

19 May 2023

Robert George Sloss  
C/- Blue Sky Building Designs 259 Aumuna Road  
TERREY HILLS NSW 2084

Dear Sir/Madam

**Application Number:** Mod2023/0088  
**Address:** Lot 259 DP 752017 , 259 / 0 Aumuna Road, TERREY HILLS NSW 2084  
**Proposed Development:** Modification of Development Consent DA2022/0888 granted for Alterations and additions to a dwelling house including a garage, shed and carport

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 website at [www.northernbeaches.nsw.gov.au](http://www.northernbeaches.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 1300 434 434 or via email quoting the application number, address and description of works to [council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)

Regards,



Thomas Bershtein  
**Planner**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2023/0088
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	Robert George Sloss
<b>Land to be developed (Address):</b>	Lot 259 DP 752017 , 259 / 0 Aumuna Road TERREY HILLS NSW 2084
<b>Proposed Development:</b>	Modification of Development Consent DA2022/0888 granted for Alterations and additions to a dwelling house including a garage, shed and carport

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	19/05/2023
-----------------------	------------

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

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
A101 - Site Plan - Overall	03/10/2022	Blue Sky Building Design
A102 - Shed Site Plan	03/10/2022	Blue Sky Building Design
A103.1 - Shed - Floor Plan	03/10/2022	Blue Sky Building Design
A103.2 - Shed - Mezzanine	03/10/2022	Blue Sky Building Design
A104 - Shed Elevations	03/10/2022	Blue Sky Building Design
A105 - Shed Elevations & Sections	03/10/2022	Blue Sky Building Design
A106 - House - Site Plan	03/10/2022	Blue Sky Building Design
A108 - House - Demolition Plan	03/10/2022	Blue Sky Building Design
A109 - House - Floor Plan	03/10/2022	Blue Sky Building Design
A110 - Ceiling Plan & Mezzanine	03/10/2022	Blue Sky Building Design
A111 - House - Elevations	03/10/2022	Blue Sky Building Design
A112 - House - Elevations/Section	03/10/2022	Blue Sky Building Design
A113 - House - Sections/Inspirations	03/10/2022	Blue Sky Building Design

A114 - House - Sections	03/10/2022	Blue Sky Building Design
A115 - House - Sections	03/10/2022	Blue Sky Building Design

Engineering Plans		
Drawing No.	Dated	Prepared By
Stormwater Concept Plan, Rev. A-05	23/01/2023	Broadcrest Engineering and Environmental Consultants

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
BASIX Certificate	07/03/2023	Blue Sky Building Design
Arboricultural Impact Assessment & Tree Protection Plan	30/01/2023	Tree Survey Pty Ltd
Bush Fire Assessment Report	06/02/2023	Bushcon Australia
Preliminary Geotechnical Assessment	08/11/2022	White Geotechnical Group
On-Site Wastewater Report	10/2022	Broadcrest Consulting Pty Ltd

c) Any plans and / or documentation submitted to satisfy the Deferred Commencement Conditions of this consent as approved in writing by Council.

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

#### **B. Delete Condition 13 Vehicle Crossings Application to read as follows:**

The Applicant is to submit an application for driveway levels with Council in accordance with Section 138 of the Roads Act 1993. The fee associated with the assessment and approval of the application is to be in accordance with Council's Fee and Charges.

An approval is to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To facilitate suitable vehicular access to private property.

#### **C. Add Condition 16a. Approval to Install and operate an On-site Sewage Management System to read as follows:**

Prior to the release of the Construction Certificate (CC), the applicant must receive an 'Approval to Install an On-Site Sewage Management System' from Council.

The installation will be required to comply with the assessment by Broadcrest Consulting Oct 2022 plus any Council conditions by the Approval to Install and approval to Operate an On-site Sewage System and site modifications including:

Following the implementation of the irrigation field, the field is to be maintained with dense grass coverage and excluded from vehicle and livestock traffic. with suitable physical barriers being installed and maintained.

- Signs are to be posted (and maintained ongoing ) around the EMA indicating effluent dispersal in the area .
- Construct Upslope diversion drains above the EMA's.

Details demonstrating compliance are to be submitted to the Certifier.

Reason: To fulfil the requirements under Section 68 of the Local Government Act 1993

**D. Add Condition 16b. Adherence to Natural Environment Consent Conditions to read as follows:**

All biodiversity-related conditions of consent under previous development applications are to be adhered to, including DA2022/0888, unless amended by these biodiversity-related conditions of consent.

Reason: To protect biodiversity values.

**E. Modify Condition 17 Tree Removal Within the Property to read as follows:**

This consent approves the removal of the following tree(s) within the property (as recommended in the Arboricultural Impact Assessment):

- a) tree numbers: 21, 37, 38, 40, 42, 44, and 46.
- b) a qualified AQF level 5 Arborist shall identify these trees on site and tag or mark prior to removal.

Reason: To enable authorised building works.

**F. Delete Condition 27 Vehicle Crossings to read as follows:**

The Applicant is to construct one vehicle crossing 3.0 metres wide on the Coolowie Road frontage in accordance with Northern Beaches Council's Rural Vehicular crossing profile and the driveway levels application approval. An Authorised Vehicle Crossing Contractor shall construct the vehicle crossing and associated works within the road reserve in plain concrete. All redundant laybacks and crossings are to be restored to footpath/grass. Prior to the pouring of concrete, the vehicle crossing is to be inspected by Council and a satisfactory "Vehicle Crossing Inspection" card issued.

A copy of the vehicle crossing inspection form is to be submitted to the Principal Certifying Authority.

Reason: To facilitate suitable vehicular access to private property.

**G. Add Condition 38a. Certificate of Compliance to read as follows:**

**Condition 38a. Certificate of Compliance**

Prior to occupation certificate, provide Council a certificate from an appropriately qualified person indicating the system is compliant with all relevant legislation, Building Code of Australia, Australian Standards, Specifications and manufacturer requirements.

Reason: To ensure the system operates in a legislatively compliant manner.

**H. Add Condition 38b. Prior to an Occupation Certificate being issued to read as follows:**

Prior to an OC being issued the Principal Certifying Authority shall be satisfied that the Waste Water System complies with the assessment by Broadcrest Consulting Oct 2022 plus any Council conditions by the Approval to Install and Approval to Operate an On-site Sewage System and site modifications including:

Following the implementation of the irrigation field, the field is to be maintained with dense grass coverage and excluded from vehicle and livestock traffic. with suitable physical barriers being installed

and maintained.

- Signs are to be posted (and maintained ongoing ) around the EMA indicating effluent dispersal in the area .
- Construct Upslope diversion drains above the EMA's.

Details demonstrating compliance are to be submitted to the Certifier.

Reason: To comply with legislation and prevent adverse public health and environmental outcomes.

#### **I. Add Condition 41 Maintenance of solid fuel heaters to read as follows:**

The owner/occupier shall ensure servicing of the heater is maintained according to the manufacturer's specifications.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

### **Important Information**

This letter should therefore be read in conjunction with DA2022/0888.

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.

### **Right to Review by the Council**

You may request Council to review this determination of the application under Division 8.2 of the Environmental Planning & Assessment Act 1979. Any Division 8.2 Review of Determination application must be lodged on the NSW Planning portal within 28 days of this determination, to enable the assessment and determination of the application within the 6 month timeframe.

### **Right of Appeal**

Section 8.10 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.

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

**Signed**                      On behalf of the Consent Authority



Name                      Thomas Bershtein, Planner

Date 19/05/2023