

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2023/1424
Responsible Officer:	Jordan Howard
Land to be developed (Address):	Lot 10 DP 21968, 8 Taylor Street NORTH CURL CURL NSW 2099
Proposed Development:	Use of existing structure for storage associated with 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:	Anne Michelle Astin
Applicant:	Corona Projects Pty Ltd
Application Lodged:	04/10/2023
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Other
Notified:	10/10/2023 to 24/10/2023
Advertised:	Not Advertised
Submissions Received:	2
Clause 4.6 Variation:	Nil
Recommendation:	Deferred Commencement Approval
Estimated Cost of Works:	\$ 0.00

PROPOSED DEVELOPMENT IN DETAIL

This Development Applications seeks development consent for the use of existing structure for storage associated with a dwelling house. Specifically, the application seeks consent for the use of an unauthorised structure, which is subject to a separate Building Information Certificate (BIC).

This application does not seek to regularise unauthorised works and does not propose any additional physical works. With the physical works subject to a separate BIC process, any development consent issued would be subject to a Deferred Commencement condition, requiring the structure in question to be issued a BIC first before consent can be activated.

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

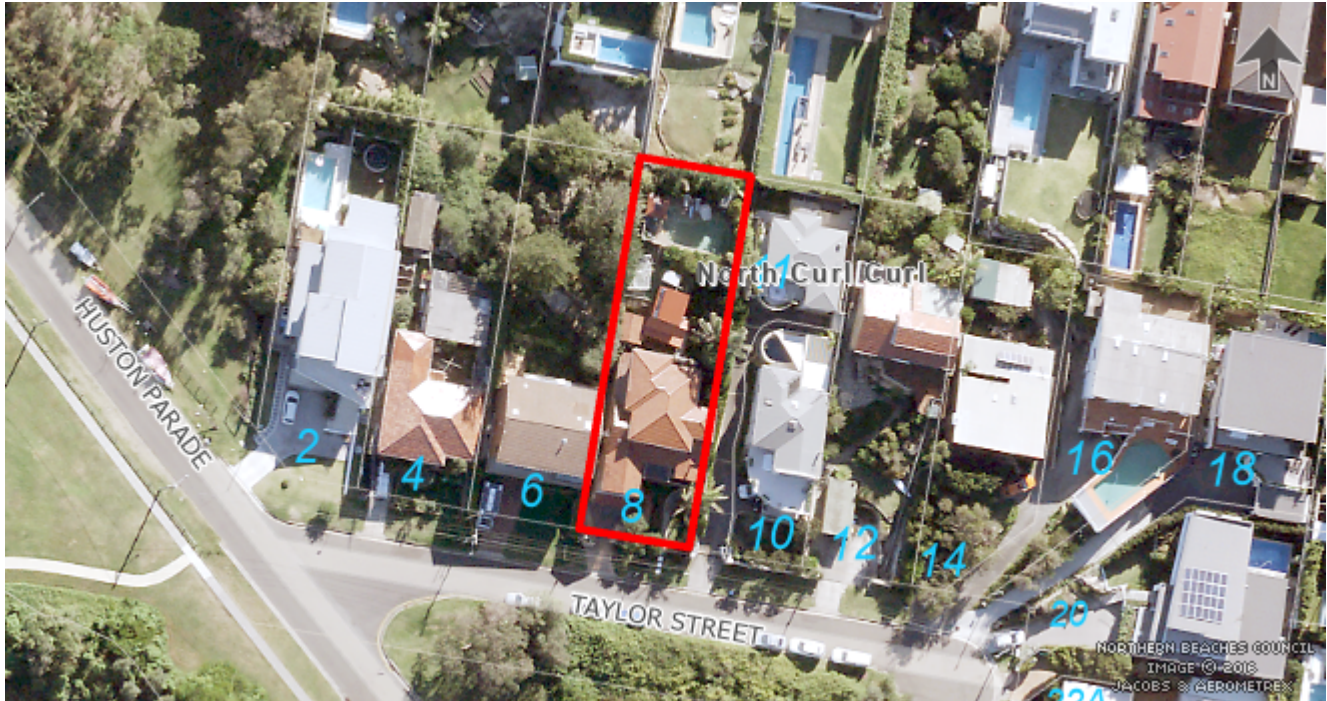
Warringah Local Environmental Plan 2011 - Zone R2 Low Density Residential
 Warringah Development Control Plan - B5 Side Boundary Setbacks
 Warringah Development Control Plan - D1 Landscaped Open Space and Bushland Setting

SITE DESCRIPTION

Property Description:	Lot 10 DP 21968 , 8 Taylor Street NORTH CURL CURL NSW 2099
Detailed Site Description:	The subject site consists of one (1) allotment located on the northern side of Taylor Street. The site is regular in shape with a frontage of 15.09m along Taylor Street and a depth of 50.29m. The site has a surveyed area of 758.78sqm. The site is located within the R2 Low Density Residential zone and accommodates a dwelling house, swimming pool and unauthorised rear structure (subject of a separate Building Information Certificate). The site slopes from the rear (north) to the front (south), with an approximate crossfall of 10m. The site contains lawn areas, garden beds and trees. There are no details of any threatened species on the subject site. Detailed Description of Adjoining/Surrounding Development

Adjoining and surrounding development is characterised by dwelling houses.

Map:



SITE HISTORY

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

Building Information Certificate No. BC2023/0275 for two storey non-habitable outbuilding. This application is currently with Council. This Development Application seeks consent for the use of this unauthorised structure as a storage space.

Building Information Certificate No. BC2018/0207 for deck with roof to rear of detached outbuilding. This application was approved on 5 August 2019.

Modification Application No. Mod2012/0105 for Modification to Development Consent No DA2011/0569 granted for Alterations and additions to a dwelling house. This application was approved on 6 July 2012.

Development Application No. DA2011/0569 for Alterations and additions to a dwelling house. This application was approved on 16 June 2011.

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	See discussion on “Environmental Planning Instruments” in this report.

Section 4.15 Matters for Consideration	Comments
environmental planning instrument	
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)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021)	<u>Part 4, Division 2</u> of the EP&A Regulation 2021 requires the consent authority to consider "Prescribed conditions" of development consent. This clause is not relevant to this application. <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 clause is not relevant to this application. <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 clause is not relevant to this application. <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 clause is not relevant to this application.
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.

Section 4.15 Matters for Consideration	Comments
	(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 10/10/2023 to 24/10/2023 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:
Withheld	NORTH CURL CURL NSW 2099
Mr Dieter George Wanderer Ms Suzanne Eva Maria Wanderer	6 Taylor Street NORTH CURL CURL NSW 2099

The following issues were raised in the submissions:

- **Potential use of the structure as a secondary dwelling or separate occupancy.**

The submissions alleged that the proposed structure is being used as a separate occupancy and raised concerns that it may continue to be used in this way.

Comment:

This development application seeks development consent for the use of a space as a storage area, ancillary to a dwelling house. A dwelling house is defined in the Dictionary of the

Warringah Local Environmental Plan 2011 as:

Dwelling house means a building containing only one dwelling.

Note— Dwelling houses are a type of residential accommodation—see the definition of that term in this Dictionary.

Consent has not been sought for the use of the space as a secondary dwelling or separate occupancy.

As such, conditions of consent are included in the recommendations of this report which stipulate the following:

- The approved use of the structure depicted on the approved plans is as a non-habitable storage space, ancillary to a dwelling house. Nothing in this consent shall authorise any land use of the site beyond the definition of a dwelling house. No approval is granted or implied under this Development Consent for the use of any structure on the site for the purpose of a secondary dwelling or separate occupancy. Any variation to the approved land use and/or occupancy of any structure on the site beyond the scope of the above definition will require the submission to Council of a new development application.
- No approval is granted or implied under this Development Consent for the use of any part of the structure depicted in the approved plans for the purpose of a secondary dwelling or separate occupancy. Built in cooking facilities are not permitted to be installed in the structure. Any existing cooking facilities in the structure must be removed.

- **Unauthorised works**

The submissions raised concerns that related to unauthorised work and the approval of unauthorised works.

Comment:

This application does not seek to regularise unauthorised works and does not propose any additional physical works. It seeks development consent for the use of a structure as a storage area. With the unauthorised works making up the structure subject to a separate Building Information Certificate (BIC), any development consent issued would be subject to a Deferred Commencement condition, requiring the structure in question to be issued a BIC first before consent can be activated.

The BIC process is separate from this Development Application. The issuing of development consent with such a deferred commencement condition allows the BIC to be assessed separately and unimpeded by this application. The outcome of this application does not prejudice this separate process. If a BIC is not issued to the structure in question, this consent is not able to be activated.

- **Other concerns and questions about past applications**

The submissions raised concerns and questions related to other applications, including a past Building Information Certificate. The submission also raised questions concerning the process of past application.

Comment:

If information about past applications or assessments on the subject site (such as past BICs or

DAs) is sought, an information access request may be made to Council. This a separate matter. This assessment has been undertaken in accordance with relevant policies and procedures, as outlined in this report.

REFERRALS

External Referral Body	Comments
Aboriginal Heritage Office	Development Application No. DA2023/1424 Description: Use of existing structure for storage associated with a dwelling house Address: 8 Taylor Street NORTH CURL CURL 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. <u>Planner Note:</u> No condition has been recommended requiring the cessation of works if any Aboriginal site or object is found, as there are no physical excavation or construction works proposed by this application.

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 (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 2 Coastal Vulnerability Area

2.9 Development on land within the coastal vulnerability area

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

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

Comment:

No Coastal Vulnerability Area map has been adopted, however, no physical works are proposed and therefore the development is not likely to adversely impact on the above.

Division 3 Coastal environment area

2.10 Development on land within the coastal environment area

- 1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:
 - a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,
 - b) coastal environmental values and natural coastal processes,
 - c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,

- d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,
- e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,
- f) Aboriginal cultural heritage, practices and places,
- g) the use of the surf zone.

Comment:

No physical works are proposed and therefore the development is not likely to adversely impact on the above.

- 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:

No physical works are proposed and therefore the development is not likely to adversely impact on the above.

Division 4 Coastal use area

2.11 Development on land within the coastal use area

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

Comment:

No physical works are proposed and therefore the development is not likely to adversely impact on the above.

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:

No physical works are proposed and therefore the development is not likely to cause increased risk of coastal hazards.

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

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

Comment:

No physical works are proposed and therefore the development is not likely to adversely impact on the above.

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

No physical works are proposed by this Development Application. Nonetheless, the built form of the

existing unauthorised structure in relation to development standards is as follows:

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

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes

Detailed Assessment

Zone R2 Low Density Residential

Note On Approved Land Use

Development consent has been sought for the use of a space as a storage area, ancillary to a dwelling house. A dwelling house is defined in the Dictionary of the Warringah Local Environmental Plan 2011 as:

Dwelling house means a building containing only one dwelling.

Note— Dwelling houses are a type of residential accommodation—see the definition of that term in this Dictionary.

Consent has not been sought for the use of the space as a secondary dwelling or separate occupancy.

As such, conditions of consent are included in the recommendations of this report which stipulate the following:

- The approved use of the structure depicted on the approved plans is as a non-habitable storage space, ancillary to a dwelling house. Nothing in this consent shall authorise any land use of the site beyond the definition of a dwelling house. No approval is granted or implied under this Development Consent for the use of any structure on the site for the purpose of a secondary dwelling or separate occupancy. Any variation to the approved land use and/or occupancy of any structure on the site beyond the scope of the above definition will require the submission to Council of a new development application.
- No approval is granted or implied under this Development Consent for the use of any part of the structure depicted in the approved plans for the purpose of a secondary dwelling or separate occupancy. Built in cooking facilities are not permitted to be installed in the structure. Any existing cooking facilities in the structure must be removed.

Warringah Development Control Plan

Built Form Controls

No physical works are proposed by this Development Application. Nonetheless, the built form of the existing unauthorised structure in relation to built form controls is as follows:

Built Form Control	Requirement	Proposed	% Variation	Complies
B1 Wall height	7.2m	5.4m	-	Yes
B3 Side Boundary Envelope	East 5m	Inside envelope	-	Yes
	West 5m	Inside envelope	-	Yes
B5 Side Boundary Setbacks	East 0.9m	5.2m	-	Yes
	West 0.9m	0.4m	55.6%	No but existing*
B7 Front Boundary Setbacks	6.5m	>6.5m (structure in rear yard)	-	Yes
B9 Rear Boundary Setbacks	6m	15.5m	-	Yes
D1 Landscaped Open Space (LOS) and Bushland Setting	40%	No change (no physical works proposed)*	N/A	N/A

* No physical works are proposed by this Development Application. The unauthorised structure that this application is seeking consent for the use of as a storage space is subject to a separate Building Information Certificate.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
B1 Wall Heights	N/A	N/A
B3 Side Boundary Envelope	N/A	N/A
B5 Side Boundary Setbacks	N/A	N/A
B7 Front Boundary Setbacks	N/A	N/A
B9 Rear Boundary Setbacks	N/A	N/A
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
D1 Landscaped Open Space and Bushland Setting	N/A	N/A
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

Clause	Compliance with Requirements	Consistency Aims/Objectives
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
E4 Wildlife Corridors	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E10 Landslip Risk	Yes	Yes

Detailed Assessment

B5 Side Boundary Setbacks

No physical works are proposed by this Development Application. This Development Applications seeks development consent for the use of existing structure for storage associated with a dwelling house. The unauthorised works making up the structure are subject to a separate Building Information Certificate (BIC).

The existing structure includes a non-complaint site setback of 0.4m to the western boundary, which would represent a 55.6% variation to the control. These physical works are the subject of the BIC.

D1 Landscaped Open Space and Bushland Setting

No physical works are proposed by this Development Application. This Development Applications seeks development consent for the use of existing structure for storage associated with a dwelling house. The unauthorised works making up the structure are subject to a separate Building Information Certificate (BIC).

Landscaped open space is unable to be calculated for the subject site, as plans do not cover the whole lot. However, as no physical works are proposed by this application, no decrease to landscaped open space from existing is proposed. Existing works that are unauthorised are the subject of the separate BIC.

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

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;
- 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

DEFERRED COMMENCEMENT APPROVAL

A. THAT Council as the consent authority grant a Deferred Commencement Development Consent being subject to a two (2) year time frame for Deferred Commencement Consents detailed within Clause 76 of the Environmental Planning and Assessment Regulation 2021 to DA2023/1424 for Use of existing structure for storage associated with a dwelling house on land at Lot 10 DP 21968,8 Taylor Street, NORTH CURL CURL, subject to the conditions printed below:

B. THAT once the matters detailed within the Deferred Commencement Development Consent conditions are satisfactorily addressed then an operational development consent be issued subject to the time frames detailed within Part A of this recommendation.

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.

DEFERRED COMMENCEMENT CONDITIONS

1. **Deferred Commencement - Building Information Certificate for Unauthorised Works**

An application for a Building Information Certificate is to be lodged and approved for the unauthorised structure before this consent can become operational.

Reason: To regularise unauthorised development.

Evidence required to satisfy the deferred commencement condition/s must be submitted to Council within two (2) years of the date of this consent, or the consent will lapse in accordance with Clause 76 of the Environmental Planning and Assessment Regulation 2021. This evidence is to be submitted along with a completed 'Deferred Commencement Document Review Form' (available on Council's website) and the application fee, as per Council's Schedule of Fees and Charges.

Upon satisfaction of the deferred commencement condition/s, the following conditions apply:

GENERAL CONDITIONS

2. **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
1	-	Site Plan	Corona Projects	September 2023
2	-	Ground Floor Plan	Corona Projects	September 2023
3	-	First Floor Plan	Corona Projects	September 2023
4	-	Elevations & Sections	Corona Projects	September 2023

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

In the event of any inconsistency with 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.

3. **No Approval for Secondary Dwelling**

No approval is granted or implied under this Development Consent for the use of any part of

the structure depicted in the approved plans for the purpose of a secondary dwelling or separate occupancy. Built in cooking facilities are not permitted to be installed in the structure. Any existing cooking facilities in the structure must be removed.

Reason: To ensure compliance with the terms of this consent.

4. Approved Land Use

The approved use of the structure depicted on the approved plans is as a non-habitable storage space, ancillary to a dwelling house.

Nothing in this consent shall authorise any land use of the site beyond the definition of a dwelling house, in accordance with the Dictionary of the Warringah Local Environmental Plan 2011, as follows:

Dwelling house means a building containing only one dwelling.

Note— Dwelling houses are a type of residential accommodation—see the definition of that term in this Dictionary.

No approval is granted or implied under this Development Consent for the use of any structure on the site for the purpose of a secondary dwelling or separate occupancy.

Any variation to the approved land use and/or occupancy of any structure on the site beyond the scope of the above definition will require the submission to Council of a new development application.

Reason: To ensure compliance with the terms of this consent.

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

5. No Approval for Physical Works

No approval is granted or implied under this Development Consent for any physical works.

Reason: To ensure development is carried out in accordance with this consent.

6. Built In Cooking Facilities (On-Going)

No approval is granted or implied under this Development Consent for the use of any part of the structure depicted in the approved plans for the purpose of a secondary dwelling or separate occupancy. Built in cooking facilities are not permitted to be installed in the structure.

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

Signed



Jordan Howard, Planner

The application is determined on 09/11/2023, under the delegated authority of:



Rodney Piggott, Manager Development Assessments