

Application Number: DA2022/1675

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Description:	Alterations and additions to residential developmt - Alterations and additions to a dwelling house including a swimming pool
Application Type:	Development Application
Status:	Under Assessment
Submitted:	11/10/2022
Notification Period:	17/10/2022 to 31/10/2022
Cost of Work:	\$ 918,500
Officer:	Megan Surtees
Submissions:	♦ Make a submission

Location People Events Documents Show All

People	Applicant - Luka Popovac Owner - Petra Isabel Popovac Owner - Luka Popovac
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Non-compliance with Floor Space Ratio (FSR) objectives:

Note: FSR is a development standard contained in the LEP and LEP objectives in clause 4.4(1) apply.

In particular, objectives in this plan support the purposes of the LEP in relation to maintaining appropriate visual relationships between new development and the existing character and landscape of an area as follows:

Objective 1) To ensure the scale of development does not obscure important landscape features.

Objective 2) To minimise disruption to views to adjacent and nearby development.

Objective 3) To allow adequate sunlight to penetrate both the private open spaces within the development site and private open spaces and windows to the living spaces of adjacent residential development.

The application failed to consider the objectives outlined in the relevant Local Environmental Plan (LEP) regarding FSR, as mandated by clause 4.4(1) of the LEP.

Specifically, the proposed development obstructs important landscape features, violating Objective 1 of the LEP, which aims to preserve the visual relationships between new development and the existing character and landscape of the area. These disruptions include obstructing street views of the ocean.

Additionally, Objective 2, which seeks to minimize disruption to views from adjacent and nearby developments, is disregarded by the proposed construction of a third story. This would be heavily disruptive to the irreplaceable views from Chinamans Beach to Balmoral Beach from our adjacent block. All of my living room, home and garden views are to the west. Any southern views are entirely obscured by 2 and 2a Castle Rock Crescent. All views to the East and North East are blocked by 53s house and garage. These Westerly ocean views are our only remaining views. The proposal does not pay sufficient regard to the local development control plan which

requires view sharing. These arguments are supported by the precedent of Furlong v Northern Beaches Council [2022].

Despite the town planner stating that this work will blend naturally into the dark green bushland, the proposed colour is white and the roof colour has not been provided. White is highly incongruent with the natural surroundings as it is so reflective and glaring, which would further interfere with the aesthetic relationships between the building and its environment.

Moreover, this building would not meet the third objective, as it would shadow the flat attached to 55 Cutler Rd, thereby not allowing “sunlight to penetrate [...] the adjacent residential development.” This would also prevent sunlight from streaming upon my daughter’s vegetable garden, which is greatly enjoyed by us and essential in granting my family some degree of self-sufficiency amid increasing costs of living. Developing effective garden-based health interventions for our family involved years of research and building on individual family members’ confidence and ability to maintain and cultivate our home garden. Within this garden is a lot of love and time and there were many cost and time constraints in growing it. The one patch along my side path is the only area where we can grow fruit and vegetables, as the remainder is shaded by 5 x40 meter Angophora trees.

Essentially I bought 55 Cutler Rd at land value for:

- the garden
- remnant bushland and extensive wildlife
- most importantly for the iconic views to the West over 57. 55 itself has no bells and whistles; it is an original un-renovated home of the art deco period.

- a. Specifically, the proposed develop



Taken facing South West from my living room window

Precedent- Furlong v Northern Beaches Council [2022] NSWLEC 1208 Refines the View Loss Planning Principles

<https://piperalderman.com.au/insight/protecting-side-boundary-views-of-high-value-furlong-v-northern-beaches-council-2022-nswlec-1208-refines-the-view-loss-planning-principle/>

- this case found that “protection of side boundary views may be appropriate in some circumstances”
- This case recommends that design alternatives which reduce view loss should be adopted.
- “Furlong suggests that for side boundary views which are of a high value and not replicated in other areas of the property, it is appropriate to protect those views and refuse the proposed development.”

Failure to adhere to Development on Sloping Sites requirements:

4.1.8 Development on Sloping Sites Requirements

- a) The design of development must respond to the slope of the site, to minimise loss of views and amenity from public and private spaces.
- b) Developments on sloping sites must be designed to:
 - i) generally step with the topography of the site, and
 - ii) avoid large undercroft spaces and minimize supporting undercroft structures by integrating the building into the slope whether to the foreshore or a street.

The proposed development does not align with the requirements set forth in clause 4.1.8 of the NSW planning framework regarding development on sloping sites. Requirement 'a' specifies that the design of development should respond to the slope of the site to minimize the loss of views and amenity from public and private spaces. However, the proposed height of the development disregards the established height precedent of surrounding houses and obstructs public views of the ocean from our street and the Manly-Spit walking path.

Neglect of fencing requirements and safety concerns:

a. The absence of any proposed fencing for the development is a significant safety concern for my family and guests, especially given the large difference in ground levels between the properties. I have previously fallen off my land into 57 and have been hospitalised. Despite this, requests for a secure fence, emphasizing the need for safety, have been disregarded.

b. I urge the inclusion of safe acoustic fencing to mitigate the disturbing constant noise impact from 57's banging door and accompanying foot traffic occurring in very close proximity to our sleeping areas and living room.

Implications for privacy, views, and amenity:

Concerns regarding design sensitivity and previous development by the same architect:

a. The lack of consideration for existing neighbours and design sensitivity to preserve views is disconcerting, especially considering the involvement of the same architectural firm and town planner who worked on the controversial 61 Cutler Rd development, which was fought against in council and court.

b. The negative impact on neighbouring properties, including overshadowing, overlooking and loss of amenity caused by the proximity of 61 Cutler Rd, highlights the need for a comprehensive review of the proposed development.

Rebuttal against claims about living arrangements

It is important to note that my living room has been in the same location since the 1920s and has been fully utilized as a living space, contrary to claims made in the Town Planner's report. It has gas outlets and a back door leading directly outside.

As stated previously I can only use the ground floor level as I am an invalid. Megan Sturges has been provided specialist medical evidence of my physical disabilities.

Lack of justification for conditions imposed:

a. The decision imposes certain conditions on the proposed development. However, these conditions are not adequately justified.

Just the lower ground level already measures 18.9 measures in length and is approximately 7 meters wide.

Previously, a family of eight lived at this currently enormous property.

The Popovac family size is half the size of the previous family that lived there. Given the fact that the existing two-story house is large, there is no justified need to add another level, causing highly disruptive impacts on adjacent neighbours and the existing character of the landscape. There is ample unused space for the owners of 57 to increase size on their lower ground and ground South Western level (existing first floor). 57's current large SW first-floor terrace has no overlooking windows, doors, or bedrooms living room from 59 Cutler Rd and there are meters of space before the boundary. On the lower ground (existing ground level) there is an enormous double-height 6-car garage space and a large workshop space.



Dimensions are approximate. All information contained herein is gathered from sources we believe to be reliable. However we cannot guarantee its accuracy and interested persons should rely on their own enquiries. www.visionphoto.com.au

57 Cutler Road, [CLONTARF](#)

APPROX. INTERNAL FLOOR AREA: 298 SQM

Window placement and other positioning

Any new extended level at 57 would have its windows looking straight into my living areas and bedroom. This would cause significant privacy and noise issues. I note that the owners of 57 have recently (in 2020) bricked-up doors and windows facing my property in their long, noisy, full internal gut and renovation. The residents at 57 did not want to be overlooked nor overheard inside their home and neither do we. Hence in the completely unwanted event this development gets approval, I request no windows facing my building are installed due to visual overlooking issues and auditory privacy issues.

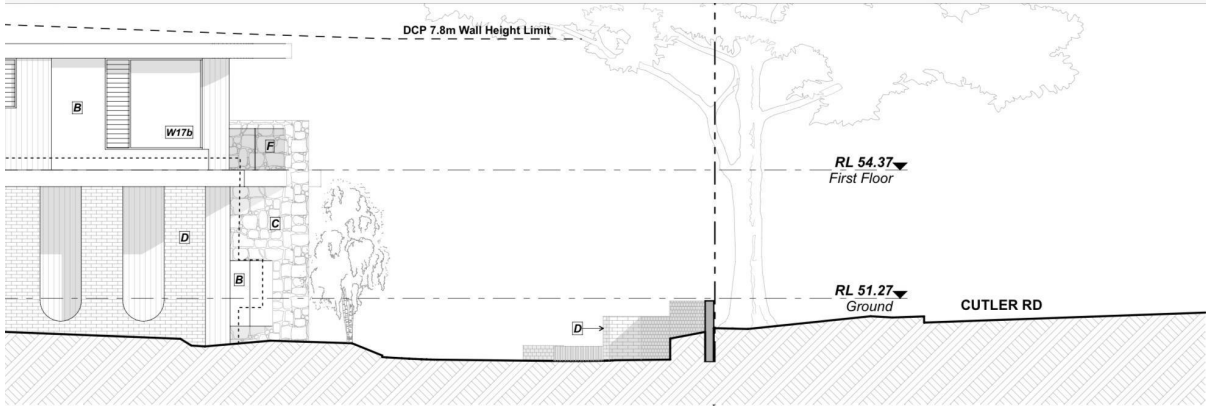
Washing line, antennas, satellite dishes, solar panels. I request they all be positioned lower on 57's Western side of their roof where they won't obstruct my views.

Barbecue smoke

My child has a Severe and Persistent Asthma classification. Only 3% of asthmatics have asthma this severe. Smoke is a trigger. Asthma attacks can be life-threatening. The neighbours have been informed about this (in writing). Currently, 57 have their barbecue on their Western Balcony which I have thanked them for as the smoke it generates is much further away. However, their architect's master plans have 57's proposed barbecue built directly under the Western wall of 55, my building, and this smoke would trigger my daughter's severe asthma attacks. If the barbecue could remain on 57's Western side, this would be appreciated.

Roof

I have looked at the Master Plans and do not understand why there is no roofing colour or material on the exterior finishes legend. 57's rooves are huge. For the proposed development, I request a dark, non-reflective roofing material as we will look directly at it and any lighter colours are very stark, glaring and jarring. This is evidenced by the images below which are taken from the architect's plans.



AST ELEVATION

EXTERIOR FINISHES LEGEND

- A TIMBER CLADDING, vertical
- B RENDER, white
- C SANDSTONE CLADDING
- D BRICK, off white
- E TIMBER SCREEN, vertical
- F GLASS

A - TIMBER

B - RENDER, white

C - SANDSTONE

D - BRICK



DATE	REV	DESCRIPTION
6/9/22	A	DA

PROJECT
ALTERATIONS & ADDITIONS
57 CUTLER RD, CLONTARF, NSW 2093
LOT 30, DP 25654

FOR POPOVAC

DRAWING TITLE
NORTH + EAST ELEVATION

PROJECT NO.
2212
SCALE
1:100 @ A2

DRAWN BY
LT/AB
DRAWING NO.
A.05

PLOT DATE
6/9/22
REVISION
A



EXTERIOR FINISHES LEGEND

- A** TIMBER CLADDING, vertical
- B** RENDER, white
- C** SANDSTONE CLADDING
- D** BRICK, off white
- E** TIMBER SCREEN, vertical
- F** GLASS

Noise Interrupted sleep 57's Banging entrance door

57's entrance is located down the side path between our buildings, nearly three-quarters along 57's building length. As this entrance is positioned directly outside our bedroom and living room, my family has been woken between 5 and 7 am daily since their arrival in 2020 7 days a week. As they both work from home, the door banging continues throughout the day and as it disturbs the peace it is an annoyance. I have spoken to Mrs Popovac about this issue a few times and presented the idea of purchasing a door closer. There have however been no changes regarding the disturbance associated with this banging door.

In the event that the proposed building application is approved, I would appreciate it if the entrance was moved to the front of 57 Street facing, as Mrs Popovac has suggested to me.

However, in order to prevent significant view losses (please see my 9/2/23 submission) it would ultimately be exceedingly preferable if a door closer was just installed. Notably, the colonnade on the architect's DA plans will not stop the noise intrusion of the banging door and the noise generated by people constantly outside between the buildings. Hard surfaces will amplify the banging door. A colonnade would also extend 57's building envelope further west, further blocking northern sunlight and my greatly valued views to the beautiful bushland park adjacent to me (see below my living room facing North).



Also please make note: the proposed colonnade in the Master Set is within my two protected trees critical root stability zone.

Closing doors and windows in construction

Previously, in the 2020 renovation, the construction noise (jackhammering, brick sawing, sanding) was unbearably loud. Throughout the duration, 57's builders left all 57's eastern windows and their Eastern entrance door and their South Eastern windows permanently open. The earsplitting excruciating noise and jackhammering vibrations were unmitigated, and a huge amount of building dust and asbestos dust and debris was released onto my property and into the air. This was extremely distressing for our family and pets. As a condition for any further

building work, I request that all builders use 57's rear western entry exclusively and put signs up to ensure all east and southeastern doors and windows remain shut for the duration of building works to prevent unmitigated noise and air pollution and asthma triggers.

Insufficient Retaining Wall

History: 55 was built around 100 years ago and was the last house on the cliff, with 57 having not been built yet. The previous owner of 57 was Mr John Grice. He personally and illegally excavated and cut into the sandstone cliff and ground level right along the boundary between 55 and 57. In excavating 2.5 meters from the natural ground level, right on the boundary line, he failed to follow legislation that forbids this act - as any excavation on the boundary of a steep slope can destabilize the ground and footings of the buildings above and cause buildings above to collapse.

Following excavation, Mr Grice built a "retaining wall" out of besser blocks. However, this wall lacks any engineered concrete footings whatsoever as it lacks metal rebar and lacks mortar. The inability to withstand pressure presents significant danger and safety concerns for the residents of both households. The blocks can even be lifted out, and there is the ever-present risk that the wall falls down. Should anyone trip and land on it from my path along the Western boundary it would collapse. This is a death trap.

<https://youtu.be/VJ5Bh9CF4xU>

Safety

The Popovacs have been informed in writing (on their arrival) of our urgent need for a safe boundary fence to protect all occupants and guests from 55 from falling off the path 2.5 meters into 57's rocks and tiles below. Indeed it has already happened, resulting in injuries that required X-ray and my treatment at Manly Hospital in 2019.

In order to remedy Mr Grice's (57) illegal construction attempts a structurally sound retaining wall must be engineered by professionals. This building process should account for the complex nature of this steep site in accordance with safety guidelines, such as:

avoiding any further excavation in its construction

following underpinning procedures

ensuring large pools of water do not form around the current wall base. In 2020, 57 builders dug and left right beside the base of the dangerous boundary "retaining" wall. These 50 cm plus holes and a 2x 4 meter pit were dug up and dug and left by the Popovac's builders. This pit has filled with water with lots of mosquitoes. (video)

Regardless of this DA approval or rejection, these significant safety issues must be urgently addressed and made safe.

55's Sewer Easement , any works in the SE section of 57's rear yard including proposed swimming pool.



The above pictures show 55's sewer pipes running through 57's rear yard and mentioned a non-retaining "retaining" wall on 57's and 55's boundary.

My sewer (still in original clay pipes) line goes through and across 57's rear yard and into the main sewer line for all surrounding neighbours on 57's rear boundary fence. Through the very same insufficient dangerous boundary fence. Any digging work within meters of this previously mentioned non-retaining wall carries significant risk of: -

- a) damage to my sewer pipes running through to the sewer main line and Sydney Water infrastructure.
- b) further damage to illegally built excavated into rock non-retaining "retaining wall".

Proposed Swimming pool.

Swimming pool proposal:

Relevant DCP objectives to be met in relation to these paragraphs include:

Objective 1) To be located and designed to maintain the privacy (visually and aurally) of neighbouring properties and to minimise the impact of filter noise on neighbouring properties;

Objective 2) To be appropriately located so as not to adversely impact the streetscape or the established character of the locality;s

- e) Swimming pools should be covered with a secure "pool blanket", or similar device when not in use to minimise water loss by evaporation and to conserve energy in heated pools. A pool blanket would be an eyesore to look out onto.

a. The swimming pool proposal within the development does not meet the objectives outlined in the NSW planning framework.

b. Objective 1 emphasizes the need to maintain the privacy of neighbouring properties and minimize noise impacts. However, the location of the pool directly under my living room and the self-contained studio would result in significant noise disturbances and compromise privacy. It is important to note that my living room has been in the same location since the 1920s and has been fully utilized as a living space, contrary to claims made in the Town Planner's report.

c. Furthermore, the placement of the pool over my sewer line is not in compliance with objective 2.

Impact on wind conditions and potential debris:

a. The proximity of the proposed development to my property would create a wind tunnel effect, resulting in increased wind speeds and potential damage to structures and property.

b. 57's pool is within the root Zone and canopy zone of a protected species Angophora Costicata, more than 20 m tall located on the Western boundary of 2A Castle Rock Crescent. Leaves and branches from this tree would constantly fall in the water of any proposed swimming pool built there. Also, the proposed swimming pool is in the root zone and canopy zone of another protected species, another Angophora Costicata more than 30 m tall located beside the South Eastern rear balcony of 57. Leaves and branches would constantly fall in the water of any proposed swimming pool from this tree too. (Picture of 55's living room facing West, 3 meters

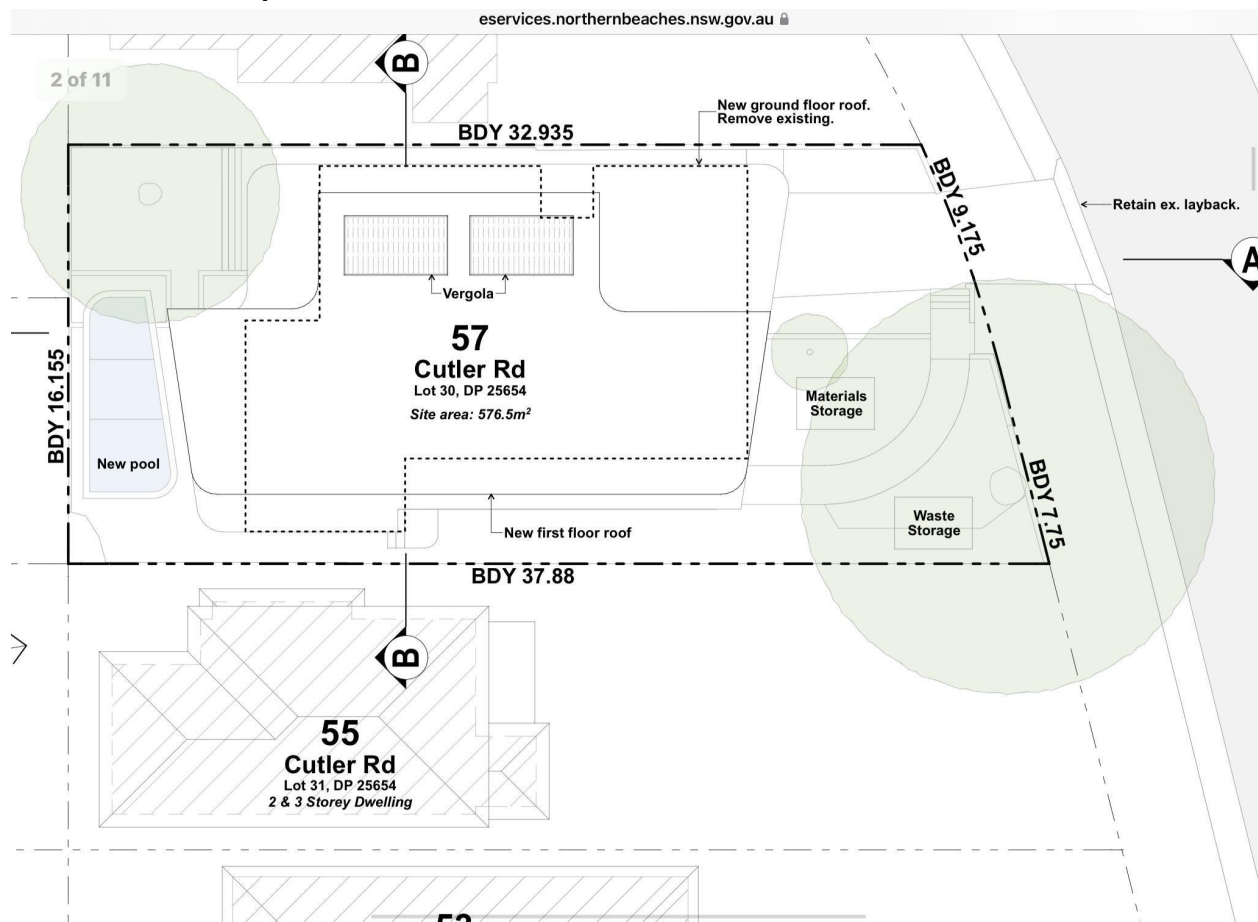
from the window looking onto 57's rear garden Angophera Tree).



Currently, my living rooms have an irreplaceable view West to Chinaman's Beach land-sea interface over 57's roof. If a pool was placed in this highly exposed position, it would likely lead to the continuous development of structures to remedy the lack of privacy they would have, further reducing my amenity.

I note that there is only one position not in a critical root stability zone or under a tree canopy for a pool and that is 57's North Western corner near their current garage. I also note there are precedents for front-of-property pools at 59 Cutler Rd and others along Cutler Rd.

Issues within tree protection zones.



Screenshot from google Maps 2018 show tree canopies from all protected species trees. Including 55's trees along Eastern boundary. With all the rain, the tree canopy spread is bigger now. It speads over 57's driveway and all the way up to 57's entrance along the Eastern side of 57.



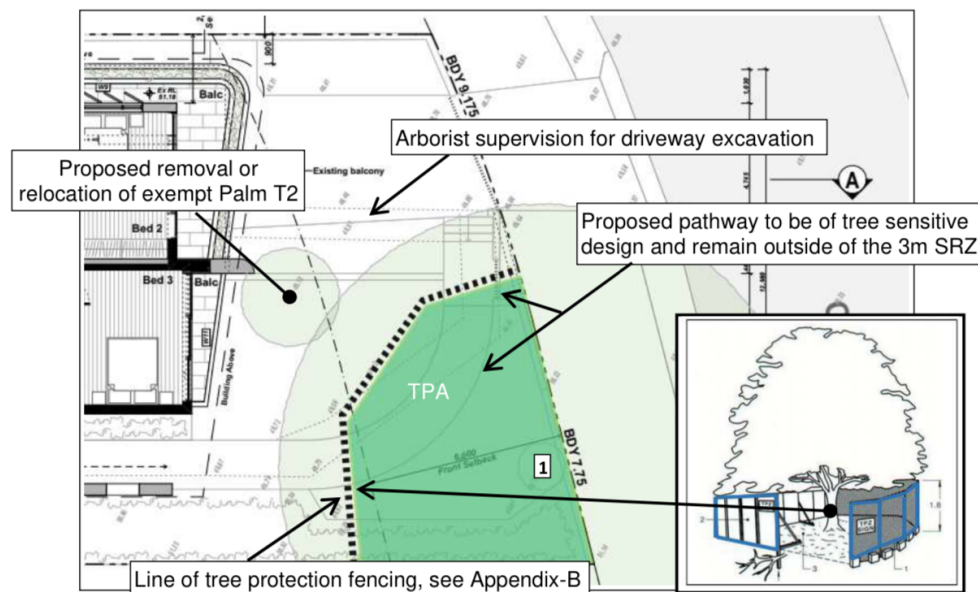
6 of 17 detailed within Appendix- D and summarized within the following sections.

1.4 Discussion of development impacts

1.4.1 Tree 1: The proposed building footprint and driveway widening proposes a Minor (<10%) TPZ encroachment beyond the existing building & driveway footprints. Given minor or low-level encroachments the tree is recommended to be managed in accordance with Section 2.3 *General tree protection requirements*, specific to:

- To allow for construction tree protection fencing is recommended to be installed and secured to ground at a 6m radius from the tree. The inner fenced area is to remain a tree protection area (TPA) to be managed as a tree protection zone in accordance with Section 2.3.
- Should excavation be required within the 12.6 tree protection zone (TPZ), on site arborist supervision is recommended to appropriately manage any encountered tree roots. Specific site management should include excavation for driveway widening and any proposed pathway access in landscape design.
- Where proposed paths encroach within the 6m tree protection area (TPA) pathways are recommended to be constructed utilising tree sensitive design.

Figure 2, showing tree protection area (TPA) adjacent T1



Thus figure 2 above is incorrect. Protected species tree canopy extends nearly over 57's driveway, entrance path and front yard.

Waste Skip and materials storage are both sited within Tree Protection Zone.

57's waste skip on the Architects Master Plans is in a designated tree protection Zone which is supposed to be fenced off to prevent damage to critical tree roots for the Angophera's Costicata's stability as per Tree Report.

The arborists' tree report completely failed to mention 2 of my 40-meter-high Angophera Costicata trees (protected species), which are growing a meter from my boundary shared with 57. Critical tree stability roots from my two protected species trees go along 57's Eastern boundary and should have been included in the Tree Report. This means, no waste nor materials storage nor architect's colonnade would fit because of the importantly designated tree protection zone fencing on 57,s Eastern boundary with me.





Yellow shows
boundary between 57 and 55
Two Angophora Costicata
right next to boundary. Not
on 57's DA Tree Report

The waste skip on the architect's Master Plans is in a designated tree Protection Zone
Shows trunks and tree protection zone of 2 40 meter Angophora Costicata growing beside 57
and 55's boundary. Waste skip, nor materials storage allowed re 57's Tree Report.

Asbestos

Instructions

Purpose of the Waste Management Plan

This *Waste Management Plan (WMP)* will detail the arrangements for waste management during all stages of development and occupation.

The WMP must be completed in accordance with the Waste Management Guidelines (Guidelines).

A completed WMP is a mandatory requirement for any Development Application (DA) submitted under WLEP 2011 or WLEP 2000. DAs that are submitted without a completed WMP will be rejected or refused by Council.

Structure of the Waste Management Plan

All applicants are required to complete the 'Applicant and Project Details' part of the WMP and include it with the relevant Sections that apply to their proposed development.

The WMP is divided into Sections and applicants are only required to complete the relevant Sections in accordance with the Guidelines. The table below identifies which Sections are relevant to which development types.

For example, if the proposed development was to include demolition of an existing structure and construction of a single dwelling, the relevant Sections would be Sections 1, 2 and 3.

Section	Development Type ^a
Section 1 – Demolition	All
Section 2 – Construction	All
Section 3 – On-going waste management for one or two dwellings	One or two dwelling developments Mixed-use developments containing one or two dwellings

Please note: I do not want a new third level built onto the Popovacs home which would destroy my amenity and view corridor to the West. I request 57's current asbestos roof is urgently replaced with a safe dark coloured non asbestos roof.

The reason is that my family just wants to live safely and breathe without being exposed to 57's asbestos fibres being released from 57's aged, damaged, broken, deadly friable asbestos roof. In 2020 Northern Beaches council gave the previous owners at 57 (the Grices) a strict time limit to Make Safe their asbestos roof (coating with glue paint to contain their asbestos fibres)- and the council gave orders to remove broken asbestos sheeting from their roof. The day before that Northern Beaches council ordered a Make Safe date- time limit. Just a single day before a council order was imposed, the previous owner sold the house to the Popovacs. The Popovacs inspected the house twice with their builders in tow before making an offer to buy. Recently, I have seen the same real estate team recently visit the Popovacs. I surmise that if the Popovas DA is approved by the Planning and Determination Panel, they will sell this approval. This DA approval will greatly increase their resale price and hugely negatively affect mine. The Popovac's dangerous friable asbestos roof needs to be made Safe by coating it with paint to seal the asbestos fibres or it will remain releasing fibres, a high-risk health hazard.

Asbestos Hazardous Waste

Division 1 Determination of development applications—the Act, s 4.15(1)(a)(iv)

61 Additional matters that consent authority must consider

(1) In determining a development application for the demolition of a building, the consent authority must consider the Australian Standard AS 2601—2001: The Demolition of Structures. The proposed development is a essentially a brand new development. Requiring demolition.

(2) In determining a development application for the carrying out of development on land that is subject to a subdivision order under the Act, Schedule 7, the consent authority must consider—

(a) the subdivision order, and

(b) any development plan prepared for the land by a relevant authority under that Schedule.

There is the history of poor partial asbestos cleanup. 95% of the asbestos is still in situ in the Popovacs home. Note only a partial asbestos cleanup was done after our family was exposed to 57's asbestos dust from their full gut renovation 2 years ago. I reported our asbestos exposure to council and safework. Council ordered 57's demolition work with no asbestos Management Plan. To stop until broken friable asbestos debris and asbestos littered around the site airborne and blowing around the site and onto my property were removed by an asbestos removal company.

The Popovacs brought their builders with them to assess 57 Cutler Rd prior to purchasing. The following pictures with dates are to demonstrate that the Popovacs have known over time their house has a huge amount of asbestos in it. The following photographs show friable asbestos removal this year during this current DA, and during their previous full gut renovation in 2020. Including council and Safe work ordered asbestos cleanup of site 29 th June 2020; 24 the August, 31 St January 2023. I received no friable asbestos removal notification.

Note the asbestos truck in huge 8 car undercroft garage.





29 June 2020
11:09 am



Edit





24 August 2020
8:43 am





After the fact of our family being daily exposed to asbestos fibres for 10 days from the beginning of the start of demolition. The safety and future health of others was not considered.

In late Dec 2022, 57's 5 meter long eaves and asbestos gutters, fell and smashed onto the path between our properties. The asbestos eaves and guttering all contain asbestos and are friable asbestos and snapped into tiny pieces. This was in a wind corridor. A meter from my living room and my daughter's bedroom windows. When something falls 5 meters in length it is very visible and very near the Popovac's front door which they use every day. The asbestos gutters fell a meter from my living room and my daughter's studio bedroom. What follows are some pictures I took on the 8 th of January. The Popovac's did not act on this friable asbestos emergency. The Popovac's did not nor inform me. The Popovacs smashed friable asbestos gutters and eaves are only a meter and a half away from our open windows. No licenced asbestos removers came. I decided to document just how long we would be exposed to 57's asbestos fibres. Ms Sturgees the planner from Council visited on the 30 th of January 2022. The Popovac's broken asbestos guttering and eaves were still broken and releasing asbestos fibres right under my living room windows; and still not removed a month after the fact. Despite the extremely high-risk hazards the fact of the emergency of the situation dating back over a month to when they fell in December 2022. The day after the council planner's site visit for this DA the

Popovac's got a licenced asbestos removalists to attend and remove their friable broken damaged asbestos. After over a month of exposing my family to their broken asbestos sheeting, eaves and guttering and not informing us. A high risk, emergency situation that required the Popovac's immediate asbestos removal and decontamination (not done) response, and our evacuation until it was made safe to return. In full knowledge of the risks the Popovac's left the cracked asbestos releasing more asbestos fibres in the gusty high wind corridor right next to our bedroom doors and windows for over a month. Had the Planner not come to photograph the views from my living room, would the Popovac's have left their broken asbestos indefinitely?





The approval of this DA would again expose the surrounding neighbors to airborne asbestos fibres. The winds are extremely strong in this area and the asbestos fibres would undoubtedly become airborne. The asbestos roof needs to be encapsulated to be safely removed because of the high winds on this site.

Waste management plan

Despite the incredible seriousness (our previous asbestos exposure in 2020) Mr Popovac in late 2022 filled out and signed the Council's Waste Management Plan accompanying this DA; legally stating on this document there is no asbestos in their home (see below screenshots) a legal document stating there is absolutely no asbestos within his property at 57. By failing to truthfully disclose enormous amounts of asbestos, it has already been made evident that rather than ensuring the safe, lawful, encapsulation and disposal of their home's asbestos the Popovacs intend to again breach asbestos safety's guidelines and legislation and deny 57 asbestos's very existence. Thereby re-exposing their neighbours and the public again with this current development to their house's asbestos dust.

The Popovacs false Waste Management Plan lodged with this DA is wilful negligence considering the known risks of asbestos. NO asbestos exposure is safe. It has a chain reaction where many, many other people, neighbours and workers will once again be unwittingly exposed to asbestos:- workers at 57, and skip transportation workers, council workers, and workers at waste sites, who all legally must be informed of any asbestos containing waste- or be unknowingly exposed to debris, asbestos fibres and potential deadly Mesothelioma. No level of asbestos exposure is safe.

Legally a truthful completion of the Council's Waste Management Document is required. An Asbestos Management Plan is legally required prior to any demolition and to be followed as there is no safe asbestos exposure.

What is required is 57's entire site must be correctly encapsulated to contain all asbestos fibres and dust and all the Popovacs Asbestos lawfully removed by Licenced Asbestos Removers class A and B. Legislation directs Neighbours must given notice beforehand for safety. Asbestos fibres are deadly stuff. There is no safe asbestos exposure.

Section 1 – Demolition

This section must be completed in accordance with 'Chapter 1 – Demolition' of the Waste Management Guidelines

MATERIALS ON SITE	DESTINATION <i>Evidence such as weighbridge dockets and invoices for waste disposal or recycling must be retained on site for inspection</i>					
	REUSE AND RECYCLING (MOST FAVOURABLE)				DISPOSAL (LEAST FAVOURABLE)	
Types of Waste Material	Estimated Volume (m ³) or Weight (t)	ONSITE RE-USE ✓ Specify how material will be reused on site	OFFSITE RECYCLING ✓ Recycling Outlet (RO) ✓ Waste Transport Contractor (WTC)		OFFSITE DISPOSAL ✓ Specify landfill site (LS) ✓ Specify Waste Transport Contractor (WTC)	
			WTC	RO	WTC	LS
Excavated Material	1		✓			
Garden Organics	1		✓			
Bricks	1		✓		OPTION NOT AVAILABLE: These materials must be re-used or separated on or off site and sent for recycling.	
Tiles	10		✓			
Concrete	—					
Timber	1		✓			
Plasterboard	1		✓			
Metals	—					
Asbestos	—					
Other waste (please specify)						
Estimated Total % Recovered						

Refer to the estimation tables in 'Chapter 1 – Demolition' of the Guidelines for assistance in completing this table.

Below are screenshots of Mr Popovac's completed Waste Register lodged with Northern Beaches Council as part of this DA.

NORTHERN BEACHES COUNCIL

Waste Management Plan

(For development in the area of WLEP 2011 and WLEP 2000)

This plan is to be completed
in accordance with Council's

Waste Management Guidelines

(For development in the area of WLEP 2011 and WLEP 2000)

Effective Date: 25 October 2016

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Section 1 – Demolition	All
Section 2 – Construction	All
Section 3 – On-going waste management for one or two dwellings	One or two dwelling developments Mixed-use developments containing one or two dwellings
Section 4 – On-going waste management for three or more dwellings	Three or more dwelling developments Mixed-use developments containing three or more dwellings
Section 5 – On-going waste management for non-residential and mixed use developments	Commercial developments Industrial developments Mixed-use developments
Section 6 – Private roadway developments	Private roadways

^aNote: the definitions of the development types are provided in Section vi of the Introduction to the Guidelines

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Applicant and Project Details

Complete this page and the relevant Sections that apply to your proposed development.

Applicants' Details

Name: (must be the same as the DA form)	LUKA POPOVAL
Address: (must be the same as the DA form)	57 CUTLER RD. CLONTARF
Phone Number:	9979 4411
Email Address:	luke@g-t.com.au

Property Details

Lot No:	30
Deposited Plan (DP) No: or Strata Plan (SP) No:	DP 25654
Unit No: House No:	57
Street:	CUTLER RD
Suburb:	CLONTARF
Postcode:	2093

Project Details

Description of proposed development:	ALTERATIONS & ADDITIONS TO AN EXISTING DWELLING & NEW POOL
Structures to be demolished:	PART OF EXISTING HOUSE

Applicant Declaration

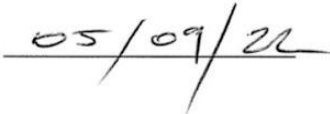
I declare that:

1. This plan has been completed in accordance with the Waste Management Guidelines
2. To the best of my knowledge, the details on this form are accurate and correct

I understand that:

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1. All records demonstrating lawful disposal of waste will be retained and kept readily accessible for inspection by regulatory authorities such as Council, NSW Environment Protection Authority or WorkCover NSW.
2. A bond in accordance with Council's fees and charges may apply to this development and must be paid to Council prior to any works commencing.
3. The bond will only be refunded when Council is satisfied that all waste outlined in this plan has been managed as per the plan, and evidence such as photos, receipts and statutory declarations must be supplied where appropriate.

Signature of Applicant:  Date: 

5 of 9 Section 1 – Demolition

This section must be completed in accordance with 'Chapter 1 – Demolition' of the Waste Management Guidelines

MATERIALS ON SITE	DESTINATION					
	Evidence such as weighbridge dockets and invoices for waste disposal or recycling must be retained on site for inspection					
	REUSE AND RECYCLING (MOST FAVOURABLE)				DISPOSAL (LEAST FAVOURABLE)	
Types of Waste Material	Estimated Volume (m ³) or Weight (t)	ONSITE RE-USE ✓ Specify how material will be reused on site	OFFSITE RECYCLING ✓ Recycling Outlet (RO) ✓ Waste Transport Contractor (WTC)		OFFSITE DISPOSAL ✓ Specify landfill site (LS) ✓ Specify Waste Transport Contractor (WTC)	
			WTC	RO	WTC	LS
Excavated Material	1		✓			
Garden Organics	1		✓			
Bricks	1		✓		OPTION NOT AVAILABLE: These materials must be re-used or separated on or off site and sent for recycling.	
Tiles	10		✓			
Concrete	—					
Timber	1		✓			
Plasterboard	1		✓			
Metals	—					
Asbestos	—					
Other waste (please specify)						
Estimated Total % Recovered						

Refer to the estimation tables in 'Chapter 1 – Demolition' of the Guidelines for assistance in completing this table.

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The applicant must submit a Site Plan showing the structures to be demolished and storage areas for waste and construction materials (if the development also includes construction).

WMP Checklist

Have you included the following:	Applicant Tick
A site plan showing: • The structures to be demolished. • Storage areas for waste to be reused, recycled, or disposed of. • Materials storage (if the development also includes construction)	☒
The table on the previous page, completed in accordance with 'Chapter 1 – Demolition' in the guidelines.	☒

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Section 2 – Construction

This section must be completed in accordance with 'Chapter 2 – Construction' of the Waste Management Guidelines

MATERIALS ON SITE	DESTINATION <i>Evidence such as weighbridge dockets and invoices for waste disposal or recycling must be retained on site for inspection</i>					
	REUSE AND RECYCLING (MOST FAVOURABLE)				DISPOSAL (LEAST FAVOURABLE)	
Types of Waste Material	Estimated Volume (m ³) or Weight (t)	ONSITE RE-USE ✓ Specify how material will be reused on site	OFFSITE RECYCLING ✓ Specify recycling outlet (RO) ✓ Specify Waste Transport Contractor (WTC)		OFFSITE DISPOSAL ✓ Specify landfill site (LS) ✓ Specify Waste Transport Contractor (WTC)	
* Please specify			WTC	RO	WTC	LS
Excavated Material	1		✓			
Garden Organics	1	✓				
Bricks	1		✓		OPTION NOT AVAILABLE: These materials must be re-used or separated on or off site and sent for recycling.	
Tiles	—					
Concrete	1		✓			
Timber*	—					
Plasterboard	1		✓			
Metals*	—					
Asbestos	—					
Other waste*	—					
Estimated Total % Recovered						

Refer to the estimation tables in 'Chapter 2 – Construction' of the Guidelines for assistance in completing this table.

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The applicant must submit a Site Plan showing the structures to be demolished and storage areas for waste and construction materials (if the development also includes construction).

WMP Checklist

Have you included the following:	Applicant Tick
A site plan showing: • The structures to be demolished. • Potential storage areas for waste to be reused, recycled, or disposed of. • Materials storage	☒
The table on the previous page, completed in accordance with 'Chapter 2 – Construction' in the guidelines.	☒

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Section 3 – On-going waste management for one or two dwellings

This section is to be completed in accordance with 'Chapter 3 – On-going waste management for one or two dwellings' of the Waste Management Guidelines.

Type of development: SINGLE DWELLING

Number of dwellings: 1

WMP Checklist

Do your architectural and landscape plans include the following:	Applicant Tick
Waste Storage Area design requirements (Chapter 3.2.)	☒
Waste Storage Area location requirements (Chapter 3.3.)	☒

