

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2024/1377
----------------------------	-------------

Responsible Officer:	Anaiis Sarkissian
Land to be developed (Address):	Lot 2 DP 224548, 20 Rednal Street MONA VALE NSW 2103 Lot LIC 613884, 20 Rednal Street MONA VALE NSW 2103
Proposed Development:	Alterations and additions to a dwelling house including a shed
Zoning:	C4 Environmental Living
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Applicant:	Anthony Dudley James Saddington

Application Lodged:	16/10/2024
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Residential - Alterations and additions
Notified:	23/10/2024 to 06/11/2024
Advertised:	Not Advertised
Submissions Received:	1
Clause 4.6 Variation:	4.3 Height of buildings: 9.4%
Recommendation:	Approval

Estimated Cost of Works:	\$ 376,000.00
---------------------------------	---------------

PROPOSED DEVELOPMENT IN DETAIL

This development application is for alterations and additions to an existing dwelling house, involving the following works:

Lower Ground Floor

- Refurbish the existing bathroom, including a new external window
- New doors to the retained rumpus room and bed 6
- Convert the existing laundry to a storeroom
- Refurbish the existing terrace
- New external stairs on the north side of the dwelling

Ground Floor

- A new storage area adjacent to the existing carport
- Convert the existing gym to bed 5 with an ensuite, including new windows and WIR
- Convert the existing bed 5 to a study and laundry
- New bifold doors to the retained lounge room
- A new external staircase on the north and south of the dwelling
- Resurface the rear balcony and extend the dwelling to the rear, to create a new sitting room and balcony with BBQ area

First Floor

- A new window to the retained ensuite
- New bifold doors and windows to the retained bed 2
- New window to master bed
- Demolish the rear balcony and replace with new extended balcony with bifold doors and roof over

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Pittwater Local Environmental Plan 2014 - Zone C4 Environmental Living

Pittwater Local Environmental Plan 2014 - 4.3 Height of buildings

Pittwater Local Environmental Plan 2014 - 4.6 Exceptions to development standards

Pittwater Local Environmental Plan 2014 - 7.1 Acid sulfate soils

Pittwater Local Environmental Plan 2014 - 7.8 Limited development on foreshore area

Pittwater 21 Development Control Plan - C1.1 Landscaping

Pittwater 21 Development Control Plan - C1.3 View Sharing

Pittwater 21 Development Control Plan - C1.5 Visual Privacy
 Pittwater 21 Development Control Plan - C1.25 Plant, Equipment Boxes and Lift Over-Run
 Pittwater 21 Development Control Plan - D9.3 Building colours and materials
 Pittwater 21 Development Control Plan - D9.7 Side and rear building line
 Pittwater 21 Development Control Plan - D9.9 Building envelope
 Pittwater 21 Development Control Plan - D9.11 Landscaped Area - Environmentally Sensitive Land

SITE DESCRIPTION

Property Description:	Lot 2 DP 224548 , 20 Rednal Street MONA VALE NSW 2103 Lot LIC 613884 , 20 Rednal Street MONA VALE NSW 2103
Detailed Site Description:	The subject site consists of one (1) allotment located on the north-eastern side of Rednal Street and fronts the Pittwater waterway to the rear. The site is regular in shape with a frontage of 15.32m along Rednal Street and a depth of up to 67.7m. The site has an area of 976.6m². The site is located within the C4 Environmental Living zone and accommodates a two and three storey dwelling house with attached double carport, swimming pool, jetty, ramp and pontoon with land reclamation. The site is gently sloping from the south-west down towards the north-east with a crossfall of approximately 8m. The site contains lawn areas and shrubs. Detailed Description of Adjoining/Surrounding Development Adjoining and surrounding development is characterised by 1-3 storey detached dwelling houses, varying in architectural style and design. The dwelling houses along the north-eastern side of Rednal Street all contain jetties and pontoons to the waterway.

Map:



SITE HISTORY

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

DA4058/20

Development Application for a swimming pool.
Approved 23 August 1994

DA1994/191 (Consent No. 94/157)

Development Application for formalisation of existing jetty and berthing area.
Approved 5 September 1994

1080/94

Development Application for new dwelling.
Approved 24 October 1994

N0459/00

Development Application for alterations to an existing jetty.
Approved 26 July 2000

CC0306/00

Construction Certificate issued for alterations to an existing jetty.
Endorsed 24 February 2003

N0373/07

Development Application for an internal elevator and associated internal works.
Approved 2 August 2007

CC0122/08

Construction Certificate (07/48) issued for an internal elevator and associated internal works.
Approved 5 December 2007

N0401/14

Development Application for establishing a bed and breakfast accommodation in the existing dwelling, constructing a new double carport and an adjacent open car space.
Approved 5 February 2015

N0395/15

Development Application for alterations and additions to existing dwelling and the change of use of existing area to a secondary dwelling.
Approved 11 November 2015

CC0410/15

Construction Certificate (150302) issued for alterations and additions to rear balcony and new stairs.
Approved 8 January 2016

DA2020/0407

Development Application for alterations and additions to a dwelling house.
Approved 21 May 2020

DA2022/0059

Development Application for use of an existing pontoon, sea wall and land reclamation.
Approved 9 June 2022

BC2022/0051

Building Information Certificate issued for removal of built-in cooking facilities from garage area, construction of a window and wall where garage door was previously and conversion of the former garage into a habitable room.
Approved 8 February 2023

BC2022/0011

Building Information Certificate issued for low sandstone block retaining wall and backfilling located adjacent to the concrete ramp.
Approved 26 July 2023

MOD2022/0475

Modification of Development Consent N0395/15 granted for Alterations and additions to existing dwelling and the change of use of existing area to a single dwelling.
Approved 26 October 2022

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	There are no current draft environmental planning instruments.

Section 4.15 Matters for Consideration	Comments
environmental planning instrument	
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Pittwater 21 Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021)	<u>Part 4, Division 2</u> of the EP&A Regulation 2021 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent. <u>Clauses 36 and 94</u> of the EP&A Regulation 2021 allow Council to request additional information. Additional information was requested on 27 November 2024 in relation to foreshore building line and bulk and scale. <u>Clause 61</u> of the EP&A Regulation 2021 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent. <u>Clause 69</u> of the EP&A Regulation 2021 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter has been addressed via a condition of consent. <u>Clause 69</u> of the EP&A Regulation 2021 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.
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	(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Pittwater 21 Development Control Plan section in this report. (ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal. (iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.
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 Matters for Consideration	Comments
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 application has been publicly exhibited from 23/10/2024 to 06/11/2024 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021 and the Community Participation Plan.

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

Name:	Address:
Richard Cole Architecture Pty Ltd	139 Palmgrove Road AVALON BEACH NSW 2107

The issues raised within the submission are summarised and addressed as follows:

- Illegal installation of air conditioning condensers***
The submission raised concerns that the Applicant has installed five air conditioning condensers to the north-western elevation, which were installed without approval, but do not meet the requirements for exempt development, which requires that air conditioning units be no higher than 1.8m at their highest point above existing ground level. These have the potential to cause significant acoustic impacts to 18 Rednal Street.

Comment:

The above matter has been referred to Council's compliance team for investigation and is a separate matter to this DA.

- Incomplete documentation***
The submission raised concerns that the plans do not meet the submission requirements for a development application to Northern Beaches Council. The submission specified several omissions from the submitted plans, including written dimensions.

Comment:

The plans and documentation submitted are sufficient to make a proper assessment of the application. Written dimensions are not necessary when the plans are drawn to scale. The documents are acceptable with regard to the NSW Governments 'application requirements' dated March 2022.

- **Bulk and scale**

The submission raised concerns that the proposed development is inconsistent with the existing and desired future character of the locality. The extent of the additions add to an already large and bulky three storey residential dwelling. The plans do not include any remediation of the incursions of boundary fences and private outdoor space into Crown land. The proposal exacerbates the existing building height breach and will have a greater visual impact when viewed from the public waterway. The proposal is not consistent at all with structures on surrounding properties.

Comment:

The consent to, stamped plans for DA2022/0953 at 18 Rednal Street in Figures 1 and 2 below show that the neighbouring dwelling house is also three storeys in height, and presents as three storeys from the foreshore. As such, the existing dwelling is not inconsistent with the character of the adjoining dwelling as viewed from the waterway. A number of other properties along this side of Rednal Street also present as several storeys from the waterway.

The approved neighbouring dwelling at 18 Rednal Street also exceeds the building height and envelope controls, with a maximum height of 9.65m. By comparison, the proposed alterations and additions as amended have a maximum height of 9.3m. It is noted that the original design had a building height of 9.8m. The variation proposed to the building height standard is addressed in detail under Section 4.6 of this assessment report.

The amended design provides only a balcony to the first floor level, thereby significantly reducing the visual bulk and scale of dwelling as viewed from the waterway.

Boundary fences are a separate matter to this DA and are to be agreed upon by the property owners. The proposed works are located wholly within Lot 2 DP224548 and do not extend into Crown Land. Any matters related to ownership and Crown Land are separate to this DA.

Figure 1: DA2022/0953 stamped section plan

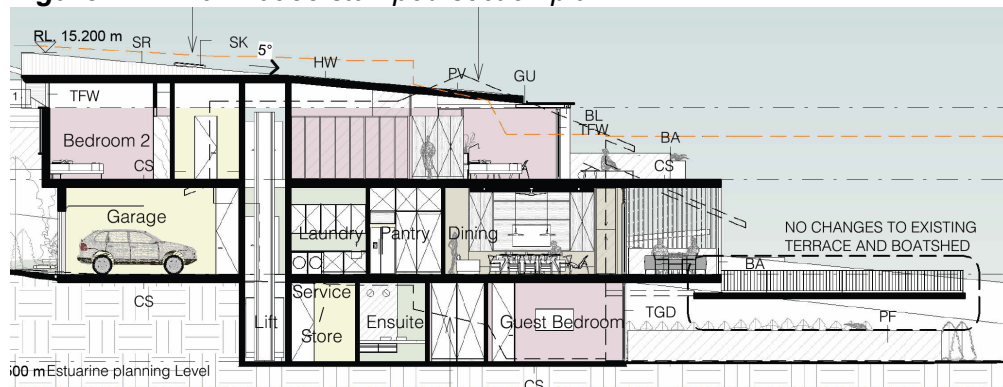
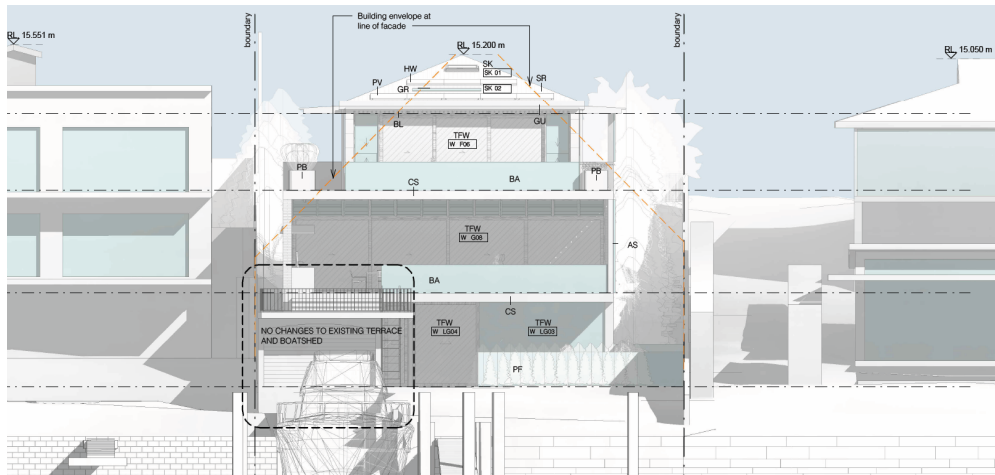


Figure 2: DA2022/0953 stamped NE elevation



- **Foreshore building line**

The submission raised concerns that the Applicant has shown the foreshore building line in the wrong location, resulting in a very significant proportion of the proposed works extending beyond the foreshore building line. The development results in the footprint of the building extending further into the foreshore area. There is no reference as to how the setout of the foreshore building line was determined.

Comment:

Amended plans submitted on 18 December 2024 reduce the extension of the rear addition towards the foreshore and more accurately notate the location of the foreshore building line on the floor plans. The amended design no longer extends portions of the development that are restricted by Clause 7.8 into the foreshore area, as evident in Figure 3 and 4 below. The foreshore building line is taken as accurately as possible from the Foreshore Building Line Map available on the online mapping system on Council's website, and there are no specific coordinates available for its exact location.

Figure 3: Original design and foreshore building line location

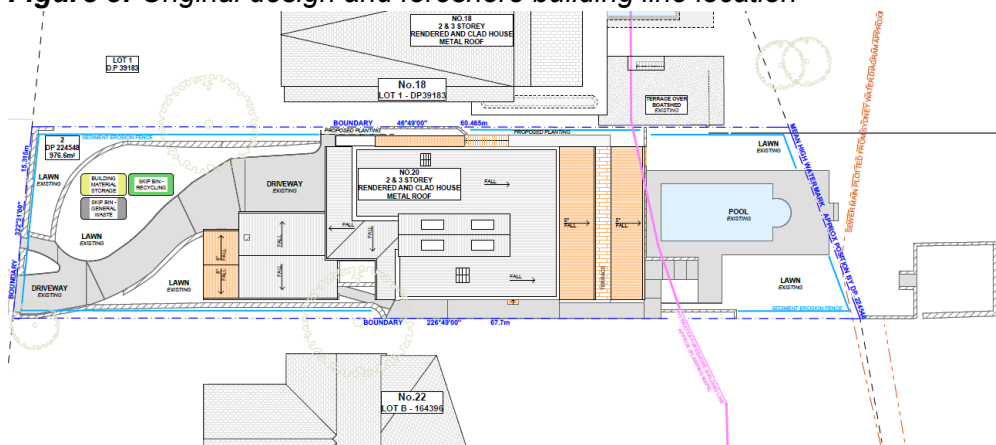
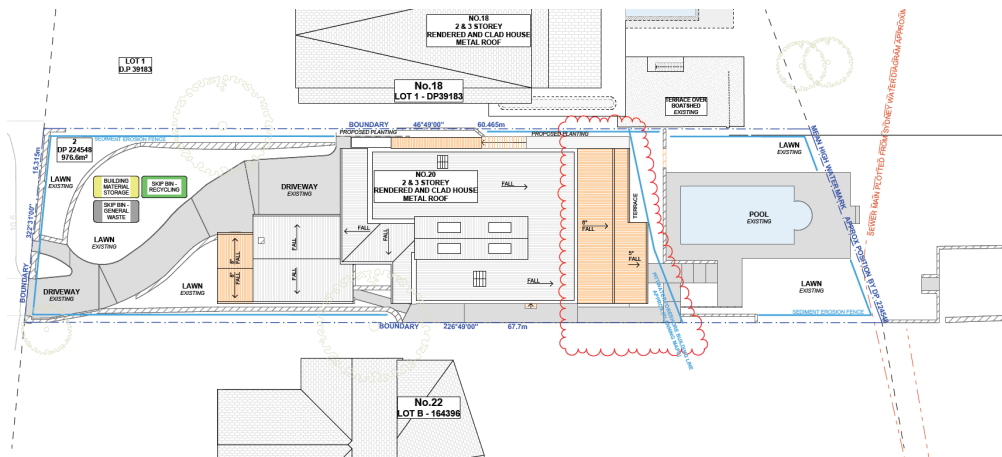


Figure 4: Amended design and foreshore building line location



- **Building colours and materials**

The submission raised concerns that the white building colour is not compliant with the dark and earthy tones required by the DCP, and does not complement the locality.

Comment:

The proposed alterations and additions will match the existing white shade of the building. The site photos below also demonstrate that some dwellings on either side of the subject site are painted white or light colours. Therefore, the proposed development is not inconsistent with the building colours of surrounding properties along Rednal Street. Building colours and materials are addressed further in Section D9.3 of this assessment report.

Figure 5: Surrounding properties from the subject site facing SE



Figure 6: Surrounding properties from the subject site facing NW



- **Pool fencing**

The submission raised concerns that there is no pool fence on the waterfront side, creating a non-compliant and potentially dangerous situation.

Comment:

The above matter has been referred to Council's Compliance Team for investigation. A condition has also been included within the recommendations of this report requiring the existing swimming pool to comply with relevant requirements and regulations.

- **Landscaping**

The submission raised concerns that no landscape plan is provided with the application, and trees and existing planting are not shown on plans. The proposed store to the front setback and proposed significant additions to the rear of the dwelling considerably reduce the existing landscape area, which is already below the required landscaped area. The landscaped area on Crown Land cannot be included in the landscape calculation.

Comment:

The significant trees over 5m in height are shown on the plans, as evident in Figure 4 above. No works are proposed within 5m of these significant trees. Landscape calculations are shown at DA14. The proposal involves removing some existing hardstand areas and reinstating with lawn area to ensure that there is no net loss in landscaped area given the proposed new storage area at the front. The landscaped area on Crown Land has not been included in the landscape calculation as part of the merit assessment under Section D9.11 of this assessment report.

- **View sharing**

The submission raised concerns that the proposed balcony and additions project approximately 3.0m to the east towards the foreshore of the ground floor verandah of the approved dwelling at 18 Rednal Street, and will have an impact on the extent of water views from these areas.

Comment:

Amended plans submitted on 18 December 2024 demonstrate that the ground floor balcony towards the north-western half of the site is now to be retained as existing and is almost in line with the approved ground floor balcony to 18 Rednal Street (refer Figures 7 and 8). The proposed sitting room towards the south-eastern half of the site extends only approximately 1.6m from the ground floor balcony at 18 Rednal Street. Therefore, a reasonable level of view sharing is maintained to neighbouring properties.

Figure 7: Original roof plan

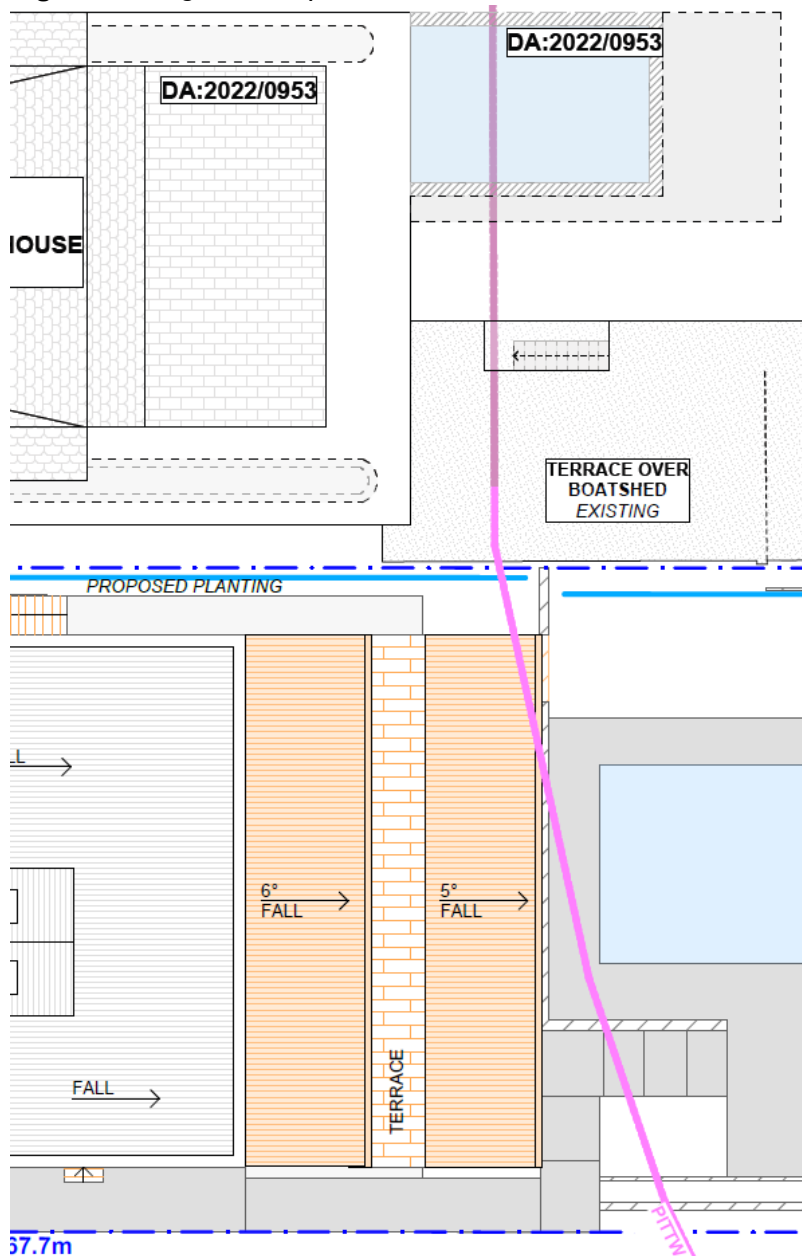
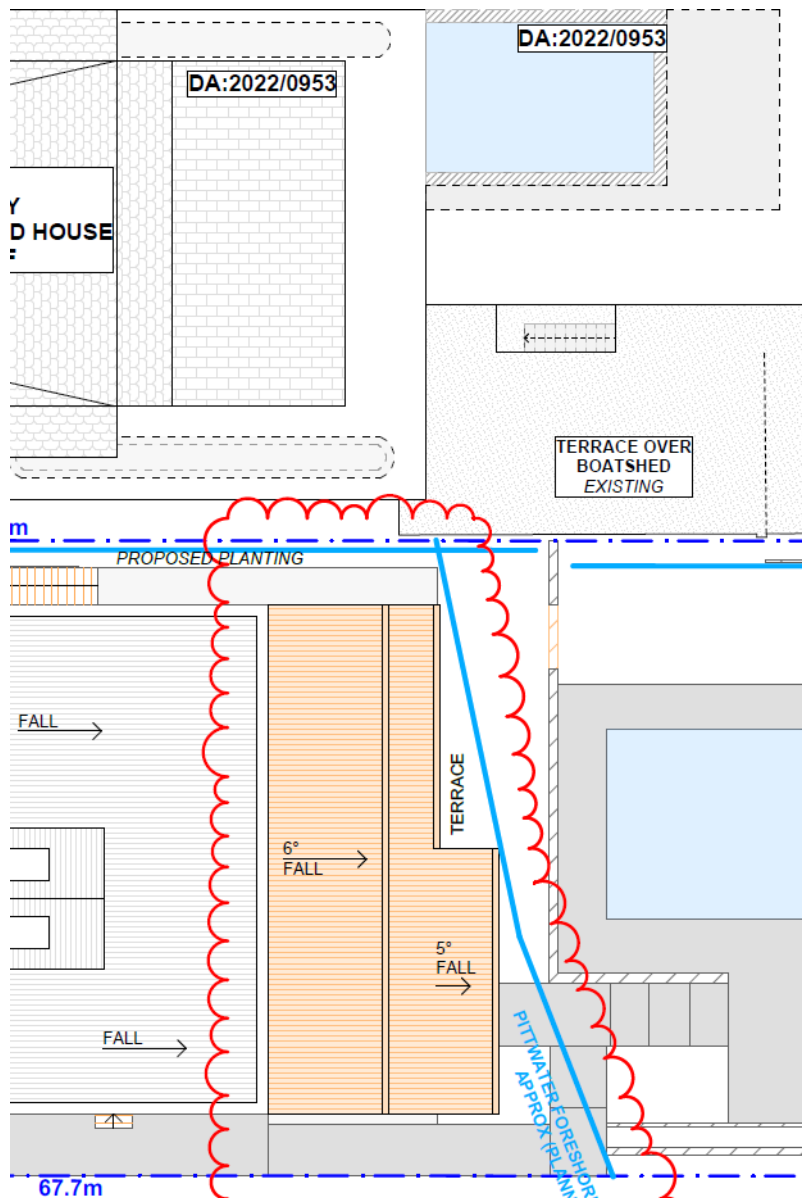


Figure 8: Amended roof plan



- **Visual privacy**

The submission raised concerns over the devastating visual privacy impacts of the proposed development on 18 Rednal Street. The 2.7m long privacy screen to the north-western elevation of the ground floor balcony does not extend the entire length of the balcony, which is approximately 6.85m. The first floor balcony extends approximately 2.6m east of the existing first floor balcony. A small privacy screen extending approximately 1.5m is shown on the northern edge of the proposed first-floor balcony, but this leaves approximately 2.6m of unprotected balcony.

Comment:

Amended plans submitted on 18 December 2024 demonstrate that the ground floor balcony towards the north-western half of the site is now to be retained as existing, meaning that the length of the balcony now extends only 4.1m rather than 6.7m. The amended plans include privacy screening to a height of 1.7m for a length of 2.7m. Privacy screening to the full length of the ground floor balcony at the north-western elevation is not considered necessary given the balcony does not extend past the ground floor balcony at 18 Rednal Street, and this is a blank

wall. As such, there would be no direct sightline from the ground floor balcony at the subject site to the neighbouring ground floor balcony. It is also important to note that the proposal reflects the existing condition of the ground floor balcony in terms of the extension of the balcony and privacy screening, as evident in Figure 9 below. Further screen may also affect view lines along the expanse of foreshore.

Figure 9: Existing ground floor balcony and privacy screening facing 18 Rednal Street



The amended plans reduce the depth of the original first floor balcony design by 1.3m, thereby only extending 1.3m east of the existing first floor balcony, rather than 2.6m, as originally proposed. The amended design includes 1.7m high privacy screening to almost the entire length of the first floor balcony at the north-western elevation, with a length of approximately 2.3m rather than 1.5m, as shown in Figure 11 below. The amended proposed provides a much more positive design with respect to visual privacy and overlooking in comparison to the original proposal, as evident in Figures 10 and 11 below.

Figure 10: Original NW elevation

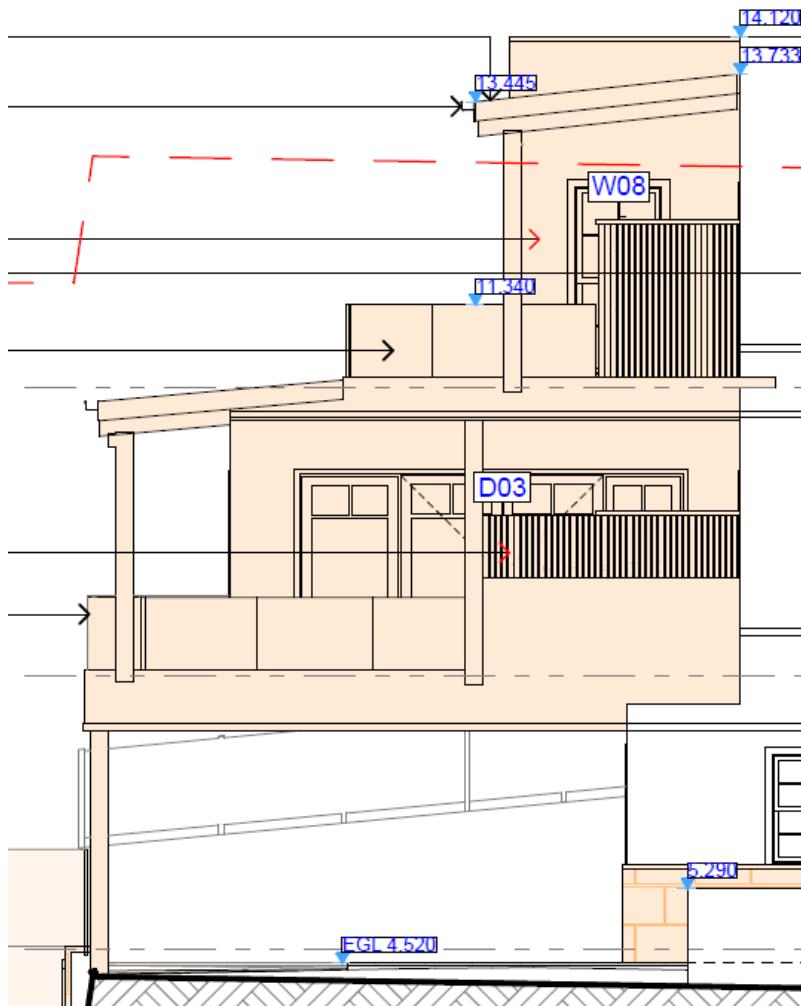
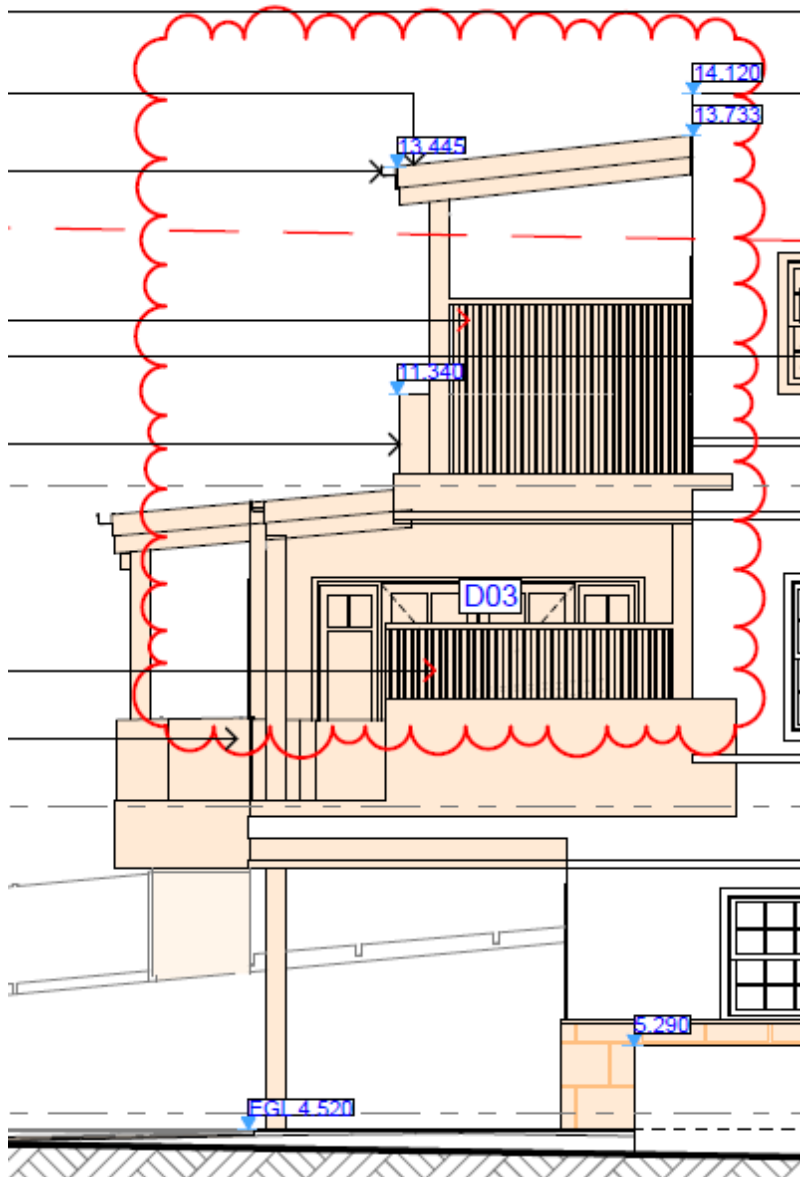


Figure 11: Amended NW elevation



- **Front building line**

The submission noted that the established building line is greater than 6.5m, and that therefore the established building line determines the front building line. The proposed storage area is entirely in front of the front building line.

Comment:

There is no established building line along the north-eastern side of Rednal Street, with building lines varying considerably between houses, as evident in Figure 12 by the pink line. As such, for this assessment, 6.5m is taken to be the minimum front building line standard. The proposed storage shed sits 14m from the front boundary, providing a very generous front setback that is greater than that for #16A, #22 and #26 Rednal Street.

Figure 12: Established front building lines



- **Side setbacks**

The submission raised concern over the proposed additions being non-compliant with the minimum side setback controls.

Comment:

Side setbacks have been addressed in detail under Section D9.7 of this assessment report, where despite numerical variation they have are found to be acceptable.

- **Building envelope**

The submission raised concern over the proposed additions being non-compliant with the required building envelope.

Comment:

Building envelope has been addressed in detail under Section D9.9 of this assessment report. where despite numerical variation they have are found to be acceptable.

REFERRALS

Internal Referral Body	Comments
NECC (Bushland and Biodiversity)	The comments in this referral relate to the following applicable controls and provisions:

Internal Referral Body	Comments
	- SEPP (Resilience and Hazards) 2021 - Coastal Environment Area - Pittwater LEP Clause 7.6 Biodiversity Protection The proposed alterations and additions would take place on a site that has been heavily disturbed. Impacts to native flora and fauna are unlikely but conditions are recommended.
NECC (Coast and Catchments)	This application was assessed in consideration of: - Supplied plans and reports; - State Environmental Planning Policy (Resilience and Hazards) 2021 (section 2.10, 2.11 & 2.12); - Schedule 1 of the State Environmental Planning Policy Amendments (Water Catchments) 2022 amending the State Environmental Planning Policy (Biodiversity & Conservation) 2021 - Relevant LEP and DCP clauses. State Environmental Planning Policy (Resilience & Hazards) 2021 The subject land has been included on the 'Coastal Environment Area' and 'Coastal Use Area' maps under the State Environmental Planning Policy (Resilience & Hazards) 2021 (SEPP R & H). Hence, Clauses 2.10, 2.11 and 2.12 of the CM (R & H) apply for this DA. Comment: On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Watermark Planning dated October 2024, the DA satisfies requirements under clauses 2.10, 2.11 and 2.12 of the SEPP R&H. As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Resilience & Hazards) 2021. Pittwater LEP 2014 and Pittwater 21 DCP Estuarine Risk Management The subject property has also been identified as affected by estuarine wave action and tidal inundation on Council's Estuarine Hazard Mapping. As such, the Estuarine Risk Management Policy for Development in Pittwater (Appendix 7, Pittwater 21 DCP) and the relevant B3.7 Estuarine Hazard Controls will apply to any proposed development of the site. A reduction factor (RF) based upon the distance from the foreshore of proposed development may also apply at a rate of 0.06m reduction to the EPL for every 5.00m distance from the foreshore edge (up to a maximum distance of 40.00m). The proposed works are located at the existing lower ground floor level of the dwelling (RL 4.67m), at a distance of approx. 25m from

Internal Referral Body	Comments
	the foreshore The proposed development is therefore subject to conditions to satisfy the relevant estuarine risk management requirements of P21 DCP. Development on Foreshore Area A section of the subject property is within the foreshore building line. Part 7, Clause 7.8 –Limited development on foreshore area of the Pittwater LEP 2014 applies for any development within the foreshore area. A small corner of the ground floor balcony roof is located in the mapped area which are consistent with Clause 7.8(2)(b). On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Watermark Planning dated October 2024 the DA satisfies the objectives and requirements of Part 7, Clause 7.8 of the Pittwater LEP 2014 No other coastal issues identified
NECC (Development Engineering)	The proposed development is in Region 1 on a Low Level Property that drains to Pittwater. On-site detention is not required. Vehicle crossing construction is not proposed. Development engineering raises no objections to the proposed development, subject to conditions.
NECC (Riparian Lands and Creeks)	This application was assessed in consideration of: - Supplied plans and reports; - Coastal Management Act 2016; - State Environmental Planning Policy (Resilience and Hazards) 2021; - Relevant LEP and DCP clauses; and - Northern Beaches Council Water management for development policy. This proposal is supported. Details below. Riparian The site abuts Pittwater and as such proposed development must not significantly impact on the biophysical, hydrological or ecological integrity of Pittwater or the quantity and quality of surface and ground water flows that it receives. Sediment Management Sediment and erosion controls must be installed prior to any disturbance of soil on site and maintained until all work is complete and groundcover re-established.

Internal Referral Body	Comments
Parks, reserves, beaches, foreshore	Parks, Reserves and Foreshores raise no concerns with the development proposal.

External Referral Body	Comments									
Ausgrid - SEPP (Transport and Infrastructure) 2021, s2.48	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.									
Aboriginal Heritage Office	<table><tr><th colspan="3">Conclusion / General Comments</th></tr><tr><th colspan="3">Recommendation</th></tr><tr><td></td><td>APPROVAL</td><td> · Subject to Conditions No sites are recorded in the current development area and the area has been subject to previous disturbance reducing the likelihood of surviving unrecorded Aboriginal sites. Given the above, the Aboriginal Heritage Office considers that there are no Aboriginal heritage issues for the proposed development. Under the National Parks and Wildlife Act 1974 (NPW Act) all Aboriginal objects are protected. Should any Aboriginal Cultural Heritage items be uncovered during earthworks, works should cease in the area and the Aboriginal Heritage Office assess the finds. Under Section 89a of the NPW Act should the objects be found to be Aboriginal, Heritage NSW and the Metropolitan Local Aboriginal Land Council (MLALC) should be contacted. </td></tr></table>	Conclusion / General Comments			Recommendation				APPROVAL	· Subject to Conditions No sites are recorded in the current development area and the area has been subject to previous disturbance reducing the likelihood of surviving unrecorded Aboriginal sites. Given the above, the Aboriginal Heritage Office considers that there are no Aboriginal heritage issues for the proposed development. Under the National Parks and Wildlife Act 1974 (NPW Act) all Aboriginal objects are protected. Should any Aboriginal Cultural Heritage items be uncovered during earthworks, works should cease in the area and the Aboriginal Heritage Office assess the finds. Under Section 89a of the NPW Act should the objects be found to be Aboriginal, Heritage NSW and the Metropolitan Local Aboriginal Land Council (MLALC) should be contacted.
Conclusion / General Comments										
Recommendation										
	APPROVAL	· Subject to Conditions No sites are recorded in the current development area and the area has been subject to previous disturbance reducing the likelihood of surviving unrecorded Aboriginal sites. Given the above, the Aboriginal Heritage Office considers that there are no Aboriginal heritage issues for the proposed development. Under the National Parks and Wildlife Act 1974 (NPW Act) all Aboriginal objects are protected. Should any Aboriginal Cultural Heritage items be uncovered during earthworks, works should cease in the area and the Aboriginal Heritage Office assess the finds. Under Section 89a of the NPW Act should the objects be found to be Aboriginal, Heritage NSW and the Metropolitan Local Aboriginal Land Council (MLALC) should be contacted.								

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs 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 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 (Sustainable Buildings) 2022

A BASIX certificate has been submitted with the application (see Certificate No. A1759207_03 dated 10 December 2024).

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

SEPP (Transport and Infrastructure) 2021

Ausgrid

Section 2.48 of Chapter 2 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 raised no objections, subject to conditions which have been included in the recommendation of this report.

SEPP (Resilience and Hazards) 2021

Chapter 2 – Coastal Management

The site is subject to Chapter 2 of the SEPP. Accordingly, an assessment under Chapter 2 has been carried out as follows:

Division 1 Coastal Wetlands and littoral rainforest area

2.7 Development on certain land within coastal wetlands and littoral rainforests area

- 1) The following may be carried out on land identified as “coastal wetlands” or “littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map only with development consent:
 - a) the clearing of native vegetation within the meaning of Part 5A of the Local Land Services Act 2013,

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

Comment:

The site is not identified as 'coastal wetlands' or 'littoral rainforests', and therefore this clause is not applicable.

2.8 Development on land in proximity to coastal wetlands or littoral rainforest

- 1) Development consent must not be granted to development on land identified as “proximity area for coastal wetlands” or “proximity area for littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map unless the consent authority is satisfied that the proposed development will not significantly impact on:
 - a) the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or
 - b) the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.

Comment:

The site is not identified as 'proximity area for coastal wetlands' or 'proximity area for littoral rainforests', and therefore this clause is not applicable.

Division 2 Coastal Vulnerability Area

2.9 Development on land within the coastal vulnerability area

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

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

Comment:

The site is not identified as a 'coastal vulnerability area', and therefore this clause is not applicable.

Division 3 Coastal environment area

2.10 Development on land within the coastal environment area

- 1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:
 - a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,
 - b) coastal environmental values and natural coastal processes,
 - c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,
 - d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,
 - e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,
 - f) Aboriginal cultural heritage, practices and places,
 - g) the use of the surf zone.

Comment:

The site is identified within the 'coastal environment area'; however, the land has already been developed with a dwelling house and the proposed alterations and additions do not significantly alter the existing building footprint on the site and involve minimal site disturbance. Additionally, the proposal has been supported by Council's Biodiversity, Coastal, Parks and Reserves, and Riparian Lands Officers. As such, it is satisfied that the proposed development is unlikely to cause an adverse impact on (a) to (g).

- 2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:
 - a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or
 - b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
 - c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

Comment:

The site is identified within the 'coastal environment area'; however, the land has already been developed with a dwelling house and the proposed alterations and additions do not significantly alter the existing building footprint on the site and involve minimal site disturbance. Additionally, the proposal has been supported by Council's Biodiversity, Coastal, Parks and Reserves, and Riparian Lands Officers. As such, the proposed development complies with the requirements of this clause.

Division 4 Coastal use area

2.11 Development on land within the coastal use area

- 1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:

- 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
 - ii) platform for members of the public, including persons with a disability,
 - iii) overshadowing, wind funnelling and the loss of views from public places to
 - iv) foreshores,
 - v) the visual amenity and scenic qualities of the coast, including coastal headlands, Aboriginal cultural heritage, practices and places, cultural and built environment heritage, and
- b) is satisfied that:
 - i) the development is designed, sited and will be managed to avoid an
 - ii) adverse impact referred to in paragraph (a), or
 - iii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or 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 site is identified within the 'coastal use area'; however, the land has already been developed with a dwelling house and the proposed alterations and additions do not significantly alter the existing building footprint on the site and involve minimal site disturbance. Additionally, the proposal has been supported by Council's Biodiversity, Coastal, Parks and Reserves, and Riparian Lands Officers. As such, it is satisfied that the proposed development complies with the requirements of this clause.

Division 5 General

2.12 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 land has already been developed with a dwelling house and the proposed alterations and additions do not significantly alter the existing building footprint on the site and involve minimal site disturbance. Additionally, the proposal has been supported by Council's Biodiversity, Coastal, Parks and Reserves, and Riparian Lands Officers. As such, the proposed development is not likely to cause an increased risk of coastal hazards on the subject land or other land.

2.13 Development in coastal zone generally—coastal management programs to be considered

Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.

Comment:

There is no certified coastal management program that applies to the land.

As such, it is considered that the application complies with the requirements of Chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021.

Chapter 4 – Remediation of Land

Sub-section 4.6 (1)(a) of Chapter 4 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for residential purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under sub-section 4.6 (1)(b) and (c) of this Chapter and the land is considered to be suitable for the residential land use.

Pittwater Local Environmental Plan 2014

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

Principal Development Standards

Standard	Requirement	Proposed	% Variation	Complies
Height of Buildings:	8.5m	9.3m	9.4% (0.8m)	No

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	No
4.6 Exceptions to development standards	Yes
5.10 Heritage conservation	Yes
7.1 Acid sulfate soils	Yes
7.2 Earthworks	Yes
7.6 Biodiversity protection	Yes
7.8 Limited development on foreshore area	Yes
7.10 Essential services	Yes

Detailed Assessment

Zone C4 Environmental Living

The proposed works are located on land zoned C4 Environmental Living under the Pittwater Local Environmental Plan 2014.

The proposal has been assessed against the objectives of the C4 zone and in this instance, the

proposal satisfies the objectives, as detailed below.

- ***To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.***

Comment:

The proposal will continue to provide for low-impact residential development within an area that contains special ecological, scientific or aesthetic values.

- ***To ensure that residential development does not have an adverse effect on those values.***

Comment:

The proposed alterations and additions do not significantly alter the existing building footprint. The proposal has also been supported by Council's Riparian Lands, Coastal, Biodiversity, and Parks and Foreshores Officers. It is therefore satisfied that the proposal will not adversely affect those values.

- ***To provide for residential development of a low density and scale integrated with the landform and landscape.***

Comment:

The proposal will continue to provide for residential development of a low density and scale that is integrated with the landform and landscape as the works do not protrude into the foreshore area or extend above the ridge height of the existing dwelling.

- ***To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.***

Comment:

The proposal does not reduce the amount of total existing landscaping on the site and does not involve the removal of any significant trees or native vegetation. The proposed alterations do not negatively impact riparian and foreshore vegetation and wildlife corridors. The proposal has been supported by Council's Riparian Lands, Coastal, Biodiversity, and Parks and Foreshores Officers.

4.3 Height of buildings

The proposed roof extension will result in a building height that exceeds the maximum permitted by Clause 4.3 of the Pittwater LEP 2014, at 9.3 metres. Therefore, the proposal presents a building height variation of 9.4% to the maximum standard of 8.5 metres. This height variation is justified under Section 4.6 of this assessment report.

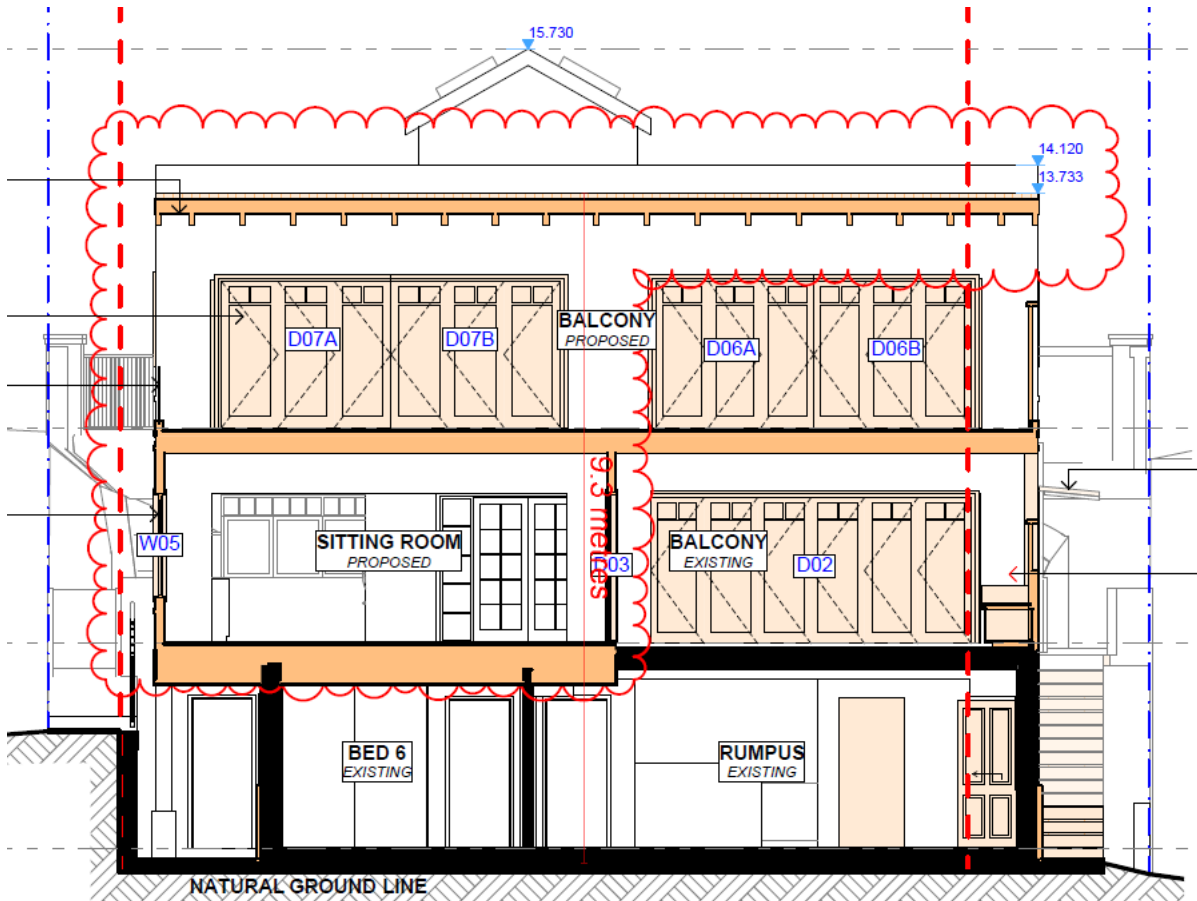
4.6 Exceptions to development standards

The application seeks consent to vary a development standard as follows:

Development standard: Clause 4.3 Height of Buildings

Requirement: 8.5m
Proposed: 9.3m
Percentage of variation: 9.4%

Figure 13: Section plan showing proposed alterations and additions in orange at a maximum height of 9.3m



With reference to Section 35B of the *Environmental Planning and Assessment Regulation 2021*, the development application is accompanied by a document that sets out the grounds on which the Applicant seeks to demonstrate the matters set out in Clause 4.6(3)(a) and (b) of the PLEP 2014 (the 'Clause 4.6 Request').

Subclause (1) of this clause provides that:

(1) *The objectives of this clause are as follows:*

- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

Comment:

The objectives of this clause have been considered pursuant to Section 4.15(a)(i) of the *Environmental Planning and Assessment Act 1979*.

Subclause (2) of this clause provides that:

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

Comment:

Clause 4.3 Height of Buildings is not expressly excluded from the operation of this clause.

Subclause (3) of this clause provides that:

(3) Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—

(a) compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

Comment:

Council is satisfied that the Applicant has demonstrated that compliance with Clause 4.3 is unreasonable or unnecessary in the circumstances of this application for the following reasons:

- The objectives of the height of buildings standard are achieved, notwithstanding the non-compliance with the standard.*
- The proposed height of the rear additions sit below the existing maximum building height of 11.06m (RL 15.730), ensuring the works remain consistent with the existing built form.*
- The additions are compatible with the height and scale of surrounding properties, being predominantly 1-3 storey dwelling houses, thereby not creating any adverse visual impacts when viewed from the public domain.*
- The proposed height variation will not result in unreasonable additional overshadowing to neighbouring properties.*
- The proposed height variation will not create unreasonable view loss impacts given the unenclosed nature of the first-floor balcony.*
- The alterations and additions do not involve altering the existing natural topography of the site.*

(b) there are sufficient environmental planning grounds to justify contravening the development standard.

Comment:

In the matter of *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118, Preston CJ provides the following guidance (para 23) to inform the consent authority's finding that the Applicant's written request has adequately demonstrated that there are sufficient environmental planning grounds to justify contravening the development standard:

'As to the second matter required by cl 4.6(3)(b), the grounds relied on by the applicant in the written request under cl 4.6 must be "environmental planning grounds" by their nature: see Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90 *at* [26]. The adjectival phrase "environmental planning" is not defined, but would refer to grounds that relate to the subject matter, scope and purpose of the EPA Act, including the objects in s 1.3 of the EPA Act.'

The Clause 4.6 Request argues, in part:

- *The proposed alterations and additions sit below the existing maximum height of the building.*
- *The proposal retains the existing two and three storey building scale.*
- *The proposed built form is consistent with the existing dwelling and other buildings in the locality.*
- *Amendments to achieve compliance would not alter the existing non-compliant building height, with no gain for the site or neighbours.*
- *The proposal remains consistent with the objectives of the zone and the development standard.*
- *The natural environment is not affected by the height variation.*
- *The height variation will allow the housing needs of the residents to be met in their current local community.*
- *The proposed works will not result in an overdevelopment of the site or a dwelling with excessive bulk.*
- *The height variation will have no unreasonable amenity impacts to neighbours and the surrounds, in regards to view loss, privacy loss, or increase in overshadowing.*
- *Strict compliance with the standard would hinder the attainment of the objects specified in cl1.3 of the EP&A Act.*
- *The proposal does not raise any matters contrary to the public interest.*

Council is satisfied that the Applicant has demonstrated that there are sufficient environmental planning grounds to justify the contravention of Clause 4.3 for the following reasons:

- The proposed works sit well below the existing ridge height of the dwelling, and complement the scale and form of the existing dwelling.
- The extent of variation sought is related to the first-floor balcony extension and roof element over, which is an unenclosed structure; the roof element provides for weather protection.
- The proposal protects the natural environment as it does not require any significant site disturbance or removal of any trees.
- The height variation will not create any unreasonable solar access, privacy or view impacts for adjoining residential properties.
- The height variation results in a dwelling that is consistent with the bulk and scale of surrounding buildings, retaining the existing two and three storey built form.
- The proposal is consistent with the objectives of the zone and the development standard.
- The proposal satisfies objects 1.3(c), (e), (g) and (h) of the EP&A Act.

Public Interest:

Matters relevant to public interest in respect of the development are considered in the relevant sections of this report as per Section 4.15(1)(e) of the EPA Act.

Conclusion:

Council is satisfied as to the matters set out in Clause 4.6 of the PLEP 2014.

The majority of the existing first floor level sits above the 8.5m building height standard, and therefore the additions to the dwelling serve as an extension to the existing floor level, sitting below the existing ridge level of the dwelling rather than adding additional height. The height variation does not

unreasonably affect neighbouring residential amenity, with the height breach associated with an unenclosed portion of the built form. It is considered on balance, that having regard to the particular circumstances, the proposed departure from the development standard is acceptable and it is reasonable that flexibility to the standard be applied.

7.1 Acid sulfate soils

Clause 7.1 - 'Acid sulfate soils' requires Council to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. In this regard, development consent is required for the carrying out of works described on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.

The site is located in an area identified as Acid Sulfate Soil Class 2 and Class 5, as indicated on Council's Acid Sulfate Soils Planning Map.

Works below the natural ground surface and/or works by which the watertable is likely to be lowered within a Class 2 acid sulfate soil area are required to be assessed to determine if any impact will occur.

Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land is required to be assessed to determine if any impact will occur.

The development involves minor earthworks, with no major excavation required. As such, a Preliminary Acid Sulfate Soil Assessment is not required in this circumstance.

7.8 Limited development on foreshore area

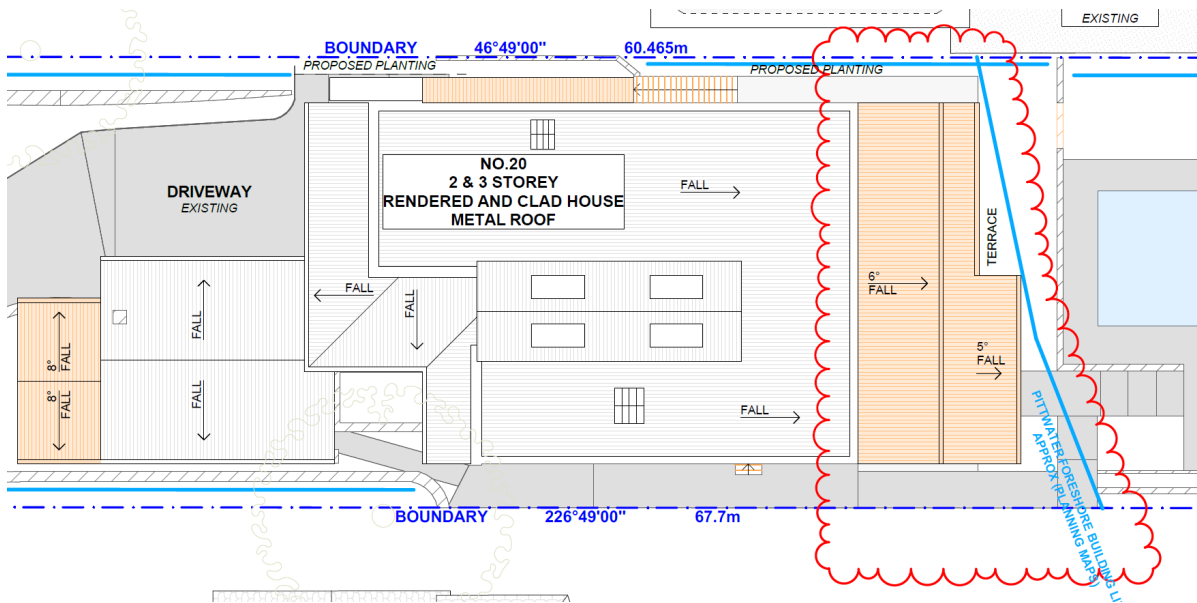
Under Clause 7.8 Limited Development on Foreshore Area, development consent must not be granted for development on land in the foreshore area except for the following purposes:

- *the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area, but only if the development will not result in the footprint of the building extending further into the foreshore area,*
- *boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoors).*

Comment:

The proposed development is for alteration of an existing dwelling house partly in the foreshore area, including a rear extension, and will not result in the footprint of the building extending further into the foreshore area, as evident in the site plan at Figure 14 below. The foreshore building line is shown in light blue and the proposed works are shown shaded in orange, behind the foreshore building line.

Figure 14: Site Plan



Development consent must not be granted under this clause unless the consent authority is satisfied that:

- the development will contribute to achieving the objectives for the zone in which the land is located, and
- the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and
- the development will not cause environmental harm such as:
 - pollution or siltation of the waterway, or
 - an adverse effect on surrounding uses, marine habitat, wetland areas, fauna and flora habitats, or
 - an adverse effect on drainage patterns, or
 - the removal or disturbance of remnant riparian vegetation, and
- the development will not cause congestion or generate conflict between people using open space areas or the waterway, and
- opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and
- any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained, and
- in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, and
- sea level rise, coastal erosion and recession, or change of flooding patterns as a result of climate change have been considered.

Comment:

The proposed development is consistent with the objectives of the C4 zone. The appearance of the proposed development is compatible with the surrounding area. The proposed development will not cause environmental harm in relation to pollution, siltation, surrounding uses, marine habitat, wetland areas, flora or fauna habitats, drainage patterns or remnant riparian vegetation. The proposed development will not cause congestion or generate conflict between people using the adjacent open space or waterway. The proposed development retains public access along the foreshore. The proposed development will not result in adverse impacts to any historic, scientific, cultural, social,

archaeological, architectural, natural or aesthetic significance of the land. The proposed development will not have an adverse impact on the amenity or aesthetic appearance of the foreshore. The proposed development will not impact upon sea level rise, coastal erosion or recession, or change flooding patterns.

In deciding whether to grant consent for development in the foreshore area, the consent authority must consider whether and to what extent the development would encourage the following:

- *continuous public access to and along the foreshore through or adjacent to the proposed development,*
- *public access to link with existing or proposed open space,*
- *public access to be secured by appropriate covenants, agreements or other instruments registered on the title to land,*
- *public access to be located above mean high water mark,*
- *the reinforcing of the foreshore character and respect for existing environmental conditions.*

Comment:

The proposed development will retain continuous public access to and along the foreshore. The proposed development does not impact upon any public access. The proposed development is acceptable in relation to the foreshore character and the existing environmental conditions.

Pittwater 21 Development Control Plan

Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
Front building line	6.5m	14m	N/A	Yes
Rear building line	FSBL	>FSBL	N/A	Yes
Side building line	NW - 2.5m	0.6m (external stairs) 1.5m (main building line)	76% (1.9m)	No
	SE - 1.0m	0.7m (external stairs) 1.5m (main building line)	30% (0.3m)	No
Building envelope	NW - 3.5m	One encroachment of between 0.8m and 4.2m in height for a length of 4.1m	84% (4.2m)	No
	SE - 3.5m	One encroachment of 2.4m in height for a length of 2.7m	48% (2.4m)	No
Landscaped area	60% (586m ²)	37.9% (370.6m ²) +6% impervious (58.6m ²) = 43.9% (429.2m ²)	16.1% (156.8m ²)	No

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A1.7 Considerations before consent is granted	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
A4.9 Mona Vale Locality	Yes	Yes
B1.3 Heritage Conservation - General	Yes	Yes
B1.4 Aboriginal Heritage Significance	Yes	Yes
B3.6 Contaminated Land and Potentially Contaminated Land	Yes	Yes
B3.7 Estuarine Hazard - Low density residential	Yes	Yes
B4.16 Seagrass Conservation	Yes	Yes
B4.19 Estuarine Habitat	Yes	Yes
B5.13 Development on Waterfront Land	Yes	Yes
B5.15 Stormwater	Yes	Yes
B6.3 Off-Street Vehicle Parking Requirements	Yes	Yes
B8.3 Construction and Demolition - Waste Minimisation	Yes	Yes
B8.4 Construction and Demolition - Site Fencing and Security	Yes	Yes
C1.1 Landscaping	No	Yes
C1.2 Safety and Security	Yes	Yes
C1.3 View Sharing	Yes	Yes
C1.4 Solar Access	Yes	Yes
C1.5 Visual Privacy	Yes	Yes
C1.6 Acoustic Privacy	Yes	Yes
C1.7 Private Open Space	Yes	Yes
C1.12 Waste and Recycling Facilities	Yes	Yes
C1.13 Pollution Control	Yes	Yes
C1.17 Swimming Pool Safety	Yes	Yes
C1.23 Eaves	Yes	Yes
C1.25 Plant, Equipment Boxes and Lift Over-Run	No	No
D9.1 Character as viewed from a public place	Yes	Yes
D9.3 Building colours and materials	No	Yes
D9.6 Front building line	Yes	Yes
D9.7 Side and rear building line	No	Yes
D9.9 Building envelope	No	Yes
D9.11 Landscaped Area - Environmentally Sensitive Land	No	Yes
D9.14 Construction, Retaining walls, terracing and undercroft areas	Yes	Yes
D9.17 Scenic Protection Category One Areas	Yes	Yes
D15.11 Waterfront lighting	Yes	Yes

Detailed Assessment

C1.1 Landscaping

Description of non-compliance

Pursuant to Section C1.1 Landscaping of the Pittwater 21 Development Control Plan, at least 2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site to soften the built form. The front of buildings (between the front boundary and any built structures) shall be landscaped at 60% to screen those buildings from the street. Development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries.

No canopy trees are located within the site boundaries; however, the proposed development does not significantly add to the bulk and scale of the building as viewed from the streetscape given most of the proposed works are towards the rear of the site, with only the small shed adding built form to the front of the building. It is important to note that this shed has a generous setback from the front boundary and approximately 73% of the front setback area is landscaped with lawn and shrubs. Additionally, the alterations and additions proposed do not exceed the existing ridge height of the dwelling. The proposal also does not require the removal of any significant tree or vegetation, and results in no net loss to the total existing landscaped areas across the entire site.

Merit consideration

With regard to the consideration of a variation, the proposed development is considered against the underlying outcomes of the control as follows:

- ***A built form softened and complemented by landscaping.***

Comment:

The proposed alterations and additions are consistent with the built form of the existing dwelling, and involve no removal of significant trees or vegetation.

- ***Landscaping reflects the scale and form of development.***

Comment:

The proposed alterations and additions are consistent with the scale and form of the existing development on the site and the proposal results in no loss of landscaping.

- ***Retention of canopy trees by encouraging the use of pier and beam footings.***

Comment:

The proposal does not require the removal of any canopy trees.

- ***Development results in retention of existing native vegetation.***

Comment:

The proposal does not require the removal of any native trees or vegetation.

- ***Landscaping results in the long-term retention of Pittwater's locally native tree canopy.***

Comment:

The proposal does not require the removal of any native tree canopies.

- ***Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species.***

Comment:

The proposal does not involve removal of any native plant species

- ***Landscaping enhances habitat and amenity value.***

Comment:

The proposal does not result in a loss of total landscaping across the site.

- ***Landscaping results in reduced risk of landslip.***

Comment:

The proposed landscaping involves reinstating turf areas and therefore would not increase risk of landslip.

- ***Landscaping results in low watering requirement.***

Comment:

The proposed landscaping involves reinstating turf areas and therefore results in a low watering requirement.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of P21DCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported in this particular circumstance.

C1.3 View Sharing

Merit consideration

The development is considered against the underlying Outcomes of the Control as follows:

- ***A reasonable sharing of views amongst dwellings.***

Comment:

Dwellings located within the vicinity of the site enjoy views of the Pittwater waterway towards the north, north-east, east and south-east. The proposal does not extend above the existing ridge of the dwelling and the amended design does not extend the northern balcony any further towards the waterway, and aligns with the approved ground floor balcony to 18 Rednal Street. The first-floor balcony is unenclosed and therefore allows for view sharing.

- ***Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced.***

Comment:

The proposal does not affect views and vistas from roads and public places to water views.

- ***Canopy trees take priority over views.***

Comment:

No canopy trees are proposed to be removed as part of this development application.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of P21DCP and the objectives specified in s1.3 of the *Environmental Planning and Assessment Act, 1979*. Accordingly, this assessment finds that the proposal is supported in this particular circumstance.

C1.5 Visual Privacy

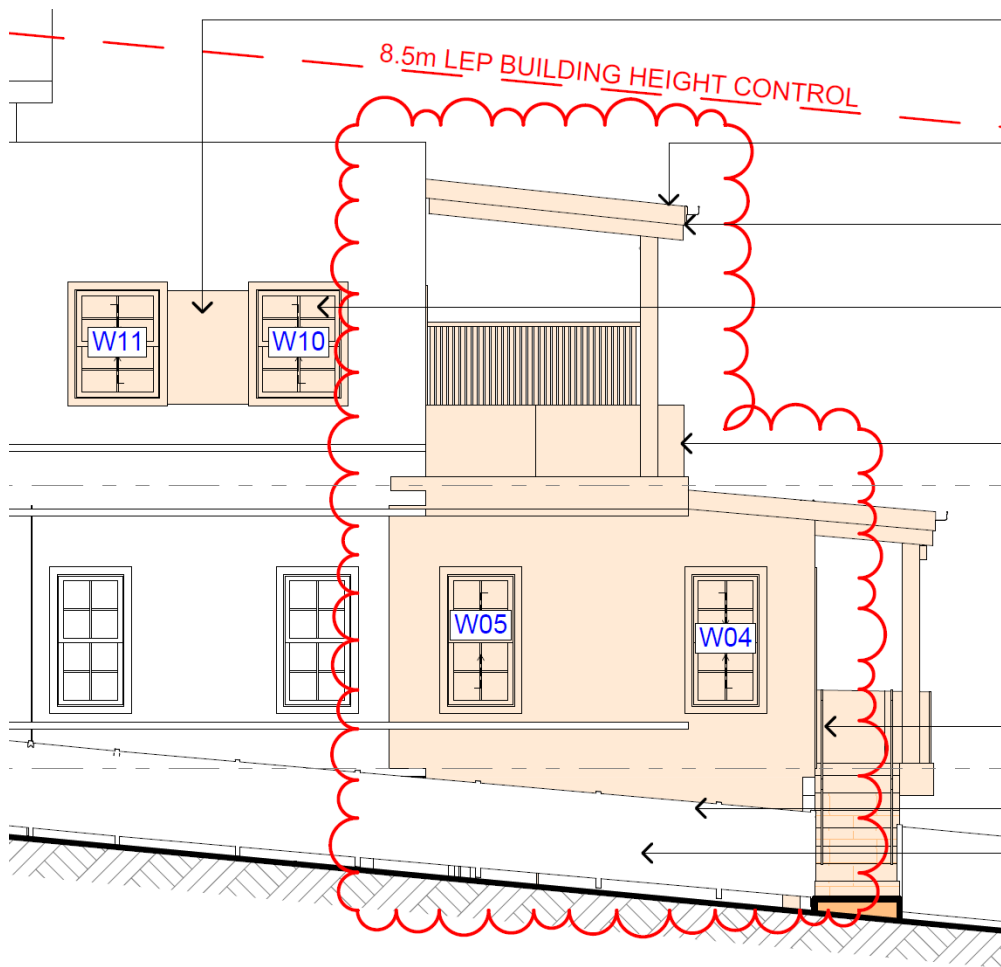
Detailed description of non-compliance

Pursuant to Section C1.5 of the Pittwater 21 Development Control Plan, private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation (measured from a height of 1.7 metres above floor level). Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building. Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.

22 Rednal Street

The proposed sitting room at the ground floor sits approximately 3m from the elevated private open space area to the rear of 22 Rednal Street. As such, a condition has been included requiring windows 4 and 5 to have obscure glazing. The proposed first-floor balcony extension incorporates a 1.7m high privacy screen across almost the entire south-eastern elevation (refer Figure 15). Windows 10 and 11 have a reduced degree of glazing compared with the existing condition and are therefore acceptable. Windows 10 and 11 are also to the master bedroom, which is a low-use room.

Figure 15: Proposed SE elevation



18 Rednal Street

The amended plans include privacy screening to a height of 1.7m for a length of 2.7m along the ground floor balcony at the north-western elevation. Privacy screening to the full length of the ground floor balcony at the north-western elevation is not considered necessary given the balcony does not extend past the ground floor balcony at 18 Rednal Street, and this is a blank wall, as shown in Figure 18 below. As such, there would be no direct sightline from the ground floor balcony at the subject site to the neighbouring ground floor balcony. It is also important to note that the proposal reflects the existing condition of the ground floor balcony in terms of the extension of the balcony and privacy screening, as evident in Figure 17 below.

The amended plans also reduce the depth of the original first floor balcony design by 1.3m, thereby only extending 1.3m east of the existing first floor balcony, rather than 2.6m, as originally proposed. The amended design includes 1.7m high privacy screening to almost the entire length of the first floor balcony at the north-western elevation, with a length of approximately 2.3m rather than 1.5m, as shown in Figure 16 below. Windows 7 and 8 have a reduced degree of glazing compared with the existing condition and are therefore acceptable. Windows 7 and 8 are also to bedroom 2, which is a low-use room.

Figure 16: Proposed NW elevation

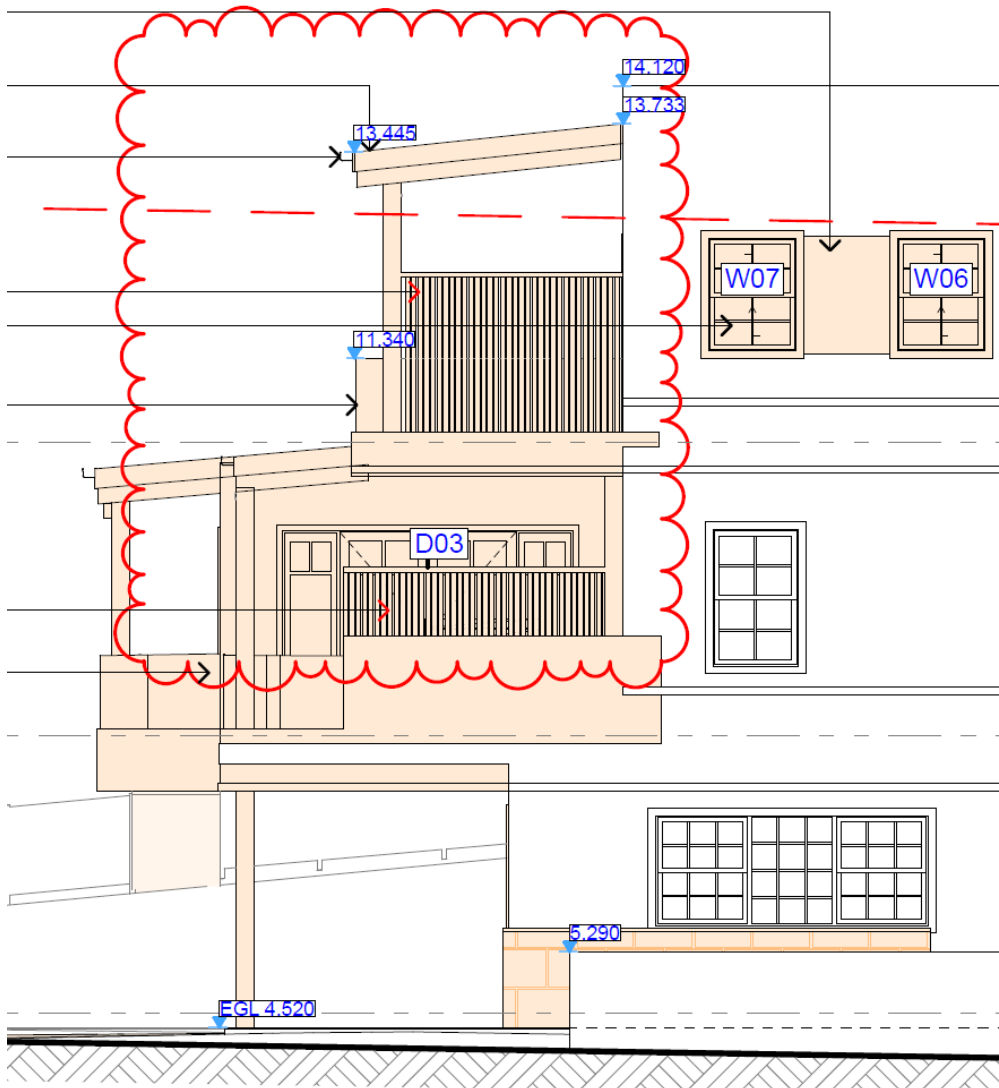
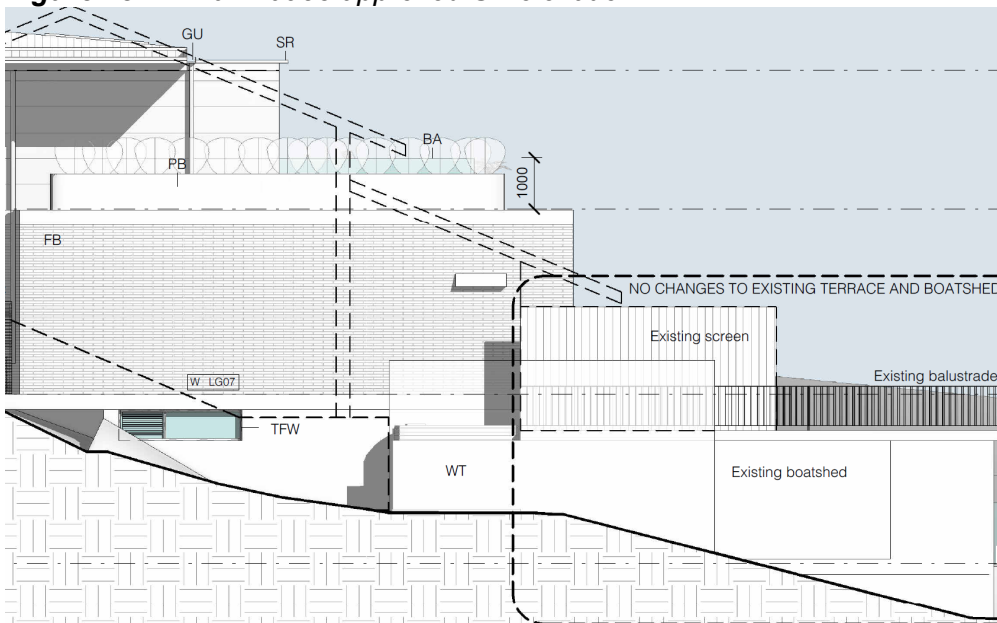


Figure 17: Existing ground floor balcony and privacy screening facing 18 Rednal Street



Figure 18: DA2022/0953 approved SE elevation



Merit consideration

- ***Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design.***

Comment:

The amended proposal has been designed such that the habitable rooms and outdoor living areas of the dwelling optimise visual privacy.

- ***A sense of territory and safety is provided for residents.***

Comment:

The amended proposal provides a sense of territory and safety for residents.

Having regard to the above assessment, it is considered that the proposed development is consistent with the relevant objectives of P21DCP and the objectives specified in s1.3 of the *Environmental Planning and Assessment Act, 1979*. Accordingly, this assessment finds that the proposal is supported in this particular circumstance.

C1.25 Plant, Equipment Boxes and Lift Over-Run

Description of non-compliance

Section C1.25 of the Pittwater 21 Development Control Plan stipulates that, where provided, air conditioning units are to be integrated internally into the design fabric of the built form of the building. All noise generating equipment such as air conditioning units shall be located and designed to protect the acoustic privacy of residents and neighbours.

The existing dwelling contains several air-conditioning units affixed to the external wall at the north-western elevation. This development application does not concern these air-conditioning units and this is therefore a separate matter to this DA. The matter has been raised with Council's Compliance Team for investigation.

Notwithstanding, a condition has been included within the recommendations of this report requiring any swimming pool and air conditioning motors to not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary.

D9.3 Building colours and materials

Detailed description of non-compliance

Pursuant to Section D9.3 of the Pittwater 21 Development Control Plan, external building colours and materials shall be dark and earthy tones. White, light coloured, red or orange roofs and walls are not permitted.

The schedule of colours and materials submitted with the application indicates white/light rendered brick and weatherboard cladding.

It is important to note that the dwelling is already painted white with white windows and doors (refer Figure 19 below), and is therefore acceptable on this basis. No further assessment is required in this particular circumstance. A condition has been included in this consent to ensure the external finish to the roof is non-reflective.

Figure 19: Site Photo



D9.7 Side and rear building line

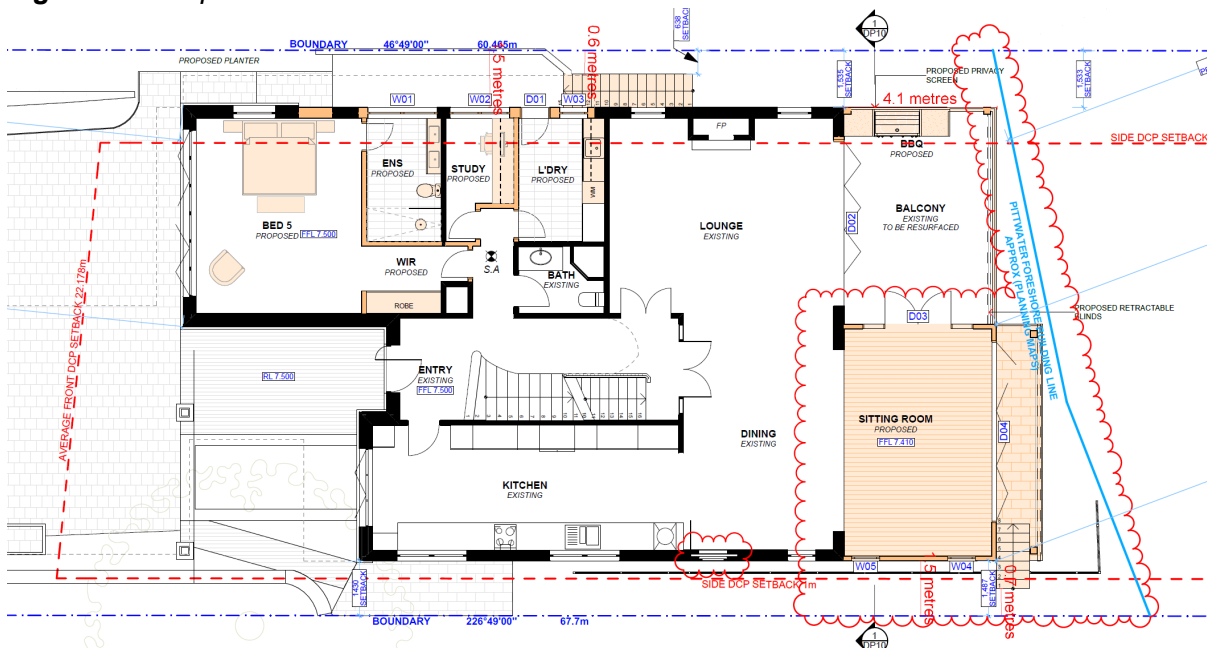
Detailed description of non-compliance

Pursuant to Section D9.7 of the Pittwater 21 Development Control Plan, the minimum side building line for built structures including pools and carparks, other than driveways, fences and retaining walls is 2.5m to at least one side and 1m for the other side.

For this site, the 2.5m requirement is taken to be for the north-western boundary and the 1m requirement is taken to be for the south-eastern boundary. The proposed new dwelling includes external access stairs, which have a 0.6m setback from the north-western boundary and a 0.7m setback from the south-eastern boundary, representing technical non-compliances of 76% and 30%, respectively.

However, it is important to note that the alterations and additions otherwise maintain the existing main building lines of the dwelling, being 1.5m from both side boundaries, as evident in Figure 20 below. Furthermore, the external stairs are low-lying, lightweight structures that provide direct access to and from the laundry and balcony.

Figure 20: Proposed Ground Floor Plan



Merit consideration

With regard to the consideration of a variation, the proposed development is considered against the underlying outcomes of the control as follows:

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

Comment:

The proposed development is consistent with the desired future character of the Mona Vale locality, being a low-density residential area integrated with the landform and landscape.

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

Comment:

The bulk and scale of the built form has been minimised by generally designing the alterations and additions within the existing side setbacks of the dwelling.

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

Comment:

The proposal reasonably preserves views and vistas to and from public and private places as the additions do not extend above the existing ridge level of the dwelling.

- ***To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.***

Comment:

The proposal encourages view sharing through designing the alterations and additions to complement the siting of the existing dwelling.

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

Comment:

A reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. The shadow diagrams submitted with the application demonstrate that the site and surrounding properties will continue to receive three hours of solar access to private open spaces in mid-winter. Screening devices have been incorporated into the design to provide a reasonable level of privacy and amenity to adjoining residential properties.

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

Comment:

The proposal does not involve the removal of any trees or significant vegetation, and the view of the dwelling from the streetscape will see only a minor change, being the extension of the existing carport to accommodate a storage area.

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

Comment:

Flexibility has been afforded in the siting of the alterations and additions given the existing dwelling setbacks from the side boundaries, and the low-lying nature of the proposed external access stairs.

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

Comment:

The proposal does not involve the removal of any trees or significant vegetation.

- ***To ensure a landscaped buffer between commercial and residential zones is established.***

Comment:

The site is not located adjacent to a commercial zone and therefore this objective is not applicable.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of P21DCP and the objectives specified in s1.3 of the *Environmental Planning and Assessment Act, 1979*. Accordingly, this assessment finds that the proposal is supported in this particular circumstance.

D9.9 Building envelope

Detailed description of non-compliance

Pursuant to Section D9.9 Building envelope of the Pittwater 21 Development Control Plan, buildings must be sited within the building envelope which is determined by projecting planes at 45° from a height of 3.5m above the existing ground level at the side boundaries.

The north-western elevation presents one encroachment of between 0.8m and 4.2m in height for a length of 4.1m, resulting in a maximum variation of 84% (4.2m), as shown shaded red in Figure 22 below.

It is important to note that the original design presented an encroachment of between 1.0m and 4.8m in height for a length of 6.7m, resulting in a maximum variation of 96% (4.8m), as shown shaded red in Figure 21 below.

Figure 21: Original NW Elevation

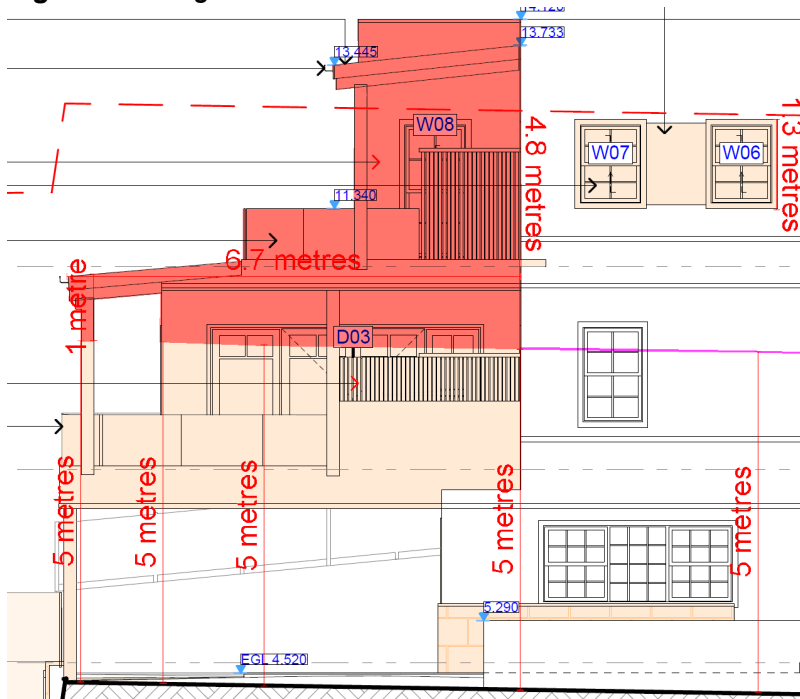
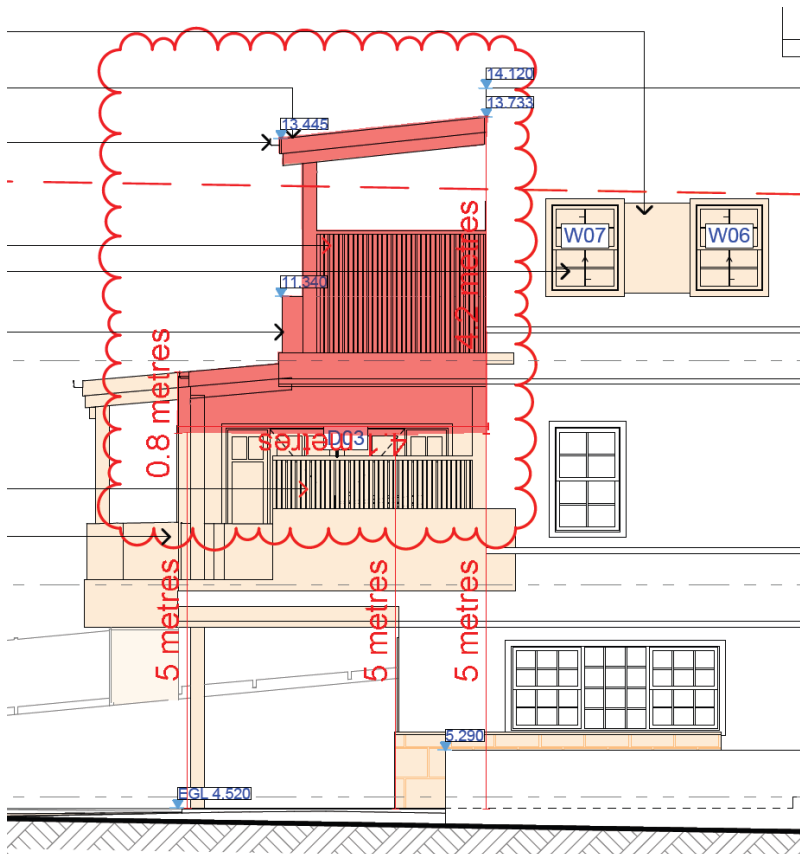


Figure 22: Amended NW Elevation



The south-eastern elevation presents one encroachment of 2.4m in height for a length of 2.7m, resulting in a maximum variation of 48% (2.4m), as shown shaded red in Figure 24 below.

It is important to note that the original design presented an encroachment of between 0.2m and 3.0m in height for a length of 4.1m, resulting in a maximum variation of 60% (3.0m), as shown shaded red in Figure 23 below.

Figure 23: Original SE Elevation

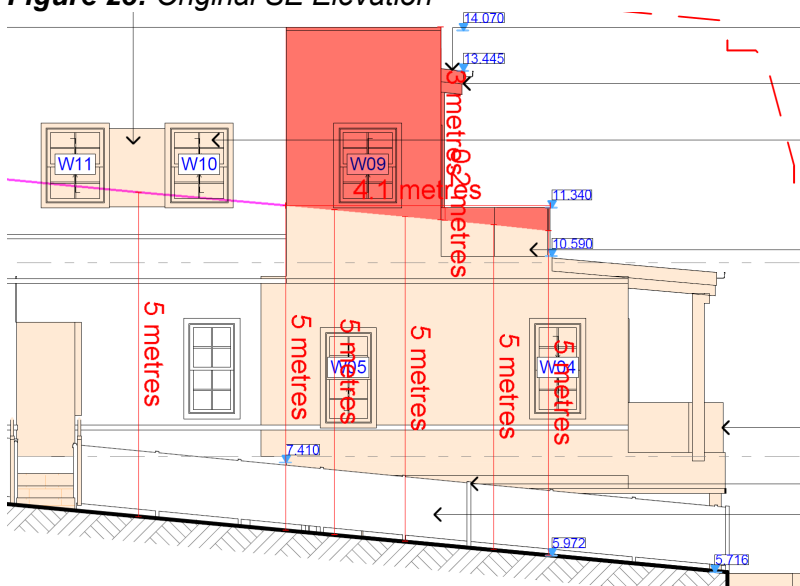


Figure 24: Amended SE Elevation



It is also important to note that the majority of the existing first floor level encroaches the building envelope, as evident from the purple line in Figures 21 and 23 above, and therefore any extension to the first floor simply follows the established first floor level.

Furthermore, the amended design at both elevations features a balcony at the first floor with roof over, which is an unenclosed structure with significantly less bulk and scale than the original design, and with reduced view, solar and privacy impact to neighbouring properties. In addition, the amended design incorporates 1.7m high privacy screening along almost the entire length of the balcony at both elevations, further improving amenity.

Merit consideration

With regard to the consideration of a variation, the proposed development is considered against the underlying outcomes of the control as follows:

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

Comment:

The proposed development is consistent with the desired future character of the Mona Vale locality, being a low-density residential area integrated with the landform and landscape.

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

Comment:

The proposal does not involve the removal of any trees or significant vegetation, and the view of the dwelling from the streetscape will see only a minor change, being the extension of the existing carport to accommodate a storage area. The other additions are to the rear of the

dwelling and do not extend above the existing ridge height of the dwelling.

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

Comment:

The amended proposal responds to and sensitively relates to the spatial characteristics of the existing natural environment by ensuring the additions do not extend beyond the foreshore building line, and step down in height to follow the gentle slope of the land.

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

Comment:

The bulk and scale of the built form has been minimised by generally designing the alterations and additions within the existing side setbacks of the dwelling and below the existing ridge height of the dwelling. The amended design significantly reduces the bulk and scale of the built form by limiting the first floor additions to an unenclosed balcony.

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

Comment:

The proposal reasonably preserves views and vistas to and from public and private places as the additions do not extend above the existing ridge level of the dwelling.

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

Comment:

A reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. The shadow diagrams submitted with the application demonstrate that the site and surrounding properties will continue to receive three hours of solar access to private open spaces in mid-winter. Screening devices have been incorporated into the design to provide a reasonable level of privacy and amenity to adjoining residential properties.

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

Comment:

The proposal does not involve the removal of any trees or significant vegetation.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of P21DCP and the objectives specified in s1.3 of the *Environmental Planning and Assessment Act, 1979*. Accordingly, this assessment finds that the proposal is supported in this particular circumstance.

D9.11 Landscaped Area - Environmentally Sensitive Land

Detailed description of non-compliance

Pursuant to Section D9.11 of Pittwater 21 Development Control Plan, the total landscaped area on the land shall be a minimum 60% (586m²) of the site area. Up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only.

The proposal accommodates 37.9% (370.6m²) of landscaped areas on the site. Including 6% impervious landscape treatments, this totals 43.9% (429.2m²), which presents a variation of 16.1% (156.8m²) to the minimum standard of 60%.

It is important to note that the figures above reflect the existing site condition, and the proposal does not result in a total net loss of landscaped areas, thereby not reducing the amount of landscaping that is presently on the site. The proposed works also do not involve the removal of any significant trees or vegetation, and the site contains large lawns areas. In this way, despite the proposal's numerical non-compliance with the minimum landscaped area standard of 60%, it is recognised that proposal does not materially worsen the existing site condition with respect to landscaping.

Merit consideration

With regard to the consideration of a variation, the proposed development is considered against the underlying outcomes of the control as follows:

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

Comment:

The proposed development is consistent with the desired future character of the Mona Vale locality, being a low-density residential area integrated with the landform and landscape.

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

Comment:

The bulk and scale of the built form has been minimised by generally designing the alterations and additions within the existing side setbacks of the dwelling and below the existing ridge height of the dwelling. The amended design significantly reduces the bulk and scale of the built form by limiting the first floor additions to an unenclosed balcony.

- ***A reasonable level of amenity and solar access is provided and maintained.***

Comment:

A reasonable level of amenity and solar access is provided and maintained. The shadow diagrams submitted with the application demonstrate that the site and surrounding properties will continue to receive three hours of solar access to private open spaces in mid-winter. Screening devices have been incorporated into the design to provide a reasonable level of privacy and amenity to adjoining residential properties.

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

Comment:

The proposal does not involve the removal of any trees or significant vegetation.

- ***Conservation of natural vegetation and biodiversity.***

Comment:

The proposal does not involve the removal of any trees or significant vegetation, thereby

conserving the natural environment and biodiversity.

- ***Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.***

Comment:

The proposal does not increase the total amount of hard surfaces on the site, thereby not increasing stormwater runoff.

- ***To preserve and enhance the rural and bushland character of the area.***

Comment:

The proposal does not involve the removal of any trees or significant vegetation, thereby preserving the bushland character of the area.

- ***Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.***

Comment:

The proposal does not increase the total amount of hard surfaces on the site, thereby providing for infiltration of water and minimising runoff.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of P21DCP and the objectives specified in s1.3 of the *Environmental Planning and Assessment Act, 1979*. Accordingly, this assessment finds that the proposal is supported in this particular circumstance.

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 2024

The proposal is subject to the application of Northern Beaches Section 7.12 Contributions Plan 2024.

A monetary contribution of \$3,760 is required for the provision of new and augmented public infrastructure. The contribution is calculated as 1% of the total development cost of \$376,000.

CONCLUSION

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

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2021;
- All relevant and draft Environmental Planning Instruments;
- Pittwater Local Environment Plan;
- Pittwater Development Control Plan; and
- Codes and Policies of Council.

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

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

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

Council is satisfied that the Applicant's written request under Clause 4.6 of the Pittwater Local Environmental Plan 2014 seeking to justify variation of the development standard contained within Clause 4.3 Height of Buildings has adequately addressed and demonstrated that:

- Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and
- There are sufficient environmental planning grounds to justify the variation.

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

RECOMMENDATION

That Northern Beaches Council, as the consent authority, vary the development standard contained within Clause 4.3 Height of Buildings, pursuant to Clause 4.6 of the Pittwater Local Environmental Plan 2014 because the Applicant's written request has adequately addressed the merits required to be demonstrated by subclause (3) of Clause 4.6.

Accordingly Council as the consent authority grant Development Consent to DA2024/1377 for Alterations and additions to a dwelling house including a shed on land at Lot 2 DP 224548, 20 Rednal Street, MONA VALE, Lot LIC 613884, 20 Rednal Street, MONA VALE, subject to the conditions printed below:

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

1. Approved Plans and Supporting Documentation

Development must be carried out in accordance with the following approved plans (stamped by Council) and supporting documentation, except where the conditions of this consent expressly require otherwise.

Approved Plans				
Plan Number	Revision Number	Plan Title	Drawn By	Date of Plan
DA04	C	Site - Roof / Sediment Erosion / Waste Management / Stormwater Concept Plan	Action Plans Pty Ltd	18 December 2024
DA05	C	Existing Lower Ground Floor Plan - Demolition	Action Plans Pty Ltd	18 December 2024
DA06	C	Existing Ground Floor Plan - Demolition	Action Plans Pty Ltd	18 December 2024
DA07	C	Existing First Floor Plan - Demolition	Action Plans Pty Ltd	18 December 2024
DA08	C	Proposed Lower Ground Floor	Action Plans Pty Ltd	18 December 2024
DA09	C	Proposed Ground Floor Plan	Action Plans Pty Ltd	18 December 2024
DA10	C	Proposed First Floor Plan	Action Plans Pty Ltd	18 December 2024
DA11	C	North / East Elevation	Action Plans Pty Ltd	18 December 2024
DA12	C	South / West Elevation	Action Plans Pty Ltd	18 December 2024
DA13	C	Long / Cross Section	Action Plans Pty Ltd	18 December 2024

Approved Reports and Documentation			
Document Title	Version Number	Prepared By	Date of Document
DA18 - Sample Board	C	Action Plans Pty Ltd	18 December 2024

BASIX Certificate	A1759207_03	Action Plans Pty Ltd	10 December 2024
SW1 - Stormwater Management Plan	DA	Barrenjoey Consulting Engineers Pty Ltd	12 September 2024
Waste Management Plan	-	No Author	n.d.

In the event of any inconsistency between the approved plans, reports and documentation, the approved plans prevail.

In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2. **Compliance with Other Department, Authority or Service Requirements**

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

Other Department, Authority or Service	EDMS Reference	Dated
Ausgrid	Ausgrid Referral Response	31 October 2024
Aboriginal Heritage Office	Aboriginal Heritage Office Referral Response	17 October 2024

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

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

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 Certifier 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 Certifier 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 Certifier 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

- (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) Construction certificate plans are to be in accordance with all finished levels identified on approved plans. Notes attached to plans indicating tolerances to levels are not approved.
 - (c) 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.
 - (d) At all times after the submission of 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 an Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
 - (e) 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.
 - (f) 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.
 - (g) Prior to the release of the Construction Certificate, payment of the following is required:
 - i) Long Service Levy - Payment should be made to Service NSW (online or in person) or alternatively to Northern Beaches Council in person at a Customer Service Centre. Payment is not required where the value of the works is less than \$250,000. The Long Service Levy is calculated on 0.25% 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.
 - ii) Section 7.11 or Section 7.12 Contributions Plan – Payment must be made to Northern Beaches Council. Where the subject land to which the development is proposed is subject to either a Section 7.11 or 7.12 Contributions Plan, any contribution to which the development is liable under the respective plan that applies is to be paid to Council. The outstanding contribution will be indexed at time of payment in accordance with the relevant Contributions Plan.
 - iii) Housing and Productivity Contribution - Payment must be made on the NSW Planning Portal for development to which this contribution applies. The amount payable is subject to indexation at the time of payment.
 - (h) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
 - (i) 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.
 - (j) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
 - (k) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.), on the land to be developed, or within adjoining properties, shall be removed or damaged during excavation or construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.

- (l) 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.
- (m) 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.
- (n) The works must comply with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice.
- (o) Should any construction cranes be utilised on site, they are to be fitted with bird deterrents along the counterweight to discourage raptor (bird) nesting activity. Deterrents are to remain in place until cranes are dismantled. Selection of deterrent methods is to be undertaken in accordance with the recommendations of a suitably qualified ecologist.
- (p) 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

5. Policy Controls

Northern Beaches Section 7.12 Contributions Plan 2024

A monetary contribution of \$3,760.00 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan (as amended).

The monetary contribution is based on a development cost of \$376,000.00.

The total amount payable will be adjusted at the time the payment is made, in accordance with the provisions of the Northern Beaches Section 7.12 Contributions Plan (as amended).

Details demonstrating compliance, by way of written receipts issued by Council, are to be submitted to the Certifier prior to issue of any Construction Certificate or, if relevant, the Subdivision Certificate (whichever occurs first).

A copy of the Contributions Plan is available for inspection at 725 Pittwater Road, Dee Why or on Council's website at Northern Beaches Council - Development Contributions.

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

6. Security Bond

A bond (determined from cost of works) of \$2,000 and an inspection fee in accordance with Council's Fees and Charges paid as security 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 Certifier 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).

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

BUILDING WORK – BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

7. No Clearing of Vegetation

Unless otherwise exempt, no vegetation is to be cleared prior to issue of a Construction Certificate.

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

Reason: To protect native vegetation.

8. Stormwater Disposal from Low Level Property

The applicant is to demonstrate how stormwater from the new development within this consent shall be disposed of to an existing approved system or in accordance with Northern Beaches Council's Water Management for Development Policy in particular Section 5.5 Stormwater Drainage from Low Level Properties. Details demonstrating that the existing approved system can accommodate the additional flows or compliance with Northern Beaches Council's policy by an appropriately qualified Civil Engineer are to be submitted to the Certifier for approval prior to the issue of the Construction Certificate.

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

9. Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan (ESCP) shall be prepared by an appropriately qualified person and implemented onsite prior to commencement. The ESCP must meet the requirements outlined in the Landcom publication Managing Urban Stormwater: Soils and Construction - Volume 1, 4th Edition (2004). The ESCP must include the following as a minimum:

- Site Boundaries and contours
- Approximate location of trees and other vegetation, showing items for removal or retention (consistent with any other plans attached to the application)
- Location of site access, proposed roads and other impervious areas (e.g. parking areas and site facilities)
- Existing and proposed drainage patterns with stormwater discharge points
- Locations and methods of all erosion and sediment controls that must include sediment fences, stabilised site access, materials and waste stockpiles locations, location of any stormwater pits on the site and how they are going to be protected.
- North point and scale.

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

Reason: To protect the receiving environment.

10. Boundary Identification Survey

The plans submitted for the Construction Certificate are to accurately reflect the property boundaries as shown on a boundary identification survey, prepared by a Registered Surveyor, with setbacks between the property boundaries and the approved works consistent with those nominated on the Approved Plans of this consent.

Details demonstrating compliance are to be submitted to the Certifier prior to the issue of any Construction Certificate.

Reason: To ensure all approved works are constructed within the subject site and in a manner anticipated by the development consent.

11. Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan (ESCP) shall be prepared by an appropriately qualified person and implemented onsite prior to commencement. The ESCP must meet the requirements outlined in the Landcom publication Managing Urban Stormwater: Soils and Construction - Volume 1, 4th Edition (2004). The ESCP must include the following as a minimum:

- Site Boundaries and contours
- Approximate location of trees and other vegetation, showing items for removal or retention (consistent with any other plans attached to the application)
- Location of site access, proposed roads and other impervious areas (e.g. parking areas and site facilities);
- Existing and proposed drainage patterns with stormwater discharge points
- Locations and methods of all erosion and sediment controls;
- North point and scale.

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

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

12. Compliance with Standards

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

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

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

13. External Finishes to Roof

The external finish to the roof shall have a Solar Absorptance (SA) greater than 0.43 in accordance with the requirements of the BASIX Certificate to minimise solar reflections to neighbouring properties. Any roof with a reflective finish is not permitted.

Green roofs and areas where solar panels (PV) are installed are excluded from conforming to the SA range.

Details demonstrating compliance are to be submitted to the Certifier 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.

14. 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 Certifier demonstrating the works are in compliance with Sydney Water requirements.

Please refer to the website 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.

15. Obscure Glazing

Windows W04 and W05 at the south-eastern elevation, as shown on the approved plans, are to be opaque or frosted glass.

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

Reason: In order to maintain privacy to the adjoining property.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

16. Sediment and Erosion Controls

For developments that include more than 2500sqm of disturbance:

A Soil and Water Management plan (SWMP), in accordance with section 2.3 of the Blue Book, must be prepared and certified by a suitably qualified professional.

For sites larger than 250sqm and less than 2500sqm of disturbance:

An Erosion and Sediment Control Plan (ESCP) must be prepared by a suitably qualified person in accordance with the following considerations and documents:

- Sites that have slopes exceeding 20% (measured in any direction across the site), and/or where works are within the high-water mark or adjacent to a waterway or watercourses are considered environmentally sensitive areas. These sites require a site-specific ESCP which must be prepared and certified by a suitably qualified professional,
- The guidelines set out in the NSW Department of Housing manual ‘Managing Urban Stormwater: Soils and Construction Certificate – Volume 1, 4th Edition (2004)’ (the Blue Book), and
- The ‘Guidelines for Erosion and Sediment Control on Building Sites’ (Department of Planning, Housing and Infrastructure).

The ESCP must include the following as a minimum:

- Site Boundaries and contours,
- Approximate location of trees and other vegetation, showing items for removal or retention (consistent with any other plans attached to the application),
- Location of site access, proposed roads and other impervious areas (e.g. parking area and site facilities),
- Existing and proposed drainage patterns with stormwater discharge points,

- Locations and methods of all erosion and sediment controls that must include sediment fences, stabilised site access, materials and waste stockpiles locations, location of any stormwater pits on the site and how they are going to be protected,
- North point and scale,
- Type of erosion control measures to divert and slow run-off around and within the site.

Environmentally sensitive areas (i.e. Sites that have slopes exceeding 20% and/or where works are within the high-water mark or adjacent to a waterway or watercourses) must also consider:

- Identify and mark any environmentally sensitive areas on and immediately next to the site and how you will protect these, including any appropriate buffer zones (for example, marking them out as 'no-go' areas),
- Details on vegetation you will clear, as well as areas of vegetation you will keep (mark no go areas),
- Detail on soil information and location(s) of problem soil types, especially dispersive soils and potential or actual acid sulfate soils,
- Location of any natural waterways that could receive run-off and how these will be protected these from run-off.

For sites smaller than 250sqm or where the disturbance is less than 50sqm:

Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:

- Diverting uncontaminated run-off around cleared or disturbed areas, and
- Erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
- Preventing the tracking of sediment by vehicles onto roads, and
- Stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.
- Identifying any environmentally sensitive areas on and immediately next to the site, and demonstrating how these will be protected (for example, by designation as no-go areas).

Details demonstrating compliance with the relevant requirements above are to be submitted to the Certifier, and the measures implemented, prior to the commencement of works.

Reason: To ensure no substance other than rainwater enters the stormwater system and waterways.

DURING BUILDING WORK

17. **Wildlife Protection**

If construction activity associated with this development results in injury or displacement of a native mammal, bird, reptile or amphibian, a licensed wildlife rescue and rehabilitation organisation must be contacted for advice.

Reason: To protect native wildlife.

18. **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.

19. 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.

20. 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 Certifier, 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.

21. Survey Certificate

A survey certificate prepared by a Registered Surveyor is to be provided demonstrating all perimeter walls columns and or other structural elements, floor levels and the finished roof/ridge height are in accordance with the approved plans.

Details demonstrating compliance are to be submitted to the Principal Certifier when the external structure of the building is complete.

Reason: To demonstrate the proposal complies with the approved plans.

22. Maintenance of Sediment and Erosion Controls

Erosion and sediment controls must be adequately maintained and monitored at all times, particularly surrounding periods of rain, and shall remain in proper operation until all development activities have been completed and the site is in a state where no substance other than rainwater can enter the stormwater system and waterways.

All sediment control measures must be maintained at, or above, their design capacity.

Where more than 2500 square metres of land are disturbed or if the site has a slope of more than 20%, a self-auditing program must be developed for the site. A site inspection using a log book or inspection test plan (ITP) must be undertaken by the site supervisor:

- at least each week
- immediately before site closure
- immediately following rainfall events that cause runoff.

Details demonstrating compliance must be provided to the Certifier during demolition and building works.

Reason: Protection of the receiving environment and to ensure no substance other than rainwater enters the stormwater system and waterways.

23. 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 Certifier.

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

24. Stockpiling materials

During construction, all material associated with works is to be contained at source, covered and must be within the construction area. All material is to be removed off site and disposed of according to local regulations. The property is to be kept clean and any building debris removed as frequently as required to ensure no debris enters receiving waters.

Reason: To ensure pollution control measures are effective to protect the aquatic habitats within receiving waters throughout the construction period.

25. Pollution Control

All stockpiles, materials, waste and slurry associated with works (including excavated material) is to be contained at source within the construction area and enclosed in waterproof covering and/or sediment and erosion control while not in use. All waste/debris is to be removed off site and disposed of as frequently as required in accordance to local regulations.

Reason: To protect the surrounding environment, and ensure that pollutants and building associated waste do not leave the construction site.

26. Pollution Control

Any excess materials such as cleaning paintbrushes, lacquers, and any water from cleaning tools must not enter the stormwater network and/or receiving waterways.

Reason: To ensure that building associated chemicals and pollutants don't enter the

surrounding environment.

27. Aboriginal Heritage

If in undertaking excavations or works any Aboriginal site or object is, or is thought to have been found, all works are to cease immediately and the applicant is to contact the Aboriginal Heritage Officer for Northern Beaches Council, and the Cultural Heritage Division of the Department of Planning, Housing and Infrastructure.

Any work to a site that is discovered to be the location of an Aboriginal object, within the meaning of the National Parks and Wildlife Act 1974, requires a permit from the Director of the Department of Planning, Housing and Infrastructure.

Reason: Aboriginal Heritage Protection.

BEFORE ISSUE OF THE OCCUPATION CERTIFICATE

28. Native Landscaping

Any new landscaping is to incorporate a minimum 80% locally native vegetation species as a proportion of the total number of plants. Locally native species are to be consistent with the relevant section of the Native Planting Guide available on Council's website.

Details demonstrating compliance are to be provided to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To ensure compliance with the requirement to retain and protect native planting on the site.

29. No Weeds Imported On To The Site

No Priority or environmental weeds (as specified in the Northern Beaches Local Weed Management Plan) are to be imported on to the site prior to or during construction works.

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

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

30. Stormwater Disposal

The stormwater drainage works shall be certified as compliant with all relevant Australian Standards and Codes by a suitably qualified person. Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

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

31. Waste Management Confirmation

Prior to the issue of an Occupation Certificate, evidence / documentation must be submitted to the Principal Certifier 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.

32. Swimming Pool Requirements (existing pool modified by works)

The existing onsite Swimming Pool / Spa fencing enclosure shall be upgraded to comply with:

(a) All required safety fencing has been erected in accordance with and all other requirements have been fulfilled with regard to the relevant legislative requirements and relevant Australian Standards (including but not limited) to:

- (i) Swimming Pools Act 1992;
- (ii) Swimming Pools Amendment Act 2009
- (iii) Swimming Pools Regulation 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.

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

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

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

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

Reason: To protect human life.

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

33. Control of Domestic Dogs/Cats

Domestic dogs and cats are to be kept from entering wildlife habitat areas at all times.

Dogs and cats are to be kept in an enclosed area and/or inside the dwelling, or on a leash such that they cannot enter areas of wildlife habitat, bushland or foreshore unrestrained, on the site or on surrounding properties or reserves.

Reason: To protect native wildlife and habitat.

34. Swimming Pool/Spa and Air Conditioning Motor Noise

The swimming pool / spa and air conditioning motors shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary.

Reason: To ensure that the development does not impact on the acoustic privacy of surrounding residential properties.

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

Signed



Anais Sarkissian, Planner

The application is determined on 14/01/2025, under the delegated authority of:



Adam Richardson, Manager Development Assessments