

## DEVELOPMENT APPLICATION ASSESSMENT REPORT

|                            |             |
|----------------------------|-------------|
| <b>Application Number:</b> | DA2018/0627 |
|----------------------------|-------------|

|   |  |
|---|--|
| <b>Responsible Officer:</b>               | Claire Ryan  |
| <b>Land to be developed (Address):</b>    | Lot 31 DP 5464, 31 Warriewood Road WARRIEWOOD NSW 2102<br>Lot 30 DP 5464, 29 Warriewood Road WARRIEWOOD NSW 2102   |
| <b>Proposed Development:</b>              | Construction of ten (10) dwelling houses with associated landscaping within currently unregistered Lots 5, 6, 7, 8, 21, 22, 23, 24, 28 and 29 of an approved 40 lot subdivision at 29-31 Warriewood Road, Warriewood |
| <b>Zoning:</b>                            | R3 Medium Density Residential<br>R3 Medium Density Residential   |
| <b>Development Permissible:</b>           | Yes  |
| <b>Existing Use Rights:</b>               | No   |
| <b>Consent Authority:</b>                 | Northern Beaches Council   |
| <b>Land and Environment Court Action:</b> | No   |
| <b>Owner:</b>                             | Colonial Credits Pty Ltd   |
| <b>Applicant:</b>                         | Colonial Credits Pty Ltd   |

|                                  |  |
|----------------------------------|--|
| <b>Application lodged:</b>       | 19/04/2018                                 |
| <b>Integrated Development:</b>   | No   |
| <b>Designated Development:</b>   | No   |
| <b>State Reporting Category:</b> | Residential - Single new detached dwelling |
| <b>Notified:</b>                 | 21/05/2018 to 06/06/2018                   |
| <b>Advertised:</b>               | Not Advertised                             |
| <b>Submissions Received:</b>     | 1  |
| <b>Recommendation:</b>           | Deferred Commencement Approval             |

|                                 |                 |
|---------------------------------|-----------------|
| <b>Estimated Cost of Works:</b> | \$ 4,526,595.00 |
|---------------------------------|-----------------|

### 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

Assessment - Strategic and Place Planning (S94 Warriewood Valley)  
 Pittwater 21 Development Control Plan - C1.5 Visual Privacy  
 Pittwater 21 Development Control Plan - D16.7 Side and rear building lines

## SITE DESCRIPTION

|                                   |  |
|-----------------------------------|--|
| <b>Property Description:</b>      | Lot 31 DP 5464 , 31 Warriewood Road WARRIEWOOD NSW 2102<br>Lot 30 DP 5464 , 29 Warriewood Road WARRIEWOOD NSW 2102   |
| <b>Detailed Site Description:</b> | <p>The subject site consists of ten (10) unregistered allotments located on the south-western side of Warriewood Road, as part of the Warriewood Valley Release Area.</p> <p>The lots are irregular in shape with varying frontages and depths, along newly made access road. The sites have varying surveyed areas of between a surveyed areas of 300-411m<sup>2</sup>.</p> <p>The site is located within the R3 Medium Density Residential zone and accommodates vacant lots.</p> <p>The site slopes approximately 9.5m from north-east to south-west.</p> <p><b>Detailed Description of Adjoining/Surrounding Development</b></p> <p>Adjoining and surrounding development is characterised by &lt;describe the built form of the surrounding area&gt;.</p> |

Map:



## SITE HISTORY

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

- Application N0182/13 for 40 Lot subdivision of existing sites and demolition of existing structures was approved by the NSW Land & Environment Court on 30 December 2013.
- Application N0481/16 for The construction of eleven two-storey detached dwellings within the approved subdivision lots, and associated landscaping was withdrawn by the applicant on 3 April 2017.
- Application N0567/16 for Construction of a three storey residential flat building comprising 29 units, basement car parking and landscaping was withdrawn by the applicant on 8 May 2017.
- Application N0053/17 for Subdivision to consolidate Lots 2, 3, 4, 14, 15, 16, 17 and 18 within the approved unregistered subdivision plan on Lot 31 Section C of Deposited Plan 5464 was withdrawn by the applicant on 24 November 2017.
- Pre-lodgement Meeting PLM2017/0165 was held on 19 December 2017 for modification of N0182/13.
- Application Mod2017/0344 for Modification of Development Consent N0182/13 granted for the 40 Lot subdivision of existing sites and demolition of existing structures was approved on 27 April 2018 under staff delegation.
- Application DA2018/0607 for Construction of a residential flat building comprising 27 apartments, basement car parking and landscaping within currently unregistered Lots 2, 3, 4, 14, 15, 16, 17 and 18 of an approved 40 lot subdivision at 29-31 Warriewood Road, Warriewood is currently under assessment.
- Application SC2018/0058 for Torrens is currently under assessment.
- Application SC2018/0060 for Stage 2A Torrens title subdivision is currently under assessment.
- Application DA2018/1200 for Construction of a dwelling house on proposed Lot 6 is currently under assessment.
- Application DA2018/1201 for Construction of a dwelling house on proposed Lot 7 is currently under assessment.
- Application DA2018/1202 for Construction of a dwelling house on proposed Lot 8 is currently under assessment.

- Application DA2018/1203 for Construction of a dwelling house including a swimming pool on proposed Lot 15 is currently under assessment.

## PROPOSED DEVELOPMENT IN DETAIL

The proposal seeks consent for the following works:

- Construction of ten two-storey dwellings including parking;
- Creation of easements;
- Stormwater works; and
- Driveway crossovers.

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

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

| Section 4.15 Matters for Consideration'   | Comments  |
|---|---|
| Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument   | See discussion on “Environmental Planning Instruments” in this report.  |
| Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument                                      | None applicable.  |
| Section 4.15 (1) (a)(iii) – Provisions of any development control plan  | Pittwater 21 Development Control Plan applies to this proposal.   |
| Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement   | None applicable.  |
| Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 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> |

| Section 4.15 Matters for Consideration'   | Comments  |
|---|---|
|   | <p><u>Clause 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 matter has been addressed via a condition of consent.</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> |
| <p>Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</p> | <p>(i) <b>Environmental Impact</b><br/>The environmental impacts of the proposed development on the natural and built environment are addressed under the Pittwater 21 Development Control Plan section in this report.</p> <p>(ii) <b>Social Impact</b><br/>The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) <b>Economic Impact</b><br/>The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>   |
| <p>Section 4.15 (1) (c) – the suitability of the site for the development</p>   | <p>The site is considered suitable for the proposed development.</p>  |
| <p>Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs</p>   | <p>See discussion on “Notification &amp; Submissions Received” in this report.</p>  |
| <p>Section 4.15 (1) (e) – the public interest</p>   | <p>No matters have arisen in this assessment that would justify the refusal of the application in the public interest.</p>  |

## 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 1 submission/s from:

| Name:             | Address: |
|-------------------|----------|
| Lindy Sandelowsky |          |

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

- The garage on the boundary of Lot 29 requires an easement on our property, which wasn't on original surveyed drawings and affects the size of our future dwelling, as we already have an easement for NBN on the opposite side of our property.
- Ground level on Lot 29 is altered, forcing us to change our design for our lot next door.

The matters raised within the submissions are addressed as follows:

- Easement  
Comment:  
The proposed development is consistent with the subdivision plan approved under N0182/13 and modified by MOD2017/0344, which this proposal relies upon. The approved subdivision plan demonstrates an easement for access and maintenance 900mm wide on Lot 30.
- Natural Ground Level  
Comment:  
The proposed development does not alter the natural ground level at Lot 29 other than for minor excavation for the purpose of the proposed dwelling footprint.

**MEDIATION**

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

**REFERRALS**

| Internal Referral Body | Comments   |
|------------------------|--|
| Landscape Officer      | <p>The landscape component of the proposal is acceptable subject to the completion of landscaping and any amendments as conditioned.</p> <p>Council's landscape section has assessed the proposal against the following Pittwater 21 DCP 2014 Controls:</p> <p>C1.1 Landscaping</p> <p>C6.2 Natural Environment and Landscaping Principles</p> |

| Internal Referral Body                                    | Comments  |
|---|---|
|   | D16.5 Landscaped Area for Newly Created Individual Allotments   |
| NECC (Bushland and Biodiversity)                          | Council's Bushland & Biodiversity division has assessed the proposal against Pittwater LEP 2014 Control 7.6 Biodiversity Protection & Pittwater 21 DCP 2014 Control B4.15 Saltmarsh Ecological Endangered Community, and believes the proposed development complies subject to conditions, as recommended.  |
| NECC (Development Engineering)                            | <p>I have reviewed the stormwater design and plans submitted by Natasi Associates and advise that they need to be updated to reflect the proposed lot numbering/layout as detailed in the Subdivision plan recently submitted to Council (SC 2018/0060). A further assessment of the plans we be made when this information is submitted.</p> <p>Updated Comments 20 November 2018:<br/>I have noted that planning will draft a deferred commencement condition re the lot numbering being consistent with the draft subdivision plans.<br/>Further information is still required in regard to the provision of freeboard for the proposed houses adjacent to future council pipe infrastructure and overland flow paths . Also the proposed dwelling (lot 21) has stairs which encroach council future drainage easement which require relocation. Deferred commencement conditions will be drafted accordingly.</p> <p>No objections to the proposed dwellings subject to conditions.</p> |
| NECC (Stormwater and Floodplain Engineering – Flood risk) | The Water Management Report has confirmed that local overland flows for the 1% AEP event plus 30% rainfall intensity are located within an easement on Lot 21 and contained within the proposed access road and Lorikeet Grove extension roadway. No details have been provided for the corresponding Flood Planning Levels of the proposed dwellings relating to this overland flow. This has been conditioned.  |
| NECC (Water Management)                                   | This application is recommended for approval with conditions. Each property must install a 3KL rainwater tank and retain and maintain a rainwater tank for the life of the development. Sediment controls must be installed and maintained for the duration of works to ensure the downstream stormwater quality treatment devices are not damaged and Narrabeen Creek is not polluted.   |

| 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.   |
| NSW Rural Fire Service – local branch (s79BA EPAA) | The site is classified as bush fire prone land. The application was referred to the NSW Rural Fire Services in accordance with Section 4.14 of the Environmental Planning and Assessment Act 1979. The |

| External Referral Body | Comments  |
|------------------------|---|
|                        | NSW RFS raised no objections to approval, subject to conditions. The conditions from the NSW RFS have been included as part of the recommended conditions of consent. |

### **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)**

#### **SEPP 55 - Remediation of Land**

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for residential purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the residential land use.

#### **SEPP (Building Sustainability Index: BASIX) 2004**

BASIX certificates have been submitted with the application, as follows:

- BASIX Certificate No. 740961S\_02 dated 3 April 2018
- BASIX Certificate No. 744718S\_02 dated 3 April 2018
- BASIX Certificate No. 744717S\_03 dated 3 April 2018
- BASIX Certificate No. 744719S\_02 dated 3 April 2018
- BASIX Certificate No. 744721S\_02 dated 3 April 2018
- BASIX Certificate No. 744722S\_02 dated 3 April 2018
- BASIX Certificate No. 744723S\_02 dated 3 April 2018
- BASIX Certificate No. 744724S\_02 dated 3 April 2018
- BASIX Certificate No. 744727S\_02 dated 3 April 2018
- BASIX Certificate No. 744728S\_02 dated 3 April 2018

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

#### **SEPP (Infrastructure) 2007**



Ausgrid

Clause 45 of the SEPP requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Comment:

The proposal was referred to Ausgrid. 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.

**Pittwater Local Environmental Plan 2014**

|  |     |
|--|-----|
| Is the development permissible?  | Yes |
| After consideration of the merits of the proposal, is the development consistent with: |     |
| aims of the LEP?   | Yes |
| zone objectives of the LEP?  | Yes |

Principal Development Standards

| Standard             | Requirement | Proposed       | % Variation | Complies |
|----------------------|-------------|----------------|-------------|----------|
| Height of Buildings: | 10.5m       | Lot 5: 9.57m   | N/A         | Yes      |
|                      |             | Lot 6: 9.55m   | N/A         | Yes      |
|                      |             | Lot 7: 9.509m  | N/A         | Yes      |
|                      |             | Lot 8: 9.387m  | N/A         | Yes      |
|                      |             | Lot 21: 9.569m | N/A         | Yes      |
|                      |             | Lot 22: 9.248m | N/A         | Yes      |
|                      |             | Lot 23: 9.033m | N/A         | Yes      |
|                      |             | Lot 24: 8.975m | N/A         | Yes      |
|                      |             | Lot 28: 9.344m | N/A         | Yes      |
|                      |             | Lot 29: 9.502m | N/A         | Yes      |

**Note:** The above calculations do not account for the additional 300mm freeboard for Lots 21 and 24 as required by Deferred Commencement Condition No. 1. These lots remain compliant with the maximum building height development standard when including the freeboard.

Compliance Assessment

| Clause                             | Compliance with Requirements |
|------------------------------------|------------------------------|
| 4.3 Height of buildings            | Yes                          |
| 6.1 Warriewood Valley Release Area | Yes                          |
| 7.1 Acid sulfate soils             | Yes                          |
| 7.2 Earthworks                     | Yes                          |
| 7.3 Flood planning                 | Yes                          |
| 7.6 Biodiversity protection        | Yes                          |
| 7.10 Essential services            | Yes                          |

### Pittwater 21 Development Control Plan

#### Built Form Controls

| Built Form Control  | Requirement   | Proposed   | % Variation* | Complies |
|---------------------|---|--|--------------|----------|
| Front building line | 1.5m to Articulation Zone<br>3m to Dwelling<br>4m to Garage/Carport | Lot 5: 2.3m / 3.0m / 4.4m<br>Lot 6: 3.3m / 4.0m / 4.2m<br>Lot 7: 3.0m / 3.7m / 4.6m<br>Lot 8: 3.0m / 3.0m / 4.0m<br>Lot 21: 3.0m / 3.3m / 5.5m<br>Lot 22: 4.7m / 4.7m / 7.3m<br>Lot 23: 4.2m / 4.8m / 5.1m<br>Lot 24: 3.0m / 3.1m / 4.5m<br>Lot 28: 3.7m / 3.7m / 4.2m<br>Lot 29: 3.0m / 3.0m / 5.2m | N/A          | Yes      |
| Rear building line  | 4m to Ground Floor<br>6m to First Floor                             | Lot 5: 4.5m / 6.8m<br>Lot 6: 5.3m / 7.5m<br>Lot 7: 4.0m / 6.2m<br>Lot 8: 4.0m / 6.2m<br>Lot 21: 4.5m / 6.7m<br>Lot 22: 4.0m / 6.2m<br>Lot 23: 5.5m / 7.8m<br>Lot 24: 5.1m / 7.4m   | N/A          | Yes      |

|  |                        |   |        |     |
|--|------------------------|---|--------|-----|
|  |                        | Lot 28: 4.0m / 6.2m<br>Lot 29: 4.7m / 7m  |        |     |
| Side building line<br>Detached dwelling 9<br>to 14m wide | Ground Floor:<br>900mm | Lot 5: NW: 0m / SE 1.4m<br>Lot 6: NW 1.5m / SE 0m<br>Lot 7: NW 1.8m / SE 0m<br>Lot 8: NW 1.0m / SE 0m<br>Lot 21: NW 3.1m / SE 900mm<br>Lot 22: NW 900mm / SE 0m<br>Lot 23: NW 1.0m / SE 0m<br>Lot 24: NW 900mm / SE 0m<br>Lot 28: N 2.0m / S 0m<br>Lot 29: N 2.0m / S 0m  | Varies | No  |
|  | First Floor: 1.5m      | Lot 5: NW 1.5m / SE 1.5m<br>Lot 6: NW 1.9m / SE 1.7m<br>Lot 7: NW 0m to Deck, 1.9m to<br>Building Proper / SE 1.6m<br>Lot 8: NW 1.1m / SE 1.6m<br>Lot 21: NW 3.6m / SE 2.1m<br>Lot 22: NW 1.1m / SE 1.5m<br>Lot 23: NW 1.1m / SE 1.5m<br>Lot 24: NW 900mm / SE 1.7m<br>Lot 28: N 2.0m / S 1.5m<br>Lot 29: N 2.0m / S 1.5m | Varies | No  |
| Landscaped area  | 35%                    | Lot 5: 38.5% (125sqm)<br>Lot 6: 45% (155sqm)<br>Lot 7: 38.6% (130sqm)<br>Lot 8: 36% (110sqm)<br>Lot 21: 44.5% (183sqm)  | N/A    | Yes |

|  |  |                        |  |  |
|--|--|------------------------|--|--|
|  |  | Lot 22: 35.6% (122sqm) |  |  |
|  |  | Lot 23: 39.2% (131sqm) |  |  |
|  |  | Lot 24: 37.7% (122sqm) |  |  |
|  |  | Lot 28: 36.3% (109sqm) |  |  |
|  |  | Lot 29: 36.9 (118sqm)  |  |  |

**\*Note:** The percentage variation is calculated on the *overall* numerical variation (ie: for Landscaped area - 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

| Clause   | Compliance with Requirements | Consistency Aims/Objectives |
|--|------------------------------|-----------------------------|
| A1.7 Considerations before consent is granted  | Yes                          | Yes                         |
| A4.16 Warriewood Valley Locality   | Yes                          | Yes                         |
| A5.1 Exhibition, Advertisement and Notification of Applications                                | Yes                          | Yes                         |
| B3.2 Bushfire Hazard   | Yes                          | Yes                         |
| B3.6 Contaminated Land and Potentially Contaminated Land                                       | Yes                          | Yes                         |
| B3.11 Flood Prone Land   | Yes                          | Yes                         |
| B3.13 Flood Hazard - Flood Emergency Response planning   | Yes                          | Yes                         |
| B5.7 Stormwater Management - On-Site Stormwater Detention                                      | Yes                          | Yes                         |
| B5.10 Stormwater Discharge into Public Drainage System   | Yes                          | Yes                         |
| B6.3 Off-Street Vehicle Parking Requirements   | Yes                          | Yes                         |
| B8.1 Construction and Demolition - Excavation and Landfill                                     | Yes                          | Yes                         |
| B8.2 Construction and Demolition - Erosion and Sediment Management                             | Yes                          | Yes                         |
| B8.3 Construction and Demolition - Waste Minimisation  | Yes                          | Yes                         |
| B8.4 Construction and Demolition - Site Fencing and Security                                   | Yes                          | Yes                         |
| C1.3 View Sharing  | Yes                          | Yes                         |
| C1.5 Visual Privacy  |                              |                             |
| C1.12 Waste and Recycling Facilities   | Yes                          | Yes                         |
| C1.13 Pollution Control  | Yes                          | Yes                         |
| C1.23 Eaves  | Yes                          | Yes                         |
| C6.1 Integrated Water Cycle Management   | Yes                          | Yes                         |
| C6.2 Natural Environment and Landscaping Principles  | Yes                          | Yes                         |
| C6.3 Ecologically Sustainable Development, Safety and Social Inclusion                         | Yes                          | Yes                         |
| C6.5 Utilities, Services and Infrastructure Provision  | Yes                          | Yes                         |
| C6.6 Interface to Warriewood Wetlands or non-residential and commercial/industrial development | Yes                          | Yes                         |

| Clause  | Compliance with Requirements | Consistency Aims/Objectives |
|---|------------------------------|-----------------------------|
| D16.1 Character as viewed from a public place                 | Yes                          | Yes                         |
| D16.5 Landscaped Area for Newly Created Individual Allotments | Yes                          | Yes                         |
| D16.6 Front building lines                                    | Yes                          | Yes                         |
| D16.7 Side and rear building lines                            | No                           | Yes                         |
| D16.9 Solar access  | Yes                          | Yes                         |
| D16.10 Private and Communal Open Space Areas                  | Yes                          | Yes                         |
| D16.13 Building colours and materials                         | Yes                          | Yes                         |
| D16.14 Pets and companion animals                             | Yes                          | Yes                         |

## Detailed Assessment

### **C1.5 Visual Privacy**

The proposed development includes first floor decks with a nil side setback for Lots 7, 22, 24, and 29. A condition of consent has been applied to require the relevant balconies to be reduced in size via an increased side setback in line with the building proper. Subject to this amendment, the proposed development is considered consistent with the requirements of Clause C1.5 Visual Privacy of the P21 DCP.

### **D16.7 Side and rear building lines**

The proposed development includes breaches to the side building line on all relevant lots, with the exception of Lot 21. The proposed development is acceptable in relation to the relevant outcomes of this clause, as follows:

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

The proposed development seeks consent for ten two-storey detached dwellings of bulk and scale consistent with existing dwellings in the locality. Further, the proposed development is consistent with the requirements of Clause A4.16 Warriewood Valley Locality of the P21 DCP.

*The area of site disturbance is minimised and soft surface is maximised.*

The proposed dwellings rely on minimal earthworks, thereby minimising site disturbance. The proposed development is compliant with the landscaped area required for each site, thereby maximising soft surface.

*The bulk and scale of the built form is minimised and the impact of the proposed development on the adjoining properties is minimised.*

The proposed dwelling are all of bulk and scale consistent with existing developments in the locality. Further, each dwelling is compliant with the height of buildings development standard within Clause 4.3 of the PLEP 2014, and with the front and rear building line, and landscaped area controls within the P21 DCP. Finally, the visual bulk of each dwelling is minimised with the inclusion of modulation and articulation, and adequate landscaping. This demonstrates that the proposed dwellings are of appropriate bulk and scale.

*To create meaningful breaks between adjoining buildings and regular rhythm of built form, particularly with regard to the built forms presentation to public places.*

The proposed development includes spatial breaks between each proposed dwelling and the next. The proposal is consistent in this regard across all ten dwellings, thereby providing a suitable rhythm to the

built form, as it presents along the streetscape.

*To create usable curtilage areas around buildings for viable access, landscaping and open space.*  
The proposed development provides adequate setbacks, or appropriate easements where required, for access and maintenance. These setbacks and easements allow for suitable curtilage around each dwelling. Each of the lots relevant to this application also includes compliant open space, landscaping and vegetation.

*Equitable preservation of views and vistas to and/or from public/private places.*  
The proposed development is designed and sited so as not to impact upon views and vistas to or from public or private places.

*Vegetation and natural features of the site is retained and enhanced within the development site design to screen the visual impact of the built form.*  
The proposed development retains and proposes significant and compliant vegetation and landscaping. The proposed built form of each dwelling is adequately screened and softened with the proposed vegetation.

*To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to neighbouring properties.*  
The proposed development is adequately designed and sited so as to provide an adequate level of privacy, amenity and solar access to the subject sites and adjacent sites.

## **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**

### **Pittwater 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;
- Pittwater Local Environment Plan;
- Pittwater Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any

unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

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

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

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

## **RECOMMENDATION**

### **DEFERRED COMMENCEMENT APPROVAL**

A. THAT Council as the consent authority grant a Deferred Commencement Development Consent being subject to a Five (5) year time frame for Deferred Commencement Consents detailed within Section 95 of the EPA Act 1979 to DA2018/0627 for Construction of ten (10) dwelling houses with associated landscaping within currently unregistered Lots 5, 6, 7, 8, 21, 22, 23, 24, 28 and 29 of an approved 40 lot subdivision at 29-31 Warriewood Road, Warriewood on land at Lot 31 DP 5464,31 Warriewood Road, WARRIEWOOD, Lot 30 DP 5464,29 Warriewood Road, WARRIEWOOD, subject to the conditions printed below:

B. THAT once the matters detailed within the Deferred Commencement Development Consent conditions are satisfactorily addressed then an operational development consent be issued subject to the time frames detailed within Part A of this recommendation.

## **DEFERRED COMMENCEMENT CONDITIONS**

### **1. Provision of Freeboard Overland Flow Paths**

The proposed dwelling habitable floor levels of Lot 21 and Lot 24 (Lots 20 and 17 under the latest subdivision) require a 300mm freeboard above the 1 in 100 year water surface levels of the adjoining overland flow paths. Council's storm water drainage infrastructure is to be detailed on the site plans for Lot 21. Details demonstrating compliance with this condition is to be submitted to Council for approval.

Reason: Protection of dwellings from overland flow.

### **2. Relocation of the External Stairs Lot 21**

The external dwelling stairs detailed within Lot 21 (Lot 20 under latest subdivision) are currently located within Council's drainage easement and need to be relocated clear of the easement. Details demonstrating compliance with this condition are to be submitted to Council for approval.

Reason: Protection of Council's drainage infrastructure.

### **3. Lot Numbering**

The lot numbering on the proposed subdivision plan is to be updated in accordance with the approved subdivision under Development Consent N0182/13 as modified by MOD2017/0344.

**4. Registration of Lots**

Lots 5, 6, 7, 8, 21, 22, 23, 24, 28 and 29 (Lots 2, 3, 4, 5, 12, 23, 17, 18, 19, 20 under latest approved subdivision Development Consent N0182/13 as modified by MOD2017/0344) are to be registered with NSW Land Registry Services. Evidence that the lots have been registered with NSW Land Registry Services is to be provided to Council in order to activate the consent.

Evidence required to satisfy the deferred commencement condition/s must be submitted to Council within five (5) years of the date of this consent, or the consent will lapse in accordance with Section 95 of the Environmental Planning and Assessment Regulation 2000. This evidence is to be submitted along with a completed 'Deferred Commencement Document Review Form' (available on Council's website) and the application fee, as per Council's Schedule of Fees and Charges.

Upon satisfaction of the deferred commencement condition/s, the following conditions apply:

**DEVELOPMENT CONSENT OPERATIONAL CONDITIONS**

**5. Structures Located Adjacent to Council Pipeline or Council Easement**

All structures are to be located clear of any Council pipeline or easement. Footings of any structure adjacent to an easement or pipeline are to be designed in accordance with Council's Water Management Policy; in particular Section 6 - Building Over or Adjacent to Constructed Council Drainage Systems and Easements Technical Specification. Any proposed landscaping within a Council easement or over a drainage system is to consist of ground cover or turf only (no trees are permitted).

Reason: Protection of Council's Infrastructure (DACENB21)

**6. Building materials, sedimentation**

No building materials or other materials are to be placed on or enter areas of bushland, wetland, saltmarsh, seagrass or foreshore vegetation. Appropriate sediment fencing is to be installed.

Reason: Environmental Protection

**7. 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

| <b>Architectural Plans - Endorsed with Council's stamp</b> |               |                    |
|--|---------------|--------------------|
| <b>Drawing No.</b>   | <b>Dated</b>  | <b>Prepared By</b> |
| TD107 Masterplan   | 19 March 2018 | DKO Architecture   |
| TD108 Group Plan 01 - Ground Floor                         | 19 March 2018 | DKO Architecture   |
| TD109 Group Plan 01 - First Floor                          | 19 March 2018 | DKO Architecture   |
| TD110 Group Plan 01 - Roof Plan                            | 19 March 2018 | DKO Architecture   |
| TD111 Group Plan 2 - Ground Floor                          | 19 March 2018 | DKO Architecture   |
|  |               |                    |





|   |                  |                  |
|---|------------------|------------------|
| TD112 Group Plan 2 - First Floor            | 19 March 2018    | DKO Architecture |
| TD113 Group Plan 2 - Roof Plan              | 19 March 2018    | DKO Architecture |
| TD114 Group Plan 3 - Ground Floor           | 19 March 2018    | DKO Architecture |
| TD115 Group Plan 3 - First Floor            | 19 March 2018    | DKO Architecture |
| TD116 Group Plan 3 - Roof Plan              | 19 March 2018    | DKO Architecture |
| TD117 Streetscape 01                        | 19 March 2018    | DKO Architecture |
| A0000 Lot 5 Perspective Views, Notes, Areas | 14 February 2018 | DKO Architecture |
| A1000 Lot 5 Site Plan                       | 14 February 2018 | DKO Architecture |
| A2100 Lot 5 Ground Floor Plan               | 14 February 2018 | DKO Architecture |
| A2101 Lot 5 First Floor Plan                | 14 February 2018 | DKO Architecture |
| A2102 Lot 5 Roof Plan                       | 14 February 2018 | DKO Architecture |
| A3000 Lot 5 Elevations                      | 14 February 2018 | DKO Architecture |
| A3001 Lot 5 Elevations                      | 14 February 2018 | DKO Architecture |
| A3100 Lot 5 Sections                        | 14 February 2018 | DKO Architecture |
| A0000 Lot 6 Perspective Views, Notes, Areas | 14 February 2018 | DKO Architecture |
| A1000 Lot 6 Site Plan                       | 14 February 2018 | DKO Architecture |
| A2100 Lot 6 Ground Floor Plan               | 14 February 2018 | DKO Architecture |
| A2101 Lot 6 First Floor Plan                | 14 February 2018 | DKO Architecture |
| A2102 Lot 6 Roof Plan                       | 14 February 2018 | DKO Architecture |
| A3000 Lot 6 Elevations                      | 14 February 2018 | DKO Architecture |
| A3001 Lot 6 Elevations                      | 14 February 2018 | DKO Architecture |
| A3100 Lot 6 Sections                        | 14 February 2018 | DKO Architecture |
| A0000 Lot 7 Perspective Views, Notes, Areas | 14 February 2018 | DKO Architecture |
| A1000 Lot 7 Site Plan                       | 14 February 2018 | DKO Architecture |
| A2100 Lot 7 Ground Floor Plan               | 14 February 2018 | DKO Architecture |
| A2101 Lot 7 First Floor Plan                | 14 February 2018 | DKO Architecture |
| A2102 Lot 7 Roof Plan                       | 14 February 2018 | DKO Architecture |
| A3000 Lot 7 Elevations                      | 14 February 2018 | DKO Architecture |
| A3001 Lot 7 Elevations                      | 14 February 2018 | DKO Architecture |
| A3100 Lot 7 Sections                        | 14 February 2018 | DKO Architecture |
| A0000 Lot 8 Perspective Views, Notes, Areas | 14 February 2018 | DKO Architecture |
| A1000 Lot 8 Site Plan                       | 14 February 2018 | DKO Architecture |
| A2100 Lot 8 Ground Floor Plan               | 14 February 2018 | DKO Architecture |
| A2101 Lot 8 First Floor Plan                | 14 February 2018 | DKO Architecture |
| A2102 Lot 8 Roof Plan                       | 14 February 2018 | DKO Architecture |
| A3000 Lot 8 Elevations                      | 14 February 2018 | DKO Architecture |
| A3001 Lot 8 Elevations                      | 14 February 2018 | DKO Architecture |
| A3100 Lot 8 Sections                        | 14 February 2018 | DKO Architecture |
|   |                  |                  |

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|--|------------------|------------------|
| A0000 Lot 21 Perspective Views, Notes, Areas | 7 March 2018     | DKO Architecture |
| A1000 Lot 21 Site Plan                       | 7 March 2018     | DKO Architecture |
| A2100 Lot 21 Ground Floor Plan               | 7 March 2018     | DKO Architecture |
| A2101 Lot 21 First Floor Plan                | 7 March 2018     | DKO Architecture |
| A2102 Lot 21 Roof Plan                       | 7 March 2018     | DKO Architecture |
| A3000 Lot 21 Elevations                      | 7 March 2018     | DKO Architecture |
| A3001 Lot 21 Elevations                      | 7 March 2018     | DKO Architecture |
| A3100 Lot 21 Sections                        | 7 March 2018     | DKO Architecture |
| A0000 Lot 22 Perspective Views, Notes, Areas | 14 February 2018 | DKO Architecture |
| A1000 Lot 22 Site Plan                       | 14 February 2018 | DKO Architecture |
| A2100 Lot 22 Ground Floor Plan               | 14 February 2018 | DKO Architecture |
| A2101 Lot 22 First Floor Plan                | 14 February 2018 | DKO Architecture |
| A2102 Lot 22 Roof Plan                       | 14 February 2018 | DKO Architecture |
| A3000 Lot 22 Elevations                      | 14 February 2018 | DKO Architecture |
| A3001 Lot 22 Elevations                      | 14 February 2018 | DKO Architecture |
| A3100 Lot 22 Sections                        | 14 February 2018 | DKO Architecture |
| A0000 Lot 23 Perspective Views, Notes, Areas | 14 February 2018 | DKO Architecture |
| A1000 Lot 23 Site Plan                       | 14 February 2018 | DKO Architecture |
| A2100 Lot 23 Ground Floor Plan               | 14 February 2018 | DKO Architecture |
| A2101 Lot 23 First Floor Plan                | 14 February 2018 | DKO Architecture |
| A2102 Lot 23 Roof Plan                       | 14 February 2018 | DKO Architecture |
| A3000 Lot 23 Elevations                      | 14 February 2018 | DKO Architecture |
| A3001 Lot 23 Elevations                      | 14 February 2018 | DKO Architecture |
| A3100 Lot 23 Sections                        | 14 February 2018 | DKO Architecture |
| A0000 Lot 24 Perspective Views, Notes, Areas | 14 February 2018 | DKO Architecture |
| A1000 Lot 24 Site Plan                       | 14 February 2018 | DKO Architecture |
| A2100 Lot 24 Ground Floor Plan               | 14 February 2018 | DKO Architecture |
| A2101 Lot 24 First Floor Plan                | 14 February 2018 | DKO Architecture |
| A2102 Lot 24 Roof Plan                       | 14 February 2018 | DKO Architecture |
| A3000 Lot 24 Elevations                      | 14 February 2018 | DKO Architecture |
| A3001 Lot 24 Elevations                      | 14 February 2018 | DKO Architecture |
| A3100 Lot 24 Sections                        | 14 February 2018 | DKO Architecture |
| A0000 Lot 28 Perspective Views, Notes, Areas | 14 February 2018 | DKO Architecture |
| A1000 Lot 28 Site Plan                       | 14 February 2018 | DKO Architecture |
| A2100 Lot 28 Ground Floor Plan               | 14 February 2018 | DKO Architecture |
| A2101 Lot 28 First Floor Plan                | 14 February 2018 | DKO Architecture |
| A2102 Lot 28 Roof Plan                       | 14 February 2018 | DKO Architecture |
|  |                  |                  |

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|--|------------------|------------------|
| A3000 Lot 28 Elevations                      | 14 February 2018 | DKO Architecture |
| A3001 Lot 28 Elevations                      | 14 February 2018 | DKO Architecture |
| A3100 Lot 28 Sections                        | 14 February 2018 | DKO Architecture |
| A0000 Lot 29 Perspective Views, Notes, Areas | 14 February 2018 | DKO Architecture |
| A1000 Lot 29 Site Plan                       | 14 February 2018 | DKO Architecture |
| A2100 Lot 29 Ground Floor Plan               | 14 February 2018 | DKO Architecture |
| A2101 Lot 29 First Floor Plan                | 14 February 2018 | DKO Architecture |
| A2102 Lot 29 Roof Plan                       | 14 February 2018 | DKO Architecture |
| A3000 Lot 29 Elevations                      | 14 February 2018 | DKO Architecture |
| A3001 Lot 29 Elevations                      | 14 February 2018 | DKO Architecture |
| A3100 Lot 29 Sections                        | 14 February 2018 | DKO Architecture |

| <b>Engineering Plans</b>                                  |                 |  |
|---|-----------------|--|
| <b>Drawing No.</b>  | <b>Dated</b>    | <b>Prepared By</b>   |
| Drainage Plan Notes Pit Detail Pipe Details Sheet 1 of 9  | 15 January 2018 | Nastasi & Associates Consulting Civil & Structural Engineers |
| Soil Erosion & Sediment Control Plan Details Sheet 2 of 9 | 15 January 2018 | Nastasi & Associates Consulting Civil & Structural Engineers |
| Raintank Details First Flush Device Notes Sheet 3 of 9    | 15 January 2018 | Nastasi & Associates Consulting Civil & Structural Engineers |
| Drainage Plan Notes Pit Detail Pipe Details Sheet 4 of 9  | 15 January 2018 | Nastasi & Associates Consulting Civil & Structural Engineers |
| Soil Erosion & Sediment Control Plan Details Sheet 5 of 9 | 15 January 2018 | Nastasi & Associates Consulting Civil & Structural Engineers |
| Raintank Details First Flush Device Notes Sheet 6 of 9    | 15 January 2018 | Nastasi & Associates Consulting Civil & Structural Engineers |
| Drainage Plan Notes Pit Detail Pipe Details Sheet 7 of 9  | 15 January 2018 | Nastasi & Associates Consulting Civil & Structural Engineers |
| Soil Erosion & Sediment Control Plan Details Sheet 8 of 9 | 15 January 2018 | Nastasi & Associates Consulting Civil & Structural Engineers |
| Raintank Details First Flush Device Notes Sheet 9 of 9    | 15 January 2018 | Nastasi & Associates Consulting Civil & Structural Engineers |

| <b>Reports / Documentation – All recommendations and requirements contained within:</b> |              |                    |
|---|--------------|--------------------|
| <b>Report No. / Page No. / Section No.</b>  | <b>Dated</b> | <b>Prepared By</b> |
|   |              |                    |

|  |                 |  |
|--|-----------------|--|
| BASIX Certificate No. 740961S_02               | 3 April 2018    | EcoMode Design   |
| BASIX Certificate No. 744718S_02               | 3 April 2018    | EcoMode Design   |
| BASIX Certificate No. 744717S_03               | 3 April 2018    | EcoMode Design   |
| BASIX Certificate No. 744719S_02               | 3 April 2018    | EcoMode Design   |
| BASIX Certificate No. 744721S_02               | 3 April 2018    | EcoMode Design   |
| BASIX Certificate No. 744722S_02               | 3 April 2018    | EcoMode Design   |
| BASIX Certificate No. 744723S_02               | 3 April 2018    | EcoMode Design   |
| BASIX Certificate No. 744724S_02               | 3 April 2018    | EcoMode Design   |
| BASIX Certificate No. 744727S_02               | 3 April 2018    | EcoMode Design   |
| BASIX Certificate No. 744728S_02               | 3 April 2018    | EcoMode Design   |
| Bushfire Protection Assessment                 | January 2018    | Travers Bushfire & Ecology                                   |
| Construction Traffic Management Plan           | November 2017   | Applicant  |
| Flora & Fauna Assessment                       | March 2013      | Conacher Environmental Group                                 |
| Geotechnical Investigation and Pavement Design | 24 April 2015   | Geotech Testing  |
| Hydraulic Design Certificate                   | 16 January 2018 | Nastasi & Associates Consulting Civil & Structural Engineers |
| Landscape Design Statement                     | Undated         | Hamilton Landscape Architects                                |
| NatHERS Certificate No. 516823                 | 14 July 2016    | EcoMode Design   |
| NatHERS Certificate No. 516815                 | 14 July 2016    | EcoMode Design   |
| NatHERS Certificate No. 516807-01              | 14 July 2016    | EcoMode Design   |
| NatHERS Certificate No. 516799                 | 14 July 2016    | EcoMode Design   |
| NatHERS Certificate No. 516781                 | 14 July 2016    | EcoMode Design   |
| NatHERS Certificate No. 516773                 | 14 July 2016    | EcoMode Design   |
| NatHERS Certificate No. 516765                 | 14 July 2016    | EcoMode Design   |
| NatHERS Certificate No. 516757                 | 14 July 2016    | EcoMode Design   |
| NatHERS Certificate No. 516740                 | 14 July 2016    | EcoMode Design   |
| NatHERS Certificate No. 516732                 | 14 July 2016    | EcoMode Design   |
| Soil Validation Report                         | June 2017       | Progressive Risk Management                                  |
|  |                 |  |

|                         |                   |                     |
|-------------------------|-------------------|---------------------|
| Water Management Report | 1 January<br>2018 | Civil Certification |
|-------------------------|-------------------|---------------------|

b) Any plans and / or documentation submitted to satisfy the Deferred Commencement Conditions of this consent as approved in writing by Council.

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

d) The development is to be undertaken generally in accordance with the following:

| <b>Landscape Plans</b>                |                     |                                  |
|---------------------------------------|---------------------|----------------------------------|
| <b>Drawing No.</b>                    | <b>Dated</b>        | <b>Prepared By</b>               |
| TD108a Group Plan 01 - Landscape Plan | 19 March 2018       | DKO Architecture                 |
| TD111a Group Plan 2 - Landscape Plan  | 19 March 2018       | DKO Architecture                 |
| TD114a Group Plan 3 - Landscape Plan  | 19 March 2018       | DKO Architecture                 |
| A1001 Lot 5 Landscape Plan            | 14 February<br>2018 | DKO Architecture                 |
| A1001 Lot 6 Landscape Plan            | 14 February<br>2018 | DKO Architecture                 |
| A1001 Lot 7 Landscape Plan            | 14 February<br>2018 | DKO Architecture                 |
| A1001 Lot 8 Landscape Plan            | 14 February<br>2018 | DKO Architecture                 |
| A1001 Lot 21 Landscape Plan           | 14 February<br>2018 | DKO Architecture                 |
| A1001 Lot 22 Landscape Plan           | 14 February<br>2018 | DKO Architecture                 |
| A1001 Lot 23 Landscape Plan           | 14 February<br>2018 | DKO Architecture                 |
| A1001 Lot 24 Landscape Plan           | 14 February<br>2018 | DKO Architecture                 |
| A1001 Lot 28 Landscape Plan           | 14 February<br>2018 | DKO Architecture                 |
| A1001 Lot 29 Landscape Plan           | 14 February<br>2018 | DKO Architecture                 |
| DA-01 Surface Finishes Plan           | 8 December<br>2017  | Hamilton Landscape<br>Architects |
| DA-02 Surface Finishes Plan           | 8 December<br>2017  | Hamilton Landscape<br>Architects |
| DA-03 Surface Finishes Plan           | 8 December<br>2017  | Hamilton Landscape<br>Architects |
| DA-04 Planting Plan                   | 8 December<br>2017  | Hamilton Landscape<br>Architects |
| DA-05 Planting Plan                   | 8 December<br>2017  | Hamilton Landscape<br>Architects |
| DA-06 Planting Plan                   | 8 December<br>2017  | Hamilton Landscape<br>Architects |

|                         |                 |                               |
|-------------------------|-----------------|-------------------------------|
| DA-07 Landscape Details | 8 December 2017 | Hamilton Landscape Architects |
|-------------------------|-----------------|-------------------------------|

| Waste Management Plan |               |             |
|-----------------------|---------------|-------------|
| Drawing No.           | Dated         | Prepared By |
| Waste Management Plan | 27 March 2018 | Applicant   |

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)

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

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

| Other Department, Authority or Service | EDMS Reference  | Dated           |
|--|---|-----------------|
| NSW Rural Fire Service                 | Referral - RFS - DA2018/0627 - 29-31 Warriewood Road Warriewood | 18 January 2019 |

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website [www.northernbeaches.nsw.gov.au](http://www.northernbeaches.nsw.gov.au))

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other Department, Authority or Body's. (DACPLB02)

9. **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)

## 10. **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

### 11. Security Bond

A bond (determined from cost of works) of \$10,000 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

### 12. Construction Certificate Drainage Details

Drainage plans including specifications and details showing the site Stormwater management are to be submitted to the Accredited Certifier with the Construction Certificate application. Such details are to be accompanied by a certificate from qualified practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a Corporate member and has appropriate experience and competence in the related field, that the storm water management system complies with the requirements of section 3.1.2 Drainage of the Building Code of Australia Housing Provision and AS/NZS 3500.3.2 - Stormwater Drainage. The details shall include disposal of site storm water (if the site is in a known slip area the storm water disposal system must comply with the recommendations of a Geotechnical Engineers Report). Note: Where Council is the Principal Certifying Authority 3 sets of plans/specifications are to be submitted.

Reason: To ensure appropriate provision for disposal and Maintenance Stormwater management arising from the development.

### 13. **Flooding**

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

#### Building Components and Structural Soundness – C1

All development within the Flood Planning Area (mainstream or overland flow) shall be designed and constructed as flood compatible buildings in accordance with Reducing Vulnerability of Buildings to Flood Damage: Guidance on Building in Flood Prone Areas, Hawkesbury-Nepean Floodplain Management Steering Committee (2006).

#### Building Components and Structural Soundness – C2

All new development within the Flood Planning Area (mainstream or overland flow) must be designed and constructed to ensure structural integrity up to the Flood Planning Level, defined as the relevant 1% AEP +30% rainfall intensity including a 500mm freeboard, taking into account the forces of floodwater, wave action, flowing water with debris, buoyancy and immersion. Structural certification shall be provided confirming the above.

#### Building Components and Structural Soundness – C3

All new electrical equipment, power points, wiring, fuel lines, sewerage systems or any other service pipes and connections must be waterproofed and/or located above the Flood Planning Level, defined as the relevant 1% AEP +30% rainfall intensity including a 500mm freeboard.

#### Floor Levels – F1

New floor levels within the development shall be set at or above the relevant Flood Planning Level, defined as the relevant 1% AEP +30% rainfall intensity including a 500mm freeboard

#### Fencing – H1

Fencing (including pool fencing, boundary fencing, balcony balustrades and accessway balustrades) shall be open for passage of flood waters - All new fencing on the property within a overland flow path must be designed with a minimum of 50% open area between the 1% flood level and natural ground level, to allow flood waters to pass through.

#### Recommendations

The development must comply with all recommendations outlined in:

- The Water Management Report prepared by Civil Certification dated 1 January 2018.

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

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

14. **Pre-Construction Stormwater Assets Dilapidation Report**

Survey a pre-construction / demolition Dilapidation Survey of Council's Stormwater Assets is to be prepared by a suitably qualified person in accordance with Council's Guidelines for Preparing a Dilapidation Survey of Council Stormwater Asset, to record the existing condition of the asset prior to the commencement of works. Council's Guidelines are available at:

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/general-information/engineering-specifications/2009084729guidelineforpreparingadilapidationsurveyofcouncilstormwaterassets2.pdf>

The pre-construction / demolition dilapidation report must be submitted to Council for approval and the Principal Certifying Authority prior to the issue of the Construction Certificate.

Reason: Protection of Council's Infrastructure

15. **Pre-commencement Dilapidation Report**

The applicant must prepare and submit a pre-commencement dilapidation report providing an accurate record of the existing condition of adjoining public and private properties and public infrastructure (including roads, gutter, footpaths, etc). A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of adjoining and affected private properties.

Reason: Protection of Council's and Private Party's Infrastructure during construction.

16. **Compliance with Standards**

The development is required to be carried out in accordance with all relevant Australian Standards.

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

Reason: To ensure the development is constructed in accordance with appropriate standards. (DACPLC02)

17. **Amendments to Plans**

The following amendments are to be made to the approved plans:

- The south-eastern elevation of the first floor balconies of Lots 7, 22, and 24 are to be setback in line with the south-eastern elevation of the building proper.
- The southern elevation of the first floor balcony of Lot 29 is to be setback in line with the southern elevation of the building proper.

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

Reason: To ensure development minimises unreasonable impacts upon surrounding land.  
(DACPLB02)

## CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

18. **Flora & Fauna Protection - Protect and Retain existing EEC**  
All recommendations as per Flora & Fauna Assessment Report authored by Conacher Environmental Group, Reference no. 3020F, specifically Part 4.5.v. are to be followed.

Reason: Environmental Conservation (DACNEDPC1)

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

19. **Road Reserve**  
The public footways and roadways adjacent to the site shall be maintained in a safe condition at all times during the course of the work.  
  
Reason: Public Safety.
20. **Maintenance of Road Reserve**  
The public footways and roadways adjacent to the site shall be maintained in a safe condition at all times during the course of the work.  
  
Reason: Public Safety.
21. **Safety Fencing of Excavation and/or demolition**  
The site must be fenced throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.  
  
Reason: To ensure private and public safety
22. **Maintenance of Sediment**  
Sedimentation and erosion controls are to be effectively maintained at all times during the course of construction and shall not be removed until the site has been stabilised or landscaped to the Principal Certifying Authority's satisfaction.  
  
Reason: To ensure sediment controls are effective
23. **Site Entry Access way**  
An all-weather access way at the front of the property consisting of 50-75mm aggregate or similar material at a minimum thickness of 200mm and 15metres long laid over geotechnical fabric is to be constructed prior to commencement of works and maintenance over the works period.  
  
Reason: To reduce sediment being taken offsite
24. **Cleaning of Vehicles Leaving Site**  
Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to

maintain public roads in a clean condition.

Reason: To reduce sediment being taken offsite

25. **Installation and Maintenance of Sediment and Erosion Control**

Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004) and the Erosion and Sediment Control Plan prepared by Nastasi & Associates (2016).

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

Reason: To protect the surrounding environment from the effects of sedimentation and erosion from the site.

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

26. **Landscape completion**

1) Landscaping is to be implemented in accordance with the Landscape Documents prepared by Hamilton Landscape Architects, drawings TP-01 to TP-07 inclusive, all listed as revision B, with the following amendments to be completed prior to the issue of a Occupation Certificate:

a) additional tree planting is to be provided to satisfy the requirements of C1.1 Landscaping, where the built form is softened by landscaping:

i) to all residential lots, 2 x canopy trees are to be planted to the rear yards and 1 x canopy tree is to be planted in the front yard, as selected in accordance with the trees scheduled on the landscape plans, with the exception of *Livistona australis*.

b) container sizes for the following plants shall be upsized:

i) all listed canopy trees (*Angophora costata*, *Angophora floribunda*, *Eucalyptus haemastoma*, *Hymenopodium flavum*, *Elaeocarpus reticulatus*, and *Syzygium leuhmannii*) shall be installed at 75 litre size and at a minimum height of 2.1 metres. The Contractor shall pre-order stock to ensure this requirement is met at time of installation,

c) all trees shall be either planted within a garden bed or a tree bed at least 1 metre x 1 metre, and mulched, when planted within turf areas,

d) all trees shall be planted at least 5 metres from built structures,

e) all trees shall be staked, inclusive of at least two stakes and hessian ties.

f) a continuous garden bed of minimum width 1 metre with tall shrub planting, shall be installed along the rear boundaries of all rear yards to provide privacy to adjoining rear neighbours. The planting shall consist of plants capable of achieving a mature height of 3 metres, and shall be installed no more than 1 metre apart, and planted at a minimum 300mm pot size.

2) All trees shall be inspected by an AQZ Level 5 Arborist prior to planting as compliant to Natspec's Complying Trees.

i) A AQZ Level 5 Arborist shall certify that all trees planting in place are done so to industry standard to ensure long term establishment.

3) Prior to the issue of an Occupation Certificate, a landscape report prepared by a landscape architect or landscape designer shall be submitted to the Certifying Authority, certifying that the landscape works have been completed in accordance with the approved landscape plan and inclusive of any conditions of consent, and landscape works have been established and maintained.

Reason: To ensure that the landscape treatments are installed to provide landscape amenity.

## 27. **Installation of Rainwater Tanks**

Rainwater tanks shall have a capacity of 3KL and comply with the following:

- a) Be fitted with a first-flush device that causes initial rainwater run-off to bypass the tank and must drain to a landscaped area. The first flush device will not be permitted to connect to the stormwater system
- b) Have a sign affixed to the tank stating the contents is rainwater
- c) Be constructed or installed in a manner that prevents mosquitoes breeding, such as the use of mesh to protect inlets and overflows
- d) Have its overflow connected to an existing stormwater drainage system that does not discharge to an adjoining property, or cause a nuisance to adjoining owners
- e) Pumping equipment must be housed in a soundproof enclosure
- f) Where the rainwater tank is interconnected to a reticulated water supply, it must be installed in accordance with Plumbing Code of Australia, particularly backflow/cross connection prevention requirements

A certificate from a licenced plumber shall be submitted to the Principal Certifying Authority prior to the release of the Occupation Certificate.

Reason: To conserve potable water.

## 28. **Positive covenant - Rainwater Tank**

A positive covenant shall be created on the title of the land stating that the lot is burdened with a 3KL rainwater tank and requiring the proprietor of the land to:

- a) clean, maintain and repair all pits, tanks, pipelines, walls and other structures, plumbing fixtures, first flush apparatus, gutters, leaf gutter guards, downpipes, pumps, pipe connections and any associated devices of the rainwater tank
- b) regularly keep the rainwater tank clean and free from organic matter, silt, debris, sludge and the like to ensure the efficient operation of the rainwater tank.

Northern Beaches Council shall have the right to enter upon the burdened lot with all necessary materials and equipment at all reasonable times and on reasonable notice (but at any time and without notice in the case of an emergency):

- (i) to view the state of repair of the system;
- (ii) to ascertain whether or not there has been any breach of the terms of this covenant; and
- (iii) to execute any work required to remedy a breach of the terms of this covenant if the proprietor has not within fourteen (14) days of the date of receipt by the proprietor of written notice from the Council requiring remedy of a breach of the terms of this covenant taken steps to remedy the breach and without prejudice to the Council's other remedies the Council may

recover as a liquidated debt the cost of such remedial work from the proprietor forthwith upon demand.

The terms of the positive covenant are to be prepared to Council's standard requirements, (available from Council), at the applicant's expense and endorsed by the Northern Beaches Council's delegate prior to lodgement with the Department of Lands. The Northern Beaches Council shall be nominated as the party to release, vary or modify such covenant.

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

Reason: To ensure retention and ongoing maintenance of the rainwater tank.

29. **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.

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

30. **Post-Construction Road Reserve Dilapidation Report**

The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development. All building work must have been carried out in accordance with the provisions of the Building Code of Australia

Note: Where by Council is not the Principal Certifying Authority, Refund of the trust fund deposit will also be dependent upon receipt of a final Occupation Certificate by the Principal Certifying Authority, Post Construction Dilapidation Report and infrastructure inspection by Council.

Reason: To ensure security against possible damage to Council property.

31. **Post-Construction Dilapidation Report**

The applicant must prepare and submit a post-construction dilapidation report. The report must clearly detail the final condition of all property, infrastructure, natural and man-made features that were originally recorded in the pre-commencement dilapidation report. A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of adjoining and affected private properties

Reason: To ensure security against possible damage to Council and private property.

32. **Restoration of Damaged Public Infrastructure**

Restoration of all damaged public infrastructure caused as a result of the development to Council's satisfaction. Council's written approval that all restorations have been completed satisfactorily must be obtained and provided to the Private Certifying Authority with the Occupation Certificate application.

Reason: To ensure public infrastructure is returned to the state it was in prior to development

33. **Certification of Water Management**

Certification is to be provided to the accredited certifier by a qualified experienced practising

Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E.), or who is eligible to become a corporate member and has appropriate experience and competence in the related field, that the drainage/stormwater management system has been installed to the manufacturer's specification (where applicable) and completed in accordance with the engineering plans and specifications prepared by Natasi and Associates (Job no 8398 sheets 1-9 Issue C) required under this consent.

Reason: To ensure Stormwater Management has been built in accordance with the plans and specifications required under this consent

**34. Post-Construction Dilapidation Survey**

A post-construction Dilapidation Survey of Council's Stormwater Assets is to be prepared by a suitably qualified person in accordance with Council's Guidelines for Preparing a Dilapidation Survey of Council Stormwater Asset in order to determine if the asset has been damaged by the works. Council's Guidelines are available at

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/general-information/engineering-specifications/2009084729guidelineforpreparingadilapidationsurveyofcouncilstormwaterassets2.pdf>

The post construction dilapidation report must be submitted to the Council for review and the Principal Certifying Authority prior to the issue of the Occupation Certificate. Any damaged to Council's stormwater infrastructure is to be rectified in accordance with Council's technical specifications prior to the release of the security bond.

Reason: Protection of Council's Infrastructure

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

**35. Landscape Maintenance**

All landscape components as documented on the Landscape Plans TP-01 to TP-07 inclusive, and as required by this Consent are to be maintained for the life of the development.

Landscape works shall be maintained for a minimum period of 12 months following practical completion. Landscape materials are to be replaced when damaged or if they fail. If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Landscape Plans.

Reason: To maintain local environmental amenity and ensure landscaping continues to soften the built form.

**36. Control of Weeds**

Prior to the completion of works, all priority weeds (as listed under the Biosecurity Act 2015) are to be removed/controlled within the subject site using an appropriately registered control method. Information on weeds of the Northern Beaches can be found at the NSW WeedWise website (<http://weeds.dpi.nsw.gov.au/>). All environmental weeds are to be removed and controlled. Refer to Council website



[http://www.pittwater.nsw.gov.au/environment/noxious\\_weeds](http://www.pittwater.nsw.gov.au/environment/noxious_weeds)

**Reason:** Weed management.

37. **No Planting Environmental Weeds**

No environmental weeds are to be planted on the site. Information on weeds of the Northern Beaches can be found at the NSW WeedWise website (<http://weeds.dpi.nsw.gov.au/>).

**Reason:** Weed management.

38. **Works to cease if item found**

If any Aboriginal Engravings or Relics are unearthed all work is to cease immediately and the Aboriginal Heritage Office (AHO) and Office of Environment and Heritage (OEH) are to be notified.

**Reason:** To protect Aboriginal Heritage.

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

**Signed**



**Claire Ryan, Planner**

The application is determined on 18/02/2019, under the delegated authority of:



**Rodney Piggott, Manager Development Assessments**