment, power points, wiring, fuel lines, sewerage systems or any other service pipes and connections must be waterproofed and/or located above the Flood Planning Level of 5.3m AHD.

Storage of Goods – D1

Hazardous or potentially polluting materials shall not be stored below the Flood Planning Level of 5.3m AHD unless adequately protected from floodwaters in accordance with industry standards.

Fencing – H1

Any new fencing shall be open for the passage of flood waters, with a minimum of 50% open area from the natural ground level up to the the 1% AEP flood level of 4.8m AHD.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To reduce the impact of flooding and flood liability on owners and occupiers of flood-prone property and reduce public and private losses in accordance with Council and NSW Government policy.

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

Signed



Nick Keeler, Planner

The application is determined on 07/10/2022, under the delegated authority of:



Rodney Piggott, Manager Development Assessments