

DEVELOPMENT APPLICATION ASSESSMENT REPORT

| | |
|----------------------------|-------------|
| Application Number: | DA2017/0782 |
|----------------------------|-------------|

| | |
|---|---|
| Responsible Officer: | Monty Masrur |
| Land to be developed (Address): | Lot 138 DP 6143, 36 Austin Avenue NORTH CURL CURL NSW 2099 |
| Proposed Development: | Alterations and additions to construct a new dwelling house |
| Zoning: | Warringah LEP2011 - Land zoned R2 Low Density Residential |
| Development Permissible: | Yes |
| Existing Use Rights: | No |
| Consent Authority: | Northern Beaches Council |
| Land and Environment Court Action: | No |
| Owner: | Christine Marie Turner |
| Applicant: | Simon Turner |

| | |
|----------------------------------|--|
| Application lodged: | 09/08/2017 |
| Integrated Development: | No |
| Concurrence Required: | No |
| State Reporting Category: | Residential - Alterations and additions |
| Notified: | 15/08/2017 to 31/08/2017 |
| Advertised: | Not Advertised, in accordance with A.7 of WDCP |
| Submissions Received: | 1 |
| Recommendation: | Approval |

| | |
|---------------------------------|---------------|
| Estimated Cost of Works: | \$ 528,970.00 |
|---------------------------------|---------------|

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

Warringah Development Control Plan - B5 Side Boundary Setbacks

Warringah Development Control Plan - C3 Parking Facilities

Warringah Development Control Plan - D1 Landscaped Open Space and Bushland Setting

Warringah Development Control Plan - D2 Private Open Space

Warringah Development Control Plan - D6 Access to Sunlight

Warringah Development Control Plan - D7 Views

Warringah Development Control Plan - D8 Privacy

Warringah Development Control Plan - D9 Building Bulk

Warringah Development Control Plan - D13 Front Fences and Front Walls

Warringah Development Control Plan - E10 Landslip Risk

SITE DESCRIPTION

| | |
|-----------------------------------|--|
| Property Description: | Lot 138 DP 6143 , 36 Austin Avenue NORTH CURL CURL NSW 2099 |
| Detailed Site Description: | <p>The subject site consists of one (1) allotment located on the northern side of Austin Avenue, North Curl Curl.</p> <p>The site is regular in shape with a frontage of 10.06m along Austin Avenue and a depth of 46.27m. The site has a surveyed area of 455.4m².</p> <p>The site is located within the R2 Low Density Residential zone from WLEP 2011 and accommodates a one and two-storey dwelling.</p> <p>The site is moderately sloped, with the land rising from the street northwards by 3.46m along the entire length of the site (45.27m), resulting in a 7.6% slope. There is a significant rise in the centre of the site, resulting in the northern portion of the dwelling is at a high level compared to the southern portion.</p> <p>The site contains some non-native vegetation (i.e. hedging, garden plants) in the front and rear yards.</p> <p>Detailed Description of Adjoining/Surrounding Development</p> |

Adjoining and surrounding development is characterised by similar detached style dwellings, on similar sized lots. The surrounding lots are moderately sloped upwards, towards the north and north-east.

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:

- **DA2007/1122** - Refused on 18/12/07 - The proposal was for a new two-storey dwelling, with garage, and the demolition of the existing dwelling. The refusal was based on the following reasons: multiple built-form non-compliances; it sets an undesirable precedent of development; it would visually dominate the streetscape by virtue of its height and bulk; unreasonably impact upon the amenity of the surrounding land.
- **DA2008/0150** - Approved on 7/05/08 - The proposal was for the construction of a new two-storey dwelling, following the demolition of the existing structures.
- **DA2010/1831** - Approved on 6/01/11 - The proposal was for the alterations and addition to the existing house, including the two-storey extension to the rear of the existing dwelling.
- **CC2011/0287** (Certifier Ref: 1551CC1) - Approved on 13/04/11 - The Construction Certificate was issued by 'John J Briggs Associates P/L' for the works approved by DA2010/1831.
- **Mod2011/0076** - Approved on 7/06/11 - The application was for the modification to DA2010/1831.

- **CC2011/0784** (Certifier Ref: 1551CC2) - Approved on 23/09/11 - The Construction Certificate was issued by 'John J Briggs Associates P/L' for the works approved by DA2010/1831 and Mod2011/0076.
- **PCA2011/0346** (Certifier Ref: OC932) - Approved on 20/02/13 - The Final Occupation Certificate was issued by 'John J Briggs Associates P/L' for the works approved by DA2010/1831 and Mod2011/0076.

PROPOSED DEVELOPMENT IN DETAIL

The proposal is for the alterations and addition to the existing dwelling; it includes the following works:

- Demolition of front portion of existing dwelling (rear portion will be retained);
- Demolition of existing driveway and crossing;
- Demolition of attached carport;
- New two-storey addition at front (new bedroom, living/dining area, rumpus, bedrooms x2, office);
- New retaining wall along eastern boundary;
- New driveway and crossing;
- New double garage;
- New front fence.

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 79C 'Matters for Consideration' | Comments |
|--|---|
| Section 79C (1) (a)(i) – Provisions of any environmental planning instrument | See discussion on “Environmental Planning Instruments” in this report. |
| Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument | None applicable. |
| Section 79C (1) (a)(iii) – Provisions of any development control plan | Warringah Development Control Plan applies to this proposal. |
| Section 79C (1) (a)(iia) – Provisions of any planning agreement | None applicable. |
| Section 79C (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 of consent.</p> <p><u>Clauses 54 and 109</u> of the EP&A Regulation 2000, Council requested additional information and has therefore considered the number of days taken in this assessment in</p> |

| Section 79C 'Matters for Consideration' | Comments |
|---|--|
| | <p>light of this clause within the Regulations. No additional information was requested.</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 matter has been addressed via a condition of consent.</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 of 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 of consent.</p> |
| Section 79C (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) The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report.</p> <p>(ii) The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) 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 79C (1) (c) – the suitability of the site for the development | The site is considered suitable for the proposed development. |
| Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs | See discussion on “Public Exhibition” in this report. One submission was made, primarily raising concern regarding the existing development on site and not what is proposed by the development. |
| Section 79C (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.

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 Warringah Development Control Plan.

As a result of the public exhibition process council is in receipt of 1 submission/s from:

| Name: | Address: |
|-------------------------------------|------------------------------------|
| Mr Robert Anthony Fortunato Mete | 31 Ellery Parade SEAFORTH NSW 2092 |

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

- **Bamboo shoot**
- **Building height**

The matters raised within the submissions are addressed as follows:

- **Bamboo shoot**

Comment:

The submission raised an issue with the existing bamboo hedge that has been planted along the northern boundary of 36 Austin Avenue. As a result, the view to the south from 47 Headland Road, located to the north, has been affected and the submission has suggested its removal. However, the as the hedge is existing and has no association with the works proposed by the subject development, it is not within the scope of the development application DA2017/0782 to condition its removal.

This matter does not require the refusal of the application.

- **Building height**

Comment:

The submission enquired about the height of the proposed and existing development, and whether they comply with the 8.5m limit stipulated by WLEP 2011. The proposed addition will have a maximum height of 5.5m and the existing structure has a maximum height of 8.26m (measured from the existing ground level), both of which complies with the control. The existing structures on the site were approved by a previous development application and the submitted sections for this application indicate that the existing and proposed structures have a compliant maximum height. The submission also raised an issue with view loss, resulting from the development DA2010/1831, however, both DA and the subsequent modification application determined that view sharing would be reasonable, and no submissions were made against either application.

This matter does not warrant the refusal of the application.

MEDIATION

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

REFERRALS

| Internal Referral Body | Comments |
|------------------------|---|
| Development Engineers | Development Engineers have reviewed the proposed development and raises no objection to the proposal subject to conditions. |

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

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

SEPP (Building Sustainability Index: BASIX) 2004

A BASIX certificate has been submitted with the application (see Certificate No. A272841_02 dated 19/07/17).

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 a 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.

Warringah Local Environment Plan 2011

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

Principal Development Standards

| Standard | Requirement | Proposed | % Variation | Complies |
|----------------------|-------------|----------|-------------|----------|
| Height of Buildings: | 8.5m | 5.85m | N/A | Yes |

Compliance Assessment

| Clause | Compliance with Requirements |
|---------------------------------|------------------------------|
| 2.7 Demolition requires consent | Yes |
| 4.3 Height of buildings | Yes |
| 6.2 Earthworks | Yes |
| 6.4 Development on sloping land | Yes |

Warringah Development Control Plan

Built Form Controls

| Built Form Control | Requirement | Proposed | % Variation* | Complies |
|---------------------------|-------------|-----------------|--------------|----------|
| B1 Wall height | 7.2m | 5.4m | N/A | Yes |
| B3 Side Boundary Envelope | East - 5m | No encroachment | N/A | Yes |

| | | | | |
|---|--------------------------------|---|-------------|-----------|
| | West - 5m | No encroachment | N/A | Yes |
| B5 Side Boundary Setbacks | East - 0.9m | 0.9 - 2.6m (dwelling) 0m (retaining wall) | N/A 100% | Yes No |
| | West - 0.9m | 0.9m | N/A | Yes |
| B7 Front Boundary Setbacks | 6.5m | 6.5m | N/A | Yes |
| B9 Rear Boundary Setbacks | 6m | 20.6m | N/A | Yes |
| D1 Landscaped Open Space (LOS) and Bushland Setting | 40% (182.16m ²) | 33.4% (153.9m ²) | 16.5% | No |

Compliance Assessment

| Clause | Compliance with Requirements | Consistency Aims/Objectives |
|--|------------------------------|-----------------------------|
| A.5 Objectives | Yes | Yes |
| B1 Wall Heights | Yes | Yes |
| B3 Side Boundary Envelope | Yes | Yes |
| B5 Side Boundary Setbacks | No | Yes |
| B7 Front Boundary Setbacks | Yes | Yes |
| B9 Rear Boundary Setbacks | Yes | Yes |
| C2 Traffic, Access and Safety | Yes | Yes |
| C3 Parking Facilities | No | Yes |
| C4 Stormwater | Yes | Yes |
| C5 Erosion and Sedimentation | Yes | Yes |
| C6 Building over or adjacent to Constructed Council Drainage Easements | Yes | Yes |
| C7 Excavation and Landfill | Yes | Yes |
| C8 Demolition and Construction | Yes | Yes |
| C9 Waste Management | Yes | Yes |
| D1 Landscaped Open Space and Bushland Setting | No | Yes |
| D2 Private Open Space | Yes | Yes |
| D3 Noise | Yes | Yes |
| D6 Access to Sunlight | Yes | Yes |
| D7 Views | Yes | Yes |
| D8 Privacy | Yes | Yes |
| D9 Building Bulk | Yes | Yes |
| D10 Building Colours and Materials | Yes | Yes |
| D11 Roofs | Yes | Yes |
| D12 Glare and Reflection | Yes | Yes |
| D13 Front Fences and Front Walls | Yes | Yes |
| D14 Site Facilities | Yes | Yes |
| | | |

| Clause | Compliance with Requirements | Consistency Aims/Objectives |
|---|------------------------------|-----------------------------|
| D20 Safety and Security | Yes | Yes |
| E1 Preservation of Trees or Bushland Vegetation | Yes | Yes |
| E2 Prescribed Vegetation | Yes | Yes |
| E6 Retaining unique environmental features | Yes | Yes |
| E10 Landslip Risk | Yes | Yes |

Detailed Assessment

B5 Side Boundary Setbacks

Description of non-compliance

The proposed retaining wall and planter box on the eastern elevation has a zero setback from the boundary, resulting in a 100% variation.

Merit consideration

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

- *To provide opportunities for deep soil landscape areas.*

Comment:

The proposal includes several planter boxes (both on ground and non-ground levels) that will accommodate deep soil landscaping. The narrowness of the site limits landscaped areas to be established along the side boundaries. This is considered as acceptable as the site is quite narrow, and the front and rear yards provide adequate opportunities to establish deep soil landscaped areas.

- *To ensure that development does not become visually dominant.*

Comment:

The landscaping in the front yard (will be conditioned) will reduce the visual impact of the proposed dwelling and the non-compliant retaining wall which will be essentially screened from view. The retaining wall will not be prominently visible from the adjoining property, as 34 Austin Avenue will be located at a higher level than the subject site and only the top of the retaining wall will be visible.

- *To ensure that the scale and bulk of buildings is minimised.*

Comment:

The overall dwelling is adequately articulated and the landscaping will further minimise the scale and bulk; refer to the detailed discussion under WDCP D9.

- *To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained.*

Comment:

The adequate separation will be provided by the actual dwelling (0.9 -2.6m); only the retaining will be non-complaint and it will not have any impact on the adjoining property (e.g overshadowing, bulk etc.), as it will be located below it.

- *To provide reasonable sharing of views to and from public and private properties.*

Comment:

The development will not impact on any views from public or private properties.

The retaining wall in the proposed location is required to support the proposed difference in level, that currently exists due to the slope of the site and will be increased with the proposed excavation, and a compliant side setback cannot be provided a due to the narrowness of the lot. A condition will be imposed requiring the retaining wall to be located off the boundary, to ensure that it will be located wholly on the subject development site.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WLEP 2011 / WDCP and the objectives specified in section 5(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

C3 Parking Facilities

Description of non-compliance

The garage's opening is 5.4m wide, which does not comply with the lesser control of "6 metres or 50% of the building width", resulting in a 35% variation.

Merit consideration

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

- *To provide adequate off street carparking.*

Comment:

The development provides the following on-site car parking:

| Use | Appendix 1 Calculation | Required | Provided | |
|-----|---------------------------|----------|----------|--|
| | | | | |

| | | | | |
|----------------|----------------|---|---|--|
| Dwelling house | 2 per dwelling | 2 | 2 | |
| Total | | 2 | 2 | |

The proposed double garage provides adequate on-site parking facilities.

- *To site and design parking facilities (including garages) to have minimal visual impact on the street frontage or other public place.*

Comment:

The proposed garage opening will have minimal visual impact on the street frontage, as it is effectively integrated into the rest of the dwelling and does not stand out on its own.

- *To ensure that parking facilities (including garages) are designed so as not to dominate the street frontage or other public spaces.*

Comment:

The parking facility will not dominate the street frontage, as it is part of the proposed two-storey addition that faces the street. It is a well-integrated feature of the overall dwelling, rather than a facility on its own. The proposed material and design of the opening aids it in appearing as a feature of the overall design.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WLEP 2011 / WDCP and the objectives specified in section 5(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

D1 Landscaped Open Space and Bushland Setting

Description of non-compliance

The proposal provides 33.4% of the sites as LOS, resulting in a 16.5% variation.

There is an additional 11.75% (53.5m²) of the site that can be landscaped, however, does not meet the LOS definition.

Merit consideration

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

- *To enable planting to maintain and enhance the streetscape.*

Comment:

The front yard will provide adequate opportunities for planting for the purpose of enhancing the

streetscape. The eastern portion can accommodate medium sized trees and the strip to the south of the driveway can accommodate some hedge planting.

- *To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.*

Comment:

The site does not contain any indigenous vegetation, significant topographical features, or wildlife habitat.

- *To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.*

Comment:

The rear yard is of sufficient dimensions to accommodate a variety of planting which has the combined effect of reducing the bulk and scale of the building on site. This is clearly evident by the existing vegetation along the boundary (i.e bamboo, hedge planting), which helps screen and soften the development when viewed from adjoining properties. The soft-landscaped areas in the front yard will be able to accommodate smaller planting, which will assist in reducing the bulk of the building.

- *To enhance privacy between buildings.*

Comment:

The existing plants in the rear yard, in conjunction with the 1.8m high fence, effectively provides privacy between the adjoining properties' rear yards and associated private areas. The proposal will provide for a natural privacy screen on the eastern elevation, via the use of a 'trellis' like design in front W08 and W09, which will allow the growth of climber plants which will provide screening once adequate growth occurs. Artificial plants will be utilised in the period while the plants are growing. The eastern and western elevation does not require much privacy, as most of the windows are highlight (excluding W08/W09).

- *To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.*

Comment:

The rear yard will have adequate dimensions to accommodate various recreational opportunities for the occupants. The proposed development will have no impact on the rear yard.

- *To provide space for service functions, including clothes drying.*

Comment:

The rear yard will have adequate dimensions to carry out various service functions.

- *To facilitate water management, including on-site detention and infiltration of stormwater.*

Comment:

The development will be surrounded by permeable surfaces, which will enable water management to adequately occur on site.

The subject site is limited in its capacity to provide landscaped areas, due to the existing development on site and the narrowness of the lot. The side boundary area must be maintained as permeable surfaces, to enable the development to meet the control's objectives.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WLEP 2011 / WDCP and the objectives specified in section 5(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

D2 Private Open Space

The proposal will provide adequate areas of POS, as the existing rear yard will be retained. Privacy to this area is achieved via the existing bamboo planting along the northern boundary and the high boundary fence. It has an area of almost 100m² which is considered adequate to address the needs of the dwelling's occupants.

D6 Access to Sunlight

The proposal will allow for adequate access to sunlight for the subject and adjoining sites. The additional overshadowing will be limited to the front yards of all affected properties. As these areas do not comprise areas of POS and the overshadowing is relatively minor, this is not considered to be an issue.

D7 Views

The proposed development does not have any impact on views attained from any surrounding properties. It has a greater front setback compared to the property to the west (38 Austin Avenue) which allows them to retain any views to the east. As the proposal will sit 3.3m below the existing structure to the rear of the site (to be retained), it will have no impact on the views attained from properties to the north of the subject site.

D8 Privacy

The proposed development will maintain adequate privacy with the adjoining properties. The landscaping and the high fence in the rear yard will be retained. In addition to the 0.9m side setbacks, most of the new windows along the eastern and western elevations are highlight windows, which will prevent overlooking into neighbours' dwellings and living areas.

The large windows - W08 and W09 - along the eastern elevation may present an issue due to their size and location in living areas. However, the portion of the dwelling where the windows are located will be recessed, with an increased 2.6m setback from the eastern boundary, which prevents any direct or indirect view into 34 Austin Avenue's rear yard. They face two small windows on the dwelling on the adjoining site, however, the windows will be provided with 'trellis' like structures directly in front of them, which will enable the growth

of climber plants that, over time, will obscure the view through the subject windows. In the interim, while the plants are growing, artificial plants will be provided to ensure privacy is maintained.

A condition will be imposed requiring the provision of artificial screening that will adequately, maintain privacy as an interim measure while the climber plants are still in growth.

D9 Building Bulk

The proposal is of a reasonable bulk and scale. It utilises various materials and design elements on the front facade to break up the building mass (as seen in the 3D perspective in DA11), which helps reduce the visual impact of the dwelling on the streetscape.

The eastern elevation is well articulated, with the mid-section of the addition being recessed in. The western side of the addition is not provided with much articulation. However, this is considered as acceptable as the site slopes up further north and doing so would limit the internal spaces available. The site is relatively narrow which limits the amount of articulation that can be provided.

D13 Front Fences and Front Walls

The proposed front fence will be of a timber slat design and will be consistent with the design of the dwelling and the surrounding properties. The plans indicate a maximum height of 1.6m, however, a condition will be imposed to limit the maximum height to not exceed 1.2m.

E10 Landslip Risk

The entire site is located within 'Land Slip Risk Map-Area B', and the proposal involves excavation to a depth of 2m. As such, the application has been provided with a Geotechnical Investigation (Ref: 30588SBprt dated 22/06/17) - in accordance with the requirement of this control. It identifies some hazards that exist on site through a risk analysis, and provides recommendations for addressing them and other aspects of the proposed works.

The report concludes that *"the proposed development can be designed and constructed so that the risk of slope instability is within acceptable limits...provided the recommendations provided...are followed"*. As part of any consent issued, the applicant will be required, via a condition of consent, to strictly comply with all the recommendations of the report. This includes carrying out of inspections (by a qualified geotechnical engineer) at key stages of the development.

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

Warringah Section 94A Development Contribution Plan

The proposal is subject to the application of Council's Section 94A Development Contributions Plan.

The following monetary contributions are applicable:

| Warringah Section 94 Development Contributions Plan | | |
|--|-----------|----------|
| Contribution based on a total development cost of \$ 528,970 | | |
| Contributions | Levy Rate | Payable |
| Total Section 94A Levy | 0.95% | \$ 5,025 |
| Section 94A Planning and Administration | 0.05% | \$ 264 |
| Total | 1% | \$ 5,290 |

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;
- Warringah Local Environment Plan;
- Warringah 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 DA2017/0782 for Alterations and additions to construct a new dwelling house on land at Lot 138 DP 6143, 36 Austin Avenue, NORTH

CURL CURL, 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

| Architectural Plans - Endorsed with Council's stamp | | |
|---|----------|--------------|
| Drawing No. | Dated | Prepared By |
| DA02 (Site/Roof Plan) | 20/07/17 | Action Plans |
| DA03 (Existing Ground Floor Plan) | 20/07/17 | Action Plans |
| DA04 (Proposed Lower Ground Floor Plan) | 20/07/17 | Action Plans |
| DA05 (Proposed Ground Floor Plan) | 20/07/17 | Action Plans |
| DA06 (Proposed First Floor Plan) | 20/07/17 | Action Plans |
| DA07 (Elevations N & E) | 20/07/17 | Action Plans |
| DA08 (Elevations S & W) | 20/07/17 | Action Plans |
| DA09 (Sections) | 20/07/17 | Action Plans |

| Reports / Documentation – All recommendations and requirements contained within: | | |
|--|----------|----------------|
| Report No. / Page No. / Section No. | Dated | Prepared By |
| Geotechnical Assessment (Ref: 30588SBprt) | 22/06/17 | JK Geotechnics |
| BASIX Certificate (Ref: A272841_02) | 19/07/17 | Action Plans |

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:

| Report /Drawing | | |
|-------------------------|----------|--------------|
| Report / Drawing No. | Dated | Prepared By |
| Waste Management Plan | 29/05/17 | Simon Turner |
| DA02 (Sediment Erosion) | 20/07/17 | Action Plans |
| DA011 (Sample Board) | 20/07/17 | Action Plans |

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. **Amendments to the approved plans**

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

1. The retaining wall on the eastern boundary must be located entirely within the boundaries of 36 Austin Avenue.
2. The front fence must not have a height exceeding 1.2m.

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

Reason: To ensure development minimises unreasonable impacts upon surrounding land. (DACPLB02)

3. **Approved Land Use**

Nothing in this consent shall authorise the use of site/onsite structures/units/tenancies as detailed on the approved plans for any land use of the site beyond the definition of a "dwelling house".

A "dwelling house" is defined as "a building containing only one dwelling." (development is defined by the INSERT Local Environment Plan 2011 (as amended) Dictionary).

Any variation to the approved land use and/occupancy of any unit beyond the scope of the above definition will require the submission to Council of a new development application.

Reason: To ensure compliance with the terms of this consent. (DACPLB03)

4. **Prescribed conditions (Demolition):**

(a) 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 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
- (ii) 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.

(b) 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.

(c) 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.

Reason: Legislative Requirement (DACPLB09)

5. 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)

6. **General requirements (Demolition):**

(a) Unless authorised by Council:

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 a Notice of Commencement to Council, a copy of the Development Consent is to remain onsite at all times until completion of demolition works. 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) The applicant shall bear the cost of all works that occur on Council's property.

(f) No building, demolition, excavation or material of any nature shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.

(g) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.

(h) All sound producing plant, equipment, machinery or fittings will not exceed more than 5dB (A) above the background level when measured from any property boundary and will comply with the Environment Protection Authority's NSW Industrial Noise Policy.)

(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.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community. (DACPLB10)

7. **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

8. Policy Controls

Northern Beaches Council Section 94A Development Contribution Plan

The proposal is subject to the application of Council's Section 94A Development Contributions Plan.

The following monetary contributions are applicable:

| Northern Beaches Council Section 94 Development Contributions Plan | | |
|--|-----------|-------------|
| Contribution based on a total development cost of \$ 528,970.00 | | |
| Contributions | Levy Rate | Payable |
| Total Section 94A Levy | 0.95% | \$ 5,025.22 |
| Section 94A Planning and Administration | 0.05% | \$ 264.49 |
| Total | 1% | \$ 5,289.70 |

The amount will be adjusted at the time of payment according to the quarterly CPI (Sydney - All Groups Index). Please ensure that you provide details of this Consent when paying contributions so that they can be easily recalculated.

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 Northern Beaches Council's Development Contributions Plan.

9. Security Bond

A bond (determined from cost of works) of \$2,000 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.warringah.nsw.gov.au/your-council/forms).

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

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

10. Vehicle Crossings Application Formwork Inspection

An application for street levels shall be made with Council subject to the payment of fee applicable at the time of payment. The fee includes all Council inspections relating to the driveway construction and must be paid.

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

Reason: To facilitate suitable vehicular access to private property. (DACENC12)

11. Compliance with standards (Demolition):

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 Council prior to the commencement of demolition works.

Reason: To ensure the development is constructed in accordance with appropriate standards. (DACPLC02)

12. 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. (DACPLC02)

13. External Finishes to Roof

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

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

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

14. Sewer / Water Quickcheck

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre prior to works commencing to determine whether the development will affect any Sydney Water asset's sewer and water mains, stormwater drains and/or easement, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- Quick Check agents details - see Building Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building Developing and Plumbing then Building and Renovating.
- Or telephone 13 20 92.

Reason: To ensure compliance with the statutory requirements of Sydney Water. (DACPLC12)

15. Required Planting – Screening

Screen planting is to be provided in the area adjoining the eastern boundary, in front of the building line.

The selected planting is to comprise of native species capable of attaining a minimum height of 1m at maturity. Plants are to be planted at minimum 1.5m centres and be of a minimum pot size of 25L at planting.

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

Reason: To ensure the retaining wall does not dominate the streetscape. (DACLAC01)

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

16. Public Liability Insurance - Works on Public Land

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note, and provide protection for Northern Beaches Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land. (DACEND01)

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

17. Vehicle Crossings

The provision of one vehicle crossing 3.5 metres wide in accordance with Warringah Council Drawing No A4-3330/1 and specifications. An Authorised Vehicle Crossing Contractor shall construct the vehicle crossing and associated works within the road reserve in plain concrete. 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. (DACENE05)

18. **Layback Construction**

A layback 3.5 metres wide (excluding the wings) is to be constructed in accordance with Warringah Council Drawing No A4-2276 and specifications.

Reason: To ensure suitable vehicular access to private property. (DACENE08)

19. **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. (DACENE09)

20. **Traffic Control During Road Works**

Lighting, fencing, traffic control and advanced warning signs shall be provided for the protection of the works and for the safety and convenience of the public and others in accordance with Council's Minor Works Policy and to the satisfaction of the Principal Certifying Authority. Traffic movement in both directions on public roads, and vehicular access to private properties is to be maintained at all times during the works.

Reason: Public Safety. (DACENE11)

21. **Waste Management During Development**

The reuse, recycling or disposal of waste during works must be done generally in accordance with the Waste Management Plan for this development.

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

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

22. **Installation and Maintenance of Sediment Control**

Measures used for erosion and sediment control on building sites are to be adequately maintained at all times and must be installed in accordance with Council's Specifications for Erosion and Sediment Control. All measures shall remain in proper operation until all development activities have been completed and the site fully stabilised.

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

Reason: To protect the environment from the effects of sedimentation and erosion from development sites.

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

23. **Reinstatement of Kerb**

All redundant laybacks and vehicular crossings shall be reinstated to conventional kerb and gutter, footpath or grassed verge as appropriate with all costs borne by the applicant.

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

Reason: To facilitate the preservation of on street parking spaces. (DACENF03)

24. **Stormwater Disposal**

The stormwater drainage works shall be certified as compliant with all relevant Australian Standards and Codes by a suitably qualified person.

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 appropriate provision for the disposal of stormwater arising from the development. (DACENF05)

25. **Removal of All Temporary Structures/Material and Construction Rubbish**

Once construction has been completed all silt and sediment fences, silt, rubbish, building debris, straw bales and temporary fences are to be removed from the site.

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 bushland management. (DACPLF01)

26. **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. (DACPLF04)

27. **Waste Management Confirmation**

Prior to the issue of a Final Occupation Certificate, evidence / documentation must be submitted to the Principal Certifying Authority that all waste material from the development site arising from demolition and/or construction works has been appropriately recycled, reused or disposed of generally in accordance with the approved Waste Management Plan.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

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

28. **Natural privacy screen**

The windows on the eastern elevation - W08 and W09 - must be provided with a natural privacy screen, in accordance with the submitted plans (DA02 to DA09 dated 20/07/17).

An artificial screen to obscure views from those windows must be provided, as an interim measure, while the natural screen is growing.

The arrangement (interim and permanent) for the privacy screen on W08 and W09 must be maintained for the life of the development.

Reason: To ensure privacy is adequately maintained between adjoining properties. (DACPLGOG1)

29. **Pervious areas**

Pervious areas must be provided in accordance with Drawing DA11, dated 20/07/17.



Reason: To ensure that objectives of WDCP D1 is met. (DACPLGOG2)

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

Signed

A handwritten signature in black ink, appearing to read 'M. Masrur'.

Monty Masrur, Planner

The application is determined under the delegated authority of:

A handwritten signature in black ink, appearing to read 'Tyson Ek-Moller'.

Tyson Ek-Moller, Acting Development Assessment Manager

ATTACHMENT A

No notification plan recorded.

ATTACHMENT B

|  | Notification Document | Title | Date |
|---|------------------------------|------------------|-------------|
| | 2017/287505 | Notification Map | 15/08/2017 |

ATTACHMENT C

| Reference Number | Document | Date |
|---|---|------------|
|  2017/277763 | Plans - Survey | 24/04/2017 |
|  2017/277762 | Report - Geotechnical | 23/06/2017 |
|  2017/277760 | Report - BASIX Certificate | 21/07/2017 |
|  2017/277780 | Plans - Master Set | 29/07/2017 |
|  2017/277766 | Plans - Notiifcation | 02/08/2017 |
|  2017/277764 | Report - Waste Management | 02/08/2017 |
|  2017/277768 | Plans - Sediment & Erosion Control | 02/08/2017 |
|  2017/277753 | Report - Cost Summary | 02/08/2017 |
|  2017/277778 | Plans - Internal | 03/08/2017 |
|  2017/277770 | Plans - Shadow Diagrams | 03/08/2017 |
|  2017/277756 | Report - Statement of Environmental Effects | 07/08/2017 |
|  DA2017/0782 | 36 Austin Avenue NORTH CURL CURL NSW 2099 - Development Application - Alterations and Additions | 09/08/2017 |
|  2017/276868 | DA Acknowledgement Letter - Simon Turner | 09/08/2017 |
|  2017/277743 | Development Application Form | 09/08/2017 |
|  2017/277747 | Applicant Details | 09/08/2017 |
|  2017/277772 | Plans - External | 09/08/2017 |
|  2017/287461 | ARP Notification Map | 15/08/2017 |
|  2017/287482 | DA Acknowledgement Letter (not integrated) - Simon Turner | 15/08/2017 |
|  2017/287505 | Notification Map | 15/08/2017 |
|  2017/287522 | Notification Letter - 7 | 15/08/2017 |
|  2017/310454 | Online Submission - Mete | 27/08/2017 |
|  2017/311560 | Submission Acknowledgement Letter - Robert Anthony Fortunato Mete - SA2017/310454 | 28/08/2017 |
|  2017/334630 | Development Engineering Referral Response | 08/09/2017 |
|  2017/425035 | Working Plans | 30/10/2017 |
|  2017/444052 | Site Photos | 09/11/2017 |
|  2017/522593 | Stamped Plans | 14/12/2017 |
|  2017/522599 | Notice of Determination | 14/12/2017 |