

30 January 2025



Proprietors of Strata Plan 57603 , The Trustee For Laxdtx 2 Unit Trust
32 Golf Avenue
MONA VALE NSW 2103

Dear Sir/Madam

Application Number: Mod2024/0679

Address: Lot 2 SP 57603 , 2 / 32 Golf Avenue, MONA VALE NSW 2103
Lot 2 SP 57603 , 2 / 32 Golf Avenue, MONA VALE NSW 2103
Lot 4 SP 57603 , 4 / 32 Golf Avenue, MONA VALE NSW 2103
Lot 4 SP 57603 , 4 / 32 Golf Avenue, MONA VALE NSW 2103
Lot 1 SP 57603 , 1 / 32 Golf Avenue, MONA VALE NSW 2103
Lot 1 SP 57603 , 1 / 32 Golf Avenue, MONA VALE NSW 2103
Lot 3 SP 57603 , 3 / 32 Golf Avenue, MONA VALE NSW 2103
Lot 3 SP 57603 , 3 / 32 Golf Avenue, MONA VALE NSW 2103
Lot CP SP 57603 , 32 Golf Avenue, MONA VALE NSW 2103

Proposed Development: Modification of Development Consent DA2024/0190 granted for Demolition works and construction of a residential flat building

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

You should thoroughly read the Notice of Determination and be aware of any conditions imposed that affect the development and guide the next steps in the process before you can commence works and/or the use.

A copy of the Assessment Report associated with this application is available to view in the Planning and Development > Application Search section of Council's website at www.northernbeaches.nsw.gov.au

If you have any questions regarding the decision or the conditions, please contact Council to speak to the assessment officer or the undersigned on 1300 434 434 or via email quoting the Application number, property address and the description of works to council@northernbeaches.nsw.gov.au

Regards,



Anais Sarkissian
Planner

NOTICE OF DETERMINATION FOR MODIFICATION OF DEVELOPMENT CONSENT

Application Number:	Mod2024/0679 PAN-493827
Applicant:	Proprietors of Strata Plan 57603 32 Golf Avenue MONA VALE NSW 2103 The Trustee For Laxdtx 2 Unit Trust 32 Golf Avenue MONA VALE NSW 2103
Property:	Lot 2 SP 57603 2 / 32 Golf Avenue MONA VALE NSW 2103 Lot 2 SP 57603 2 / 32 Golf Avenue MONA VALE NSW 2103 Lot 4 SP 57603 4 / 32 Golf Avenue MONA VALE NSW 2103 Lot 4 SP 57603 4 / 32 Golf Avenue MONA VALE NSW 2103 Lot 1 SP 57603 1 / 32 Golf Avenue MONA VALE NSW 2103 Lot 1 SP 57603 1 / 32 Golf Avenue MONA VALE NSW 2103 Lot 3 SP 57603 3 / 32 Golf Avenue MONA VALE NSW 2103 Lot 3 SP 57603 3 / 32 Golf Avenue MONA VALE NSW 2103 Lot CP SP 57603 32 Golf Avenue MONA VALE NSW 2103
Description of Development:	Modification of Development Consent DA2024/0190 granted for Demolition works and construction of a residential flat building
Determination:	Approved Consent Authority: Northern Beaches Council
Date of Determination:	30/01/2025
Date from which the consent operates:	30/01/2025

Under Section 4.55 (2) Environmental Impact of the EP&A Act, notice is given that the above application to modify the original application has been approved, subject to the conditions specified in this notice and as described in the Modification Summary.

Reasons for approval

The development proposal meets the Objects of the Environmental Planning and Assessment Act 1979, contained in Section 1.3, having considered the relevant provisions under s.4.15 of the aforementioned Act. Consequently, the development is considered to be in the public interest, subject to conditions.

Community views

The application was notified in accordance with Council's Community Participation Plan and the Environmental Planning and Assessment Regulation 2021. Any submissions received representing community views were considered as part of the assessment of the application. Conditions of consent included within this Notice of Determination have been applied to ensure that the development satisfies the Objects of the Environmental Planning and Assessment Act and will not result in unacceptable environmental impacts.

Request a review of the determination

If you are dissatisfied with this determination, you may request a review of the determination:

- You do not have the right to request a review of the determination under section 8.3 of the EP&A Act if you are excluded from those developments listed under Section 8.2(2) of the EP&A Act.
- You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 28 days from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

Objector's right of appeal against the determination

An objector who is dissatisfied with the consent authority's determination to grant consent, in relation to Designated Development only has the right to appeal to the Court against the determination under section 8.8 of the EP&A Act within 28 days after the date that the objector was notified of the determination appealed against.

Dictionary

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

Signed On behalf of the Consent Authority



Name Anais Sarkissian, Planner

Date 30/01/2025

Modification Summary

The development consent is modified as follows:

MODIFICATION SUMMARY TABLE

Application Number	Determination Date	Modification description
PAN-493827 MOD2024/0679	The date of this notice of determination	Modification of Development Consent DA2024/0190 granted for Demolition works and construction of a residential flat building Modify Condition 1 - Approved Plans and supporting documentation Modify Condition 2 - Compliance with Other Department, Authority or Service Requirements Modify Condition 55 - Waste/Recycling Requirements (Waste Plan Submitted) Add Condition 82A - Screening of Air Conditioning Condensers

Modified conditions

A. Modify Condition 1 - Approved Plans and supporting documentation, to read as follows:

Development must be carried out in accordance with the following approved plans (stamped by Council) and supporting documentation, except where the conditions of this consent expressly require otherwise.

Approved Plans				
Plan Number	Revision Number	Plan Title	Drawn By	Date of Plan
DA030	B	Demolition Plan	Walsh Architects	22 June 2024
DA040	C	Proposed Site Plan	Walsh Architects	25 November 2024
DA100	B	Service Plan	Walsh Architects	22 June 2024
DA101	B	Basement Plan	Walsh Architects	22 June 2024
DA102	C	Ground Floor Plan	Walsh Architects	25 November 2024
DA103	C	Level 1 Plan	Walsh Architects	25 November 2024
DA104	C	Roof Plan	Walsh Architects	25 November 2024
DA201	D	Long Sections	Walsh Architects	25 November 2024
DA202	D	Cross Sections	Walsh Architects	25 November 2024
DA203	D	Cross Sections	Walsh Architects	25 November 2024
DA204	D	Cross Sections	Walsh Architects	25 November 2024
DA300	C	Elevations	Walsh Architects	25 November 2024
DA301	C	Elevations	Walsh Architects	25 November 2024
LS501.1	C	Landscape Plan (Ground Level) - Sheet 1	Plot Design Group	26 June 2024
LS501.2	C	Landscape Plan (Planters) - Sheet 2	Plot Design Group	26 June 2024
LS503.1	C	Landscape Details - Sheet 3	Plot Design Group	26 June 2024

Approved Reports and Documentation			
Document Title	Version Number	Prepared By	Date of Document
BASIX Certificate	1737016M_03	Building Sustainability Assessments	2 December 2024
Geotechnical Investigation Report	1	Crozier Geotechnical Consultants	1 July 2024
Arboricultural Impact Assessment	-	Selena Hannan Landscape Design	25 June 2024
NCC (BCA) Report	1	East Coast Approvals Group	19 February 2024
Access Report	2	East Coast Approvals Group	9 February 2024
Waste Management Plan	-	-	-
SE100 - Sediment & Erosion Control Plan	A	RTS Civil Consulting Engineers	15 February 2024
SW100 - Site Stormwater Catchment & Easement Plan	A	RTS Civil Consulting Engineers	23 February 2024
SW101 - Basement Stormwater Management Plan	A	RTS Civil Consulting Engineers	15 February 2024
SW102 - Ground Stormwater Management Plan	A	RTS Civil Consulting Engineers	23 February 2024
SW300 - Stormwater Easement Pipeline Longitudinal Section	A	RTS Civil Consulting Engineers	15 February 2024

CW100 - Civil Driveway Access Plan	C	RTS Civil Consulting Engineers	1 July 2024
CW200 - Driveway Longitudinal 1 - Option B	C	RTS Civil Consulting Engineers	1 July 2024
CW201 - Driveway Longitudinal 2 - Option B	C	RTS Civil Consulting Engineers	1 July 2024

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

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

B. Modify Condition 2 - Compliance with Other Department, Authority or Service Requirements, to read as follows:

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

Other Department, Authority or Service	EDMS Reference	Dated
Ausgrid	Ausgrid Referral Response	3 January 2025

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website www.northernbeaches.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies.

C. Modify Condition 55 - Waste/Recycling Requirements (Waste Plan Submitted), to read as follows:

During demolition and/or construction the proposal/works shall be generally consistent with the submitted Waste Management Plan.

Reason: To ensure waste is minimised and adequate and appropriate waste and recycling facilities are provided.

D. Add Condition 82A - Screening of Air Conditioning Condensers, to read as follows:

Prior to the issue of the Occupation Certificate, the Principal Certifier shall be satisfied that the air conditioning units located on the roof of the development are screened by fixed metal louvers which are styled and designed to complement and integrate into the appearance of the building. The screens shall enclose the air conditioning units on all sides.

Reason: To ensure that the air conditioning units are not visually dominant.

Important Information

This letter should therefore be read in conjunction with DA2024/0190 dated 28 August 2024.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the Building and Development Certifiers Act 2018.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Council means Northern Beaches Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the Environmental Planning and Assessment Act 1979.

EP&A Regulation means the Environmental Planning and Assessment Regulation 2021.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Northern Beaches Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to: the collection of stormwater, the reuse of stormwater, the detention of stormwater, the controlled release of stormwater, and connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the Strata Schemes Development Act 2015 that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the Conveyancing Act 1919.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Sydney North Planning Panel.