

## DEVELOPMENT APPLICATION ASSESSMENT REPORT

|   |  |
|---|--|
| <b>Application Number:</b>                | DA2020/0568  |
| <b>Responsible Officer:</b>               | Gareth David   |
| <b>Land to be developed (Address):</b>    | Lot CP SP 43989, 29 White Street BALGOWLAH NSW 2093<br>Lot 4 DP 8303, 29 White Street BALGOWLAH NSW 2093 |
| <b>Proposed Development:</b>              | Alterations and additions to a dual occupancy  |
| <b>Zoning:</b>                            | Manly LEP2013 - Land zoned R1 General Residential  |
| <b>Development Permissible:</b>           | Yes  |
| <b>Existing Use Rights:</b>               | No   |
| <b>Consent Authority:</b>                 | Northern Beaches Council   |
| <b>Land and Environment Court Action:</b> | No   |
| <b>Owner:</b>                             | Proprietors of Strata Plan 43989   |
| <b>Applicant:</b>                         | Benjamin James Smith   |
| <b>Application Lodged:</b>                | 01/06/2020   |
| <b>Integrated Development:</b>            | No   |
| <b>Designated Development:</b>            | No   |
| <b>State Reporting Category:</b>          | Residential - Alterations and additions  |
| <b>Notified:</b>                          | 09/06/2020 to 23/06/2020   |
| <b>Advertised:</b>                        | Not Advertised   |
| <b>Submissions Received:</b>              | 0  |
| <b>Clause 4.6 Variation:</b>              | Nil  |
| <b>Recommendation:</b>                    | Approval   |
| <b>Estimated Cost of Works:</b>           | \$ 167,000.00  |

### PROPOSED DEVELOPMENT IN DETAIL

Development consent is sought for the alterations and additions of an existing dual occupancy. The proposed works include:

- Partial demolition of the existing two storey rear addition; demolition of ground floor decking; demolition of internal walls within unit 2
- Construction of a new two storey rear addition consisting of a new dining, kitchen and laundry for unit 2 and a new laundry for unit 1
- Internal reconfiguration of unit 2
- New first floor balcony for unit 2
- New ground floor verandah for unit 1

## 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 - 3.4.2 Privacy and Security

Manly Development Control Plan - 4.1.1.1 Residential Density and Dwelling Size

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

Manly Development Control Plan - 4.1.6 Parking, Vehicular Access and Loading (Including Bicycle Facilities)

## SITE DESCRIPTION

|                                   |   |
|-----------------------------------|---|
| <b>Property Description:</b>      | <p>Lot CP SP 43989 , 29 White Street BALGOWLAH NSW 2093</p> <p>Lot 4 DP 8303 , 29 White Street BALGOWLAH NSW 2093</p>   |
| <b>Detailed Site Description:</b> | <p>The subject site consists of a strata subdivided attached dual occupancy located on the southern side of White Street.</p> <p>The site is regular in shape with a frontage of 13.41m along White Street and a depth of 33.53m. The site has a surveyed area of 449.6m<sup>2</sup>.</p> <p>The site is located within the R1 General Residential zone and accommodates a one and two storey brick attached dual occupancy. Unit 1 is located on the ground floor and Unit 2 is located on the upper floor. The site has a shared lawn area at the rear which contains a shed and timber decking area.</p> |

The site has a cross fall of from the street frontage (north) to the rear (south) of approximately 2.0m

The site has a lawn area to the rear with one canopy tree and plantings along the front boundary.

#### **Detailed Description of Adjoining/Surrounding Development**

Adjoining and surrounding development is characterised by one and two storey dwellings and dual occupancies with varying architectural styles

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:

- DA5414/92 - Strata subdivision of a dual occupancy - Approved 16/03/1993
- DA2020/0095 - Alterations and additions to a dual occupancy - Withdrawn 09/03/2020

#### **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    | See discussion on "Environmental Planning Instruments" in this |

| Section 4.15 Matters for Consideration'   | Comments   |
|---|--|
| of any environmental planning instrument  | report.  |
| Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument                                      | Draft State Environmental Planning Policy (Remediation of Land) seeks to replace the existing SEPP No. 55 (Remediation of Land). Public consultation on the draft policy was completed on 13 April 2018. The subject site has been used for residential purposes for an extended period of time. The proposed development retains the residential use of the site, and is not considered a contamination risk.   |
| Section 4.15 (1) (a)(iii) – Provisions of any development control plan  | Manly Development Control Plan applies to this proposal.   |
| Section 4.15 (1) (a)(iia) – Provisions of any planning agreement  | None applicable.   |
| Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000) | <p><u>Division 8A</u> of the EP&amp;A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clause 50(1A)</u> of the EP&amp;A Regulation 2000 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application.</p> <p><u>Clauses 54 and 109</u> of the EP&amp;A Regulation 2000 allow Council to request additional information. No additional information was requested in this case.</p> <p><u>Clause 92</u> of the EP&amp;A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent.</p> <p><u>Clauses 93 and/or 94</u> of the EP&amp;A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This clause is not relevant to this application.</p> <p><u>Clause 98</u> of the EP&amp;A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter has been addressed via a condition of consent.</p> <p><u>Clause 98</u> of the EP&amp;A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p> |
| Section 4.15 (1) (b) – the likely impacts of the development,   | <p>(i) <b>Environmental Impact</b></p> <p>The environmental impacts of the proposed development on the</p>   |

| Section 4.15 Matters for Consideration'  | Comments  |
|--|---|
| including environmental impacts on the natural and built environment and social and economic impacts in the locality | <p>natural and built environment are addressed under the Manly Development Control Plan section in this report.</p> <p>(ii) <b>Social Impact</b><br/>The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) <b>Economic Impact</b><br/>The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p> |
| 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 of the application Council received no submissions.

## REFERRALS

| Internal Referral Body                                    | Comments   |
|---|--|
| NECC (Development Engineering)                            | Development Engineering has no objection to the application subject to the following conditions of consent.  |
| NECC (Stormwater and Floodplain Engineering – Flood risk) | The application is accompanied by a Flood Report prepared by Horton Coastal Engineering Pty Ltd. The Report appropriately identifies the flood risk exposure of the development considering the site characteristics and recommends appropriate mitigation measures to effectively manage flood risk. The application is recommended for approval subject to conditions. |

| External Referral Body | Comments |
|------------------------|----------|
|                        |          |



| 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.A368660\_02 dated 26 May 2020 and A378373\_02 dated 26 May 2020).

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                  | 6.8m                  | N/A         | Yes      |
| Floor Space Ratio    | FSR: 0.5:1 (224.8sqm) | FSR: 49.5:1(223.6sqm) | N/A         | Yes      |

Compliance Assessment

| Clause   | Compliance with Requirements |
|--|------------------------------|
| 2.7 Demolition requires development consent        | Yes                          |
| 4.3 Height of buildings                            | Yes                          |
| 4.4 Floor space ratio                              | Yes                          |
| 4.5 Calculation of floor space ratio and site area | Yes                          |
| 5.8 Conversion of fire alarms                      | Yes                          |
| 6.1 Acid sulfate soils                             | Yes                          |
| 6.2 Earthworks                                     | Yes                          |
| 6.4 Stormwater management                          | Yes                          |
| 6.8 Landslide risk                                 | Yes                          |
| 6.9 Foreshore scenic protection area               | Yes                          |
| 6.10 Limited development on foreshore area         | Yes                          |
| 6.12 Essential services                            | Yes                          |

**Manly Development Control Plan**

Built Form Controls

| Built Form Controls - Site Area: 449.6sqm     | Requirement                | Proposed               | % Variation* | Complies         |
|---|----------------------------|------------------------|--------------|------------------|
| 4.1.1.1 Residential Density and Dwelling Size | Density: 1 dwellings/300m2 | 2 dwelling (no change) | N/A          | No (as existing) |

|   |   |                                  |       |                  |
|---|---|----------------------------------|-------|------------------|
|   | Dwelling Size (Unit 1): 70sqm<br>Dwelling Size (Unit 2): 95sqm      | Unit 1: 101sqm<br>Unit 2: 123sqm | N/A   | Yes              |
| 4.1.2.1 Wall Height   | E: 6.5m (based on gradient 0)<br>W: 6.5m (based on gradient 0)      | E: 6.5m<br>E: 6.3m               | N/A   | Yes              |
| 4.1.2.2 Number of Storeys   | 2   | 2                                | N/A   | Yes              |
| 4.1.2.3 Roof Height   | Height: 2.5m  | 0.2m                             | N/A   | Yes              |
|   | Pitch: maximum 35 degrees   | Flat roof                        | N/A   | Yes              |
| 4.1.4.1 Street Front Setbacks   | 6m  | No Change                        | N/A   | Yes              |
| 4.1.4.2 Side Setbacks and Secondary Street Frontages  | 2.15m (rear addition) (based on wall height of 6.5m)(East)          | 1.0m                             | 53.5% | No               |
|   | 2.1m (rear addition) (based on wall height of 6.3m)(West)           | 5.8m                             | N/A   | Yes              |
|   | Windows: 3m   | 2 windows - 1m (east) (existing) | N/A   | No (existing)    |
| 4.1.4.4 Rear Setbacks   | 8m  | 5.7m (balcony)                   | 28.7% | No               |
| 4.1.5.1 Minimum Residential Total Open Space Requirements<br>Residential Open Space Area: OS3 | Open space 55% of site area (247.28sqm)                             | 42.48% (189.5sqm)                | 23.3% | No               |
|   | Open space above ground 40% of total open space                     | 9.1% (17.3sqm)                   | N/A   | Yes              |
| 4.1.5.2 Landscaped Area   | Landscaped area 35% of open space                                   | 50.4% (95.6sqm)                  | N/A   | Yes              |
|   | 2 native trees  | 2 trees                          | N/A   | Yes              |
| 4.1.5.3 Private Open Space  | 12sqm per dwelling  | > 12sqm for both units           | N/A   | Yes              |
| Schedule 3 Parking and Access   | Dual occupancy (3 bedroom + 2 Bedroom + visitor parking) = 4 spaces | 2 spaces (no change)             | 50%   | No (as existing) |

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

#### Compliance Assessment

| Clause  | Compliance with Requirements | Consistency Aims/Objectives |
|---|------------------------------|-----------------------------|
| 3.1 Streetscapes and Townscapes                                 | Yes                          | Yes                         |
| 3.1.1 Streetscape (Residential areas)                           | Yes                          | Yes                         |
| 3.3.1 Landscaping Design  | Yes                          | Yes                         |
| 3.3.2 Preservation of Trees or Bushland Vegetation              | Yes                          | Yes                         |
| 3.4 Amenity (Views, Overshadowing, Overlooking /Privacy, Noise) | Yes                          | Yes                         |
| 3.4.1 Sunlight Access and Overshadowing                         | Yes                          | Yes                         |
| 3.4.2 Privacy and Security                                      | Yes                          | Yes                         |
| 3.4.3 Maintenance of Views                                      | Yes                          | Yes                         |



| Clause   | Compliance with Requirements | Consistency Aims/Objectives |
|--|------------------------------|-----------------------------|
| 3.4.4 Other Nuisance (Odour, Fumes etc.)   | Yes                          | Yes                         |
| 3.7 Stormwater Management  | Yes                          | Yes                         |
| 3.8 Waste Management   | Yes                          | Yes                         |
| 3.9 Mechanical Plant Equipment   | Yes                          | Yes                         |
| 3.10 Safety and Security   | Yes                          | Yes                         |
| 4.1 Residential Development Controls   | Yes                          | Yes                         |
| 4.1.1 Dwelling Density, Dwelling Size and Subdivision                                  | Yes                          | Yes                         |
| 4.1.1.1 Residential Density and Dwelling Size  | No                           | Yes                         |
| 4.1.2 Height of Buildings (Incorporating Wall Height, Number of Storeys & Roof Height) | Yes                          | Yes                         |
| 4.1.3 Floor Space Ratio (FSR)  | Yes                          | 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)             | No                           | Yes                         |
| 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                         |
| 5 Special Character Areas and Sites  | Yes                          | Yes                         |
| 5.4.1 Foreshore Scenic Protection Area   | Yes                          | Yes                         |
| Schedule 1 – Maps accompanying the DCP   | Yes                          | Yes                         |

## Detailed Assessment

### **3.4.2 Privacy and Security**

It is considered that the existing screen planting on the eastern side boundary and the 1.8m privacy screen on the eastern elevation of proposed balcony would provide sufficient screening to minimise privacy impacts to adjacent property to the east. It is considered the spatial separation between the other adjoining properties is sufficient as not to warrant additional privacy measures. Furthermore, no objection has been raised from surrounding neighbours regarding to privacy concerns. The proposal is considered to meet the objectives of this clause.

#### **4.1.1.1 Residential Density and Dwelling Size**

The proposed development relates to an existing dual occupancy building approved for strata subdivision in 1993. The building contains two separate occupancies in a stacked configuration. The minimum density control for the site is 1 dwelling per 300m<sup>2</sup> of site area. As the site area is 449.6m<sup>2</sup>, the proposal does not comply with the requirements of this clause. Notwithstanding the non-compliance, it is considered that the proposed development will not unacceptably impinge of the desired objectives of this section as no additional occupancies are being proposed. The proposed development is considered acceptable in this instance.

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

##### Description of non-compliance

Clause 4.1.4.2 of the MDCP 2013 requires the side building line to be no less than one third of the wall height from side boundaries. The eastern elevation of the proposed rear addition has a maximum wall height of 6.5m. Therefore, the setback requirement is at least 2.15m from the eastern side boundary. The rear addition is proposed to be setback 1.0m from the the eastern side boundary which represents a 53.5% variation from the prescribed control. It should be noted that the proposed addition maintains the side setback of the existing dual occupancy and the structure it is replacing and maintains the location of existing windows on the eastern elevation.

Furthermore, the policy also requires a minimum rear setback of 8.0m. The proposed balcony would be setback 5.7m from the rear boundary, representing a variation of 28.7%

##### Merit Assessment

With regard to the consideration for a variation, the proposed 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 works would be confined to the rear of the property and would not be readily visible from the street. Hence, it is not considered that the proposal would impact upon the existing 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 and at the street intersection.*

##### Comment:

It is considered that the existing screen planting on the eastern side boundary and the proposed privacy screen on the eastern elevation of proposed balcony would provide sufficient screening to minimise privacy impacts to adjacent property to the east. No new windows facing the eastern side elevation are proposed. It is considered the spatial separation between other adjoining properties is sufficient to maintain reasonable levels of privacy.

The proposed addition would be replacing an existing addition of a similar size and scale, and would maintain existing side setbacks. As such the rear addition is not considered to create unreasonable impact to neighbouring amenity.

The open nature of the balcony ensures adequate sunlight access and air movement is maintained.

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

Comment:

The proposed development is adequately sited in order to provide an appropriate level of amenity to the subject site and adjacent sites.

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

- *accommodating planting, including deep soil zones, vegetation consolidated across the sites, native vegetation and native trees;*
- *ensuring the nature of the 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 provides adequate landscaping and planting and does not unduly detract from the context of the site. The subject site does not contain urban bushland.

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

Comment:

The site is not bushfire prone.

Having regard to the above assessment, it is concluded that the applicable objectives of the control have been achieved. Therefore, the application is supported on merit.

#### **4.1.5 Open Space and Landscaping**

Description of non-compliance

Clause 4.1.5 of the MDCP 2013 requires at least 55% (247.28sqm) of the site area to be total open space (TOS). To be included as TOS, the assessment considers outdoor areas with minimum dimensions of 3m x 3m, with a minimum unbroken area of 12sqm. Areas associated with carparking and vehicular access area excluded from the calculations. The proposed TOS equates to 42.48% of the site area, which represents a 23.3% variation from the prescribed control.

Merit Assessment

With regard to the consideration for a variation, the proposed 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:

The proposal will not necessitate the removal of native trees and vegetation.

*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 complies with the numerical requirement for landscaped open space. The site will contain sufficient dimensions for open space within the property that will service the needs of the occupants. Such areas comprise of a patio area within the front setback for Unit 1, landscaped open space within the rear garden and a first floor balcony which will increase the usable onsite 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:

As discussed earlier within this report, no unreasonable view loss or overshadowing impacts will arise as a result of the proposed development. Furthermore, the proposed development will ensure that privacy is maintained between the subject site and adjoining properties.

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

Comment:

The landscaping dimensions on site area appropriate and will assist with stormwater infiltration on site, thereby reducing stormwater runoff.

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

Comment:

The proposed development will not lead to a significant spread of weeds.

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

Comment:

The existing and proposed landscaping treatments on site are sufficient and will serve as potential wildlife habitat.

Having regard to the above assessment, it is concluded that the applicable outcomes of the control have been achieved. Therefore, the application is supported on merit, subject to conditions.

#### **4.1.6 Parking, Vehicular Access and Loading (Including Bicycle Facilities)**

Description of non-compliance

In accordance with Schedule 3 Part A1 Parking Rates and Requirements for vehicles, the site requires a total of 4 parking spaces for the existing dual occupancy. As existing, the site provides for two (2) formal car parking space. It is noted however that the existing driveway contains sufficient hardstand areas, such that an informal tandem parking arrangement can be facilitated.

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 provide accessible and adequate parking on site relative to the type of development and the locality for all users (residents, visitors or employees).*

Comment:

The proposal will maintain a non-compliant number of spaces on site without any reduction. While the number does not comply numerically, it is considered adequate as it maintains the existing parking on site. Furthermore, siting additional parking in conjunction with that proposed has the potential to adversely impact the streetscape and further limit open space.

*Objective 2) To reduce the demand for on-street parking and identify where exceptions to onsite parking requirements may be considered in certain circumstances.*

Comment:

The proposal will not increase the demand for on-street parking as it maintains the existing number of parking spaces on site.

*Objective 3) To ensure that the location and design of driveways, parking spaces and other vehicular access areas are efficient, safe, convenient and are integrated into the design of the development to minimise their visual impact in the streetscape.*

Comment:

Existing vehicle and pedestrian access points are to be retained.

*Objective 4) To ensure that the layout of parking spaces limits the amount of site excavation in order to avoid site instability and the interruption to ground water flows.*

Comment:

No excavation or landfill works are proposed

*Objective 5) To ensure the width and number of footpath crossings is minimised.*

Comment:

No change to the existing crossover layout.

*Objective 6) To integrate access, parking and landscaping; to limit the amount of impervious surfaces and to provide screening of internal accesses from public view as far as practicable through appropriate landscape treatment.*

Comment:

No change to the existing site conditions.

*Objective 7) To encourage the use of public transport by limiting onsite parking provision in Centres that are well serviced by public transport and by encouraging bicycle use to limit traffic congestion and promote clean air.*

Comment:

The proposed works are not expected to unreasonably increase car demand. The site is within close proximity to regular public transport services that may be used by residents and visitors.

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**

### **Northern Beaches Section 7.12 Contributions Plan 2019**

The proposal is subject to the application of Northern Beaches Section 7.12 Contributions Plan 2019.

A monetary contribution of \$ 835 is required for the provision of new and augmented public infrastructure. The contribution is calculated as 0.5% of the total development cost of \$ 167,000.

## **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 DA2020/0568 for Alterations and additions to a dual occupancy on land at Lot CP SP 43989, 29 White Street, BALGOWLAH, Lot 4 DP 8303, 29 White Street, BALGOWLAH, 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

| <b>Architectural Plans - Endorsed with Council's stamp</b> |              |                    |
|--|--------------|--------------------|
| <b>Drawing No.</b>   | <b>Dated</b> | <b>Prepared By</b> |
| A.10.1 Rev.C (Site Plan)                                   | 12/03/2020   | Habitat Studio     |
| A.20.1 Rev.C (Lower Unit 1 Plan)                           | 23/04/2020   | Habitat Studio     |
| A.20.2 Rev.C (Upper Unit 2 Plan)                           | 23/04/2020   | Habitat Studio     |
| A.30.1 Rev.C (Elevations)                                  | 23/04/2020   | Habitat Studio     |
| A.30.2 Rev.C (Elevations)                                  | 23/04/2020   | Habitat Studio     |
| A.40.1 Rev.C (Section)                                     | 16/04/2020   | Habitat Studio     |
| A.60.1 Rev.C (Unit 1 Demolition Plan)                      | 23/04/2020   | Habitat Studio     |
| A.60.2 Rev.C (Unit 2 Demolition Plan)                      | 23/04/2020   | Habitat Studio     |

| <b>Engineering Plans</b>                         |              |                    |
|--|--------------|--------------------|
| <b>Drawing No.</b>                               | <b>Dated</b> | <b>Prepared By</b> |
| A.70.2 Rev.C (Erosion and Sediment Control Plan) | 23/04/2020   | Habitat Studio     |
| A.70.3 Rev.B (Drainage Plan)                     | 05/02/2020   | Habitat Studio     |
| A.80.2 Rev.C (Flooding Diagrams)                 | 04/05/2020   | Habitat Studio     |

| <b>Reports / Documentation – All recommendations and requirements contained within:</b> |              |                            |
|---|--------------|----------------------------|
| <b>Report No. / Page No. / Section No.</b>  | <b>Dated</b> | <b>Prepared By</b>         |
| Flood Risk Management Report  | 28/05/2020   | Horton Coastal Engineering |
| BASIX Certificate (No.A368660_02)   | 26 May 2020  | Hallum Jennings            |
| BASIX Certificate (No.A378373_02)   | 26 May 2020  | Hallum Jennings            |

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:

| <b>Landscape Plans</b>        |              |                    |
|-------------------------------|--------------|--------------------|
| <b>Drawing No.</b>            | <b>Dated</b> | <b>Prepared By</b> |
| A.90.1 Rev.C (Landscape Plan) | 23/04/2020   | Habitat Studio     |

| <b>Waste Management Plan</b> |              |                    |
|------------------------------|--------------|--------------------|
| <b>Drawing No/Title.</b>     | <b>Dated</b> | <b>Prepared By</b> |
|                              |              |                    |

|                                      |            |                |
|--------------------------------------|------------|----------------|
| A.70.1 Rev.C (Waste Management Plan) | 23/04/2020 | Habitat Studio |
| Waste Management Plan                | 26/05/2020 | Ben Smith      |

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 (Demolition):**

(a) 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 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
- (ii) 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.

(b) 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.

(c) 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.

Reason: Legislative Requirement.

## 3. **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.

4. **No Approval for demolition of driveway; hardstand and front fence**

This approval does not authorise the demolition of the existing driveway, hardstand and front fence.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.

5. **General requirements (Demolition):**

(a) Unless authorised by Council:

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 a Notice of Commencement to Council, a copy of the Development Consent is to remain onsite at all times until completion of demolition works. 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) The applicant shall bear the cost of all works that occur on Council's property.

(f) No building, demolition, excavation or material of any nature shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.

(g) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.

(h) All sound producing plant, equipment, machinery or fittings will not exceed more than 5dB(A) above the background level when measured from any property boundary and will comply with the Environment Protection Authority's NSW Industrial Noise Policy. )

(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.

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



## 6. 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) Should any asbestos be uncovered on site, its demolition and removal must be carried out in accordance with WorkCover requirements and the relevant Australian Standards.
- (c) 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.
- (d) 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.
- (e) 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.
- (f) 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.
- (g) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (h) No skip bins, building materials, demolition or excavation waste of any nature, and no hoist, plant or machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (i) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (j) 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.
- (k) 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.

- (l) A "Road Opening Permit" must be obtained from Council, and all appropriate charges paid, prior to commencement of any work on Council property. The owner/applicant shall be responsible for all public utilities and services in the area of the work, shall notify all relevant Authorities, and bear all costs associated with any repairs and/or adjustments as those Authorities may deem necessary.
- (m) The works must comply with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice.
- (n) 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

### 7. **Policy Controls**

#### Northern Beaches 7.12 Contributions Plan 2019

A monetary contribution of \$835.00 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan 2019. The monetary contribution is based on a development cost of \$167,000.00.

The monetary contribution is to be paid prior to the issue of the first Construction Certificate or Subdivision Certificate whichever occurs first, or prior to the issue of the Subdivision Certificate where no Construction Certificate is required. If the monetary contribution (total or in part) remains unpaid after the financial quarter that the development consent is issued, the amount unpaid (whether it be the full cash contribution or part thereof) will be adjusted on a quarterly basis in accordance with the applicable Consumer Price Index. If this situation applies, the cash contribution payable for this development will be the total unpaid monetary contribution as adjusted.

The proponent shall provide to the Certifying Authority written evidence (receipt/s) from Council that the total monetary contribution has been paid.

The Northern Beaches Section 7.12 Contributions Plan 2019 may be inspected at 725 Pittwater Rd, Dee Why and at Council's Customer Service Centres or alternatively, on Council's website at [www.northernbeaches.nsw.gov.au](http://www.northernbeaches.nsw.gov.au)

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

Reason: To provide for contributions in accordance with the Contribution Plan to fund the provision of new or augmented local infrastructure and services.

### 8. **Security Bond**

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

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

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

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

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

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

### 9. **Stormwater Disposal**

The applicant is to demonstrate how stormwater from the new development within this consent is disposed of to an existing approved system or in accordance with Northern Beaches Council's MANLY SPECIFICATION FOR ON-SITE STORMWATER MANAGEMENT 2003.

Details demonstrating that the existing approved stormwater system can accommodate the additional flows, or compliance with the Council's specification are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

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

### 10. **Amendments to the approved plans**

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

- The existing concrete driveway, hardstand and front fence shall be retained.

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

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

### 11. **Flooding**

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

#### Building Components and Structural Soundness – C1

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

#### Building Components and Structural Soundness – C2

All new development must be designed and constructed to ensure structural integrity up to the Flood Planning Level of 24.3m AHD, taking into account the forces of floodwater, wave action, flowing water with debris, buoyancy and immersion. Structural certification shall be provided confirming the above.

#### Building Components and Structural Soundness – C3

All new electrical equipment, power points, wiring, fuel lines, sewerage systems or any other service pipes and connections must be waterproofed and/or located above the Flood Planning Level of 24.3m AHD.

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

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

12. **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.

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

13. **Removing, Handling and Disposing of Asbestos**

Any asbestos material arising from the demolition process shall be removed and disposed of in accordance with the following requirements:

- Work Health and Safety Act;
- Work Health and Safety Regulation;
- Code of Practice for the Safe Removal of Asbestos [NOHSC:2002 (1998)];
- Guide to the Control of Asbestos Hazards in Buildings and Structures [NOHSC: 3002 (1998);
- Clause 42 of the Protection of the Environment Operations (Waste) Regulation 2005; and
- The demolition must be undertaken in accordance with Australian Standard AS2601 – The Demolition of Structures.

Reason: For the protection of the environment and human health.

14. **Demolition Works - Asbestos**

Demolition works must be carried out in compliance with WorkCover Short Guide to Working with Asbestos Cement and Australian Standard AS 2601 2001 The Demolition of Structures.

The site must be provided with a sign containing the words DANGER ASBESTOS REMOVAL IN PROGRESS measuring not less than 400 mm x 300 mm and be erected in a prominent visible position on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site and disposed to a lawful waste disposal facility.

All asbestos laden waste, including flat, corrugated or profiled asbestos cement sheets must be disposed of at a lawful waste disposal facility. Upon completion of tipping operations the applicant must lodge to the Principal Certifying Authority, all receipts issued by the receiving tip as evidence of proper disposal.

Adjoining property owners are to be given at least seven (7) days' notice in writing of the intention to disturb and remove asbestos from the development site.

Reason: To ensure the long term health of workers on site and occupants of the building is not put at risk unnecessarily.

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



15. **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.

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

**Signed**



**Gareth David, Planner**

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



**Steven Findlay, Manager Development Assessments**