

## DEVELOPMENT APPLICATION ASSESSMENT REPORT

<b>Application Number:</b>	DA2019/0098
<b>Responsible Officer:</b>	Jordan Davies
<b>Land to be developed (Address):</b>	Lot B DP 102459, 13 Dress Circle Road AVALON BEACH NSW 2107
<b>Proposed Development:</b>	Alterations and additions to a dwelling house including secondary dwelling
<b>Zoning:</b>	E4 Environmental Living
<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>	Sacha Dee Jacobsen Anthony John Jacobsen Gilda Marie Jacobsen
<b>Applicant:</b>	Sacha Dee Jacobsen Anthony John Jacobsen Gilda Marie Jacobsen
<b>Application lodged:</b>	07/02/2019
<b>Integrated Development:</b>	No
<b>Designated Development:</b>	No
<b>State Reporting Category:</b>	Residential - New second occupancy
<b>Notified:</b>	12/02/2019 to 28/02/2019
<b>Advertised:</b>	Not Advertised
<b>Submissions Received:</b>	0
<b>Recommendation:</b>	Approval
<b>Estimated Cost of Works:</b>	\$ 450,000.00

### ASSESSMENT INTRODUCTION

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

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral

to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;

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

## SUMMARY OF ASSESSMENT ISSUES

Pittwater 21 Development Control Plan - C1.23 Eaves

Pittwater 21 Development Control Plan - D1.9 Side and rear building line

Pittwater 21 Development Control Plan - D1.14 Landscaped Area - Environmentally Sensitive Land

## SITE DESCRIPTION

<b>Property Description:</b>	Lot B DP 102459 , 13 Dress Circle Road AVALON BEACH NSW 2107
<b>Detailed Site Description:</b>	<p>The subject site consists of one (1) allotment located on the southern side of Dress Circle Road.</p> <p>The site is irregular in shape with a frontage of 20m along Dress Circle Avenue and a depth of 61m. The site has a surveyed area of 1354m<sup>2</sup>.</p> <p>The site is located within the E4 Environmental Living zone and accommodates two storey dwelling house, deck, detached garage and shed.</p> <p>The site is steeply sloping from the rear the front with an overall fall of 14m across the site.</p> <p>The site has a number of exotic and native canopy trees and shrubs. Of particular note are four spotted gum trees in the front yard.</p> <p><b>Detailed Description of Adjoining/Surrounding Development</b></p> <p>Adjoining and surrounding development is characterised by detached residential dwellings with ancillary structures, decks, car ports and vehandahs. Adjoining the site to the east is a two storey house, with a deck and awning protruding forward of the dwelling facade. To the west is a single storey dwelling with a deck protruding forward of the dwelling facade. Across the road are dwelling houses both single and double storey.</p>

Map:



## SITE HISTORY

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

Application **N0671/07** for alterations and additions to the dwelling, including construction of a gazebo determined on 08/01/2008 by Pittwater Council.

## PROPOSED DEVELOPMENT IN DETAIL

The proposed development is for alterations and additions to an existing dwelling and garage and new secondary dwelling (granny flat). Specifically the proposal involves:

- New roof for the main dwelling house;
- Extension of kitchen area;
- Refurbish and expansion of the deck off the main dwelling;
- New stairs and retaining wall;
- New ground floor windows to bedroom, kitchen and laundry;
- Demolition of existing garage and construction of new double garage;
- New secondary dwelling with deck;
- Removal of one (1) native tree.

## ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

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

Section 4.15 Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any	See discussion on "Environmental Planning Instruments"

Section 4.15 Matters for Consideration'	Comments
environmental planning instrument	in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	None applicable.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Pittwater 21 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, Council requested additional information and has therefore considered the number of days taken in this assessment in light of this clause within the Regulations. No additional information was requested.</p> <p><u>Clause 92</u> of the EP&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 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 the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p> <p><u>Clause 143A</u> of the EP&amp;A Regulation 2000 requires the submission of a design verification certificate from the building designer prior to the issue of a Construction Certificate. This clause is not relevant to this application.</p>
Section 4.15 (1) (b) – the likely impacts of	(i) <b>Environmental Impact</b>

Section 4.15 Matters for Consideration'	Comments
the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>The environmental impacts of the proposed development on the natural and built environment are addressed under the Pittwater 21 Development Control Plan section in this report.</p> <p>(ii) <b>Social Impact</b> 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> 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 (Bushland and Biodiversity)	<p><b>Updated comments 16/05/2019</b></p> <p>The applicant has provided a revised Arborist report which includes survey and assessment of all trees within 5m of the works including trees on the neighbouring property. Due to access constraints to the proposed granny flat, the applicant is proposing to remove one <i>Corymbia maculata</i> Spotted Gum (T3). This is acceptable provided compensatory canopy tree planting and landscaping is undertaken in accordance with the B4.7 control.</p>



Internal Referral Body	Comments
	<p><b>Additional information provided 22/03/2019</b></p> <p>A plan was provided that shows the deck of the secondary dwelling will be removed and replaced with stairs. This may constitute <i>designed to minimise any impact on the Pittwater Spotted Gum Forest and on remnant native vegetation, including canopy trees</i> as required under PLEP 7.6, DCP B4.7 and B4.22. The Arborist would need to verify that T3 can be retained if the deck is removed.</p> <p>A revised Arborist report is still required that assesses all trees within 5m of the proposed works, this includes the Spotted Gums on the neighbours property for the proposed deck on the main dwelling.</p> <p>If the applicant now proposes to retain T3, and if T3 is within 2m of the secondary dwelling, removal would be permitted without a Council permit once the secondary dwelling is constructed (<a href="https://www.northernbeaches.nsw.gov.au/planning-development/tree-management/private-land">https://www.northernbeaches.nsw.gov.au/planning-development/tree-management/private-land</a>). If this is the case, a Landscape Plan is required that shows replacement planting. This can be conditioned prior to CC.</p> <p><b>Initial assessment:</b></p> <p>The proposal has been assessed against the NSW Biodiversity Conservation Act 2016 (BC Act), Pittwater LEP 7.6, and Pittwater DCP B4.3, B4.7, and B4.22.</p> <p>The site contains 4 <i>Corymbia maculata</i> (Spotted Gum) trees in the front yard, one is within the development footprint for the secondary dwelling. The adjacent site to the east (11 Dress Circle) contains 4 <i>Corymbia maculata</i> near the border of the subject site.</p> <p>An Arborist report is provided that assesses 3 <i>Corymbia maculata</i> in the front yard. Two of these (T1 and T2) are assessed as having long ULEs, and T3 is assessed as having a medium ULE with low retention value. The report specifies that this is not a recommendation for removal, but that trees with a low retention value are <i>not worthy of constraining plans and construction processes during any development at a site</i>. Pursuant to DCP B4.7 and B4.22 the development is to be sited and designed to minimise the impact on native vegetation, including canopy trees. This has not been addressed in the SEE.</p> <p>The Arborist report appears to have incorrectly identified T3 for removal on Figure 6. The image on page 15 indicates T3 is the tree that is located closest to the existing dwelling and is within the development footprint. However Figure 6 shows T3 closer to the road and outside the development footprint. This inconsistency is reflected in the Architectural Plans (Site Plan 001, and 001A). In addition, there are three <i>Corymbia maculata</i> on the neighbours property that are within 5m of the proposed works, these were not addressed in the Arborist report.</p>

Internal Referral Body	Comments
	<p>Pursuant to DCP B4.22, replacement planting is required for all trees proposed for removal. A Landscape Plan must be provided.</p> <p>The proposal is not supported due to inconsistent and inadequate information. The following is required:</p> <ul style="list-style-type: none"> <li>Revised Arborist report that assess all significant native trees (including trees on the neighbours property) within 5m of the proposed works, including retaining walls and concrete paths;</li> <li>Revised Architectural plans that show the correct trees proposed for removal are required. In addition, the Arborist report is to assess all trees that are within 5m of the proposed development;</li> <li>SEE is required to address the provisions of PLEP 7.6, DCP B4.7 and B4.22, and demonstrate that the development <i>has been designed to minimise any impact on the Pittwater Spotted Gum Forest and on remnant native vegetation, including canopy trees</i>;</li> <li>A Landscape Plan that shows replacement planting for any trees proposed for removal.</li> </ul>
NECC (Development Engineering)	The site is located in Geotechnical Hazard H1 Area, an "Acceptable Risk Management" level is achieved in accordance with the geotechnical report provided by White geotechnical group. The stormwater management for the development is acceptable. No Development Engineering objection subject to conditions.

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.
Aboriginal Heritage Office	No objections

## 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 and use.

## SEPP (Building Sustainability Index: BASIX) 2004

A BASIX certificate has been submitted with the application (see Certificate No. A281022\_04 dated 3 February 2019).

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.

## Pittwater Local Environmental Plan 2014

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	5.3m	N/A	Yes



		(Secondary Dwelling)		
Maximum floor area secondary dwelling (Clause 5.4(9))	60sqm	59.7sqm	N/A	Yes

#### Compliance Assessment

Clause	Compliance with Requirements
1.9A Suspension of covenants, agreements and instruments	Yes
2.7 Demolition requires development consent	Yes
4.3 Height of buildings	Yes
5.4 Controls relating to miscellaneous permissible uses	Yes
5.10 Heritage conservation	Yes
7.1 Acid sulfate soils	Yes
7.2 Earthworks	Yes
7.6 Biodiversity protection	Yes
7.7 Geotechnical hazards	Yes
7.10 Essential services	Yes

#### **Pittwater 21 Development Control Plan**

##### Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
Front building line	Consistent with prevailing Average of two adjoining properties = 16.5m	18.07m	N/A	Yes
Rear building line	6.5m	Unchanged	N/A	Yes
Side building line	2.5m	1.53m (West)	38%	No
	1m	1.4m (East) - Secondary dwelling	N/A	Yes
	1m	1m (East) - Deck off main dwelling	N/A	Yes - As a condition
Building envelope	3.5m	Within	N/A	Yes
	3.5m	Within	N/A	Yes
Landscaped area	60%	58.4%	2.6%	No - However variation clause applies.

**\*Note:** The percentage variation is calculated on the *overall* numerical variation (ie: for Landscaped area - 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
A1.7 Considerations before consent is granted	Yes	Yes
A4.1 Avalon Beach Locality	Yes	Yes
A5.1 Exhibition, Advertisement and Notification of Applications	Yes	Yes
B1.4 Aboriginal Heritage Significance	Yes	Yes
B3.1 Landslip Hazard	Yes	Yes
B3.6 Contaminated Land and Potentially Contaminated Land	Yes	Yes
B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community	Yes	Yes
B5.1 Water Management Plan	Yes	Yes
B5.8 Stormwater Management - Water Quality - Low Density Residential		
B5.9 Stormwater Management - Water Quality - Other than Low Density Residential	Yes	Yes
B5.10 Stormwater Discharge into Public Drainage System	Yes	Yes
B6.1 Access driveways and Works on the Public Road Reserve	Yes	Yes
B6.2 Internal Driveways	Yes	Yes
B6.3 Off-Street Vehicle Parking Requirements	Yes	Yes
B8.1 Construction and Demolition - Excavation and Landfill	Yes	Yes
B8.2 Construction and Demolition - Erosion and Sediment Management	Yes	Yes
B8.3 Construction and Demolition - Waste Minimisation	Yes	Yes
B8.4 Construction and Demolition - Site Fencing and Security	Yes	Yes
B8.5 Construction and Demolition - Works in the Public Domain	Yes	Yes
C1.1 Landscaping	Yes	Yes
C1.2 Safety and Security	Yes	Yes
C1.3 View Sharing	Yes	Yes
C1.4 Solar Access	Yes	Yes
C1.5 Visual Privacy	Yes	Yes
C1.6 Acoustic Privacy	Yes	Yes
C1.7 Private Open Space	Yes	Yes
C1.11 Secondary Dwellings and Rural Worker's Dwellings	Yes	Yes
C1.12 Waste and Recycling Facilities	Yes	Yes
C1.13 Pollution Control	Yes	Yes
C1.23 Eaves	No	Yes
C5.1 Landscaping	Yes	Yes
D1.1 Character as viewed from a public place	Yes	Yes
D1.4 Scenic protection - General	Yes	Yes
D1.5 Building colours and materials	Yes	Yes
D1.8 Front building line	Yes	Yes
D1.9 Side and rear building line	No	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
D1.11 Building envelope	Yes	Yes
D1.14 Landscaped Area - Environmentally Sensitive Land	No	Yes
D1.17 Construction, Retaining walls, terracing and undercroft areas	Yes	Yes

#### Detailed Assessment

#### **C1.23 Eaves**

The proposed secondary dwelling does not provide 450mm overhang/eaves on the eastern and western elevations. The northern elevation is shaded by the roof overhang over the deck 1250mm.

#### Merit Assessment

The proposal is considered against the outcomes of the control C1.23 Eaves as follows:

Outcome 1) Housing that reflects the coastal heritage and character of Pittwater.

Comment: The proposed secondary dwelling is not situated within a prominent coastal location within Pittwater. The building is modest in design, bulk and scale and is not detrimental to the coastal heritage and character of Pittwater.

Outcome 2) *Optimise roof forms.*

Comment: The proposed roof form is a flat skillion roof with 1.5 degree pitch to assist with reducing the visual impact and respond to the topography of the site. The roof form has a 1250mm overhang to the northern elevation where the majority of windows are situated to provide window shading.

Outcome 3) Appropriate solar access and shading is achieved.

Comment: A 1250mm roof overhang is provided to the northern elevation where the majority of glazing is present. A BASIX certificate and NATHERS certificate have been provided for the secondary dwelling demonstrating appropriate levels of thermal comfort will be achieved for the dwelling.

The proposed development is considered to be consistent with the outcomes of the *Pittwater 21 DCP* and is supported in this circumstance.

#### **D1.9 Side and rear building line**

The DCP requires a side setback of 2.5m to one side and 1m to the other side boundary. The proposed granny flat complies with the eastern side setback at 1.4m (granny flat). The extension to the deck off the main dwelling proposes a setback of 0.66m. A condition of development consent will be imposed to increase the setback to 1m between the eastern boundary and the deck off the principle dwelling.

The western side boundary is non-compliant at at 1.53m (proposed garage).

The DCP allows for variations to be considered to the side setback for alterations and additions where maintenance of existing setbacks less than as specified where it is shown that the outcomes of this clause are achieved.

The existing garage on the site is setback at 1.53m from the western boundary. The proposed development involves erection of a new garage in the same location and setback.

The existing dwelling on the site is setback a minimum of 1.64m from the western boundary. The proposed additions to the dwelling follow the existing alignment of the dwelling which gradually increase the setback to the western boundary as the building projects towards the front boundary.

#### Merit Assessment

The proposed development is considered against the outcomes of the control D1.9 Side and Rear Building Line as follows:

*Objective 1) To achieve the desired future character of the Locality.*

Comment: The built form is substantially setback from the street with the additional buildings consisting of single storey elements in keeping with the surrounding residential setting. The bushland setting and objectives of the E4 Zone have been met.

*Objective 2) The bulk and scale of the built form is minimised.*

Comment: The proposed additions (garage, secondary dwelling, dwelling extension and deck) are all single storey elements that do not present as buildings that have an unreasonable bulk and scale. The secondary dwelling and garage are set into the topography of the site and maintain a roofline below the tree canopy.

*Objective 3) Equitable preservation of views and vistas to and/or from public/private places.*

Comment: No view loss will result from the development.

*Objective 4) To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.*

Comment: The proposed development will not have any impact upon and views.

*Objective 5) To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.*

Comment: The proposed granny flat has minimal windows on the eastern elevation including a highlight window to assist with privacy to the eastern property. The deck upon the principle dwelling does not provide views to the adjoining dwelling's private open space with the main view being orientated towards the street and side of the adjoining building. The proposed additions will not create any unreasonable overshadowing being single storey buildings.

*Objective 6) Substantial landscaping, a mature tree canopy and an attractive streetscape.*

Comment: The site currently consists of a large amount of vegetation including low lying shrubs, grasses and canopy trees to the front of the site. One canopy tree (spotted gum) is proposed to be removed to facilitate the granny flat. Three large spotted gums are to be retained in front of the secondary dwelling and the spotted gum to be removed is the smallest of the four trees. Council's biodiversity officer has reviewed the proposed tree removal and the submitted arborist report and supports the removal of one (1) spotted gum subject to replacement planting. It is noted that the three remaining mature spotted gums can be maintained in good health as a result of the development.

*Objective 7) Flexibility in the siting of buildings and access.*

Comment: Access to the side and rear of the buildings is available with the side setbacks as proposed.

*Objective 8) Vegetation is retained and enhanced to visually reduce the built form.*

Comment: One spotted gum is proposed to be removed and the remaining native canopy trees will be retained. As described above, the removal of one (1) native canopy tree is supported subject to replacement planting. The proposed buildings will sit well below the existing tree canopy.

*Objective 9) A landscaped buffer between commercial and residential zones is achieved.*

Comment: This is not applicable.

Having considered the above outcomes of the control, the proposed development is consistent with the outcomes of the *Pittwater 21 DCP* and the variation is supported in this circumstance.

#### **D1.14 Landscaped Area - Environmentally Sensitive Land**

The Pittwater DCP requires a 60% of the site to consist of landscaped area. The proposed development consists of 58.4% landscaped area consisting of impervious treatments (grass, landscaping, trees).

The DCP allows for outdoor areas such as decks and paved private open space areas for up to 6% of the site area (in this case up to 81sqm) to be permitted on the landscaped proportion of the site. The proposed development has an area of 74sqm of open decking to be utilised as open space. Taking this area into consideration, the total landscaped area is calculated as 63.9%/865.2sqm of the site when the variation clause is applied.

Further, the proposed development is considered to achieve the outcomes of control D1.14 Landscaped Area given the proposed development has demonstrated appropriate bulk and scale, storm water management, solar access and retention and enhancement of vegetation where possible on the site.

#### **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**

##### **Pittwater Section 94 Development Contributions Plan**

S94 Contributions are not applicable to this application.

#### **CONCLUSION**



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

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;
- Pittwater Local Environment Plan;
- Pittwater 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 DA2019/0098 for Alterations and additions to a dwelling house including secondary dwelling on land at Lot B DP 102459, 13 Dress Circle Road, AVALON BEACH, 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>
001 - Site plan, Issue B	7 May 2019	Multidwell Group Pty Ltd
02 - Soft and Hard landscaping, Issue B	7 May 2019	Multidwell Group Pty Ltd
07 - Proposed ground floor plan - Main dwelling, Issue B	7 May 2019	Multidwell Group Pty Ltd

08 - Proposed first floor plan - Main dwelling, Issue B	7 May 2019	Multidwell Group Pty Ltd
09 - Proposed elevations - Main dwelling, Issue B	7 May 2019	Multidwell Group Pty Ltd
10 - Proposed elevations - Main dwelling, Issue B	7 May 2019	Multidwell Group Pty Ltd
11 - Sections & details - Main dwelling, Issue B	7 May 2019	Multidwell Group Pty Ltd
12 - Window and door schedule, Issue B	7 May 2019	Multidwell Group Pty Ltd
14 - Granny flat floor plan, Issue B	7 May 2019	Multidwell Group Pty Ltd
15 - Granny flat elevations, Issue B	7 May 2019	Multidwell Group Pty Ltd
16 - Granny flat sections, Issue B	7 May 2019	Multidwell Group Pty Ltd
17 - Garage floor plan, Issue B	7 May 2019	Multidwell Group Pty Ltd
18 - Garage elevations, Issue B	7 May 2019	Multidwell Group Pty Ltd
19 - Granny flat & Garage - Window and door schedule, Issue B	7 May 2019	Multidwell Group Pty Ltd
23 - Tree Planting Plan, Issue A	13 May 2019	Multidwell Group Pty Ltd

Engineering Plans		
Drawing No.	Dated	Prepared By
SW-1, Issue 2	6 May 2019	Michal Korecky
SW-2, Issue 2	6 May 2019	Michal Korecky

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
BASIX Certificate No. A281022_04	3 February 2019	Michael Airey Building Design and Drafting
BASIX Certificate No.932819S_03	4 February 2019	Efficient Living Pty Ltd
Geotechnical Report, J1207	6 April 2017	White Geotechnical Group
Arboricultural Impact Assessment	25 April 2019	William Dunlop

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:

Waste Management Plan		
Drawing No/Title.	Dated	Prepared By
Waste Management Plan	7 February 2019	V.Milligan

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. **Amendments to the approved plans**

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

- A setback of 1m is to be provided between the eastern boundary and the proposed deck extension off the principle dwelling.

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.

## 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. **General Requirements**

- (a) Unless authorised by Council:  
Building construction and delivery of material hours are restricted to:
  - 7.00 am to 5.00 pm inclusive Monday to Friday,
  - 8.00 am to 1.00 pm inclusive on Saturday,
  - No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

- (b) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (c) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- (d) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (e) Prior to the release of the Construction Certificate, payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative

change. The applicable fee at the time of payment of the Long Service Levy will apply.

- (f) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (g) No building, demolition, excavation or material of any nature and no hoist, plant and machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (h) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (i) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.
- (j) Prior to the commencement of any development onsite for:
  - i) Building/s that are to be erected
  - ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
  - iii) Building/s that are to be demolished
  - iv) For any work/s that is to be carried out
  - v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

- (k) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.

- (1) Child resistant fencing is to be provided to any swimming pool or lockable cover to any spa containing water and is to be consistent with the following;

Relevant legislative requirements and relevant Australian Standards (including but not limited) to:

- (i) Swimming Pools Act 1992
- (ii) Swimming Pools Amendment Act 2009
- (iii) Swimming Pools Regulation 2008
- (iv) Australian Standard AS1926 Swimming Pool Safety
- (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
- (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.
- (2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.
- (3) Filter backwash waters shall be conveyed to the Sydney Water sewerage system in sewered areas or managed on-site in unsewered areas in a manner that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.



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

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

## FEES / CHARGES / CONTRIBUTIONS

### 5. **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

### 6. **Geotechnical Report Recommendations have been Incorporated into Designs and Structural Plans**

The recommendations of the risk assessment required to manage the hazards as identified in the Geotechnical Report prepared by White geotechnical group [J1207] dated 6th April, 2017 are to be incorporated into the construction plans. Prior to issue of the Construction Certificate, Form 2 of the Geotechnical Risk Management Policy for Pittwater (Appendix 5 of P21 DCP) is to be completed and submitted to the Accredited Certifier. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure geotechnical risk is mitigated appropriately.

### 7. **On-site Stormwater Detention Compliance**

Certification of Drainage plans detailing the provision of On-site Stormwater Detention in accordance with Northern Beaches Council's – PITTWATER DCP21 and the concept drawing by Michal Korecky, drawing number 17079 dated SW-1 and SW-2 06/05/19, Issue 2. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate

Reason: To ensure engineering works are constructed in accordance with relevant standards and Council's specification.

8. **Vehicle Crossings Application**

A Driveway Levels and Formwork Inspections Application shall be made with Council subject to the payment of the fee in accordance with Council's Fees and Charges. The fee includes all Council inspections relating to the driveway construction and must be paid.

Approval of the application by Council is to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

Reason: To facilitate suitable vehicular access to private property.

9. **Compliance with Arborist's Recommendations – Pre-construction**

All pre-construction tree protection measures specified in Sections 5 and 6 of the submitted arborist report (Dunlop 25/04/2019) and these conditions of consent are to be implemented at the appropriate stage of development. Compliance with pre-construction measures is to be certified by the project arborist prior to issue of the Construction Certificate.

**Reason: To confirm compliance with tree protection/replacement measures in accordance with relevant Natural Environment LEP/DCP controls.**

10. **Project Arborist**

A Project Arborist with a minimum of AQF Level 5 is to be appointed for the duration of the works. The Project Arborist is to implement pre-construction tree protection measures and supervise all works within 5m of significant trees during works and certify all post-construction measures.

Evidence demonstrating Project Arborist engagement is to be provided to the Principal Certifying Authority prior to the issue of Construction Certificate.

**Reason: Tree protection in accordance with relevant Natural Environment LEP/DCP controls**

11. **Preparation of Landscape Plans**

Detailed Landscape Plans are to be prepared and certified by a qualified landscape architect, arborist or ecologist and are to include the following:

- the location of existing trees and vegetation to be retained, removed and/or planted. The structural root zone (SRZ) and tree protection zone (TPZ) of all existing trees should be indicated in accordance with Arborist Report (Dunlop 25/04/2019).
- A minimum of 1 replacement *Corymbia maculata* Spotted Gum must be incorporated into the plan, and shall be planted at 75 litre pot size, and shall have a minimum area of 3 metres x 3 metres. Canopy trees are to be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used
- A planting schedule comprising a least 80% of any new planting incorporates native vegetation (as per species found on the site or listed in Pittwater Spotted Gum Endangered Ecological Community). The planting schedule is to specify details including stratum, species/common names, quantities, pot sizes and staking details.
- The proposed finished treatment of garden areas, including soil depth and the location of

retaining walls and underground services.

The Landscape Plan is to be certified in writing by an arborist or ecologist prior to issue of the Construction Certificate.

**Reason: To ensure landscaping is consistent with relevant Natural Environment LEP/DCP controls.**

**12. Amendments to the approved plans**

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

- A setback of 1m is to be provided between the eastern boundary and the proposed deck extension off the principle dwelling.

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.

**13. External Finishes to Roof**

The external finish to the roof shall have a medium to dark range in order to minimise solar reflections to neighbouring properties. Light colours such as off white, cream, silver or light grey colours are not permitted.

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

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

**14. External Colours**

The external facade colours for the secondary dwelling and new garage shall consist of colours not lighter than 'windspray' or equivalent. White or light grey shall not be used. Details demonstrating compliance shall be submitted with the principle certifying authority prior to the issue of a construction certificate.

Reason: To ensure recessive colours that are sympathetic to the environment.

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

**15. Road Reserve**

The public footways and roadways adjacent to the site shall be maintained in a safe condition at all times during the course of the work.

Reason: Public Safety.

**16. Vehicle Crossings**

The provision of Extra High standard vehicle crossing 3.0 metres wide in accordance with Northern Beaches Council Drawing No A4-3330/ 4 and specifications. An Authorised Vehicle Crossing Contractor shall construct the vehicle crossing and associated works within the road reserve in plain concrete. All redundant laybacks and crossings are to be restored to footpath/grass. Prior to the pouring of concrete, the vehicle crossing is to be inspected by Council and a satisfactory "Vehicle Crossing Inspection" card issued.

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

Reason: To facilitate suitable vehicular access to private property.

**17. Implementation of Landscape Plan**

Landscaping is to be implemented in accordance with the approved Landscape Plans certified prior to CC and these conditions of consent. The new landscaping is to be certified in accordance with approved Landscape Plans and these conditions of consent by a qualified landscape architect, arborist or ecologist prior to issue of the Occupation Certificate.

**Reason: To ensure landscaping is consistent with relevant Natural Environment LEP/DCP controls.**

**18. Tree Protection during work - No Works within 5m/calculated Tree Protection Zone (TPZ)**

The developer or contractor will take all measures to prevent damage to trees and root systems during site works and construction activities including provision of water, sewerage and stormwater drainage services. In particular, works, erection of structures, excavation or changes to soil levels within 5 metres of the trunks or the calculated TPZ of trees to be retained are not permitted, and the storage of spoil, building materials, soils or the driving or parking of any vehicle or machinery within 5 metres of the trunk or the calculated TPZ of a tree to be retained, is not permitted.

**Reason:** To protect and retain trees/the natural environment proposed for retention.

**19. Compliance with Arborist's Recommendations – During Construction**

All tree protection measures to be implemented during construction, as specified in Sections 5 and 6 of the submitted arborist report (Dunlop 25/04/2019) and these conditions of consent are to be implemented at the appropriate stage of development. Compliance with these measures is to be certified by the project arborist in writing, including photographic evidence, prior to issue of the Occupation Certificate.

**Reason: To confirm compliance with tree protection/replacement measures in accordance with relevant Natural Environment LEP/DCP controls.**

**20. Aboriginal Heritage**

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

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

Reason: Aboriginal Heritage Protection. (DACAHE01)

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

**21. Application for Authorisation of Legal Documentation is required for Onsite Detention**

An Application for Authorisation of Legal Documentation with the original completed request forms (NSW Land Registry standard forms 13PC and/or 13RPA) must be submitted to Council,

with a copy of the Works-as-Executed plan (details overdrawn on a copy of the approved drainage plan), hydraulic engineers certification and Compliance Certificate issued by an Accredited Certifier in Civil Works. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To create encumbrances on the land.

22. **Registration of Encumbrances for On-site Stormwater Detention**

A copy of the certificate of title demonstrating the creation of the positive covenant and restriction for on-site storm water detention as to user is to be submitted. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To identify encumbrances on land.

23. **Positive Covenant and Restriction as to User for On-site Stormwater Detention**

A positive covenant shall be created on the title of the land requiring the proprietor of the land to maintain the on-site stormwater detention structure in accordance with the standard requirements of Council. The terms of the positive covenant are to be prepared to Council's standard requirements at the applicant's expense and endorsed by Northern Beaches Council's delegate prior to lodgement with NSW Land Registry Services. Northern Beaches Council shall be nominated as the party to release, vary or modify such covenant.

A restriction as to user shall be created on the title over the on-site stormwater detention system, restricting any alteration to the levels and/or any construction on the land. The terms of such restriction are to be prepared to Council's standard requirements at the applicant's expense and endorsed by Council prior to lodgement with NSW Land Registry Services. Northern Beaches Council shall be nominated as the party to release, vary or modify such restriction.

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 the on-site detention is maintained to an appropriate operational standard.

24. **Geotechnical Certification Prior to Occupation Certificate**

Prior to issue of the Occupation Certificate, Form 3 of the Geotechnical Risk Management Policy is to be completed and submitted to the Principal Certifying Authority.

Reason: To ensure geotechnical risk is mitigated appropriately.

25. **Certification of Landscape Plan Implementation**

Landscaping is to be implemented in accordance with the approved Landscape Plans required prior to CC and these conditions of consent. The new landscaping is to be certified as complete and in accordance with approved Landscape Plans and these conditions of consent by a qualified landscape architect, arborist or ecologist prior to issue of any Occupation Certificate.

**Reason: To ensure landscaping is consistent with relevant Natural Environment LEP/DCP controls.**

26. **Compliance with Arborist's Recommendations – Post-construction**



All tree protection measures to be implemented, as specified in Sections 5 and 6 of the submitted arborist report (Dunlop 25/04/2019) and these conditions of consent are to be implemented at the appropriate stage of development. Satisfactory establishment/initiation of post-construction measures is to be certified by the consulting arborist prior to issue of the Occupation Certificate.

**Reason: To confirm compliance with tree protection/replacement measures in accordance with relevant Natural Environment LEP/DCP controls.**

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

**27. Control of Weeds**

Prior to the completion of works, all priority weeds (as listed under the Biosecurity Act 2015) are to be removed/controlled within the subject site using an appropriately registered control method. Information on weeds of the Northern Beaches can be found at the NSW WeedWise website (<http://weeds.dpi.nsw.gov.au/>). All environmental weeds are to be removed and controlled. Refer to Council website [http://www.pittwater.nsw.gov.au/environment/noxious\\_weeds](http://www.pittwater.nsw.gov.au/environment/noxious_weeds)

**Reason:** Weed management.

**28. Replacement of Canopy Trees**

Tree replacement plantings required under this consent are to be retained for the life of the development and/or for their safe natural life. Trees that die or are removed must be replaced with another locally native canopy tree.

**Reason: To replace locally native trees in accordance with relevant Natural Environment LEP/DCP controls**

**29. No Planting Environmental Weeds**

No environmental weeds are to be planted on the site. Information on weeds of the Northern Beaches can be found at the NSW WeedWise website (<http://weeds.dpi.nsw.gov.au/>).

**Reason:** Weed management.

**30. Works to cease if item found**

If any Aboriginal Engravings or Relics are unearthed all work is to cease immediately and the Aboriginal Heritage Office (AHO) and Office of Environment and Heritage (OEH) are to be notified.

**Reason:** To protect Aboriginal Heritage.

**31. Dead or Injured Wildlife**

If construction activity associated with this development results in injury or death of a native mammal, bird, reptile or amphibian, a registered wildlife rescue and rehabilitation organisation must be contacted for advice.

**Reason:** To mitigate potential impacts to native wildlife resulting from construction activity.

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

**Signed**



**Jordan Davies, Planner**

The application is determined on 17/05/2019, under the delegated authority of:



**Matthew Edmonds, Manager Development Assessments**