

# NORTHERN BEACHES COUNCIL

27 July 2017



James Roy Ross  
PO Box 339  
FORESTVILLE NSW 2087

Dear Sir/Madam

**Application Number:** Mod2017/0126  
**Address:** Lot 29 DP 366454 , 16 Melwood Avenue, FORESTVILLE NSW 2087  
**Proposed Development:** Modification of Consent to DA2015/0653 granted for construction of a dwelling house and detached gym / workshop

Please find attached the Notice of Determination for the above mentioned Application.

Please be advised that a copy of the Assessment Report associated with the application is available on Council's eServices website at [www.warringah.nsw.gov.au](http://www.warringah.nsw.gov.au)

Please read your Notice of Determination carefully and the assessment report in the first instance.

If you have any further questions regarding this matter please contact the undersigned on (02) 9942 2111 or via email quoting the application number, address and description of works to [council@warringah.nsw.gov.au](mailto:council@warringah.nsw.gov.au)

Regards,

Isaac Toledano  
**Planner**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2017/0126
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	James Roy Ross
<b>Land to be developed (Address):</b>	Lot 29 DP 366454 , 16 Melwood Avenue FORESTVILLE NSW 2087
<b>Proposed Development:</b>	Modification of Consent to DA2015/0653 granted for construction of a dwelling house and detached gym / workshop

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	27/07/2017
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The request to modify the above-mentioned Development Consent has been approved as follows:

#### **A. Add Condition No.1A - Modification of Consent - Approved Plans and supporting Documentation to read as follows:**

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

#### **a) Modification Approved Plans**

<b>Architectural Plans - Endorsed with Council's stamp</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
DWG No. A21173, Pg.1 of 13, Issue G - Site Analysis / Site Plan	12 April 2017	HS - Eden Brae Homes
DWG No. A21173, Pg.2 of 13, Issue G - Ground Floor Plan	12 April 2017	HS - Eden Brae Homes
DWG No. A21173, Pg.3 of 13, Issue G - Ground Floor Plan	12 April 2017	HS - Eden Brae Homes
DWG No. A21173, Pg.4 of 13, Issue G - First Floor Plan	12 April 2017	HS - Eden Brae Homes
DWG No. A21173, Pg.5 of 13, Issue G - East / North Elevation	12 April 2017	HS - Eden Brae Homes
DWG No. A21173, Pg.6 of 13, Issue G - West / South Elevation	12 April 2017	HS - Eden Brae Homes
DWG No. A21173, Pg.7 of 13, Issue G - Section A-A	12 April 2017	HS - Eden Brae Homes

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DWG No.A21173, Pg.8 of 13, Issue G - Slab Floor Plan	12 April 2017	HS - Eden Brae Homes
DWG No.A21173, Pg.9 of 13, Issue G - Gym / Workshop Floor Plan   Slab Floor Plan	12 April 2017	HS - Eden Brae Homes
DWG No.A21173, Pg.10 of 13, Issue G - South / East / West / North Elevation	12 April 2017	HS - Eden Brae Homes
DWG No.A21173, Pg.11 of 13, Issue G - Section A-A	12 April 2017	HS - Eden Brae Homes

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

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

## **B. Modify Condition 2 - Amendments to the approved plans to read as follows:**

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

### Landscape Plan LPDA 15 - 403 / 1B

- The paving and hard surface areas on the northern, southern and western elevations of the Workshop/Gym are to be deleted and replaced with deep soil landscaped open space and/or plantings,
- The proposed concrete path and paving located on the southern boundary of the site is to be deleted.
- A 1.5m wide hard surface landing is to be retained adjacent to the laundry to allow for access and placement of the rain water tank and air-conditioning unit on the southern elevation.
- All references to the "Swimming Pool" are to be deleted from the plans.

### Changes to windows and Openings

- A privacy screen is to be erected to a minimum RL132-97 for the entire length of the outermost northern edge of the balcony windows located off Bedroom 1 as shown on the approved plans titled "DWG No. A21173 | Issue G, pg.5 of 13 - East Elevation / North Elevation - dated 12/04/17 drawn by HS". The privacy screen shall be of fixed panels or louver style construction (with a maximum spacing of 20mm), in materials that complement the design of the approved development.
- The windows servicing the bathroom on the upper floor western and southern elevations are to be of opaque glazing.

### Workshop/Gym

- The door on the western elevation of the proposed Workshop/Gym is to be deleted.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure development minimises unreasonable impacts in accordance with WLEP2011 and WDCP. (DACPLB02)

## **C. Delete Condition 8 - On-site Stormwater Detention Compliance Certification to read as follows:**

Drainage plans detailing the provision of On-site Stormwater Detention in accordance with Warringah Council's "On-site Stormwater Detention Technical Specification" and the concept drawing by Ibrahim

Stormwater Consultants, drawing number E5546-17822, Sheets 1 and 2 dated 17 May 2015.

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

Reason: To ensure appropriate provision for the disposal of stormwater and stormwater management arising from the development. (DACENC03)

**D. Add Condition 8A - On-site Stormwater Detention Compliance Certification to read as follows:**

Drainage plans detailing the provision of On-site Stormwater Detention in accordance with Warringah council's "On-site Stormwater Detention Technical Specification" and the concept drawing by Michal Korecky, drawing number 17044, SW - 1 and 2 dated 15 May 2017.

Details demonstrating compliance are to be submitted to the Certifying Authority to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for the disposal of stormwater. (DACENC03)

**Important Information**

This letter should therefore be read in conjunction with **YOU MUST ENTER THE PREVIOUS DETAILS OF MODS AND ORIGINAL DA in Assessment Finish**

Please note that on site works cannot proceed unless a Construction Certificate application for the modified proposal has been lodged with and approved by Council or an accredited certifier, and relevant conditions of the Development Application have been carried out.

Section 97AA of the Environmental Planning and Assessment Act confers on an applicant who is not satisfied with the determination of the Consent Authority a right of appeal to the Land and Environment Court within 6 months of determination.

**Right to Review by the Council**

You may request the Council to review the determination of the application under Section 96AB of the Environmental Planning and Assessment Act 1979. Any request to review the application must be lodged and determined within 28 days after the date of the determination shown on this notice.

*NOTE: A fee will apply for any request to review the determination.*

**Signed**                      On behalf of the Consent Authority

Signature                      \_\_\_\_\_

Name                          Isaac Toledano, Planner

Date                            27/07/2017