

## DEVELOPMENT APPLICATION ASSESSMENT REPORT

<b>Application Number:</b>	DA2019/0261
<b>Responsible Officer:</b>	Phil Lane
<b>Land to be developed (Address):</b>	Lot 43 DP 6195, 33 Hillcrest Avenue MONA VALE NSW 2103
<b>Proposed Development:</b>	Demolition works and construction of a dwelling house including swimming pool and pool cabana
<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>	Barbara Stevens Roderick Owen Stevens
<b>Applicant:</b>	Gartner Trovato Architects
<b>Application Lodged:</b>	19/03/2019
<b>Integrated Development:</b>	No
<b>Designated Development:</b>	No
<b>State Reporting Category:</b>	Residential - Single new detached dwelling
<b>Notified:</b>	24/09/2019 to 08/10/2019
<b>Advertised:</b>	Not Advertised
<b>Submissions Received:</b>	1
<b>Clause 4.6 Variation:</b>	Nil
<b>Recommendation:</b>	Approval
<b>Estimated Cost of Works:</b>	\$ 1,300,000.00

### PROPOSED DEVELOPMENT IN DETAIL

#### 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 - D9.6 Front building line  
 Pittwater 21 Development Control Plan - D9.7 Side and rear building line  
 Pittwater 21 Development Control Plan - D9.9 Building envelope  
 Pittwater 21 Development Control Plan - D9.12 Fences - General

## SITE DESCRIPTION

<b>Property Description:</b>	Lot 43 DP 6195 , 33 Hillcrest Avenue MONA VALE NSW 2103
<b>Detailed Site Description:</b>	<p>The subject site consists of one (1) allotment located on the south side of Hillcrest Avenue.</p> <p>The site is irregular in shape with a frontage of 15.86m along Hillcrest Avenue and a depth of 61.69m along the western side boundary and 57.435m along the eastern side boundary. The site has a surveyed area of 907.7m<sup>2</sup>.</p> <p>The site is located within the E4 Environmental Living zone and accommodates a dilapidated 2 storey house with an attached garage.</p> <p>The site has a sloping grade of 23% running from the front boundary down to the rear boundary.</p> <p>The site has a number of native and exotic species of trees, plants and shrubs.</p> <p><b>Detailed Description of Adjoining/Surrounding Development</b></p> <p>Adjoining and surrounding development is characterised by single, double and three storey dwellings with associated outbuildings/structures with landscaped gardens.</p>

Map:



## SITE HISTORY

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

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

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

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

Section 4.15 Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on "Environmental Planning Instruments" in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	None applicable.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Pittwater 21 Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&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>Clauses 54 and 109</u> of the EP&amp;A Regulation 2000, Council requested additional information and has therefore considered the</p>

Section 4.15 Matters for Consideration'	Comments
	<p>number of days taken in this assessment in light of this clause within the Regulations. Additional information was requested in relation to a detailed arborist report. Arborist Report was received on 19 July 2019 and referral responses from Council's Landscape and Biodiversity received on 12 August 2019.</p> <p>Clause 98 of the EP&amp;A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter has been addressed via a condition of consent.</p> <p>Clause 98 of the EP&amp;A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p>
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) <b>Environmental Impact</b> 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 process council is in receipt of 1 submission/s from:

Name:	Address:
Mr Trevor Walter Sutton Ms Charlotte Ann Sutton	35 Hillcrest Avenue MONA VALE NSW 2103

### Building height of the garage

The submission raises issues over the requirements for approved garage on their subject site (35 Hillcrest Avenue).

Comment: The proposed height of the garage and building height is compliant with the applicable built form control of the Pittwater LEP.

It is considered that this issue does not warrant refusal and/or further amendment via condition.

### Overshadowing

Issues were raised about loss of sunlight to 35 Hillcrest Avenue.

Comment: A detailed review of the submitted plans and solar access diagrams demonstrates that will be some loss of solar access to the front yard between the garage and the dwelling, however this area is not considered the principal private open space for the property, and the private open space is located behind the dwelling which demonstrates compliance with this control.

It is considered that this issue does not warrant refusal and/or further amendment via condition.

## REFERRALS

Internal Referral Body	Comments
Landscape Officer	<p>The development application seeks approval for the demolition of an existing dwelling and construction of a new dwelling, cabana, swimming pool and associated works. The proposal in terms of landscape outcome is acceptable subject to the protection of existing trees and vegetation, and the completion of landscape works.</p> <p>An updated Arborist Report addressing has been prepared in accordance with DA Lodgement Requirements and addresses the initial concerns raised in the previous landscape referral response, and the recommendations are supported, subject to conditions.</p> <p>A landscape concept intent has been prepared. Conditions of consent shall be applied requiring an updated landscape plan to satisfy Pittwater 21 DCP.</p>



Internal Referral Body	Comments
	<p>Council's Landscape section has assessed the proposal against the following Pittwater 21 DCP Controls:</p> <p>B4.22 Preservation of Trees and Bushland Vegetation</p> <p>C1.1 Landscaping</p> <p>D9 Mona Vale Locality</p>
NECC (Bushland and Biodiversity)	<p><b>Updated Biodiversity Comments (12 August 2019)</b></p> <p>This updated assessment is based on additional information provided in the amended Arborist Report (Waratah Eco Works, July 2019). The report identifies six protected native trees to be removed. In order to achieve consistency with the objectives of Pittwater DCP Clause B4.5 (Landscape and Flora and Fauna Enhancement Category 3 Land), protected native trees approved for removal are to be replaced with at least eight locally native trees. Amendments to the submitted Landscape Plan will be conditioned, including deletion of potential environmental weeds (e.g. <i>Raphiolepis</i>).</p> <p>The existing dwelling and associated structures appear to have been uninhabited for a period of time and may therefore be providing habitat for wildlife (e.g. possums, microbats). A pre-demolition ecologist's survey will therefore be conditioned to prevent death and injury of any wildlife which may be sheltering within the existing structures.</p> <p><b>Biodiversity Comments (30 May 2019)</b></p> <p>The proposed development has been assessed against the following provision:</p> <ul style="list-style-type: none"> <li>- PDGP B4.5 Landscape and Flora and Fauna Enhancement Category 3 Land</li> </ul> <p>Compliance with the controls of this provision is dependent upon measures to avoid, minimise and offset impacts to existing native vegetation (predominantly canopy trees at this site). As identified by Council's Senior Landscape Architect, the application does not identify trees proposed for removal nor does it include provisions for appropriate replacement plantings.</p> <p>In accordance with Landscape comments, the following is required in order to assess compliance with the controls:</p> <p>An updated Arboricultural Impact Assessment, prepared by a qualified AQF5 arborist. The report must include the following information:</p> <ul style="list-style-type: none"> <li>- a discussion of all options relating to tree retention or removal, including construction techniques to minimise impacts upon root systems,</li> <li>- justification for tree removal,</li> <li>- if required, a tree construction impact statement and recommendations for construction methodology,</li> <li>- demonstrate compliance with the relevant Australian Standards.</li> </ul> <p>The arborist is to review architectural and engineering plans submitted for the DA, and is to be aware of any and all earthworks proposed on</p>

Internal Referral Body	Comments
	site.
NECC (Coast and Catchments)	<p><b>12 Development on land within the coastal vulnerability area</b></p> <p><i>Development consent must not be granted to development on land that is within the area identified as “coastal vulnerability area” on the Coastal Vulnerability Area Map unless the consent authority is satisfied that:</i></p> <ul style="list-style-type: none"> <li><i>(a) if the proposed development comprises the erection of a building or works—the building or works are engineered to withstand current and projected coastal hazards for the design life of the building or works, and</i></li> <li><i>(b) the proposed development:</i> <ul style="list-style-type: none"> <li><i>(i) is not likely to alter coastal processes to the detriment of the natural environment or other land, and</i></li> <li><i>(ii) is not likely to reduce the public amenity, access to and use of any beach, foreshore, rock platform or headland adjacent to the proposed development, and</i></li> <li><i>(iii) incorporates appropriate measures to manage risk to life and public safety from coastal hazards, and</i></li> </ul> </li> <li><i>(c) measures are in place to ensure that there are appropriate responses to, and management of, anticipated coastal processes and current and future coastal hazards.</i></li> </ul> <p><u>Comment:</u> The subject land has not been included on the Coastal Vulnerability Area Map under State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP) and in regard to CM SEPP the proposed development is unlikely to cause increased risk of coastal hazards on the subject land or other land&lt;insert&gt;</p> <p>As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Coastal Management) 2018.</p>
NECC (Development Engineering)	The proposed method of stormwater disposal is satisfactory. The proposed driveway is also satisfactory. The Geotechnical report addresses the relevant DCP controls. No objection to approval, subject to conditions as recommended.
NECC (Riparian Lands and Creeks)	<p>This application is supported with conditions.</p> <p>Sediment screens must be installed in pits as detailed in the stormwater management plan provided by Barrenjoey Consulting Engineers Pty Ltd. The dispersion trench must not cause scouring. Note that the dispersion trench will capture coarse sediments as well. Please refer to the development engineer's referral that should address the discharge of stormwater on the land.</p> <p>Sediment and erosion controls must be installed prior to any work on</p>

Internal Referral Body	Comments
	site and maintained until work is complete and groundcover re-established.

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

## ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)\*

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

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

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

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

### SEPP 55 - Remediation of Land

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

### SEPP (Building Sustainability Index: BASIX) 2004

A BASIX certificate has been submitted with the application (see Certificate No. 978883S dated 6 December 2018 and 998544S dated 5 March 2019). The BASIX Certificate is supported by an ABSA Assessor Certificate (see Certificate No. 0003405925-02 dated 6 December 2018 and Certificate No.0003660024 dated 5 March 2019).

The BASIX Certificate indicates that the development will achieve the following:

Commitment	Required Target	Proposed Studio
Water	40	40
Thermal Comfort	Pass	Pass
Energy	50	52



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.

## **SEPP (Coastal Management) 2018**

The site is subject to SEPP Coastal Management (2018). Accordingly, an assessment under the SEPP has been carried out as follows:

### **10 Development on certain land within coastal wetlands and littoral rainforests area**

*"(1) The following may be carried out on land identified as "coastal wetlands" or "littoral rainforest" on the Coastal Wetlands and Littoral Rainforests Area Map only with development consent:*

- (a) the clearing of native vegetation within the meaning of Part 5A of the Local Land Services Act 2013,*
- (b) the harm of marine vegetation within the meaning of Division 4 of Part 7 of the Fisheries Management Act 1994,*
- (c) the carrying out of any of the following:*
  - (i) earthworks (including the depositing of material on land),*
  - (ii) constructing a levee,*
  - (iii) draining the land,*
  - (iv) environmental protection works,*
  - (d) any other development."*

Comment: Not applicable to the site.

### **11 Development on land in proximity to coastal wetlands or littoral rainforest**

*"(1) Development consent must not be granted to development on land identified as "proximity area for coastal wetlands" or "proximity area for littoral rainforest" on the Coastal Wetlands and*

*Littoral Rainforests Area Map unless the consent authority is satisfied that the proposed development will not significantly impact on:*

- (a) the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or*
- (b) the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest."*

Comment: Not applicable to the site.

## **12 Development on land within the coastal vulnerability area**

*"Development consent must not be granted to development on land that is within the area identified as "coastal vulnerability area" on the Coastal Vulnerability Area Map unless the consent authority is satisfied that:*

- (a) if the proposed development comprises the erection of a building or works—the building or works are engineered to withstand current and projected coastal hazards for the design life of the building or works, and*
- (b) the proposed development:*
  - (i) is not likely to alter coastal processes to the detriment of the natural environment or other land, and*
  - (ii) is not likely to reduce the public amenity, access to and use of any beach, foreshore, rock platform or headland adjacent to the proposed development, and*
  - (iii) incorporates appropriate measures to manage risk to life and public safety from coastal hazards, and*
- (c) measures are in place to ensure that there are appropriate responses to, and management of, anticipated coastal processes and current and future coastal hazard."*

Comment: At the commencement of this Policy, no Coastal Vulnerability Area Map was adopted and therefore no coastal vulnerability area has been identified.

Not applicable.

## **13 Development on land within the coastal environment area**

*"(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:*

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
- (b) coastal environmental values and natural coastal processes,*
- (c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (f) Aboriginal cultural heritage, practices and places,*
- (g) the use of the surf zone."*

Comment: The proposed works are unlikely to cause an adverse impact upon the matters identified in

this clause. The proposal is located wholly within the subject site and does not discourage public access or amenity along the foreshore area nor impact on natural foreshore processes.

*"(2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*

*(a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or*

*(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*

*(c) if that impact cannot be minimised—the development will be managed to mitigate that impact."*

Comment: The proposal has been designed in such a way that it satisfies the relevant matters identified in this clause.

#### **14 Development on land within the coastal use area**

*"(1) (a) has considered whether the proposed development is likely to cause an adverse impact on the following:*

*(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*

*(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,*

*(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,*

*(iv) Aboriginal cultural heritage, practices and places,*

*(v) cultural and built environment heritage, and*

*(b) is satisfied that:*

*(i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*

*(ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*

*(iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and*

*(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development."*

Comment: The proposal does not impact upon the existing and safe access to and along the foreshore. The visual amenity from private and public space is not adversely effected and the surrounding area consists of examples of similar developments.

#### **15 Development in coastal zone generally—development not to increase risk of coastal hazards**

*"Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land."*

Comment: Council is satisfied that the proposed development is unlikely to cause increased risk of coastal hazards on the subject land or other land. As such, the application does comply with the requirements of the State Environmental Planning Policy (Coastal Management) 2018.

As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Coastal Management) 2018.

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

#### Principal Development Standards

Standard	Requirement	Proposed	% Variation	Complies
Height of Buildings:	8.5m	8.5m	N/A	Yes

#### Compliance Assessment

Clause	Compliance with Requirements
Part 1 Preliminary	Yes
1.9A Suspension of covenants, agreements and instruments	Yes
Part 2 Permitted or prohibited development	Yes
2.7 Demolition requires development consent	Yes
Part 4 Principal development standards	Yes
4.3 Height of buildings	Yes
Part 5 Miscellaneous provisions	Yes
5.10 Heritage conservation	Yes
Part 7 Additional local provisions	Yes
7.1 Acid sulfate soils	Yes
7.2 Earthworks	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	6.5m	2.4m - 4.6m	29.2% - 63%	No
Rear building line	6.5m	6.5m (studio) 33.5m (dwelling)	N/A N/A	Yes Yes
Side building line	2.5m (southeast)	2.5m (studio) 1.2m - 2.6m (dwelling)	N/A Nil - 52%	Yes No
	1.0m (northwest)	2.7m (studio) 1.1 - 4.0m (dwelling)	N/A N/A	Yes Yes
Building envelope	3.5m	Outside envelope	11.4% - 48.6%	No
	3.5m	Outside envelope	Nil - 34.3%	No
Landscaped area	60% (544.6sqm)	55.73% (505.85sqm) + 4.33% (39.33sqm)	N/A	Yes

## Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
Section A Shaping Development in Pittwater	Yes	Yes
A1 Introduction	Yes	Yes
A1.7 Considerations before consent is granted	Yes	Yes
A4 Localities	Yes	Yes
A4.9 Mona Vale Locality	Yes	Yes
A5 Exhibition, Advertisement and Notification of Applications	Yes	Yes
A5.1 Exhibition, Advertisement and Notification of Applications	Yes	Yes
Section B General Controls	Yes	Yes
B1 Heritage Controls	Yes	Yes
B1.3 Heritage Conservation - General	Yes	Yes
B1.4 Aboriginal Heritage Significance	Yes	Yes
B3 Hazard Controls	Yes	Yes
B3.1 Landslip Hazard	Yes	Yes
B3.6 Contaminated Land and Potentially Contaminated Land	Yes	Yes
B4 Controls Relating to the Natural Environment	Yes	Yes
B4.5 Landscape and Flora and Fauna Enhancement Category 3 Land	Yes	Yes
B4.22 Preservation of Trees and Bushland Vegetation	Yes	Yes
B5 Water Management	Yes	Yes
B5.3 Greywater Reuse	Yes	Yes
B5.4 Stormwater Harvesting	Yes	Yes
B5.7 Stormwater Management - On-Site Stormwater Detention	Yes	Yes
B5.8 Stormwater Management - Water Quality - Low Density Residential	Yes	Yes
B5.9 Stormwater Management - Water Quality - Other than Low Density Residential	Yes	Yes
B5.12 Stormwater Drainage Systems and Natural Watercourses	Yes	Yes
B6 Access and Parking	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 Site Works Management	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



Clause	Compliance with Requirements	Consistency Aims/Objectives
B8.5 Construction and Demolition - Works in the Public Domain	Yes	Yes
B8.6 Construction and Demolition - Traffic Management Plan	Yes	Yes
Section C Development Type Controls	Yes	Yes
C1 Design Criteria for Residential Development	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
C1.12 Waste and Recycling Facilities	Yes	Yes
C1.13 Pollution Control	Yes	Yes
C1.14 Separately Accessible Structures	Yes	Yes
C1.17 Swimming Pool Safety	Yes	Yes
C1.19 Incline Passenger Lifts and Stairways	Yes	Yes
C1.23 Eaves	Yes	Yes
C1.24 Public Road Reserve - Landscaping and Infrastructure	Yes	Yes
C1.25 Plant, Equipment Boxes and Lift Over-Run	Yes	Yes
C5 Design Criteria for Other Development	Yes	Yes
C5.17 Pollution control	Yes	Yes
Section D Locality Specific Development Controls	Yes	Yes
D9 Mona Vale Locality	Yes	Yes
D9.1 Character as viewed from a public place	Yes	Yes
D9.2 Scenic protection - General	Yes	Yes
D9.3 Building colours and materials	Yes	Yes
D9.6 Front building line	No	Yes
D9.7 Side and rear building line	No	Yes
D9.9 Building envelope	No	Yes
D9.11 Landscaped Area - Environmentally Sensitive Land	Yes	Yes
D9.12 Fences - General	Yes	Yes
D9.14 Construction, Retaining walls, terracing and undercroft areas	Yes	Yes

#### Detailed Assessment

#### **D9.6 Front building line**

The DCP control requires the front setback to be a minimum of 6.5m or consistent with the established building line.

The adjoining sites have the following minimum front setbacks (based on survey):

31 Hillcrest Avenue 11.9m (dwelling) and 2.7m (garage)

35 Hillcrest Avenue 16.1m (dwelling) and 0.8m (garage)

The proposed dwelling is setback 4.91m which is 1.59m forward of the 6.5m control and the garage is located 2.826m which is 1.076m behind the established building line of the garages (1.75m average). In considering the variation to the control, the proposal is considered against the outcomes of the control as follows:

- *Achieve the desired future character of the Locality.*

Comment: The proposed development consists of a part two/part three storey built form which is well articulated when viewed from the street frontage including open balcony features and a variety of roof forms to add architectural interest. This kind of built form is consistent with the surrounding development. The proposed front setback of 4.91m is considered to respond to the surrounding development on Hillcrest Avenue, whilst affording the opportunity for the applicant to construct a reasonable sized development that does not have an unacceptable impact on the character of the area.

- *Equitable preservation of views and vistas to and/or from public/private places.*

Comment: The proposed development will not have any unreasonable impacts in regards to loss of views to and/or from public/private places.

- *The amenity of residential development adjoining a main road is maintained.*

Comment: The development does not adjoin a 'main' road. The dwelling will achieve reasonable amenity through the provided setback to Hillcrest Avenue.

- *Vegetation is retained and enhanced to visually reduce the built form.*

Comment: An arborist report was lodged with the application and reviewed by Council's Landscape and Biodiversity Department and suitable conditions will be included within the draft conditions to ensure consistency with this merit consideration.

- *Vehicle manoeuvring in a forward direction is facilitated.*

Comment: The location of the garage is towards the front of the site and faces Hillcrest Avenue. The design does not allow for vehicles to exit the site in a forward direction (unless vehicles reversed into the spaces) as that is technically difficult and the proposal is consistent with other development in the street.

- *To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.*

Comment: The proposed part two/part three storey built form is an appropriate scale for the

streetscape. The built form is well articulated with stepped walls, balcony features and a variety of roof forms which will enhance the existing streetscape.

- To encourage attractive street frontages and improve pedestrian amenity.

Comment: The front facade as viewed from the street is considered attractive for the reasons stated above. The proposed front setback will not impact upon pedestrian amenity.

- To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Comment: The proposed development responds to the existing setbacks of Hillcrest Avenue. The proposed development responds well and reinforces the spatial characteristics of the existing urban environment.

The proposed development is considered to achieve the required outcomes of the control and Pittwater DCP, and therefore the variation is supported in this circumstance.

#### **D9.7 Side and rear building line**

The proposed dwelling has a varying setback to the western and eastern side boundaries. On the western side of the dwelling the setbacks vary from 1.1m up to 4.0m and on the eastern side of the dwelling the setbacks vary from 1.2m up to 2.6m.

A variation to the control is supported as the outcomes of the clause are achieved as detailed below;

- *To achieve the desired future character of the Locality.*

Comment: The desired future character of the Mona Vale locality is maintained as the proposed built form of the dwelling will continue to sit comfortably with surrounding residential dwellings, and softened and screened by the existing and conditioned landscaping.

- *The bulk and scale of the built form is minimised.*

Comment: The proposed dwelling is considered to be of an appropriate size and scale. The dwelling has a compliant building height (8.5m) and will maintain reasonable side setbacks with varying setbacks which will articulate the side elevations. The dwelling presents in a manner that does not create unreasonable overshadowing to adjoining and nearby properties.

Overall, the dwelling is of a bulk and scale is acceptable and reasonably consistent with the established character of the area.

- *Equitable preservation of views and vistas to and/or from public/private places. To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.*

Comment: Views to and from public places will not adversely be impacted by the proposed alterations and additions.

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

Comment: Whilst it is recognised that there is additional overshadowing to the south-eastern, and south-western adjoining properties, it is considered that the height of the dwelling does not result in any unreasonable overshadowing of adjacent properties (as assessed under C1.4 Solar Access of Pittwater 21 DCP).

The dwelling provides sufficient privacy measures with the glazing combination of a standard and high-sill design on all elevations, These proposed window styles ensure that no unreasonable overlooking, amenity or privacy impacts occurs.

- *Substantial landscaping, a mature tree canopy and an attractive streetscape.*

Comment: The proposal will maintain areas of deep soil landscaping within the front, side and rear setbacks areas on the site to provide additional landscaping if required. The conditioned landscaping will provide an improved presentation to the Hillcrest Avenue streetscape and a more attractive rear setback area.

- *Flexibility in the siting of buildings and access.*

Comment: The proposed dwelling and driveway access will be located in a similar location as the existing dwelling and driveway ensuring consistency.

- *Vegetation is retained and enhanced to visually reduce the built form.*

Comment: An Arborist report has been submitted with the application and reviewed by Council's Landscape and Biodiversity Departments. The recommendations of the Arborist Report and Council's Department will be included in the draft conditions of the consent to ensure consistency with this merit consideration

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of P21 DCP and the objectives specified in S1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported in this particular circumstance.

## **D9.9 Building envelope**

Due to the steep topography of the site (23% grade), the proposal has some non-compliances with the side boundary envelopes which are indicated on the north-west elevation and south-east elevation.

On the south-east on the second floor, the dwelling protrudes beyond the prescribed building envelope by approximately 1.7m which reduces down to 0.9m, for a length of 7.4m and on the first floor level the dwelling protrudes beyond the prescribed building envelope by approximately 0.6m which reduces down to 0.4m for a length of 12.0m.

On the northwest on the second floor the dwelling protrudes beyond the prescribed building envelope by approximately 1.2m which reduces down to compliance, for a length of 11.3m, additionally the dwelling protrudes beyond the prescribed building envelope by approximately 1.2m which reduces down to 0.8m, for a length of 3.1m and on the first floor level the dwelling protrudes beyond the prescribed building envelope by approximately 0.8m which reduces down to compliance for a length of 6.1m.

The protruding elements add articulation and provides symmetry to the design, and acts to break up the length of the elevation and the upper floor. Furthermore, it does not result in any unreasonable impacts upon the amenity of the adjoining property, and the proposal achieves consistency with the outcomes of the building envelope control, as follows:

- *To achieve the desired future character of the Locality.*

Comment: The proposed development is consistent with the desired character of the Mona Vale Locality.

- *To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.*

Comment: The proposal is well articulated, and is of a scale that is consistent with surrounding environment. Overall, the proposal will result in an improved aesthetic as seen from the street.

- *To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.*

Comment: The development has been designed to respond to the subject site, whilst maintaining compatibility with surrounding development.

- *The bulk and scale of the built form is minimised.*

Comment: The proposal has been designed to effectively minimise the apparent size of the resultant development, with modulation and articulation acting to break down the scale of the development.

- *Equitable preservation of views and vistas to and/or from public/private places.*

Comment: The proposal does not result in any unreasonable views to and from public/private places.

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

Comment: The proposal does not result in any unreasonable impacts upon privacy, amenity or solar access of adjoining properties.

- *Vegetation is retained and enhanced to visually reduce the built form.*



Comment: The application was supported by a landscape plan, which demonstrates an enhancement of native vegetation to screen and soften the resultant built form.

As such, it is recommended that the proposal be supported on merit, despite the technical non-compliance with the building envelope control.

## **D9.12 Fences - General**

### Description of non-compliance

The proposal seeks consent for a 1.176m - 1.766m high front boundary fence. The control requires the height front fences to be at a maximum of 1.8m.

### Merit consideration

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

- *To achieve the desired future character of the Locality. (S)*
- *To ensure fences compliment and conserve the visual character of the street and neighbourhood.*
- *To define the boundaries and edges between public and private land and between areas of different function.*
- *To contribute positively to the public domain.*
- *An open streetscape that allows casual surveillance of the street. (S)*
- *Fences, where provided, are suitably screened from view from a public place. (S)*
- *Safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)*
- *Unhindered travel for native animals and pedestrians. (S)*
- *To ensure heritage significance is protected and enhanced. (S)*
- *To ensure an open view to and from the waterway is maintained. (S)*

### Comment

The variation to the proposed front fence is due to the sloping topography of the site, with the masonry component of the fence ranging from 1.176m to 1.766m. It is noted that the site has a slope of 23% grade running from the front boundary down to the rear boundary and the site is also located well below the street level of Hillcrest Avenue.

The proposed masonry wall with stone cladding finish will be incorporated with the landscaped zones and provides a design solution for safety and security for the occupants, whilst improving the overall outlook of the built environment.

## **THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES**

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

## **CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN**

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

## POLICY CONTROLS

### Northern Beaches Section 7.12 Contributions Plan 2019

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

A monetary contribution of \$13,000 is required for the provision of new and augmented public infrastructure. The contribution is calculated as 1% of the total development cost of \$1,300,000.

## CONCLUSION

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

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;
- 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 DA2019/0261 for Demolition works and construction of a dwelling house including swimming pool and pool cabana on land at Lot 43 DP 6195, 33 Hillcrest Avenue, MONA VALE, subject to the conditions printed below:

### DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

#### 1. **Approved Plans and Supporting Documentation**

The development must be carried out in compliance (except as amended by any other condition

of consent) with the following:

a) Approved Plans

<b>Architectural Plans - Endorsed with Council's stamp</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
A.01	Feb 2019	Gartner Trovato Architects
A.02	Feb 2019	Gartner Trovato Architects
A.03	Feb 2019	Gartner Trovato Architects
A.04	Feb 2019	Gartner Trovato Architects
A.05	Feb 2019	Gartner Trovato Architects
A.06	Feb 2019	Gartner Trovato Architects
A.07	Feb 2019	Gartner Trovato Architects
A.08	Feb 2019	Gartner Trovato Architects
A.09	Feb 2019	Gartner Trovato Architects
A.10	Feb 2019	Gartner Trovato Architects

<b>Reports / Documentation – All recommendations and requirements contained within:</b>		
<b>Report No. / Page No. / Section No.</b>	<b>Dated</b>	<b>Prepared By</b>
J2009 (Geotechnical Investigation)	19 November 2018	White Geotechnical Group
Arborist Report	July 2019	Waratah Eco Works

b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

c) The development is to be undertaken generally in accordance with the following:

<b>Landscape Plans</b>	
<b>Dated</b>	<b>Prepared By</b>
20 December 2018	Leaf Design

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

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

## 2. Prescribed Conditions

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);
- (c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
  - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- (d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
  - (i) in the case of work for which a principal contractor is required to be appointed:
    - A. the name and licence number of the principal contractor, and
    - B. the name of the insurer by which the work is insured under Part 6 of that Act,
  - (ii) in the case of work to be done by an owner-builder:
    - A. the name of the owner-builder, and
    - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
  - (i) protect and support the adjoining premises from possible damage from the excavation, and
  - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
  - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
  - (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative Requirement

### 3. **General Requirements**

(a) Unless authorised by Council:

Building construction and delivery of material hours are restricted to:

- 7.00 am to 5.00 pm inclusive Monday to Friday,
- 8.00 am to 1.00 pm inclusive on Saturday,
- No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

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

- (b) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (c) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- (d) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (e) Prior to the release of the Construction Certificate, payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
- (f) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (g) No building, demolition, excavation or material of any nature and no hoist, plant and machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (h) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (i) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed shall be removed or damaged during construction unless specifically approved in this consent including for the



erection of any fences, hoardings or other temporary works.

(j) Prior to the commencement of any development onsite for:

- i) Building/s that are to be erected
- ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
- iii) Building/s that are to be demolished
- iv) For any work/s that is to be carried out
- v) For any work/s that is to be demolished

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

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

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

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

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

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

## FEES / CHARGES / CONTRIBUTIONS

### 4. Policy Controls

Northern Beaches 7.12 Contributions Plan 2019

A monetary contribution of \$13,000.00 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan 2019. The monetary contribution is based on a development cost of \$1,300,000.00.

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

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

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

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

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

## **5. Security Bond**

A bond (determined from cost of works) of \$10,000 and an inspection fee in accordance with Council's Fees and Charges paid as security to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

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

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

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at [www.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 dated 19 November 2019 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. **Amendments to the approved plans**

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

- The two (2) bedrooms within the pool cabana are to be deleted. The internal walls which form the bedrooms are to be deleted to form an open plan cabana. The bathroom is permitted to remain and can be re-positioned to facilitate the open plan design.
- The cabana is not to have a full kitchen but can have facilities (bbq, sink, fridge and bench space/storage areas) to serve the use of the pool area.

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

Reason: To ensure the approved pool cabana is consistent with the use as an ancillary facility to the pool and dwelling.

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

Drainage plans detailing the provision of On-site Stormwater Detention in accordance with Northern Beaches Council's Pittwater 21 DCP 2014 Clause B5.7 and B5.10 and the concept drawing by Barrenjoey Consulting Engineers Pty Ltd, drawing number 181103 SW1A and SW2 A dated 12.04.2019. 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.

## 9. **Structural Adequacy and Excavation Work**

Excavation work is to ensure the stability of the soil material of adjoining properties, the protection of adjoining buildings, services, structures and / or public infrastructure from damage using underpinning, shoring, retaining walls and support where required. All retaining walls are to be structurally adequate for the intended purpose, designed and certified by a Structural Engineer, except where site conditions permit the following:

(a) maximum height of 900mm above or below ground level and at least 900mm from any property boundary, and

(b) Comply with AS3700, AS3600 and AS1170 and timber walls with AS1720 and AS1170.

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

Reason: To provide public and private safety.

## 10. **Shoring of Adjoining Property**

Should the proposal require shoring to support an adjoining property or Council land, owner's

consent for the encroachment onto the affected property owner shall be provided with the engineering drawings.

Council approval is required if temporary ground anchors are to be used within Council land. A Temporary Ground Anchors (Road Reserve) Application is to be submitted with Council for assessment and approval subject to Council's Fees and Charges. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate

Reason: To ensure that owners consent is obtained for ancillary works, and to ensure the protection of adjoining properties and Council land.

**11. 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.

**12. Encroachment Agreement**

An Encroachment Application is to be submitted to Council for approval in relation to the proposed stair access to the property on Council's Road Reserve in accordance with Council's Pittwater 21 DCP 2014 Clause B6.1, prior to issue of the Construction Certificate. All costs associated with these works are to be borne by the applicant.

The applicant is to enter into any appropriate agreements with Council, such as Deeds and Leases and pay any associated fees, in accordance with the above Policy.

A letter from Council indicating this condition has been satisfied is to be submitted to Certifying Authority prior to the issue of the Construction Certificate.

Reason: Ensure compliance with Council Encroachments/ Constructions & Road Reserve Lease Requirements

**13. Existing Drainage System Certification**

A certificate is to be provided to the Certifying Authority with the Construction Certificate application by a qualified experienced practicing Civil Engineer, with Corporate membership of the Institute of Engineers Australia (M.I.E.) or who is eligible to become a Corporate member and has appropriate experience and competence in the related field that the existing storm water system in the inter-allotment drainage line benefiting the site performs satisfactorily and is capable of serving the proposed additions in accordance with the requirements of section 3.1.2 Drainage of the Building Code of Australia Housing Provision and AS/NZS 3500.3.2 - Stormwater Drainage.

Reason: To ensure that the existing storm water system is able to manage storm water discharge to an appropriate standard.

**14. Amended Landscape Plan**

An Amended Landscape Plan is to be submitted that provides a landscape outcome to satisfy Pittwater 21 DCP controls including C1.1, and shall provide the following information:

- i) a total of eight (8) small to medium sized locally native trees shall be planted on site as replacement trees for those approved for removal impacted by development,
- ii) each tree shall be installed at a minimum 75 litre pot size, and planted 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used, and shall have an individual soil area of 3m x 3m contained wholly within the site,
- iii) all tree planting shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight as described in the clause, or where the proposed tree locations may otherwise be positioned to minimise any significant loss of views,
- iv) private open space areas including the pool, lawn and terrace areas at ground level, and the terrace at the first floor level, shall have shrub and small tree buffer planting along the boundaries to minimise overlooking into adjoining properties,
- v) at least 60% of planting by quantity shall incorporate native vegetation species,
- vi) no environmental weeds are permitted to be planted,
- vii) no seed-invasive planting is to be included such as *Rhapiolepis* (as proposed).

The Amended Landscape Plan shall be issued to the Certifying Authority with a design statement that the above conditions i), ii), iii), iv), v), vi, and vii) are satisfied in the Amended Landscape Plan.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity.

#### 15. **Water Quality - Low Density Residential**

To comply with Pittwater 21 DCP B5.8, the applicant must install stormwater quality improvement measures as follows:

- Pre-screening of organic matter (eg. leaf litter) prior to the collection of rainwater in the rainwater tank
- filtration of stormwater to capture organic matter and coarse sediments prior to discharge from the land.

Provision must be made for maintenance access.

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

Reason: Protection of the receiving environment (DACNECPCC1)

#### 16. **Landscaping**

An Amended Landscape Plan is to be submitted that, in addition to any information required to achieve consistency with Pittwater DCP C1.1 (Landscaping), shall meet the following requirements:

- i) any new native trees to be planted on site are to be selected from the Shale Slopes species list in the Pittwater Native Gardening Guide available on Council's website.
- ii) At least 60% of understory planting is to be selected from the Shale Slopes species list in the Pittwater Native Gardening Guide available on Council's website.

The Amended Landscape Plan shall be issued to the Certifying Authority with a design statement that the above conditions are satisfied in the Amended Landscape Plan.

**Reason:** To achieve consistency with relevant Natural Environment controls.

#### 17. **Compliance with Standards**

The development is required to be carried out in accordance with all relevant Australian



Standards.

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

Reason: To ensure the development is constructed in accordance with appropriate standards.

18. **Sydney Water "Tap In"**

The approved plans must be submitted to the Sydney Water Tap in service, prior to works commencing, to determine whether the development will affect any Sydney Water assets and/or easements. The appropriately stamped plans must then be submitted to the Certifying Authority demonstrating the works are in compliance with Sydney Water requirements.

Please refer to the website [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

- "Tap in" details - see <http://www.sydneywater.com.au/tapin>
- Guidelines for Building Over/Adjacent to Sydney Water Assets.

Or telephone 13 000 TAP IN (1300 082 746).

Reason: To ensure compliance with the statutory requirements of Sydney Water.

## CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

19. **Tree protection measures**

An Arborist with AQZ Level 5 qualifications in arboriculture/horticulture shall be engaged to provide tree protection measures, in accordance with the Tree Protection Measures recommendations within the Arborist Report prepared by Warath Eco Works dated July 2019 - pages 48 to 51, and section 4.2 of AS4970- 2009 Protection of Trees on Development Sites, as follows:

- site attendance, inspection and certification of tree protection measures and works within the Council verge, consisting of existing trees numbered 1, 4, 5, 6, 7 and 8, and in particular excavation works for the new driveway between existing trees numbered 1 and 4.
- site attendance, inspection and certification of tree protection measures around existing trees within the site numbered 20 and 21.

The tree protection measures and fencing specified in this clause must:

- i) be in place before work commences on the site, and
- ii) be maintained in good condition during the construction period, and
- iii) remain in place for the duration of the construction works.

Additionally, the Certifying Authority or a Project Arborist AQZ Level 5 must ensure that:

- i) the activities listed in section 4.2 of AS4970- 2009 Protection of Trees on Development Sites, do not occur within the tree protection zone of any tree, and
- ii) any temporary access to, or location of scaffolding within the tree protection zone of a protected tree, or any other tree to be retained on the site during the construction, is undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of that standard.

The Arborist shall provide the Certifying Authority with certification details that the tree protection measures are in place at the commencement of works.

A separate permit or development consent may be required if the branches or roots of a protected tree on the site or on an adjoining site are required to be pruned or removed.

Reason: to ensure tree protection is provided and maintained.

**20. Tree removal**

The following existing trees are granted approval for removal following assessment and recommendation in the Arborist Report prepared by Waratah Eco Works dated July 2019:

Tree 2 - *Homalanthus populifolius* (*exempt by height*)

Tree 3 - *Pittosporum undulatum* (*exempt by height*)

Tree 9 - *Phoenix canariensis* (*exempt by species*)

Tree 10 - *Murraya paniculata* (*exempt by height*)

Tree 11 - *Casuarina glauca* (*impacted by development - replacement planting required*)

Tree 12 - *Araucaria heterophylla* (*impacted by development - replacement planting required*)

Tree 13 - *Casuarina glauca* (*impacted by development - replacement planting required*)

Tree 14 - *Largunaria patersonia* (*impacted by development - replacement planting required*)

Tree 15 - *Casuarina glauca* (*exempt by height*)

Tree 16 - *Casuarina glauca* (*impacted by development - replacement planting required*)

Tree 17 - *Casuarina glauca* (*impacted by development - replacement planting required*)

Tree 18 - *Largunaria patersonia* (*impacted by development - replacement planting required*)

Tree 19 - *Casuarina glauca* (*impacted by development - replacement planting required*)

These existing trees are impacted by the development footprint or are exempt, and no alternative layout opportunity is available to retain the trees, and retention values are low to medium.

Approval is subject to replacement canopy tree planting within the site (eight in total).

**21. Installation and Maintenance of Sediment and Erosion Control**

Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004).

Techniques used for erosion and sediment control on site are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and the site is sufficiently stabilised with vegetation.

Reason: To protect the surrounding environment from the effects of sedimentation and erosion from the site (DACNED06)

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

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

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

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

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

23. **Demolition Works - Asbestos**

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

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

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

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

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

24. **Vehicle Crossings**

The provision of one vehicle crossing 3.5 metres wide in accordance with Northern Beaches Council Drawing No A4-3330/5 EL 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.

25. **Maintenance of 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.

26. **Tree and vegetation protection**

a) Existing trees and vegetation shall be retained and protected, including:

- i) all trees and vegetation within the site as recommended by the Arborist Report prepared by Waratah Eco Works dated July 2019 (trees numbered 20 and 21), excluding trees approved by Council for removal, and excluding exempt vegetation under the relevant planning instruments of legislation,
- ii) all trees and vegetation located on adjoining properties,
- iii) all road reserve trees and vegetation.

b) Tree protection shall be generally undertaken as follows:

- i) all tree protection shall be in accordance with AS4970- 2009 Protection of Trees on

Development Sites, including the provision of temporary fencing to protect existing trees within 5 metres of development,

ii) removal of existing tree roots greater than 25mm is not permitted without consultation with a AQF Level 5 Arborist,

iii) existing ground levels shall remain under the tree protection zone of trees to be retained, unless authorised by AQF Level 5 Arborist,

iv) any tree roots exposed during excavation with a diameter greater than 25mm within the tree protection zone must be assessed by an AQF Level 5 Arborist. Details including photographic evidence of works undertaken shall be submitted to the Certifying Authority,

v) to minimise the impact on trees and vegetation to be retained and protected, no excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of trees and other vegetation required to be retained,

vi) no tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a AQF Level 5 Project Arborist on site,

vii) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF Level 5 Arborist on site,

viii) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with a AQF Level 5 Arborist, including advice on root protection measures,

ix) should either or all of vi), vii) and viii) occur during site establishment and construction works, a AQF Level 5 Arborist shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist to the Certifying Authority,

x) any temporary access to, or location of scaffolding within the tree protection zone of a protected tree or any other tree to be retained during the construction works, is to be undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of AS 4970-2009,

xi) tree pruning to enable construction shall not exceed 10% of any tree canopy, and shall be in accordance with AS4373-2009 Pruning of Amenity Trees.

c) all protected trees are to be retained for the life of the development, or for their safe natural life. Trees that die or are removed by approval must be replaced with a locally native canopy tree.

Reason: to retain and protect significant planting on development and adjoining sites.

## 27. **Pre-clearance Survey Required**

All structures proposed for demolition and removal are to be surveyed for wildlife by a suitably qualified ecologist prior to commencement of demolition works. Any wildlife found within structures proposed for demolition are to be safely relocated by the consulting ecologist to an appropriate site, taking into account habitat requirements, territoriality behaviour and health of the animal to be relocated.

The consulting ecologist is to provide a written statement confirming compliance with the above requirements to the Principal Certifying Authority prior to issue of the Occupation Certificate.

**Reason:** To avoid injury or death of any wildlife sheltering within structures proposed for removal.

## 28. **Survey Certificate**

A survey certificate prepared by a Registered Surveyor at the following stages of construction:

(a) Commencement of perimeter walls columns and or other structural elements to ensure the wall or structure, to boundary setbacks are in accordance with the approved details.

(b) At ground level to ensure the finished floor levels are in accordance with the approved levels, prior to concrete slab being poured/flooring being laid.

(c) At completion of the roof frame confirming the finished roof/ridge height is in accordance with levels indicated on the approved plans.

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

Reason: To determine the height of buildings under construction comply with levels shown on approved plans. (DACPLE01)

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

### **29. Landscape works**

Landscaping is to be implemented in accordance with the approved Amended Landscape Plan.

Prior to the issue of an Occupation Certificate, a landscape report prepared by a landscape architect or landscape designer shall be submitted to the Certifying Authority, certifying that the works have been completed in accordance with the approved landscape plan and inclusive of any conditions of consent.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity.

### **30. Condition of retained vegetation**

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist with AQZ Level 5 qualifications in arboriculture/horticulture shall be submitted to the Certifying Authority, assessing the health and impact on all existing trees required to be retained on site and on adjoining properties, as a result of the proposed development, including the following information:

- i) compliance to any Arborist recommendations for tree protection and excavation works.
- ii) extent of damage sustained by vegetation as a result of the construction works.
- iii) any subsequent remedial works required to ensure the long term retention of the vegetation.

Reason: to retain and protect significant planting on development sites.

### **31. Authorisation of Legal Documentation Required for Onsite Detention**

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) and hydraulic engineers certification. 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.

### **32. 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.

33. **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 and/or pump system is maintained to an appropriate operational standard.

34. **Certification Elevated Parking Facility Work**

An appropriately qualified and practicing Structural Engineer shall certify to the Council / Principal Certifying Authority that the elevated parking facility was constructed in accordance with this consent and the provisions of Australian/New Zealand Standard AS/NZS 2890.1:2004 parking facilities - Off-street car parking, in particular Section 2.4.5 Physical controls. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

Reason: Safety and compliance with relevant standards.

35. **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.

36. **House / Building Number**

House/building number is to be affixed to the building to be readily visible from the public domain.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: Proper identification of buildings.

37. **Swimming Pool Requirements**

The Swimming Pool shall not be filled with water nor be permitted to retain water until:



(a) All required safety fencing has been erected in accordance with and all other requirements have been fulfilled with regard to the 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

(b) A certificate of compliance prepared by the manufacturer of the pool safety fencing, shall be submitted to the Principal Certifying Authority, certifying compliance with Australian Standard 1926.

(c) Filter backwash waters shall be discharged to the Sydney Water sewer mains in accordance with Sydney Water's requirements. Where Sydney Water mains are not available in rural areas, the backwash waters shall be managed onsite 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. Appropriate instructions of artificial resuscitation methods.

(d) A warning sign stating '**YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS POOL**' has been installed.

(e) Signage showing resuscitation methods and emergency contact

(f) All signage shall be located in a prominent position within the pool area.

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

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of an Interim / Final Occupation Certificate.

Reason: To protect human life (DACPLF09)

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

### 38. **Landscape maintenance**

Any existing landscaping including trees required to be retained together with any additional landscaping required by this consent is to be maintained for the life of the development.

A 12 month establishment period shall apply for all new landscaping. If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. All planting must be maintained for the life of the development, or for their safe useful life expectancy. Planting that may die or is approved for removal must be replaced.

Reason: to maintain local environmental amenity and ensure landscaping continues to soften the built form.

### 39. **Environmental and priority weed control**

All weeds are to be removed and controlled in accordance with the NSW Biosecurity Act 2015.

Reason: preservation of environmental amenity.

40. **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.

41. **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.

42. **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 or ecologist must be contacted for advice.

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

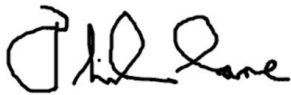
43. **Fencing for Wildlife Passage**

Any new fencing (with the exception of swimming pool fencing) is to be made passable to native wildlife. Hole dimensions are to be a minimum of 150mm wide x 100mm high at ground level spaced at 6 metre intervals.

**Reason:** Management of wildlife corridors

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

**Signed**



**Phil Lane, Principal Planner**

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



**Steven Findlay, Manager Development Assessments**