

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2018/0696
Responsible Officer:	Renee Ezzy
Land to be developed (Address):	Lot 8 DP 13442, 58 Greycliffe Street QUEENSLIFF NSW 2096
Proposed Development:	Demolition Works and Construction of new dwelling house with swimming pool and a secondary dwelling
Zoning:	Warringah LEP2011 - Land zoned R2 Low Density Residential
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Development Determination Panel
Land and Environment Court Action:	No
Owner:	Michael Vincent Collins Hollie Rebecca Collins
Applicant:	Vaughan Architects Pty Ltd
Application lodged:	02/05/2018
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Residential - Single new detached dwelling
Notified:	04/05/2018 to 22/05/2018
Advertised:	Not Advertised
Submissions Received:	3
Recommendation:	Approval
Estimated Cost of Works:	\$ 1,436,800.00

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

Warringah Local Environmental Plan 2011 - 4.3 Height of buildings
 Warringah Development Control Plan - B1 Wall Heights
 Warringah Development Control Plan - B3 Side Boundary Envelope
 Warringah Development Control Plan - B5 Side Boundary Setbacks
 Warringah Development Control Plan - B7 Front Boundary Setbacks
 Warringah Development Control Plan - D6 Access to Sunlight

SITE DESCRIPTION

Property Description:	Lot 8 DP 13442 , 58 Greycliffe Street QUEENSCLIFF NSW 2096
Detailed Site Description:	<p>The subject site is located on the lower, southern side of Greycliffe Street and adjoins the northern banks of Manly Lagoon. The site has a frontage to the lower section of Greycliffe Street of 14.475m, an eastern boundary of 47.245m, a southern boundary to Manly Lagoon and a western boundary of 53.58m. The site provides a total area measuring 499.5m².</p> <p>The site contains a fall from west to east and from north to south. In total the site has a cross fall of approximately 15.8m (27%).</p> <p>Currently, the site contains a dilapidated brick dwelling with a separate concrete carstand with storage below located on the front and eastern corner boundaries of the site.</p>

Map:



SITE HISTORY

PLM2018/0028

A pre-lodgement meeting was held on 15 March 2018 in relation to demolition of the existing dwelling and construction of a new dwelling, swimming pool and secondary dwelling. The main concerns raised at this meeting include:

- Access to garage
- Visual impact of south facing wall at base of the building
- Stairs within road reserve and infilling part of road reserve
- Stormwater

For each of these issues, the Applicant was advised that any non-compliance should be amended to comply with the controls.

DA2018/0696

Development Application DA2018/0696 for demolition of the existing structures and construction of a new dwelling, swimming pool and secondary dwelling was lodged with Council on 2 May 2018. This application is the subject of this assessment.

PROPOSED DEVELOPMENT IN DETAIL

The proposed development seeks demolition of the existing structures on site and construction of a new dwelling, swimming pool and secondary dwelling. Specifically, the proposed development includes the following:

Lower Ground Floor RL 12.0

- Bedroom 2 and 3
 - Rumpus Room
- DA2018/0696

- Store Room
- Bathroom
- Laundry
- 2000Ltr rainwater tank
- Air conditioner units
- Rumpus room
- Terrace off Rumpus and Bedroom 2 (19m²)
- Stair access to lower southern garden and northern garden

Ground Floor RL 15.0

- Entry & WC
- Kitchen, living and dining room
- South facing terrace adjoining the kitchen and living room (25m²)

RL 15.9

- One (1) bedroom granny flat under the proposed garage (41.6m²).

RL 14.9

- Landscaped outdoor space to the north side of the house
- Swimming pool

First Floor (RL17.95)

- Master bedroom, ensuite and robe to the south
- Terrace off master bedroom (7.6m²)
- Rumpus Room
- Baby Room
- Void to ground floor level

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 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	Warringah Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iia) – 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&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&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&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&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent.</p> <p><u>Clauses 93 and/or 94</u> of the EP&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&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&A Regulation 2000 requires the</p>

Section 4.15 Matters for Consideration'	Comments
	<p>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>Clause 143A of the EP&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 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>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report.</p> <p>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

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 3 submission/s from:

Name:	Address:
Michael Royden Upfold	56 Greycliffe Street QUEENSCLIFF NSW 2096
Mrs Juliana Letizia Upfold	56 Greycliffe Street QUEENSCLIFF NSW 2096
Mr Gary Allen Beauchamp	52 Greycliffe Street QUEENSCLIFF NSW 2096

While there are three (3) submissions identified for this application, two (2) of those submissions were from the same property being 56 Greycliffe Street which are to be considered one (1) submission. Therefore, there are technically submissions from two (2) properties. The following issues were raised in the submissions and each have been addressed below:

- **Position of dwelling on the site**

I wish to lodge an objection to the Southern Position of this dwelling.

I reside on the easterly side of the house and currently enjoy the maximum of the winter sun in my lounge room and the Westerly side of the balcony. With the development as currently lodged, this will eliminate a lot of the sun which my property is exposed to. If the property could be relocated or redesigned to be built closer to the Northern border (Greycliffe Street) this would still allow the applicants to maintain their proposed size and swimming pool.

I respectfully request Council to consider my situation as I am retired and spend a lot of time enjoying the winter sun in my lounge.

Comment:

A full assessment of solar access and overshadowing from the proposed development has been provided under Part D6. The development is considered acceptable in terms of overshadowing and its location generally.

- **Damage to road from construction vehicles**

The proposed new dwelling does not interfere with my property sun or views.

However, I am very concerned about the lack of information regarding any proposed management of vehicular access and egress for the removal of the plus 700m³ building, waste and excavation material.

This will involve more than 80 truck moments not counting the numerous truck deliveries when construction starts including the large amount of concrete, bricks, and glass required for the construction of the dwelling, plus the further obstruction and impact of tradesmen's vehicles and heavy equipment.

58 Greycliffe Street is located in a very narrow lane way as depicted on page 7 of the Statement of Environmental Effects - photo caption "56 Greycliffe St from street".

Further, there is no demonstrated management plan or any reference to the Environmental Effects and the impact on the other property owners who reside on the Greycliffe Street (lane way) frontage.

Greycliffe Street (lane way) is not constructed for truck use and will easily begin to breakup with the weight and sheer number of the trucks being purposed in this submission.

Greycliffe Street (lane way) has a unmarked and unfenced sandstone cliff on the lagoon side of the lane way which will not only be damaged by heavy vehicular use but also has a high danger of overturning a truck causing damage to other adjoining properties and possible life.

Access and egress to 58 Greycliffe street can be achieved by utilising Aitken Avenue Aitken Reserve as depicted Page 8 "60 Greycliffe St. from lagoon" and page 16 "River view photo montage" of the Statement of Environmental Effects.

The use of Aitken Avenue via Aitken Reserve as opposed to Greycliffe Street for removal and construction access will be far safer, less dangerous, and pose fewer possible hazardous situations of lower risk and minimise the risk assessment to life than that of using Greycliffe Street (lane way).

Comment:

A condition requiring a Construction Management Program has been included as part of this consent which requires details relating to management of construction vehicles to the site. This Program will ensure that the construction works are undertaken in a way which reduces damage and inconvenience to the road reserve and neighbouring properties within this restricted slip road. Should the builder not maintain sufficient access and safety for the neighbouring properties accessed from this slip road, Council's Rangers and Development Compliance section should be contacted.

In response to concerns over damage to private property, a condition of consent has been included requiring a dilapidation survey report be undertaken of the adjacent dwellings prior to any works commencing on the site.

Suggestions for the use of the adjacent reserve land for construction purposes are not supported in this instance. These issues do not hold determining weight.

MEDIATION

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

REFERRALS

Internal Referral Body	Comments
Building Assessment - Fire and Disability upgrades	<p>The application has been investigated with respects to aspects relevant to the Building Certification and Fire Safety Department. There are no objections to approval of the development subject to inclusion of the attached conditions of approval and consideration of the notes below.</p> <p>Note: The proposed development may not comply with some requirements of the BCA and the Premises Standards. Issues such as this however may be determined at Construction Certificate Stage.</p>
Landscape Officer	No objections in relation to landscape issues subject to conditions as recommended.
NECC (Bushland and Biodiversity)	<p>Council's Bushland and Biodiversity section considers the Development Application to be consistent with the following Warringah DCP 2011 Controls:</p> <p>Part E The Natural Environment E1 Preservation of Trees or Bushland Vegetation E2 Prescribed Vegetation E4 Wildlife Corridors E6 Retaining Unique Environmental Features</p>



Internal Referral Body	Comments
	E7 Development of Land Adjoining Public Open Space
NECC (Development Engineering)	<p>The application has been assessed, please see the development engineering comment in below:</p> <p>Retaining wall A new retaining wall shall be built to support the new crossing and the front yard. A condition has been placed to request a sec 138 application shall be lodged for further assessment.</p> <p>Overland flow: A report has been submitted and assessment. The applicant shall following the recommendations of the study to ensure the safety of the building and prevent any impact to the adjoining properties.</p> <p>Traffic control: The accessibility of the site is very limited with a shared driveway. A construction management plan with traffic control plan must be designed and provided prior to the commencement of work.</p> <p>Stormwater: The collected on site stormwater shall be discharged into the lagoon with scour and erosion control.</p> <p>As such, Development Engineer has no objection to the application subject to the following conditions of consent.</p>
NECC (Riparian Lands and Creeks)	<p>The applicant has not submitted a Waterways Impact Statement as requested by Council at the at the pre lodgment meeting. The Statement of Environmental Effects also does not address the issue of the proximity of the development to the waterway or state any measures to be taken to minimize impacts to the lagoon during the demolition and construction phases.</p> <p>The proposal has been assessed in the context of its proximity to the lagoon. Recommended for approval subject to conditions.</p>
NECC (Stormwater and Floodplain Engineering – Flood risk)	<p>The proposed dwelling is at the top of the cliff, and well above the Flood Planning Level. It is only the stairway down to the lagoon which is potentially flood affected.</p>
Parks, reserves, beaches, foreshore	No objections raised in relation to the proposal on the adjoining reserve.

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	The proposal was referred to Ausgrid. No response has been

External Referral Body	Comments
	received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.
Aboriginal Heritage Office	<p>The application was referred to the Aboriginal Heritage Office who provided the following comments:</p> <p>No sites are recorded in the current development area and the area has been subject to previous disturbance reducing the likelihood of surviving unrecorded Aboriginal sites.</p> <p>Given the above, the Aboriginal Heritage Office considers that there are no Aboriginal heritage issues for the proposed development.</p> <p>Should any Aboriginal sites be uncovered during earthworks, works should cease and Council, the NSW Office of Environment and Heritage (OEH) and the Metropolitan Local Aboriginal Land Council should be contacted.</p> <p>Relevant conditions of consent have been imposed to reflect these comments.</p>

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 (Affordable Rental Housing) 2009

State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP ARH) aims to provide new affordable rental housing and retain and mitigate any loss of existing affordable rental housing by providing a consistent planning regime. Specifically, SEPP ARH provides for new affordable rental housing by offering incentives such as expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards.

Division 2: Secondary dwellings

Clause 19: Definition

Development for the purposes of a secondary dwelling includes the following:

- (a) the erection of, or alterations or additions to, a secondary dwelling,
- (b) alterations or additions to a principal dwelling for the purposes of a secondary dwelling.

Note: The standard instrument defines secondary dwelling as follows:

"secondary dwelling means a self-contained dwelling that:

- (a) is established in conjunction with another dwelling (the principal dwelling), and*
- (b) is on the same lot of land (not being an individual lot in a strata plan or community title scheme) as the principal dwelling, and*
- (c) is located within, or is attached to, or is separate from, the principal dwelling."*

Comment:

The proposed use is defined under WLEP 2011 as a secondary dwelling.

Clause 20: Land to which this Division applies:

Requirement	Comment
This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones, but <i>only if</i> development for the purposes of a dwelling house is permissible on the land:	
(a) Zone R1 General Residential, or (b) Zone R2 Low Density Residential, or (c) Zone R3 Medium Density Residential, or (d) Zone R4 High Density Residential, or (e) Zone R5 Large Lot Residential.	Consistent. The site is located within the R2 low density residential zone and, as such, the proposed use is permissible with consent under WLEP 2011.

Clause 21: Development to which this Division applies

Requirement	Comment
This Division applies to development, on land to which this Division applies, for the purposes of a secondary dwelling.	Consistent. The development involves the construction of a secondary dwelling, as defined by the Standard Instrument. Therefore, this Division applies.

Clause 22: Development may be carried out with consent

Development to which this Division applies may be carried out with consent.

Requirement	Comment
(2) A consent authority must not consent to development to which this Division applies if there is on the land, or if the development would result in there being on the land, any dwelling other than the principal dwelling and the secondary dwelling.	The proposed development will result in a single dwelling house and one (1) secondary dwelling.
(3) A consent authority must not consent to development to which this Division applies unless: (a) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area allowed for a dwelling house on the land under another environmental planning instrument, and (b) the total floor area of the secondary dwelling is no more than 60m ² or, if a greater floor area is permitted in respect of a secondary dwelling on the land under another environmental planning instrument, that greater floor area.	(a) As there is no maximum total area specified under WLEP 2011 for a dwelling and secondary dwelling this requirement does not apply to the subject application. (b) The floor area for the secondary dwelling is 41.6m ² which complies with this requirement.
(4) A consent authority must not refuse consent to development to which this Division applies on either of the following grounds: (a) site area if: (i) the secondary dwelling is located within, or is attached to, the principal dwelling, or (ii) the site area is at least 450 square metres. (b) parking if no additional parking is to be provided on the site.	The site area for this development is greater than 450m ² at 499.5m ² . The proposal is recommended for approval.

Note: A consent authority may consent to development to which this Division applies whether or not the development complies with the standards set out in subclause (4).

Clause 24: No subdivision

Requirement	Comment
A consent authority must not consent to a development application that would result in any subdivision of a lot on which development for the purposes of a secondary dwelling has been carried out under this Division.	Consistent. This application does not propose any subdivision of the existing allotment.

Conclusion

The proposed secondary dwelling is within the maximum floor area permissible for this form of development and the application is supported.

A BASIX certificate has been submitted with the application (see Certificate No. 917315S dated 27 April 2018).

The BASIX Certificate indicates that the development will achieve the following:

Commitment	Required Target	Proposed
Water	40	41
Thermal Comfort	Pass	Pass
Energy	50	52

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.

Warringah Local Environmental Plan 2011

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:	8.5m	9.9m	16.5%	No

Compliance Assessment

Clause	Compliance with Requirements
2.7 Demolition requires consent	Yes
4.3 Height of buildings	No (see detail under Clause 4.6 below)
4.6 Exceptions to development standards	No
5.4 Controls relating to miscellaneous permissible uses	Yes
6.1 Acid sulfate soils	Yes
6.2 Earthworks	Yes
6.3 Flood planning	Yes
6.4 Development on sloping land	Yes

Detailed Assessment

4.6 Exceptions to development standards

The following assessment of the variation to Clause 4.3 – Height of Buildings development standard has taken into consideration the questions established in Winten Property Group Limited v North Sydney Council (2001) NSW LEC 46.

Requirement:	8.5m
Proposed:	9.9m
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	16.5%

The proposal must satisfy the objectives of Clause 4.3 – Height of Buildings, the underlying objectives of the particular zone, and the objectives of Clause 4.6 - Exceptions to Development Standards under the WLEP 2011. The assessment is detailed as follows:

Is the planning control in question a development standard?

The prescribed Height of buildings limitation pursuant to Clause 4.3 of the WLEP 2011 is a development standard.

What are the underlying objectives of the development standard?

The underlying objectives of the standard, pursuant to Clause 4.3 – 'Height of buildings' of the WLEP 2011 are:

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

a) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,

Comment:

While the proposed dwelling presents as a three storey dwelling when viewed from the Lagoon, the built form contains physical and material articulation which lessens the bulk of the structure. The overall height of the dwelling will provide a finished RL which is 855m higher than No. 60 Greycliffe and up to 1.035m higher than No. 56. Greycliffe.

b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access,

Comment:

The proposed development has been assessed in detail in relation to views, privacy and solar access and is considered to maintain adequate amenity in relation each.

c) to minimise adverse impact of development on the scenic quality of Warringah's coastal and bush environments,

Comment:

The proposed dwelling is not considered to create any adverse impacts on the scenic quality of Warringah's coastal and bush environments.

d) to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities,

Comment:

While the proposed development will be visible from the Manly Lagoon Reserve, the visual impact is considered commensurate with the surrounding built form and is not considered to result in any unacceptable impacts as a result.

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 R2 low density residential zone.

The underlying objectives of the R2 Low Density Residential zone:

- *To provide for the housing needs of the community within a low density residential environment.*

Comment:

The proposed development creates a single dwelling house with a secondary dwelling attached at the front suitable for accommodating the needs of modern family living. The overall form of the dwelling and density are acceptable.

It is considered that the development satisfies this objective.

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Comment:

The proposed development satisfies this objective.

It is considered that the development satisfies this objective.

- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

Comment:

The proposed development maintains the southern landscaped setback to the lagoon reserve which is consistent with development right along this section of Greycliffe Street fronting the lagoon foreshore. The proposed development satisfies this objective.

Is the variation to the development standard consistent with the objectives of Clause 4.6 of the WLEP 2011?

(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:

The proposed non-compliance with the building height development standard is considered on merit as acceptable in this instance. The breach occurs at the southern end of the development and affects the ground floor roof structure adjoining the terrace and the southern corner of the master bedroom and ensuite where the topography of the site drops away steeply beneath.

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

Comment:

The proposed non-compliance enables the dwelling to be located further north on the site providing a more significant separation and setback from the lagoon and surrounding natural environment. Allowing a small breach of the height control in this location means that the existing natural landscape to the south is retained and as the dwelling does not extend further down the site results in less impact on views and solar access of the adjoining properties.

(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 has provided the following justification for the variation:

"The proposal addresses the site constraints, streetscape and relevant objective of both the standards and the zone. The proposal will not result in any unreasonable amenity or environmental impacts.

We therefore respectfully submit that the proposal will result in a better planning outcome as it improves the character of the neighbourhood and provides new solar access to north orientated private open space to No. 56 Greycliffe St adjacent to the site.

In this case, strict compliance with the development standard for height of buildings development standard of the WLEP2011 is unnecessary and unreasonable.

Clause 4.6 states that the development consent must not be granted for development that contravenes a development standard unless 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 to be carried out.

It is considered that this submission provides sufficient environmental planning grounds to justify contravening the development standard under Part 4. The development as proposed will be in the public interest as it is consistent with the objectives of Clause 4.3.

Furthermore, it is important to also consider the objectives of the R2 Low Density Residential zone in relation to the development.

The proposed new dwelling will maintain the low density use in a low density zone. The quality of housing will be improved by the works.

- *No other land uses are proposed.*
- *The landscape settings are in harmony with the natural environment of Warringah as set in the landscape plan submitted with this application.*

Accordingly, it is considered the proposed alterations and additions align with the objectives of the zone.

It is considered that this submission provides sufficient environmental planning grounds to justify contravening the development standards, noting the development will be in the public interest."

(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:

Council's assessment of the Applicant's request for variation concurs with the underlying justification provided.

(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 R2 low density residential zone in the WLEP 2011.

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

Comment:

In accordance with the Planning Circular PS 18-003 dated 21 February 2018, as issued by the NSW Department of Planning, advises that the concurrence of the Director-General may be assumed for exceptions to 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 regard, given the consistency of the variation to the objectives of the zone, the concurrence of the Director-General for the variation to the Height of buildings Development Standard is assumed by the DDP.

Warringah Development Control Plan

Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
B1 Wall height	7.2m	9.47m	31.5%	No
B3 Side Boundary Envelope	East - 5m	0.3m up to 1.29m	N/A	No
	West - 5m	0.4 up to 2.32m	N/A	No
B5 Side Boundary Setbacks	East - 0.9m	Nil to retaining walls 0.95m to dwelling	100% Nil	No Yes
	West - 0.9m	Nil to garage 0.49m to pool coping 0.9m to house	100%	No No Yes
B7 Front Boundary Setbacks	6.5m	0.4m to basement	93.9%	No
B9 Rear Boundary Setbacks	6m	12.32m	N/A	Yes
D1 Landscaped Open Space (LOS) and Bushland Setting	40% (199.8m ²)	43.1% (215.1m ²)	N/A	Yes

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
B1 Wall Heights	No	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
B3 Side Boundary Envelope	No	Yes
B5 Side Boundary Setbacks	No	Yes
B7 Front Boundary Setbacks	No	Yes
B9 Rear Boundary Setbacks	Yes	Yes
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	Yes	Yes
C4 Stormwater	Yes	Yes
C5 Erosion and Sedimentation	Yes	Yes
C6 Building over or adjacent to Constructed Council Drainage Easements	Yes	Yes
C7 Excavation and Landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	Yes	Yes
D1 Landscaped Open Space and Bushland Setting	Yes	Yes
D2 Private Open Space	Yes	Yes
D3 Noise	Yes	Yes
D6 Access to Sunlight	Yes	Yes
D7 Views	Yes	Yes
D8 Privacy	Yes	Yes
D9 Building Bulk	Yes	Yes
D10 Building Colours and Materials	Yes	Yes
D11 Roofs	Yes	Yes
D12 Glare and Reflection	Yes	Yes
D13 Front Fences and Front Walls	Yes	Yes
D14 Site Facilities	Yes	Yes
D15 Side and Rear Fences	Yes	Yes
D16 Swimming Pools and Spa Pools	Yes	Yes
D20 Safety and Security	Yes	Yes
D21 Provision and Location of Utility Services	Yes	Yes
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes
E4 Wildlife Corridors	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E7 Development on land adjoining public open space	Yes	Yes
E8 Waterways and Riparian Lands	Yes	Yes
E10 Landslip Risk	Yes	Yes
E11 Flood Prone Land	Yes	Yes

Detailed Assessment

B1 Wall Heights

Description of non-compliance

The proposed development results in a wall height measuring 9.47m at the centre of the dwelling around the master bedroom and ensuite.

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

- *To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.*

Comment:

While the proposed design will result in a non-compliance with the wall height requirement of up to 2.27m, this occurs at the centre of the site where the natural topography falls approximate 4.4m over a 6m distance. The design of the proposal incorporates large sections of articulation and varying setbacks to ensure that the impact from adjoining properties is minimised.

When viewed from the lagoon and adjoining park lands the proposal will present as a dwelling with high quality architectural design and finishing which steps back toward Greycliffe Street and is commensurate with the other more contemporary development emerging in this location.

- *To ensure development is generally beneath the existing tree canopy level*

Comment:

The site and immediately adjoining area does not contain any significant tree canopy due to its exposed coastal location and sandstone topography. The proposed dwelling will be consistent with the surrounding building forms.

- *To provide a reasonable sharing of views to and from public and private properties.*

Comment:

The subject site is located off a lower section slip road below Greycliffe Street and the finished level of the new roof will be approximately the same as the kerb level on Greycliffe Street above (RL20.850). There have been no concerns raised in relation to view loss from properties to the north or from the adjacent eastern or western properties. The proposed development is considered to provide reasonable view sharing.

- *To minimise the impact of development on adjoining or nearby properties.*

Comment:

Notification of the proposed development resulted in two (2) submissions raising concerns about ¹ western sun access in winter to No. 56 Greycliffe Street and ² construction related concerns within the slip road. These issues have been addressed in detail within the submissions section of this report and are not considered to result in unacceptable impact on these properties.

- *To ensure that development responds to site topography and to discourage excavation of the natural landform.*

Comment:

The proposal includes excavation for part of the lower ground/basement level up to 3.6m. The layout of the works provides for a garage with granny flat below at the front boundary where the site levels change approximately 2.5m between the road and within front boundary setback. The building form is then broken providing private open space and landscaping between the granny flat and the dwelling with an 8m separation. The main dwelling is sited within the middle of the site to avoid extending into the area where the change in topography is the most extreme.

- *To provide sufficient scope for innovative roof pitch and variation in roof design.*

Comment:

The development provides a varied roof line with a skillion roof over the garage with a 12° pitch, and a low hipped roof over the main dwelling with a 3° fall. The proposal is considered satisfactory in terms of the roof design and pitch.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the aims and objectives of WDCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

B3 Side Boundary Envelope

Description of non-compliance

The proposed development results in non-compliances with the side boundary envelope on the eastern and western elevation. On the eastern elevation, the non-compliance ranges from 1.3m to 0.2m and is reflective of the change in topography along the boundary. On the western elevation, the envelope breach is up to 3.725m at the southern end of the dwelling and extends along the western facade to the north reducing at the same extent as the topography in this location.

Merit consideration

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

- *To ensure that development does not become visually dominant by virtue of its height and bulk.*

Comment:

While the envelope breach numerically seems significant, in reality the height and bulk of the development is commensurate with the surrounding building forms. The building bulk is set back generously from the rear boundary with the lagoon and areas where a breach occurs are mostly stepped back into the site.

- *To ensure adequate light, solar access and privacy by providing spatial separation between buildings.*

Comment:

The design includes increasing setbacks and articulation at each level of the development and

orients primary living spaces toward the lagoon and away from neighbouring balconies. While some overshadowing of the adjacent balcony at No. 56 Greycliffe will result in the afternoon during mid-winter, there will be areas on this balcony along the southern end which will retain some western sun during the afternoon period. The proposal is considered to provide adequate light, solar access and privacy to adjoining properties.

- *To ensure that development responds to the topography of the site.*

Comment:

The siting of structures on this site is reflective of the significant topography particularly along the side boundaries and through the centre. The sharp drops in levels have created a design that seeks to avoid these areas as much as possible and has incorporated a lower level excavated into the site to reduce the overall height and bulk as it extends up the site. The design response to the topography of the site is considered acceptable in this instance and characteristic with other newer development along this section of Manly Lagoon.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

B5 Side Boundary Setbacks

Description of non-compliance

The proposal includes construction of a garage and granny flat which has a nil setback to the western boundary.

Merit consideration

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

- *To provide opportunities for deep soil landscape areas.*

Comment:

The site layout provides deep soil landscape areas between the garage and the dwelling and maintains the 12m setback fronting the lagoon as natural landscaping.

- *To ensure that development does not become visually dominant.*

Comment:

The location of the proposed garage and granny flat on the western boundary will present as a garage structure only as the granny flat will be substantially below the finished levels of the adjoining front setback of No. 60 Greycliffe Street.

- *To ensure that the scale and bulk of buildings is minimised.*

Comment:

The garage and granny flat will present predominantly as a single storey structure from the street and from adjoining properties and are not considered to create any unnecessary bulk.

- *To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained.*

Comment:

The garage structure on the western boundary will result in some minor additional overshadowing along the eastern boundary within No. 60 Greycliffe Street. The additional overshadowing occurs in the morning for a few hours and extends approximately 1.2m into the site. There is no further overshadowing, or privacy impacts resulting from this structure.

- *To provide reasonable sharing of views to and from public and private properties.*

Comment: The proposed garage replaces an existing single carport in a similar location on the site and is not considered to impact on any views to or from the site.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

B7 Front Boundary Setbacks

Description of non-compliance

The proposed garage and attached granny flat are located within the front setback providing between 0.75m and 5.3m setbacks from the boundary with the slip lane.

Merit consideration:

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

- *To create a sense of openness.*

Comment:

The works in this location are effectively two storeys within the front setback on the western side of the site. Due to the difference in level between the street level and the front of dwelling (approximately 2.5m) only the garage structure will be discernible from the public domain. The western side of the site provides a pedestrian transition from the road to the dwelling and is considered to satisfy this requirement.

- *To maintain the visual continuity and pattern of buildings and landscape elements.*

Comment:

Due to the restricted access into this slip road, the consistent pattern of front setbacks consists of garage structures with nil setback to the front and some side boundaries. Predominantly the dwellings along this section of Greycliffe Street are focused to the south toward the lagoon with

parking and access off the slip road. Accordingly, the proposed development is considered to adequately maintain the visual continuity and pattern of buildings and landscape elements in this location.

- *To protect and enhance the visual quality of streetscapes and public spaces.*

Comment:

As identified, this part of Greycliffe Street is essentially for utilitarian functions. The proposed development is considered to enhance the streetscape and provide safer vehicular and pedestrian access for the occupants.

- *To achieve reasonable view sharing.*

Comment:

The proposed development is considered to maintain any existing views across the site.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

D6 Access to Sunlight

Merit consideration

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

- *To ensure that reasonable access to sunlight is maintained.*

Comment:

The subject site has a north-east to south-west orientation which is repeated by the adjoining properties. The new dwelling will result in some additional overshadowing as a result of the site orientation. At 9am, the new works will result in some additional overshadowing of the eastern facade of No. 60 Greycliffe Street. The overshadowing has moved away from this site prior to 12 midday and it therefore receives adequate sunlight access for the remainder of the day.

No 56 Greycliffe Street is located to the east of the site. This property will receive some additional overshadowing of the western facade from midday which will include some shadowing of the western side of the upper level south facing terrace. Due to the main dwelling structure being moved further to the south of the site by approximately 5.8m, the shadows also move further down the site opening a new corridor of sunlight access on the northern side of No. 56.

By 3pm, shadows from the proposed dwelling swing around onto the western facade of No. 56. While most of this facade will be in shadow for the second half of the day, there is an area along the southern side of the upper level balcony within this dwelling approximately 1.0m wide which retains sunlight and the area between the dwelling and the garage structure will receive

additional sunlight access previously impacted by the location of the existing dwelling.

On balance, the proposed development is considered to maintain adequate sunlight access to the neighbouring properties.

- *To encourage innovative design solutions to improve the urban environment.*

Comment:

The proposed development provides a part 2, part 3 storey dwelling which provides compliant setbacks and articulation from the boundaries with adjoining dwellings. The proposal will provide an architecturally designed dwelling which is a substantial improvement to the quality of structures currently on the site and an overall improvement to the urban environment.

- *To maximise the penetration of mid winter sunlight to windows, living rooms, and high use indoor and outdoor areas.*

Comment:

Due to the north-south orientation of the site, the proposed development results in additional overshadowing of the neighbouring properties. The overall impact is considered acceptable as areas worst affected are not high traffic spaces and in fact for No. 56 the private open space area on the northern side of the dwelling receives greater sunlight access from the proposed development. The winter sunlight access for the subject site and the adjoining properties is considered acceptable.

- *To promote passive solar design and the use of solar energy.*

Comment:

The proposed design includes a north facing roof light designed to capture and direct natural sunlight into the first floor level and funnel it through an internal void into the ground floor level kitchen and dining area. The design also makes provision for solar panels on the roof of the dwelling which will produce solar power for the property.

- *To minimise the need for artificial lighting.*

Comment:

The development includes large areas of north facing glazing which contains shading devices designed to protect from the summer sun angles but allow natural light penetration into the dwelling. The dwelling is not considered to require unnecessary amounts of artificial lighting.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

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

Northern Beaches Council Contributions Plan 2018

The proposal is subject to the application of Council's Section 7.12 Development Contributions Plan.

The following monetary contributions are applicable:

Northern Beaches Council Contributions Plan 2018		
Contribution based on a total development cost of \$ 1,436,800		
Contributions	Levy Rate	Payable
Total Section 7.12 Levy	0.95%	\$ 13,650
Section 7.12 Planning and Administration	0.05%	\$ 718
Total	1%	\$ 14,368

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

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

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

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

It is considered that the proposed development satisfies the appropriate controls and that all processes

and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant Development Consent to DA2018/0696 for Demolition Works and Construction of new dwelling house with swimming pool and a secondary dwelling on land at Lot 8 DP 13442, 58 Greycliffe Street, QUEENSCLIFF, 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
DA01 - Site Analysis Plan - Issue 2	24.04.2018	Vaughan Architects
DA02 - Site/Roof & Lower Ground/Basement Floor Plan, Erosion and Sediment Control - Issue 2	24.04.2018	Vaughan Architects
DA03 - Ground, Pool Plan, First Floor & Demolition Plans - Issue 2	24.04.2018	Vaughan Architects
DA04 - East & North Elevations - Issue 2	24.04.2018	Vaughan Architects
DA05 - South & Street/North Elevations - Issue 2	24.04.2018	Vaughan Architects
DA06 - West & South Granny Flat Elevations - Issue 2	24.04.2018	Vaughan Architects
DA07 - Sections & Pool Sections - Issue 2	24.04.2018	Vaughan Architects
DA08 - Sections - Issue 2	24.04.2018	Vaughan Architects
DA09 - Colours & Finishes Schedule	23.04.2018	Vaughan Architects
DA10 - Landscaped Area Plan	23.04.2018	Vaughan Architects
DA11 - Excavation Plan	23.04.2018	Vaughan Architects
LP 2118-01 - Landscape Plan	16.04.2018	Edwina Stuart Landscape Design
PP 2118-01 - Planting Plan-Rear Garden	16.04.2018	Edwina Stuart Landscape Design
PP 2118-02 - Planting Plan-Front Garden	16.04.2018	Edwina Stuart Landscape Design

Reports / Documentation – All recommendations and requirements contained within:

Report No. / Page No. / Section No.	Dated	Prepared By
DA2018/0696		

Geotechnical Assessment and Risk Analysis	14 March 2018	D. Katauskas - Consulting Geotechnical Engineer
Waterway Impact Statement	4 June 2018	GIS Environmental Consultants

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

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

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. **Policy Controls**

Northern Beaches Council Contributions Plan 2018

The proposal is subject to the application of Council's Section 7.12 Development Contributions Plan.

The following monetary contributions are applicable:

Northern Beaches Council Contributions Plan 2018		
Contribution based on a total development cost of \$ 1,436,800.00		
Contributions	Levy Rate	Payable
Total Section 7.12 Levy	0.95%	\$ 13,649.60
Section 7.12 Planning and Administration	0.05%	\$ 718.40
Total	1%	\$ 14,368.00

The amount will be adjusted at the time of payment according to the quarterly CPI (Sydney - All Groups Index). Please ensure that you provide details of this Consent when paying contributions so that they can be easily recalculated.

This fee must be paid prior to the issue of the Construction Certificate. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To provide for contributions in accordance with Northern Beaches Council Contributions Plan 2018.

5. **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).

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

6. **Construction, Excavation and Associated Works Bond (Road)**

A Bond of \$10000 as security against any damage or failure to complete the construction of road and retaining wall works as part of this consent.

Reason: Protection of Council's Infrastructure

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

7. **Laundry Facilities**

The secondary dwelling is required to be provided with clothes washing facilities, comprising of at least one washtub and space in the same room for a washing machine in accordance with Part 3.8.3 of Volume 2 of the National Construction Code (NCC) – Facilities. Details of upgrading are to be included in the Construction Certificate and be implemented prior to the occupation of the building.

Reason: To ensure adequate provision is made to satisfy the performance requirements P2.4.3 of the NCC for suitable sanitary facilities in the premises.

8. **Fire Separation**

The new part of the building that is proposed to be constructed as a secondary dwelling is required to comply with Part 3.7.1 of Volume 2 of the National Construction Code (NCC) – Fire Separation. Details of upgrading are to be included in the Construction Certificate and be implemented prior to the occupation of the building.

Reason: To ensure adequate provision is made to satisfy the performance requirements P2.3.1 of the NCC for fire separation in the premises.

9. **Stormwater Disposal**

Engineering Plans certified by an appropriately qualified and practicing Civil Engineer, indicating all details relevant to the collection and disposal of stormwater from the site, buildings, paved areas and where appropriate adjacent catchments. Stormwater shall be conveyed from the site to the lagoon. An appropriate scour and erosion control device must be designed and submitted in the plan. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

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

10. **Application of infrastructure Works on Council Roadway**

An application of infrastructure Works on Council Roadway, including engineering plans is to be submitted to Council for approval under the provisions of Sections 138 and 139 of the Roads Act 1993.

The application is to include four (4) copies of Civil Engineering plans for the design of the retaining walls through the nature strip, stair and driveway crossing which are to be generally in accordance with the Development Application and Council's specification for engineering works - AUS-SPEC #1 and/ or Council's Minor Works Policy. The plan shall be prepared by a qualified structural engineer. The design must include the following information: The fee associated with the assessment and approval of the application is to be in accordance with Council's Fees and Charges.

An approval is to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate

Reason: To provide public and private safety.

11. **Structural Adequacy and Excavation Work**

Excavation work is to ensure the stability of the soil material of adjoining properties, the protection of adjoining buildings, services, structures and / or public infrastructure from damage using underpinning, shoring, retaining walls and support where required. All retaining walls are to be structurally adequate for the intended purpose, designed and certified by a Structural Engineer, except where site conditions permit the following:

- (a) maximum height of 900mm above or below ground level and at least 900mm from any property boundary, and
- (b) Comply with AS3700, AS3600 and AS1170 and timber walls with AS1720 and AS1170.

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

Reason: To provide public and private safety.

12. **Shoring of Adjoining Property**

Should the proposal require shoring to support an adjoining property or Council land, owner's consent for the encroachment onto the affected property owner shall be provided with the engineering drawings. Council approval is required if temporary ground anchors are to be used within Council land. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate

Reason: To ensure that owners consent is obtained for ancillary works, and to ensure the protection of adjoining properties and Council land.

13. **Construction Management Program**

A Construction Management Program shall be prepared which includes the following:

- (a) The proposed method of access to and egress from the site for demolition, excavation and construction vehicles, including access routes through the Council area and the location and type of temporary vehicular crossing for the purpose of minimising traffic congestion and noise in the area, with no access across public parks or reserves being allowed;

- (b) The proposed method of loading and unloading, demolition, excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site. Wherever possible mobile cranes should be located wholly within the site;
- (c) The location and operation of any on site crane (if required);
- (d) The proposed manner in which adjoining and affected property owners will be kept advised of the timeframes for completion of each phase of the development/construction process;
- (e) The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified and practicing Structural Engineer, or equivalent, and

If any traffic control is to be implemented on local road, an Application of Implement Traffic Control shall be submitted to Council.

A Council approval of the Application of Implement Traffic Control (if required) and Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the construction process in a manner that respects adjoining owner's property rights and protects amenity in the locality, without unreasonable inconvenience to the community.

14. **Flooding**

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

Building Components and Structural Soundness – C2

The stairs down to the lagoon must be designed and constructed to ensure structural integrity up to the Flood Planning Level of 3.6m AHD, taking into account the forces of floodwater, wave action, flowing water with debris, buoyancy and immersion.

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.

15. **Stormwater Management**

The stormwater management system is to ensure that there is no increase in stormwater pollutant loads or stormwater quantity arising from the approved development.

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

Reason: To ensure appropriate provision for disposal and stormwater management arising from development, ensuring that the proposed works do not negatively impact upon the existing natural watercourse present on the subject site in accordance with the requirements of the Warringah Local Environment Plan 2000 and the Warringah Creek Management Study 2004 (DACNEC17)

16. **Erosion and Sediment Control Plan**

An Erosion and Sediment Control Plan (ESCP) shall be prepared by an appropriately qualified person and implemented onsite prior to commencement. The ESCP must meet the requirements outlined in the Landcom publication Managing Urban Stormwater: Soils and Construction - Volume 1, 4th Edition (2004). The ESCP must include the following as a minimum:-

- Site Boundaries and contours;
- Approximate location of trees and other vegetation, showing items for removal or retention (consistent with any other plans attached to the application)
- Location of site access, proposed roads and other impervious areas (e.g. parking areas and site facilities);
- Existing and proposed drainage patterns with stormwater discharge points
- Locations and methods of all erosion and sediment controls;
- North point and scale.

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

Reason: To mitigate environmental impact resulting from site disturbance (DACNEC22)

17. **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)

18. **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)

19. **Sewer / Water Quickcheck**

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre prior to works commencing to determine whether the development will affect any Sydney Water asset's sewer and water mains, stormwater drains and/or easement, and if further

requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- Quick Check agents details - see Building Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building Developing and Plumbing then Building and Renovating.
- Or telephone 13 20 92.

Reason: To ensure compliance with the statutory requirements of Sydney Water. (DACPLC12)

20. **Dilapidation Report**

A dilapidation report surveying adjacent buildings (No. 56 and No. 60 Greycliffe Street) must be conducted prior to any site work. The lateral extent of the survey must cover the likely “zone of influence” of any excavation or construction induced vibration. The survey must be properly documented. The dilapidation report must be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure the structural stability of the neighbouring property. (DACPLCPCC1)

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

21. **Public Liability Insurance - Works on Public Land**

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of, and approved works within Council’s road reserve or public land, as approved in this consent. The Policy is to note, and provide protection for Northern Beaches Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land.

22. **Tree protection**

(a) Existing trees which must be retained

- i) All trees not indicated for removal on the approved plans, unless exempt under relevant planning instruments or legislation
- ii) Trees located on adjoining land

(b) Tree protection

- i) No tree roots greater than 50mm diameter are to be cut from protected trees unless authorised by a qualified Arborist on site.
- ii) All structures are to bridge tree roots greater than 50mm diameter unless directed otherwise by a qualified Arborist on site.
- iii) All tree protection to be in accordance with AS4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures.
- iv) All tree pruning within the subject site is to be in accordance with WDCP2011 Clause

E1 Private Property Tree Management and AS 4373 Pruning of amenity trees

- v) All tree protection measures, including fencing, are to be in place prior to commencement of works.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site. (DACLAD01)

23. **No access through adjoining public reserve**

- i) No access or storage of materials is permitted over the adjoining public reserve.
- ii) In the event that such access is considered necessary, a Reserves Vehicular Access Permit is required for vehicular access over land under Council care, control and management for the delivery and or removal of materials, waste or equipment where there is no other reasonable route of access and activities are carried out without direct Council supervision.
- iii) Applications can be obtained from Council's website or Parks and Reserves business unit.

Reason: Public Safety and the protection of Council infrastructure. (DACLADPC1)

24. **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).

Techniques used for erosion and sediment control on site 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 (DACNED06)

25. **Terraced Sedimentation and Erosion Control Fence**

The applicant must install a terraced style erosion control fence at the back of the development facing the lagoon, perpendicular to the slope heading down to the waterway. The applicant is to ensure that three sediment fences 6m apart starting from the bottom of the site are installed and fixed from western boundary to the eastern boundary. The installation of the fences must be in accordance with requirements outlined in the Landcom publication Managing Urban Stormwater: Soils and Construction - Volume 1, 4th Edition (2004).

A sediment control plan detailing the terraced location, fixing and materials to be used for sediment control measures is to be approved in writing by Council prior to commencement of any works on the site.

Reason: To ensure adequate sediment and erosion control measures are in place on the site to protect the surrounding environment.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

26. **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.
DA2018/0696

27. **Traffic Control During Works**

Lighting, fencing, traffic control and advanced warning signs shall be provided for the protection of the works and for the safety and convenience of the public and others in accordance with RMS Traffic Control At Work Sites Manual and to the satisfaction of the Principal Certifying Authority. Traffic movement in both directions on public roads, and vehicular access to private properties is to be maintained at all times during the works

Reason: Public Safety

28. **Temporary Sediment Control Measures**

Temporary sedimentation and erosion controls are to be constructed prior to commencement of any work to eliminate the discharge of sediment from the site.

Reason: To reduce erosion and prevent sediment runoff into public assets

29. **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

30. **Protection of Adjoining Property - Excavation**

Where excavations extend below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must preserve and protect the building from damage and, if necessary, underpin and support the adjoining building in an approved manner.

Reason: To ensure private and public safety

31. **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.

32. **Trees Condition**

During the construction period the applicant is responsible for ensuring all protected trees are maintained in a healthy and vigorous condition. This is to be done by ensuring that all identified tree protection measures are adhered to. In this regard all protected plants on this site shall not exhibit:

- (a) A general decline in health and vigour.
- (b) Damaged, crushed or dying roots due to poor pruning techniques.
- (c) More than 10% loss or dieback of roots, branches and foliage.
- (d) Mechanical damage or bruising of bark and timber of roots, trunk and branches.
- (e) Yellowing of foliage or a thinning of the canopy untypical of its species.
- (f) An increase in the amount of deadwood not associated with normal growth.
- (g) An increase in kino or gum exudation.
- (h) Inappropriate increases in epicormic growth that may indicate that the plants are in a

stressed condition.

(i) Branch drop, torn branches and stripped bark not associated with natural climatic conditions.

Any mitigating measures and recommendations required by the Arborist are to be implemented.

The owner of the adjoining allotment of land is not liable for the cost of work carried out for the purpose of this clause.

Reason: Protection of Trees. (DACLAEO3)

33. **Protection of rock and sites of significance**

a) All rock outcrops outside of and below the area of approved works are to be preserved and protected at all times during demolition excavation and construction works.

b) Should any Aboriginal sites be uncovered during the carrying out of works, those works are to cease and Council, the NSW Office of Environment and Heritage (OEH) and the Metropolitan Local Aboriginal Land Council are to be contacted.

Reason: Preservation of significant environmental features (DACLAEOG1)

34. **Aboriginal Heritage**

If in undertaking excavations or works any Aboriginal site or object is, or is thought to have been found, all works are to cease immediately and the applicant is to contact the Aboriginal Heritage Officer for Northern Beaches Council, and the Cultural Heritage Division of the Department of Environment and Climate Change (DECC).

Any work to a site that is discovered to be the location of an Aboriginal object, within the meaning of the National Parks and Wildlife Act 1974, requires a permit from the Director of the DECC.

Reason: Aboriginal Heritage Protection. (DACAHE01)

35. **Installation and Maintenance of Sediment Control**

Measures used for erosion and sediment control on building sites are to be adequately maintained at all times and must be installed in accordance with Council's Specifications for Erosion and Sediment Control. All measures shall remain in proper operation until all development activities have been completed and the site fully stabilised.

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

Reason: To protect the environment from the effects of sedimentation and erosion from development sites.

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

36. **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

37. **Retaining wall**

The retaining wall works shall be certified as compliant with all relevant Australian Standards and Codes by a Structural Engineer. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any final Occupation Certificate.

Reason: Public and Private Safety

38. **Required Planting**

i) Trees shrubs and groundcovers shall be planted in accordance with the Planting Plan - Rear Garden Dwg No. PP 2118-01 A dated 16.04.18 prepared by Edwina Stuart Landscape Design

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

Reason: To maintain environmental amenity. (DACLAF01)

39. **Landscape Works Certification**

a) 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 conditions of consent.

b) 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 established and maintained in accordance with the approved landscape plan.

Reason: To ensure that the landscape treatments are installed to provide landscape amenity (DACLAFPOC1)

40. **Removal of All Temporary Structures/Material and Construction Rubbish**

Once construction has been completed all silt and sediment fences, silt, rubbish, building debris, straw bales and temporary fences are to be removed from the site.

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 bushland management. (DACPLF01)

41. **Waste Management Confirmation**

Prior to the issue of a Final Occupation Certificate, evidence / documentation must be submitted to the Principal Certifying Authority that all waste material from the development site arising from demolition and/or construction works has been appropriately recycled, reused or disposed of generally in accordance with the approved Waste Management Plan.

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

42. **Swimming Pool Requirements**

The Swimming Pool shall not be filled with water nor be permitted to retain water until:

(a) All required safety fencing has been erected in accordance with and all other requirements have been fulfilled with regard to the 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

(b) A certificate of compliance prepared by the manufacturer of the pool safety fencing, shall be submitted to the Principal Certifying Authority, certifying compliance with Australian Standard 1926.

(c) Filter backwash waters shall be discharged to the Sydney Water sewer mains in accordance with Sydney Water's requirements. Where Sydney Water mains are not available in rural areas, the backwash waters shall be managed onsite 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. Appropriate instructions of artificial resuscitation methods.

(d) A warning sign stating '**YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS POOL**' has been installed.

(e) Signage showing resuscitation methods and emergency contact

(f) All signage shall be located in a prominent position within the pool area.

(g) Swimming pools and spas must be registered with the *Division of Local Government*.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of an Interim / Final Occupation Certificate.

Reason: To protect human life (DACPLF09)

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

43. **Noxious weed control**

a) All declared noxious weeds are to be removed and controlled in accordance with the Biosecurity Act 2015.

Reason: Preservation of environmental amenity. (DACLAGOG1)

44. **Landscape Maintenance**

i) Trees shrubs and ground covers required to be planted under this consent are to be mulched, watered and fertilized as required at the time of planting.

ii) If any tree, shrub or ground cover 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 Plan.

Reason: To maintain local environmental amenity

45. **No Planting Environmental Weeds**

No environmental weeds are to be planted on the site. Information on weeds of the Northern
DA2018/0696

Beaches can be found at the NSW WeedWise website (<http://weeds.dpi.nsw.gov.au/>).


Reason: Weed management.

46. **Works to cease if Aboriginal Engravings or Relics 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.





























ATTACHMENT A
















Notification Plan	Title	Date
 2018/273648	Plan - Notification	02/05/2018

ATTACHMENT B

Notification Document	Title	Date
 2018/275733	Notification Map	04/05/2018

ATTACHMENT C

Reference Number	Document	Date
 2018/273646	Plans - Survey	30/11/2017
 2018/273654	Report - Geotechnical	15/03/2018
 2018/273661	Plans - Landscape	16/04/2018
 2018/273656	Report- Waste Management	20/04/2018
 2018/273641	Cost Summary Report Quote	20/04/2018
 2018/273652	Report - BASIX Certificate	27/04/2018
 2018/273650	Report - Clause 4.6	27/04/2018
 2018/273649	Report – Statement of Environmental Effects	27/04/2018
 2018/273648	Plan - Notification	02/05/2018
 2018/273664	Plans - Overland Flow Analysis	02/05/2018
 2018/273668	Plans - Stormwater	02/05/2018
 DA2018/0696	58 Greycliffe Street QUEENSCLIFF NSW 2096 - Development Application - Alterations and Additions	02/05/2018
 2018/269104	DA Acknowledgement Letter - Vaughan Architects Pty Ltd - Hollie Rebecca Collins - Michael Vincent Collins	02/05/2018
 2018/273623	Development Application Form	03/05/2018
 2018/273625	Applicant Details	03/05/2018
 2018/273635	DA Fees Tax Invoice Receipt	03/05/2018
 2018/273659	Plans - Certification of Shadow Diagrams with Plans	03/05/2018
 2018/273674	Plans - Master Set	03/05/2018
 2018/273714	Plans - External	03/05/2018
 2018/273803	Plans - Internal	03/05/2018
 2018/275238	Building Assessment - Fire and Disability upgrades - Assessment Referral - DA2018/0696 - 58 Greycliffe Street QUEENSCLIFF NSW 2096-PR	03/05/2018
 2018/275576	Natural Environment Referral Response - Flood	04/05/2018
 2018/275612	ARP Map	04/05/2018
 2018/275623	DA Acknowledgement Letter (not integrated) - Vaughan Architects Pty Ltd	04/05/2018
 2018/275713	Notification Letter - 13	04/05/2018
 2018/275733	Notification Map	04/05/2018
 2018/275747	Notification Letter - Sent to Gina Hay - 58 Greycliffe Street Queenscliff	04/05/2018
 2018/293257	Building Assessment Referral Response	14/05/2018

	2018/306782	Submission - Upfold	20/05/2018
	2018/307018	Further submission - Upfold	20/05/2018
	2018/307400	Online Submission - Beauchamp	20/05/2018
	2018/307914	Submission Acknowledgement Letter - Michael Royden Upfold - SA2018/306782	22/05/2018
	2018/307918	Submission Acknowledgement Letter - Juliana Letizia Upfold - SA2018/307018	22/05/2018
	2018/335296	Natural Environment Referral Response - Riparian	01/06/2018
	2018/338427	Parks and Recreation Response	04/06/2018
	2018/343790	Greycliffe st Waterways Impact Statement Jun 18	05/06/2018
	2018/351395	Landscape Referral Response	08/06/2018
	2018/369979	Referral - Aboriginal Heritage Office - 58 Greycliffe Street Queenscliff	18/06/2018
	2018/382566	Natural Environment Referral Response - Biodiversity	22/06/2018
	2018/483144	Working drawings	01/08/2018
	2018/520077	Engineering Referral Response	15/08/2018
	2018/578572	Assessment Report	05/09/2018
	2018/589458	Delete	11/09/2018

PANEL PLANS

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