

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2018/1420
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Responsible Officer:	Adam Mitchell
Land to be developed (Address):	Lot 1 DP 1035682, 159 Riverview Road AVALON BEACH NSW 2107
Proposed Development:	Addition of an access platform to an existing inclinator
Zoning:	E4 Environmental Living
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Rowan Alexander Ross Annie Margaret Ross
Applicant:	Doyle Consulting Pty Ltd

Application lodged:	28/08/2018
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Residential - Alterations and additions
Notified:	03/09/2018 to 19/09/2018
Advertised:	Not Advertised
Submissions Received:	0
Recommendation:	Refusal

Estimated Cost of Works:	\$ 58,000.00
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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 E4 Environmental Living

Pittwater Local Environmental Plan 2014 - 7.2 Earthworks

Pittwater 21 Development Control Plan - B6.1 Access driveways and Works on the Public Road Reserve

Pittwater 21 Development Control Plan - C1.3 View Sharing

Pittwater 21 Development Control Plan - D1.8 Front building line

SITE DESCRIPTION

Property Description:	Lot 1 DP 1035682 , 159 Riverview Road AVALON BEACH NSW 2107
Detailed Site Description:	The subject site is a single residential allotment located on the western side of Riverview Road, Avalon Beach. The site is upon land zoned for E4 Environmental Living pursuant to the Pittwater Local Environmental Plan 2014. The site is regular in shape with a street frontage of 22.85m and depths of 57m and 64m respectively, measured from the front boundary to the Mean High Water Mark (M.H.W.M). The site fronts onto Pittwater Waterway. At present, the site accommodates a detached double garage on the front boundary, a large architecturally design dwelling house, cantilevered lap pool and a detached boatshed/jetty/pontoon structures on the waterway. The site has numerous trees throughout that were established prior to the construction of the dwelling house, or have been planted and since established since its construction. Surrounding developments consist of other detached dwelling houses in a landscaped and bushland setting.

Map:



SITE HISTORY

The following points outline a brief history of this development application:

- 28 August 2018 - Application lodged with Council. No prelodgement meeting was held.
- 25 October 2018 - Preliminary assessment of application identified fundamental issues pertaining to the quality of the architectural plans, and potential impacts upon scenic protection. The application was requested to withdraw the application by 8 November 2018.
- 31 October 2018 - At the Applicant's request, extension to withdraw or resubmit amended information extended until 15 November 2018.
- 2 November 2018 - At the Applicant's request, extension to withdraw or resubmit amended information extended until 22 November 2018.
- 20 November 2018 - Revised information received including Site Plan and revised Sectional drawing.
- 28 November 2018 - Full and detailed assessment of the application including all referrals reveals new fundamental issues with the proposal, including trees impacts and importantly, significant encroachment onto Council land, with no Owner's Consent provided.

Council wrote to the Applicant by way of email on 28 November 2018 advising of these issues, and stating that no additional information will be accepted at this point, but that a partial refund of the development application fees can be returned if the application is withdrawn.

No response to the above email was received from the property owner or the planning consultant.

PROPOSED DEVELOPMENT IN DETAIL

The development application seeks consent for an elevated single carport / access platform between the existing double garage and the existing inclinator.

The access platform and its roof are located both on the subject site, and on Council's Road Reserve.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

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

Section 4.15 Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on "Environmental Planning Instruments" in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	None applicable.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Pittwater 21 Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent. <u>Clauses 54 and 109</u> of the EP&A Regulation 2000, Council requested additional information and has therefore considered the number of days taken in this assessment in light of this clause within the Regulations. <u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter could be addressed via a condition of consent. <u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter could be addressed via a condition of consent. <u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.
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

Section 4.15 Matters for Consideration'	Comments
	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 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

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

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

MEDIATION

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

REFERRALS

Internal Referral Body	Comments
Landscape Officer	Concern is raised that the proposed development works may impact upon the protection of the significant Spotted Gum, located in the vicinity of the proposed development. Partial or complete removal of the east sandstone retaining wall may de-stabilise woody roots belonging to the tree. The development in layout is proposed in close proximity to the existing Spotted Gum, as such the long term viability of the tree is subject to potential request for removal, or removal under the Removing and Pruning Trees on Private Land policy, where trees may be removed without a Council permit where trees are placed within

Internal Referral Body	Comments
	two metres of an existing approved building/structure or where a tree is considered a high risk/imminent danger and certified by a Level 5 qualified arborist.
NECC (Bushland and Biodiversity)	The development site is located within the area mapped as Pittwater Spotted Gum Forest Endangered Ecological Community (EEC), as listed under the NSW <i>Biodiversity Conservation Act 2016</i> (BC Act). As the proposal is likely to affect the long-term tree health and condition of a significant Spotted Gum (<i>Corymbia maculata</i>), which is a diagnostic species of the Pittwater Spotted Gum Forest EEC and has been assessed as having a high retention value and safe useful life expectancy, further assessment in the form of a 'five part test' is required under the BC Act. Therefore, a five part test, prepared by a suitably qualified ecologist in accordance with Section 7.3 of the BC Act, is required to be prepared for the Pittwater Spotted Gum Forest EEC and submitted in support of the DA. The following Natural Environment LEP and DCP controls also apply to the site: - Pittwater LEP Clause 7.6 (Biodiversity Protection) - Pittwater DCP Clause B4.7 (Pittwater Spotted Gum Forest EEC) - Pittwater DCP Clause B4.15 (Saltmarsh Endangered Ecological Community) - Pittwater DCP Clause B4.16 (Seagrass Conservation) - Pittwater DCP Clause B4.19 (Estuarine Habitat) Assessment against the objectives of LEP Clause 7.6 and DCP Clause B4.7 is subject to provision of a five part test as specified above. It is noted that these controls require details demonstrating that the proposal has been scaled, designed and sited to avoid environmental impact and net loss of canopy trees, and that the footprint of the development is justified and appropriate. It is considered that the proposal is consistent with the objectives of DCP Clauses B4.15, B4.16 and B4.19.
NECC (Coast and Catchments)	The property at 159 Riverview Road, Avalon Beach has been identified as being affected by estuarine wave action and tidal inundation on Council's Estuarine Hazard Mapping. 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. In accordance with the Pittwater Estuary Mapping of Sea Level Rise Impacts Study (2015), an indicative estuarine planning level (EPL) of about RL 2.70m AHD applies to this property. As all the subject development appears to be proposed above about RL 30.00m AHD, the application is able to comply with the Estuarine Risk Management

Internal Referral Body	Comments
	requirements of Pittwater 21 DCP. 12 Development on land within the coastal vulnerability area <i>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:</i> <i>(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</i> <i>(b) the proposed development:</i> <i>(i) is not likely to alter coastal processes to the detriment of the natural environment or other land, and</i> <i>(ii) 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</i> <i>(iii) incorporates appropriate measures to manage risk to life and public safety from coastal hazards, and</i> <i>(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.</i> <u>Comment:</u> The subject land is not within the area that has been identified as a coastal vulnerability area on the Coastal Vulnerability Area Map under <i>State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP)</i>. In accordance with Part 2 Division 5 Clause 15 of the CM SEPP the proposed development is not likely to cause increased risk of coastal hazards on the subject land or other land. As such, it is considered that the application complies with the requirements of the <i>State Environmental Planning Policy (Coastal Management) 2018</i> as they relate to development on land identified as a coastal vulnerability area.
NECC (Development Engineering)	The proposal includes the provision of a second parking structure along the frontage of the site. The property currently has a double carport along the frontage of the site and an access gate to a platform. Council's DCP Clause B6.1 indicates that where the frontage of an allotment to a local public road is less than 30 metres, only one access driveway is permitted. As such the proposal is contrary to the DCP and the application cannot be supported. Development Engineering cannot support the application due to the proposal being contrary to Clause B6.1 of Council's DCP.
NECC (Riparian Lands and Creeks)	There are no objections to this proposal, it is recommended for approval.

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

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs, REPs and LEPS), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and LEPS), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP 55 - Remediation of Land

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

SEPP (Infrastructure) 2007

Ausgrid

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

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

Comment:

The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

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?	No
zone objectives of the LEP?	No

Principal Development Standards

Standard	Requirement	Proposed	% Variation	Complies
Height of Buildings:	8.5m	5.6m	-	Yes

Compliance Assessment

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

Detailed Assessment

Zone E4 Environmental Living

The development proposed is found to be inconsistent with the following Outcomes of the E4 Environmental Living zone:

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To provide for residential development of a low density and scale integrated with the landform and landscape.
- To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.

Comment

The proposed development is likely to have a detrimental impact on significant vegetation on the site, as detailed in the Landscape Officer and Biodiversity comments elsewhere in this report.

The documentation accompanying the proposed structure contains insufficient information for Council to be satisfied that the development will integrated with the landform and landscape and be consistent with surrounding developments.

7.2 Earthworks

Council's Landscape Officer has identified that the proposed modifications / removal to the existing sandstone retaining wall and the subsequent earthworks may cause detrimental damage to the large Spotted Gum located at the front of the property.

Accordingly, the earthworks proposed are considered likely to disrupt vegetation on the site and on Council Road Reserve. No Owner's Consent has been furnished to permit earthworks on Council Road Reserve.

Pittwater 21 Development Control Plan

Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
Front building line	6.5m	Nil	100%	No
Side building line	North - 2.5m	2.64m	-	Yes
Building envelope	North - 3.5m	Within envelope	-	Yes
Landscaped area	50%	> 50%	-	Yes

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A1.7 Considerations before consent is granted	Yes	Yes
A4.1 Avalon Beach Locality	Yes	Yes
A5.1 Exhibition, Advertisement and Notification of Applications	Yes	Yes
B1.3 Heritage Conservation - General	Yes	Yes
B1.4 Aboriginal Heritage Significance	Yes	Yes
B3.1 Landslip Hazard	Yes	Yes
B3.7 Estuarine Hazard - Low density residential	Yes	Yes
B3.8 Estuarine Hazard - Medium Density Residential	Yes	Yes
B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community	No	No
B4.15 Saltmarsh Endangered Ecological Community	Yes	Yes
B4.16 Seagrass Conservation	Yes	Yes
B4.19 Estuarine Habitat	Yes	Yes
B4.20 Protection of Estuarine Water Quality	Yes	Yes
B5.8 Stormwater Management - Water Quality - Low Density Residential	Yes	Yes
B5.11 Stormwater Discharge into Waterways and Coastal Areas	Yes	Yes
B5.12 Stormwater Drainage Systems and Natural Watercourses	Yes	Yes
B5.13 Development on Waterfront Land	Yes	Yes
B5.14 Stormwater Drainage Easements (Public Stormwater Drainage System)	Yes	Yes
B6.1 Access driveways and Works on the Public Road Reserve	No	No

Clause	Compliance with Requirements	Consistency Aims/Objectives
B6.2 Internal Driveways	Yes	Yes
B6.3 Off-Street Vehicle Parking Requirements	Yes	Yes
B6.6 On-Street Parking Facilities	Yes	Yes
B6.7 Transport and Traffic Management	Yes	Yes
B8.1 Construction and Demolition - Excavation and Landfill	Yes	Yes
B8.2 Construction and Demolition - Erosion and Sediment Management	Yes	Yes
B8.3 Construction and Demolition - Waste Minimisation	Yes	Yes
B8.5 Construction and Demolition - Works in the Public Domain	No	No
C1.1 Landscaping	Yes	Yes
C1.2 Safety and Security	Yes	Yes
C1.3 View Sharing	No	No
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
C1.24 Public Road Reserve - Landscaping and Infrastructure	Yes	Yes
D1.1 Character as viewed from a public place	Yes	Yes
D1.5 Building colours and materials	Yes	Yes
D1.8 Front building line	No	No
D1.9 Side and rear building line	Yes	Yes
D1.11 Building envelope	Yes	Yes
D1.14 Landscaped Area - Environmentally Sensitive Land	Yes	Yes
D1.16 Fences - Flora and Fauna Conservation Areas	Yes	Yes
D1.17 Construction, Retaining walls, terracing and undercroft areas	Yes	Yes
D1.20 Scenic Protection Category One Areas	Yes	Yes

Detailed Assessment

B6.1 Access driveways and Works on the Public Road Reserve

The proposed development site has a street frontage of less than 30m and is therefore entitled to have only one access driveway. Council's Development Engineer has recommended that refusal of the application on this basis.

Additionally, the application seeks substantial works on the public road reserve and is not accompanied by any Owner's Consent for the works. The application cannot be approved without the Owner's Consent for these works and therefore, this matter is included as a reason for refusal of the application.

C1.3 View Sharing

From the public domain and Road Reserve on Riverview Road presently available is largely uninterrupted views of the Pittwater Waterway atop of the existing dwelling house and between large trees.

The development application provides insufficient information for Council to be able to accurately ascertain the level of public view loss from the road reserve, and thereby cannot be satisfied that the development achieves consistency with the Outcomes of C1.3 View Sharing or with the LEC Planning Principle of *Rose Bay Marina*. As insufficient information has been provided to ascertain this, the application is recommended for refusal.

D1.8 Front building line

The proposed access platform, associated fencing and roofing encroaches within Council's Road Reserve by up to 901mm. No Owner's Consent has been issued by Council to allow for this encroachment and accordingly, the development cannot be supported.

Additionally, the development as proposed is found to be inconsistent with the following Outcomes of D1.8 Front building line:

- To achieve the desired future character of the Locality.
- The amenity of residential development adjoining a main road is maintained.
- Vegetation is retained and enhanced to visually reduce the built form.
- Vehicle manoeuvring in a forward direction is facilitated.
- To encourage attractive street frontages and improve pedestrian amenity.
- To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Comment

The addition of a third car space (access platform) along the front boundary of the property is inconsistent with the character of the Locality by virtue of dominating the street frontage with built structures as opposed to landscaping. As discussed elsewhere in this report, the long-term retention viability of landscaping at the front boundary is low, and thereby detracts from the bushland character of Riverview Road and the Locality.

Accordingly, the application is not supported and is recommended for refusal.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

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

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

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

CONCLUSION

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

- Environmental Planning and Assessment Act 1979;

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

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, in this regard the application is not considered to be acceptable and is recommended for refusal.

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

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

It is considered that the proposed development does not satisfy the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council, as the consent authority REFUSE Development Consent to Development Application No DA2018/1420 for the Addition of an access platform to an existing inclinator on land at Lot 1 DP 1035682,159 Riverview Road, AVALON BEACH, for the reasons outlined as follows:

1. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the Clause 1.2 Aims of The Plan of the Pittwater Local Environmental Plan 2014.
2. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause Zone E4 Environmental Living of the Pittwater Local Environmental Plan 2014.
3. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause 7.2 Earthworks of the Pittwater Local Environmental Plan 2014.
4. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause 7.6 Biodiversity protection of the Pittwater Local Environmental Plan 2014.
5. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community of the Pittwater 21 Development Control Plan.
6. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause B6.1 Access driveways and Works on the Public Road Reserve of the Pittwater 21 Development Control Plan.

7. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause B8.5 Construction and Demolition - Works in the Public Domain of the Pittwater 21 Development Control Plan.
8. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause D1.8 Front building line of the Pittwater 21 Development Control Plan.

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

Signed



Adam Mitchell, Principal Planner

The application is determined on 21/12/2018, under the delegated authority of:



Matthew Edmonds, Manager Development Assessments