

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2015/0528
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Responsible Officer:	Lauren Roberts
Land to be developed (Address):	Lot 28 DP 6171 , 11 Oatway Parade NORTH MANLY NSW 2100
Proposed Development:	Alterations and additions to a dwelling house and construction of a swimming pool and retaining walls
Zoning:	LEP - Land zoned R2 Low Density Residential
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Warringah Council
Land and Environment Court Action:	No
Owner:	Raymond John Gedge Janet Michele Gedge
Applicant:	Space Landscape Designs Pty Ltd

Application lodged:	15/06/2015
Application Type:	Local
State Reporting Category:	Residential - Alterations and additions
Notified:	25/06/2015 to 10/07/2015
Advertised:	Not Advertised in accordance with A.7 of WDCP
Submissions:	0
Recommendation:	Approval

Estimated Cost of Works:	\$ 250,000
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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 all lands whether nearby, adjoining or at a distance;
- Consideration was given to all documentation provided (upto the time of determination) by the applicant, persons who have made submissions regarding the application and any advice provided by relevant Council / Government / Authority Officers on the proposal.

SUMMARY OF ASSESSMENT ISSUES

SITE DESCRIPTION

Property Description:	Lot 28 DP 6171 , 11 Oatway Parade NORTH MANLY NSW 2100
Detailed Site Description:	<p>The subject site consists of one (1) allotment located on the eastern side of Oatway Parade, North Manly.</p> <p>The site is regular in shape with a frontage of 15.24m along Oatway Parade and a depth of 44.96m. The site has a surveyed area of 685.1m².</p> <p>The site is located within the R2 Low Density Residential zone and accommodates a two storey residential dwelling. Access to the site is off Oatway Parade via a driveway that leads to an attached double garage located at the front of the dwelling. The front boundary is partially fenced with a 1.5m timber clad and steel frame fence.</p> <p>Surrounding development consists of a mix of 1-2 storey residential dwelling with differ in architectural style.</p> <p>The site maintains a gentle crossfall from east to west with a difference in level of approximately 3.0m.</p> <p>The site contains a series of small to large mature trees predominately located within the rear yard of the site. The rear yard has been terraced and comprises of two levels of sloping lawn and trees. The trees on site consist of a mix of species including Jacaranda, NSW Christmas Bush, Cheese Tree and Mulberry none of which are protected or threatened species.</p>

Map:



SITE HISTORY

A search of Council's records has revealed that there are no recent or relevant applications for this site.

The land has been used for residential purposes for an extended period of time.

PROPOSED DEVELOPMENT IN DETAIL

The proposal seeks consent for additions and alterations to an existing dwelling house along with construction of an in-ground swimming pool. Key elements of the proposal include:

Ground Floor Level:

- New sliding driveway gate;
- Replace north, east, south and west facing windows/doors;
- New splashback window on southern facade to service relocated kitchen;
- Pergola with skylights or operable louvers over east facing deck off Kitchen/Dining area;
- Pergola with north facing courtyard off lounge area; and
- Modification to the existing garage roof gable to include a timber batten infill.

At Upper Floor Level the proposal includes minor interior alterations along with the following:

- Replace 2 x Master Bedroom windows with 1 x continuous casement style window;
- Replace 1 x colonial fanlight window with 1 x casement style window; and
- Reconfigure gable over stair void with a continuous gutter line.

Exterior Works:

- Construction of a new in-ground swimming pool with supporting paving and decking surrounds;
- Construction of a series of new masonry retaining walls within the rear yard of the site;
- New deck area leading from the kitchen and dining room of the dwelling house;
- Removal of five (5) unprotected trees within the rear yard of the property.

Ancillary works including landscaping and earthworks are also proposed. Surface water from the

proposed additions and alterations will be directed to the existing stormwater system.

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 A.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

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

Section 79C 'Matters for Consideration'	Comments
Section 79C (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument	None applicable.
Section 79C (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.
Section 79C (1) (a)(iia) – Provisions of any planning agreement	None applicable.
Section 79C (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&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 clause is not relevant to this application.</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 consent</p>

Section 79C 'Matters for Consideration'	Comments
	<p>authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p> <p><u>Clause 143A</u> of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building designer prior to the issue of a Construction Certificate. This clause is not relevant to this application.</p>
Section 79C (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report.</p> <p>(ii) The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) 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 79C (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Public Exhibition” in this report.
Section 79C (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

NOTIFICATION & SUBMISSIONS RECEIVED

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

As a result of the public exhibition of the application Council received no submissions.

MEDIATION

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

REFERRALS

Internal Referral Body	Comments
Landscape Officer	The plans indicate removal of 6 trees in the rear yard. An Arborist's Report accompanies the application. The report indicates that the trees are required to be removed to accommodate the proposed works.

Internal Referral Body	Comments
	<p>Whilst it is recognized that excavation is required to construct the pool and trees 1, 2 and 3 close to that excavation require removal, trees 4, 5 and 6 are located outside the excavation area, and can be retained within existing levels in the rear yard. It is recommend that Trees 4, 5 and 6 be retained and the proposed leveling of the rear terrace above the pool be deleted. Perimeter planting indicated on the landscape plans can still be undertaken without the need for leveling the land, which is not steeply sloping.</p> <p>Planning Comment: Based on the above assessment, the removal of trees 4, 5 and 6 does not achieve the objectives and requirements of Clause E1 Private Property Tree Management of the Warringah Development Control Plan. For this reason, a condition has been included within the recommendation of this report that requires the retention of trees 4, 5 and 6.</p>

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

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

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

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

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

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

SEPP 55 - Remediation of Land

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

SEPP (Building Sustainability Index: BASIX) 2004

A BASIX certificate has been submitted with the application (see Certificate No. A219581 dated 09 June 2015). The BASIX Certificate indicates that the development will achieve the sustainability

requirements of the SEPP.

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 Environment 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	7.8m (As Existing)	N/A	N/A

Compliance Assessment

Clause	Compliance with Requirements
5.9 Preservation of trees or vegetation	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes

Warringah Development Control Plan

Built Form Controls

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Built Form Control	Requirement	Proposed	% Variation*	Complies
B5 Side Boundary Setbacks	0.9m	1.7m - Rear Deck 0.8m - Pergola North Facing 1.025m - Pool	N/A N/A N/A	Yes Yes* Yes
B7 Front Boundary Setbacks	6.5m	6.1m (As Existing)	N/A	N/A
B9 Rear Boundary Setbacks	6m	9.1m	N/A	Yes
D1 Landscaped Open Space (LOS) and Bushland Setting	40%	35.5%	11.25%	No

*Consent may be granted to allow Pergola's that to a minor extent do not comply with the requirements of B5 Side Boundary Setback.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
B5 Side Boundary Setbacks	Yes	Yes
Side Setback Exceptions - R2	Yes	Yes
B7 Front Boundary Setbacks	Yes	Yes
B9 Rear Boundary Setbacks	Yes	Yes
C3 Parking Facilities	Yes	Yes
C4 Stormwater	Yes	Yes
C5 Erosion and Sedimentation	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	No	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
D16 Swimming Pools and Spa Pools	Yes	Yes
D20 Safety and Security	Yes	Yes
D22 Conservation of Energy and Water	Yes	Yes
E10 Landslip Risk	Yes	Yes

Detailed Assessment

D1 Landscaped Open Space and Bushland Setting

Description of non-compliance

The proposal results in an 11.25% variation to the Landscape Open Space control.

Merit consideration

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

- *To enable planting to maintain and enhance the streetscape.*

Comment:

The proposed works and new structures are contained to the side setback and rear yard of the site. In this instance, the existing landscaping contained to the front yard will be maintained as part of this development.

- *To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.*

Comment:

There are no indigenous vegetation or topographical features identified on site.

The application includes the removal of six (6) trees located within the rear yard of the site due to their proximity to the excavation works associated with the proposed pool and due to the proposed leveling of the rear terrace lawn. In accordance with Council's Landscape Officer comments, a condition has been recommended to see the retention of trees 4, 5 and 6 (see referrals section of this report). The retention of mature trees on site along with the additional landscaping proposed will ensure suitable areas and habitat for wildlife are conserved and enhanced.

- *To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.*

Comment:

The proposed development will be provided for a suitable front yard and generous rear yard with dimensions that are sufficient for the establishment of low lying shrubs, medium high shrubs and canopy trees.

- *To enhance privacy between buildings.*

Comment:

The proposal includes suitable side boundary setbacks which, in-conjunction with the spatial separation provided between buildings will provide adequate privacy within this established residential area.

- *To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.*

Comment:

The proposed dwelling will provide an area of opportunity for outdoor recreation for the dwelling occupants within both the front yard and generous rear yard of the site. On completion of the development, the rear setback area will remain largely landscaped providing a turfed and landscaped private open space area for the use of dwelling occupants.

- *To provide space for service functions, including clothes drying.*

Comment:

The generous rear yard will provide for service functions including clothes drying.

- *To facilitate water management, including on-site detention and infiltration of stormwater.*

Comment:

The site is currently serviced by an existing stormwater system of which all existing and new stormwater runoff is directed to.

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 section 5(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

Warringah Section 94A Development Contribution Plan

The proposal is subject to the application of Council's Section 94A Development Contributions Plan.

The following monetary contributions are applicable:

Warringah Section 94 Development Contributions Plan		
Contribution based on a total development cost of \$ 250,000		
Contributions	Levy Rate	Payable
Total Section 94A Levy	0.95%	\$ 2,375

Section 94A Planning and Administration	0.05%	\$ 125
Total	1%	\$ 2,500

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 DA2015/0528 for Alterations and additions to a dwelling house and construction of a swimming pool and retaining walls on land at Lot 28 DP 6171, 11 Oatway Parade, NORTH MANLY, subject to the conditions printed below:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

1. Approved Plans and Supporting Documentation

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

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Site Plan	09.06.2015	Rachel Hudson

		Architech
Ground Floor Plan	09.06.2015	Rachel Hudson Architech
Upper Floor Plan	09.06.2015	Rachel Hudson Architech
Roof Plan	09.06.2015	Rachel Hudson Architech
North Elevation	09.06.2015	Rachel Hudson Architech
South Elevation	09.06.2015	Rachel Hudson Architech
East Elevation	09.06.2015	Rachel Hudson Architech
West Elevation	09.06.2015	Rachel Hudson Architech
Materials and Finishes Schedule	09.06.2015	Rachel Hudson Architech

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Preliminary Geotechnical Assessment	05.06.2015	White Geotechnical Group
Arboricultural Impact Assessment	May 2015	Bluegum Tree Care and Consultancy

- b) Any plans and / or documentation submitted to satisfy the Deferred Commencement Conditions of this consent as approved in writing by Council.
- c) Any plans and / or documentation submitted to satisfy the Conditions of this consent.
- d) No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.
- e) The development is to be undertaken generally in accordance with the following:

Landscape Plans		
Drawing No.	Dated	Prepared By
Site Analysis / Site Plan / Landscape Plan	05.06.2015	Space Landscape Designs
Section Elevations	05.06.2015	Space Landscape Designs
Landscape Plan	05.06.2015	Space Landscape Designs

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)

FEES / CHARGES / CONTRIBUTIONS

2. **Policy Controls**

Warringah Section 94A Development Contribution Plan

The proposal is subject to the application of Council's Section 94A Development Contributions Plan.

The following monetary contributions are applicable:

Warringah Section 94 Development Contributions Plan		
Contribution based on a total development cost of \$ 250,000		
Contributions	Levy Rate	Payable
Total Section 94A Levy	0.95%	\$ 2,375
Section 94A Planning and Administration	0.05%	\$ 125
Total	1%	\$ 2,500

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.

Reason: To provide for contributions in accordance with the Warringah Section 94A Development Contributions Plan 2012.

3. **Security Bond**

A bond (determined from cost of works) of \$1,000 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.warringah.nsw.gov.au/your-council/forms).

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

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

4. **Waste Management Plan**

A waste management plan that addresses Clauses C8 and C9 in the Warringah DCP must

be prepared for this development.

Details of the method of transportation and location of the waste/recycling centres are to be included in the plan

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

Reason: To ensure that any demolition and construction waste, including excavated material, is reused, recycled or disposed of in an environmentally friendly manner.(DACHPC03)

5. Tree protection

(a) Existing trees which must be retained

i) Trees numbered 5,4 and 6 on the Landscape Plan

ii) All other trees not indicated for removal on the approved plans, unless exempt or noxious in Warringah

(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 AS4970-2009 Protection of trees on development sites.

iv) 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. (DACLAC01)

6. 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)

Advice to Applicants: At the time of determination in the opinion of Council, the following (but not limited to) Australian Standards are considered to be appropriate:

(a) AS2601.2001 - Demolition of Structures**

(b) AS4361.2 - Guide to lead paint management - Residential and commercial buildings**

(c) AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting**

(d) AS 4373 - 2007 'Pruning of amenity trees' (Note: if approval is granted) **

- (e) AS 4970 - 2009 'Protection of trees on development sites'**
- (f) AS/NZS 2890.1:2004 Parking facilities - Off-street car parking**
- (g) AS 2890.2 - 2002 Parking facilities - Off-street commercial vehicle facilities**
- (h) AS 2890.3 - 1993 Parking facilities - Bicycle parking facilities**
- (i) AS 2890.5 - 1993 Parking facilities - On-street parking**
- (j) AS/NZS 2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities**
- (k) AS 1742 Set - 2010 Manual of uniform traffic control devices Set**
- (l) AS 1428.1 - 2009* Design for access and mobility - General requirements for access - New building work**
- (m) AS 1428.2 - 1992*, Design for access and mobility - Enhanced and additional requirements - Buildings and facilities**
- (n) AS 4674 Design, construction and fit out of food premises
- (o) AS1668 The use of mechanical ventilation

*Note: The Australian Human Rights Commission provides useful information and a guide relating to building accessibility entitled "the good the bad and the ugly: Design and construction for access". This information is available on the Australian Human Rights Commission website

http://www.humanrights.gov.au/disability_rights/buildings/good.htm

**Note: the listed Australian Standards is not exhaustive and it is the responsibility of the applicant and the Certifying Authority to ensure compliance with this condition and that the relevant Australian Standards are adhered to. (DACPLC02)

7. **External Finishes to Roof**

The external finish to the roof shall have a medium to dark range in order to minimise solar reflections to neighbouring properties. Light colours such as off white, cream, silver or light grey colours are 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)

8. **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)

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

9. **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. (DACLA03)

10. **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 Warringah Council 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. (DACPLE02)

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

11. **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)

I am aware of Warringah's Code of Conduct and, in signing this report, declare that I do not have a Conflict of Interest.


Signed

Lauren Roberts, Planner


The application is determined under the delegated authority of:

Phil Lane, Development Assessment Manager

















ATTACHMENT A

Notification Plan	Title	Date
 2015/171527	Plans Notification	17/06/2015

ATTACHMENT B

Notification Document	Title	Date
 2015/182641	Notification map	25/06/2015

ATTACHMENT C

Reference Number	Document	Date
 2015/171531	Plan Survey	02/04/2015
 2015/171539	Report Arboricultural Impact Assessment	03/06/2015
 2015/171534	Report Statement of Environmental Effects	10/06/2015
 2015/171541	BASIX Certificate A219581	10/06/2015
 2015/171540	Report Preliminary Geotechnical Assessment	10/06/2015
 DA2015/0528	11 Oatway Parade NORTH MANLY NSW 2100 - Development Application - Alterations and Additions	15/06/2015
 2015/168951	DA Acknowledgement Letter - Space Landscape Designs Pty Ltd	15/06/2015
 2015/171522	Development Application Form	17/06/2015
 2015/171524	Applicant Details & Cost summary report	17/06/2015
 2015/171527	Plans Notification	17/06/2015
 2015/171635	Plans Landscape	17/06/2015
 2015/171647	Plans External Layout	17/06/2015
 2015/171659	Plans Master Set	17/06/2015
 2015/182640	Notification letter 7	25/06/2015
 2015/182641	Notification map	25/06/2015
 2015/254943	Landscape Referral Response	28/08/2015