

**FINAL CDC
PROCESSED
AND
SCANNED
APPROVED**



Environmental Compliance
8am to 6pm Mon - Thurs, 8am to 5pm Fri
Phone 9970 1111

1 November 2010

Mrs J Paul
14 Elaine Avenue
AVALON NSW 2107

COPY

Dear Mrs Paul

**Re: Complying Development Certificate CDC0022/10
 Property: 14 Elaine Avenue, Avalon**

Please find enclosed your approved Complying Development Certificate and stamped plans.

Did you know that work is unable to commence until such time as a completed Notification of Commencement Form has been submitted to Council at least two (2) days prior to starting work? Not to do so is a breach of the Environmental Planning and Assessment Act, which would result in a Penalty Infringement Notice (on-the-spot fine) being issued to you and the builder.

To assist you please find enclosed a "Notification of Commencement and Principal Certifying Authority Service Agreement" form to enable you to appoint Pittwater Council as your Principal Certifying Authority (PCA).

If appointed as the PCA, Council would carry out various inspections as indicated in Part 6 of the enclosed "Notification of Commencement and Principal Certifying Authority Service Agreement" form and ultimately issue an Occupation Certificate for your development. Appointment and inspection fees are also detailed in the enclosed form.

Council will endorse your "Notice of Commencement and Principal Certifying Authority Service Agreement" form and return a copy to the applicant with advice as to the required critical stage and other inspections to be carried out by Council.

Council is committed to providing a quality service and would value your business in being appointed as the Principal Certifying Authority for your development.

Yours faithfully

Andrew Caponas
DEVELOPMENT COMPLIANCE OFFICER



PITTWATER COUNCIL

Notification of Commencement & Principal Certifying Authority Service Agreement

under Environmental Planning and Assessment Act 1979
section 86 (1) and (2)

About this form

- Use this form to appoint Pittwater Council as the Principal Certifying Authority (PCA) to carry out nominated inspections of the building / subdivision works and to issue the required Occupation Certificate
- This form must be submitted to Pittwater Council a minimum of two (2) days prior to the commencement of works.

Who can complete this form?

- The owner of the property or the person having the benefit of the Complying Development consent.
Note: The builder or other contractor cannot complete this form unless they are also the owner of the property.

Applicant's Checklist

- Read this document ☐
- Complete pages 1, 2 & 3 ☐
- Sign on page 8 ☐
- Attach a copy of Owner Builder Permit or Home Owner Warranty Insurance Certificate. ☐

Payment of fees

- Critical Stage Inspection fees (refer to Part 6e of this form) must be paid at the time of booking the inspection.
- Issue of Interim/Final Occupation Certificate fee (refer to Part 6e of this form), must be paid prior to release of the certificate to the applicant.

Pittwater Council

Tel: (612) 9970 1111

Fax: (612) 9970 7150

Mona Vale Customer Service
Village Park, 1 Park Street
MONA VALE NSW 2103

Avalon Customer Service
59A Old Barrenjoey Road
AVALON NSW 2108

Mailing Address
PO Box 882
MONA VALE NSW 1660

1. DEVELOPMENT INFORMATION

1a) COMPLYING DEVELOPMENT CERTIFICATE

Complying Development Certificate No: CDC0022/10	Determination Date: 01/11/10
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1b) DEVELOPMENT DETAILS

Type of Work: <input type="checkbox"/> New Building <input type="checkbox"/> Additions / Alterations <input type="checkbox"/> Subdivision	Brief description of development:
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1c) SITE DETAILS

Unit/Suite:	Street No: 14	Street: Elaine Avenue
Suburb: Avalon	Lot No: 32	Deposit /Strata Plan: 16153

1d) VALUE OF PROPOSED DEVELOPMENT

Estimated value of proposed works: \$

1e) DATE WORK IS TO COMMENCE

Minimum notice of two (2) days is required to be given prior to commencement of works.
Date of commencement:

2. APPLICANT DETAILS

Note: The builder or other contractor cannot complete this form unless they are also the owner of the property.

Name (owner):	
Postal Address: 	Phone (H/B): Mobile: Email: Fax:

3. PRINCIPAL CERTIFYING AUTHORITY

PITTWATER COUNCIL

PO Box 882
Mona Vale NSW 1660

Ph: 9970 1111
Fax: 9970 7150

4. COMPLIANCE WITH COMPLYING DEVELOPMENT CONSENT

Have all conditions to be addressed prior to the commencement of works been satisfied?

☐ YES

☐ NO (see Note below)

Note: If **NO** work must not commence.

Please be aware that failure to address these conditions may leave you liable and in Breach of the Environmental Planning and Assessment Act 1979 (as amended). Penalties may include an on-the-spot fine and/or legal action.

If you are uncertain as to these requirements please contact Council's Development Compliance Group.

5. WHO WILL BE DOING THE BUILDING WORKS?

☐ Owner Builder

Owner Builders Permit No:

Copy of Owner Builders permit
attached:

☐ YES

If you are an Owner-Builder for the residential building work exceeding \$5000 you must apply for a permit at NSW Office of Fair Trading, 1 Fitzwilliam Street, Parramatta NSW 2150 Australia. Tel: 61 2 98950111 Fax: 61 2 9895 0222.

OR

☐ Licensed Builder

Builder's License Number

Name of Builder:

Phone:

Contact person:

Mobile:

Address:

Fax:

Insurance Company:

Insurance Certificate attached:

☐ Yes

☐ No – statement attached & signed by each owner of the property that the reasonable market cost of the labour & materials to be used is less than \$12,000.

If you are using a licensed builder for residential building work exceeding \$12,000 you must obtain Home Building Act Insurance. A certificate of insurance must be provided with this application.

6. RESPONSIBILITIES OF THE PRINCIPAL CERTIFYING AUTHORITY (PCA)

6a) Quality of Service:

Pittwater Council will carry out PCA and inspection services in a professional manner and in accordance with the requirements of the Environmental Planning & Assessment Act 1979 and Council's Code of Conduct.

6b) Site Signage:

Pittwater Council will erect a sign on the site to advise the general public of the contact details of the PCA. The sign will be erected during the Commencement Inspection, on Council's acceptance of appointment as PCA.

6c) Inspections:

Pittwater Council officers will undertake the Critical Stage Inspections of the work during construction and prior to issuing an Occupation Certificate to ascertain compliance of specified stages of construction with the Complying Development Certificate, Building Code of Australia & relevant standards of construction. On appointment as the PCA, Pittwater Council will notify the applicant in writing of the Critical Stage & other Inspections.

6d) Critical Stage and other inspections:

The following stages of construction are required to be inspected by Council (as indicated by a ✓ in the relevant box).

Note: Council's Development Compliance Officer will complete this section of the form.

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- ☐ Footing Inspection (prior to placement of concrete)
- ☐ Slab and other Steel Inspection (prior to placement of concrete)
- ☒ Frame Inspection (prior to fixing floor, wall & ceiling linings)
- ☐ Wet Area Waterproofing Inspection (prior to covering)
- ☐ Stormwater Inspection (prior to backfilling of trenches)
- ☐ Swimming Pool Safety Fence Inspection (prior to placement of water)
- ☒ Final Inspection (all works completed and prior to occupation of the building)



Office Use Only

Note: Should the building works be completed in parts & not all aspects of a Critical Stage Inspection be ready, additional inspections maybe required – with a further inspection fee payable.

Eg: If two slabs are prepared at separate times, two separate inspection bookings and fees are required.

6e) Critical Stage and other inspection fees:

An inspection fee is required for each inspection identified in Part 6d of this form. A separate inspection fee is required for each Critical Stage Inspection. Should works be either incomplete or incorrect at the time of inspection a further separate reinspection fee will be required.

Each inspection fee must be paid at the time of requesting the inspection.

Fee Scale current to 30 June 2011

Critical Stage or other Inspection and re-inspections, including Final	\$255	(Code: HINR)
Issue of Interim Occupation Certificate	\$350	(Code: FOCC)
Issue of Final Occupation Certificate	\$350	(Code: FOCC)

Please note that a failure to give correct notification of required inspections may result in the issuing of a Penalty Infringement Notice (PIN or on-the-spot fine) and/or a Notice and Order by Council and may result in refusal to issue an Occupation Certificate.

6f) Inspection Results:

Pittwater Council will provide written confirmation to the applicant of the inspection results and indicate if satisfactory or if additional works are required prior to reinspection.

7. RESPONSIBILITIES OF THE APPLICANT

7a) Inspections:

A minimum of forty-eight (48) hours notice (excluding weekends and public holidays) must be given to Council to enable the specified stages of construction to be inspected as identified in Item 6 of this agreement.

Should an inspection be missed, the applicant must advise Council in writing (as soon as practicable after the event) of that fact, the circumstances causing the inspection to be missed and supporting documentation for Council's consideration. In such cases, the inspection fee, which would normally have been required, must still be paid.

The applicant must ensure that the Principal Contractor (Builder/Owner Builder) is advised of the required inspections and that the directions of Council's Development Compliance Officers are to be observed to ensure compliance with the Complying Development Certificate, Building Code of Australia and the terms of this agreement.

7b) Booking of Inspections:

The applicant shall request an inspection via Pittwater Council's Inspection Booking Hotline on **9970 1300**. A minimum of forty-eight (48) hours notice must be provided to Council to arrange for completion of the inspection.

At the time of requesting the inspection, Pittwater Council will confirm an inspection time and day, name of inspecting officer and mobile contact number.

Building works must **not** proceed to the subsequent stages of construction prior to obtaining a satisfactory inspection from Council for each stage of construction specified in Item 6d of this agreement.

7c) Site Signage:

The applicant is responsible to maintain the PCA signage provided by Pittwater Council at the site until the work is completed.

The applicant is responsible to ensure that the Owner Builder or Principal Contractor (Builder) provide a rigid durable sign at the site, visible from the public place and maintained at the site until the work is completed. Such a sign shall display: (a) the name, address and telephone number of the person; (b) an after-hours emergency telephone number for the person and (c) stating "Unauthorised Entry to the Site is Prohibited".

7d) Compliance with the Complying Development Certificate:

All works must be carried out in accordance with the terms and conditions of Council's Complying Development Certificate and relevant provisions of the Building Code of Australia and Environmental Planning and Assessment Act 1979.

A Complying Development Certificate must be obtained for any amendments or variations to the development, prior to the commencement of the amendment or variation.

Works not in accordance with the approval and Building Code of Australia may result in the refusal to issue an Occupation Certificate. Council may also serve a Notice and Order to comply with the approval and/or the institution of legal proceedings.

7e) Structural Engineering and Other Specialist Details:

The following details are to be forwarded to the PCA prior to commencement of the relevant stage of construction (as identified by a ✓). The details are to be prepared by a suitably qualified person to confirm compliance with the relevant provisions of the BCA and Australian Standards:

Note: Council's Development Compliance Officer will complete this section of the form.

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- ☐ Timber framing details including bracing and tie-downs
- ☐ Roof construction or roof truss details
- ☐ Termite control measures
- ☐ Glazing details
- ☐ Mechanical ventilation details
- ☐ Wet area construction details
- ☐ Details of fire resisting construction
- ☐ Details of essential fire and other safety measures
- ☐ Sound transmission and insulation details
- ☐ Details of compliance with development consent conditions



Office Use Only

7f) Certification of Works:

To ensure compliance with the Complying Development Certificate and Building Code of Australia (BCA), the applicant is to provide certification, verifying that the following specialist matters (identified by a ✓) have been carried out.

Each certification must:

- reference the approved Complying Development Certificate number, property address, relevant provisions of the BCA, Australian Standards and approved drawings.
- be prepared by an accredited certifier or other suitably qualified & experienced person to the satisfaction of Pittwater Council.

Note: Council's Development Compliance Officer will complete this section of the form.

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- ☐ Survey detailing building setbacks, reduced levels of floors & ridge by a registered surveyor
- ☐ Shoring and support for adjoining premises and structures by a structural engineer
- ☐ Contiguous piers or piling by a structural engineer
- ☐ Underpinning works by a structural engineer
- ☐ Structural engineering works by a structural engineer
- ☐ Retaining walls by a structural engineer
- ☐ Stormwater drainage works by a hydraulic engineer and surveyor
- ☐ Landscaping works by the landscaper
- ☐ Condition of trees by an Arborist
- ☐ Mechanical ventilation by a mechanical engineer
- ☐ Termite control and protection by a licensed pest controller
- ☐ Waterproofing of wet areas by a licensed waterproofer or licensed builder
- ☐ Installation of glazing by a licensed builder
- ☐ Installation of smoke alarm systems by a licensed electrician
- ☐ Completion of construction requirements in a bush fire prone area by a competent person
- ☐ Completion of requirements listed in the BASIX Certificate by a competent person
- ☐ Fire resisting construction systems by a competent person
- ☐ Smoke hazard management systems by a competent person
- ☐ Essential fire safety and other safety measures by a competent person (Form 15a)
- ☐ Completion of Bushland Management requirements by a suitably qualified person.
- ☐ Installation of Waste Water Management System by a suitably qualified person
- ☐ Installation of the inclined lift by a suitably qualified person
- ☐ Installation of sound attenuation measures by an acoustic engineer



Office Use Only

7g) Occupation Certificate:

A *Final* Occupation Certificate must be obtained from the PCA prior to the occupation or use of a new building (or part of a building) or prior to the change of an existing building use/classification. An inspection fee is to be paid to the PCA in accordance with the fee scale in Part 6e of this agreement.

An application may be made to the PCA for an *Interim* Occupation Certificate, which will be considered in accordance with the provisions of the Environmental Planning and Assessment Act 1979 and conditions of development consent.

Only the Principal Certifying Authority can issue an Occupation Certificate and the Environmental Planning and Assessment Act 1979 contains penalty provisions for failing to obtain a required Occupation Certificate.

An application for an *Interim* or *Final* Occupation Certificate must be accompanied by a final or interim *fire safety certificates* as required by the EP&A Regulations, Clauses 80E or 80F for buildings other than Class 1 and 10.

7h) Miscellaneous requirements:

The applicant is required to ensure that valid public liability insurance cover to the value of \$10,000,000 (minimum) is held by the applicant and/or builder.

The applicant is required to notify Council, in writing, of any change in the details or address of the applicant or head contractor.

Pittwater Council may cancel the agreement if there is a breach of the agreement.

8. **YOUR SIGNATURE**

I accept the terms and conditions of this service agreement, including the associated payment of fees and appoint Pittwater Council as the Principal Certifying Authority for the subject development.

Signature: Date:

9. **COUNCIL'S AGREEMENT TO APPOINTMENT**

The relevant details in Parts 6d, 7e & 7f of this agreement have been completed, Home Owners Warranty Insurance Certificate or Owner/Builders Permit or Statement has been provided where necessary and I acknowledge the appointment of Pittwater Council as the Principal Certifying Authority.

Officer's name: on behalf of Pittwater Council

Officer's signature: Date:

PRIVACY AND PERSONAL INFORMATION PROTECTION NOTICE

Purpose of collection:	To enable Council to act as the Principal Certifying Authority for the development.
Intended recipients:	Pittwater Council staff
Supply:	The information is required by legislation
Consequence of Non-provision:	Your application may not be accepted, not processed or rejected for lack of information
Storage:	Pittwater Council will store details of this form in a register that can be viewed by the public.
Retention period:	Hard copies will be destroyed after 7 years and electronic records will be kept indefinitely.
Please contact Council if this information you have provided is incorrect or changes.	



**ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979
NOTICE TO APPLICANT OF DETERMINATION
OF A COMPLYING DEVELOPMENT CERTIFICATE
EXTENSION TO ROOF TO REAR OF DWELLING OVER EXISTING PATIO**

Applicant's Name and Address:

JENNIFER PAUL, 14 ELAINE AVENUE, AVALON NSW 2107

Being the applicant in respect of Complying Development Certificate No **CDC0022/10**

Pursuant to section 85A of the Environmental Planning and Assessment Act 1979, notice is hereby given of the determination by Pittwater Council, as the consent authority, of this Complying Development Certificate application for:

BUILDING ALTERATIONS – EXTENSION TO ROOF TO REAR OF DWELLING OVER EXISTING PATIO

At:

Lot 32 DP 16153

14 ELAINE AVENUE, AVALON NSW 2107.

BUILDING CLASSIFICATION:

Decision:

A Complying Development Certificate has been granted subject to the conditions as detailed under Pittwater Development Control Plan – Exempt and Complying Development

Endorsement date of issue: 1 November 2010

This Certificate lapses:
(5 years from endorsement date)

Andrew Caponas

DEVELOPMENT COMPLIANCE OFFICER

Per:

COPY.

CONDITIONS

A. NOTATIONS

A.1 The development is to be carried out in accordance with plans numbered one, two, three and four, Rev 1, dated 13 September 2010, prepared by Seed Garden Design, as amended in red or as modified by any condition of this complying development certificate.

A.2 Validity of Complying Development Certificate

A complying development certificate becomes effective and operates from the date endorsed on the certificate. The certificate lapses 5 years after the date endorsed on the certificate. No proceedings may be taken before a court or tribunal to extend the 5-year period.

A.3 Appeals

Pursuant to section 85A (10) Environment and Planning Assessment Act 1979. There is no right of appeal against the determination of, or a failure or refusal to determine an application for a complying development certificate.

B. GENERAL CONDITIONS

B.1 Site Plans

Two sets of detailed working drawings that comply in all respects with the conditions of the Development Consent are to be submitted to the Accredited Certifier or Council prior to the commencement of work. Each plan/sheet is to include a signed statement from a suitably qualified person, that the plans/details satisfy the relevant provisions of the Building Code of Australia and/or Australian Standard (see format appendix 1)

Where separate details or specifications are referred to on the approved plans, those plans or documents are to be separately certified by an appropriately certified professional as to their compliance with the Building Code of Australia or relevant Australian Standard.

A copy of the above mentioned plans, specifications and documents stating conditions shall be kept on site at all times, readily available to be viewed by Council and/or the Principal Certifying Authority.

B.2 Appointment of a Principal Certifying Authority.

Prior to commencement of the project, a Principal Certifying Authority is to be designated. Further, the "Notification of Commencement" form (*copy attached*) is to be returned to Council, a minimum 2 days prior to commencement of site works.

If an alternate Principal Certifying Authority is appointed after the approved plans are collected from Council, that Principal Certifying Authority is to co-sign the "Notification of Commencement" form.

B.3 Tree Removal

No trees are to be removed from the site without the prior approval of Council, pursuant to the provisions of the Tree Management Order.

- B.4 This approval does not prejudice any action in respect of upgrading the building pursuant to the provisions of the Section 121B of the Environmental Planning and Assessment (Amendment) Act, 1997.

C. MATTERS TO BE SATISFIED PRIOR TO COMMENCEMENT OF WORK

- C.1 2 days before the commencement of any site works, building or demolition begins the applicant must:
- Notify Council of the name, address, phone number and licence number of the builder, and
 - Erect a sign at the front of the property with the name and accreditation of the appointed Principal Certifying Authority, the builder's name, phone number, licence and the site address. This sign or another must clearly state unauthorised entry to the work site is prohibited.
- C.2 All contract work must be insured as per Part 6 Home Building Act 1989
- C.3 Prior to commencement of site works, a qualified Building Surveyor, Builder or Site Manager is to certify that any measures to satisfy EPA requirement erosion controls have been installed. No site works are to commence, until such time as that certification has been obtained and a copy forwarded to the accredited certifier or Council (see copy of form ER-1 attached).
- C.4 Prior to commencement of site works, a qualified Arborist, Horticulturist or Landscape Architect is to certify that appropriate protection, fencing etc, has been provided around trees or landscaped areas, located outside of the building area(s). No further site works are to take place until this certification has been obtained and a copy forwarded to the accredited certifier or Council (see copy of form TP-1 attached).
- C.5 The applicant or project manager is to comply with the requirements and advice of the various supply and utility authorities, i.e., Sydney Water, Sydney Electricity, Telstra etc.
- C.6 Where external building works are proposed within 1 metre of any boundary. A Survey Certificate prepared by a Registered Surveyor is to be provided, confirming that the building setout is in accordance with the details shown on the approved plans. No further site works are to take place until this certification has been obtained and a copy forwarded to the accredited certifier or Council.

D. CONDITIONS TO MINIMISE THE IMPACT OF THE DEVELOPMENT ON THE NATURAL AND BUILT ENVIRONMENT

D.1 That the development satisfies the following requirements:

- Hours of construction restricted to 7am – 5pm Monday – Friday, 8am – 1pm Saturday. No works to take place on Sundays or public holidays.
- External additions: are to be at ground floor level only; any additional floor area is not to exceed 30sq m; max height of any external additions is not to exceed 4.5m.
- Internal alterations are permissible at or above ground floor level.
- The development must comply with the BCA and/or the relevant Australian Standards.
- Max total site coverage including the new works is not to exceed 40%, except in Region 3 where up to 300sq m or 4% site coverage, whichever is greater, is permissible.
- Rear and side boundary setbacks are not to exceed one third of the wall height with a minimum of 1m in zones other than Non-Urban, 7.5m in zones 1(a) and 1(b), 6.5m in zone 1(c).
- Development is not to breach any de facto building line.
- Max length of wall in residential areas (within 3m of boundary): one third of boundary length.
- Min front boundary setback (Residential zones): 6.5m (10m to an arterial road) and does not breach any de facto building line to adjoining dwellings.
- Min front boundary setback (Non-Urban zones): 30m to a main road (Mona Vale Road, McCarrs Creek Road); 20m to all secondary roads and public reserves. The first 15m setback from the road boundary is to be landscaped, with no structures (letterboxes excluded) or car parking permitted.
- Utilises darker, non-reflective wall and roof materials to match or complement existing dwelling.
- Does not cause additional shadowing of adjoining property.
- Does not impede any scenic view.
- No new or additional open solid fuel or wood burning heaters or stoves.
- Cut or fill does not exceed 900mm and/or 3 cubic metres.
- Excavation or fill does not encroach onto or affect any adjoining property.
- Energy efficiency 3.5 star under NatHERS or equivalent.
- Compliance with best practice erosion and sediment controls.
- No tree or bushland removal.
- Fence all trees or treed areas within 5m of any access route or within 5m of the proposed development for 3m minimum radius around trunks with a suitable protective fence.
- Tree protection measures to be erected and certified prior to commencement of works.
- No habitable room windows with a direct outlook to habitable room windows in an adjacent dwelling, except for windows with sill heights a minimum of 1.7m above floor level or with translucent glazing.
- No direct outlook from windows, balconies, stairs, landings, terraces, decks or other private, communal areas into the private open space of another dwelling within 9m and beyond a 45° angle from the plane of the wall containing the opening, measured from a height of 1.7m above floor level (See AMCORD (1995, pps 167 - 168) Site Planning and Building Design – Element 5.5 Privacy, Figure 4).
- Any mechanical ventilation details complying with the provisions of the Building Code of Australia and/or relevant Australian Standards.

- Any external glazing is to have a maximum reflectivity index of 25%.
- Any collected stormwater or roofwater is to be piped to a suitable discharge point at Councils street drainage system/piped drainage system/natural water course/natural water body. Where any pipe passes through private property, other than the property it services, it is to be contained within a legally created and applicable easement. Piped drainage systems are to be designed and constructed to satisfy the requirements of the Building Code of Australia, relevant Australian Standards and current Engineering Best Practice.
- Internal work at any time provided noise emission is not audible at any adjoining boundary.
- Footpath and adjacent roadway to be free of obstruction by building materials and/or plant.
- The development must comply with the requirements of the BCA and/or the relevant Australian Standards
- All trucks, pumps and plant to be kept wholly on site.
- No concrete or slurry to be discharged into street or street drainage system.
- Required erosion controls certified and installed prior to commencement of demolition
- Fence all trees or treed areas within 5m of any access route or within 5m of the proposed development for 3m minimum radius around trunks with a suitable protective fence.
- Tree protection measures are to be erected and certified prior to commencement of demolition
- Erection of hoarding to prevent entry of general public
- Demolition to comply with AS 2601 - Demolition of Structures
- Consult with relevant supply and utility authorities for advice and requirements

E. PRESCRIBED CONDITIONS

- E.1 All works are to be carried out in accordance with the provisions of the Building Code of Australia or where not covered by the Building code of Australia, the relevant Australian Standard.

Note: Particular attention should be paid to the relevant fire safety requirements of the Building Code of Australia

- E.2 The proposal is to comply with the relevant provisions Part 7 Division 2A of the Environmental Planning and Assessment Regulation, 2000.

F. COMPLETION OF WORKS

- F.1 A copy of the compliance certificate must be obtained from the Principle Certifying Authority on completion of all work. This is to be forwarded to Council, should Council not be the Principle Certifying Authority.
- F.2 Signs Erected for Notice of works and hoardings must be removed after issuance of a compliance certificate.

SUBJECT: CDC0022/10- 14 ELAINE AVENUE, AVALON

(Lot 32 DP 16153)

**Application for Complying Development Certificate –
Extension of Roof to Rear of Dwelling over Existing Patio**

Determination Level: Development Compliance Officer **Date:** 1 November 2010

SUMMARY OF RECOMMENDATION

CONSENT WITH CONDITIONS

REPORT PREPARED BY:	Andrew Caponas
APPLICATION SUBMITTED ON:	14/10/2010
APPLICATION SUBMITTED BY:	JENNIFER PAUL 14 ELAINE AVENUE AVALON NSW 2107
OWNER(S):	As Above

1.0 DEVELOPMENT CONTROLS

The site is zoned 2(a) Residential under the provisions of Pittwater Local Environmental Plan 1993. The proposed development being addition of a roof extension to the rear of the dwelling is permissible with consent. The following relevant local and state policies apply to this site:

- Pittwater Local Environmental Plan (LEP) 1993
- Pittwater Development Control Plan 22

2.0 SITE DETAILS

The site is known as 14 Elaine Avenue, Avalon (Lot 32 SP 16153). The site is 12.2m in width and 42.2m in depth. It is located on the high side of the street and has a gentle slope down from rear to front. The site is currently developed by a single storey fibro clad dwelling with an attached garage.

3.0 PROPOSAL IN DETAIL

The applicant seeks consent for the following development to the site:

- To extend the hipped roof out 3.400m x 6.985m in width at the rear of the dwelling over an existing ground level patio. The new roof covering will

be colorbond metal. The sides of the roof extension will be open with the roof being supported on timber posts.

4.0 ASSESSMENT

The subject site is located within a Foreshore Scenic Protection Area therefore the provisions of SEPP (Exempt and Complying Development Codes) 2008 do not apply. Devision2, Subdivision 1.19, clause (5) of this Code states that complying development cannot be carried out on land that is defined as "excluded land" under an environmental planning instrument.

Following is an assessment against the relevant provisions within Pittwater DCP 22 Exempt and Complying Development.

Complying Development Requirements for Compliance

The requirements under DCP 22, Part C: General Information – Complying Development – Alterations and Additions to Dwellings is attached;

*"External additions: are likely to be at ground floor level only; any additional floor area is not be exceed 30sq m; max height of any external additions is not to exceed 4.5m. Internal alterations are permissible at or above ground floor level
The development must comply with the BCA and/or the relevant Australian Standards where up to 300sq m or 4% site coverage, whichever is greater, is permissible*

Rear and side boundary setbacks are not to exceed one third of the wall height with a minimum of 1m in zones other than non-urban, 7.5m in zones 1(a) and 1(b), 6.5m in zone 1(c).

Development is not to breach any de facto building line to adjoining buildings

Max length of wall in residential areas (within 3m of boundary): one third of boundary length

Min front boundary setback (Residential zones): 6.5m (10m to an arterial road) and does not breach any de facto building line to adjoining dwellings.

Min front boundary setback (Non-Urban zones): 30m to a main road (Mona Vale Road, McCarrs Creek Road); 20m to all secondary roads and public reserves. The first 15m setback from the road boundary is to be landscaped, with no structures (letterboxes excepted) or carparking permitted

Utilises darker, non-reflective wall and roof materials to match or complement existing dwelling

Does not cause additional shadowing of adjoining property

Does not impede any scenic view."

The proposed works which involve the extension of the existing roof line out by 3.4m will have negligible affect upon the adjoining premises to the south.

In general, the proposal complies with the criteria for alterations and additions to dwellings under Pittwater DCP 22.

5.0 CONCLUSION

The Complying Development Application has been assessed in accordance with the provisions of Pittwater DCP 22 – Exempt and Complying Development.

The proposal is considered to be consistent with the relevant statutory controls and outcomes. Accordingly, the application is recommended for approval.

RECOMMENDATION OF DEVELOPMENT COMPLIANCE OFFICER

That Council as the consent authority pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 grant consent to complying development certificate CDC0022/10 for the extension of the roof line of the dwelling towards the rear by 3.4m subject to the attached conditions.

Report prepared by

Andrew Caponas
DEVELOPMENT COMPLIANCE OFFICER

Photographs of the premises taken at the time of site inspection are attached:



