

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2018/1234
Responsible Officer:	Maxwell Duncan
Land to be developed (Address):	Lot 2 DP 19067, 41 Lewis Street BALGOWLAH HEIGHTS NSW 2093
Proposed Development:	Alterations and additions to an existing dwelling house
Zoning:	Manly LEP2013 - Land zoned R2 Low Density Residential
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Tanya Middleton
Applicant:	Gregory John Middleton Tanya Middleton
Application lodged:	20/07/2018
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Residential - Alterations and additions
Notified:	15/11/2018 to 03/12/2018
Advertised:	Not Advertised
Submissions Received:	3
Recommendation:	Approval
Estimated Cost of Works:	\$ 410,000.00

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;

- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Manly Development Control Plan - 3.4.1 Sunlight Access and Overshadowing

Manly Development Control Plan - 3.4.2 Privacy and Security

Manly Development Control Plan - 3.4.3 Maintenance of Views

Manly Development Control Plan - 4.1.2 Height of Buildings (Incorporating Wall Height, Number of Storeys & Roof Height)

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

Manly Development Control Plan - 4.1.5 Open Space and Landscaping

SITE DESCRIPTION

Property Description:	Lot 2 DP 19067 , 41 Lewis Street BALGOWLAH HEIGHTS NSW 2093
Detailed Site Description:	<p>The subject site consists of one (1) allotment located on the western side of Lewis Street.</p> <p>The site is regular in shape with a frontage of 14.27m along Lewis Street and a depth of 45.7m. The site has a surveyed area of 652.7m².</p> <p>The site is located within the R2 Low Density Residential zone and accommodates a dwelling house.</p> <p>The site slopes down from the rear (west) to the front (east) of the property approximately 7m</p> <p>Detailed Description of Adjoining/Surrounding Development</p> <p>Adjoining and surrounding development is characterised by single and multi storey dwelling houses.</p>

Map:



SITE HISTORY

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

DA560/04- Demolition of existing structures and construction of a new two (2) storey dwelling with basement garage and above ground swimming pool. (Refused 20 December 2005).

PROPOSED DEVELOPMENT IN DETAIL

The proposal is for alterations and additions to the existing dwelling house including:

- First floor addition.
- Internal alterations
- External alterations.
- New windows and balconies.
- Change of use from garage to gross floor area.
- Landscaping
- New carport, driveway and crossover.

Proposed plans indicate works have been undertaken to the front of the property. This includes the concrete slab and lattice fencing. Council cannot grant retrospective consent under a development application, and as such these works have not been granted consent under this application. A suitable condition has been imposed as part of this recommendation to ensure this is clear in any consent.

AMENDED PLANS

Council requested additional information from the applicant on the 24 October 2018. The information requested included a carparking plan and certified existing and proposed shadow diagrams. Subsequently, the applicant provided this information to Council on 14 November 2018. The application was re-notified to adjoining properties on the 15 November 2018, with the submission period ending on the 3 December 2018.

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	Mainly Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&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 matter has been addressed via a condition of consent.</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 consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p>

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

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited 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:
Mrs Patricia Joan Gordon Mr Rodney Stephen Gordon	43 Lewis Street BALGOWLAH HEIGHTS NSW 2093
Paul Carrick & Associates Pty Ltd Mr David Bruce Walker Mrs Nichola Ann Walker	1 Gertrude Street BALGOWLAH HEIGHTS NSW 2093

Name:	Address:
Mr Matthew Gerard Ingram Ms Naomi Estelle Fryer	39 Lewis Street BALGOWLAH HEIGHTS NSW 2093

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

- **Loss of views.**
- **Solar access.**
- **Privacy.**
- **Car parking.**
- **Landscaping non-compliance.**
- **First floor addition.**
- **Inaccurate plans and supporting documentation.**

The matters raised within the submissions are addressed as follows:

- **Loss of views**

Comment:

Concern was raised in regards to view loss from private and public spaces to Sydney Harbour. The proposal has been assessed against the view loss provisions under Clause 3.4.3 of the Manly DCP and the Land and Environment Court Case of 'Tenacity Consulting Pty Ltd v Warringah Council (2004) NSWLEC 140' in this report (refer to Cl. 3.4.3 Maintenance of Views under the MDCP 2013 section of this report). In summary, the proposed development does not cause unreasonable view loss to and from public and private open spaces.

This matter does not warrant refusal of the application.

- **Solar access**

Comment:

Concern is raised that the proposed development will result in unreasonable overshadowing of the adjoining property the south (No. 39 Lewis Street, Balgowlah Heights) and west (1 Gertrude Street, Balgowlah Heights) to living rooms windows and outdoor living space.

This matter has been addressed in detail elsewhere within this report (refer to cl 3.4.1 Sunlight Access and Overshadowing under the Manly DCP 2013 section of this report). In summary, the development allows for a reasonable level of sunlight to be maintained to adjoining properties (living rooms and outdoor living areas) between 9am and 3pm on June 21.

This matter does not warrant refusal of the application.

- **Privacy**

Comment:

Concern was raised about resulting privacy impacts (acoustic and visual) from the dwelling house, particularly outdoor living area. The proposal has been assessed against the privacy provisions under Clause 3.4.2 of the Manly DCP in this report. In summary, the proposal complies with the relevant provisions and underlying objectives under Clause 3.4.1 of the Manly DCP, subject to conditions.

This matter does not warrant refusal of the application.

- **Carparking**

Comment: Concern was raised by neighbouring properties in regards to the removal of on site parking on site. The applicant provided amended plans on the 14 November 2018, proposing a double carport to allow for suitable parking on site, consistent with the numerical control under the Manly DCP.

This matter does not warrant refusal of the application.

- **Landscaping**

Comment:

Concern was raised in regards to the proposed landscaping including lack of tree planting on site and the detail provided on he submitted plan. Compliant landscaping is provided on site, consistent with the numerical control. A suitable condition of consent has been included as part of this recommendation to ensure planting of native trees on site, consistent with the required two under the Manly DCP.

This matter does not warrant refusal of the application.

- **First Floor Addition**

Comment:

Concern was raised by neighbouring properties in regards to the negative precedent that would be created if the proposed additions were constructed. The visual impact of the proposed house is consistent with that of other dwelling houses along the street. Neighbouring dwelling houses particularly to the north and south of the subject site include a similar overall built form. The proposed design of the house is sympathetic to the topography and landscape of Lewis Street, allowing for significant landscaping throughout the site, consistent with the numerical control under the Manly DCP.

This matter does not warrant refusal of the application.

- **Inaccurate plans and supporting documentation.**

Comment:

Council was provided with sufficient information to assess the application and therefore this concern does not warrant the refusal of the application.

MEDIATION

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

REFERRALS

Internal Referral Body	Comments
NECC (Development Engineering)	Development Engineer has no objection to the application subject to the the following conditions of consent.

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

External Referral Body	Comments
	recommended.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

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

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

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

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

SEPP (Building Sustainability Index: BASIX) 2004

A BASIX certificate has been submitted with the application (see Certificate No. A317044_02 dated 19 July 2018).

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

SEPP (Infrastructure) 2007

Ausgrid

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

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

Comment:

The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

Manly Local Environmental Plan 2013

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

Principal Development Standards

Standard	Requirement	Proposed	% Variation	Complies
Height of Buildings:	8.5m	8.4m	N/A	Yes
Floor Space Ratio	FSR: 0.45:1 293.67m ²	FSR: 0.43:1 282m ²	N/A	Yes

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
4.4 Floor space ratio	Yes
5.8 Conversion of fire alarms	Yes
6.2 Earthworks	Yes
6.4 Stormwater management	Yes
6.12 Essential services	Yes

Mainly Development Control Plan

Built Form Controls

Built Form Controls - Site Area: 652.6m ²	Requirement	Proposed	% Variation*	Complies
4.1.2.1 Wall Height	North: 7.7m (based on gradient 1:5)	5.83m	-	Yes
	North (carport) : 6.5m	3.2m	-	Yes
	South: 7.7m (based on gradient 1:5)	7.8m	1.2%	No
	South (carport): 6.5m	3.2m	-	Yes
4.1.2.2 Number of Storeys	2	2	-	Yes
4.1.2.3 Roof Height	Height: 2.5m	1.6m	-	Yes
	Pitch: maximum 35 degrees	16 degrees	-	Yes
4.1.4.1 Street Front Setbacks	Prevailing building line / 6m	15m	-	Yes
		1.4m (measured to carport)	76%	No
4.1.4.2 Side Setbacks and Secondary Street Frontages	1.94m (based on northern wall height)	1- 1.35m (dwelling house)	48.5%	No
	1.06m (based on	4m (carport)	-	Yes

	northern carport wall height)			
	2.6m (based on southern wall height)	1.46m (dwelling house)	43%	No
	1.06m (based on southern carport wall height)	3.8m (carport)	-	Yes
	Windows: 3m	1-1.4m	66%	No
4.1.4.4 Rear Setbacks	8m	7.3-7.8m	8.75%	No
4.1.5.1 Minimum Residential Total Open Space Requirements Residential Open Space Area: OS3	Open space 55% 358.93m ² of site area	54.3% 355m ²	1.3%	No
	Open space above ground ≤ 88m ² of total open space	38m ²		
4.1.5.2 Landscaped Area	Landscaped area 35% 124.25m ² of open space	65% 225.92m ²	-	Yes
	2 native trees	1 trees	50%	No, compliant subject to conditions.
4.1.5.3 Private Open Space	18sqm per dwelling	42 sqm	-	Yes
Schedule 3 Parking and Access	Dwelling 2 spaces	2 spaces	-	Yes

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

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
3.1.1 Streetscape (Residential areas)	Yes	Yes
3.4.1 Sunlight Access and Overshadowing	Yes	Yes
3.4.2 Privacy and Security	No	Yes
3.4.3 Maintenance of Views	Yes	Yes
3.5 Sustainability - (Greenhouse Energy Efficiency, Thermal Performance, and Water Sensitive Urban Design)	Yes	Yes
3.7 Stormwater Management	Yes	Yes
3.8 Waste Management	Yes	Yes
4.1.2 Height of Buildings (Incorporating Wall Height, Number of Storeys & Roof Height)	No	Yes
4.1.4 Setbacks (front, side and rear) and Building Separation	No	Yes
4.1.5 Open Space and Landscaping	No	Yes
4.1.6 Parking, Vehicular Access and Loading (Including Bicycle Facilities)	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
4.1.7 First Floor and Roof Additions	Yes	Yes
4.1.8 Development on Sloping Sites	Yes	Yes
4.4.1 Demolition	Yes	Yes
4.4.2 Alterations and Additions	Yes	Yes
4.4.5 Earthworks (Excavation and Filling)	Yes	Yes

Detailed Assessment

3.4.1 Sunlight Access and Overshadowing

Merit consideration:

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

Objective 1) To provide equitable access to light and sunshine.

Comment:

The proposed development allows for reasonable levels of sunlight to penetrate the subject site and adjoining properties.

Objective 2) To allow adequate sunlight to penetrate:

- *private open spaces within the development site; and*
- *private open spaces and windows to the living spaces/ habitable rooms of both the development and the adjoining properties.*

Comment:

The proposed first floor addition will increase overshadowing to living room windows and private open space of the adjoining southern (No. 39 Lewis Street, Balgowlah Heights) and western property (No. 1 Gertrude Street, Balgowlah Heights).

No. 1 Gertrude Street, Balgowlah Heights

Clause 3.4.1.1 a) of the Manly DCP requires new development to not eliminate more than one third of existing sunlight accessing the private open space of adjacent properties between 9am and 3pm throughout the winter solstice. Between 9am and 12pm the level of increased shadowing to the private open space is negligible to minor to No. 1 Gertrude Street. The level of shadowing is not unreasonable and will retain suitable solar access to private open space at this time. No. 1 Gertrude Street is not impacted will not be impacted by the proposal between 12pm and 3pm throughout the winter solstice. The proposal complies with the numeric control.

Clause 3.4.1.2 a) of the Manly DCP requires at least 2 hours of solar access be retained to living room windows that presently enjoy solar sunlight between 9am and 3pm on the winter solstice. The primary living rooms for No. 1 Gertrude are located to the rear of the dwelling on the ground floor and front of the dwelling for the first floor. The ground floor living room windows along the eastern side of the

property will be impacted by the proposal between to a moderate extent between 9am and 12pm, there is no impact upon first floor living room windows. From 12pm to 3pm there is no additional impact to any adjoining property windows, The proposal is consistent with this clause.

No. 39 Lewis Street, Balgowlah Heights

Clause 3.4.1.1 a) of the Manly DCP requires new development to not eliminate more than one third of existing sunlight accessing the private open space of adjacent properties between 9am and 3pm throughout the winter solstice. Increased shadowing to the private open space of No. 39 Lewis Street occurs at all hours between 9am and 3pm to a minor extent. The majority of existing sunlight to private open space is retained.

Clause 3.4.1.2 a) of the Manly DCP requires at least 2 hours of solar access be retained to living room windows that presently enjoy sunlight between 9am and 3pm on the winter solstice. The proposed works will increase overshadowing to living room windows and bedroom windows along the northern side of No. 39 Lewis Street, at all hours (9am and 3pm) throughout the winter solstice. However, between the hours of 9am and 12pm the adjoining southern property will retain adequate sunlight to the sunlight access to the living room. The proposal is consistent with this objective.

Objective 3) To maximise the penetration of sunlight including mid-winter sunlight to the windows, living rooms and to principal outdoor areas by:

- *encouraging modulation of building bulk to facilitate sunlight penetration into the development site and adjacent properties; and*
- *maximising setbacks on the southern side of developments to encourage solar penetration into properties to the south.*

Comment:

The primary dwelling house retains a compliant front setback and building height which ensures that high levels of sunlight still access private open space of the adjoining southern property (No. 39 Lewis Street, Balgowlah Heights).

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

3.4.2 Privacy and Security

Merit consideration:

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

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

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

Comment:

No. 43 Lewis Street, Balgowlah Heights

The proposed first floor windows along the northern elevation (labelled as W13 and W6) do not directly overlook the adjoining windows of the property to the north. W13 is located off the proposed internal staircase and does not directly overlook any of the adjacent windows to the north. W6 off the master bedroom on the first floor is setback 1m from the northern boundary, non-compliant with the numeric control and will have a view towards the ground floor bedroom of No. 43 Lewis Street. A suitable condition has been imposed as part of this recommendation to mitigate the potential for direct viewing between both properties, as notated below:

Privacy- Windows

The proposed first floor master bedroom window (W6) is to have a sill height of at least 1.6m above finished floor level, or be fixed and frosted below 1.6m. Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: to protect the visual privacy of adjoining residences.

No. 1 Gertrude Street, Balgowlah Heights

The proposed sliding door to the rear of the dwelling house will not result in a direct line of sight between living areas of the subject site the adjoining western property (No. 1 Gertrude Street). The existing screening planting between the two properties may further offset visual privacy between the two properties.

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

Comment:

The proposed outdoor living areas proposed as part of this development have been appropriately screened and offset from adjoining properties to maintain privacy while allowing for a greater outlook to North Harbour and the Ocean.

Objective 3) To encourage awareness of neighbourhood security.

Comment:

The proposed works will allow for passive surveillance of the street.

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

3.4.3 Maintenance of Views

As a result of the public exhibition of the development application Council received a number of submissions raising view loss as a concern.

[2004] NSWLEC 140 when considering the impacts on the views of the adjoining properties which is provided below:

1. Nature of the view affected

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

Comment:

No 1 Gertrude Street, Balgowlah Heights

The nature of views affected from this property would be partial harbour and ocean views to the east. Particularly, the views of the land and water interface would be impacted. The views would be filtered through existing development and vegetation as pictured below. At present a large portion of the views are obtained over the roof of the subject site.

No. 39 Lewis Street, Balgowlah Heights

The nature of the view affected from this property would be partial harbour views to the east and Ocean views to the south-east. Particularly, the views of the land and water interface would be impacted. The views would be filtered existing development and vegetation as pictured below. At present the majority of views are taken over the top of development to the east.

2. What part of the affected property are the views obtained

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

Comment:

No 1 Gertrude Street, Balgowlah Heights

The views affected from this property are obtained over the rear boundary from the first floor living room and bedrooms which includes the balcony off the master bedroom from a standing position. It is noted that views obtained from a sitting position are of lesser quality than those from a standing position.

No. 39 Lewis Street, Balgowlah Heights

The views affected from this property are obtained over the side boundary from first floor bedroom from a standing position.

3. Extent of Impact

The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued

because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20 percent if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

Comment:

Both No 1 Gertrude Street and No. 39 Lewis Street, Balgowlah Heights have substantial views to North Harbour and the ocean.

No. 1 Gertrude Street, Balgowlah Heights

This property currently has substantial views to the east and north-east, the land and water interface as well and north head. The views are taken from the first floor living room and bedrooms which includes the balcony off the master bedroom from a standing position.

In regards to the bedroom will, to a moderate extent, be lost a result of the proposed works. Views of the land and water interface will be retained from bedroom.



Photo 1- Master bedroom (standing)



Photo 2- Balcony off master bedroom (standing)



Photo 3- Bedroom 2 (Standing)



Photo 4- Bedroom 3 (Standing)



Photo 5- Living Room (Standing)



Photo 6- Living room balcony (Standing)

No. 39 Lewis Street, Balgowlah Heights

The property have significant water views to the east and north-east, the land and water interface as well as north head. Views are enjoyed from the balconies off the first floor bedroom and living rooms on the ground floor.

Water views to the north-east will be impacted to a negligible to minor extent. The large majority of views to the north east, east, the land and water interface and north head will be retained. Water views east, the land and water interface and north head will be wholly retained.



Photo 7- Master bedroom (Standing)



Photo 8- Master bedroom balcony (Standing)



Photo 9- Bedroom (Standing)

4. Reasonableness of the proposal that is causing the impact

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

Comment:

The proposal successfully responds to the existing views from the surrounding properties through the provision low roof pitch to ensure highly valued views of the harbour are retained and the impact on adjoining properties is minor to moderate. The development maintains compliance with height of buildings and floor space ratio development standard within MLEP 2013. The proposal responds

proficiently to the available views through the provision of appropriate view corridors over the top and side of the house to ensure highly valued views including the land water interface are retained and the impact on properties in terms of view loss is minor to moderate.

Non-compliance in regards to the side and rear setback controls under the Manly DCP while varied, have been considered with the resulting impact upon views from these non-compliance's not considered to unreasonably compromise water views. Further, the development proposes the removal of two Banana Trees to the north-western portion of the site, which will allow for a new view corridor to be created from the first floor living room of No. 1 Gertrude Street, Balgowlah Heights to North Harbour and the Ocean.

Given the above, it is considered that the proposal is acceptable and viewing sharing is achieved.

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

Comment:

The proposed first floor addition will not cause unreasonable loss of view. In regards to 'view creep' the proposal does not include unreasonable bulk which could lead to unreasonable future view loss.

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

4.1.2 Height of Buildings (Incorporating Wall Height, Number of Storeys & Roof Height)

Description of non-compliance

Clause 4.1.2.1 of the Manly DCP requires the southern wall height of this development, not be more than 7.7m (based on a gradient of 1:5). The development proposes a southern wall height of 7.8m, non-compliant with the numeric control. This represents a 1.2% variation the numeric control.

Merit consideration:

This clause relies upon the objectives of Clause 4.3 under MLEP 2013.

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

Objective (a) to provide for building heights and roof forms that are consistent with the topographic landscape, prevailing building height and desired future streetscape character in the locality,

Comment:

The proposed height of the dwelling house is appropriate when considering the constraints of the site including fall of the land and the consistency of the proposed dwelling in regards to height when compared to neighbouring dwelling houses within the streetscape

Objective (b) To control the bulk and scale of the buildings;

Comment:

The proposed bulk and scale of the building relates favourably to the topography of the site. The works will allow for an appropriate relationship and spatial separation with surrounding development.

Objective (c) To minimise disruption to the following:

(i) views to nearby residential development from public spaces (including the harbour and foreshores),

(ii) views from nearby residential development to public spaces (including the harbour and foreshores),

(iii) views between public spaces (including the harbour and foreshores),

Comment:

The proposal has been assessed against the view loss provisions under Clause 3.4.3 of the Manly DCP and Tenacity Consulting v Warringah [2004] NSWLEC 140 when considering the impacts on the views of adjoining properties in this report. In summary, the proposed development does not cause unreasonable view loss to and from public and private open spaces.

Objective (d) To provide solar access to public and private open spaces and maintain adequate sunlight access to private open spaces and to habitable rooms of adjacent dwellings,

Comment:

The solar impacts of this aspect of the development are minimal and acceptable in terms of the impacts on habitable rooms of the adjoining properties and public open spaces.

Objective (e) To ensure the height and bulk of any proposed building or structure in a recreation or environmental protection zone has regard to existing vegetation and topography and any other aspect that might conflict with bushland and surrounding land uses.

Comment:

The subject site is not located in a recreation or environmental protection zone.

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

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

Description of non-compliance

Clause 4.1.4.1 of the Manly DCP requires dwelling be setback at least 6m from the front boundary or be consistent with the prevailing building line within the streetscape.

Clause 4.1.4.2 requires development be setback at least one third of the adjoining wall height.

Clause 4.1.4.2 of the Manly requires windows be setback at least 3m from side boundaries.

The development proposed the following:

Front setback (garage)- 1.4m, 76% variation to the numeric control.

Windows- 1-1.4m, 66% variation to the numeric control.

Side setback (dwelling house)- 1-1.46m (dwelling house), 76% variation to the numeric control.

Merit consideration:

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

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

Comment:

The proposed first floor addition and carport is consistent neighbouring properties along Lewis Street. The proposed works will not have any unreasonable visual impact on the streetscape.

Objective 2) To ensure and enhance local amenity by:

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

Comment:

Amenity considerations including privacy, maintenance of views and solar access are all maintained to adjoining properties and the public domain.

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

Comment:

Flexibility is provided in this circumstance as the proposed new dwelling house will not cause any unreasonable amenity impacts.

Objective 4) To enhance and maintain natural features by:

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

Comment:

The proposed development is consistent with the numeric control for landscaped open space. Two native trees are conditioned to be planted within the front setback to ensure reasonable levels of tree planting on site .

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

Comment:

The subject site is not located in a bush fire asset protection zone.

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

4.1.5 Open Space and Landscaping

Description of non-compliance

Clause 4.1.5.1 of the Manly DCP requires at least 55% of the site area be total open space. The development proposes 54.3% (355m²), non-compliant with the numeric control. This represents a variation of 1.3% to the numeric control.

Merit consideration:

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

Objective 1) To retain and augment important landscape features and vegetation including remnant populations of native flora and fauna.

Comment:

Two (2) noxious trees are proposed to be removed from the rear of the site as part of these proposed works. To offset the loss of vegetation on site a suitable conditions has been imposed as part of this recommendation to ensure two native trees species are planted within the front setback.

Objective 2) To maximise soft landscaped areas and open space at ground level, encourage appropriate tree planting and the maintenance of existing vegetation and bushland.

Comment:

The proposal is consistent with the numeric control for landscaped open space.

Objective 3) To maintain and enhance the amenity (including sunlight, privacy and views) of the site, the streetscape and the surrounding area.

Comment:

The loss of landscaped open space does not unreasonably compromise amenity considerations

(sunlight, privacy and views) for adjoining properties or the subject site.

Objective 4) To maximise water infiltration on-site with porous landscaped areas and surfaces and minimise stormwater runoff.

Comment:

The proposal retains reasonable levels of landscaped open space at ground level to the front and rear of the dwelling to minimise the stormwater runoff.

Objective 5) To minimise the spread of weeds and the degradation of private and public open space.

Comment:

Suitable levels of landscaped open space on site to ensure that there will not be an unreasonable spread of weeds across the site or adjoining properties and public open space.

Objective 6) To maximise wildlife habitat and the potential for wildlife corridors.

Comment:

The subject is not located in the close vicinity of any existing wildlife corridors and it not in the close vicinity of any wildlife corridors.

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

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly effect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Manly Section 94 Development Contributions Plan

S94 Contributions are not applicable to this application.

CONCLUSION

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

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

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

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

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

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

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

RECOMMENDATION

THAT Council as the consent authority grant Development Consent to DA2018/1234 for Alterations and additions to an existing dwelling house on land at Lot 2 DP 19067, 41 Lewis Street, BALGOWLAH HEIGHTS, 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
Sheet 2/ Site Plan	13 November 2018	Drafting Plans Australia
Sheet 6/ Proposed Lower Ground Floor	13 November 2018	Drafting Plans Australia
Sheet 7/ Proposed Ground Floor	13 November 2018	Drafting Plans Australia
Sheet 8/ Proposed First Floor	13 November 2018	Drafting Plans Australia
Sheet 9/ Proposed Roof Plan	13 November 2018	Drafting Plans Australia

Sheet 10/ Proposed Carport Plan	13 November 2018	Drafting Plans Australia
Sheet 11/ Elevations	13 November 2018	Drafting Plans Australia
Sheet 12/ Elevations	13 November 2018	Drafting Plans Australia
Sheet 13/ Elevations	13 November 2018	Drafting Plans Australia
Sheet 14/ Sections	13 November 2018	Drafting Plans Australia

Reports / Documentation – All recommendations and requirements contained within:

Report No. / Page No. / Section No.	Dated	Prepared By
BASIX Certificate No. 317044_02	19 July 2018	Certified Energy

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:

Landscape Plans		
Drawing No.	Dated	Prepared By
Sheet No. 19/ Landscaping Plan	13 November 2019	Drafting Plans Australia

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.

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

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.

FEES / CHARGES / CONTRIBUTIONS

4. Security Bond

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

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

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

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

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

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION

CERTIFICATE

5. **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 Lewis Street.

Details demonstrating compliance are to be submitted to the Principal 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.

6. **External Finishes to Roof**

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

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

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

7. **Privacy- Windows**

The proposed first floor master bedroom windows (W6) is to have a sill height of at least 1.6m above finished floor level, or be fixed and frosted below 1.6m. Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: to protect the visual privacy of adjoining residences(DACPLCPCC1)

8. **Unauthorised works**

No approval is given to the concrete slab and lattice fencing shown on the architectural plans.

Reason: Council cannot provide retrospective consent under a development application. (DACPLCPCC2)

9. **Tree removal**

The two (2) existing banana trees to the north of the subject site are to be removed.

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

Reason: To maintain environmental amenity.

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

11. **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.

12. **Tree Planting**

Trees shall be planted in accordance with the following schedule:

No. of Trees Required.	Species	Location
1	Tree/s selected from Council's native tree selection schedule available under Schedule 4- Part B- Native Tree Selection of the Manly DCP.	Front setback

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.

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

Signed



Maxwell Duncan, Planner

The application is determined on 09/04/2019, under the delegated authority of:



Rodney Piggott, Manager Development Assessments