

## DEVELOPMENT APPLICATION ASSESSMENT REPORT

<b>Application Number:</b>	DA2021/0004
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<b>Responsible Officer:</b>	Anne-Marie Young
<b>Land to be developed (Address):</b>	Lot 1 DP 528546, 1121 Pittwater Road COLLAROY NSW 2097
<b>Proposed Development:</b>	Alterations and additions to an existing commercial premises and use as a veterinary hospital
<b>Zoning:</b>	Warringah LEP2011 - Land zoned B2 Local Centre
<b>Development Permissible:</b>	Yes
<b>Existing Use Rights:</b>	No
<b>Consent Authority:</b>	Northern Beaches Council
<b>Land and Environment Court Action:</b>	No
<b>Owner:</b>	The Susanne Holding Company Pty Ltd
<b>Applicant:</b>	The Trustee For Collaroy Veterinary Hospital

<b>Application Lodged:</b>	21/01/2021
<b>Integrated Development:</b>	No
<b>Designated Development:</b>	No
<b>State Reporting Category:</b>	Commercial/Retail/Office
<b>Notified:</b>	01/02/2021 to 15/02/2021
<b>Advertised:</b>	Not Advertised
<b>Submissions Received:</b>	12
<b>Clause 4.6 Variation:</b>	Nil
<b>Recommendation:</b>	Approval

<b>Estimated Cost of Works:</b>	\$ 1,401,633.00
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### PROPOSED DEVELOPMENT IN DETAIL

The proposal seeks consent for the adaptive reuse, fit-out and alterations and additions to the existing building to provide for the use of veterinary hospital on the site.

Proposed physical works generally comprise the following:

- Demolition of more recent rear (west) single storey wing and non-structural internal fitout on ground and first floor;
- Construction of a new contemporaneous new two storey additions to the rear (west) of the retained portion of the building; and
- Fit-out within retained portion of the building fronting Pittwater Road.

Fit-out works will comprise the following:

### **Ground floor**

- Reception / separated cat and dog waiting areas;
- 3 x Consulting rooms (2 x dog and 1 x cat);
- Procedure room;
- Lift foyer and comms room;
- Grooming suite;
- 2 x dog internal dog enclosure areas;
- Front of house product display area;
- Primary dog ward containing 27 cages and 5 dog runs;
- Storeroom washer room;
- Toilet (disabled accessible);
- Outdoor covered wait area; and
- Waste Bin Area under outdoor staff deck area.

### **First Floor**

- 2 x animal theatres off pre operation area;
- Dog recovery room;
- Staff lockers and shower rooms (x2);
- Staff room and west facing staff balcony ;
- Autoclave and sanitation room;
- Laundry;
- Radiology room;
- Cat ward; and
- Cat and dog treatment room with two principal treatment areas.

### **Operational Details**

#### Proposed Hours of Operation

- Mon – Fri 7.00am – 9.00pm
- Sat 7.00am – 9.00pm
- Sun 7.00am – 9.00pm
- Public Holidays 7.00am – 9.00pm

#### Proposed consulting hours (by appointment)

- Mon – Fri 8.00am – 8.00pm
- Sat 8.00am – 5.00pm
- Sun 9.00am – 5.00pm

Appointments are booked at 30 min intervals with a maximum of 2 patients per time slot.

#### After hours

By call out / as required

Overnight care 9.00pm – 7.00am

Generally, one vet is onsite overnight, but may require the assistance of a vet nurse in cases requiring critical care. No general boarding is to be undertaken on site however a number of infirmed animals may be kept on site for observation.

#### Proposed Grooming hours

Grooming will operate from 9.00am – 5.00pm Monday to Saturday

Grooming clients will generally be dropped off in the morning and picked up in the afternoon

#### Proposed Staffing

Initially, there will be a maximum of 13 staff on site in middle of the day, when morning and afternoon shift overlap.

It is envisaged that a maximum of 15 staff will be onsite at any one time when the hospital is working at capacity.

### **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 - D3 Noise

#### **SITE DESCRIPTION**

<b>Property Description:</b>	Lot 1 DP 528546 , 1121 Pittwater Road COLLAROY NSW 2097
<b>Detailed Site Description:</b>	The site is known as 1121 Pittwater Road, Collaroy and

described as Lot 1 DP 528546. The site is regular in shape with a frontage of approximately 15m along Pittwater Road and a depth of 57.5m. The site has a surveyed area of 663.9m<sup>2</sup>.

The site is a corner block with a street frontage facing east to Pittwater Road and south to Collaroy Street. The existing building is a face brick two storey building, constructed originally as a Westpac Bank branch. The site is identified as a heritage item with local significance under Warringah LEP 2011.

Surrounding development consists of commercial businesses and shop top housing and mixed use buildings. Located on the opposite side of Pittwater Road to the subject site is Collaroy Beach.

The site is relatively flat, with minimal existing plantings that have been neglected over time, and no known threatened species.

Map:



## SITE HISTORY

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

- **DA2015/0601** - On 10 August 2015, Council approved the use of premises as a personal training studio

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

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

Section 4.15 Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	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	Warringah Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&amp;A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clause 50(1A)</u> of the EP&amp;A Regulation 2000 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application.</p> <p><u>Clauses 54 and 109</u> of the EP&amp;A Regulation 2000 allow Council to request additional information. Additional information was requested in relation to acoustic and overland flow impacts. The additional information was subsequently provided to the satisfaction of Council.</p> <p><u>Clause 92</u> of the EP&amp;A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent.</p> <p><u>Clauses 93 and/or 94</u> of the EP&amp;A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This clause is not relevant to this application.</p> <p><u>Clause 98</u> of the EP&amp;A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This clause is not relevant to this application.</p> <p><u>Clause 98</u> of the EP&amp;A Regulation 2000 requires the consent</p>

Section 4.15 Matters for Consideration'	Comments
	<p>authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p> <p><u>Clause 143A</u> of the EP&amp;A Regulation 2000 requires the submission of a design verification certificate from the building designer prior to the issue of a Construction Certificate. This clause is not relevant to this application.</p>
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) <b>Environmental Impact</b> The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report.</p> <p>(ii) <b>Social Impact</b> The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) <b>Economic Impact</b> The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

## EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

## BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

## NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited from 01/02/2021 to 15/02/2021 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the Community Participation Plan.

As a result of the public exhibition process council is in receipt of 12 submission/s from:

Name:	Address:
Mr Anthony John Hall	30 Cliff Road COLLAROY NSW 2097



Name:	Address:
Ms Fiona Margaret Bourke	51 Suffolk Avenue COLLAROY NSW 2097
Mrs Sharon Dancer	83 Essilia Street COLLAROY PLATEAU NSW 2097
Michelle Barraclough	1 / 1073 Pittwater Road COLLAROY NSW 2097
Mrs Lisa Jane Wild	15 Surfers Parade FRESHWATER NSW 2096
Ms Kristen Michelle Faith	10 Randall Court COLLAROY PLATEAU NSW 2097
Jody Lee Shepherd	4 / 15 Oaks Avenue DEE WHY NSW 2099
Mr Peter Sardelic	34 / 1 - 5 Collaroy Street COLLAROY NSW 2097
Mrs Julie Anne Stanford	140 Anzac Avenue COLLAROY PLATEAU NSW 2097
Sarah Berman	1 / 97 Ocean Street NARRABEEN NSW 2101
Mr David Joseph Phillips Roggiero	18 Collaroy Street COLLAROY NSW 2097
Mrs Stacey Louise Wozniak	PO Box 275 COLLAROY BEACH NSW 2097

A total of 12 submissions were received. Of the 12 submissions, 10 were in support, while two objected to the proposed development.

A submission raising issues with acoustic and visual privacy, heritage and streetscape impact has been received from the owner of an apartment at 1 - 5 Collaroy Street. The Assessing Officer has attempted on a number of occasions to make contact by phone with the owner to discuss the submission but there was no answer.

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

- Opposition to demolition works;
- Heritage impacts;
- Impact on character, including streetscape;
- Visual and acoustic privacy impacts,
- Hygiene and odour associated impacts;
- Re-use of existing bricks for the proposed addition;
- Visual impact to Collaroy Street due to the proposed ridge of the addition; and
- Parking.

The matters raised within the submissions are addressed as follows:

- **Demolition works**

Comment:

The proposed works, including demolition of the single storey building adjacent to the heritage item has been reviewed by Council with regard to its relationship to the heritage item fronting Pittwater Road. The demolition of this building is not considered unreasonable and will not impact on the integrity of significance of heritage item.

- **Heritage impacts - The heritage property should be used as professional rooms and any alterations should be limited to internal alterations.**

Comment:

The use of the property as a veterinary hospital is permissible in the B2 Local Centre and provides professional services for domestic pets there are no heritage reasons which would preclude the proposed use. The application has been referred to Council Heritage Officer who

offered no objections to the proposed extension of the heritage item subject to conditions, refer to comments from Council's Heritage Officer. It is also noted that there are no FSR controls applicable to the site and the extension of the building is permissible.

- **Streetscape character**

Comment:

It is not considered the proposed works will have an adverse impact on the Collaroy Street streetscape. The proposal, including the siting of the new addition has carefully considered its impact on the Collaroy Street streetscape by locating the built form further from Collaroy Street than the retained building. Furthermore, the recessed glazed link with a flat roof is considered an appropriate way to transition between the retained heritage item and new addition. Overall, the proposed works, specifically the new addition will not unreasonably impact the streetscape character along Collaroy Street.

- **Visual and acoustic privacy impacts.**

Comment:

There is a 24.9m separation between the rear elevation of the proposed extended building and the east elevation of the shop apartment block at 1-5 Collaroy Road. Shop top housing is also located approx 5m to the north at No 1125-1127 Pittwater Road. Balconies are located along the southern elevation of this building with no set back to the boundary. A further shop top development is located on the opposite side of Collaroy Street at 1119 Pittwater Road with north facing balconies.

An acoustic report has been submitted which provides a detailed assessment of the three residential buildings that adjoin the site. The assessment considers noise emission of dogs barking and impacts from two condenser units. The report makes detailed recommendations to ensure that the acoustic impacts can be managed including:

- Construction and glazing recommendations for windows and doors the roof and walls.
- The installation of a timber batten screen over the parapet walls adjacent to the proposed location of the AC units.

In summary the acoustic report has been considered by Council's Health Officer who offers no objections to the proposal subject to conditions.

In terms of concerns about visual privacy while there are east facing balconies located on the neighbouring residential flat building to the west. The 24.9m separation between the existing balconies and the proposed staff balcony is considered sufficient to ensure that there will be no unreasonable impacts in relation to visual privacy. A solid wall is proposed along the northern edge of the staff balcony which will also ensure that visual privacy is maintained to the existing apartments to the north. Windows are proposed along the western elevation, however, given that the subject site is separated by a road to the apartments to the south it is not considered that there will be unreasonable impacts on visual privacy to these apartments.

- **Hygiene and odour associated impacts**

Comment:

As a licensed veterinary hospital, it must comply with the Veterinary Practitioners' Board (VPB) Minimum Requirements. The applicant has confirmed that Collaroy Vet Hospital's protocols and procedures exceed the VPB minimum requirements. All waste will be kept within a locked bin room (with direct access to the hospital back of house and car park) and will be managed and removed in compliance with all statutory requirements at all times. The business has a current



waste removal contract with a waste management company that will continue at the new site. All clinical waste generated will be kept within the hospital and collected by specialist contractors. Deceased animals are collected by Petrest for cremation. Clinical waste is collected by Vetpac. Purpose-built sanitary dog toileting areas are available within the building.

In summary, it is not expected that there will be unreasonable impacts relating to hygiene and odour emitted from the building or site, conditions are recommended to ensure this.

- **Re-use of existing bricks for the proposed addition**

Comment:

While the proposed addition does not intend to re-use existing bricks from the single storey building, the proposed design, including materials and finishes are considered appropriate and a suitable response to the adjacent heritage item. For this reason, the proposed addition is supported based on the proposed schedule of materials and finishes.

- **Visual impact to Collaroy Street due to the proposed ridge of the addition**

Comment:

The proposed addition, including the location of the ridge will not unreasonably impact Collaroy Street, but provide a built form and building height that is consistent with nearby development and is situated further back from the Collaroy Street frontage, minimise any impact on Collaroy Street.

- **Parking**

Comment:

The proposal is considered to provide sufficient parking (8 spaces) to meet the demand generate by the proposed use and size of the development. The DA is supported by a traffic and parking assessment which considers similar sized developments. On this basis, the proposed parking is considered sufficient to meet the demands generated by the veterinary hospital. Furthermore, the site is serviced by a reliable, well-established public transport corridor along Pittwater Road which will provide opportunities for staff to travel via public transport, therefore relying less on private vehicles. The application notes that appointment are booked at 30 minute intervals with a maximum of 2 patients per time slot during the consulting hours. As such, it is believed this will provide a regular turnover of vehicles where vacant car spaces are available on a regular basis.

## REFERRALS

Internal Referral Body	Comments
Environmental Health (Acid Sulphate)	<p><b>General Comments</b></p> <p>The Geotechnical Investigations Report prepared by Douglas and Partners dated December 2020 identifies, groundwater is expected at a depth of about 4-5 m or more and is not expected to be encountered during shallow excavation on site. Therefore no further action required in relation to Acid Sulphate Soils.</p> <p><b>Recommendation</b></p> <p>APPROVAL - no conditions</p>
Environmental Health	<p><b>General Comments</b></p>

Internal Referral Body	Comments
(Industrial)	<p>A review of the Acoustic Report prepared by Acoustic Logic dated 25 February 2021 has identified acoustic treatments that can be applied to the proposal to achieve an acceptable noise level. Environmental Health have considered, location of wards/runs, location of mechanical plant, operational hours, waiting room locations and as such appropriate noise mitigating conditions will be applied to the development.</p> <p><b>Recommendation</b></p> <p>APPROVAL - subject to conditions</p>
Environmental Health (Food Premises, Skin Pen.)	<p><b>General Comments</b></p> <p>A review of the proposal has identified there is no food for sale to the public for human consumption. The product display relates to animal products.</p> <p><b>Recommendation</b></p> <p>APPROVAL - no conditions</p>
Landscape Officer	<p>The proposal is for alterations and additions to the existing building, fitout and use for veterinary hospital.</p> <p>The application is assessed by Landscape Referral against Warringah Development Control Plan 2011, including but not limited to the following clauses:</p> <ul style="list-style-type: none"> <li>• D1 Landscaped Open Space and Bushland Setting</li> <li>• E1 Preservation of Trees or Bushland Vegetation</li> </ul> <p>The existing site supports small existing garden bed areas with no existing trees. Sparse vegetation occupies the existing garden beds.</p> <p>A Landscape Plan plan is provided that proposes the re-establishment of mass planting to the proposed landscape areas and this is acceptable and suitable for the site.</p>
NECC (Bushland and Biodiversity)	<p>Council's Natural Environment Unit - Biodiversity referral team have reviewed the application for consistency against the relevant environmental legislation and controls, including:</p> <p><b>Biodiversity Conservation Act 2016 (BC Act)</b>  <b>Warringah Local Environmental Plan (WLEP)</b>  <b>Warringah Development Control Plan (WDGP)</b></p> <ul style="list-style-type: none"> <li>• Clause E2 Prescribed Vegetation</li> <li>• Clause E4 Wildlife Corridors</li> <li>• Clause E6 Retaining unique environmental features</li> </ul>

Internal Referral Body	Comments
	<p>The application does not require the removal of native vegetation, nor is it likely to indirectly impact nearby biodiversity values. Subject to conditions the Bushland and Biodiversity referral team find the application to be consistent against relevant environmental controls.</p>
NECC (Coast and Catchments)	<p>The application has been assessed in consideration of the <i>Coastal Management Act 2016</i>, State Environmental Planning Policy (Coastal Management) 2018 and has also been assessed against requirements of the Warringah LEP 2011 and Warringah DCP 2011.</p> <p><b>Coastal Management Act 2016</b> The subject site has been identified as being within the coastal zone and therefore <i>Coastal Management Act 2016</i> is applicable to the proposed development.</p> <p>The proposed development is in line with the objects, as set out under Clause 3 of the <i>Coastal Management Act 2016</i>.</p> <p><b>State Environmental Planning Policy (Coastal Management) 2018</b> The subject land has been included on the 'Coastal Use Area' map under the State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP). Hence, Clauses 14 and 15 of the CM SEPP apply for this DA.</p> <p>Comment:</p> <p>On internal assessment, the DA satisfies requirements under clauses 14 and 15 of the CM SEPP.</p> <p>As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Coastal Management) 2018.</p> <p><b>Warringah LEP 2011 and Warringah DCP 2011</b></p> <p>No other coastal related issues identified.</p> <p>As such, it is considered that the application does comply with the requirements of the coastal relevant clauses of the Warringah LEP 2011 and Warringah DCP 2011.</p>
NECC (Development Engineering)	<p><b>Comments 9/4/21</b> The applicant has now submitted a flood study using the TUFLOW</p>

Internal Referral Body	Comments
	<p>model which aligns with Councils Overland Flow study. The study assumes a 100% culvert blockage which is a conservative approach has the adjoining box culvert has a 20 year capacity. The 1 in 100 year AEP Flood level is 4.5m AHD and the consultant recommends a FPL of 5m. The proposed new addition floor level is at 4.92m and will be required to be set a 5.0m AHD via a condition of consent.</p> <p>Additionally a requirement to install a flood resistant roller door to the basement room will be required together with flood proofing to RL 5m AHD. Also the sub floor is to be used for flood storage and the foundation wall will require sufficient openings to allow for the ingress/egress of flood water.</p> <p>No objections subject to conditions.</p> <p><b>Previous comments</b> The subject site is is affected by stormwater overland flow as such this overland flow will be impacted by the proposed development . The applicant is to submit a overland flow study prepared by a qualified civil engineer (NER or RPENG) . The overland flow study is to provide the following information:</p> <ol style="list-style-type: none"> <li>1) The overland flow extents ,velocities and depths for the 1 in 100 year AEP storm event upstream/downstream and for the subject site.</li> <li>2) Demonstration that there are or minimal impacts impacts on the current overland flow path including loss of storage. Please note a Council stormwater box culvert runs along the western boundary under the existing driveway access.</li> <li>3) The engineer is to use guidelines and principals as outlined ARR 2019 in preparation of the overland flow study.</li> </ol> <p>In addition to the above requirements the existing rear carpark has an abandoned 900mm stormwater pipe which will need to be removed for the development to proceed .</p> <p>As the site is impacted by a substantial amount of overland flow to the rear of the site On site stormwater detention is not required.</p>
NECC (Water Management)	<p>The applicant has a lot under 1000sqm and is not increasing impervious area, therefore the following cannot be required but is highly recommended. The proposed use as a veterinary hospital and grooming salon will result in high levels of potable water use, and the carpark will contribute microplastics and other forms of pollution to stormwater that almost immediately is discharged to Collaroy Beach.</p> <p>The applicant is encouraged to consider at a minimum:</p> <ol style="list-style-type: none"> <li>1. including a sediment filter pit on the boundary discharge point to capture sediment from stormwater prior to leaving the property (sediment carries most pollutants). Preferable is the inclusion of stormwater filter cartridges in the on-site detention tank.</li> <li>2. rainwater/stormwater reuse is not suitable for pet washing due to some pets possibly having compromised health. Therefore, it is</li> </ol>

Internal Referral Body	Comments
	<p>recommended that the applicant include a rainwater tank to capture roofwater for use in toilets and laundry, as in this type of development, there will also be a high demand for potable water for this purpose. This is supported by Council's Water Management for Development Policy clause 7.1 below.</p> <p>7.1 Water Conservation and Reuse Council is committed to reducing water consumption within the LGA. All developments must be designed to minimise potable water consumption through water efficiency and appropriate reuse. This includes promotion and adoption of water efficient fittings and appliances and the use of alternate (non-potable) water sources such as rainwater, stormwater and greywater, in accordance with the principles of Water Sensitive Urban Design.</p> <p>Water efficient fittings are required, as are sediment and erosion controls.</p>
Strategic and Place Planning (Heritage Officer)	HERITAGE COMMENTS
	Discussion of reason for referral
	<p>The proposal has been referred to Heritage as the subject property is a heritage item, and is within proximity a number of others</p> <p><b>I23 - Former Westpac Bank</b> - 1121 Pittwater Road, Collaroy</p> <p><b>I20 - Former Arlington Amusement Hall</b> - 1056-1066 Pittwater Road, Collaroy</p> <p><b>I117 - Street trees and plaque</b> - Eastern side of Pittwater Road from Collaroy St to Birdwood Avenue</p>
	Details of heritage items affected
	<p>Details of the item as contained within the Warringah inventory is as follows:</p> <p><b>Former Westpac Bank</b> <u>Statement of significance:</u> A locally rare example of a suburban bank in the inter-war geogian revival style, representative of bank architecture at the time. Historically provides evidence of the devt. of commercial infrastructure to serve residential growth. Local landmark.</p> <p><u>Physical description:</u> Two storey face brick bank building designed to address corner site. Stone dressings as horizontal string courses and as carved motifs between ground &amp; first floor windows. Tiled hipped roof. Art deco detailing in carved stone dressings. Multi-paned windows</p> <p><b>Former Arlington Amusement Hall</b> <u>Statement of significance:</u> A rare surviving example of an early 20th century commercial terrace in the area. Displays good integrity &amp; is typically</p>

Internal Referral Body	Comments		
	<p>representative of federation commercial terraces. Historically provides evidence of important role of recreational/commercial devt.</p> <p><u>Physical description:</u> Terrace of 5 shops of face brickwork with rendered details. Entrance to former Amusement Hall assymmetrically located with a semi-circular pediment &amp; the name. Some stone features in detailing. Recessed porches on 1st floor, majority infilled &amp; altered. No evidence of original shops on ground floor.</p> <p><b>Street trees and plaque</b> <u>Statement of significance:</u> A mature example of commemorative planting which occurred after WWI. Social &amp; historic significance to the community, as plantings were to commemorate those who died in the war, as indicated by the plaque. Aesthetically a dominate feature of the streetscape.</p> <p><u>Physical description:</u> A prominent row of mature Norfolk Island Pines (Araucaria heterophylla) along the road, with a number of others in the adjoining park area. Sandstone plaque with polished granite tablet with dedication.</p>		
	Other relevant heritage listings		
	Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	No	
	Australian Heritage Register	No	
	NSW State Heritage Register	No	
	National Trust of Aust (NSW) Register		
	RAIA Register of 20th Century Buildings of Significance	No	
	Other	N/A	
	Consideration of Application		
	<p>The proposal seeks consent to use the site as a veterinary practice and undertake alterations and additions to the existing building. The subject site is a listed heritage item under the Warringah Local Environmental Plan 2011 known as '<i>Former Westpac Bank</i>'. A heritage impact statement has been provided with the proposal which indicates the building is likely to have been constructed in the late 1920s. The statement is provided in support of the proposal and is considered beneficial in understanding and assessing the proposal.</p>		



Internal Referral Body	Comments
	<p><i>Description of the current building</i></p> <p>The site has been listed as it is a good example of a bank building constructed in the Inter-War Georgian Revival style. The inventory sheet for the item notes this style and commercial use is rare in a suburban context. The building is constructed of face brick, with a two storey presentation to Pittwater Road and Collaroy Street with a trailing single storey rear western wing. The two storey component is more intricately detailed with a strong vertical fenestration alignment and emphasis. The windows are timber framed Georgian style multi pane double hung windows. There is decorative brick and sandstone string courses as well as carved sandstone motifs between the windows. The building has been splayed to address the corner with its main entrance facing the intersection which is then slightly elevated above the street level. Above the entrance door there is a carved sandstone heraldic emblem. In contrast the rear western wing is single storey with a simplified presentation without the sandstone or Georgian windows, although is constructed of the same face brick. Both sections of the building have terracotta tiled hipped roofs. A low level brick wall with an upper metal element extends down the side of the wing to the carpark.</p> <p>Internally the building has been subject to many changes over its life and little original fabric remains, especially at the ground floor. Upstairs, original internal features are mostly located within the hallway and include simple cornices, vermiculite ceiling, picture rails and some window and door detailing.</p> <p><i>Proposal in detail</i></p> <p>The proposal seeks to demolish the rear single storey wing and construct a new two storey addition which will be comprised of bricks at the lower level and metal cladding at the upper. The roof will be metal sheeting in a trapezoid shape. The ridge of this new roof will be lower than that of the retained section which is supported as it will minimise visual impacts to the Pittwater Road frontage. This new wing will also be setback further from the Collaroy Street frontage than the retained section and this approach is also supported. The proposed recessed glazed link with a flat roof is considered to be an appropriate way to transition between the retained and new sections which allows for both to be easily read and understood. The vertical alignment of the windows on the new wing is also considered to be an appropriate way to reference the alignment on the retained section without being a direct copy. The new two storey addition will impact upon views of the item from the west, but the elevation of the retained section is considered to be less significant visually and contains little detailing. The proposed southern setback also ensures a visual line to the retained section when viewing the site from Collaroy Street.</p>

Internal Referral Body	Comments
	<p>The statement of environmental effects notes signage will be dealt with via a separate application to Council and this approach is supported by Heritage.</p> <p>Overall the proposal is considered to be acceptable to Heritage as it retains the key features and presentation of the building and proposes new complimentary and recessive works to the rear. While the exterior of the rear wing includes original fabric, its contribution to the item's significance is relatively minor and on balance, its removal can be supported subject to it being photographically recorded before works begin. Heritage will recommend the following conditions for the proposal being:</p> <ul style="list-style-type: none"> <li>• A photographic archival recording of the exterior and interior of the site; and</li> <li>• Development of a simple interpretation strategy and its implementation; and</li> <li>• A maintenance plan.</li> </ul> <p><i>Nearby heritage items</i></p> <p>The Former Arlington Amusement Hall is located opposite the subject site, across the 6 lanes of Pittwater Road. Given the width of the carriageway there is adequate separation between the items and as the proposed works are to the rear of the subject site, they will be not readily viewable. Similarly the street trees (Norfolk Island Pines) are also located on the opposite side of Pittwater Road and stretch down the south away from the site. Once again the physical separation afforded by the roadway minimise impacts upon this item and its significance.</p> <p>Therefore Heritage raises no objections and requires 4 conditions.</p> <p>Consider against the provisions of CL5.10 of WLEP.</p> <p>Is a Conservation Management Plan (CMP) Required? No          Has a CMP been provided? No          Is a Heritage Impact Statement required? Yes          Has a Heritage Impact Statement been provided? Yes - a statement from Weir + Phillips has been included with the proposal.</p>
Strategic and Place Planning (Urban Design)	<p>The proposal is for new contemporary additions to the existing heritage listed building. The additions are of appropriate scale to the established scale and character of the Collaroy town Centre. The new building facades proposed relate sensitively to the heritage building. The materials palette selected contrast sympathetically to the face-brick and tile roof of the existing heritage building as a new addition.</p>
Traffic Engineer	<p>The proposal has been assessed in line with the requirements of the DCP and seeks comparisons between the proposed development and</p>

Internal Referral Body	Comments
	<p>other examples of similar developments and their operation. The traffic report provided addresses this comparison matter using examples of other Vet hospitals in the LGA.</p> <p>Car parking provision is in line with the requirements of the AS 2890.1 for this type of facility.</p> <p>Boundary fence to be no more than 1.1 metres high for pedestrian safety at the driveway entry.</p>

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	<p>The proposal was referred to Ausgrid who provided a response 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 commercial 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 commercial land use.

### 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 support the proposal, subject to conditions of consent.

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

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

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

(1)

- (a) has considered whether the proposed development is likely to cause an adverse impact on the following:
  - (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,
  - (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,
  - (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,
  - (iv) Aboriginal cultural heritage, practices and places,
  - (v) cultural and built environment heritage, and
- (b) is satisfied that:
  - (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or
  - (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
  - (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and
- (c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

Comment:

The proposed development is located largely within the existing footprint of the existing building with notable separation from Collaroy beach being on the western side of Pittwater Road. As such, it is not expected that access to and along the foreshore, beach, headland or rock platforms for members of the public will be impacted. There will be not be unreasonable impact on overshadowing, wind funnelling or views from public places to foreshores. Due to the location of the new addition being behind the existing building fronting Pittwater Road, the visual amenity and scenic qualities of the coast are unlikely to be affected. While heritage values, including Aboriginal values, practices and places will remain unaffected. As discussed elsewhere in this report, the cultural and built environmental heritage of the area will not be unreasonable impacted. Overall, the proposal is considered to be designed, sited and managed appropriately in order to avoid any adverse impact on the above.

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

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

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

### Comment:

The proposal will not cause any increased risk of coastal hazards on that land or other land.

## Warringah Local Environmental 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:	11m	9.7m (new works to the rear) 9.06m (existing building to Pittwater Road)	N/A N/A	Yes Yes

### Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
5.10 Heritage conservation	Yes
6.1 Acid sulfate soils	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes
Schedule 5 Environmental heritage	Yes

## Warringah Development Control Plan

### Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
B2 Number of storeys	3	3	N/A	Yes
B3 Side Boundary Envelope	N/A	N/A	N/A	N/A
B6 Merit	Merit	0m (north). The proposed works will be	N/A	Yes on

Assessment of Side Boundary Setbacks	assessment	adjacent to an area of vacant land and be located in excess of 5m from the nearest residential development at 1125-1127 Pittwater Road to the west, providing sufficient separation, minimising any impact on residential amenity. There will be no windows on the northern elevation, therefore minimising impact on privacy.		merit
	Merit assessment	19.3m (west).	N/A	Yes on merit
B7 Front Boundary Setbacks	Ground and first floors - Nil setback	Existing building - 0m New addition - 1.3m to the secondary set back	N/A N/A	Yes Yes
B9 Rear Boundary Setbacks	N/A	N/A	N/A	N/A

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

#### Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
B2 Number of Storeys	Yes	Yes
B6 Merit Assessment of Side Boundary Setbacks	Yes	Yes
B7 Front Boundary Setbacks	Yes	Yes
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	Yes	Yes
C4 Stormwater	Yes	Yes
C7 Excavation and Landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	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
D18 Accessibility and Adaptability	Yes	Yes



Clause	Compliance with Requirements	Consistency Aims/Objectives
D20 Safety and Security	Yes	Yes
E4 Wildlife Corridors	Yes	Yes
E10 Landslip Risk	Yes	Yes
F1 Local and Neighbourhood Centres	Yes	Yes

### Detailed Assessment

#### **D3 Noise**

B3 (Noise) requires noise from mechanical plant not generate noise levels that exceed the ambient background noise by more than 5dB(A) when measured in accordance with the *NSW Industrial Noise Policy* at the receiving boundary of residential and other noise sensitive land uses. In addition, development near existing noise generating activities, such as industry and roads, is to be designed to mitigate the effect of that noise.

#### Comment

Concern has been raised by a neighbour at 1- 5 Collaroy Road regarding acoustic impacts from the use.

As discussed in the submissions section of this report there is a 24.9m separation between the rear elevation of the proposed extended building and the east elevation of the apartment block at 1-5 Collaroy Road. A shop top housing development is also located approx 5m to the north at No 1125-1127 Pittwater Road and shop top housing is provided on the opposite side of Collaroy Street at 1119 Pittwater Road.

An acoustic report has been submitted which provides a detailed assessment of the three residential buildings that adjoin the site. The assessment considers noise emission of dogs barking and impacts from two condenser units. The report makes detailed recommendations to ensure that the acoustic impacts can be managed including:

- Construction and glazing recommendations for windows and doors the roof and walls.
- The installation of a timber batten screen over the parapet walls adjacent to the proposed location of the AC units.

In summary the acoustic report has been considered by Council's Health Officer who offers no objections to the proposal subject to conditions.

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

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

#### **CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN**

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

#### **POLICY CONTROLS**

## Northern Beaches Section 7.12 Contributions Plan 2019

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

A monetary contribution of \$14,016 is required for the provision of new and augmented public infrastructure. The contribution is calculated as 1% of the total development cost of \$1,401,633.

## 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 DA2021/0004 for Alterations and additions to an existing commercial premises and use as a veterinary hospital on land at Lot 1 DP 528546, 1121 Pittwater Road, COLLAROY, subject to the conditions printed below:

### DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

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

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

##### a) Approved Plans

<b>Architectural Plans - Endorsed with Council's stamp</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
Site Analysis Plan, DA-01, Rev A	16/12/2020	Big City Design
Site Plan, DA-02, Rev A	16/12/2020	Big City Design
Demolition Floor Plans, DA-04, Rev A	16/12/2020	Big City Design
Proposed Floor Plans, DA-05, Rev A	16/12/2020	Big City Design
Proposed Roof Plan, DA-06, Rev A	16/12/2020	Big City Design
Proposed West and South Elevations, DA-09, Rev A	16/12/2020	Big City Design
Proposed East and North Elevations, DA-10, Rev A	16/12/2020	Big City Design
Sections, DA-11, Rev A	16/12/2020	Big City Design
Proposed Finishes Concept, DA-16, Rev A	16/12/2020	Big City Design
Proposed Planting Legend & Notes, DA-17, Rev A	16/12/2020	Big City Design
Proposed Planting Plans, DA-18, Rev A	16/12/2020	Big City Design

<b>Engineering Plans</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
Stormwater Management Ground Floor, SW-01, Rev 1	20/12/2020	IGS

<b>Reports / Documentation – All recommendations and requirements contained within:</b>		
<b>Report No. / Page No. / Section No.</b>	<b>Dated</b>	<b>Prepared By</b>
Traffic and Parking Assessment	-	-
Structure Design Certificate	18/12/2020	TTW
Heritage Impact Statement	December 2020	Weir Phillips Heritage and Planning
BCA Design Assessment Report	17/12/2020	Design Confidence
Accessibility Design Review Report	16/12/2020	ABE Consulting
Geotechnical Investigation	22/12/2020	Douglas Partners
Acoustic Assessment	25/2/2021	Acoustic Logic
Overland Flow Assessment	19/3/2021	TTW

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

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

<b>Waste Management Plan</b>		
<b>Drawing No/Title.</b>	<b>Dated</b>	<b>Prepared By</b>
Waste Management Plan	18/12/2020	Big City Design

Waste Management Site Plan, DA-19	16/12/2020	Big City Design
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In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

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

**2. Prescribed conditions (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.

**3. Prescribed Conditions**

- (a) All building works must be carried out in accordance with the requirements of the

Building Code of Australia (BCA).

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

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

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.
- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
  - (i) protect and support the adjoining premises from possible damage from the excavation, and
  - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
  - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
  - (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

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

Reason: Legislative requirement.

4. **General requirements (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.

5. **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) Should any asbestos be uncovered on site, its demolition and removal must be carried out in accordance with WorkCover requirements and the relevant Australian Standards.
- (c) 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.
- (d) 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.
- (e) 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.
- (f) 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.
- (g) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (h) No skip bins, building materials, demolition or excavation waste of any nature, and no hoist, plant or machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (i) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (j) 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.
- (k) 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.

- (l) A "Road Opening Permit" must be obtained from Council, and all appropriate charges paid, prior to commencement of any work on Council property. The owner/applicant shall be responsible for all public utilities and services in the area of the work, shall notify all relevant Authorities, and bear all costs associated with any repairs and/or adjustments as those Authorities may deem necessary.
- (m) The works must comply with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice.
- (n) 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 2018
    - (iv) Australian Standard AS1926 Swimming Pool Safety
    - (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
    - (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.
  - (2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.
  - (3) Filter backwash waters shall be conveyed to the Sydney Water sewerage system in sewered areas or managed on-site in unsewered areas in a manner that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.
  - (4) Swimming pools and spas must be registered with the Division of Local Government.

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

## FEES / CHARGES / CONTRIBUTIONS

### 6. Policy Controls

#### Northern Beaches 7.12 Contributions Plan 2019

A monetary contribution of \$14,016.33 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan 2019. The monetary contribution is based on a development cost of \$1,401,633.00.

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

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

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

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

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

## **7. Security Bond**

A bond (determined from cost of works) of \$10,000 and an inspection fee in accordance with Council's Fees and Charges paid as security are required 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, and details demonstrating payment are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

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

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

## **8. Construction, Excavation and Associated Works (Security Bond)**

A bond of \$20,000 as security against damage to Council's roads fronting the site caused by the transport and disposal of materials and equipment to and from the site.

Details confirming payment of the bond are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: Protection of Council's infrastructure.

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

9. **Stormwater Disposal**

The applicant is to demonstrate how stormwater from the new development within this consent is disposed of to an existing approved system or in accordance with Northern Beaches Council's WATER MANAGEMENT POLICY FOR DEVELOPMENT. Details by an appropriately qualified and practicing Civil Engineer demonstrating that the existing approved stormwater system can accommodate the additional flows, or compliance with the Council's specification are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for disposal and stormwater management arising from development.

10. **Flood storage and Planning Level requirements**

In accordance with the recommendations of the TTW Engineers Overland Flow Assessment dated 19 March 2021, the Flood Planning Level of the rear extension is to be RL =5.0m (AHD). Additionally the proposed subfloor area is to be designed to provide for the compensation of the loss of flood storage and is to be designed to allow via suitable openings the ingress/egress of flood water in a 1 in 100 Year AEP Storm Event.

The design plans are to be amended to provide for these requirements and submitted to the certifier for approval prior to the issue of the construction certificate.

Reason: To manage the impacts of overland flow and flood storage.

11. **Building components and Structural Soundness - Flooding**

The new addition must be designed to ensure structural integrity up to the Flood Planning Level (required), taking into account the forces of floodwater, flowing water with debris, buoyancy and immersion.

All new electrical equipment, power points, wiring, sewerage systems or any other service pipes and connections must be waterproofed and/or located above the Flood Planning Level. All existing electrical equipment and power points located below the Flood Planning Level must have residual current devices installed to cut electricity supply during flood events.

Details and documentation of the above requirements are to be approved by the certifier prior to issue of the construction certificate.

12. **Traffic Management and Control**

The Applicant is to submit an application for Traffic Management Plan to Council for approval prior to issue of the Construction Certificate. The Traffic Management Plan shall be prepared to RMS standards by an appropriately certified person.

Reason: To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the construction process.

13. **Photographic Archival Record**

A photographic archival record of the site is to be made of all existing buildings and structures

(including interiors and exteriors and their setting), generally in accordance with the guidelines issued by Heritage NSW (*Photographic Recording of Heritage Items Using Film or Digital Capture*, 2006). This recording must be submitted to Council for archival purposes.

Details demonstrating compliance with this condition must be provided to the Principal Certifying Authority prior to commencement of any demolition or works on-site.

The photographic record should be made using digital technology, and should include:

- Location of property, date of survey and author of survey;
- A site plan at a scale of 1:200 showing all structures and major landscape elements;
- Floor plans of any buildings at a scale of 1:100;
- Photographs which document the site, cross-referenced in accordance with recognised archival recording practice to catalogue sheets. The extent of documentation will depend on the nature of the item.

Reason: To provide an archival photographic record of the site, including any buildings and landscape elements, prior to any works.

**14. Heritage Interpretation Strategy**

A simple Heritage Interpretation Strategy is to be prepared for the site. The Interpretation Strategy should be prepared in accordance with the NSW Heritage Council's "Interpreting Heritage Places and Items Guidelines" document, and should be prepared by a suitably qualified consultant with experience in undertaking interpretation strategies. It must be submitted to and approved by Council's Heritage Advisor, prior to the issue of Construction Certificate. The recommendations are then to be implemented as part of the approved development.

Details demonstrating compliance with this condition are to be submitted to the Principal Certifying Authority

Reason: To reveal the cultural significant aspects of the place as a historical record, and assist in the public understanding of the place

**15. Car Parking Standards**

The driveway/access ramp grades, access and car parking facilities must comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. The dimensions of car parking bays and aisle widths in the car park are to comply with Australian/New Zealand Standard for Off-Street Parking AS/NZS 2890.1-2004.

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

Reason: To ensure compliance with Australian Standards relating to manoeuvring, access and parking of vehicles.

**16. Construction Traffic Management Plan**

As a result of the site constraints, limited vehicle access and parking, a Construction Traffic Management Plan (CTMP) and report shall be prepared by an RMS accredited person and submitted to and approved by the Northern Beaches Council Traffic Team prior to issue of any

## Construction Certificate.

Due to heavy traffic congestion throughout the town centre, truck movements will be restricted during the major commuter peak times being 8.00-9.30am and 4.30-6.00pm.

The CTMP must address following:

- The proposed phases of construction works on the site, and the expected duration of each construction phase
- The proposed order in which works on the site will be undertaken, and the method statements on how various stages of construction will be undertaken
- Make provision for all construction materials to be stored on site, at all times
- The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period
- The proposed method of access to and egress from the site for construction vehicles, including access routes and truck routes through the Council area and the location and type of temporary vehicular crossing for the purpose of minimising traffic congestion and noise in the area, with no access across public parks or reserves being allowed
- The proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site. Wherever possible mobile cranes should be located wholly within the site
- Make provision for parking onsite. All Staff and Contractors are to use the basement parking once available
- Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by Council prior
- Include a Traffic Control Plan prepared by a person with suitable RMS accreditation for any activities involving the management of vehicle and pedestrian traffic
- The proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process. It must also specify that a minimum Seven (7) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure
- Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees
- Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities, such as (but not limited to) concrete pours, crane lifts and dump truck routes. These communications must be documented and submitted to Council prior to work commencing on site
- The proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles shall be directed to the sediment control system within the site
- Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council
- The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified and practising Structural Engineer, or equivalent
- Proposed protection for Council and adjoining properties
- The location and operation of any on site crane



The CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’ Manual – “Traffic Control at Work Sites”.

All fees and charges associated with the review of this plan is to be in accordance with Council’s Schedule of Fees and Charges and are to be paid at the time that the Construction Traffic Management Plan is submitted.

Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.

**17. Pedestrian sight distance at property boundary**

A pedestrian sight triangle of 2.0 metres by 2.5m metres, in accordance with AS2890.1:2004 is to be provided at the vehicular access to the property and where internal circulation roadways intersect with footpaths or other pedestrian access areas. Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To maintain pedestrian safety.

**18. Vehicle Crossings Application**

The Applicant is to submit an application for driveway levels with Council in accordance with Section 138 of the Roads Act 1993. The fee associated with the assessment and approval of the application is to be in accordance with Council’s Fee and Charges.

An approval is to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To facilitate suitable vehicular access to private property.

**19. Maintenance Plan**

A Maintenance Plan for the site is to be prepared in accordance with the NSW Heritage Council’s “Preparing a Maintenance Plan” document. This document should include a cyclical maintenance program, covering both annual and long term maintenance requirements. It must be submitted to and approved by Council’s Heritage Advisor prior to the issue of Construction Certificate.

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

Reason: To ensure the ongoing conservation and protection of Northern Beaches significant heritage resources.

**20. Pre-commencement Dilapidation Report**

The applicant must prepare and submit a pre-commencement dilapidation report providing an accurate record of the existing condition of adjoining public property and public infrastructure (including roads, gutter, footpaths, etc). A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of adjoining and affected private properties.

The pre-construction / demolition dilapidation report must be submitted to Council for written approval and the written approval is then to be submitted to the Certifying Authority prior to the issue of the any Construction Certificate and the commencement of any works including demolition.

Reason: Protection of Council’s infrastructure during construction.

21. **Compliance with Standards**

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

(Note: At the time of determination the following (but not limited to) Australian Standards applied:

- (a) AS2601.2001 - Demolition of Structures\*\*
- (b) AS4361.2 - Guide to lead paint management - Residential and commercial buildings\*\*
- (c) AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting\*\*
- (d) AS 4373 - 2007 'Pruning of amenity trees' (Note: if approval is granted) \*\*
- (e) AS 4970 - 2009 'Protection of trees on development sites'\*\*
- (f) AS/NZS 2890.1:2004 Parking facilities - Off-street car parking\*\*
- (g) AS 2890.2 - 2002 Parking facilities - Off-street commercial vehicle facilities\*\*
- (h) AS 2890.3 - 1993 Parking facilities - Bicycle parking facilities\*\*
- (i) AS 2890.5 - 1993 Parking facilities - On-street parking\*\*
- (j) AS/NZS 2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities\*\*
- (k) AS 1742 Set - 2010 Manual of uniform traffic control devices Set\*\*
- (l) AS 1428.1 – 2009\* Design for access and mobility - General requirements for access – New building work\*\*
- (m) AS 1428.2 – 1992\*, Design for access and mobility - Enhanced and additional requirements - Buildings and facilities\*\*

\*Note: The Australian Human Rights Commission provides useful information and a guide relating to building accessibility entitled "the good the bad and the ugly: Design and construction for access". This information is available on the Australian Human Rights Commission website [www.hreoc.gov.au/disability rights /buildings/good.htm](http://www.hreoc.gov.au/disability%20rights%20/buildings/good.htm). <[www.hreoc.gov.au/disability%20rights%20/buildings/good.htm](http://www.hreoc.gov.au/disability%20rights%20/buildings/good.htm)>

\*\*Note: the listed Australian Standards is not exhaustive and it is the responsibility of the applicant and the Certifying Authority to ensure compliance with this condition and that the relevant Australian Standards are adhered to.)

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)

22. **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.

23. **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.

**24. 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. Any roof with a metallic steel finish is 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.

**25. Sydney Water "Tap In"**

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

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

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

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

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

## **CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

**26. Work Zones and Permits**

Prior to commencement of the associated works, the applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site.

A separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane and a Roads and Maritime Services Work Zone Permit shall be obtained for State Roads.

Reason: To ensure Work zones are monitored and installed correctly.

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

**27. Road Reserve**

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

Reason: Public safety.

**28. Installation and Maintenance of Sediment and Erosion Controls**

Council proactively regulates construction sites for sediment management.

Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004) and the Waste Management Plan prior to commencement of any other works on site.

Erosion and sediment controls are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and vegetation cover has been re-established across 70 percent of the site, and the remaining areas have been stabilised with ongoing measures such as jute mesh or matting.

Reason: Protection of the receiving environment.

**29. Implementation of Construction Traffic Management Plan**

All works and construction activities are to be undertaken in accordance with the approved Construction Traffic Management Plan (CTMP). All controls in the CTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate RMS accreditation. Should the implementation or effectiveness of the CTMP be impacted by surrounding major development not encompassed in the approved CTMP, the CTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved CTMP is to be kept onsite at all times and made available to Council on request.

Reason: To ensure compliance of the developer/builder in adhering to the Construction Traffic Management procedures agreed and are held liable to the conditions of consent.

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

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

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

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

**31. Demolition Works - Asbestos**

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

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

All asbestos laden waste, including flat, corrugated or profiled asbestos cement sheets must be disposed of at a lawful waste disposal facility. Upon completion of tipping operations the

applicant must lodge to the Principal Certifying Authority, all receipts issued by the receiving tip as evidence of proper disposal.

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

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

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

Prior to any works commencing on site, including demolition, sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004). Techniques used for erosion and sediment control on site are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and the site is sufficiently stabilised with vegetation.

Reason: To protect the surrounding environment from the effects of sedimentation and erosion from the site.

**33. 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 RMS Traffic Control At Work Sites Manual (<http://www.rms.nsw.gov.au/business-industry/partners-suppliers/documents/technical-manuals/tcws-version-4/tcwsv4i2.pdf>) and to the satisfaction of the Roads 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.

**34. Vehicle Crossings**

The Applicant is to construct one vehicle crossing 5 metres wide in accordance with Northern Beaches Council Drawing No A4-3330/ Normal and the driveway levels application approval. An Authorised Vehicle Crossing Contractor shall construct the vehicle crossing and associated works within the road reserve in plain concrete. All redundant laybacks and crossings are to be restored to footpath/grass. Prior to the pouring of concrete, the vehicle crossing is to be inspected by Council and a satisfactory "Vehicle Crossing Inspection" card issued.

A copy of the vehicle crossing inspection form is to be submitted to the Principal Certifying Authority.

Reason: To facilitate suitable vehicular access to private property.

**35. 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.

**36. Removal of All Temporary Structures/Material and Construction Rubbish (crown land only)**

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 Council.

Reason: To ensure bushland management. (DACPLE01)

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

**37. Landscape Completion**

Landscaping is to be implemented in accordance with the approved Landscape Plans DA-17 and DA-18.

Prior to the issue of any Occupation Certificate details shall be submitted to the Principal Certifying Authority certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Environmental amenity.

**38. Stormwater Disposal**

The stormwater drainage works shall be certified as compliant with all relevant Australian Standards and Councils Water Management Policy by the design engineer. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate.

Reason: To ensure appropriate provision for the disposal of stormwater arising from the development.

**39. No Weeds Imported On To The Site**

No Priority or environmental weeds are to be imported on to the site prior to or during construction works.

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

Reason: To reduce the risk of site works contributing to spread of Priority and environmental weeds.

**40. Installation of Water Efficient Fittings**

The following Water Efficiency Labelling and Standards (WELS) Scheme rated fittings must be installed:

- a) 4 star dual-flush toilets
- b) 3 star showerheads
- c) 4 star taps (for all taps other than bath outlets and garden taps)
- d) 3 star urinals
- e) 3.5 star washing machines
- f) 4 star dishwashers

A certificate from a licenced plumber demonstrating compliance shall be submitted to the



Principal Certifying Authority prior to the release of the Occupation Certificate.

Reason: To conserve potable water.

41. **Disabled Parking Spaces**

Where disabled parking spaces are provided they must be in accordance with AS2890.6:2009.

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

Reason: To ensure compliance with Australian Standards.

42. **Shared Zone Bollard**

A bollard is to be provided at the shared zone between disabled spaces in accordance to Australian Standards AS2890.6:2009.

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

Reason: To ensure compliance with Australian Standards.

43. **Reinstatement of Kerb**

The Applicant shall reinstate all redundant laybacks and vehicular crossings 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 the final Occupation Certificate.

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

44. **Post-Construction Dilapidation Report (Major Development)**

The applicant must bear the cost of all restoration works to Council's road, footpath and drainage assets damaged during the course of this development.

A Post Construction Dilapidation Report after the completion of all building works is to demonstrate that there is no damage to Council infrastructure prior to the refund of any security deposits.

Reason: To ensure security against possible damage to Council property.

45. **Implementation of Heritage Interpretation Strategy**

The approved Interpretation Strategy must be implemented to the satisfaction of the Council prior to the issue of the Occupation Certificate.

Reason: To reveal the cultural significant aspects of the place as a historical record

46. **Acoustic Treatment of Mechanical Plant**

The mechanical plant is to be acoustically treated according to requirements details in Section 7.3 of the acoustic report dated 25 February 2021 prepared by Acoustic Logic reference number: 20210149.1/2502A/R0/MB.

Reason: To protect the noise amenity of nearby residents DACHPFPOC5)

**47. Acoustic Construction Materials**

The following construction requirements must be completed in accordance with the requirements detailed in the acoustic report prepared by Acoustic Logic dated 25 February 2021 reference number 20210149.1/2502A/R0/MB.

- Windows and Doors must be constructed in accordance with Section 5.2.1 of the above report.
- External Wall construction to comply with Section 5.2.2 of the above report
- External Roof and Ceiling construction to comply with Section 5.2.3 of the above report.

Reason: To achieve acceptable acoustic decibel noise levels inside and outside the development.

**48. 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)

**49. 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.

**50. 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**

**51. Landscape Maintenance**

If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. Trees, shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilised as required at the time of planting.

If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Landscape Plan and any conditions of consent.

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

Reason: To maintain local environmental amenity.

52. **Animal Boarding**

No general boarding is to be undertaken on site with the exception of infirmed animals onsite for direct observation.

Reason: To protect the noise amenity of nearby residents.

53. **Noise Management Plan**

A Noise Management Plan is to be prepared and implemented into the operation of the business which identifies how animal noise will be managed so as not to create offensive noise as defined under the Protection of the Environment Operations Act 1997. The plan is to include but is not limited to, identifying likely noise sources, effective methods to alleviate any persistent/consistent barking, complaints protocol and person/s responsible for implementing the plan.

Reason: To protect the noise amenity of the area. (DACHPGOG6)

54. **Hours of Operation**

The hours of operation are to be restricted to:

- Monday to Friday – 7:00am - 9:00pm
- Saturday – 7:00am - 9:00pm
- Sunday and Public Holidays – 7:00am - 9:00pm

The hours of operation of the grooming service are to be restricted to:

- Monday to Saturday– 9:00am - 5:00pm

After hours operation is to be restricted to:

- Monday to Sunday - 9:00pm - 7:00am

Upon expiration of the permitted hours, all service (and entertainment) shall immediately cease, no patrons shall be permitted entry and all customers on the premises shall be required to leave within the following 30 minutes.

Reason: Information to ensure that amenity of the surrounding locality is maintained.

55. **Maximum number of staff**

No more than 15 employees are to be onsite at any one time.

Reason: To ensure compliance with the approved development.

56. **Animal boarding**

With the exception of infirmed animals who may be kept on site for observation, the facility is not to provide animal boarding at any time.

Reason: To ensure compliance with the approved development.

57. **Water Management Measures**

The applicant is encouraged to consider at a minimum the following water management

measures:

1. including a sediment filter pit on the boundary discharge point to capture sediment from stormwater prior to leaving the property (sediment carries most pollutants). Preferable is the inclusion of stormwater filter cartridges in the on-site detention tank.

2. rainwater/stormwater reuse is not suitable for pet washing due to some pets possibly having compromised health. Therefore, it is recommended that the applicant include a rainwater tank to capture roofwater for use in toilets and laundry, as in this type of development, there will also be a high demand for potable water for this purpose. This is supported by Council's Water Management for Development Policy clause 7.1 below.

#### 7.1 Water Conservation and Reuse

Council is committed to reducing water consumption within the LGA. All developments must be designed to minimise potable water consumption through water efficiency and appropriate reuse. This includes promotion and adoption of water efficient fittings and appliances and the use of alternate (non-potable) water sources such as rainwater, stormwater and greywater, in accordance with the principles of Water Sensitive Urban Design.

Reason: To protect water quality.

#### 58. **Staff and Contractor Parking**

The applicant is to make provision for parking for all construction staff and contractors for the duration of the project. All Staff and Contractors are to use the onsite parking once available.

Reason: To ensure minimum impact of construction activity on local parking amenity.

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

**Signed**



**Anne-Marie Young, Planner**

The application is determined on 26/04/2021, under the delegated authority of:



**Lashta Haidari, Manager Development Assessments**