

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2022/1971
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Responsible Officer:	Michael French
Land to be developed (Address):	Lot 7 DP 209826, 13 Coniston Street WHEELER HEIGHTS NSW 2097
Proposed Development:	Alterations and additions to a dwelling house
Zoning:	Warringah LEP2011 - Land zoned R2 Low Density Residential
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Natalie Grove
Applicant:	Tekton Building Group

Application Lodged:	29/11/2022
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Residential - Alterations and additions
Notified:	05/12/2022 to 19/12/2022
Advertised:	Not Advertised
Submissions Received:	2
Clause 4.6 Variation:	Nil
Recommendation:	Approval

Estimated Cost of Works:	\$ 492,000.00
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PROPOSED DEVELOPMENT IN DETAIL

The applicant seeks development consent for the following:

- Internal demolition, alterations and additions.
- Addition of a first-floor with an adjoining balcony.
- Minor additional external works.

ASSESSMENT INTRODUCTION

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

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

SUMMARY OF ASSESSMENT ISSUES

Warringah Development Control Plan - B3 Side Boundary Envelope

Warringah Development Control Plan - B9 Rear Boundary Setbacks

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

Warringah Development Control Plan - D6 Access to Sunlight

Warringah Development Control Plan - D8 Privacy

SITE DESCRIPTION

Property Description:	Lot 7 DP 209826 , 13 Coniston Street WHEELER HEIGHTS NSW 2097
Detailed Site Description:	The subject site consists of one (1) allotment located on the eastern side of Coniston Street. The site is regular in shape with a frontage of 15.7m along Coniston Street and a depth of 35.6m. The site has a surveyed area of 556m². The site is located within the R2 Low Density Residential zone pursuant to the Warringah Local Environmental Plan 2011 and accommodates a single dwelling house. The site slopes downward toward the western front of the site. The site has a mix of vegetation in the front and rear yards. Detailed Description of Adjoining/Surrounding Development Adjoining and surrounding development is characterised by similar dwellings within an R2 Low Density Residential zone.

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	Warringah 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 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 in relation to amended plans. <u>Clause 61</u> of the EP&A Regulation 2021 requires the

Section 4.15 Matters for Consideration	Comments
	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 Warringah 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 development application has been publicly exhibited from 05/12/2022 to 19/12/2022 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 2 submission/s from:

Name:	Address:
Mr Toby Manfred Anthony Papendieck Mrs Linda Susan Papendieck	5 Langdale Place WHEELER HEIGHTS NSW 2097
Matthew Alexander Clark Mrs Jacqueline Ann Clark	15 Coniston Street WHEELER HEIGHTS NSW 2097

The following issues were raised in the submissions:

- Privacy
- Building Envelope
- Overshadowing
- First Floor Addition

The above issues are addressed as follows:

- **Privacy**

The submissions raised concerns regarding the proposed privacy impacts to adjacent sites. The concerns regarding privacy are addressed as follows:

Kitchen window- The submission raises concerns that the proposed frosted glass window- Window 6- is openable and will allow the residents of the subject site to have a direct line of sight into the outdoor entertaining area, dining room, kitchen and one of the bedrooms at 15 Coniston Street.

Stairwell window- The submission raises concerns that the proposed translucent-glass/private-glass window- Window 8- is openable, and therefore will allow the residents of the subject site, direct view into the private open spaces of 15 Coniston Street.

Rear terrace- The submission raises concerns regarding the privacy impact of the existing terrace to the rear of the dwelling. They request a solid privacy screen on the southern side of this structure.

Balcony- The submission raises concerns regarding the proposed 1800mm first-floor balcony privacy screen, preferring a solid, floor to roof structure.

First-floor bedroom windows- The submission raises concerns regarding the south-facing, first-floor bedroom windows overlooking 5 Langdale Place. Further concern is raised regarding the previous removal of mature trees and bushes in the rear yard, noting that they were necessary in providing screening between the subject site and the adjoining property.

Comment:

Kitchen window- The proposal as amended, with the included conditions of consent, ensure that the proposed kitchen window will not form an unreasonable privacy impact to the adjoining site, as it is a fixed obscure glazed window. Further assessment is conducted elsewhere within this report.

Stairwell window- The proposal as amended, with the included conditions of consent, ensure that the proposed stairwell window will not form an unreasonable privacy impact to the adjoining site, as it is a fixed obscure glazed window. Further assessment is conducted elsewhere within this report.

Rear terrace- The proposed alterations to the rear terrace are not considered to cause any additional, unreasonable overlooking impacts. The addition of a privacy screen to the southern side of the structure is considered unnecessary and will unreasonably increase the building bulk. Additionally, there is adequate, existing vegetative screening between the private open spaces of 15 Coniston Street and the subject site's rear terrace.

Balcony- The proposed balcony privacy screen is considered adequate in preventing an unreasonable overlooking impact to the adjoining neighbours at 15 Coniston Street. Further assessment is conducted elsewhere within this report.

First-floor bedroom windows- The previous and existing removal of mature canopy trees and shrubs do not pertain to this application. No mature vegetation is proposed to be removed as part of this application. The privacy impacts from the first-floor, east-facing windows is considered reasonable in its context. Further assessment is conducted elsewhere within this report.

- **Building Envelope**

The submissions raised concerns regarding the proposed building envelope non-compliance.

Comment:

The proposed Clause B3 Side Building Envelope non-compliance was addressed via a request for further information letter, dated 15 February 2023. Amended plans were requested that proposed compliance with Clause B3 Side Boundary Envelope.

The proposal as amended details a reduced building envelope non-compliance. As such, a detailed merit assessment was conducted on the building envelope breach, where it was found to be acceptable. A detailed assessment is provided further within this report.

- **Overshadowing**

The submissions raised concerns regarding the overshadowing impact caused by the first floor addition.

Comment:

Overshadowing concerns were addressed via a request for further information letter, dated 15 February 2023. Amended plans were requested that proposed a lesser overshadowing impact-to preserve the access to sunlight to the adjoining property at 15 Coniston Street.

It should be noted that the proposal as amended complies with Clause D6 Access to Sunlight.

Nevertheless, a detailed assessment of *Clause D6 Access to Sunlight* was undertaken and is detailed elsewhere within this report.

- **First Floor Addition**

The submissions raised concerns regarding that a 3-storey dwelling is excessive and is not permissible in this location.

Comment:

Clause B2 Number of Storeys (Warringah Development Control Plan) requires that buildings on land shown coloured on the DCP Map Number of Storeys must comply with the maximum number of storeys identified on the DCP Map Number of Storeys. The site is not subject to this clause, therefore the development is considered to comply with *Clause B2 Number of Storeys*.

It should be noted that the proposal also complies with *Clause B1 Wall Heights* (Warringah Development Control Plan) and *Clause 4.3 Height of Buildings* (Warringah Local Environmental Plan 2011).

REFERRALS

Internal Referral Body	Comments
NECC (Development Engineering)	It appears that the proposed development is near the council infrastructure (stormwater pipe). The proposed application can not be supported by Development Engineering due to lack of information to address the following: • Building over or adjacent to Constructed Council Drainage Easement in accordance with clause C6 of the DCP. To demonstrate compliance with Warringah Council's Development Control Plan 2011 and Northern Beaches Council's Water Management for Development policy, it is recommended that the following details are submitted with any application: - o Accurately locate, confirm dimensions including depth and plot to scale Council's public drainage system and associated infrastructure on the DA site plans that outline the proposal. This should be carried out by a service locating contractor and registered surveyor. (Evidence of methodology used for locating stormwater system should be provided). If the applicant proposes to use a CCTV pipeline survey to confirm the location of the pipeline, it is recommended that the survey is carried out in accordance with Council's guideline.

Internal Referral Body	Comments
	9/03/2023 The Development Engineering supports the application subject to conditions recommended.

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	Reference is made to the proposed development at the above area and Aboriginal heritage. 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 (Building Sustainability Index: BASIX) 2004

A BASIX certificate has been submitted with the application (see Certificate No.A480652).

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.

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 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.

- 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:

It is considered that the works are unlikely to cause an adverse impact on land within the Coastal environment area. The proposed works adhere to the above criteria.

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 proposed works will not unreasonably increase the risk of coastal hazards on the site or any adjoining or surrounding 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.

Warringah Local Environmental Plan 2011

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

Principal Development Standards

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

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes

Warringah Development Control Plan

Built Form Controls

Built Form Control	Requirement	Original Proposal	Amended Proposal	% Variation*	Complies
B1 Wall height	7.2m	7.7m	4.9m	N/A	Yes
B3 Side Boundary Envelope	4m	outside envelope (south)	outside envelope (south) (encroachment at a maximum height of 1m for a maximum length of 10.2m.)	25%	No
	4m	outside envelope (north)	within envelope (north)	N/A	Yes
B5 Side Boundary Setbacks	0.9m	1.6m	1.7 (south)(ground floor) (existing dwelling) 2.6 (south)(first floor addition)	N/A	Yes
	0.9m	1.6m	2.2 (north)(existing dwelling)	N/A	Yes
B7 Front Boundary Setbacks	6.5m	12.5m	12.5m	N/A	Yes
B9 Rear Boundary Setbacks	6m	5.9m	5.9m (rear terrace)	1.7%	No
D1 Landscaped Open Space (LOS) and Bushland Setting	40%	35.95% (195.3m ²)	35.95% (195.3m ²)	10.13%	No

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
B1 Wall Heights	Yes	Yes
B3 Side Boundary Envelope	No	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
B5 Side Boundary Setbacks	Yes	Yes
B7 Front Boundary Setbacks	Yes	Yes
B9 Rear Boundary Setbacks	No	Yes
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	Yes	Yes
C4 Stormwater	Yes	Yes
C6 Building over or adjacent to Constructed Council Drainage Easements	Yes	Yes
C7 Excavation and Landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	Yes	Yes
D1 Landscaped Open Space and Bushland Setting	No	Yes
D2 Private Open Space	Yes	Yes
D3 Noise	Yes	Yes
D6 Access to Sunlight	Yes	Yes
D7 Views	Yes	Yes
D8 Privacy	Yes	Yes
D9 Building Bulk	Yes	Yes
D10 Building Colours and Materials	Yes	Yes
D11 Roofs	Yes	Yes
D12 Glare and Reflection	Yes	Yes
D14 Site Facilities	Yes	Yes
D20 Safety and Security	Yes	Yes
D21 Provision and Location of Utility Services	Yes	Yes
D22 Conservation of Energy and Water	Yes	Yes
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes
E2 Prescribed Vegetation	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E10 Landslip Risk	Yes	Yes

Detailed Assessment

B3 Side Boundary Envelope

Description of non-compliance

Clause B3 Side Boundary Envelope requires that built structures are sited within an envelope, measured at the side elevations of the dwelling by projecting planes at 45 degrees from a 4 metre height.

The proposed first floor addition and adjoining balcony will form an encroachment on the south elevation at a maximum height of 1m for a maximum length of 10.2m, causing a 25% variation.

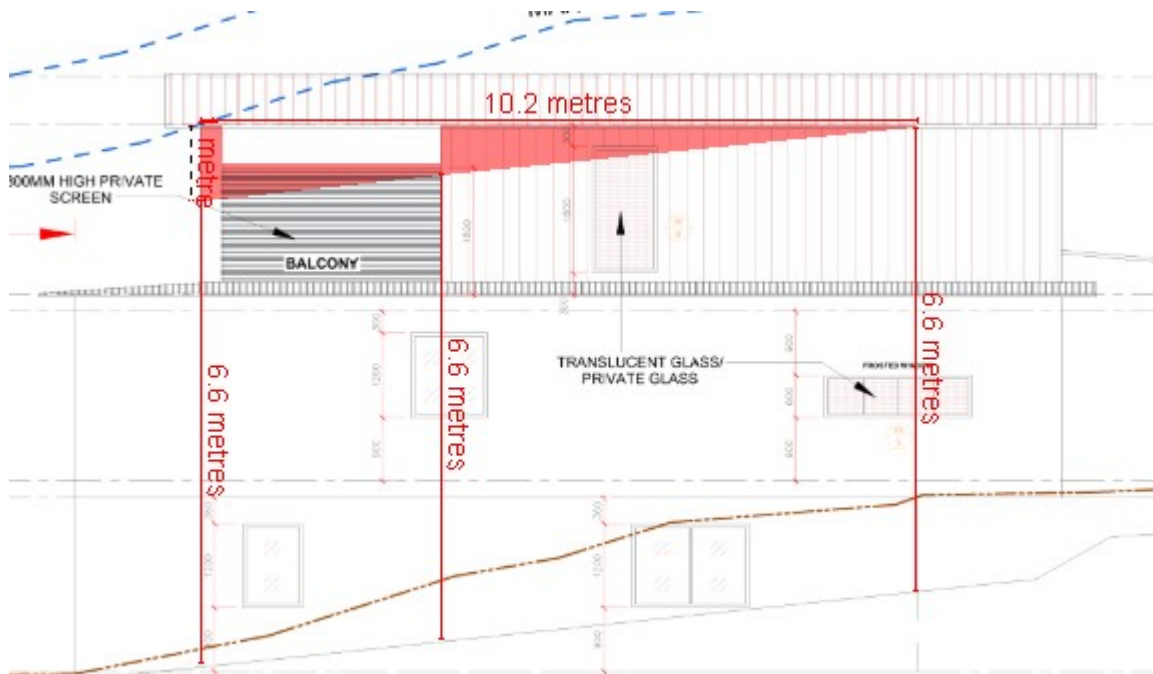


Figure 1: South side boundary envelope breach (highlighted red area depicting the area of building envelope non-compliance).

In this regard, an assessment against the objectives of the control have been undertaken as detailed below.

Merit consideration

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

- *To ensure that development does not become visually dominant by virtue of its height and bulk.*

Comment:

The development as amended will not result in a structure that is excessive in terms of height or bulk. Additionally the proposal complies with *Clause B1 Wall Heights* and *Clause B5 Side Boundary Setbacks*.

- *To ensure adequate light, solar access and privacy by providing spatial separation between buildings.*

Comment:

The development as amended is considered to provide adequate light, solar access and privacy by providing spatial separation between buildings. Further assessment on access to sunlight is detailed elsewhere within this report.

- *To ensure that development responds to the topography of the site.*

Comment:

The proposal is considered to respond adequately to the topography of the site. Strict compliance with *Clause B3 Side Boundary Envelope* is not necessary in this instance due to the steep downward slope toward the south-west corner of the site. It should be noted that the the proposal as amended remains compliant with *Clause B1 Wall Heights* and *Clause B5 Side Boundary Setbacks*.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WLEP 2011 / WDCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

B9 Rear Boundary Setbacks

Description of non-compliance

Clause B9 Rear Boundary Setbacks requires that built structures are setback a minimum 6m from the rear boundary.

The proposal details minor works to the existing terrace adjoining the rear of the dwelling. The proposal will form a 5.9m setback, causing a variation of 1.7%

It should be noted that the rear setback is existing and unchanged.

Nevertheless, an assessment against the objectives of the control have been undertaken as detailed below.

Merit consideration:

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

- *To ensure opportunities for deep soil landscape areas are maintained.*

Comment:

The proposal will maintain adequate area within the rear setback for deep soil landscaping.

- *To create a sense of openness in rear yards.*

Comment:

The proposal is considered to maintain the sense of openness in the rear yard. Additionally, no mature vegetation is proposed to be removed by this application.

- *To preserve the amenity of adjacent land, particularly relating to privacy between buildings.*

Comment:

The amenity of adjacent land, particularly relating to the privacy between buildings is adequately maintained by the proposal. Further assessment of the privacy impacts of the proposal are contained elsewhere within this report.

- *To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.*

Comment:

The proposal is considered to maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.

- *To provide opportunities to maintain privacy between dwellings.*

Comment:

The works within the rear setback are not considered to adversely impact the privacy between dwellings. Further assessment of the privacy impacts of the proposal are contained elsewhere within this report.

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

D1 Landscaped Open Space and Bushland Setting

Description of non-compliance

Clause D1- Landscape Open Space and Bushland Setting requires that the total soft landscaped area shall total 40% of the site area. Whereby the use of porous materials and finishes is encouraged where appropriate.

The proposal presents a 35.95% (195.3m²) total open landscaped area, causing a 10.13% variation

It is noted that the minor proposed reduction in Landscaped Open Space is solely caused by the stairs adjoining the alfresco area to the rear of the dwelling.

In this regard, an assessment against the objectives of the control have been undertaken as detailed below.

Merit consideration

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

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

Comment:

The development does not propose the removal of any mature vegetation or canopy trees. All permeable surfaces within the front yard will be maintained by the development.

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

Comment:

The proposal is considered to conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.

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

Comment:

It is considered that there is adequate open space in both the front and rear yards for the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.

- *To enhance privacy between buildings.*

Comment:

The privacy between buildings is considered to have been adequately maintained. Assessment on the privacy impacts of the proposal is detailed elsewhere within this report.

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

Comment:

The rear yard is proposed to provide adequate space for the outdoor recreational opportunities that meets the needs of the occupants.

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

Comment:

There is adequate space in the rear yard for service functions, including clothes drying.

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

Comment:

The site retains the necessary permeable surfaces for the facilitation of water management, including on-site detention and infiltration of stormwater.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WLEP 2011 / WDCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

D6 Access to Sunlight

Clause D6 Access to Sunlight requires the following:

1. *Development should avoid unreasonable overshadowing any public open space.*
2. *At least 50% of the required area of private open space of each dwelling and at least 50% of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21.*

The development will not result in any unreasonable overshadowing to any public open space.

The proposed first floor addition will not result in any overshadowing impacts to the adjoining neighbours at 11 Coniston Street.

The proposal as amended will maintain an acceptable level of overshadowing impact to 15 Coniston Street. Based on the provided information, there will be a minor, increased overshadowing impact. The proposed certified shadow diagrams provide evidence that greater than 50% of all private open space will receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21. The amended first floor addition has significantly reduced the potential overshadowing impact, however, due to the slope of the land and the proximity/size of the dwellings, the adjoining site at 15 Coniston Street will be subject to a minor increase in overshadowing. This increase is considered reasonable in its context.

In this regard, the application is considered to wholly comply with Clause D6 Access to sunlight.

D8 Privacy

Clause D8 Privacy requires the following:

- 1. Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.*
- 2. Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.*
- 3. The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass.*
- 4. The windows of one dwelling are to be located so they do not provide direct or close views (ie from less than 9 metres away) into the windows of other dwellings.*

The development proposes the addition of a first floor and internal alterations and additions to the ground floor that will impact the privacy of the adjoining neighbours at 15 Coniston Street and 5 Langdale Place.

Proposed Windows- South Elevation

Concern has been raised regarding the proposed south-facing windows, and the subsequent privacy impact to the adjoining neighbours at 15 Coniston Street.

Window 6 and Window 8 are proposed to be translucent, frosted glass. A condition of consent has been recommended to ensure that both windows are not openable so as to maintain privacy to the adjoining dwelling at 15 Coniston Street.

The recommended condition reads as follows.

Amendments to the approved plans

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

- *Window 6 and Window 8 as shown on the approved plans shall be fixed windows, fitted with obscured glazing.*

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

Construction Certificate.

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

Proposed Windows- Eastern (Rear) Elevation

Concern has been raised regarding the proposed first-floor, east-facing windows, and the subsequent privacy impact to the adjoining neighbours at 5 Langdale Place.

Window 10 is located 9m away from the rear boundary line and is proposed to be a translucent window. Windows 9 and 11 are located 9m away from the rear boundary line and are located on the eastern sides of the first floor bedrooms. Due to the proximity of the first floor windows to the private open spaces of 5 Langdale Place, the proposal is considered be sited and designed to provide adequate visual and acoustic privacy for occupants and neighbours. The addition of further privacy screening is considered unnecessary in this case.

In this regard, the proposal is considered to maintain an adequate level of privacy to and from the adjoining neighbours at 5 Langdale Place.

Proposed First Floor Balcony- Western (Front) Elevation

Concern has been raised regarding the the proposed first-floor balcony, and the subsequent overlooking impacts to the adjoining neighbours at 15 Coniston Street.

The proposal, as amended, will have an 1800mm high privacy screen along the southern edge of the balcony. This privacy screen will adequately obscure downward looking into the adjacent site's private open spaces. Additionally, a floor to ceiling privacy screen will unnecessarily increase the proposed building bulk. In this regard, the proposal as amended is considered reasonable in its context.

Having regard to the above assessment, it is concluded that the applicable outcomes of the control have been achieved. Therefore, the application is supported on merit.

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 2022

The proposal is subject to the application of Northern Beaches Section 7.12 Contributions Plan 2022.

A monetary contribution of \$4,920 is required for the provision of new and augmented public infrastructure. The contribution is calculated as 1% of the total development cost of \$492,000.

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;
- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- Codes and Policies of Council.

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

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

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

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

RECOMMENDATION

THAT Council as the consent authority grant Development Consent to DA2022/1971 for Alterations and additions to a dwelling house on land at Lot 7 DP 209826, 13 Coniston Street, WHEELER HEIGHTS, subject to the conditions printed below:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

1. **Approved Plans and Supporting Documentation**

The development must be carried out in compliance with the endorsed stamped plans and documentation listed below, except as amended by any other condition of consent:

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
A01.01- Issue C	12 June 2022	Tekton Building Group

A01.02- Issue C	12 June 2022	Tekton Building Group
A01.03- Issue C	12 June 2022	Tekton Building Group
A02- Issue C	12 June 2022	Tekton Building Group
A03- Issue C- Proposed Floor Plan	12 June 2022	Tekton Building Group
A03- Issue C- Proposed Dimensional Plan	12 June 2022	Tekton Building Group
A03.02- Issue C	12 June 2022	Tekton Building Group
A04-Issue C	12 June 2022	Tekton Building Group
A05-Issue C	12 June 2022	Tekton Building Group
A06-Issue C	12 June 2022	Tekton Building Group
A07-Issue C	12 June 2022	Tekton Building Group
A09-Issue C	12 June 2022	Tekton Building Group
A10-Issue C	12 June 2022	Tekton Building Group
A11-Issue C	12 June 2022	Tekton Building Group

Reports / Documentation – All recommendations and requirements contained within:

Report No. / Page No. / Section No.	Dated	Prepared By
BASIX Certificate- No.A480652	15 November 2022	Tekton Building Group
BCA Compliance Report	10 November 2022	Tekton Building Group
Geotechnical Report	24 November 2022	Ascent Geo

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

c) The development is to be undertaken generally in accordance with the following:

Waste Management Plan		
Drawing No/Title.	Dated	Prepared By
Waste Management Plan	21 November 2022	Tekton Building Group

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

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

2. 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	undated

(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) Should any asbestos be uncovered on site, its demolition and removal must be carried out in accordance with WorkCover requirements and the relevant Australian Standards.
- (c) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of an Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (d) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- (e) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (f) Prior to the release of the Construction Certificate, payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
- (g) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (h) No skip bins, building materials, demolition or excavation waste of any nature, and no

hoist, plant or machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.

- (i) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (j) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.
- (k) Prior to the commencement of any development onsite for:
 - i) Building/s that are to be erected
 - ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
 - iii) Building/s that are to be demolished
 - iv) For any work/s that is to be carried out
 - v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

- (l) A "Road Opening Permit" must be obtained from Council, and all appropriate charges paid, prior to commencement of any work on Council property. The owner/applicant shall be responsible for all public utilities and services in the area of the work, shall notify all relevant Authorities, and bear all costs associated with any repairs and/or adjustments as those Authorities may deem necessary.
- (m) The works must comply with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice.
- (n) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.
 - (1) Child resistant fencing is to be provided to any swimming pool or lockable cover to any spa containing water and is to be consistent with the following;

Relevant legislative requirements and relevant Australian Standards (including but not limited) to:

- (i) Swimming Pools Act 1992
- (ii) Swimming Pools Amendment Act 2009
- (iii) Swimming Pools Regulation 2018
- (iv) Australian Standard AS1926 Swimming Pool Safety
- (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
- (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.
- (2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.
- (3) Filter backwash waters shall be conveyed to the Sydney Water sewerage system in sewered areas or managed on-site in unsewered areas in a manner

that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.

- (4) Swimming pools and spas must be registered with the Division of Local Government.

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

FEES / CHARGES / CONTRIBUTIONS

5. Policy Controls

Northern Beaches Section 7.12 Contributions Plan 2022

A monetary contribution of \$4,920.00 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 \$492,000.00.

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.

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

7. Stormwater Disposal

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

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

8. Stormwater Drainage Disposal

The stormwater drainage systems for the development are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.

All stormwater drainage systems must comply with the requirements of Council's Water Management for Development Policy. Any recommendations identified within a Geotechnical Report relevant to the development are to be incorporated into the design of the stormwater drainage system. Details demonstrating compliance from a qualified and practising Civil Engineer and where relevant a Geotechnical Engineer must be submitted to and approved by the Certifier prior to the issue of a Construction Certificate.

When the proposed discharge point for the development in this consent cannot strictly comply with the Water Management for Development Policy, the Applicant must apply to verify the proposed discharge point by gaining Council approval via a Stormwater Drainage Application. Council approval must be provided to the Certifier prior to the issue of a Construction Certificate when a Stormwater Drainage Application is required. The Stormwater Drainage Application form can be found on Council's website.

Compliance with this condition must not result in variations to the approved development or additional tree removal.

Reason: To ensure satisfactory management of stormwater.

9. Amendments to the approved plans

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

- Window 6 and Window 8 as shown on the approved plans shall be fixed windows, fitted with obscured glazing.

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

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

10. Compliance with standards (Demolition):

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

Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to Council prior to the commencement of demolition works.

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

11. **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.

12. **External Finishes to Roof**

The external finish to the roof shall have a medium to dark range in order to minimise solar reflections to neighbouring properties. Any roof with a metallic steel finish is not permitted.

Details demonstrating compliance are to be submitted to the 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.

13. **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.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

14. **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.

15. **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.

16. 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.

17. 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.

18. Installation and Maintenance of Sediment Control

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

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

19. **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.

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

20. **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.

21. **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.

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

Signed



Michael French, Planner

The application is determined on 12/04/2023, under the delegated authority of:



Adam Richardson, Manager Development Assessments