



Warringah Council

COMMERCIAL CHANGE OF USE

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Assessment Officer: Adrian Melo

Proposal Description: Fitout and use of the premises as a Dance Studio and associated Signage

Property Address: Lot 32 Sec 2 DP 6033, 11 Mitchell Road BROOKVALE NSW 2100

Application No: DA2009/0262

Report Section	Applicable	Complete & Attached
Section 1 – Code Assessment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 2 – Issues Assessment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 2A – SEPP 64	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 2B – Schedule 17 Car parking	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 3 – Site Inspection Analysis	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 4 – Application Determination	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Estimated Cost of Works: \$ 28, 000

Are S94A Contributions Applicable?

☐ Yes ☒ No

Notification Required?

☒ Yes ☐ No

Period of Public Exhibition?

☒ 14 days ☐ 21 days ☐ 30 days ☐ N/A

Submissions Received?

☐ Yes ☒ No

No. of Submissions: 0



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Are any trees impacted upon by the proposed development? ☐ Yes ☒ No

SECTION 1 – CODE ASSESSMENT REPORT

ENVIRONMENTAL PLANNING INSTRUMENTS

WLEP 2000

Locality: F3 Brookvale Industrial

Development Definition: ☐ Housing ☐ Ancillary Development to Housing ☒ Other Recreational Facility

Category of Development: ☐ Category 1 ☒ Category 2 ☐ Category 3

Desired Future Character:

☐ Category 1 Development with no variations to BFC's (Section 2 Assessment not required)

Is the development considered to be consistent with the Locality's Desired Future Character Statement?

☐ Yes ☐ No

☐ Category 1 Development with variations to BFC's (Section 2 Assessment Required)

☒ Category 2 Development Consistency Test (Section 2 Assessment Required)

☐ Category 3 Development Consistency Test (Section 2 Assessment Required)

Built Form Controls:

<p>Building Height (overall):</p> <p>Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Requirement:</p> <p><input type="checkbox"/> 8.5m</p> <p><input checked="" type="checkbox"/> 11.0m</p> <p><input type="checkbox"/> Other</p>	<p><input checked="" type="checkbox"/> Existing and unchanged</p> <p>Proposed:m</p> <p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Building Height (underside of upper most ceiling):</p> <p>Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Requirement:</p> <p><input type="checkbox"/> 7.2m</p> <p><input type="checkbox"/> Other</p>	<p><input checked="" type="checkbox"/> Existing and unchanged</p> <p>Proposed:m</p> <p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Front Setback:</p> <p>Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Requirement:</p>	<p><input checked="" type="checkbox"/> Existing and unchanged</p> <p>Proposed:m</p>



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<input type="checkbox"/> 6.5m <input checked="" type="checkbox"/> Other 4.5m Is the Corner Allotment / Secondary Street Frontage control applicable?: <input type="checkbox"/> Yes <input type="checkbox"/> No Requirement: <input type="checkbox"/> 3.5m <input type="checkbox"/> Other	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No Corner Allotment: <input type="checkbox"/> Existing and unchanged Proposed:m Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No
Housing Density: Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Requirement: <input type="checkbox"/> 1 dwelling per 450sqm <input type="checkbox"/> 1 dwelling per 600sqm <input type="checkbox"/> Other	<input type="checkbox"/> Existing and unchanged Proposed:dwelling / persqm Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No
Landscape Open Space: Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> 40% (.....sqm) <input type="checkbox"/> 50% (.....sqm) <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Existing and unchanged Proposed:% (.....sqm) Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No
Rear Setback: Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Requirement: <input type="checkbox"/> 6.0m <input type="checkbox"/> Other Outbuildings: Requirement: <input type="checkbox"/> 50% of rear setback <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Existing and unchanged Proposed:m Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No Outbuildings: <input type="checkbox"/> Existing and unchanged Proposed:% Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No



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Side Boundary Envelope:

Applicable: ☐ Yes ☒ No

Requirement:

☐ 4m / 45 degrees

☐ 5m / 45 degrees

☐ Other

Boundary: ☐ Nth ☐ Sth ☐ Est ☐ Wst

☒ Existing and unchanged
or

Fully within Envelope: ☐ Yes ☐ No

Minor Breach: ☐ Yes ☐ No

Complies: ☐ Yes ☐ No

Boundary: ☐ Nth ☐ Sth ☐ Est ☐ Wst

☒ Existing and unchanged
or

Fully within Envelope: ☐ Yes ☐ No

Minor Breach: ☐ Yes ☐ No

Complies: ☐ Yes ☐ No

Side Setbacks:

Applicable: ☐ Yes ☒ No

☐ 900mm

☐ 4.5m

☐ Other

Boundary ☐ Nth ☐ Sth ☐ Est ☐ Wst

☒ Existing and unchanged
or

Proposed:.....m

Complies: ☐ Yes ☐ No

Boundary ☐ Nth ☐ Sth ☐ Est ☐ Wst

☐ Existing and unchanged
or

Proposed:.....m

Complies: ☐ Yes ☐ No

Other:



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General Principles of Development Control:

CL38 Glare & reflections Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL39 Local retail centres Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL40 Housing for Older People and People with Disabilities Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL41 Brothels Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL42 Construction Sites Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL43 Noise Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL44 Pollutants Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL45 Hazardous Uses Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL46 Radiation Emission Levels Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL47 Flood Affected Land Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL48 Potentially Contaminated Land Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: Based on the previous land uses if the site likely to be contaminated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is the site suitable for the proposed land use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No



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CL49 Remediation of Contaminated Land Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL49a Acid Sulfate Soils Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL50 Safety & Security Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL51 Front Fences and Walls Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL52 Development Near Parks, Bushland Reserves & other public Open Spaces Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL53 Signs Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL54 Provision and Location of Utility Services Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL55 Site Consolidation in 'Medium Density Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL56 Retaining Unique Environmental Features on Site Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL57 Development on Sloping Land Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL58 Protection of Existing Flora Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL59 Koala Habitat Protection Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No



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CL60 Watercourses & Aquatic Habitats Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL61 Views Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL62 Access to sunlight Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL63 Landscaped Open Space Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL63A Rear Building Setback Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL64 Private open space Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL65 Privacy Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL66 Building bulk Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL67 Roofs Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL68 Conservation of Energy and Water Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL69 Accessibility – Public and Semi-Public Buildings Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL70 Site facilities Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No



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CL71 Parking facilities (visual impact) Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL72 Traffic access & safety Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input checked="" type="checkbox"/> No Further assessment of the proposal against the requirements of this General principle has been undertaken in Section 2 of this report.
CL73 On-site Loading and Unloading Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL74 Provision of Carparking Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No Further assessment of the proposal against the requirements of this General principle has been undertaken in Section 2 of this report.
CL75 Design of Carparking Areas Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input checked="" type="checkbox"/> No Further assessment of the proposal against the requirements of this General principle has been undertaken in Section 2 of this report.
CL76 Management of Stormwater Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL77 Landfill Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL78 Erosion & Sedimentation Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL79 Heritage Control Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL80 Notice to Metropolitan Aboriginal Land Council and the National Parks and Wildlife Service Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL81 Notice to Heritage Council	REPEALED
CL82 Development in the Vicinity of Heritage Items Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No



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CL83 Development of Known or Potential Archaeological Sites Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
Schedules:	
<u>Schedule 5 State policies</u> Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
<u>Schedule 6 Preservation of bushland</u> Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
<u>Schedule 7 Matters for consideration in a subdivision of land</u> Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
<u>Schedule 8 Site analysis</u> Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
<u>Schedule 9 Notification requirements for remediation work</u> Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
<u>Schedule 10 Traffic generating development</u> Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
<u>Schedule 11 Koala feed tree species and plans of management</u> Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
<u>Schedule 12 Requirements for complying development</u> Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
<u>Schedule 13 Development guidelines for Collaroy/Narrabeen Beach</u> Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
<u>Schedule 14 Guiding principles for development near Middle Harbour</u> Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No



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<p><u>Schedule 15 Statement of environmental effects</u></p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p><u>Schedule 17 Carparking provision</u></p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input checked="" type="checkbox"/> No</p>

Schedules:

EPA Regulation Considerations:

<p>Clause 54 & 109 (Stop the Clock)</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further</p>	
<p>Clause 92 (Demolition of Structures)</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DAO to investigate further</p>	<p>Addressed via condition?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Clause 93 & 94 (Fire Safety)</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DAO to investigate further</p> <p>BCA report supplied?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Addressed via condition?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Further Assessment Required</p>
<p>Clause 98 (BCA)</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DAO to investigate further</p>	<p>Addressed via condition?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Is a Construction Certificate required?</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DAO to investigate further (BCA Assessment Required see Section 2)</p>	<p>Addressed via condition?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Disability & Discrimination Act</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DAO to investigate further</p>	<p>Addressed via condition?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Amended plans required</p>
<p>Is a POPE (Place of Public Entertainment) required?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further</p>	<p>Addressed via condition?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>



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REFERRALS

Referral Body/Officer	Required	Response
Development Engineering	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Landscape Assessment	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Bushland Management	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Catchment Management	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input checked="" type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Building Compliance and Assessment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Satisfactory <input checked="" type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Aboriginal Heritage	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Env. Health and Protection	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
NSW Rural Fire Service	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Energy Australia	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory



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Applicable Legislation/ EPI's /Policies:

- ☒ EPA Act 1979
- ☒ EPA Regulations 2000
- ☒ Disability Discrimination Act 1992
- ☐ Local Government Act 1993
- ☐ Roads Act 1993
- ☐ Rural Fires Act 1997
- ☐ RFI Act 1948
- ☐ Water Management Act 2000
- ☐ Water Act 1912
- ☐ Swimming Pools Act 1992;
- ☒ SEPP No. 55 – Remediation of Land
- ☐ SEPP No. 71 – Coastal Protection
- ☐ SEPP No. 22 Shops & Commercial Premises
- ☒ SEPP No. 64 – Advertising & Signage
- ☒ SEPP Infrastructure
- ☐ SEPP BASIX
- ☐ SEPP Infrastructure
- ☒ WLEP 2000
- ☒ WDCP
- ☐ S94 Development Contributions Plan
- ☐ S94A Development Contributions Plan
- ☐ NSW Coastal Policy (cl 92 EPA Regulation)
- ☐ Other



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SECTION 79C EPA ACT 1979

Section 79C (1) (a)(i) – Have you considered all relevant provisions of any relevant environmental planning instrument?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(ii) – Have you considered all relevant provisions of any provisions of any draft environmental planning instrument	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(iii) – Have you considered all relevant provisions of any provisions of any development control plan	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(iiiia) - Have you considered all relevant provisions of any Planning Agreement or Draft Planning Agreement	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Section 79C (1) (a)(iv) - Have you considered all relevant provisions of any Regulations?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (b) – Are the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality acceptable?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (c) – Is the site suitable for the development?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (d) – Have you considered any submissions made in accordance with the EPA Act or EPA Regs?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No None received
Section 79C (1) (e) – Is the proposal in the public interest?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

SECTION 2 – ISSUES

SEPPs

Other Relevant Environmental Planning Instruments:

SEPPs: Applicable? ☒ Yes ☐ No

SEPP Basix: Applicable?

☐ Yes ☒ No

If yes: Has the applicant provided Basix Certification?

☐ Yes ☐ No

SEPP 55 Applicable?

☒ Yes ☐ No

Based on the previous land uses if the site likely to be contaminated?

☐ Yes ☒ No

Is the site suitable for the proposed land use?

☒ Yes ☐ No



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SEPP Infrastructure

Applicable?

☒ Yes ☐ No

Is the proposal for a swimming pool:

Within 30m of an overhead line support structure?

☐ Yes ☒ No

Within 5m of an overhead power line ?

☐ Yes ☒ No

Does the proposal comply with the SEPP?

☒ Yes ☐ No

WLEP 2000

DESIRED FUTURE CHARACTER

'The Brookvale Industrial locality will remain an industrial and employment centre incorporating industries, warehouses and ancillary service uses.

New development or significant redevelopment will be designed to incorporate landscaping to soften the visual impact of industrial buildings and their associated parking and other paved areas as viewed from the street.

At the interface of the locality with adjoining and adjacent residential areas, buildings will be sited and designed and the use of land managed to minimise interference with the amenity of such residential areas.

Allotments are to be consolidated where necessary to ensure the development of one allotment will not render an adjoining allotment unsuitable for development.'

The proposal is for a "Dance Studio" which does not have a separate definition under the WLEP 2000. Given the nature of the proposed use it is considered that the closest applicable definition is "Recreational Facility", which is defined as 'a building or place used for indoor or outdoor sporting activities, recreation or leisure activities, whether or not operated for the purpose of gain, but does not include a building or place elsewhere defined in (the) Dictionary.'

Accordingly, given the above definition, the proposed land use is identified as being Category 2 development within the F3 Brookvale Industrial locality. Under Clause 12(3)(b) of WLEP 2000, with regards to Category 2 development, the consent authority must be satisfied that the proposed development is consistent with the desired future character for the locality.

Accordingly, an assessment of consistency of the proposed development against the locality's DFC is provided hereunder:

The proposed development is considered to satisfy the applicable DFC statement for the following reasons:

- The proposal is for a recreational facility, which is complementary and compatible with maintaining an employment centre. This use contributes to the locality in its function as an employment centre and is considered consistent with the requirement in this regard.
- The proposed development is for the occupation and use of an existing building and accordingly will not significantly alter the existing built form.
- The subject site is not located at the interface between the locality and surrounding residential localities.



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GENERAL PRINCIPLES OF DEVELOPMENT CONTROL

Clause 72 Traffic Access and Safety

Requirement: This General Principle requires that vehicle access points for parking, servicing or deliveries, and pedestrian access, are to be located in such a way as to minimise:

- traffic hazards, and
- vehicles queuing on public roads, and
- the number of crossing places to a street, and
- traffic and pedestrian conflict, and
- interference with public transport facilities.

Merit Consideration: The proposal is considered to fail the following identified points, resulting in non-compliance with this General Principle.

- traffic hazards, and
- vehicles queuing on public roads, and

Comment: The location of the site and design of the carparking area with associated pickup and drop off areas will create potential traffic hazards and result in vehicles queuing on Mitchell Road. The proposed carparking configuration does not allow for adequate turning circles to allow vehicles sufficient room to enter and exit the site in a forward direction. This will potentially result in site visitors having to reverse in and/or out of Mitchell Road. This, when combined with the single width access point, will require vehicles to queue on Mitchell Road in order to access the site. It must be noted that Mitchell Road experiences high volumes of traffic not only during business hours but also during the evening as well when the studio is proposed to operate. Accordingly, the vehicles queuing on Mitchell Road are considered to create a traffic hazard which is considered unacceptable.

- traffic and pedestrian conflict, and

Comment: The site does not allow for separated pedestrian and vehicle access, resulting in potential pedestrian and vehicle conflict. This is as access to the site for both pedestrians and vehicles is to be provided via the entry gate to the carpark. This will require students to access the dance studio across a carparking area which forms the only drop-off pick-up area for the subject site. Accordingly, given the limited manoeuvring area and that this is the only method of access to the site it is considered that the proposal will result in potential traffic and pedestrian conflict.

As a result of the above assessment of the proposal against the requirements of this General Principle, it can be seen that the proposal is inherently flawed and is not worthy of approval. Accordingly, the areas of non-compliance with the requirements of this General Principle have been incorporated into the reasons for refusal.

Clause 74 Provision of Carparking

Requirement: This General Principle requires the provision of adequate off-street carparking within the subject property boundaries. Regard must be given to:

- the land use, and
- the hours of operation, and
- the availability of public transport, and
- the availability of alternative carparking, and
- the need for parking facilities for courier vehicles, delivery/service vehicles and bicycles.

With regards to this particular landuse:

- (a) if Schedule 17 (Carparking provision) specifies the minimum number of on-site parking spaces required in relation to a particular land use, or sets out a means of calculating that minimum number of spaces—at least that minimum number of spaces must be provided, or
- (b) if Schedule 17 provides for comparisons to be drawn with developments for a similar purpose or for surveys to be taken—comparisons must be drawn or surveys taken and no less than the appropriate number of spaces must be provided, or
- (c) if Schedule 17 requires reference to be made to specified design principles—reference must be made to those design principles.

Given that the proposal is for a dance studio which is not separately defined within the WLEP 2000, it is considered that the closest land use type is 'Gymnasium'. The parking requirements for a Gymnasium is



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4.5 spaces per 100 m² GFA. The total GFA for the proposed land use of the subject site is approximately 310sqm, which equates to approximately 14 (13.9 rounded up) car parking spaces.

Area of inconsistency with control: It is noted that the proposal will allow for 3 staff car parking spaces, 1 disabled car parking space and 2 customer car parking spaces, achieving a total of 6 car parking spaces. Accordingly the proposal will result in a deficit of 8 car parking spaces.

Merit Consideration of Non-compliance: Given the above it could be assumed that the proposal will result in a significant deficit of car parking spaces. It is considered that this is not the case for the following reasons:

- The submitted statement of environmental effects states that ‘...the studio will cater for up to 8 persons (clients) at any one time...’. Accordingly it can be seen that despite the studios size, a small number of clients will be located on site at any given time.
- The proposed hours of use are 3:45pm – 8pm Monday to Friday s and 9am to 1pm on Saturdays. Given that the site is located within an industrial area, it can be seen that the hours of operation will primarily fall outside of business hours, allowing for use of the street as possible overflow car parking.
- The ages of clients/students are to range from 5-17 years and as a result will most likely be dropped off at the site, reducing the need for the provision of onsite car parking.
- Mitchell Road is serviced by the bus routes 355, 357, 359, 361, 555, 556, and 557. Accordingly it can be seen that the site is accessible from a variety of areas serviced by public transport.

Given the above, subject to a condition of consent limiting the number of occupants to a maximum of 10 at any given time, the proposal is considered to satisfy the requirements of this General Principle.

Clause 75 Design of Carparking areas

Requirement: This General Principle requires that carparking must:

- avoid the use of mechanical car stacking devices, and
- not be readily apparent from public spaces, and
- provide safe and convenient pedestrian and traffic movement, and
- include adequate provision for manoeuvring and convenient access to individual spaces, and
- where possible, enable vehicles to enter and leave the site in a forward direction, and
- incorporate unobstructed access to visitor parking spaces, and
- be landscaped to shade parked vehicles, screen them from public view, assist in micro-climate management and create attractive and pleasant spaces, and
- provide on-site detention of stormwater, where appropriate, and
- make reasonable provision for the carparking needs of people with physical disabilities.

Merit Consideration: The proposal is considered to fail the following identified points, resulting in non-compliance with this General Principle.

- provide safe and convenient pedestrian and traffic movement, and

Comment: The proposal will rely heavily upon pick-up and drop-off spots resulting in constant traffic movement within the carparking area. Accordingly, the layout of the proposed carparking area is not considered to allow for safe and convenient pedestrian and traffic movement as vehicles will constantly be entering and leaving the site in order to set down and pick up students. This is a concern as this same area provides the only access to the proposed dance studio for pedestrians, resulting in potential pedestrian/vehicle conflict. Accordingly the proposed carparking configuration is not considered to provide safe or convenient pedestrian and traffic movement.

- include adequate provision for manoeuvring and convenient access to individual spaces, and

Comment: Due to the relatively small size of the proposed carparking area, the layout of the carparking area does not allow for adequate manoeuvring and convenient access to individual spaces. This is as the width of the carparking area does not allow for adequate turning circles to access the proposed carparking spaces. Additionally, the three stacked carparking spaces located between the building and the property boundary have limited access.

- where possible, enable vehicles to enter and leave the site in a forward direction, and



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Comment: The proposed carparking area does not allow for adequate space to allow for vehicles to enter and leave in a forward direction. The proposed carparking configuration does not allow for adequate turning circles to allow for vehicles to enter and exit the site in a forward direction. This is a significant concern as it will result in vehicles having to reverse out onto Mitchell Road which experiences High Volumes of traffic even out side of key business hours.

- incorporate unobstructed access to visitor parking spaces, and

Comment: The site is anticipated to rely upon pick-up and drop-off areas, which when combined with a single car driveway, and the small size of the carparking area will prevent unobstructed access to visitor parking spaces.

As a result of the above assessment of the proposal against the requirements of tis General Principle, it can be seen that the proposal is inherently flawed and is not worthy of approval. Accordingly, the areas of non-compliance with the requirements of this General Principle have been incorporated into the reasons for refusal.

OTHER MATTERS FOR FURTHER CONSIDERATION:

Section 2A - SEPP No. 64 – Advertising and Signage

Is SEPP 64 Applicable to the proposal? ☒ Yes ☐ No (delete table below)

Clauses 8 and 13 of SEPP 64 require Council to determine consistency with the objectives stipulated under Clause 3(1) (a) of the aforementioned SEPP and to assess the proposal against the assessment criteria of Schedule 1.

Matters for Consideration	Comment	Complies
1. Character of the area Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The subject site is located within the F3 Brookvale Industrial locality under WLEP 2000. This locality is primarily comprised of commercial premises and industrial uses which provide advertising signage for the premises, including wall, window and pylon signs. The proposed development involves the erection of a singular wall sign on the front façade which is consistent with existing surrounding signage.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The subject site is located within an existing commercial/industrial land use area with varying signage and building form. The proposed signage is considered to be satisfactory with regard to the advertising theme for the commercial uses within the locality.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Special areas Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The subject site is not located within the vicinity of any environmentally sensitive area, heritage item, waterway or rural landscape.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Views and vistas Does the proposal obscure or compromise important views?	In addition, the proposed signage will not result in the obscuring of views from any public or private domain.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the proposal dominate the skyline and reduce the quality of vistas?	All proposed signage is located below the existing roof line and will therefore not result	<input checked="" type="checkbox"/> Yes



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	in any change to the existing built form.	<input type="checkbox"/> No
Does the proposal respect the viewing rights of other advertisers?	Given that the proposed sign is to be affixed to an existing building which is well setback from the road by 10m, it is not considered that the proposed sign will interfere with the viewing rights of other advertisers.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4. Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signage is not considered to adversely impact on the surrounding streetscape, setting or landscape due to the location of the signage.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage is consistent with that of surrounding development, it is consistent with the existing built form and is considered to be in scale with the building to which it will be attached.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	It is considered that the proposed signage will maintain the status quo with regard to clutter and rationalisation.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the proposal screen unsightliness?	The proposed signage is designed as a wall sign and will not obscure any unsightliness.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	All proposed signage is to be constructed on the buildings existing parapet, and will not protrude beyond the roof line.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5. Site and building Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signage is considered to be compatible with the scale, proportion and other characteristics of the site or building due to the location of the signage	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the proposal respect important features of the site or building, or both?	All proposed signage has been designed as wall signs on the existing building parapet, the signage is considered to be consistent with that of the built form and to that of surrounding development, as such the proposal is considered to respect the important features of the site and building.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage is standard in design, it is consistent with that of surrounding development and is considered satisfactory for the proposed use.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
6. Associated devices and logos with advertisements and advertising structures Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	No safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed have been proposed as part of this application.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7. Illumination Would illumination result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, detract from the amenity of any	No illumination is proposed.	<input checked="" type="checkbox"/> Yes



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residence or other form of accommodation?		<input type="checkbox"/> No
Can the intensity of the illumination be adjusted, if necessary?	No illumination is proposed	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the illumination subject to a curfew?	No illumination is proposed	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
8. Safety Would the proposal reduce the safety for any public road, pedestrians or bicyclists?	Due to the location of the proposed signage and conditions, the proposed signage is not considered to have any adverse impact upon the safety for any public road, pedestrians or bicyclists.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	Due to the location of the proposed signage it is considered that the signage will not result in the obscuring of any views.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

The objectives of the policy aim to ensure that the proposed signage is compatible with the desired amenity and visual character of the locality, provides effective communication and is of high quality having regards to both design and finishes.

Proposal is satisfactory ☒ Yes ☐ No

WLEP 2000 Clause 53 Signs

CL53 Signs	<p>The number, size, shape, extent, placement and content of signs are to be limited to the extent necessary to:</p> <ul style="list-style-type: none"> • allow the reasonable identification of the land use, business, activity or building to which the sign relates, and • ensure that the sign is compatible with the design, scale and architectural character of the building or site upon which it is to be placed, and • ensure that the sign does not dominate or obscure other signs or result in visual clutter, and • ensure that the sign does not endanger the public or diminish the amenity of nearby properties. 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Is there existing signage on site? ☒ Yes ☐ No

Will the existing signage be retained? ☐ Yes ☒ No – condition removed

Section 2B Schedule 17 Carparking Provision

<p>Number of car spaces existing 6 spaces, complies?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> FAR</p> <p>Total number of car spaces required 14 spaces?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> FAR</p> <p>Total number of car spaces proposed 6</p>	<p>Addressed via condition?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Further Assessment Required (Clause 74 addressed above)</p>
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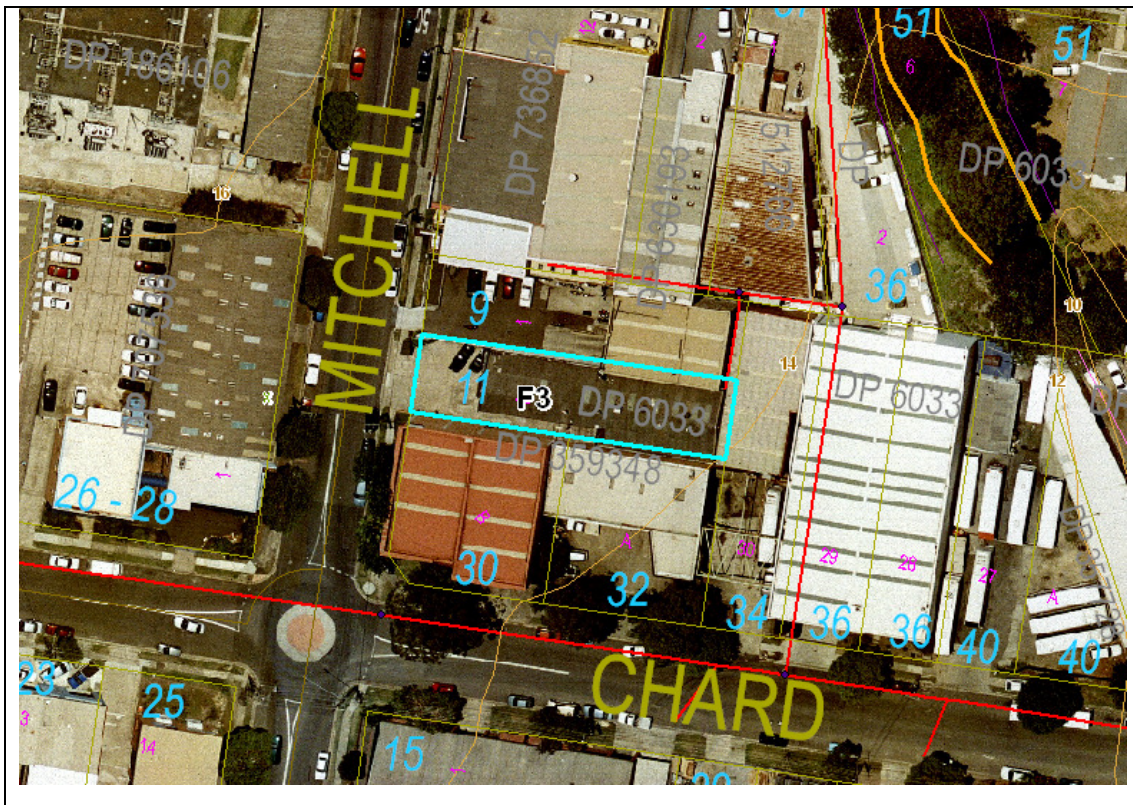
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spaces, complies? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> FAR	
Clause 74 Provision of carparking Adequate off-street carparking is to be provided within the subject property boundaries having regard to: • the land use, and • the hours of operation, and • the availability of public transport, and • the availability of alternative carparking, and • the need for parking facilities for courier vehicles, delivery/service vehicles and bicycles.	 <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No



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SECTION 3 – SITE INSPECTION ANALYSIS



Site area 594.7sqm

Detail existing onsite structures:

- ☐ None
- ☒ Shop
- ☐ Detached Garage
- ☐ Detached shed
- ☐ Swimming pool
- ☐ Tennis Court
- ☐ Cabana
- ☐ Other

Site Features:

- ☒ None
- ☐ Trees
- ☐ Under Storey Vegetation
- ☐ Rock Outcrops
- ☐ Caves
- ☐ Overhangs
- ☐ Waterfalls

- ☐ Creeks / Watercourse
- ☐ Aboriginal Art / Carvings
- ☐ Any Item of / or any potential item of heritage significance

Potential View Loss as a result of development

- ☐ Yes ☒ No

If Yes where from (in relation to site):

- ☐ North / South
- ☐ East / West
- ☐ North East / South West
- ☐ North West / South East

View of:

- Ocean / Waterways ☐ Yes ☐ No
- Headland ☐ Yes ☐ No
- District Views ☐ Yes ☐ No
- Bushland ☐ Yes ☐ No
- Other:



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Bushfire Prone?

☐ Yes ☒ No

Flood Prone?

☒ Yes ☐ No

Affected by Acid Sulfate Soils

☐ Yes ☒ No

Located within 40m of any natural watercourse?

☐ Yes ☒ No

Located within 1km landward of the open coast watermark or within 1km of any bay estuaries, coastal lake, lagoon, island, tidal waterway within the area mapped within the NSW Coastal Policy?

☐ Yes ☒ No

Located within 100m of the mean high watermark?

☐ Yes ☒ No

Located within an area identified as a Wave Impact Zone?

☐ Yes ☒ No

Any items of heritage significance located upon it?

☐ Yes ☒ No

Located within the vicinity of any items of heritage significance?

☐ Yes ☒ No

Located within an area identified as potential land slip?

☐ Yes ☒ No

Is the development Integrated?

☐ Yes ☒ No

Does the development require concurrence?

☐ Yes ☒ No

Is the site owned or is the DA made by the "Crown"?

☐ Yes ☒ No

Have you reviewed the DP and s88B instrument?

☒ Yes ☐ No

Does the proposal impact upon any easements / Rights of Way?

☐ Yes ☒ No



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Site Inspection / Desktop Assessment Undertaken by:

Does the site inspection <Section 3> confirm the assessment undertaken against the relevant EPI's <Section's 1 & 2>?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there any additional matters that have arisen from your site inspection that would require any additional assessment to be undertaken?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes provide detail:

Signed

Date

Adrian Melo, Development Assessment Officer



SECTION 4 – APPLICATION DETERMINATION

Conclusion:

The proposal has been considered against the relevant heads of consideration under S79C of the EPA Act 1979 and the proposed development is considered to be:

- ☐ Satisfactory
- ☒ Unsatisfactory

Recommendation:

That Council as the consent authority

- ☒ **GRANT DEVELOPMENT CONSENT** to the development application subject to:
- (a) the conditions detailed within the associated notice of determination; and
 - (b) the consent lapsing within three (3) from operation
- ☐ **GRANT DEFERRED COMMENCEMENT CONSENT** to the development application subject to:
- (a) the conditions detailed within the associated notice of determination;
 - (b) limit the deferred commencement condition time frame to 3 years;
 - (c) one the deferred commencement matter have been satisfactorily addressed issue an operational consent subject to the time frames detailed within part (d); and
 - (d) the consent lapsing within three (3) from operation
- ☒ **REFUSE development consent** to the development application subject to:
- (a) the reasons detailed within the associated notice of determination.

Signed

Date

Adrian Melo, Development Assessment Officer

The application is determined under the delegated authority of:

Signed

Date

Ailsa Prendergast, Team Leader, Development Assessment