Manly Council

Late Agenda

Land Use Management Committee

Notice is hereby given that a Land Use Management Committee of Council will be held at Council Chambers, 1 Belgrave Street, Manly, on:

Monday 1 September 2008

Commencing at 7:30pm for the purpose of considering items included on the Agenda.

Persons in the gallery are advised that the proceedings of the meeting are being taped for the purpose of ensuring the accuracy of the Minutes. However, under the Local Government Act 1993, no other tape recording is permitted without the authority of the Council or Committee. Tape recording includes a video camera and any electronic device capable of recording speech.

Copies of business papers are available at the Customer Services Counter at Manly Council, Manly Library and Seaforth Library and are available on Council's website: www.manly.nsw.gov.au

Seating Arrangements for Meetings

Staff | Staff | General Manager | Chairperson | Staff | Minute Taker

Mayor Dr Peter Macdonald

Deputy Mayor Clr Mark Norek

Clr Joanna Evans

Clr Barbara Aird

Clr Brad Pedersen

Clr Richard Morrison

Clr Jean Hay AM

Clr Adele Heasman

Clr Dr Judy Lambert AM

Clr Simon Cant

Clr David Murphy

Clr Pat Daley

Press

Press

Public Addresses

Public Gallery

Chairperson: Cr Joanna Evans
Deputy Chairperson: Cr Judy Lambert AM

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APOLOGIES AND LEAVE OF ABSENCE

DECLARATIONS OF INTEREST

CONFIRMATION OF MINUTES

The Land Use Management Committee of Monday, 04 August 2008

PUBLIC FORUM

PUBLIC ADDRESSES

SITE INPSECTION

The following stie inspection will take place on Monday 1 September 2008

9 Seaview Street Balgowlah 10.30am

ENVIRONMENTAL SERVICES DIVISION

Environmental Services Division Report No. 69
9 Seaview Street Balgowlah - DA81/08 2

MATTERS OF URGENCY
(In accordance with Clause 241 of the Local Government (General) Regulations, 2005)

CLOSED COMMITTEE ITEMS

******* END OF AGENDA *******

TO: **Land Use Management Committee - 1 September 2008**

REPORT: **Environmental Services Division Report No. 69**

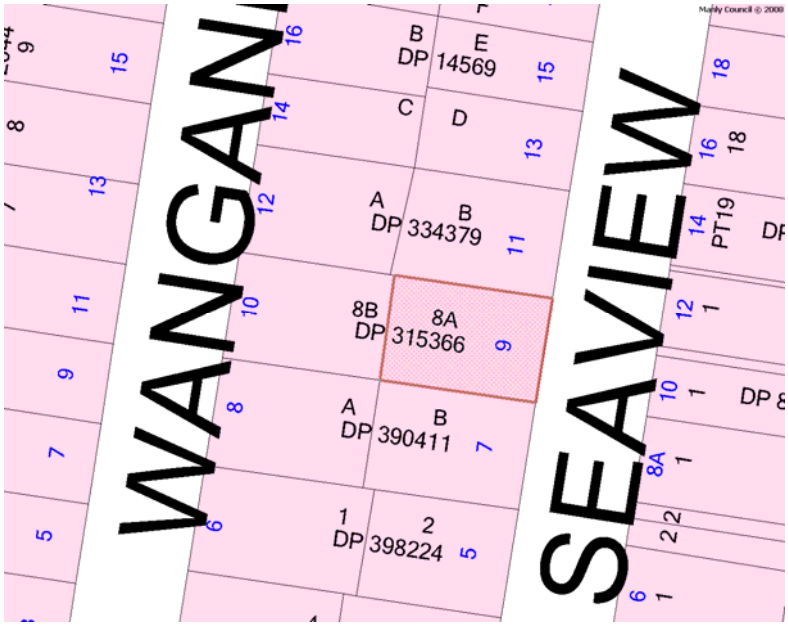
SUBJECT: **9 Seaview Street Balgowlah - DA81/08**

FILE NO: **DA81/08**

Application Lodged:	20 March 2008
Applicant:	Greenfield DA Services
Owner:	Catherine Mary Cachia
Estimated Cost:	$975,000
Zoning:	Manly Local Environmental Plan, 1988 - Residential
Surrounding Development:	The locality is residential in character consisting predominantly of two and three storey dwelling houses
Heritage:	Not applicable

SUMMARY:

1. DEVELOPMENT CONSENT IS SOUGHT FOR THE DEMOLITION OF THE EXISTING DWELLING HOUSE AND ERECTION OF A TWO (2) STOREY DWELLING HOUSE.
2. THE APPLICATION WAS NOTIFIED TO ALL ADJOINING AND NEARBY PROPERTY OWNERS AND SEVEN (7) SUBMISSIONS RECEIVED.
3. THE APPLICATION WAS REFERRED TO THE NORTH HARBOUR PRECINCT COMMUNITY FORUM FOR COMMENTS.
4. THE PROPOSAL WAS REFERRED TO COUNCIL'S DEVELOPMENT ASSESSMENT UNIT MEETING OF THE 5 AUGUST 2008 WITH A RECOMMENDATION FOR APPROVAL.
5. THE APPLICATION IS PRESENTED TO COUNCIL'S LAND USE MANAGEMENT COMMITTEE MEETING AT THE REQUEST OF COUNCILLOR MACDONALD.
6. A SITE INSPECTION IS RECOMMENDED.
7. THE APPLICATION IS RECOMMENDED FOR APPROVAL.



LOCALITY PLAN
Shaded area is subject site. (for LUM reports only – provided by Administration)

Environmental Services Division Report No. 69 (Cont'd)

REPORT

Introduction

The proposal is for the demolition of existing dwelling house and erection of two-story dwelling house. The proposal will consist of a double garage, storage area, workshop, lift and lobby and stairs on the lower ground floor.

The ground floor will consist of three bedrooms, games room, laundry, and a bathroom. Bedrooms 2 & 3 have access to a covered verandah at the eastern (front) elevation.

The first floor will have the master bedroom with an ensuite, study, wc, combined lounge/dining and kitchen area opening out to a balcony along the eastern (front) elevation.

Applicant's Supporting Statement

Plans by Krislovic Homes, Statement of Environmental Effects dated 16 March 2008, and Basix Certificate No. 186440S are in the file.

North Harbour Precinct Community Forum Comments

No comments received.

Engineers Comments

No objections subject to standard conditions of consent.

Building Comments

No objections subject to standard conditions of consent.

Landscape Architects Comments

No objections subject to standard conditions of consent.

Heritage Sub-Committee

Advised that it raises no heritage objections to the proposal

Planning Comments

The site known as Lot 8A in DP 315366 is located in a residential zone on the western side of Seaview Street, Balgowlah. The area of the site is 603.8m2. The site has a frontage of approximately 20.155m to Seaview Street and a depth of about 30.025m. The site is relatively flat with a slight fall of approximately 2m from the rear to the front of the site.

The improvements on the site consist of a free standing single storey brick dwelling house with tile roof. A double weatherboard carport with metal roof is located at the rear of the site along the northern boundary. There is a fibrous cement shed at the rear of the site. There are several small trees and shrubs on the site

The proposal is a permissible use with Council's consent.

Environmental Planning & Assessment Act 1979 – Section 79(C)(1)
In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) ***the provisions of:***

(i)any environmental planning instrument, and

Manly Local Environmental Plan 1988:
The site is in Zone No 2 – Residential Zone which permits dwelling houses with the consent of Council.

The site is not located in a Foreshore Scenic Protection Area.

Manly Local Environmental Plan 1988 Clause 10 Objectives

The following comments are made in regard to the objectives for the Residential Zone as stated in Clause 10 of the Manly Local Environmental Plan 1988;

(a) to set aside land to be used for purposes of housing and associated facilities;
Land currently being used for residential purposes.

(b) to delineate, by means of development control in the supporting material, the nature and intended future of the residential areas within the Municipality;
The application has been prepared in terms of the Development Control Plan and meets this objective.

(c) to allow a variety of housing types while maintaining the existing character of residential areas throughout the Manly Council area;
Achieved.

*(d) to ensure that building form, including alterations and additions, does not degrade the amenity of surround*ing *residents or the existing quality of the environment*;
The proposal will not degrade the amenity of surrounding residents or the existing quality of the environment.

(e) to improve the quality of the residential areas by encouraging landscaping and permitting greater flexibility of design in both new development and renovations;
The proposal will not have a detrimental effect on the amenity of the area.

(f) *to allow development for purposes other than housing within the zone only if it is compatible with the character and amenity of the locality;*
Not applicable

(g) to ensure full and efficient use of existing social and physical infrastructure and the future provisions of service and facilities to meet any increased demand;
This objective is achieved.

(h) to encourage the revitalisation of residential areas by rehabilitation and suitable redevelopment.
Not applicable

Environmental Services Division Report No. 69 (Cont'd)

(i) to encourage the provision and retention of tourist accommodation that enhances the role of Manly as an international tourist destination, and particularly in relation to the land to which Manly Local Environmental Plan 1988 (Amendment No 57) applies.

Not applicable

79C(1)(a)(ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved), and

No

79C(1)(a)(iii) any development control plan, and

Manly Development Control Plan for the Residential Zone 2007 Amendment 1:

The following is an assessment of the proposal's compliance with the numerical standards of the Development Control Plan. Where a variation is proposed to the standards an assessment is included in the Planning Comments.

Site Area: 227.6m2	**Permitted/ Required**	**Proposed**	**Complies Yes/No**
Density - Sub Zone 2	1 dwelling/150m2	1dwelling/227.6m2	Yes
Floor space ratio	0.45:1	0.45:1	Yes
Wall height N side	7.0m	7.0m	Yes
S Side	7.0 m	7.0m	Yes
Roof height	3.0m	60mm parapet	No
Fence height	1.2m	1.2m	Yes
Setback Front	6.0m (Predominant building line or 6m)	6.0m	No - Less than predominant building line)
Setback Rear	8.0m	8.0m	Yes
N setback side	2.3m	2.4m – 4.2m	Yes
S setback side	2.3m	2.4m – 4.2 m	Yes
Open space - total	55%	57%	Yes
Open space - soft	35%	37%	Yes
Open space - above ground	N/A	N/A	N/A
Number of Endemic Trees	3	3	Yes
Private Open Space	18m2	100m2	Yes
Car Parking – Residents	2	2	Yes
Shadow -adjacent open space - adjoining NS orientation - exist north facing roofs			No Yes Yes

Issues	**Applicable**	**Not Applicable**
Views	Yes	
Privacy	Yes	
Heritage – Actual Property		N/A
Heritage – In Vicinity		N/A
Threatened Species		N/A
Foreshore Scenic Protection Area		N/A
Excavation		N/A
Landslip and Subsidence		N/A
BASIX	Yes	

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The subject site is in Density Sub-zone 4 and in Height Sub-zone 1

The proposal complies fully with all the controls in the Development Control Plan. The subject site is not very deep and the proposed front setback of 6m (from the balconies) is slightly forward of the two (2) adjoining dwellings on either side at Nos. 7 and 11 Seaview Street. However the dwelling houses at Nos.7 and 11 Seaview Street are set back less than the 8m setback proposed. The dwelling house at No. 11 is almost along the rear boundary and No.7 is only 5.5m from the rear boundary. The face of the proposed dwelling house is set back 9.5m from the street frontage and is generally in line with Nos. 7 and 11 Seaview Street

The property to the rear (west) of the subject site at No.12 Wanganella Street currently enjoys views of the harbour, St Patrick's Church and North Head from their first floor bedrooms over the existing single storey carport located on the northern side of the subject site. There are no public views across the site. The proposed two storey new dwelling house that will extend to 2.4m from the northern boundary will eliminate this view.

It is noted that the proposal is fully compliant in both side setbacks and wall height. However, following the concerns raised from the adjoining owners, the applicant has submitted a sketch of a possible amendment to address the concerns. The sketch showed an increase in the northern side setback of the rear first floor Bedroom 1. This increase in the setback will improve the view/outlook from the first floor bedrooms of No.10 Wanganella Street. The sketch shows the northern wall of the Bedroom 1 moved back approximately 2.0m. This wall will be in line with the wall of the lounge room on the first floor. The view of St Patrick's Church from No.10 Wanganella Street will not be retained, but the increased setback affords some view of the water. This additional setback will also improve the view corridor of No.12 Wanganella Street.

The applicant proposes to replace lost bathroom and bedroom space in Bedroom 1 by having a 2760mm x 4550mm addition to the western (rear) side. This will encroach into the 8.0m rear yard by 2760mm, but is considered acceptable as the adjoining properties on either side has lesser rear setbacks than the proposed dwelling house. It is also proposed to extend the games room on the ground floor to be in line with the rear addition on the first floor. This will result in an increase of the floor area by 12m2. This is acceptable as the addition is at the rear of the dwelling. The width of the dwelling has been reduced and the views from the rear properties will be improved as compared to the original proposal.

There are no major privacy issues. High windows are proposed off the living and dining areas on the first floor side elevations. The rear elevation has a window off a staircase/foyer area and off a toilet. There are no balconies along the rear or side elevations. The balconies on the eastern (front) elevations will not look over any usable outdoor open space of the adjoining properties. A condition of consent will be imposed to require the window of the relocated bathroom in Bedroom 1 on the first floor to be high windows and the sill to be at least 1600mm above the finished floor level of the bathroom.

The new two (2) storey dwelling house will result in some additional overshadowing of the property to the south at No.7 Seaview Street. Shadow diagram provided by the applicant show that the most impact is at 9:00am in Mid Winter where the proposal will overshadow the study and bedroom windows on the northern elevation of No.7 Seaview Street and most of the private open space at the rear of No.7. The proposal however satisfies Section 4.1.2(a) of the Development Control Plan as the level of solar access presently enjoyed has been maintained to windows on the northern elevation for at least two hours from 9:00am to 3:00pm on 21 June. The proposal also satisfies Section 4.1.2(e) of the Development Control Plan as the development will not eliminate more than 1/3 of the existing sunlight accessing the total private open space of No.7 measured at 9:00am, 12 noon and 3:00pm on 21 June.

79C(1)(a)(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and

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Not applicable.

79C(1)(a (iv) the regulations
Not applicable.

79C(1) (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality
Apart from the view impacts, the proposal will not degrade the amenity of the area.

79C(1) (c) the suitability of the site for the development,
The site is considered to be suitable for the proposed development for the site

79C(1) (d) any submissions made in accordance with this Act or the regulations,

The application was notified to nearby and adjoining property owners in accordance with Council's Notification Policy and four (4) submissions were received from G & L Richards of 11 Seaview Street Balgowlah, C Kermond of 8 Wanganella Street Balgowlah, A Stuart 10 Wanganella Street Balgowlah, K & S Duchatel of 12 Wanganella Street Balgowlah and three (3) confidential submissions the following concerns were raises:-

- Style of building with flat roof not sympathetic to streetscape,
- External finishes should have more brickwork,
- Loss of privacy.
- Increase in noise level due to proximity of dwelling house to other properties,
- Overshadowing,
- Increase demand for street parking,
- Loss of privacy to yard and bedroom,
- Overpopulation
- Excessive Floor Space Ratio.
- Loss of view,
- Reduction in property value,
- Loss of privacy.
- Unacceptable bulk and scale,
- Architectural style does not complement predominant pitch roof form in locality,
- Proposed 6m front setback is contrary to predominant setbacks,
- Huge front balconies add to bulk, height and scale of new dwelling.
- Applicant has not addressed impact of proposal on 12 Wanganella Street,
- Concerned with view impact and request template

The concerns raised in relation to loss of privacy, loss of view, overshadowing, front setback, and size of front balconies have already been addressed above. The other matters for consideration will be assessed below.

- Overpopulation, Excessive FSR, height and scale of new dwelling

Comments - The proposal complies with the Floor Space Ratio, side setbacks and height controls in the Development Control Plan.

- Style of building with flat roof not sympathetic to streetscape,

Comments- The design of the proposed dwelling is not foreign to this locality.

- Increase in noise level due to proximity of dwelling house to other properties,

Comments – The proposed new dwelling house replaces an existing one and will not result in any additional noise**.**

Environmental Services Division Report No. 69 (Cont'd)

- Increase demand for street parking,

Comments – Two (2) car parking spaces provided in the garage and no significant impact on demand for street parking

- Applicant has not addressed impact of proposal on 12 Wanganella Street.

Comments – Impact from all adjoining properties considered.

CONCLUSION:

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, the Manly Local Environmental Plan 1988 and the Development Control Plan for the Residential Zone 2007 Amendment 1.

In view of the above comments, it is considered that the proposal is satisfactory and will have no significant environmental impact on the amenity of the adjoining residential properties and on the streetscape.

RECOMMENDATION

That Development Application No. 81/08 for the demolition of existing dwelling house and erection of two storey dwelling house at No.9 Seaview Street, Balgowlah, be approved subject to the following conditions:

DA1
This approval relates to drawing/plans Nos. 01 dated 5 December 2007; 02 dated 14 May 2008; 03 to 09 dated 5 December 2007; D1, M1 and M2 dated 5 December 2007 received by Council on the 3 June 2008 and Statement of Environmental Effects dated 18 March 2008 and Landscape Plan No. 1508.10B dated 5 March 2008 and received by Council on the 20 March 2008.

ANS01
In order to improve the view/outlook from the adjoining properties to the rear, the northern wall of Bedroom1 on the first floor be set back to the line of the lounge and to be at least 4.3m from the northern boundary. The western wall of Bedroom 1 on the first floor and of the games room immediately below on the ground floor be allowed to encroach into the rear boundary in accordance with Sketch Nos. 1, 2 & 3 dated 24 July 2008 and received by Council on the 25 July 2008 plans be amended prior to the issue of the Construction Certificate.

ANS02
In order to protect the privacy of the adjoining properties to the rear, the window of the bathroom in Bedroom 1 be high windows and the sill to be at least 1600mm above the finished floor level of the bathroom.

ANS03
The metal deck roof over the basement garage on the southern side of the new dwelling must not be trafficable.

ANS04
Amend landscape plan to retain and protect during construction one Tristaniopsis laurina located on the front nature strip, one (1) Pinus species located on the rear southern side boundary and one (1) Ficus species located on the southern boundary just outside the boundary.

ANS05
Proposed driveway in Seaview Street is to be maximum 4.1m wide opening at the rear of kerb and comply with Council's driveway specifications. Amended plans are to be submitted to Council for approval prior to the issue of the Construction Certificate.

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ANS06
Submitted stormwater management plans by Aztec Engineers dated January 2008, do not comply with Council's On Site Stormwater Management 2003 Specification. Amended plans are to be submitted to Council for approval prior to issue of the Construction Certificate. Proposed above ground OSD basin does not meet requirements.

ANS07
The proposed parapet height is to be a maximum 600mm to reduce visual impacts and achieve closer compliance with the Development Control Plan.

ANS08
The building including columns, terraces and planter box is to maintain a 6.0m setback from the front boundary to comply with the Development Control Plan requirements and maintain streetscape.

DA009
The construction of a vehicular footpath crossing is required. The design and construction including allowable width shall be in accordance with the current Policy of Council and Specification for the Construction of Vehicle Crossings. All works shall be carried our prior to the issue of Occupation Certificate.

DA010
Separate application to Council for the construction of a Vehicular Crossing for the design, specification and inspection by Council. The design and construction including allowable width shall be in accordance with the current Policy of Council and Specification for the Construction of Vehicle Crossings. Applications shall be made a minimum of twenty-eight (28) days prior to commencement of proposed works on Council's property.

DA011
All surplus vehicular crossings and/or kerb laybacks shall be removed and the kerb and nature strip reinstated prior to issue of the Occupation Certificate.

DA012
The driveway/access ramp grades, access and car parking facilities shall comply with the Australian Standard for Off-Street Parking AS2890.1-2004 or later editions.

DA013
A long section of the driveway shall be submitted with the Construction Certificate Application. The long section is to be drawn at a scale of 1:20 and shall include measured lengths and Relative Levels (RL) of the road centreline, kerb, road reserve, pavement within property and garage floor. The RLs shall include the existing levels and the designed levels.

DA016
Pursuant to Section 97 of the Local Government Act, 1993, Council requires, prior to issue of the Construction Certificate, or commencement of any excavation and demolition works, payment of a Trust Fund Deposit of $10,000. The deposit is required as security of compliance with Conditions of Consent, and as security against damage to Council property during works on the site.

Note: Should Council property adjoining the site be defective eg, cracked footpath, broken kerb etc., this shall be reported in writing to Council, at least 7 days prior to the commencement of any work on site.

Note: Where Council is not the principal certifying authority, refund of the trust fund deposit will also be dependent upon receipt of a final occupation certificate by the Principal Certifying Authority and infrastructure inspection by Council.

Environmental Services Division Report No. 69 (Cont'd)

DA017
No obstruction shall be caused to pedestrian use of Council's footpath or vehicular use of any public roadway during construction.

DA341
Any heritage listed stone kerb removed for construction of a driveway or other approved works, is to be removed without damaging it and contact is to be made with Councils Works Manager on Telephone 9976 1455 for the stone to be transported to Councils Depot.

DA342
Separate application shall be made to Council's Infrastructure Division for approval to complete, to Council's standards and specifications, works on Council property. This shall include vehicular crossings, footpaths, drainage works, kerb and guttering, brick paving, restorations and any miscellaneous works. Applications shall be made a minimum of twenty-eight (28) days prior to commencement of proposed works on Council's property. Applicant to notify Council at least 48 hrs before commencement of works to allow Council to supervise/inspect works.

DA343
Any adjustment to the public utility service is to be carried out in compliance with their standards and the full cost is to be borne by the applicant.

DA018
Details of the builder's name and licence number contracted to undertake the works shall be provided to Council/Accredited Certifier prior to issue of the Construction Certificate.

DA019
Insurance must be undertaken with the contracted builder in accordance with the Home Building Act, 1997. Evidence of Insurance together with the contracted builders name and licence number must be submitted to Council /Accredited Certifier prior to issue of the Construction Certificate.

DA021
Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 person or part of 20 persons employed at the site, by effecting either a permanent or temporary connection to the Sydney Water's sewerage system or by approved closets.

DA022
Retaining walls being constructed in conjunction with excavations with such work being in accordance with structural engineer's details. Certification of compliance with the structural detail during construction shall be submitted to the Principal Certifying Authority.

DA023
No person shall use or occupy the building or alteration which is the subject of this approval without the prior issue of an Occupation Certificate.

DA024
A sign must be erected on the subject site in a prominent position stating that unauthorised entry is prohibited and giving details of the name of the builder or the person responsible for the site and 24 hour contact details. The sign is to have dimensions of approximately 500mm x 400mm. Note: The sign is not required if the building on the site is to remain occupied during the course of the building works.

Environmental Services Division Report No. 69 (Cont'd)

DA026
All construction works shall be strictly in accordance with the Reduced Levels (RLs) as shown on the approved plans with certification being submitted to the Principal Certifying Authority during construction from a registered surveyor certifying ground and finished ridge levels.

DA031
Consent given to build in close proximity to the allotment boundary is in no way to be construed as permission to build on or encroach over the allotment boundary. Your attention is directed to the provisions of the Dividing Fences Act which gives certain rights to adjoining owners, including use of the common boundary. In the absence of the structure standing well clear of the common boundary, it is recommended that you make yourself aware of your legal position which may involve a survey to identify the allotment boundary.

DA039
Four (4) certified copies of the Structural Engineer's details in respect of all reinforced concrete, structural steel support construction and any proposed retaining walls shall be submitted to the Council/Accredited Certifier prior to the issue of the Construction Certificate.

DA040
Where any excavation extends below the level of the base of the footing of a building on an adjoining allotment of land, the person causing the excavation shall support the neighbouring building in accordance with the requirements of the Building Code of Australia.

DA044
The floor surfaces of bathrooms, shower rooms, laundries and WC compartments are to be of an approved impervious material properly graded and drained and waterproofed in accordance with AS3740. Certification is to be provided to the Principal Certifying Authority from a licenced applicator prior to the fixing of any wall or floor tiles.

DA047
A suitable sub-surface drainage system being provided adjacent to all excavated areas and such drains being connected to an approved disposal system.

DA048
The implementation of adequate care during demolition/ excavation/ building/ construction to ensure that no damage is caused to any adjoining properties.

DA058
An adequate security fence, is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project.

DA059
Building work shall not progress beyond first floor level until such time as Registered Surveyors details of levels are submitted to the Principal Certifying Authority. These levels shall confirm that the works are in accordance with the levels shown and approved in the development approval.

DA060
On completion of the building structure a report from a Registered Surveyor is to be submitted to the Principal Certifying Authority confirming that the building has been completed in accordance with the levels as shown on the approved plan.

Environmental Services Division Report No. 69 (Cont'd)

DA357
Four (4) copies of Architectural Drawings consistent with the development consent and associated specifications are to be submitted to Council/Accredited Certifier prior to the issue of the Construction Certificate.

DA109
All demolition is to be carried out in accordance with AS2601-2001.

DA111
Asbestos cement sheeting must be removed in accordance with the requirements of the WorkCover Authority.

DA088
A system of Onsite Stormwater Detention (OSD) or Onsite Stormwater Retention (OSR) shall be provided within the property in accordance with Council's "Specification for On-site Stormwater Management 2003". The design and details shall be submitted with the Construction Certificate Application and be approved by the Council/Accredited Certifier prior to the issue of the Construction Certificate. The specification can be downloaded from Council's web site www.manly.nsw.gov.au free of charge or a hardcopy can be purchased from Council.

DA095
A copy of the approved Onsite Stormwater Detention (OSD) or Onsite Stormwater Retention (OSR) plan showing Work as Executed (WAE) details shall be submitted to Council prior to the issue of the Occupation Certificate. The work as executed plan shall be in accordance with Council's standards and specifications for Stormwater Drainage and On-site Stormwater Management 2003.

DA097
Any work shall not prohibit or divert any natural overland flow of water.

DA100
A positive covenant in respect of the installation and maintenance of onsite detention works is required to be imposed over the area of the site affected by onsite detention and/or pump system prior to the issue of the Occupation Certificate for the building and prior to the release of the trust fund deposit.

DA121
All building work must be carried out in accordance with the provisions of the Building Code of Australia.

DA126
An automatic fire detection and alarm system shall be installed in the proposed dwelling in accordance with the requirements of Part 3.7.2 of the Building Code of Australia 1996 - Housing Provisions.

DA230
No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.

DA236
Landscaping is to be carried out in accordance with the approved Landscape Plan submitted in conjunction with the Development Application. Evidence of an agreement for the maintenance of all plants for a period of 12 months from the date of practical completion of the building is to be provided to the Principal Certifying Authority prior to issue of the Final Occupation Certificate.

Environmental Services Division Report No. 69 (Cont'd)

DA237
All healthy trees and shrubs identified for retention on the plan must be:
(i) Suitably marked before any development starts and be suitably protected from damage during the construction process; and
(ii) Retained unless their location or condition is likely to cause damage and their removal has been approved by Council.

DA238
All disturbed surfaces on the land resulting from the building works authorised by this approval shall be revegetated and stabilised so as to prevent any erosion either on or adjacent to the land.

DA239
The felling, lopping, topping, ringbarking, wilful destruction or removal of any tree or trees unless in conformity with this approval or subsequent approval is prohibited.

DA240
No tree other than on land identified for the construction of buildings and works as shown on the building plan shall be felled, lopped, topped, ringbarked or otherwise wilfully destroyed or removed without the approval of Council.

DA348
Precautions shall be taken when working near trees to be retained including the following: - do not store harmful or bulk materials or spoil under or near trees - prevent damage to bark and root system - do not use mechanical methods to excavate within root zones - do not add or remove topsoil from under the drip line - do not compact ground under the drip line.

DA261
A sediment/erosion control plan for the site shall be submitted for approval to the Council/Accredited Certifier **prior to the issue of the Construction Certificate**. Implementation of the scheme shall be completed prior to commencement of any works on the site and maintained until completion of the development.

DA269
A Construction Certificate Application is required to be submitted to and issued by the Council/Accredited Certifier prior to any building works being carried out on site.

DA270
Should you appoint Council as the Principal Certifying Authority (PCA) to undertake inspections during the course of construction then the following inspection/certification are required:

Silt control fences
Footing inspection - trench and steel
Reinforced concrete slab X 3
Framework inspection
Wet area moisture barrier
Drainage inspection
Retaining wall steel inspection
OSD tank inspection
Landscaping inspection
Final inspection

The cost of these inspections by Council is $2,760. (being $230 per inspection inclusive of GST)**.** **Payment of the above amount is required prior to the first inspection.** Inspection appointments can be made by contacting the Environmental Services Division on 9976 1414.

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At least 24 hours notice should be given for a request for an inspection and submission of the relevant inspection card. Any additional inspection required as a result of incomplete works will incur a fee of $110.

DA271
An Occupation Certificate is to be issued by the Principal Certifying Authority prior to occupation of the development.

DA279
All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.

DA283
De-watering from the excavation or construction site must comply with the Protection of the Environment Operations Act 1997 and the following:

a) Ground water or other water to be pumped from the site into Council's stormwater system must by sampled and analysed by a NATA certified laboratory or Manly council for compliance with ANZECC Water Quality Guidelines

b) If tested by NATA certified laboratory, the certificate of analysis issed by the laboratory must be forwarded to Manly Council as the appropriate regulatory authority under the Protection of the Environment Operations Act 1997, prior to the commencement of de-watering activities.

c) Council will grant approval to commence site de-watering to the stormwater based on the water quality results received.

d) It is the responsibility of the applicant to ensure that during de-watering activities, the capacity of the stormwater system is not exceeded, that there are no issues associated with erosion or scouring due to the volume of water pumped.

e) Turbidity readings must not at any time exceed the ANZECC recommended 50ppm (parts per million) for receiving waters.

f) Also the developer must contact the Department of Infrastructure, Planning and Natural Resources and comply with any of their requirements.

DA285
Roof and framing including provision for tie downs, bracing and fixings are to be designed by a practising Structural Engineer. The Engineer is to specify appropriate wind category relating to the site terrain, house design and height of the structure, with details being submitted to the Principal Certifying Authority prior to the commencement of framework.

DA332
The capacity and effectiveness of erosion and sediment control devices must be maintained to Council satisfaction at all times.

DA333
A copy of the Soil and Water Management Plan must be kept on-site at all times and made available to Council officers on request.

DA334
Stockpiles are not permitted to be stored on Council property (including nature strip) unless prior approval has been granted.

Environmental Services Division Report No. 69 (Cont'd)

DA335
Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage line or easement, natural watercourse, kerb or road surface.

DA336
Drains, gutters, roadways and access ways shall be maintained free of sediment and to the satisfaction of Council. Where required, gutters and roadways shall be swept regularly to maintain them free from sediment.

DA337
Building operations such as brickcutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.

DA338
All disturbed areas shall be stabilised against erosion to Council satisfaction within 14 days of completion, and prior to removal of sediment controls.

DA339
Stormwater from roof areas shall be linked via a temporary downpipe to a Council approved stormwater disposal system immediately after completion of the roof area. Inspection of the building frame will not be made until this is completed to Council satisfaction.

DA340
The applicant and/or builder must prior to the commencement of work, install at the periphery of the site, measures to control sedimentation and the possible erosion of the land. The measures must include:-
(i) siltation fencing;
(ii) protection of the public stormwater system; and
(iii) site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place.

DA289
Building or construction work must be confined to the hours between 7.00am to 6.00pm, Monday to Friday and 7.00am to 1.00pm, Saturday, with a total exclusion of such work on Public Holidays and Sundays. Non-offensive works where power operated plant is not used and including setting out, surveying, plumbing, electrical installation, tiling, internal timber or fibrous plaster fixing, glazing, cleaning down brickwork, painting, building or site cleaning by hand shovel and site landscaping, is permitted between the hours of 1.00pm to 4.00pm Saturdays. Note: That the Protection of the Environment Operations Act 1997 may preclude the operation of some equipment on site during these permitted working hours.

DA290
The operations of mechanical services are not to give rise to an offensive noise within the meaning of the Protection of the Environment Operations Act 1997.

DA319
Details of the method of termite protection which will provide whole of building protection, inclusive of structural and nonstructural elements, shall be submitted to the Council/Accredited Certifier prior to issue of the Construction Certificate. Attention is drawn to the provisions of Australian Standard 3660.1 "Protection of Buildings from Subterranean Termites New Buildings" and to Council's Code for the "Protection of Buildings Against Termite Attack".

Environmental Services Division Report No. 69 (Cont'd)

DA320
Prior to issue of the Occupation Certificate, a durable termite protection notice shall be permanently fixed to the building in a prominent location detailing the form of termite protection which has been used in accordance with Council's Code for the "Protection of Buildings Against Termite Attack".

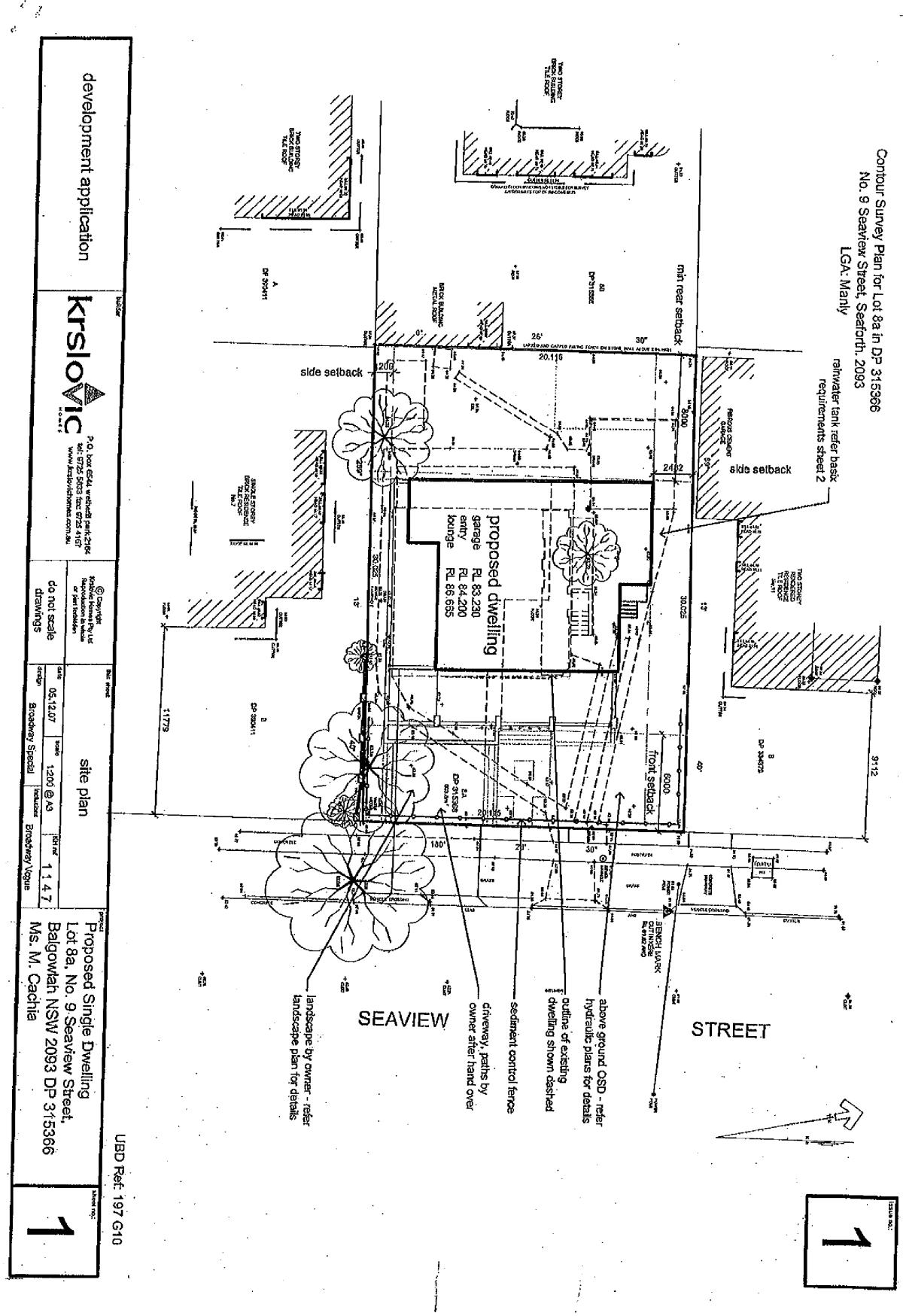
DA274
Payment of contributions in accordance with Section 94 of the Environmental Planning and Assessment Act, 1979, may be required for this development. If required the amount will be in accordance with Councils Section 94 Policy applicable at the time of payment prior to the issue of the Construction Certificate.

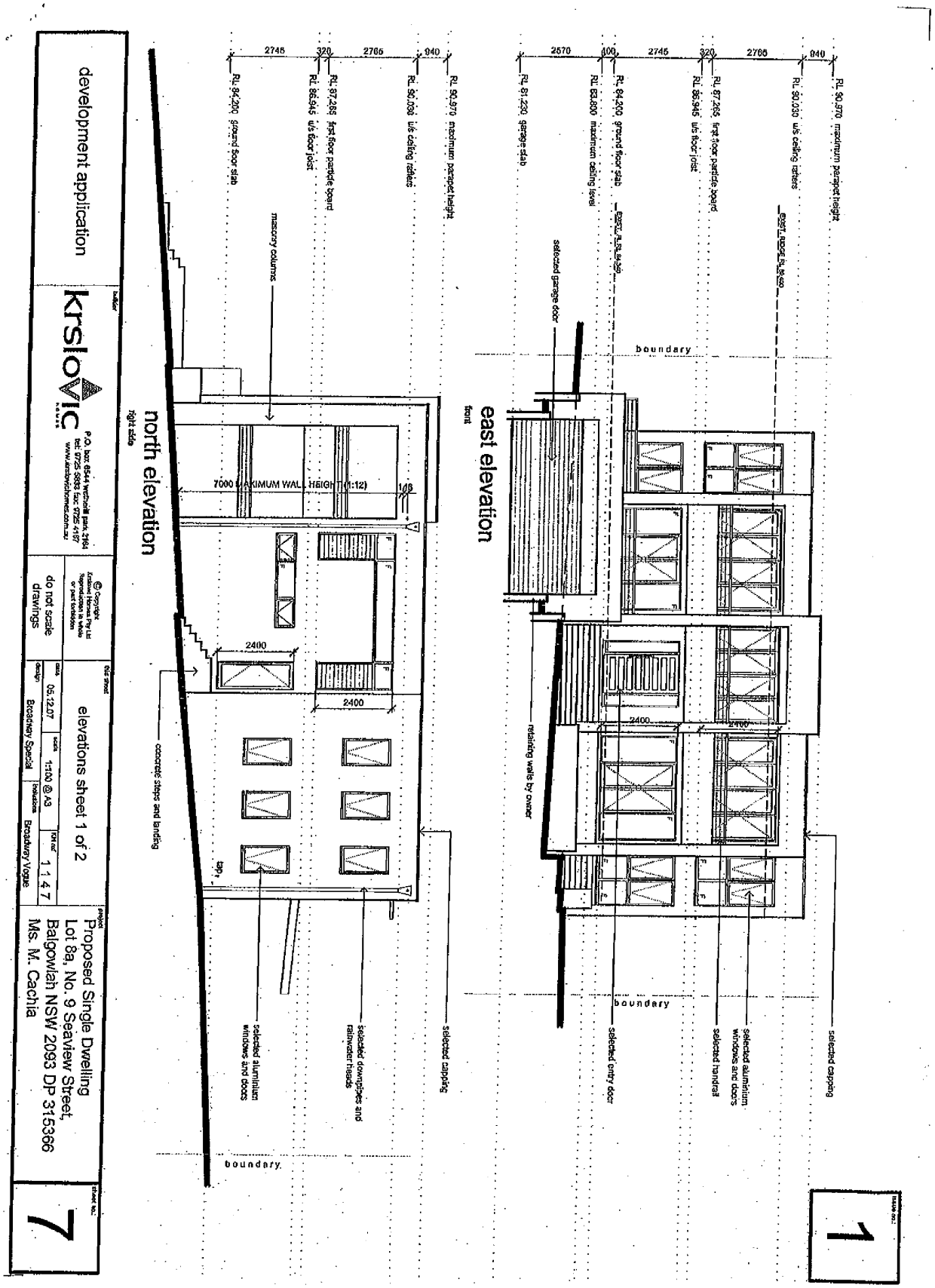
DA323
This approval shall expire if the development hereby permitted is not commenced within 2 years of the date hereof or any extension of such period which Council may allow in writing on an application made before such an expiry.

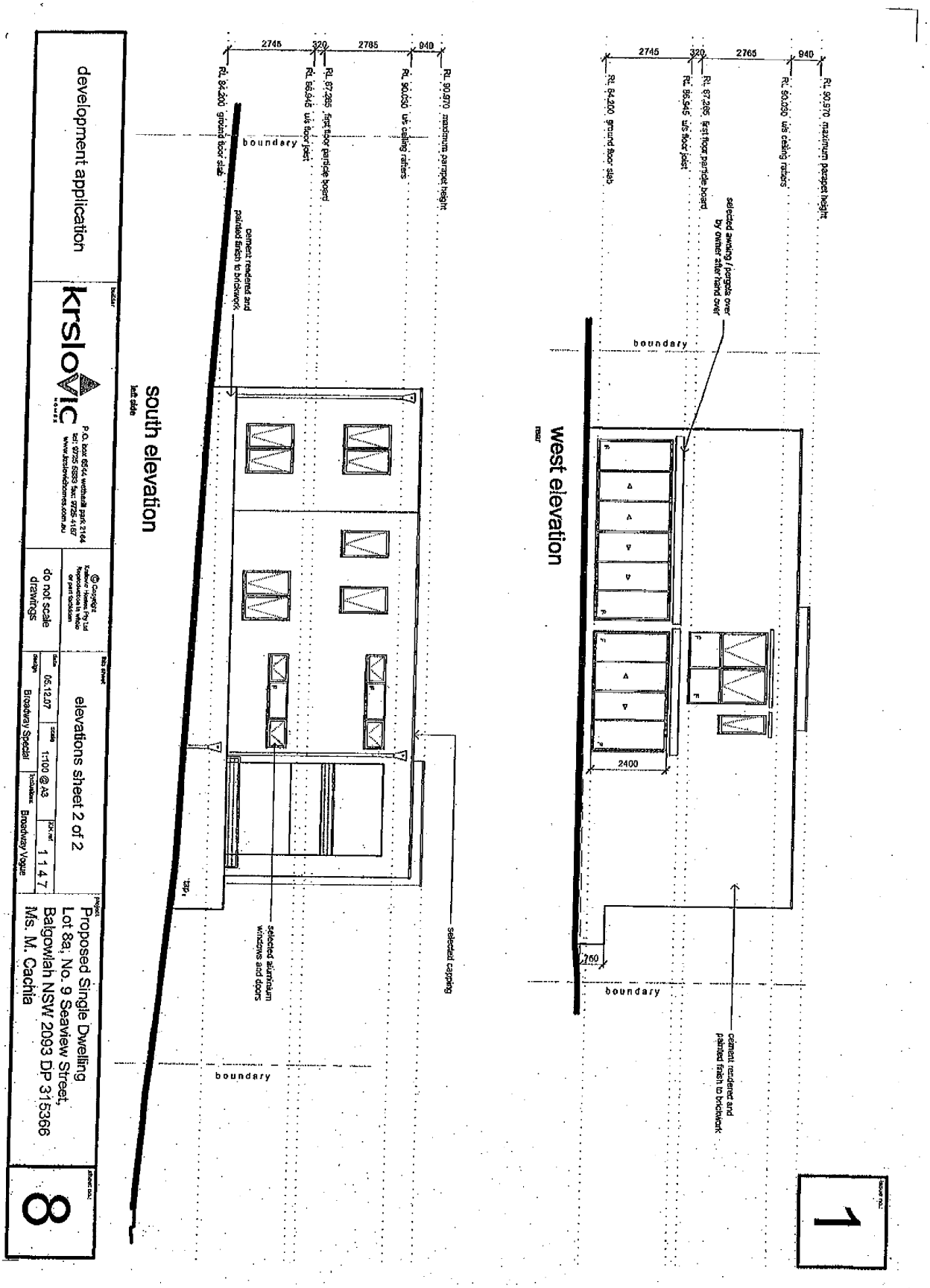
ATTACHMENTS
AT- 1 9 Seaview Street Balgowlah 6 Pages

LUM010908ESD_10.doc

***** End of Environmental Services Division Report No. 69 *****


Contour Survey Plan for Lot 8a in DP 315366
No. 9 Seaview Street, Seaforth. 2093
LGA: Manly
rainwater tank refer basix requirements sheet 2
min rear setback
side setback
side setback
proposed dwelling
garage RL 83.230
entry RL 84.200
lounge RL 86.655
front setback
landscape by owner - refer landscape plan for details
SEAVIEW
driveway, paths by owner after hand over
sediment control fence
outline of existing dwelling shown dashed
above ground OSD - refer hydraulic plans for details
STREET
development application
krslovic
site plan
Proposed Single Dwelling
Lot 8a, No. 9 Seaview Street,
Balgowlah NSW 2093 DP 315366
Ms. M. Cachia
UBD Ref. 197 G10


development application
krslovic
P.O. box 6544 westfield park, 2164
tel: 9725 5833 fax: 9725 4167
www.krslovichomes.com.au
do not scale drawings
elevations sheet 1 of 2
05.12.07
1:100 @ A3
1147
Broadway Special
Broadway Vogue
Proposed Single Dwelling
Lot 8a, No. 9 Seaview Street,
Balgowlah NSW 2093 DP 315366
Ms. M. Cachia
7
north elevation
right side
east elevation
front
masonry columns
7000 MAXIMUM WALL HEIGHT (1:12)
2400
concrete steps and landing
selected aluminium windows and doors
selected downpipes and rainwater heads
selected capping
selected garage door
retaining walls by owner
selected entry door
selected handrail
boundary
RL 84.200 ground floor slab
RL 86.945 u/s floor joist
RL 87.265 first floor particle board
RL 90.030 u/s ceiling rafters
RL 90.970 maximum parapet height
RL 81.230 garage slab
RL 83.800 maximum ceiling level
1


development application
krslovic
P.O. box 6544 wetherill park 2164
tel: 9725 5833 fax: 9725 4167
www.krslovichomes.com.au
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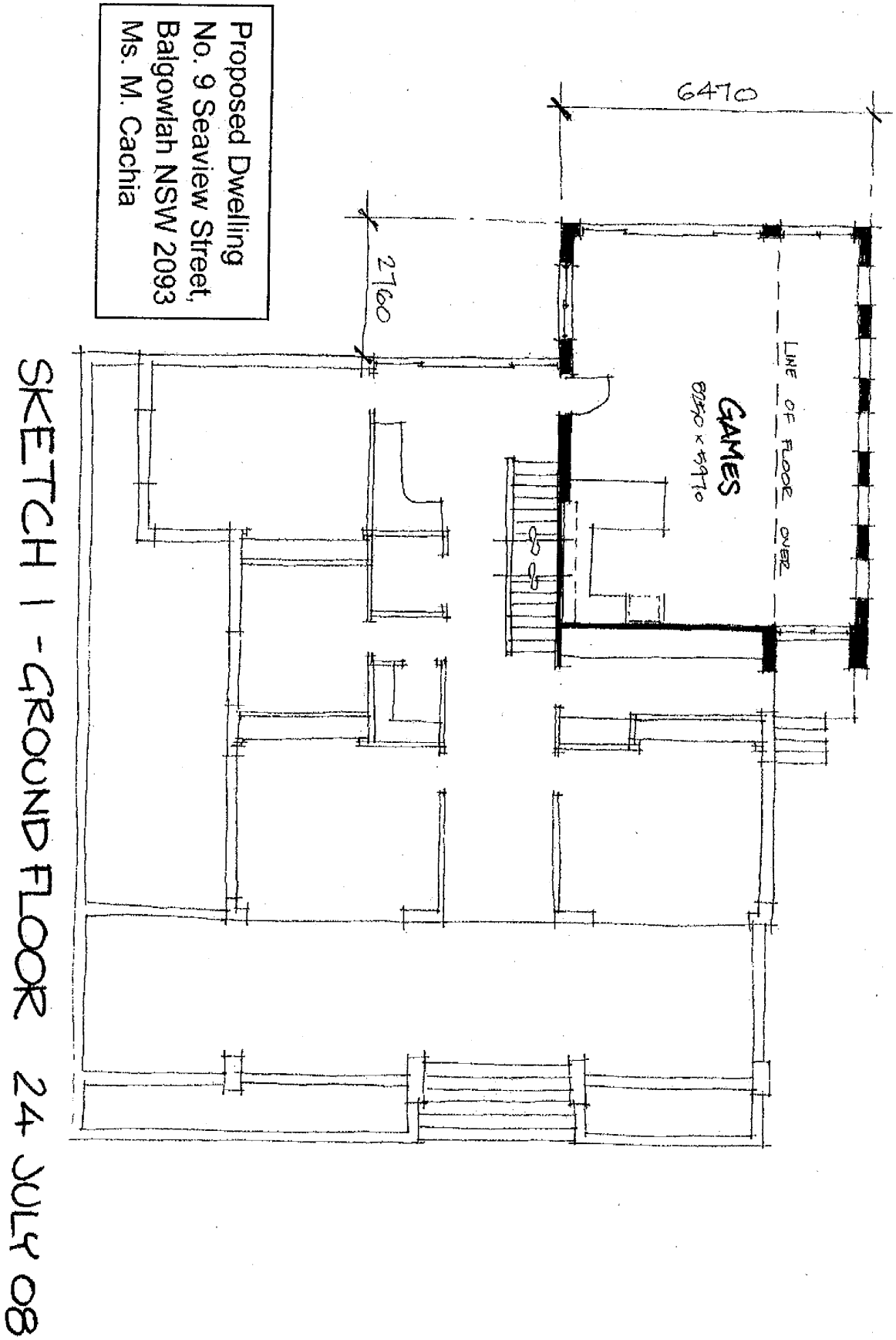
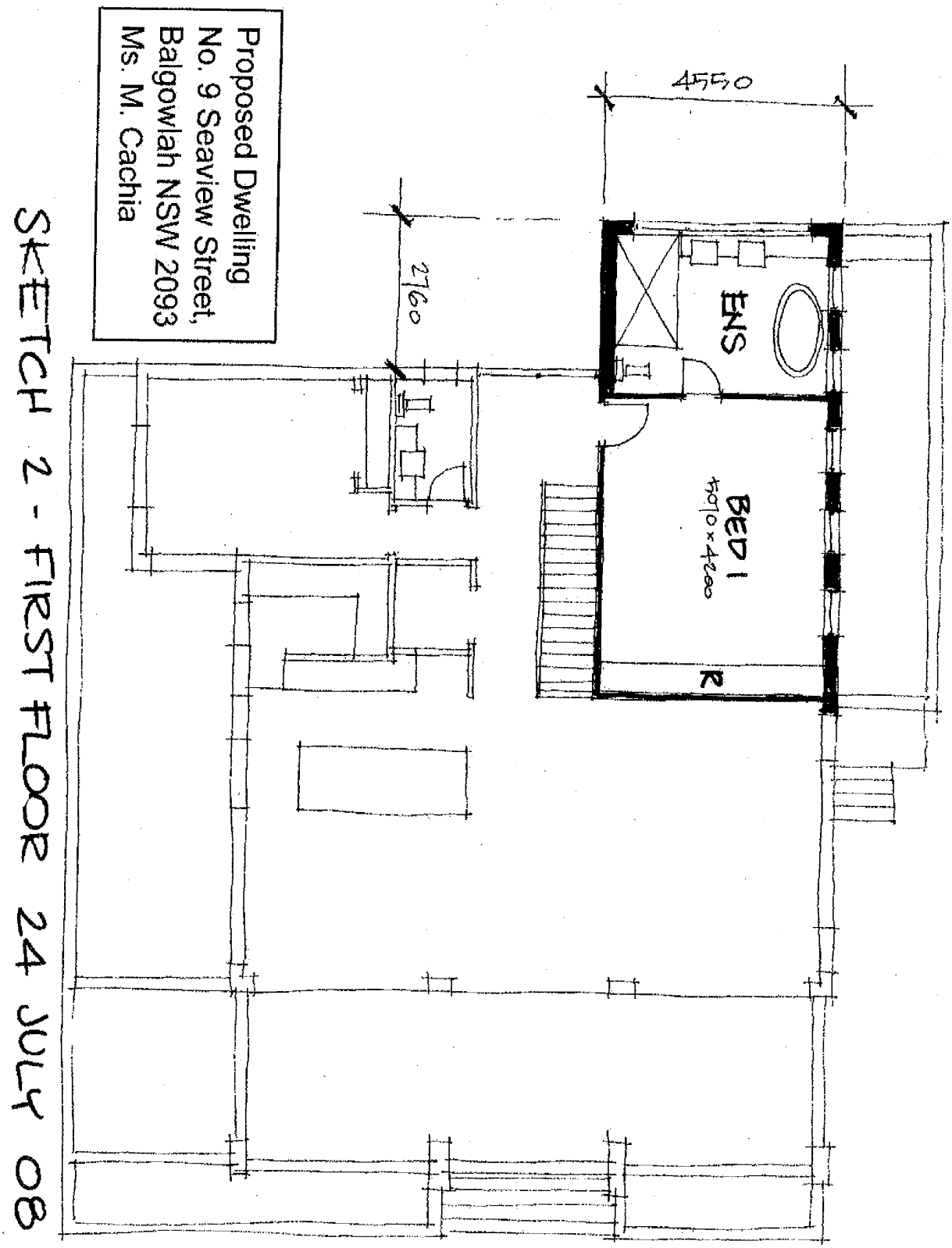
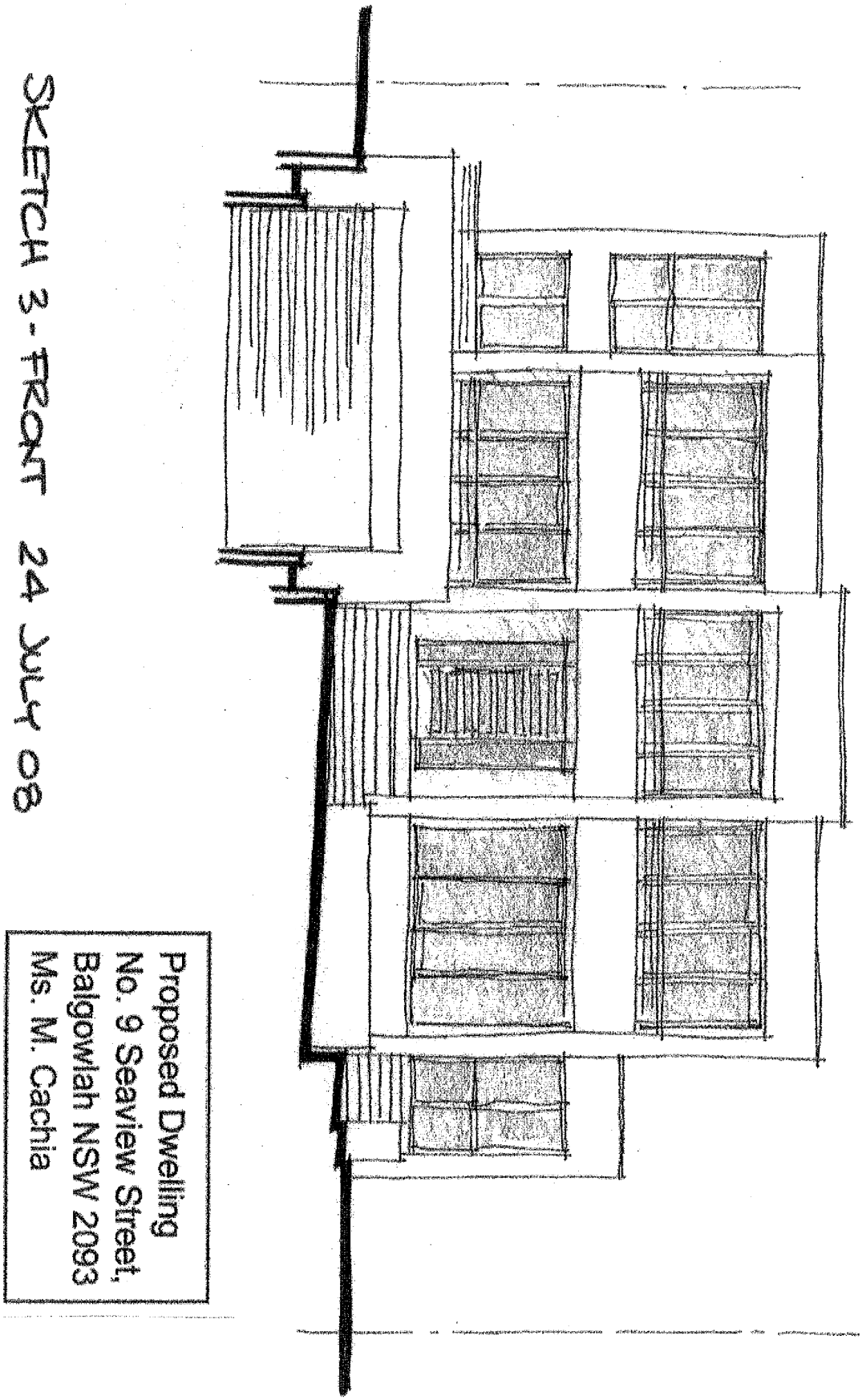
do not scale drawings
elevations sheet 2 of 2
05.12.07
1:100 @ A3
1147
Broadway Special
Broadway Vogue
Proposed Single Dwelling
Lot 8a, No. 9 Seaview Street,
Balgowlah NSW 2093 DP 315366
Ms. M. Cachia
8
south elevation
left side
west elevation
rear
2745
320
2765
940
RL 84.200 ground floor slab
RL 86.945 u/s floor joist
RL 87.265 first floor particle board
RL 90.030 u/s ceiling rafters
RL 90.970 maximum parapet height
boundary
cement rendered and painted finish to brickwork
selected aluminium windows and doors
selected capping
selected awning / pergola over by owner after hand over
2400
760
1


6470
2760
GAMES
LINE OF FLOOR OVER
Proposed Dwelling
No. 9 Seaview Street,
Balgowlah NSW 2093
Ms. M. Cachia
SKETCH 1 - GROUND FLOOR 24 JULY 08


4550
2760
ENS
BED 1
4010 x 4200
R
Proposed Dwelling
No. 9 Seaview Street,
Balgowlah NSW 2093
Ms. M. Cachia
SKETCH 2 - FIRST FLOOR 24 JULY 08


Proposed Dwelling
No. 9 Seaview Street,
Balgowlah NSW 2093
Ms. M. Cachia
SKETCH 3 - FRONT 24 JULY 08