

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2024/0767
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Responsible Officer:	Lachlan Rose
Land to be developed (Address):	Lot CP SP 12069, 18 Quinton Road MANLY NSW 2095 Lot 1 SP 12069, 1 / 18 Quinton Road MANLY NSW 2095
Proposed Development:	Alterations and additions to a residential flat building (unit 1)
Zoning:	Manly LEP2013 - Land zoned R1 General Residential
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Delegation Level:	NBLPP
Land and Environment Court Action:	No
Applicant:	Oliver Sanchez

Application Lodged:	26/06/2024
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Residential - Alterations and additions
Notified:	09/07/2024 to 23/07/2024
Advertised:	Not Advertised
Submissions Received:	0
Clause 4.6 Variation:	Nil
Recommendation:	Approval

Estimated Cost of Works:	\$ 78,700.00
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EXECUTIVE SUMMARY

The application seeks consent for alterations and additions to a residential flat building (unit 1). The application proposes minor internal demolition and construction works to the floor layout.

The application is referred to the Northern Beaches Local Planning Panel (NBLPP) as the proposal involves minor demolition works to a building that is a local heritage item. These minor demolition works have been considered by Council's heritage advisor and found to be acceptable subject to conditions.

The proposed application was notified between 9 July 2024 to 23 July 2024. No submissions were received during the notification period.

There are no major planning issues proposed within this application. Council's Heritage Officer has provided support subject to conditions including the plan amendments to retain of the Ornate Ceiling and Preserve the Nibs and Spandrel sections of the kitchen and living rooms. Therefore, the proposal has been determined as being acceptable.

This report concludes with a recommendation that the NBLPP grant approval to the development application, subject to recommended conditions.

PROPOSED DEVELOPMENT IN DETAIL

The proposal seeks approval for alterations and additions to a residential flat building (unit 1).

Specifically, the development includes:

Ground floor (unit 1)

- Alterations to the existing internal walls
- Changes to the door opening size to the bathroom including provision of new door to match existing
- New Fire Rated Ceiling to entry corridor and kitchen
- New kitchen layout
- Painting and make good of any surfaces to match the original architectural style such as matching cornices, dado rails, doors and paint styles
- Associate demolition to facilitate the proposed changes

A condition of consent applies to this application as directed by the Council Heritage Officer (see subheading 'Referrals' under this report) to amend the plans to retain the Ornate Ceiling and preserve the Nibs and Spandrel sections of the kitchen and living room walls.

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

Manly Local Environmental Plan 2013 - 5.10 Heritage conservation

Manly Development Control Plan - 3.2 Heritage Considerations

SITE DESCRIPTION

Property Description:	Lot CP SP 12069 , 18 Quinton Road MANLY NSW 2095 Lot 1 SP 12069 , 1 / 18 Quinton Road MANLY NSW 2095
Detailed Site Description:	The subject site consists of one (1) allotment located on the eastern side of Quinton Road and western side of Ocean Lane. The site is regular in shape with a frontage of 12.19m along Quinton Road and a depth of 35.66m. The site has a GIS area of 436m². The site is located within the R1 General Residential zone and accommodates a residential flat building. The site generally flat with no significant slope. The site has landscaped area to the front and rear of the residential flat building. There are no known threatened species on the subject site. Detailed Description of Adjoining/Surrounding Development Adjoining and surrounding development is characterised by residential development.

Map:



SITE HISTORY

A search of Council's records has revealed that there are no recent or relevant applications for this site.

The land has been used for residential purposes for an extended period of time.

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	There are no current draft environmental planning instruments.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Manly 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	<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.

Section 4.15 Matters for Consideration	Comments
Assessment Regulation 2021 (EP&A Regulation 2021)	<u>Clause 29</u> of the EP&A Regulation 2021 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application. <u>Clauses 36 and 94</u> of the EP&A Regulation 2021 allow Council to request additional information. No additional information was requested in this case. <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>Clauses 62 and/or 64</u> of the EP&A Regulation 2021 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This clause is not relevant to this application. <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 Manly 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 (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 09/07/2024 to 23/07/2024 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 of the application Council received no submissions.

REFERRALS

Internal Referral Body	Comments
Strategic and Place Planning (Heritage Officer)	HERITAGE COMMENTS- SUPPORTED SUBJECT TO CONDITIONS
	Discussion of reason for referral
	The proposal has been referred to Heritage as the subject site is listed as a heritage item under Schedule 5 of Manly LEP 2013 being: <i>1215 - Group of Houses - 1-23, 25 and 27 Quinton Road and 1, 3, 5 and 7 Augusta Road</i>
	Details of heritage items affected
	Details of the item as contained within the Heritage inventory is as follows: <i>1215 - Group of Houses - 1-23, 25 and 27 Quinton Road and 1, 3, 5 and 7 Augusta Road</i>
	<u>Statement of Significance</u> The group of houses at 1-23, 25 and 27 Quinton Road are a remarkably intact example of early Twentieth Century development, typical of the Manly area at that time. The street presents a cohesive representation of the changes occurring to the Manly community in the early 1900s, with regard to population increase and changes to typical dwelling types. The group's associations with various local identities over time further solidify this historical significance to Manly. The street's picturesque location and high architectural quality contribute to the group's aesthetic significance, as do the extant details such as fences, rooflines, materials, landscaping and setbacks. <u>Physical Description</u> The group of houses on lower Quinton Road and 1, 3, 5 and 7

Internal Referral Body	Comments		
	Augusta Road is a substantially intact example of villa residences, as well as post World War 1 residential flat buildings, typical of early Twentieth Century development in the Manly district. The architectural style exhibited is predominantly Federation, including both Queen Anne and Arts and Crafts style elements, reflecting the first period of development in the street. Features include asymmetrical designs, face brickwork, use of ornamental timberwork on verandah and “flying” gables, tall chimneys with terracotta pots, the use of slate or Marseille terracotta tile roofing, bay windows and wall hung shingles. Some of the buildings at the southern end of the street illustrate the later Interwar phase of development, with the residential flat buildings presenting more austere, Art Deco type of design details, such as darker brick, vertical detailing and symmetrical design. Due to the topography of the street, the houses on the western side of the road exhibit some interesting features, such as the substantial sandstone retaining walls, as well as symmetrical access stairways and picket fences at numbers 15-17, 19-21 and 23-25. It is noted that number 20a, whilst being a recent addition to the street, is a good example of infill development and does not detract from the significance of the street. Numbers 1, 3, 5 and 7 Augusta Road are quite separate from the lower Quinton Road part of the group. They are oriented north-south, fronting Augusta Road, and present a style and character typical of the time they were constructed. Number 5 has been substantially modified in recent years, and any heritage significance associated with the building has been greatly compromised. Essentially, the streetscape remains little changed, with original setbacks, rooflines, architectural detailing and landscaping aspects such as fences still intact.		
	Other relevant heritage listings		
	SEPP (Biodiversity and Conservation) 2021	No	
	Australian Heritage Register	No	
	NSW State Heritage Register	No	
	National Trust of Aust (NSW) Register	No	
	RAIA Register of 20th Century Buildings of Significance	No	
	Other	No	
	Consideration of Application		
	The proposed works involve the following components:		

Internal Referral Body	Comments
	• Removal of two original internal walls. • Adjustment of one existing wall opening. • Relocation of a door opening to Bedroom 2. • Modification of the bathroom door opening size and installation of a new door to match the existing one (or reuse of the existing door if possible). • Installation of a new fire-rated ceiling in the entry corridor and kitchen (if required by code). • Redesign of the kitchen layout. • Painting and restoration of surfaces to match with the original architectural style, including matching cornices, dado rails, doors, and paint finishes. The proposed alterations to the property are broadly supported. However, concerns exist regarding the demolition of the ornate ceiling in the entry corridor and the removal of the entire wall in the kitchen and living room. To preserve the heritage value of the property, it is advised that the following modifications be implemented: 1. Retention of Ornate Ceiling: The ornate ceiling in the entry corridor should be preserved to maintain the historical integrity of the property. 2. Preservation of Nibs and Spandrel: Retain the 300mm nibs and 600mm spandrel sections of the kitchen and living room walls that are proposed for demolition. This approach will ensure the preservation of the top picture rails and reflect the original layout of these areas. Requirements: 1. Plan Amendments: Revised plans incorporating the above recommendations must be submitted to the Council's Heritage Officer for approval prior to the issuance of a Construction Certificate. 2. Heritage Record: A photographic record documenting the areas proposed for alteration within the property is required to be prepared. This record must be submitted to Council's Heritage Officer for approval, prior to the issue of a Construction Certificate. The proposal is supported, contingent upon adherence to the outlined conditions. The recommended modifications will contribute to preserving the heritage significance of the cottage while accommodating necessary modifications. <u>Consider against the provisions of CL5.10 of MLEP 2013.</u> Is a Conservation Management Plan (CMP) Required? No Has a CMP been provided? No

Internal Referral Body	Comments
	Is a Heritage Impact Statement required? Yes Has a Heritage Impact Statement been provided? Yes

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. A1738727 dated 06 March 2024).

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

SEPP (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.

Manly Local Environmental Plan 2013

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	No Change	N/A	N/A
Floor Space Ratio	FSR: 0.6:1	No Change	N/A	N/A

The proposed development relates to internal works to unit 1 only, and therefore, will not result in changes to the height of building or FSR.

Compliance Assessment

Clause	Compliance with Requirements
5.10 Heritage conservation	Yes
6.1 Acid sulfate soils	Yes
6.2 Earthworks	Yes
6.4 Stormwater management	Yes
6.8 Landslide risk	Yes
6.12 Essential services	Yes
Schedule 5 Environmental heritage	Yes

Detailed Assessment

5.10 Heritage conservation

The application has been referred to Council's Heritage Officer where they have provided a Heritage Referral Response (See subsection 'Referrals' for the full referral). The response has stated that "the proposal is supported, contingent upon adherence to the outlined conditions.". Therefore, Council is satisfied that the proposed works with the inclusion of the conditions provided, will preserve the heritage significance of the cottage.

Mainly Development Control Plan

Built Form Controls

There are no proposed changes to Built Form Controls of MDCP as the proposal specifically includes internal alterations and additions.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
3.1 Streetscapes and Townscapes	Yes	Yes
3.1.1 Streetscape (Residential areas)	Yes	Yes
3.2 Heritage Considerations	Yes	Yes
3.4 Amenity (Views, Overshadowing, Overlooking /Privacy, Noise)	Yes	Yes
3.4.1 Sunlight Access and Overshadowing	Yes	Yes
3.4.2 Privacy and Security	Yes	Yes
3.4.3 Maintenance of Views	Yes	Yes
3.4.4 Other Nuisance (Odour, Fumes etc.)	Yes	Yes
3.5 Sustainability - (Greenhouse Energy Efficiency, Thermal	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
Performance, and Water Sensitive Urban Design)		
3.6 Accessibility	Yes	Yes
3.7 Stormwater Management	Yes	Yes
3.8 Waste Management	Yes	Yes
3.9 Mechanical Plant Equipment	Yes	Yes
3.10 Safety and Security	Yes	Yes
4.1 Residential Development Controls	Yes	Yes
4.1.1 Dwelling Density, Dwelling Size and Subdivision	Yes	Yes
4.1.1.1 Residential Density and Dwelling Size	Yes	Yes
4.1.8 Development on Sloping Sites	Yes	Yes
4.2.5.1 Design for Townscape	Yes	Yes
4.4.1 Demolition	Yes	Yes
4.4.2 Alterations and Additions	Yes	Yes

Detailed Assessment

3.2 Heritage Considerations

As mentioned under Clause 5.10 Heritage Conservation, the proposal has been referred to Councils Heritage Officer where a referral has been provided stating the proposal is supported subject to conditions.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

Refer to Assessment by Council's Natural Environment Unit elsewhere within this report.

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 2022

As the estimated cost of works is less than \$100,001.00 the policy is not applicable to the assessment of this application.

CONCLUSION

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

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2021;
- All relevant and draft Environmental Planning Instruments;

- Manly Local Environment Plan;
- Manly 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 EPs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

PLANNING CONCLUSION

This proposal, for alterations and additions to a residential flat building (unit 1) has been referred to the Northern Beaches Local Planning Panel (NBLPP) as the proposal involves minor demolition works to a building that is a local heritage item.

There have been no submissions raised.

There are no critical assessment issues and Council's Heritage Officer has provided support subject to conditions including the plan amendments to retain of the Ornate Ceiling and Preserve the Nibs and Spandrel sections of the kitchen and living rooms. Therefore, the proposal has been determined as being acceptable.

Overall, the development is a high quality design that performs well against the relevant controls and will not result in unreasonable impacts on adjoining or nearby properties, or the natural environment. The proposal has therefore been recommended for approval.

REASON FOR DETERMINATION

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

RECOMMENDATION

THAT the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority grant Development Consent to DA2024/0767 for Alterations and additions to a residential flat building (unit 1) on land at Lot CP SP 12069, 18 Quinton Road, MANLY, Lot 1 SP 12069, 1 / 18 Quinton Road, MANLY, 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
DA01	A	SITE PLAN	Kelly Pearson Design	16/02/2024
DA02	A	DEMOLITION PLAN- GF UNIT 1	Kelly Pearson Design	16/02/2024
DA04	A	PROPOSED FLOOR PLAN- GF UNIT 1	Kelly Pearson Design	16/02/2024

Approved Reports and Documentation			
Document Title	Version Number	Prepared By	Date of Document
Structural Details (STRUCT-1)	-	Taylor Consulting	17 April 2024
Waste Management Plan	-	Applicant	06/03/24
BASIX Certificate (A1738727)	-	SOLO PROPERTY GROUP PTY LTD	06 March 2024

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. 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.

3. 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) 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

4. 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

5. Installation and Maintenance of Sediment Control

Prior to any works commencing on site, including demolition, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to the Principal Certifier:

1. Council's relevant development control plan,
2. The guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time), and
3. The 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time).

Techniques used for erosion and sediment control on site are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and the site is sufficiently stabilised with vegetation.

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

6. **Plan amendments - Heritage**

The following plan amendments are required to maintain the heritage significance of the subject property:

1. **Retention of Ornate Ceiling:** The ornate ceiling in the entry corridor should be preserved to maintain the historical integrity of the property.
2. **Preservation of Nibs and Spandrel:** Retain the 300mm nibs and 600mm spandrel sections of the kitchen and living room walls that are proposed for demolition. This approach will ensure the preservation of the top picture rails and reflect the original layout of these areas.

Amended plans showing these changes are to be provided to the Council's Heritage Officer for approval, prior to the issue of a Construction Certificate.

Details of compliance with this condition is to be provided to the Principal Certifying Authority.

Reason: To ensure the heritage significance of this heritage listed property is maintained.

7. **Photographic Heritage Record**

A photographic record documenting the areas proposed for alteration within the property is required to be prepared. This record must be submitted to Council's Heritage Officer for approval, prior to the issue of a Construction Certificate.

This photographic record should be made using digital technology and should include:

- Location of property, date of survey and author of survey;
- A site plan at a scale of 1:200 clearly outlining the areas proposed to be altered;
- Existing plans of any buildings (floor plans and elevations);
- Photographs of all relevant elevations, interiors and key features (including architectural details such as ornate elements, windows, joinery etc.) of the areas proposed to be modified.

All images should be cross-referenced to a catalogue sheet.

Reason: To provide an historical photographic record of the site, depicting the internal layout and architectural features of the dwelling, prior to any works.

8. 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.

9. 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.

DURING BUILDING WORK

10. 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.

11. 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.