

1 June 2022



Shorehouse Projects Pty Ltd
15 Parramatta Road
ANNANDALE NSW 2038

Dear Sir/Madam

Application Number: Mod2021/0929
Address: Lot 12 DP 16029 , 23 Grandview Drive, NEWPORT NSW 2106
Proposed Development: Modification of Development Consent DA410/15 granted for alterations and additions to a dwelling house

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

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

Regards,



Julie Edwards
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2021/0929
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Shorehouse Projects Pty Ltd
Land to be developed (Address):	Lot 12 DP 16029 , 23 Grandview Drive NEWPORT NSW 2106
Proposed Development:	Modification of Development Consent DA410/15 granted for alterations and additions to a dwelling house

DETERMINATION - APPROVED

Made on (Date)	01/06/2022
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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

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
A040 - Site Analysis	14/4/2022	Shorehouse Projects
A050 - Demolished Plan	14/4/2022	Shorehouse Projects
A100 - Demo and New - Roof	14/4/2022	Shorehouse Projects
A101 - Demo and New - First Floor	14/4/2022	Shorehouse Projects
A102 - Demo and New - Ground Floor	14/4/2022	Shorehouse Projects
A103 - Demo and New - Lower Level	14/4/2022	Shorehouse Projects
A106 - Lower Floor	14/4/2022	Shorehouse Projects
A105 - Ground Floor	14/4/2022	Shorehouse Projects
A104 - First Floor	14/4/2022	Shorehouse Projects
A107 - Roof Plan	14/4/2022	Shorehouse Projects
A201 - Elevations	14/4/2022	Shorehouse Projects
A202 - Elevations	14/4/2022	Shorehouse Projects
A210 - Elevations North and East	14/4/2022	Shorehouse Projects
A211 - Elevations South and West	14/4/2022	Shorehouse Projects

A301 - Sections	14/4/2022	Shorehouse Projects
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Engineering Plans		
Drawing No.	Dated	Prepared By
SW100 - Stormwater Plan	10/11/2021	Crown Engineering
SW110 - Stormwater Details	10/11/2021	Crown Engineering

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
BASIX Certificate Certificate number: A441637	25 November 2021	Shorehouse Projects

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.

f) The development is to be undertaken generally in accordance with the following:

Landscape Plans		
Drawing No.	Dated	Prepared By
A030 - Site Landscape	14/4/2022	Shorehouse Projects

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

B. Delete Condition B 12. Internal driveway finish.

C. Delete Condition B 14. Pool fencing is to be designed, located and maintained in accordance with the Swimming Pools Act 1992, Regulation and Australian Standard 1926.1-2012, Safety barriers for swimming pools.

D. Delete Condition B 15. A warning notice (resuscitation chart) and External Cardiac Compression Chart is to be affixed and maintained in a prominent location adjacent to the pool / spa.

E. Delete Condition B 18. The pool concourse, walkway or deck is to be a minimum 1 m clear of the boundary.

F. Add Condition B 20. No Approval for Car Parking on Council Road Reserve to read as follows:

B 20. No Approval for Car Parking on Council Road Reserve

No approval is granted for car parking within Councils Road Reserve. All parking must be located within the property boundary.

Reason: The private use of the public road reserve and the construction of permanent structures such as car ports on the road reserve is not permissible as per Roads Act 1993 and Council policy.

G. Add Condition C13 Geotechnical Report to be satisfied prior to issue of a Construction Certificate, to read as follows:

C13. Geotechnical Report

The geotechnical report (prepared by Crozier - Geotechnical Consultants, dated July, 2015) referenced in the Notice of Determination for N0410/15 is to be updated to reference the approved modification plans. Any updated recommendations of the report are to be incorporated into the development.

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

Reason: Geotechnical safety.

H. Add Condition D19 Protection of Rock and Sites of Significance to read as follows:

D19. Protection of Rock and Sites of Significance

a) All rock outcrops outside of the area of approved works are to be preserved and protected at all times during demolition excavation and construction works.

b) Should any Aboriginal Cultural Heritage items be uncovered during earthworks, works should cease in the area and the Aboriginal Heritage Office contacted to assess the finds.

c) Under Section 89a of the NPW Act should the objects be found to be Aboriginal, NSW Biodiversity and Conservation Division, Heritage NSW and the Metropolitan Local Aboriginal Land Council (MLALC) should be contacted.

Reason: Preservation of significant environmental features.

I. Add Condition D20 Tree and Vegetation Protection to read as follows:

D20. Tree and Vegetation Protection

a) Existing trees and vegetation shall be retained and protected including:

i) all trees and vegetation within the site, excluding exempt trees and vegetation under the relevant planning instruments of legislation,

ii) all trees and vegetation located on adjoining properties,

iii) all road reserve trees and vegetation.

b) Tree protection shall be undertaken as follows:

i) tree protection shall be in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites including the provision of temporary fencing to protect existing trees within 5 metres of development,

ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained unless authorised by an Arborist with minimum AQF Level 5 in arboriculture,

iii) removal of existing tree roots at or >25mm (Ø) diameter is not permitted without consultation with an Arborist with minimum AQF Level 5 in arboriculture,

iv) no excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of trees and other vegetation required to be retained,

v) structures are to bridge tree roots at or >25mm (Ø) diameter unless directed by an Arborist with minimum AQF Level 5 in arboriculture on site,

vi) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone without consultation with an Arborist with minimum AQF Level 5 in arboriculture including advice on root protection measures,

vii) should either or all of v), vi) and vii) occur during site establishment and construction works, an Arborist with minimum AQF Level 5 in arboriculture shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist to the Certifying Authority,

viii) any temporary access to or location of scaffolding within the tree protection zone of a protected tree or any other tree to be retained during the construction works is to be undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of Australian Standard 4970-2009 Protection of Trees on Development Sites,

- ix) the activities listed in section 4.2 of Australian Standard 4970-2009 Protection of Trees on Development Sites shall not occur within the tree protection zone of any tree on the lot or any tree on an adjoining site,
- x) tree pruning from within the site to enable approved works shall not exceed 10% of any tree canopy and shall be in accordance with Australian Standard 4373-2007 Pruning of Amenity Trees,
- xi) the tree protection measures specified in this clause must: i) be in place before work commences on the site, and ii) be maintained in good condition during the construction period, and iii) remain in place for the duration of the construction works.

The Certifying Authority must ensure that:

- c) The activities listed in section 4.2 of Australian Standard 4970-2009 Protection of Trees on Development Sites do not occur within the tree protection zone of any tree and any temporary access to or location of scaffolding within the tree protection zone of a protected tree or any other tree to be retained on the site during the construction is undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of that standard.

Note: All street trees within the road verge and trees within private property are protected under Northern Beaches Council development control plans except where Council's written consent for removal has been obtained. The felling, lopping, topping, ringbarking or removal of any tree (s) is prohibited.

J. Add Condition E8. No cooking facilities in the Lower Level Kitchenette to read as follows:

The Lower Level Kitchenette is not to include any cooking facilities.

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

Reason: To ensure the Lower Levels is not used as a Secondary Dwelling and meets the Controls for a Separately Accessible Structure.

Important Information

This letter should therefore be read in conjunction with N0410/15 dated 4 March 2016.

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 Julie Edwards, Planner

Date 01/06/2022