

## REPORT TO DEVELOPMENT DETERMINATION PANEL

Meeting held on 22 August 2018

36 Malvern Avenue Manly - Alterations and additions to the existing building

### DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2018/0046
Responsible Officer:	Thomas Prosser
Land to be developed (Address):	Lot B1 DP 433559, 36 Malvern Avenue MANLY NSW 2095
Proposed Development:	Alterations and additions to the existing building
Zoning:	Manly LEP2013 - Land zoned R3 Medium Density Residential
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Development Determination Panel
Land and Environment Court Action:	No
Owner:	Craig Andrew Shortus
Applicant:	Craig Andrew Shortus
Application lodged:	16/01/2018
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Residential - Alterations and additions
Notified:	12/07/2018 to 30/07/2018
Advertised:	Not Advertised
Submissions Received:	6
Recommendation:	Approval
Estimated Cost of Works:	\$ 100,000.00

### 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

Manly Local Environmental Plan 2013 - 4.6 Exceptions to development standards

Manly Development Control Plan - 3.1 Streetscapes and Townscapes

Manly Development Control Plan - 3.4.2 Privacy and Security

Manly Development Control Plan - 3.4.3 Maintenance of Views

Manly Development Control Plan - 4.1.4 Setbacks (front, side and rear) and Building Separation

Manly Development Control Plan - 5.5 Road Widening and Realignment

## SITE DESCRIPTION

<b>Property Description:</b>	Lot B1 DP 433559 , 36 Malvern Avenue MANLY NSW 2095
<b>Detailed Site Description:</b>	<p>The subject property is commonly known as 36 Malvern Avenue, Manly and legally known as Lot B1 DP433559. The site is located on the eastern side of Malvern Avenue and has rear access at Pine Lane. The property is rectangular in shape and has a frontage of 6.095m to Malvern Avenue, an average depth of 45.72m and an overall site area of 278.7m<sup>2</sup>. The property currently contains a one and two storey dwelling with vehicular access via an existing driveway from Pine Lane to an existing garage to the rear of the existing dwelling. The property has a slight slope from the front to the rear of the property, being approximately 0.3m.</p> <p>A variety of low and medium density development along Malvern Avenue being predominantly 1, 2 or 3 storey dwellings but also higher density residential development including 33 Malvern Avenue (directly opposite the subject site) and residential flat buildings to the east at North Steyne.</p> <p>The subject site is within close vicinity of the beach and ocean foreshore, sharing a rear lane with North Steyne which is adjacent to the beach.</p>

Map:



## SITE HISTORY

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

- DA124/93- BA135/93- 1st Floor additions.
- DA434/2001- Installation of In-Ground Swimming Pool within rear setback.
- DA130/2010 (including Section 96) for alterations and additions to the existing dwelling
- DA267/2010- Alterations and additions including basement storeroom approved by DAU.
- DA340/2016- Alterations and additions to the existing semi detached dwelling approved by DDP on 16 August 2017.

## PROPOSED DEVELOPMENT IN DETAIL

The proposal is for a studio level above the existing garage to the rear of the property at Pine Lane. The studio would include a rumpus area and a bathroom.

In consideration of the application a review of (but not limited) documents as provided by the applicant in support of the application was taken into account detail provided within Attachment C.

## ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

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

Section 79C 'Matters for Consideration'	Comments
Section 79C (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on "Environmental Planning Instruments" in this report.
Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument	None applicable.
Section 79C (1) (a)(iii) – Provisions of any	Manly Development Control Plan applies to this proposal.

Section 79C 'Matters for Consideration'	Comments
development control plan	
Section 79C (1) (a)(iii) – Provisions of any planning agreement	None applicable.
Section 79C (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&amp;A Regulation 2000 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 50(1A)</u> of the EP&amp;A Regulation 2000 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 54 and 109</u> of the EP&amp;A Regulation 2000, Council requested additional information and has therefore considered the number of days taken in this assessment in light of this clause within the Regulations. No additional information was requested.</p> <p><u>Clause 92</u> of the EP&amp;A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This clause is not relevant to this application.</p> <p><u>Clauses 93 and/or 94</u> of the EP&amp;A Regulation 2000 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 98</u> of the EP&amp;A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This clause is not relevant to this application.</p> <p><u>Clause 98</u> of the EP&amp;A Regulation 2000 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> <p><u>Clause 143A</u> of the EP&amp;A Regulation 2000 requires the submission of a design verification certificate from the building designer prior to the issue of a Construction Certificate. This clause is not relevant to this application.</p>
Section 79C (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) The environmental impacts of the proposed development on the natural and built environment are addressed under the Manly Development Control Plan section in this report.</p> <p>(ii) The proposed development will not have a detrimental social impact in the locality considering the</p>

Section 79C 'Matters for Consideration'	Comments
	character of the proposal. (iii) The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.
Section 79C (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 79C (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.

## NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the relevant Development Control Plan.

As a result of the public exhibition process council is in receipt of 6 submission/s from:

Name:	Address:
Withheld	MANLY NSW 2095
Mr Jeremy John Knibbs	1 / 149 Pittwater Road MANLY NSW 2095
Mr Glenn Reginald Hammond	34 Malvern Avenue MANLY NSW 2095
Mr Mark Andrew Bushell Eaglemont Planning	32 Malvern Avenue MANLY NSW 2095
Withheld	MANLY NSW 2095
Mr Robert Joseph McNair Mrs Jennette Rhonda McNair	30 Malvern Avenue MANLY NSW 2095

The following issues were raised in the submissions and each have been addressed below:

- Non-compliance with FSR development standard
- Does not meet DCP setbacks requirements for Pine Lane.
- Overshadowing
- Privacy issues to rear living areas of adjacent dwellings
- Loss of ocean views
- Inconsistent with streetscape
- Refusal of similar proposals in the street
- Overdevelopment/ undesirable precedent
- Potential use as a secondary dwelling/ increase in residential density and impact on street parking



The matters raised within the submissions are addressed as follows:

- Non-compliance with FSR development standard

Comment:

A clause 4.6 application has been provided which has been considered to be well founded and the proposal meets the requirements of Clause 4.4 of the Manly LEP as outlined under the discussion for Clause 4.6 in this report. This issues does not therefore warrant refusal of the application.

- Does not meet DCP setbacks requirements for Pine Lane.

Comment:

As the proposal is for a studio above the existing garage, there is no further encroachment on the land required for road widening and this is consistent with the requirements of clause 5.5 of the Manly DCP 2013. This issues does not therefore warrant refusal of the application.

- Overshadowing

Comment:

The proposed studio is compliant with the controls for overshadowing as a result of the modulation provided by the setbacks from the ground floor garage walls. This issues does not therefore warrant refusal of the application.

- Privacy issues to rear living areas of adjacent dwellings

Comment:

There are no proposed windows at average eye level facing the private open space of adjoining properties. Along with the physical separation from adjoining living areas, this provides a reasonable circumstance for privacy. This issues does not therefore warrant refusal of the application.

- Loss of ocean views

Comment:

In accordance with the view loss principle established by the NSW Land and Environment Court, the proposal provides a negligible to minor impact on views. This is partly as a result of the water views being from a bedroom and being partial as a result of existing vegetation. This issues does not therefore warrant refusal of the application.

- Inconsistent with streetscape

Comment:

The proposal provides a reasonable outcome when the bulk and presentation of both sides of the street is considered. As further discussed under the sections for streetscapes and setbacks below, the proposal provides a reasonable visual outcome despite not being the predominant form on the same side of the street. This issues does not therefore warrant refusal of the application.

- Overdevelopment/ undesirable precedent

Comment:

An merit assessment of the standards and controls below has found the extent of the development and design in this circumstance to be reasonable. This issues does not therefore

warrant refusal of the application.

- Potential use as a secondary dwelling/ increase in residential density and impact on street parking

Comment:

A condition has been imposed to ensure the studio is not used as a secondary dwelling and as such there will be no increase to dwelling density or associated impact on parking. This issues does not therefore warrant refusal of the application.

## MEDIATION

No requests for mediation have been made in relation to this application.

## REFERRALS

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

## ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)\*

All, Environmental Planning Instruments (SEPPs, REPs 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, REPs 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)

Nil

## Manly Local Environmental Plan 2013

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

DA2018/0046			
-------------	--	--	--

Standard	Requirement	Proposed	% Variation	Complies
Height of Buildings:	11m	6.16m	N/A	Yes
Floor Space Ratio Site area: 278.7m <sup>2</sup>	FSR: 0.75:1 (209.025m <sup>2</sup> )	FSR: 0.86:1 (236m <sup>2</sup> )  Approved under DA340/2017: 216m <sup>2</sup>	12.9%	No, see comments.

#### Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
4.4 Floor space ratio	No
4.6 Exceptions to development standards	Yes
6.1 Acid sulfate soils	Yes
6.4 Stormwater management	Yes
6.9 Foreshore scenic protection area	Yes
6.12 Essential services	Yes

#### Detailed Assessment

##### **4.6 Exceptions to development standards**

Requirement:	0.75:1 (209.025m <sup>2</sup> )
Proposed:	0.86:1 (236m <sup>2</sup> )
Is the planning control in question a development standard?	YES
Is the non-compliance with to the clause requirement a Numerical and / or Performance based variation?	Numerical
If numerical enter a % variation to requirement	12.9%

The proposal must satisfy the objectives of 4.4 Floor Space Ratios, the underlying objectives of the particular zone, and the objectives of Clause 4.6 - Exceptions to Development Standards under the MLEP 2013. The assessment is detailed as follows:

##### **Is the planning control in question a development standard?**

The prescribed Floor space ratio limitation pursuant to Clause 4.4 of the MLEP 2013 is a development standard.

##### **What are the underlying objectives of the development standard?**

The underlying objectives of the standard, pursuant to Clause 4.4 – 'Floor space ratio' of the MLEP 2013 are:



(1) The objectives of this clause are as follows:

*a) to ensure the bulk and scale of development is consistent with the existing and desired streetscape character,*

Comment:

The proposed extension to the rear garage would result in a second storey feature in Pine Lane above the existing garage. The existing streetscape predominantly has single storey garages on this side of the lane with one example of a second storey at 44 Malvern Avenue. The opposite side of the lane has a mix of higher density development as the height of building development standard is 13m for this side of the lane. As a result of this mix of bulk in the lane, the proposed minimisation in bulk through a compliant building height and the setbacks of the studio from the existing ground floor walls of the garage, the proposal will provide a bulk and scale that is consistent with the existing and desirable streetscape character.

*b) to control building density and bulk in relation to a site area to ensure that development does not obscure important landscape and townscape features,*

Comment:

The proposed addition will provide side setbacks that will adequately control building bulk and density to ensure obscurement of landscape and townscape features as well as the beach is not unreasonable. In particular this includes the compliant setback of 1.7m to the top level of the studio at the northern setback as this is a location in which there are views available through to the beach from the dwelling to the north.

*c) to maintain an appropriate visual relationship between new development and the existing character and landscape of the area,*

Comment:

The proposed studio would be built on top of the existing garage and this location would be appropriate in the area as it would complement the varied bulk within the lane (being garages and higher density development across the lane) and would not take the place of any existing landscaped area. In addition, the proposed setback of the top level from the ground floor walls would ensure that the development maintains an appropriate modulation of the development provide an appropriate visual presentation in the lane.

*d) to minimise adverse environmental impacts on the use or enjoyment of adjoining land and the public domain,*

Comment:

As a result of the compliant height and modulation of the proposed studio, the proposed design will ensure environmental impacts area reasonably minimised. In addition, there are no eye level windows provided at the western elevation so that privacy impact is minimised by ensuring there is not unreasonable overlooking into the private open space of the neighbouring properties.

*e) to provide for the viability of business zones and encourage the development, expansion and diversity of business activities that will contribute to economic growth, the retention of local services and employment opportunities in local centres.*

Comment:

Not applicable.

### **What are the underlying objectives of the zone?**

In assessing the developments the non-compliance, consideration must be given to its consistency with the underlying objectives of the R3 Medium Density Residential zone.

### **Is the variation to the development standard consistent with the objectives of Clause 4.6 of the MLEP 2013?**

(1) The objectives of this clause are as follows:

*(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development.*

Comment:

In this circumstance, providing flexibility to the floor space ratio development standard is appropriate as the non-compliance does not lead to any unreasonable amenity impact and would be appropriate in the street context.

*(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

Comment:

It is appropriate to allow flexibility in this circumstance as an addition of floor space can be made to the dwelling without having any unreasonable impact on amenity and the proposed development would be visually appropriate given the context of the site and the varied nature of the surroundings.

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

*(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*

*(b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

Comment:

The applicant provided written request that involved the following justification:

*"• The floor space proposed is consistent with that reasonably anticipated in an R3 Medium Density Residential zone with the form, massing and density of the proposal complimentary and compatible with that established by other residential development within the R3 Medium Density Residential zone and within the sites visual catchment.*

*• The additions maintaining a contextually appropriate relationship with adjoining development and given the topography of the land and available view corridors will not give rise to any public or private view affectation.*

*• The additional floor space will not require the removal of any existing trees or vegetation with the established landscape regime maintained.*

*• The accompanying shadow diagrams demonstrate that a reasonable area of east facing living room fenestration and adjacent rear private open space area will receive 2 hours of solar access between 9am and 12pm on 21st June with a further 2 hours of solar access maintained to the street facing verandah and adjacent courtyard area of the southern adjoining property.*

*• In relation to privacy we note that all windows have been orientated to the front and rear of the site to maintain appropriate privacy between properties.*

*• Consistent with the conclusions reached by Senior Commissioner Roseth in the matter of Project Venture Developments v Pittwater Council (2005) NSW LEC 191 we have formed the considered opinion that most observers would not find the proposed development by virtue of its gross floor area, height or massing offensive, jarring or unsympathetic in a streetscape context (Pine Lane) having regard to the built form characteristics of laneway development within the sites visual catchment.*

*Accordingly it can be reasonably concluded that the proposal is compatible with its surroundings when viewed from foreshore areas, public domain and surrounding properties.*

*• Having regard to the matter of Veloshin v Randwick City Council [2007] NSWLEC 428 this is not a case where the difference between compliance and non-compliance is the difference between good and bad design."*

(4) Development consent must not be granted for development that contravenes a development standard unless:

*(a) the consent authority is satisfied that:*

*(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*

Comment:

The applicants written request has adequately addressed the matters required to be demonstrated by subclause 3.

*(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.*

Comment:

For reasons detailed above, the proposal is considered to be consistent with the objectives of the R3 Medium Density Residential zone in the MLEP 2013.

*(b) the concurrence of the Director-General has been obtained*

Comment:

Planning Circular PS 18-003 dated 21 February 2018, as issued by the NSW Department of Planning, advises that the concurrence of the Secretary may be assumed for exceptions to the development standards under environmental planning instruments that adopt Clause 4.6 of the standard instrument where the variation to a numerical standard is no greater than 10%. In this case there is a variation of greater than 10% (to FSR). However, following advice from the Department of Planning and Environment, single dwellings with a variation of more than 10% for floor space ratio or building height may be determined by a delegate of Council. As such, the proposal has been referred to the Development Determination Panel for determination.

## Manly Development Control Plan

### Built Form Controls

<b>Built Form Controls - Site Area: 278.7m<sup>2</sup></b>	<b>Requirement</b>	<b>Proposed</b>	<b>% Variation*</b>	<b>Complies</b>
4.1.2.1 Wall Height	North: 6.5m	4.56m	N/A	Yes
	South: 6.5m	4.56m	N/A	Yes
4.1.2.2 Number of Storeys	3	2	N/A	Yes
4.1.2.3 Roof Height	Height: 2.5m	1.25m	N/A	Yes
4.1.4.2 Side Setbacks and Secondary Street Frontages	Side setbacks: 1.52m (based on wall height)	0.9m (south) 0.985m-1.7m (north)	N/A	No, see comments.
4.1.4.4 Rear Setback	8m	0.72m	N/A	No, see comments.

**\*Note:** The percentage variation is calculated on the *overall* numerical variation (ie: for LOS - Divide the proposed area by the numerical requirement then multiply the proposed area by 100 to equal X, then 100 minus X will equal the percentage variation. Example:  $38/40 \times 100 = 95$  then  $100 - 95 = 5\%$  variation)

### Compliance Assessment

<b>Clause</b>	<b>Compliance with Requirements</b>	<b>Consistency Aims/Objectives</b>
3.1 Streetscapes and Townscapes	Yes	Yes
3.1.1 Streetscape (Residential areas)	Yes	Yes
3.4.1 Sunlight Access and Overshadowing	Yes	Yes
3.4.2 Privacy and Security	Yes	Yes
3.4.3 Maintenance of Views	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
3.7 Stormwater Management	Yes	Yes
3.8 Waste Management	Yes	Yes
4.1.2 Height of Buildings (Incorporating Wall Height, Number of Storeys & Roof Height)	Yes	Yes
4.1.4 Setbacks (front, side and rear) and Building Separation	No	Yes
5.5 Road Widening and Realignment	Yes	Yes

### Detailed Assessment

#### **3.1 Streetscapes and Townscapes**

##### Description of non-compliance

The proposal is non-compliant with the rear setback control.

##### Merit consideration:

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

*Objective 1) To minimise any negative visual impact of walls, fences and carparking on the street frontage.*

##### Comment:

The proposal does not involve any new wall, fence or car parking at the frontage.

*Objective 2) To ensure development generally viewed from the street complements the identified streetscape.*

##### Comment:

The proposed addition to the dwelling is above the existing garage which has a setback of 0.72m to rear lane. This setback is consistent with the rear setback of the majority of garages on this side of the street in close vicinity. As a result of the reasonable minimisation of bulk provided by the studio through setbacks from the ground floor garage, the proposal will be complementary with the identified streetscape. In particular, the street is on the border of a height zone under the Manly LEP and the proposed studio which is compliant with the height in both zones will complement the varied heights in the street.

*Objective 3) To encourage soft landscape alternatives when front fences and walls may not be appropriate.*

##### Comment:

Not applicable.

Having regard to the above assessment, it is concluded that the proposed development is consistent

with the relevant objectives of MLEP 2013 / MDCP and the objectives specified in section 1.3(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

### 3.4.2 Privacy and Security

#### Merit consideration:

The development is considered against the underlying Objectives of the Control as follows:

*Objective 1) To minimise loss of privacy to adjacent and nearby development by:*

- *appropriate design for privacy (both acoustical and visual) including screening between closely spaced buildings; and*
- *mitigating direct viewing between windows and/or outdoor living areas of adjacent buildings.*

#### Comment:

The proposal for a studio above the existing garage involves new windows including to the east, west and south elevation. The side elevation windows and west elevation (which faces neighbouring private open space) are high level glazing and one high level opaque window. As such, the proposed development would ensure the new floor area would not cause any unreasonable potential for viewing between the studio and adjoining private open space.

*Objective 2) To increase privacy without compromising access to light and air. To balance outlook and views from habitable rooms and private open space.*

#### Comment:

The proposal will provides a design with reasonable sizes for openings and adequate modulation to ensure an adequate compromise between access to light and air with privacy.

*Objective 3) To encourage awareness of neighbourhood security.*

#### Comment:

The proposal provides a window to Pine Lane that provide adequate opportunity for awareness of neighbourhood security.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of MLEP 2013 / MDCP and the objectives specified in section 1.3(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported in this particular circumstance.

### 3.4.3 Maintenance of Views

#### Merit consideration:

The development is considered against the underlying Objectives of the Control as follows:

*Objective 1) To provide for view sharing for both existing and proposed development and existing and*



*future Manly residents.*

Comment:

The proposal provides for a studio level above the existing garage that provides access to views for the subject site whilst also maintaining a reasonable corridor of views for the northern neighbour through a setback that is compliant at the top level of the studio. The proposal also provides views to be consistent with the views principle established by the NSW Land and Environment Court.

*Objective 2) To minimise disruption to views from adjacent and nearby development and views to and from public spaces including views to the city, harbour, ocean, bushland, open space and recognised landmarks or buildings from both private property and public places (including roads and footpaths).*

An assessment of view loss has also been undertaken for the adjoining property to the north with reference to the Views Principle established by the NSW Land and Environment Court as follows:

*The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (for example of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, for example a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.*

Comment:

The northern neighbour has views toward the beach and ocean including a land-water interface. These are made partial by vegetation on site as well as vegetation in the form of pine trees at the beachfront. The view is also restricted by the unit buildings to the north and south to have the effect of providing a view corridor (see photo below).



*Photo 1: Taken from standing positions at upper level bedroom window.*

*The second step is to consider from what part of the property the views are obtained. For example, the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.*



Comment:

The views are obtained from a bedroom window at the upper level of the northern neighbour. The view is obtained to the rear but the majority of the view is over the side boundary as a result of the obscurement provided by the unit building to the north and the vegetation on site. The view can currently be retained from sitting and standing position but retention of the sitting position view is more unrealistic in this situation. This is as a result of the partial nature of the view and the lower value placed on the view in accordance with the principle in relation to views from a bedroom and over a side boundary.

*The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20 percent if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.*

Comment:

The retention of a view corridor to the ocean at an average eye level along with the view loss being from a bedroom window and over a side boundary, provides a situation in which the extent of impact for the whole property is negligible to minor.

*The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.*

Comment:

As a result of the complying setback at the top of the northern elevation (being 1.7m) and the negligible impact caused by the non-complying section of the setback at the lower part of the studios northern elevation, the part and extent of the proposal causing the impact is reasonable. Along with this reasonableness in relation to the planning control for setbacks, the non-compliance with floor space ratio is reasonable due to the overall negligible to minor view loss in accordance with the third step of the principle (above).

*Objective 3) To minimise loss of views, including accumulated view loss 'view creep' whilst recognising development may take place in accordance with the other provisions of this Plan.*

Comment:

The view corridor maintained by the setback to the northern part of the studio provides a situation in which access to views are maintained and view creep is adequately minimised.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of MLEP 2013 / MDCP and the objectives specified in section 1.3(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the

proposal is supported, in this particular circumstance.

#### **4.1.4 Setbacks (front, side and rear) and Building Separation**

##### Description of non-compliance

The proposal is non-compliant with the control for side setbacks which is 1.52m. The proposed setbacks are 0.9m at the southern boundary and 0.985m-1.7m at the northern boundary.

##### Merit consideration:

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

*Objective 1) To maintain and enhance the existing streetscape including the desired spatial proportions of the street, the street edge and the landscape character of the street.*

##### Comment:

The existing streetscape has garages that are set close to the boundary on one side of the street and a mix of development including residential flat buildings on the opposite site of the street. The proposed studio above the existing garage would add to this mix of development in the street whilst also being setback from the ground floor wall of the garage to provide a modulation that provides desired spatial proportions in the street.

*Objective 2) To ensure and enhance local amenity by:*

- *providing privacy;*
- *providing equitable access to light, sunshine and air movement; and*
- *facilitating view sharing and maintaining adequate space between buildings to limit impacts on views and vistas from private and public spaces.*
- *defining and adding character to the streetscape including the provision of adequate space between buildings to create a rhythm or pattern of spaces; and*
- *facilitating safe and adequate traffic conditions including levels of visibility around corner lots at the street intersection.*

##### Comment:

The proposal provides a design that includes reasonable setbacks and a minimisation of window forms to ensure appropriate amenity for the area. The compliant setback to the top of the studio at the northern elevation also ensures that an appropriate view corridor is maintained for the neighbouring property.

*Objective 3) To promote flexibility in the siting of buildings.*

##### Comment:

In this circumstance, the lack of unreasonable amenity impact and the adequate minimisation of bulk through modulation and setbacks, provides a siting for the proposed studio that is acceptable.

*Objective 4) To enhance and maintain natural features by:*

- *accommodating planting, including deep soil zones, vegetation consolidated across sites, native vegetation and native trees;*
- *ensuring the nature of development does not unduly detract from the context of the site and particularly in relation to the nature of any adjoining Open Space lands and National Parks; and*
- *ensuring the provisions of State Environmental Planning Policy No 19 - Urban Bushland are satisfied.*

Comment:

The proposed studio is located on top of an existing garage has no impact on vegetation or any natural features.

*Objective 5) To assist in appropriate bush fire asset protection zones.*

Comment:

Not applicable.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of MLEP 2013 / MDCP and the objectives specified in section 1.3(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

## **5.5 Road Widening and Realignment**

The proposal is for a studio above the existing garage and as such does not provide any further encroachment on land required for road widening, consistent with Clause 5.5 of the Manly DCP.

## **THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES**

The proposal will not significantly effect 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**

### **Manly Section 94 Development Contributions Plan**

S94 Contributions are not applicable to this application.

## **CONCLUSION**

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

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;

- Manly Local Environment Plan;
- Manly Development Control Plan; and
- Codes and Policies of Council.

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

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

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

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

## RECOMMENDATION

THAT Council as the consent authority grant Development Consent to DA2018/0046 for Alterations and additions to the existing building on land at Lot B1 DP 433559, 36 Malvern Avenue, MANLY, subject to the conditions printed below:

### DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

#### 1. Approved Plans and Supporting Documentation

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

##### a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
DA02- Site Plan- Issue L	11.07.18	Watershed Design
DA03- Ground Floor Plan Garage- Issue L	11.07.18	Watershed Design
DA04- Upper Floor Plan Studio- Issue L	11.07.18	Watershed Design
DA05- Sections- Issue L	11.07.18	Watershed Design
DA06- Elevations- Issue L	11.07.18	Watershed Design

Engineering Plans		
Drawing No.	Dated	Prepared By
DA11- Erosion and Sediment Control Plan	19.12.2017	Watershed Design



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. (DACPLB01)

## 2. Prescribed Conditions

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);
- (c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
  - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - (iii) stating that unauthorised entry to the work site is prohibited.Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
  - (i) in the case of work for which a principal contractor is required to be appointed:
    - A. the name and licence number of the principal contractor, and
    - B. the name of the insurer by which the work is insured under Part 6 of that Act,
  - (ii) in the case of work to be done by an owner-builder:
    - A. the name of the owner-builder, and
    - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.
- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
  - (i) protect and support the adjoining premises from possible damage from the excavation, and
  - (ii) where necessary, underpin the adjoining premises to prevent any such

damage.

- (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative Requirement (DACPLB09)

### 3. General Requirements

- (a) Unless authorised by Council:  
Building construction and delivery of material hours are restricted to:
  - 7.00 am to 5.00 pm inclusive Monday to Friday,
  - 8.00 am to 1.00 pm inclusive on Saturday,
  - No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

- (b) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (c) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- (d) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (e) Prior to the release of the Construction Certificate, payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
- (f) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.

- (g) No building, demolition, excavation or material of any nature and no hoist, plant and machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (h) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (i) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.
- (j) Prior to the commencement of any development onsite for:
  - i) Building/s that are to be erected
  - ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
  - iii) Building/s that are to be demolished
  - iv) For any work/s that is to be carried out
  - v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

- (k) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.
  - (1) Child resistant fencing is to be provided to any swimming pool or lockable cover to any spa containing water and is to be consistent with the following;
 

Relevant legislative requirements and relevant Australian Standards (including but not limited) to:

    - (i) Swimming Pools Act 1992
    - (ii) Swimming Pools Amendment Act 2009
    - (iii) Swimming Pools Regulation 2008
    - (iv) Australian Standard AS1926 Swimming Pool Safety
    - (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
    - (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.
  - (2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.
  - (3) Filter backwash waters shall be conveyed to the Sydney Water sewerage system in sewered areas or managed on-site in unsewered areas in a manner that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.
  - (4) Swimming pools and spas must be registered with the Division of Local Government.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community. (DACPLB10)

## **FEES / CHARGES / CONTRIBUTIONS**

### **4. Security Bond**

A bond (determined from cost of works) of \$1,500 and an inspection fee in accordance with Council's Fees and Charges paid as security to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection).

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, details demonstrating payment are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

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

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

## **CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE**

### **5. Waste Management Plan**

A Waste Management Plan must be prepared for this development. The Plan must be in accordance with the Development Control Plan.

Details demonstrating compliance must be provided to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure that any demolition and construction waste, including excavated material, is reused, recycled or disposed of in an environmentally friendly manner.

### **6. External Finishes to Roof**

The external finish to the roof shall have a medium to dark range (BCA classification M and D) in order to minimise solar reflections to neighbouring properties. Any roof with a metallic steel finish is not permitted.

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

Reason: To ensure that excessive glare or reflectivity nuisance does not occur as a result of the development. (DACPLC03)

## **CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

7. **Waste Management During Development**

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

Details demonstrating compliance must be submitted to the Principal Certifying Authority.

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

**CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE  
OCCUPATION CERTIFICATE**

8. **Stormwater Disposal**

The stormwater drainage works shall be certified as compliant with all relevant Australian Standards and Codes by a suitably qualified person.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

**Note:** The following Standards and Codes applied at the time of determination:

(a) Australian/New Zealand Standard **AS/NZS 3500.3** - 2003 - Plumbing and drainage - Stormwater drainage

(b) Australian/New Zealand Standard **AS/NZS 3500.3** - 2003/Amdt 1 - 2006 - Plumbing and drainage - Stormwater drainage

(c) National Plumbing and Drainage Code.

Reason: To ensure appropriate provision for the disposal of stormwater arising from the development. (DACENF05)

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


9. **Single dwelling house (no approval for Secondary dwelling)**

The premises/site is to be used solely as a single dwelling house and not at any time for separate occupation, without the prior consent of Council.


Reason: To ensure the premises is occupied in compliance with the consent. (DACPLGOG1)



## ATTACHMENT A

Notification Plan	Title	Date
 2018/064127	Plan - Notification	21/12/2017








## ATTACHMENT B








Notification Document	Title	Date
 2018/064690	Notification Map	18/01/2018



## ATTACHMENT C

Reference Number	Document	Date
 2018/064125	Plan - Survey	24/11/2009
 2018/064129	Report - BASIX Certificate	08/12/2017
 2018/064121	Cost Summary Report	20/12/2017
 2018/064130	Report - Waste Management Plan	21/12/2017
 2018/064133	Report - Shadow Certification	21/12/2017
 2018/064127	Plan - Notification	21/12/2017
 2018/064128	Report - Statement of Environmental Effects	16/01/2018
 DA2018/0046	36 Malvern Avenue MANLY NSW 2095 - Development Application - Alterations and Additions	16/01/2018
 2018/061460	DA Acknowledgement Letter - Craig Andrew Shortus	16/01/2018
 2018/063808	Development Application Form	17/01/2018
 2018/063810	Applicant Details	17/01/2018
 2018/064134	Plans - External	17/01/2018
 2018/064136	Plans - Internal	17/01/2018
 2018/064139	Plans - Master Set	17/01/2018
 2018/064653	DA Acknowledgement Letter (not integrated) - Craig Andrew Shortus	18/01/2018
 2018/064690	Notification Map	18/01/2018
 2018/064699	Notification Letter - 97	18/01/2018
 2018/071491	Submission - Details withheld	23/01/2018
 2018/074026	Submission - Knibbs	23/01/2018
 2018/074442	Submission - Knibbs - Web	23/01/2018
 2018/075759	Submission Acknowledgement Letter - Jeremy John Knibbs - SA2018/074442	24/01/2018
 2018/081835	Online Submission - Hammond	28/01/2018
 2018/094880	Submission - Hoschke on behalf of Bushell - Web	05/02/2018
 2018/098155	Submission Acknowledgement Letter - Rebecca Hoschke - SA2018/094880	06/02/2018
 2018/176120	DA Pre-Lodgement Meeting Form 48 Woolgoolga St North Balgowlah (No Plans)	15/03/2018
 2018/225516	Photos from neighbour - Fwd: DA 2018/0046	10/04/2018
 2018/234619	Further submission - Glenn hammond- DA 36 Malvern Ave Manly	13/04/2018
 2018/234663	36 Malvern Avenue- DA20180046 with height poles - from bedroom of 38 Malvern	13/04/2018

	2018/235630	Glenn Hammond- Re: DA 36 Malvern Ave Manly	13/04/2018
	2018/237140	Watershed Design - Attention Tom Prosser, 36 Malvern Ave, Studio Height Poles - Survey	13/04/2018
	2018/237123	Submission from Robert and Jennette McNair - Fwd: Proposed Two Level Development - Rear of 36 Malvern Ave. Manly	16/04/2018
	2018/242443	10 & 12 Malvern	17/04/2018
	2018/245652	Issue with view loss- withdraw/amend letter to follow- RE: TRIMMED: Watershed Design - Attention Tom Prosser, 36 Malvern Ave, Studio Height Poles - Survey	19/04/2018
	2018/254661	36 Malvern Ave	24/04/2018
	2018/254666	Impact on Views from 38 malvern Avenue - RE: 36 Malvern Ave	24/04/2018
	2018/287014	Request for Withdrawal of Development Application - Craig Andrew Shortus	10/05/2018
	2018/297901	DA2018/0046	16/05/2018
	2018/313617	Re: DA2018/0046 *CONFIDENTIAL* (36 Malvern Avenue, Manly)	24/05/2018
	2018/315430	Submission - Lim - Confidential	24/05/2018
	2018/314089	Plans - Perspective - Revised - 23 May 2018	24/05/2018
	2018/314092	Plans - Master Set - Revised - 23 May 2018	24/05/2018
	2018/314090	Plans - External - Revised - 23 May 2018	24/05/2018
	2018/314091	Plans - Internal - Revised - 23 May 2018	24/05/2018
	2018/314863	Re: DA 36 Malvern Ave Manly	24/05/2018
	2018/335599	36 Malvern Avenue. Photos of amended height poles.	01/06/2018
	2018/506185	36 Malvern Avenue. Photos of amended height poles. First amendment (not final)	05/06/2018
	2018/428620	36 Malvern Ave - Updated Height Pole Survey	06/07/2018
	2018/428623	36 Malvern Ave - height pole images	06/07/2018
	2018/440335	FW: DA2018/0046 - Amended drawings	10/07/2018
	2018/442832	DA Acknowledgement Letter (not integrated) - Craig Andrew Shortus	11/07/2018
	2018/442854	Re-Notification Letter - 100	11/07/2018
	2018/443372	Plan - Notification - Revised	11/07/2018
	2018/443376	Plans - Master Set - Revised	11/07/2018
	2018/443374	Plans - External - Revised	11/07/2018
	2018/452562	Online Submission - Hammond	16/07/2018
	2018/476185	Submission - Hoschke obo Bushell	27/07/2018

	2018/476927	Submission - Hickey	27/07/2018
	2018/484240	Submission Acknowledgement Letter - Rebecca Hoschke & Mark Andrew Bushell - SA2018/476185	02/08/2018
	2018/484261	Submission Acknowledgement Letter - James Patrick Hickey - SA2018/476927	02/08/2018
	2018/497302	Submission - McNair	06/08/2018
	2018/505105	Re: DA2018/0046- 36 Malvern Avenue.	09/08/2018
	2018/505204	Shadow Diagrams - Issue L - 180809	09/08/2018
	2018/506064	RE: 36 Malvern Ave DA2018/0046	09/08/2018

## PANEL PLANS

No plans titled 'DDP Panel Plans' found in TRIM.