

Minutes

Land Use Management Committee

Held at Council Chambers, 1 Belgrave Street Manly on:

Tuesday 4 October 2005

*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*



TO THE MAYOR AND COUNCILLORS OF THE COUNCIL:

The Land Use Management Committee, having met at 7:39 pm on Tuesday 4 October 2005, in the Council Chambers, Town Hall, Manly, to consider the various matters referred to it, now reports the decisions reached and the recommendations made which are stated hereunder.

The decisions taken and indicated by the prefix "Resolved" as distinct from "Recommendations" made to the Council, were taken pursuant to authority delegated to this Committee vide Minutes Number 353 of 19th September, 2005.

PRESENT

His Worship, The Mayor, Councillor Dr Peter Macdonald
Councillor S Cant,
Councillor P Daley
Councillor J Evans
Councillor J Hay, AM (arrived at 7.41pm)
Councillor A Heasman
Councillor J Lambert, Chairperson who presided
Councillor R Morrison, Deputy Chairperson
Councillor D Murphy
Councillor M Norek
Councillor B Pedersen

ALSO PRESENT

Henry T Wong, General Manager
David Stray, Manager Development Control
Chris Young, Independent Consultant
Rachael Levey, Minute Taker

APOLOGIES

Apologies were tendered on behalf of Councillor Aird, for non-attendance.

MOTION (Macdonald / Lambert)

That the apology received from Councillor Aird, be accepted and leave be granted.

RESOLVED: (Macdonald / Lambert)

That the apology received from Councillor Aird, be accepted and leave be granted.

For the Resolution: Councillors Heasman, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Evans, Norek and Macdonald.

Against the Resolution: Nil.

LEAVE OF ABSENCE

Nil.

DECLARATIONS OF PECUNIARY / CONFLICT INTERESTS

Nil.

CONFIRMATION OF MINUTES**MOTION (Macdonald / Heasman)**

That copies of the Minutes of the Meeting of the Land Use Management Committee held on Monday 5 September 2005, having been furnished to each member of the Committee, be taken as read and confirmed as a true record of proceedings of such meeting.

RESOLVED: (Macdonald / Heasman)

That copies of the Minutes of the Meeting of the Land Use Management Committee held on Monday 5 September 2005, having been furnished to each member of the Committee, be taken as read and confirmed as a true record of proceedings of such meeting.

For the Resolution: Councillors Heasman, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Evans, Norek and Macdonald.

Against the Resolution: Nil.

Councillor Hay entered the Chamber at 7.41pm

PUBLIC ADDRESSES

ITEM	SPEAKER
Environmental Services Division Report No. 54 - DA154/05 80 West Street, Balgowlah Applicant - Owner Objector	 Mr Xu Kha Ms Fran Timmony & Mr Bruce Giles
Environmental Services Division Report No. 53 - DA301/05 5 Lombard Street Balgowlah Applicant - Owner Objector	 Mr Michael Pastega Mr Gavin Pearson

STANDING ORDERS (Lambert / Macdonald)

That Standing Orders be suspended to allow for consideration of Environmental Services Division Report No. 54 - DA154/05, 80 West Street, Balgowlah.

RESOLVED: (Lambert / Macdonald)

That Standing Orders be suspended to allow for consideration of Environmental Services Division Report No. 54 - DA154/05, 80 West Street, Balgowlah.

For the Resolution: Councillors Hay, Heasman, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Evans, Norek and Macdonald.

Against the Resolution: Nil.

ENVIRONMENTAL SERVICES DIVISION REPORTS

Environmental Services Division Report No. 54

80 West Street, Balgowlah (DA154/05)

Application Lodged: 22 March 2005 (Amended plans received on 9th June 2005 & 5th August 2005)

Applicant: Mr. Xu Kha

Owner: Mr. X. & Ms K L Kha

Estimated Cost: \$95,000

Zoning: The site is located in Zone No. 2 – Residential.

Surrounding Development: Single and two storey dwellings and two storey residential flat buildings.

Heritage: Not Applicable.

SUMMARY:

1. DEVELOPMENT CONSENT IS SOUGHT FOR ALTERATIONS AND ADDITIONS TO THE REAR OF THE EXISTING SINGLE STOREY DWELLING AND LANDSCAPING WORKS.
2. THE ORIGINAL PROPOSAL WAS NOTIFIED TO ADJOINING AND NEARBY PROPERTY OWNERS WITH TWO (2) SUBMISSIONS RECEIVED.
3. THE APPLICATION WAS REFERRED TO THE BALGOWLAH HEIGHTS PRECINCT FORUM FOR COMMENT.
4. FOLLOWING INITIAL ASSESSMENT OF THE APPLICATION STAFF RAISED CONCERNS WITH THE APPLICANT REGARDING POTENTIAL LOSS OF AMENITY TO THE SOUTHERN NEIGHBOURING DWELLING.
5. REVISED PLANS WERE RECEIVED BY COUNCIL ON THE 9TH JUNE 2005 WHICH PROVIDE A VIEWING CORRIDOR TO THE DISTRICT VIEWS TO THE NORTH EAST FROM THE ADJOINING DWELLING TO THE SOUTH AND CONVERTING THE ORIGINALLY PROPOSED FLAT ROOF TO A PITCHED ROOF SO AS TO BE MORE COMPATIBLE WITH THE EXISTING STREETScape.
6. ON 30 JUNE 2005, COUNCIL'S DEVELOPMENT ASSESSMENT UNIT RECOMMENDED REFUSAL OF THE APPLICATION, DUE TO DEPARTURES TO THE SETBACK AND OPEN SPACE PROVISIONS OF THE DCP.
7. THE APPLICANT WAS ADVISED OF THE ISSUES AND THE APPLICANT REQUESTED AN OPPORTUNITY TO SUBMIT REVISED PLANS.
8. ON 5 AUGUST 2005, FURTHER REVISED PLANS WERE SUBMITTED.
9. THE REVISED PLANS WERE RE-NOTIFIED WITH ONE (1) SUBMISSION RECEIVED.
10. THE APPLICATION IS PRESENTED TO COUNCIL'S LAND USE MANAGEMENT

COMMITTEE MEETING AT THE REQUEST OF COUNCILLORS MACDONALD AND NOREK.

11. A SITE INSPECTION IS RECOMMENDED
12. THE APPLICATION IS RECOMMENDED FOR APPROVAL.

SITE INSPECTION

A site inspection of 80 West Street, Balgowlah was conducted by Councillors Hay, Heasman, Lambert, Macdonald, Morrison and Norek on Tuesday, 4 October 2005.

Inspection Party Recommendation:

No recommendation.

MOTION (Murphy / Hay)

That Development Application 154/05 for alterations and additions to existing dwelling and landscaping works at 80 West Street, Balgowlah be approved subject to the following conditions:

DA1

This approval relates to drawings/plans Nos. DA04 – DA11 Revision A dated February 2005 and received by Council on 5 August, 2005.

ANS01

Existing plantings along the northern boundary of the rear yard are to be maintained between 4.0m to 4.5m in height so as to maintain privacy to the adjoining properties in Lombard Street.

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 \$2,200. 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 dependant upon receipt of a final occupation certificate by the Principal Certifying Authority and infrastructure inspection by Council.

DA017

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

DA343

Any adjustment to the public utility service is to be carried out in compliance with their standards and the 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.

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.

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.

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.

DA084

Roofwaters and surface stormwaters from paved areas is to be conveyed by pipeline to Councils street gutter.

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.

DA264

All materials on site or being delivered to the site shall generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 shall be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.

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
- Framework inspection x2
- Wet area moisture barrier
- Drainage inspection
- Final inspection

The cost of these inspections by Council is \$1760. (being \$220.00 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 1573 or 9976 1587.**

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 \$100.00.

DA271

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

DA280

All site waters during excavation and construction shall be contained on site in an approved manner to avoid pollutants entering into the Harbour or Council's stormwater drainage system.

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.

DA334

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

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.

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.

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".

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".

AMENDMENT (Macdonald)

That Development Application 154/05 for alterations and additions to existing dwelling and landscaping works at 80 West Street, Balgowlah be approved subject to dropping the building (ie the whole of the proposed addition) by one meter and the following conditions:

DA1

This approval relates to drawings/plans Nos. DA04 – DA11 Revision A dated February 2005 and received by Council on 5 August, 2005.

ANS01

Existing plantings along the northern boundary of the rear yard are to be maintained between 4.0m to 4.5m in height so as to maintain privacy to the adjoining properties in Lombard Street.

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 \$2,200. 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 dependant upon receipt of a final occupation certificate by the Principal Certifying Authority and infrastructure inspection by Council.

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

DA343

Any adjustment to the public utility service is to be carried out in compliance with their standards and the 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.

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.

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.

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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.

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

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

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Roofwaters and surface stormwaters from paved areas is to be conveyed by pipeline to Councils street gutter.

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

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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.

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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.

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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.

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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
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Final inspection

The cost of these inspections by Council is \$1760. (being \$220.00 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 1573 or 9976 1587.**

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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".

The Amendment **lapsed** due to lack of a **Seconder**.

RESOLVED: (Murphy / Hay)

That Development Application 154/05 for alterations and additions to existing dwelling and landscaping works at 80 West Street, Balgowlah be approved subject to the following conditions:

DA1

This approval relates to drawings/plans Nos. DA04 – DA11 Revision A dated February 2005 and received by Council on 5 August, 2005.

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Drainage inspection
Final inspection

The cost of these inspections by Council is \$1760. (being \$220.00 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 1573 or 9976 1587.**

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 \$100.00.

DA271

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

DA280

All site waters during excavation and construction shall be contained on site in an approved manner to avoid pollutants entering into the Harbour or Council's stormwater drainage system.

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.

DA334

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

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.

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.

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".

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".

For the Resolution: Councillors Hay, Heasman, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Evans and Norek.

Against the Resolution: Councillor Macdonald.

STANDING ORDERS (Lambert / Macdonald)

That Standing Orders be resumed.

RESOLVED: (Lambert / Macdonald)

That Standing Orders be resumed.

For the resolution: Councillors Hay, Heasman, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Evans, Norek and Macdonald.

Against the resolution: Nil.

Environmental Services Division Report No. 53

5 Lombard Street, Balgowlah (DA301/05)

Application Lodged: 12 May, 2005
Applicant: Rawson Homes
Owner: Michael & Anne Pastega
Estimated Cost: \$356,000
Zoning: Manly Local Environmental Plan, 1988 - Residential.
Surrounding Development: One and two storey dwelling houses and two storey residential flat buildings.
Heritage: N/A

SUMMARY:

1. DEVELOPMENT CONSENT IS SOUGHT FOR THE DEMOLITION OF THE EXISTING SINGLE STOREY DWELLING AND ERECTION OF A TWO STOREY DWELLING HOUSE.
2. THE APPLICATION WAS NOTIFIED TO ADJOINING AND NEARBY PROPERTY OWNERS WITH SUBMISSIONS RECEIVED.
3. THE APPLICATION WAS REFERRED TO THE BALGOWLAH PRECINCT COMMUNITY FORUM FOR COMMENT.
4. THE APPLICATION IS PRESENTED TO COUNCIL'S LAND USE MANAGEMENT COMMITTEE MEETING AT THE REQUEST OF COUNCILLOR MACDONALD.
5. SITE INSPECTION IS RECOMMENDED.
6. THE APPLICATION IS RECOMMENDED FOR APPROVAL.

SITE INSPECTION

A site inspection of 5 Lombard Street, Balgowlah was conducted by Councillors Daley, Evans, Hay, Heasman, Lambert, Macdonald, Morrison and Norek on Tuesday, 4 October 2005.

Inspection Party Recommendation:

That Development Application No 301/05 for the demolition of the existing dwelling and the erection new two storey dwelling at 5 Lombard Street, Balgowlah be approved as per the staff recommendation, with conditions 2, 3 and 4 being amended as detailed below and a new condition 7 being added:

2. Windows to the west elevation of the proposed living/dining room being glazed with opaque glass to a minimum height of 1500mm above finished floor level, to reduce impacts on privacy of the adjoining property, plans being suitably amended prior to issue of the Construction Certificate.
3. The height of the rear deck is to be reduced to RL 45.85 and a 1600mm solid (closed) privacy screen is to be provided along the full extent of the western end , to reduce privacy impacts on the adjoining property to the west, plans being suitably amended prior to issue of the Construction Certificate.
4. The western side wall in the area of the proposed family room and bedroom 1 WIR is to be setback an additional 300mm from the west side boundary, to reduce impacts on the amenity of the adjoining property, plans being suitably amended prior to issue of the Construction Certificate.
7. The existing trees adjacent to the west side boundary in the proximity of the proposed family room and rear deck are to be retained and protected during construction, plans being suitably amended prior to issue of the Construction Certificate.

MOTION (Murphy / Hay)

That Development Application No 301/05 for the demolition of the existing dwelling and the erection new two storey dwelling at 5 Lombard Street, Balgowlah be approved subject to the following conditions:

1. This approval relates to plans/drawings Nos. DA01 to DA10 issue B dated March 2005 received by Council 12 May 2005.
2. Windows to the west elevation of the proposed living/dining room being glazed with opaque glass to a minimum height of 1200mm above finished floor level, to reduce impacts on privacy

of the adjoining property, plans being suitably amended prior to issue of the Construction Certificate.

3. The height of the rear deck is to be reduced to RL 45.85 and a 1600mm solid (closed) privacy screen is to be provided along the full extent of the western end , to reduce privacy impacts on the adjoining property to the west, plans being suitably amended prior to issue of the Construction Certificate.
4. The western side wall in the area of the proposed family room and bedroom 1 WIR is to be setback an additional 300mm from the west side boundary, to reduce impacts on the amenity of the adjoining property, plans being suitably amended prior to issue of the Construction Certificate.
5. The garage door to the storage area adjacent to the proposed entry area be replaced by a rendered wall with a window, to maintain streetscape character, plans being suitably amended **prior to issue of the Construction Certificate.**
6. Any front fence and/or side boundary fencing within 6.0m of the front boundary is to be in compliance with Council's DCP.

DA16

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 \$7,500. 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.**

DA17

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

DA342

The applicant is to notify Council at least 48 hours before commencement of works on any Council road so as to enable Council to supervise the carrying out of the works.

DA343

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

DA18

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

DA19

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 **prior to issue of the Construction Certificate.**

DA21

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.

DA24

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.

DA26

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.

DA31

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.

DA39

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 Principal Certifying Authority **prior to the issue of the Construction Certificate**.

DA40

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.

DA44

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.

DA48

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

DA58

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.

DA59

Building work shall not progress beyond first floor level until such time as Registered Surveyor's 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.

DA60

On completion of the building structure a Registered Surveyor's report 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.

DA357

Four (4) Architectural/Services Specifications are to be submitted with the Construction Certificate application **prior to the issue of the Construction Certificate.**

DA65

All external cladding and trim of the approved building shall be of a non reflective nature. Details of such finishes shall be **submitted with the Construction Certificate Application.**

DA69

All plumbing and drainage, including sewerage drainage stacks, ventilation stacks and water service pipes shall be concealed within the building. Plumbing other than stormwater downpipes shall not be attached to the external surfaces of the building.

DA77

An approved water interceptor shall be provided across the driveway at the street boundary and all stormwaters shall be conveyed by underground pipe to Council's street gutter to the satisfaction of the Principal Certifying Authority.

DA109

All demolition is to be carried out in accordance with AS2601-1991.

DA111

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

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.

DA84

Roofwaters and surface stormwaters from paved areas is to be conveyed by pipeline to Council's street gutter.

DA87A

Detailed stormwater management plan shall be prepared to fully comply with Council's "Specification for on-site Stormwater Management 2003" and shall be submitted with the Construction Certificate application. The stormwater management plan shall be prepared by an experienced Chartered Civil Engineer. The principal Certifying Authority shall ensure that the design complies with the above said specification prior to the issue of a Construction Certificate.

DA230

No building materials may be stored on the road reserve without separate approval from Council.

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.**

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.

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.

DA243

The trees to be retained are to be protected from trenching or excavation works or other construction works during the building construction stage.

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.

DA253

All lights used to illuminate the exterior of the buildings or site shall be positioned and/or fitted with cut off luminaries (baffles) so as to prevent the emission of direct light onto adjoining roadways and land.

DA255

Any ancillary light fittings fitted to the exterior of the building are to be shielded or mounted in a position to minimise glare to adjoining properties.

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
Reinforced concrete slab
Framework inspection
Wet area moisture barrier
Drainage inspection
Driveway crossing/kerb layback
Final inspection

The cost of these inspections by Council is \$1,540. (being \$220.00 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 1573 or 9976 1587.**

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 \$100.00.

DA261

Prior to the commencement of any works on the land including demolition and site preparation,

provision of silt control fences shall be provided. A Sediment/Erosion Control detail shall be submitted to the Certifying Authority **prior to the issue of the Construction Certificate.**

DA269

A Construction Certificate Application is required to be submitted to and issued by the Principal Certifying Authority **prior to any building works being carried out on site.**

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.

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.**

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.

DA332

The capacity and effectiveness of erosion and sediment control devices must be maintained to Council's 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.

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's 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's 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.

AMENDMENT (Macdonald / Cant)

That Development Application No 301/05 for the demolition of the existing dwelling and the erection new two storey dwelling at 5 Lombard Street, Balgowlah be approved subject to the following conditions:

1. This approval relates to plans/drawings Nos. DA01 to DA10 issue B dated March 2005 received by Council 12 May 2005.
2. Windows to the west elevation of the proposed living/dining room being glazed with opaque glass to a minimum height of 1500mm above finished floor level, to reduce impacts on privacy of the adjoining property, plans being suitably amended prior to issue of the Construction Certificate.
3. The height of the rear deck is to be reduced to RL 45.85 and a 1600mm solid (closed) privacy screen is to be provided along the full extent of the western end, to reduce privacy impacts on the adjoining property to the west, plans being suitably amended prior to issue of the Construction Certificate.
4. The western side wall in the area of the proposed family room and bedroom 1 WIR is to be setback an additional 300mm from the west side boundary, to reduce impacts on the amenity of the adjoining property, plans being suitably amended prior to issue of the Construction Certificate.
5. The garage door to the storage area adjacent to the proposed entry area be replaced by a rendered wall with a window, to maintain streetscape character, plans being suitably amended **prior to issue of the Construction Certificate.**
6. Any front fence and/or side boundary fencing within 6.0m of the front boundary is to be a maximum 1.0m in height unless otherwise approved by Council.
7. The existing trees adjacent to the west side boundary in the proximity of the proposed family room and rear deck are to be retained and protected during construction, plans being suitably amended prior to issue of the Construction Certificate.

DA16

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 \$7,500. 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.**

DA17

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

DA342

The applicant is to notify Council at least 48 hours before commencement of works on any Council road so as to enable Council to supervise the carrying out of the works.

DA343

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

DA18

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

DA19

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 **prior to issue of the Construction Certificate.**

DA21

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.

DA24

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.

DA26

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.

DA31

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.

DA39

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 Principal Certifying Authority **prior to the issue of the Construction Certificate.**

DA40

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.

DA44

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.

DA48

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

DA58

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.

DA59

Building work shall not progress beyond first floor level until such time as Registered Surveyor's 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.

DA60

On completion of the building structure a Registered Surveyor's report 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.

DA357

Four (4) Architectural/Services Specifications are to be submitted with the Construction Certificate application **prior to the issue of the Construction Certificate.**

DA65

All external cladding and trim of the approved building shall be of a non reflective nature. Details of such finishes shall be **submitted with the Construction Certificate Application.**

DA69

All plumbing and drainage, including sewerage drainage stacks, ventilation stacks and water service pipes shall be concealed within the building. Plumbing other than stormwater downpipes shall not be attached to the external surfaces of the building.

DA77

An approved water interceptor shall be provided across the driveway at the street boundary and all stormwaters shall be conveyed by underground pipe to Council's street gutter to the satisfaction of the Principal Certifying Authority.

DA109

All demolition is to be carried out in accordance with AS2601-1991.

DA111

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

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.

DA84

Roofwaters and surface stormwaters from paved areas is to be conveyed by pipeline to Council's street gutter.

DA87A

Detailed stormwater management plan shall be prepared to fully comply with Council's "Specification for on-site Stormwater Management 2003" and shall be submitted with the Construction Certificate application. The stormwater management plan shall be prepared by an experienced Chartered Civil Engineer. The principal Certifying Authority shall ensure that the design complies with the above said specification prior to the issue of a Construction Certificate.

DA230

No building materials may be stored on the road reserve without separate approval from Council.

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.**

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.

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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.

DA243

The trees to be retained are to be protected from trenching or excavation works or other construction works during the building construction stage.

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.

DA253

All lights used to illuminate the exterior of the buildings or site shall be positioned and/or fitted with cut off luminaires (baffles) so as to prevent the emission of direct light onto adjoining roadways and land.

DA255

Any ancillary light fittings fitted to the exterior of the building are to be shielded or mounted in a position to minimise glare to adjoining properties.

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
- Reinforced concrete slab
- Framework inspection
- Wet area moisture barrier
- Drainage inspection
- Driveway crossing/kerb layback
- Final inspection

The cost of these inspections by Council is \$1,540. (being \$220.00 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 1573 or 9976 1587.**

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 \$100.00.

DA261

Prior to the commencement of any works on the land including demolition and site preparation, provision of silt control fences shall be provided. A Sediment/Erosion Control detail shall be submitted to the Certifying Authority **prior to the issue of the Construction Certificate.**

DA269

A Construction Certificate Application is required to be submitted to and issued by the Principal Certifying Authority **prior to any building works being carried out on site.**

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.

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.**

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.

DA332

The capacity and effectiveness of erosion and sediment control devices must be maintained to Council's 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.

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's 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's 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.

For the Amendment: Councillors Lambert, Cant, Pedersen and Macdonald.

Against the Amendment: Councillors Hay, Heasman, Murphy, Daley, Morrison, Evans and Norek.

The **Amendment** was declared **Lost**.

FORESHADOWED AMENDMENT (Evans / Heasman)

That Development Application No 301/05 for the demolition of the existing dwelling and the erection new two storey dwelling at 5 Lombard Street, Balgowlah be approved subject to the following conditions:

1. This approval relates to plans/drawings Nos. DA01 to DA10 issue B dated March 2005 received by Council 12 May 2005.
2. Windows to the west elevation of the proposed living/dining room being glazed with opaque glass to a minimum height of 1.5m above finished floor level, to reduce impacts on privacy of the adjoining property, plans being suitably amended prior to issue of the Construction Certificate.
3. The height of the rear deck is to be reduced to RL 45.85 and a 1600mm solid (closed) privacy screen is to be provided along the full extent of the western end , to reduce privacy impacts on the adjoining property to the west, plans being suitably amended prior to issue of the Construction Certificate.
4. The western side wall in the area of the proposed family room and bedroom 1 WIR is to be setback an additional 300mm from the west side boundary, to reduce impacts on the amenity of the adjoining property, plans being suitably amended prior to issue of the Construction Certificate.
5. The garage door to the storage area adjacent to the proposed entry area be replaced by a rendered wall with a window, to maintain streetscape character, plans being suitably amended **prior to issue of the Construction Certificate.**
6. Any front fence and/or side boundary fencing within 6.0m of the front boundary is to be a maximum 1.0m in height unless otherwise approved by Council.

DA16

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 \$7,500. 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.**

DA17

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

DA342

The applicant is to notify Council at least 48 hours before commencement of works on any Council road so as to enable Council to supervise the carrying out of the works.

DA343

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

DA18

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

DA19

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 **prior to issue of the Construction Certificate**.

DA21

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.

DA24

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.

DA26

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.

DA31

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.

DA39

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 Principal Certifying Authority **prior to the issue of the Construction Certificate**.

DA40

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.

DA44

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.

DA48

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

DA58

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.

DA59

Building work shall not progress beyond first floor level until such time as Registered Surveyor's 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.

DA60

On completion of the building structure a Registered Surveyor's report 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.

DA357

Four (4) Architectural/Services Specifications are to be submitted with the Construction Certificate application **prior to the issue of the Construction Certificate.**

DA65

All external cladding and trim of the approved building shall be of a non reflective nature. Details of such finishes shall be **submitted with the Construction Certificate Application.**

DA69

All plumbing and drainage, including sewerage drainage stacks, ventilation stacks and water service pipes shall be concealed within the building. Plumbing other than stormwater downpipes shall not be attached to the external surfaces of the building.

DA77

An approved water interceptor shall be provided across the driveway at the street boundary and all stormwaters shall be conveyed by underground pipe to Council's street gutter to the satisfaction of the Principal Certifying Authority.

DA109

All demolition is to be carried out in accordance with AS2601-1991.

DA111

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

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.

DA84

Roofwaters and surface stormwaters from paved areas is to be conveyed by pipeline to Council's street gutter.

DA87A

Detailed stormwater management plan shall be prepared to fully comply with Council's "Specification for on-site Stormwater Management 2003" and shall be submitted with the Construction Certificate application. The stormwater management plan shall be prepared by an experienced Chartered Civil Engineer. The principal Certifying Authority shall ensure that the design complies with the above said specification prior to the issue of a Construction Certificate.

DA230

No building materials may be stored on the road reserve without separate approval from Council.

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.**

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.

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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.

DA243

The trees to be retained are to be protected from trenching or excavation works or other construction works during the building construction stage.

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.

DA253

All lights used to illuminate the exterior of the buildings or site shall be positioned and/or fitted with cut off luminaries (baffles) so as to prevent the emission of direct light onto adjoining roadways and land.

DA255

Any ancillary light fittings fitted to the exterior of the building are to be shielded or mounted in a position to minimise glare to adjoining properties.

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
Reinforced concrete slab
Framework inspection
Wet area moisture barrier
Drainage inspection
Driveway crossing/kerb layback
Final inspection

The cost of these inspections by Council is \$1,540. (being \$220.00 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 1573 or 9976 1587.**

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 \$100.00.

DA261

Prior to the commencement of any works on the land including demolition and site preparation, provision of silt control fences shall be provided. A Sediment/Erosion Control detail shall be submitted to the Certifying Authority **prior to the issue of the Construction Certificate.**

DA269

A Construction Certificate Application is required to be submitted to and issued by the Principal Certifying Authority **prior to any building works being carried out on site.**

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.

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.**

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.

DA332

The capacity and effectiveness of erosion and sediment control devices must be maintained to Council's 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.

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's 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's 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.

For the Foreshadowed Amendment: Councillors Heasman, Lambert, Cant, Pedersen, Evans and Macdonald.

Against the Foreshadowed Amendment: Councillors Hay, Murphy, Daley, Morrison and Norek.

The **Foreshadowed Amendment** became the **Motion** and was declared **Carried**.

RESOLVED: (Evans / Heasman)

That Development Application No 301/05 for the demolition of the existing dwelling and the erection new two storey dwelling at 5 Lombard Street, Balgowlah be approved subject to the following conditions:

1. This approval relates to plans/drawings Nos. DA01 to DA10 issue B dated March 2005 received by Council 12 May 2005.
2. Windows to the west elevation of the proposed living/dining room being glazed with opaque glass to a minimum height of 1.5m above finished floor level, to reduce impacts on privacy of the adjoining property, plans being suitably amended prior to issue of the Construction Certificate.
3. The height of the rear deck is to be reduced to RL 45.85 and a 1600mm solid (closed) privacy screen is to be provided along the full extent of the western end , to reduce privacy impacts on the adjoining property to the west, plans being suitably amended prior to issue of the Construction Certificate.
4. The western side wall in the area of the proposed family room and bedroom 1 WIR is to be

setback an additional 300mm from the west side boundary, to reduce impacts on the amenity of the adjoining property, plans being suitably amended prior to issue of the Construction Certificate.

5. The garage door to the storage area adjacent to the proposed entry area be replaced by a rendered wall with a window, to maintain streetscape character, plans being suitably amended **prior to issue of the Construction Certificate.**
6. Any front fence and/or side boundary fencing within 6.0m of the front boundary is to be a maximum 1.0m in height unless otherwise approved by Council.

DA16

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 \$7,500. 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.**

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

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The applicant is to notify Council at least 48 hours before commencement of works on any Council road so as to enable Council to supervise the carrying out of the works.

DA343

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

DA18

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

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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 **prior to issue of the Construction Certificate.**

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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.

DA24

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.

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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.

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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.

DA48

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

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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.

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Building work shall not progress beyond first floor level until such time as Registered Surveyor's 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.

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On completion of the building structure a Registered Surveyor's report 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.

DA357

Four (4) Architectural/Services Specifications are to be submitted with the Construction Certificate application **prior to the issue of the Construction Certificate.**

DA65

All external cladding and trim of the approved building shall be of a non reflective nature. Details of such finishes shall be **submitted with the Construction Certificate Application.**

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Detailed stormwater management plan shall be prepared to fully comply with Council's "Specification for on-site Stormwater Management 2003" and shall be submitted with the Construction Certificate application. The stormwater management plan shall be prepared by an experienced Chartered Civil Engineer. The principal Certifying Authority shall ensure that the design complies with the above said specification prior to the issue of a Construction Certificate.

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No building materials may be stored on the road reserve without separate approval from Council.

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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.**

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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
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All lights used to illuminate the exterior of the buildings or site shall be positioned and/or fitted with cut off luminaries (baffles) so as to prevent the emission of direct light onto adjoining roadways and land.

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Any ancillary light fittings fitted to the exterior of the building are to be shielded or mounted in a position to minimise glare to adjoining properties.

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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:-

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Inspection appointments can be made by contacting the Environmental Services Division on 9976 1573 or 9976 1587.

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 \$100.00.

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Prior to the commencement of any works on the land including demolition and site preparation, provision of silt control fences shall be provided. A Sediment/Erosion Control detail shall be submitted to the Certifying Authority **prior to the issue of the Construction Certificate.**

DA269

A Construction Certificate Application is required to be submitted to and issued by the Principal Certifying Authority **prior to any building works being carried out on site.**

DA271

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

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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.

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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.**

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.

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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.

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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.

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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.

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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.

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

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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's 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.

For the Resolution: Councillors Heasman, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Evans, Norek and Macdonald.

Against the Resolution: Councillor Hay.

Environmental Services Division Report No. 55

8-28 The Corso, Manly (DA35/04 Section 96 Modification)

<u>Application Lodged:</u>	28 July 2005
<u>Applicant:</u>	London Fashion Pty Ltd
<u>Owner:</u>	London Fashion Pty Ltd
<u>Estimated Cost:</u>	N/A
<u>Zoning:</u>	Manly Local Environmental Plan, 1988 -Business
<u>Surrounding Development:</u>	Commercial, Retail and Residential
<u>Heritage:</u>	All buildings in The Corso are listed items and are located within The Corso conservation area

SUMMARY:

Council is in receipt of an application under Section 96(2) to modify the deferred commencement conditions A1-A5 under Council resolution of 16 May 2005 in respect of DA No 35/04 for redevelopment of Coles at 8-28 The Corso, Manly.

MOTION (Macdonald / Murphy)

That the Application under Section 96(2) of the Environmental Planning and Assessment Act 1979 (as amended) for DA 35/04 being 8-28 The Corso Manly for modification the deferred commencement conditions A1-A5 be approved by deletion of the reference of the deferred commencement section of the Determination, and conditions 1, 3 and 218 and the addition of the following conditions;

1. **Approved Plans**

The development is to be carried out in accordance with plans drawn by Wolski Lycenko and Brecknock Architects titled Commercial/Residential Development 8-28 The Corso for London Fashions Pty Ltd October and November dated October and November 2004 and July 2005 and numbered da 01b, 02d, 03c, 04c, 05c, 06c, 07c, 08c, 09c, 10c, 11c, 12c and 13c except as varied by conditions hereunder.

3. That the Roof top terraces be removed from the Wentworth St building design.

218

A separate approval of Council is required for any works in the Private Laneway with such proposal to be accompanied by the appropriate owners consent.

219

The General Manager to seek the views of the Heritage Committee on the materials and finishes of the Corso façade, in particular, the design of the bay windows, **prior to the issue of the**

Construction Certificate.**RESOLVED: (Macdonald / Murphy)**

That the Application under Section 96(2) of the Environmental Planning and Assessment Act 1979 (as amended) for DA 35/04 being 8-28 The Corso Manly for modification the deferred commencement conditions A1-A5 be approved by deletion of the reference of the deferred commencement section of the Determination, and conditions 1, 3 and 218 and the addition of the following conditions;

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3. That the Roof top terraces be removed from the Wentworth St building design.

218

A separate approval of Council is required for any works in the Private Laneway with such proposal to be accompanied by the appropriate owners consent.

219

The General Manager to seek the views of the Heritage Committee on the materials and finishes of the Corso façade, in particular, the design of the bay windows, **prior to the issue of the Construction Certificate.**

For the Resolution: Councillors Hay, Heasman, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Evans, Norek and Macdonald.

Against the Resolution: Nil.

Environmental Services Division Report No. 56

Development Applications Being Processed During October 2005**SUMMARY**

DEVELOPMENT APPLICATIONS CURRENTLY BEING PROCESSED DURING OCTOBER 2005.

MOTION (Heasman / Cant)

That the information be noted.

RESOLVED: (Heasman / Cant)

That the information be noted.

For the Resolution: Councillors Hay, Heasman, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Evans, Norek and Macdonald.

Against the Resolution: Nil.

Environmental Services Division Report No. 57

Appeals List for October 2005

SUMMARY

LIST OF APPEALS RECEIVED AND THEIR CURRENT STATUS FOR COUNCILLORS' INFORMATION

MOTION (Macdonald / Evans)

That the information be noted.

RESOLVED: (Macdonald / Evans)

That the information be noted.

For the Resolution: Councillors Hay, Heasman, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Evans, Norek and Macdonald.

Against the Resolution: Nil.

CLOSE

The meeting closed at 10.00pm

The above minutes were confirmed at a **Land Use Management Committee** of Manly Council held on 7 November 2005.

CHAIRPERSON

***** END OF MINUTES *****