

## DEVELOPMENT APPLICATION ASSESSMENT REPORT

<b>Application Number:</b>	DA2018/1099
<b>Responsible Officer:</b>	Adam Croft
<b>Land to be developed (Address):</b>	Lot 4 DP 65707, 22 Wentworth Street MANLY NSW 2095 Lot 1 DP 72699, 22 Wentworth Street MANLY NSW 2095 Lot 1 DP 72969, 22 Wentworth Street MANLY NSW 2095 Lot 1 DP 979703, 22 Wentworth Street MANLY NSW 2095
<b>Proposed Development:</b>	Signage
<b>Zoning:</b>	Manly LEP2013 - Land zoned B2 Local Centre Manly LEP2013 - Land zoned B2 Local Centre Manly LEP2013 - Land zoned B2 Local Centre Manly LEP2013 - Land zoned B2 Local Centre
<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>	Royal Far West
<b>Applicant:</b>	FDC Construction & Fitout Pty Ltd
<b>Application lodged:</b>	28/06/2018
<b>Integrated Development:</b>	No
<b>Designated Development:</b>	No
<b>State Reporting Category:</b>	Other
<b>Notified:</b>	13/07/2018 to 31/07/2018
<b>Advertised:</b>	Not Advertised
<b>Submissions Received:</b>	9
<b>Recommendation:</b>	Approval
<b>Estimated Cost of Works:</b>	\$ 20,000.00

### 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

Manly Local Environmental Plan 2013 - 5.10 Heritage conservation

Manly Local Environmental Plan 2013 - 6.9 Foreshore scenic protection area

Manly Development Control Plan - 3.2 Heritage Considerations

Manly Development Control Plan - 3.4.1 Sunlight Access and Overshadowing

Manly Development Control Plan - 4.4.3 Signage

Manly Development Control Plan - 5.4.1 Foreshore Scenic Protection Area

## SITE DESCRIPTION

<b>Property Description:</b>	<p>Lot 4 DP 65707 , 22 Wentworth Street MANLY NSW 2095</p> <p>Lot 1 DP 72699 , 22 Wentworth Street MANLY NSW 2095</p> <p>Lot 1 DP 72969 , 22 Wentworth Street MANLY NSW 2095</p> <p>Lot 1 DP 979703 , 22 Wentworth Street MANLY NSW 2095</p>
<b>Detailed Site Description:</b>	<p>The Royal Far West (RFW) site is located within the Manly Town Centre. The RFW site comprises the eastern end of the street block bounded by Wentworth Street, Victoria Parade and South Steyne, Manly and has a total area of 6,950.9m<sup>2</sup>. The Street address is 14-22 Wentworth Street, 16 and 19-21 South Steyne.</p> <p>The portion of the site relevant to this modification is comprised of Lot 1 in DP72699 and Lot 4 in DP65707, with a frontage of 26.73m to Wentworth Street, a depth of 47.8m and an overall area of 1000.9m<sup>2</sup>.</p> <p>The subject site contains the partially constructed six-storey child health and learning building.</p> <p>The surrounding area includes further RFW facilities and mixed use commercial and residential developments.</p>

Map:



## SITE HISTORY

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

DA0253/2014 - Part 1 - Demolition of existing Elsie Hill Building, construction of a six (6) storey building Centre for Child Health and Learning over two (2) levels of basement car parking for fifty three (53) cars and the use of the building as clinical, educational and office facilities, alterations to Drummond House to connect to the new centre and landscape works - Royal far West - Approved 6 May 2015.

DA0253/2014 - Part 2 - Demolition of existing "Elsie Hill Building, construction of a six (6) storey building "Centre for Child Health and Learning" over two (2) levels of basement car parking for fifty three (53) cars and the use of the building as clinical, educational and office facilities, alterations to Drummond House to connect to the new centre and landscape works - Royal far West - Approved 15 August 2017.

MOD2018/0285 - Modification of Development Consent DA253/2014 granted for demolition works, construction of a building and alterations to Drummond House - Approved 11 July 2018.

## PROPOSED DEVELOPMENT IN DETAIL

The proposal is for business identification signage to the existing building - "Royal Far West".

The proposed signage includes two illuminated signs attached to the north-eastern and south-western side elevations of the building. The proposed signs are 7.759m in length and 0.9m in height.

In consideration of the application a review of (but not limited) documents as provided by the applicant in support of the application was taken into account detail provided within Attachment C.

## 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	Manly Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&amp;A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clause 50(1A)</u> of the EP&amp;A Regulation 2000 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application.</p> <p><u>Clauses 54 and 109</u> of the EP&amp;A Regulation 2000, 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 clause is not relevant to this application.</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 Matters for Consideration'	Comments
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 Manly 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 9 submission/s from:

Name:	Address:
Mr Thomas Guy Cotter	3 / 25 - 27 Victoria Parade MANLY NSW 2095
Mr Deon William Bailey	Po Box 1075 MANLY NSW 1655
Mrs Vivienne Jane James	78 Woodland Street BALGOWLAH NSW 2093
Mr Jeffrey David Schaffer	5 / 25 - 27 Victoria Parade MANLY NSW 2095
Mr Peter Michael Berents	635 / 25 Wentworth Street MANLY NSW 2095
Mr Stephen John Campany	15 / 25 - 27 Victoria Parade MANLY NSW 2095
Mr James Lloyd	733 / 25 Wentworth Street MANLY NSW 2095
Sarah Alexandra Ferguson	16 / 29 Victoria Parade MANLY NSW 2095



Name:	Address:
Mr Alexander John Reid	513 / 15 Wentworth Street MANLY NSW 2095

The following issues were raised in the submissions and each have been addressed below:

- Impact of glare from signage illumination on residences
- Impact of signage on local character

The matters raised within the submissions are addressed as follows:

- Impact of glare from signage illumination on residences  
Comment:  
 The proposal has been conditioned to prohibit illumination of the proposed signage between the hours of 10pm and 6am. This restriction on the hours of illumination, in addition to the physical separation from residential premises, is considered to adequately maintain the amenity of surrounding area.
- Impact of signage on local character  
Comment:  
 The proposed signage design and proportion is not unreasonable in relation to the form of the building to which it is attached. Further, there are several existing examples of illuminated signage and signage above awning height in the surrounding area.

## MEDIATION

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

## REFERRALS

Internal Referral Body	Comments
Strategic and Place Planning (Heritage Officer)	The proposal is for signage which presents a reasonable building identification/building name, as per the DCP controls. Based on the above, I have no objection to this proposal from heritage perspective and deem heritage conditions not required. Kind Regards Zoran Popovic  Heritage Adviser

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 64 - Advertising and Signage

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

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

In accordance with the provisions stipulated under Schedule 1 of SEPP 64, the following assessment is provided:

Matters for Consideration	Comment	Complies
<b>1. Character of the area</b> Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage is compatible with the surrounding area and the building to which it is attached.	YES
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is no particular theme for advertising in the area.	YES
<b>2. Special areas</b> Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The subject site is located in close proximity and adjacent to a number of heritage items. Council's Heritage Officer commented that the proposed signage is reasonable and raised no objection to the proposal.	YES
<b>3. Views and vistas</b> Does the proposal obscure or compromise important views?	The proposed signage is attached to the building facade and will not unreasonable impact any views.	YES
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed signage is located below the roof line of the building and does not reduce the quality of any vistas.	YES

Does the proposal respect the viewing rights of other advertisers?	The proposal will not unreasonably impact the viewing rights of any other advertisers.	YES
<b>4. Streetscape, setting or landscape</b> Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signage design is appropriate in the context of the building and wider setting. Signage in the immediate streetscape is generally at awning height, however, examples of signage above awning height are also common in the surrounding area.	YES
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposal will contribute to the visual interest of the surrounding area.	YES
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	There is no existing signage clutter.	YES
Does the proposal screen unsightliness?	No unsightliness is required to be screened.	YES
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No, the proposed signage is located below the roof line of the building.	YES
<b>5. Site and building</b> Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signage is compatible with the scale and proportion of the building.	YES
Does the proposal respect important features of the site or building, or both?	The proposed signage is attached to the upper facade of the building and respects the important features of the building.	YES
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed modern signage design is appropriate in the context of the building.	YES
<b>6. Associated devices and logos with advertisements and advertising structures</b> Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	No.	YES
<b>7. Illumination</b> Would illumination result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, detract from the amenity of any residence or other form of accommodation?	The proposed signage will not result in any unreasonable safety impacts. However, the application does not include sufficient detail in relation to the potential impact of glare on the amenity of nearby residences. As such, a condition of consent has been included prohibiting illumination of the proposed signage between the house of 10pm and 6am.	YES
Can the intensity of the illumination be adjusted, if necessary?	No.	YES



Is the illumination subject to a curfew?	Yes, a condition of consent has been included prohibiting illumination of the proposed signage between the hours of 10pm and 6am.	YES
<b>8. Safety</b> Would the proposal reduce the safety for any public road, pedestrians or bicyclists?	The proposed signage is located above street level and will not impact the safety of vehicles, pedestrians or bicyclists.	YES
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage is located above street level.	YES

Accordingly, the proposed signage is considered to be of a scale and design suitable for the locality. The proposal is therefore deemed to be consistent with the provisions of the SEPP and its underlying objectives.

### Manly Local Environmental Plan 2013

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

### Principal Development Standards

The proposed development is for signage to the facade of the existing building. As such, there are no Principal Development Standards under Part 3 to consider as part of this assessment.

### Compliance Assessment

Clause	Compliance with Requirements
5.10 Heritage conservation	Yes
6.9 Foreshore scenic protection area	Yes

### Detailed Assessment

#### 5.10 Heritage conservation

Council's Heritage Officer commented that the proposed signage design is reasonable and raised no objection to the proposal.

#### 6.9 Foreshore scenic protection area

The proposed signage is located below the roof line on the facade of the building and is not unreasonable in proportion to the building to which it is attached. The signage is generally consistent with existing illuminated signage and signage above awning height in the surrounding area and Council's Heritage Officer raised no objection to the proposal. Further, the proposed illumination is subject to a 10pm curfew.

### Manly Development Control Plan

#### Built Form Controls

Built Form Controls	Requirement	Proposed	Complies
4.4.3.1 Number of signs	2 per frontage	2	Yes

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

#### Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
3.2 Heritage Considerations	Yes	Yes
3.4.1 Sunlight Access and Overshadowing	Yes	Yes
3.4.2 Privacy and Security	Yes	Yes
3.4.3 Maintenance of Views	Yes	Yes
4.4.3 Signage	No	Yes
5.4.1 Foreshore Scenic Protection Area	Yes	Yes

#### Detailed Assessment

### **3.2 Heritage Considerations**

Council's Heritage Officer commented that the proposed signage design is reasonable and raised no objection to the proposal.

### **3.4.1 Sunlight Access and Overshadowing**

The proposed signage adds negligible bulk and will result in no unreasonable overshadowing.

### **4.4.3 Signage**

The proposed signage locations are offset and physically separated from nearby residential premises. However, the proposed illumination has the potential to result in nuisance from glare and sufficient detail has not been provided with the application to demonstrate that the impact of the proposal on nearby residences is not unreasonable. As such, the proposed illumination is conditioned to be extinguished between the hours of 10pm and 6am as per Manly DCP Clause 4.4.3.1 (h). A full assessment of the proposed signage is completed against the assessment criteria of SEPP 64 Advertising and Signage. Any application to extend the hours of illumination for the proposed signage should include Lux Diagrams demonstrating that the resulting glare does not unreasonably impact nearby residences.

### **5.4.1 Foreshore Scenic Protection Area**

The proposed signage is located below the roof line on the facade of the building and is not unreasonable in proportion to the building to which it is attached. The signage is generally consistent with existing illuminated signage and signage above awning height in the surrounding area and Council's Heritage Officer raised no objection to the proposal. Further, the proposed illumination is subject to a 10pm curfew.

## **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**

### **Manly Section 94 Development Contributions Plan**

S94 Contributions are not applicable to this application.

The *Urban Design Guidelines - Street Block Manly Town Centre* applies to the subject site. There are no relevant controls relating to signage contained within these design guidelines.

## **CONCLUSION**

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

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;
- Manly Local Environment Plan;
- Manly Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

## **RECOMMENDATION**

THAT Council as the consent authority grant Development Consent to DA2018/1099 for Signage on land at Lot 4 DP 65707, 22 Wentworth Street, MANLY, Lot 1 DP 72699, 22 Wentworth Street, MANLY, Lot 1 DP 72969, 22 Wentworth Street, MANLY, Lot 1 DP 979703, 22 Wentworth Street, MANLY, subject to the conditions printed below:

## DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

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

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

#### a) Approved Plans

<b>Architectural Plans - Endorsed with Council's stamp</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
A1 West Elevation	Revision 23 July 2018	Insight Signs
A2 East Elevation	Revision 23 July 2018	Insight Signs
A3 Elevation Details	Revision 23 July 2018	Insight Signs

b) Any plans and / or documentation submitted to satisfy the Deferred Commencement Conditions of this consent as approved in writing by Council.

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

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

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

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

### 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 (DACPLB09)

### 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. (DACPLB10)

## FEES / CHARGES / CONTRIBUTIONS

### 4. **Security Bond**

A bond (determined from cost of works) of \$1,000 and an inspection fee in accordance with Council's Fees and Charges paid as security to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

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

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

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

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

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

5. **Hours of Illumination**

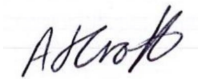
Illumination of signage at the subject premises shall cease between the hours of 10:00pm and 6.00 am daily.

Signs must not flash, move or be constructed of neon materials.

Reason: To ensure residential premises are not affected by inappropriate or excessive illumination. (DACPLG11)

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

**Signed**




**Adam Croft, Planner**

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



**Rodney Piggott, Manager Development Assessments**













## ATTACHMENT A

Notification Plan	Title	Date
 2018/445394	Plan - Notification	12/07/2018





## ATTACHMENT B

Notification Document	Title	Date
 2018/447280	Notification Map	13/07/2018

## ATTACHMENT C

Reference Number	Document	Date
 DA2018/1099	22 Wentworth Street MANLY NSW 2095 - Development Application - Alterations and Additions	28/06/2018
 2018/395221	DA Acknowledgement Letter - FDC Construction & Fitout Pty Ltd	28/06/2018
 2018/445394	Plan - Notification	12/07/2018
 2018/445395	Report - Statement of Environmental Effects	12/07/2018
 2018/445379	Development Application Form	12/07/2018
 2018/445380	Applicant Details	12/07/2018
 2018/445401	Plans - Master Set	12/07/2018
 2018/445399	Plans - External	12/07/2018
 2018/447265	ARP Notification Map	13/07/2018
 2018/447272	DA Acknowledgement Letter (not integrated) - FDC Construction & Fitout Pty Ltd	13/07/2018
 2018/447280	Notification Map	13/07/2018
 2018/447342	Notification Letter - 456	13/07/2018
 2018/448142	DA2018/1099 - 22 Wentworth Street, Manly	13/07/2018
 2018/462561	Outgoing email Re: Revised Elevation drawings	20/07/2018
 2018/466009	Request for information - DA2018/1099 22 Wentworth Street Manly - Vivienne James	22/07/2018
 2018/466039	Incoming email Re: Revised Drawings	23/07/2018
 2018/466206	Plans - Elevations - Revised - 24 July 2018	24/07/2018
 2018/474051	Heritage Referral Response	27/07/2018
 2018/474847	Submission - Cotter	27/07/2018
 2018/478663	Online Submission - James	29/07/2018
 2018/478666	Online Submission - Bailey	29/07/2018
 2018/477703	Submission - Bailey	29/07/2018
 2018/478668	Online Submission - Schaffer	30/07/2018
 2018/478671	Online Submission - Berents	30/07/2018
 2018/478672	Online Submission - Company	30/07/2018
 2018/479236	Submission - Lloyd	30/07/2018
 2018/483504	Online Submission - Ferguson	31/07/2018
 2018/484238	Submission Acknowledgement Letter - Thomas Guy Cotter - SA2018/474847	02/08/2018
2018/484241	Submission Acknowledgement Letter - Deon William	02/08/2018



	Bailey - SA2018/477703		
	2018/484269	Submission Acknowledgement Letter - James Lloyd - SA2018/479236	02/08/2018
	2018/497498	Submission - Reid	05/08/2018
	2018/519025	Site Photos	14/08/2018
	2018/521039	Request for information - Review of submissions re DA2018/1099 22 Wentworth Street Manly	15/08/2018
	2018/521171	Outgoing email Re: Response to Deon Bailey	15/08/2018
	2018/522084	Submission Acknowledgement Letter - Alexander John Reid - SA2018/497498	16/08/2018