

APPLICATION FOR MODIFICATION ASSESSMENT REPORT

Application Number:	Mod2020/0056
Responsible Officer:	Kent Bull
Land to be developed (Address):	Lot 12 DP 248075, 20 Capri Close AVALON BEACH NSW 2107
Proposed Development:	Modification of Development Consent DA2019/0068 granted for Alterations and additions to a dwelling house
Zoning:	E4 Environmental Living
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Hanna Lilli Maria Gammon
Applicant:	Jock Gammon

Application Lodged:	14/02/2020
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Residential - Alterations and additions
Notified:	02/03/2020 to 16/03/2020
Advertised:	Not Advertised
Submissions Received:	0
Clause 4.6 Variation:	Nil
Recommendation:	Approval

PROPOSED DEVELOPMENT IN DETAIL

The application seeks the Modification of Development Consent DA2019/0068 granted for alterations and additions to a dwelling house. In particular, the modifications include:

Ground Floor Level

- Existing internal stair to be reconfigured;
- Minor internal modification;
- South wall – Windows 17 and 18 – sill to existing openings to be lowered;
- Window W7- existing opening to be widened and height increased;
- Modifications to the approved external wide entry steps;
- Entry porch widened and a new roof added above the entry door; and
- Existing steps from the front boundary to be widened.

First Floor Level

- External stair to be relocated to the rear existing deck;
- Existing rear deck to be squared off at the corner;
- Perimeter balcony to the front and side to be removed and wall made good;
- Existing internal stair to be redesigned;
- Portion of the floor adjoining the stair to be removed to provide for a void above the main entry area below. A small portion of floor to be added off the living area adjacent to the stair void;
- Existing walls shown to be removed between living and stair to remain;
- Approved ensuite to be reconfigured;
- Bedroom 2 and master bedroom to form one large master bedroom including a walk in robe;
- North wall - new window W19 added to kitchen
 - window W1 - reduced;
 - window W9 - existing window relocated;
- East wall - W8 - existing window widened
 - W15 – existing window widened;
- South wall -W13 – existing opening reduced'
 - W11,12 – exist. Opening to be widened and 2 new windows provided;
 - W7 – repositioned;
- Approved extended pitched roof above the rear deck to be replaced with a flat roof.

Carport/Rainwater tanks

- Existing double Carport to be removed
- 2 new rainwater tanks provided along the north side boundary.

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 - D1.9 Side and rear building line

Pittwater 21 Development Control Plan - D1.11 Building envelope

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

SITE DESCRIPTION

Property Description:	Lot 12 DP 248075 , 20 Capri Close AVALON BEACH NSW 2107
Detailed Site Description:	<p>The subject site consists of one (1) allotment located on the northern side of Capri Close, Avalon Beach. The site is known as 20 Capri Close, Avalon beach and legally referred to as Lot 12 D.P. 248075.</p> <p>The site is irregular in shape with an approximate frontage of 53.8m along Capri Close and a depth of 45.445m. The site has a surveyed area of 803.4m².</p> <p>The site is located within the E4 Environmental Living zone within the Pittwater Local Environment Plan (PLEP) 2014 and accommodates a two/partial three storey dwelling house located centrally on the site. An existing swimming pool is located on the western portion near the Capri Close frontage of the property. Pedestrian access is gained via an the external stairs connecting to Capri Close and vehicle access is gained via the Right of Carriageway across the eastern boundary of the property.</p> <p>The slope of the site is 7.4%, falling approximately 3m from the Right of Carriageway to the westernmost boundary adjoining Capri Close.</p> <p>The site contain a large Spotted Gum canopy tree along the eastern boundary, with the remaining landscaping consisting of palm trees, shrubs and a lawned area to the western side of the property.</p> <p>Detailed Description of Adjoining/Surrounding Development</p> <p>Adjoining and surrounding development is characterised by detached residential dwellings within a bushland/landscaped setting. A Right of Carriageway adjoins the eastern boundary of the site.</p>

Map:



SITE HISTORY

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

19 December 2000

Development Application No. N0879/00 approved the alterations and additions to the existing dwelling.

23 October 2001

Modification of Development Application No. N0879/00 for the alterations and additions to the existing dwelling was granted by Council.

14 June 2019

Development Application No. DA2019/0068 for the alterations and additions to a dwelling house was granted by Council.

APPLICATION HISTORY

1 March 2020

Notification sign confirmation received.

16 March 2020

Site inspection undertaken by the development assessment officer.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

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

are:

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 and is attached taking into all relevant provisions of the Environmental Planning and Assessment Act 1979 and associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon all lands whether nearby, adjoining or at a distance;
- Consideration was given to all documentation provided (up to the time of determination) by the applicant, persons who have made submissions regarding the application and any advice given by relevant Council / Government / Authority Officers on the proposal;

In this regard, the consideration of the application adopts the previous assessment detailed in the Assessment Report for DA2019/0068, in full, with amendments detailed and assessed as follows:

The relevant matters for consideration under Section 4.55(1A) of the Environmental Planning and Assessment Act, 1979, are:

Section 4.55(1A) - Other Modifications	Comments
A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:	
(a) it is satisfied that the proposed modification is of minimal environmental impact, and	<p>Yes</p> <p>The modification, as proposed in this application, is considered to be of minimal environmental impact for the following reasons:</p> <p>The application is not seen to result in further unreasonable effects to the natural environment or to the amenity or the area when compared to that approved under DA2019/0068.</p> <p>The proposal seeks a reduction to the overall built form and and increase to the landscaped area compared to that approved under DA2019/0068.</p>
(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and	<p>The development, as proposed, has been found to be such that Council is satisfied that the proposed works are substantially the same as those already approved under DA2019/0068 for the following reasons:</p> <p>The application involves modifications to the first floor deck, windows as well as the removal of carport. Overall the modifications are seen to reduce the overall building footprint, increase the landscaped area, while also not exceeding the building height.</p>
(c) it has notified the application in accordance with:	The application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and

Section 4.55(1A) - Other Modifications	Comments
(i) the regulations, if the regulations so require, or (ii) a development control plan, if the consent authority is a council that has made a development control plan under section 72 that requires the notification or advertising of applications for modification of a development consent, and	Assessment Regulation 2000, Pittwater Local Environment Plan 2014 and Pittwater 21 Development Control Plan.
(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.	No submissions were received in relation to this application.

Section 4.15 Assessment

In accordance with Section 4.55 (3) of the Environmental Planning and Assessment Act 1979, in determining an modification application made under Section 4.55 the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application.

The relevant matters for consideration under Section 4.15 of 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	Draft State Environmental Planning Policy (Remediation of Land) seeks to replace the existing SEPP No. 55 (Remediation of Land). Public consultation on the draft policy was completed on 13 April 2018. The subject site has been used for residential purposes for an extended period of time. The proposed development retains the residential use of the site, and is not considered a contamination risk.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	/Pittwater 21 Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider Prescribed conditions of development consent. These matters have been addressed via a condition in the original consent.</p> <p><u>Clause 50(1A)</u> of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building</p>

Section 4.15 'Matters for Consideration'	Comments
	<p>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&A Regulation 2000 allow Council to request additional information. No additional information was requested in this case.</p> <p><u>Clause 92</u> of the EP&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&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&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 in the original consent.</p> <p><u>Clause 98</u> of the EP&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 in the original consent.</p> <p><u>Clause 143A</u> of the EP&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>
<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>	<p>(i) Environmental Impact 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) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
<p>Section 4.15 (1) (c) – the suitability of the site for the development</p>	<p>The site is considered suitable for the proposed development.</p>
<p>Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs</p>	<p>See discussion on “Notification & Submissions Received” in this report.</p>
<p>Section 4.15 (1) (e) – the public</p>	<p>No matters have arisen in this assessment that would justify the</p>

Section 4.15 'Matters for Consideration'	Comments
interest	refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the relevant Development Control Plan.

As a result of the public exhibition of the application Council received no submissions.

REFERRALS

Internal Referral Body	Comments
Landscape Officer	<p>The plans indicate no significant landscape features are affected by the proposed modifications.</p> <p>It is noted that a previously approved carport with roof garden is to be deleted. Consequently, Condition 5 On Slab Planting and Condition 12 Landscape Works of the current consent may be deleted as they relate to the deleted roof garden.</p> <p>No objections are raised to the proposed modification.</p>
NECC (Development Engineering)	<p>Note to Planner:</p> <p>Please add the additional reference geotechnical addendum.</p> <p>No objection to approval.</p>

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	<p>The proposal was referred to Ausgrid who provided a response in an email stating that the proposal is acceptable subject to compliance with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice. These recommendations will be included as a condition of consent.</p>

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. A335315_02, dated 14 February 2020).

A condition has been included in the recommendation of this report requiring compliance with the commitments indicated in the BASIX Certificate.

SEPP (Infrastructure) 2007

Ausgrid

Clause 45 of the SEPP requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Comment:

The proposal was referred to Ausgrid who provided a response in an email stating that the proposal is acceptable subject to compliance with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice. These recommendations will be included as a condition of consent.

Pittwater Local Environmental Plan 2014

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

Principal Development Standards

Development Standard	Requirement	Approved	Proposed	% Variation	Complies
Height of Buildings:	8.5m	8.43m	8.43m	-	Yes

Compliance Assessment

Clause	Compliance with Requirements
1.9A Suspension of covenants, agreements and instruments	Yes
4.3 Height of buildings	Yes
5.10 Heritage conservation	Yes
7.1 Acid sulfate soils	Yes
7.2 Earthworks	Yes
7.6 Biodiversity protection	Yes
7.7 Geotechnical hazards	Yes
7.10 Essential services	Yes

Pittwater 21 Development Control Plan

Built Form Controls

Built Form Control	Requirement	Approved	Proposed	Complies
Front building line (Capri Close)	6.5m	1.49m (Carport) 6.57m (Dwelling)	Carport - Deleted 7.2m (Dwelling)	Yes
Secondary Frontage (Right of Carriageway)	3.25m	4.69m	5.96m	
Side building line	1m	1.326m	0.9m (Stairs) 1.28m (Deck)	No
Building envelope	3.5m (North)	Outside envelope 9.7%	Outside envelope 26% (Deck)	No
	3.5m (South)	Within envelope	Within envelope	Yes
Landscaped area	60%	41.1%	44%	No

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A1.7 Considerations before consent is granted	Yes	Yes
A4.1 Avalon Beach Locality	Yes	Yes
B1.3 Heritage Conservation - General	Yes	Yes
B1.4 Aboriginal Heritage Significance	Yes	Yes
B3.1 Landslip Hazard	Yes	Yes
B3.6 Contaminated Land and Potentially Contaminated Land	Yes	Yes
B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community	Yes	Yes
B5.4 Stormwater Harvesting	Yes	Yes
B5.10 Stormwater Discharge into Public Drainage System	Yes	Yes
B6.3 Off-Street Vehicle Parking Requirements	Yes	Yes
B8.1 Construction and Demolition - Excavation and Landfill	Yes	Yes
B8.2 Construction and Demolition - Erosion and Sediment Management	Yes	Yes
B8.3 Construction and Demolition - Waste Minimisation	Yes	Yes
B8.4 Construction and Demolition - Site Fencing and Security	Yes	Yes
B8.5 Construction and Demolition - Works in the Public Domain	Yes	Yes
C1.1 Landscaping	Yes	Yes
C1.2 Safety and Security	Yes	Yes
C1.3 View Sharing	Yes	Yes
C1.4 Solar Access	Yes	Yes
C1.5 Visual Privacy	Yes	Yes
C1.6 Acoustic Privacy	Yes	Yes
C1.7 Private Open Space	Yes	Yes
C1.12 Waste and Recycling Facilities	Yes	Yes
C1.13 Pollution Control	Yes	Yes
C1.14 Separately Accessible Structures	Yes	Yes
C1.19 Incline Passenger Lifts and Stairways	Yes	Yes
C1.23 Eaves	Yes	Yes
D1.1 Character as viewed from a public place	Yes	Yes
D1.5 Building colours and materials	Yes	Yes
D1.8 Front building line	Yes	Yes
D1.9 Side and rear building line	No	Yes
D1.11 Building envelope	No	Yes
D1.14 Landscaped Area - Environmentally Sensitive Land	No	Yes
D1.17 Construction, Retaining walls, terracing and undercroft areas	Yes	Yes
D1.20 Scenic Protection Category One Areas	Yes	Yes

Detailed Assessment

D1.9 Side and rear building line

The proposal seeks modifications to the external stairs to the first floor deck, which at its nearest point is 900mm from the northern side boundary and is therefore technically non-compliant with the 1m side setback requirement. Consideration is given that the area of these stairs which encroach within the side setback area, is limited to the lower portion at the ground floor level. The remaining modifications to the northern elevation of the dwelling and to the first floor deck are also compliant with the side setback requirement. The variation to the northern side setbacks have been considered to ensure that a reasonable level of privacy, amenity and solar access will also continue to be maintained for neighbouring dwellings.

Based on the above, the proposed side setbacks in this instance is supported on merit and considered to satisfy the outcomes of the control.

D1.11 Building envelope

The proposed modifications to the first floor roofed deck area remains outside the prescribed building envelope and is technically non-compliant with the control. The control permits variations for a second storey where the existing dwelling is retained and for roof eaves that extend outside the building envelope. As the proposal seeks to retain the existing dwelling, the variation to the control is applicable in this instance. At its maximum extent, the proposed covered deck will breach the building envelope by 1.7m (26%). The breach is applicable for the length of the roofed deck area, however it should be noted that as it acts as a shading device, that variations of the control applied and considered. The variation sought for the proposed development does not result in an unreasonable impact to neighbouring properties with regard to views, privacy and solar access. Furthermore, the proposal is consistent with achieving the desired future character of the locality and visual impacts on the streetscape through limiting the built form of the proposed development and retaining vegetation within the setback areas facing Capri Close.

Based on the above, the variations to the control are supported on merit in this instance, as the proposed development is considered to satisfy the outcomes of this clause.

D1.14 Landscaped Area - Environmentally Sensitive Land

The modification results in a landscaped area of 44% (353.5m²) which is technically non-compliant with the requirement for 60% of the total site area to be dedicated for landscaping. It should be noted however that the modification proposes to increase the landscaped area of 41.1% (322.8m²) that was approved under consent no. DA2019/0068. Whilst the modification does seek to remove the carport which had a garden roof proposed, consideration is given that its removal does in fact result in an increased area for deep soil plantings that can help to enhance the landscaped character of the site and assists to visually reduce the built form of the dwelling. Council's Development Engineer has reviewed the application with regards to stormwater run off and disposal, raising no objections. Further to the above, the application seeks to conserve existing canopy trees and vegetation on the site, and does not result in an unreasonable impact on the amenity, privacy and solar access provided to neighbouring properties.

Based on the above, the non-compliance is supported on merit and considered to satisfy the outcomes of the control in this particular instance.

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

Section 7.12 contributions were levied on the Development Application.

CONCLUSION

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

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

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

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

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

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

RECOMMENDATION

THAT Council as the consent authority grant approval to Modification Application No. Mod2020/0056 for Modification of Development Consent DA2019/0068 granted for Alterations and additions to a dwelling house on land at Lot 12 DP 248075,20 Capri Close, AVALON BEACH, subject to the conditions printed below:

A. Add Condition No.1A - Modification of Consent - Approved Plans and supporting

Documentation to read as follows:

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

a) Modification Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
DA 01 B (Site Analysis Plan)	06.02.20	JJ Drafting
DA 03 B (Proposed Lower Floor Plan)	06.02.20	JJ Drafting
DA 05 B (Proposed Ground Floor Plan)	06.02.20	JJ Drafting
DA 07 B (Proposed First Floor Plan)	06.02.20	JJ Drafting
DA 08 B (Roof Plan & Stormwater Concept Plan)	06.02.20	JJ Drafting
DA 09 B (South Elevation)	06.02.20	JJ Drafting
DA 10 B (East Elevation)	06.02.20	JJ Drafting
DA 11 B (North & West Elevation)	06.02.20	JJ Drafting
DA 12 B (Section)	06.02.20	JJ Drafting

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Geotechnical Addendum Letter Ref. QY 00080A	13 February 2020	Hodgeson Consulting Engineers
BASIX Certificate Ref. A335315_02	14 February 2020	JJ Drafting

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

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

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

Waste Management Plan		
Drawing No.	Dated	Prepared By
DA 17A B (Erosion & Sediment Control/Waste Management Plan)	06.02.20	JJ Drafting

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

B. Add Condition "Compliance with Other Department, Authority or Service Requirements" under heading DEVELOPMENT CONSENT OPERATIONAL CONDITIONS to read as follows:

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

Other Department,	EDMS Reference
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Authority or Service	
Ausgrid	Response Ausgrid Referral

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website www.northernbeaches.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies.

C. Delete Condition 5 "On slab landscape planting and associated works" which reads as follows:

- i) Details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate indicating the proposed method of waterproofing to all internal walls and slab, and drainage of the over which soil and planting is being provided,*
- ii) Landscape treatment details including a roof garden plan shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate indicating the proposed soil type, planting species selection including layout and quantities and installation sizes, automatic irrigation, services connections, and maintenance activity schedule,*
- iii) The following minimum soil depths are required to support landscaping as proposed:*
 - 300mm for groundcovers*
 - 600mm for shrubs*
- iv) Design certification shall be submitted to the Certifying Authority by a structural engineer, that the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and established planting).*

Reason: to ensure appropriate and secure waterproofing and drainage is installed to direct water flow into the drainage system.

Comment: Condition 5 was imposed to ensure appropriate soil depths, waterproofing and drainage were incorporated as part of the garden roof to the carport. Given the carport and associated garden roof is to be deleted, compliance with this condition is no longer required.

D. Delete Condition 12 "Landscape works" which reads as follows:

Landscaping is to be implemented in accordance with the landscape intent shown on plan DA- 05, prepared by JJ Drafting, inclusive of the following requirements:

- i) the roof garden works are completed in accordance with the approved roof garden plan accepted by the Certifying Authority.*

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 landscape works have been completed in accordance with the approved plan and inclusive of any conditions of consent.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity and soften the built form.

Comment: Condition 5 was imposed to ensure certification of the landscaping associated with the garden roof to the carport. Given the carport and associated garden roof is to be deleted, compliance with this condition is no longer required.

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

Signed



Kent Bull, Planner

The application is determined on 11/05/2020, under the delegated authority of:



Matthew Edmonds, Manager Development Assessments