

10 June 2018

Skycorp Holdings Pty Ltd
Suite 602, Tower B, The Zenith 821 Pacific Highway
CHATSWOOD NSW 2067

Dear Sir/Madam

Application Number: Mod2018/0073
Address: Lot 6 DP 736961 , 10 Fern Creek Road, WARRIEWOOD NSW 2102
Proposed Development: Modification of consent N0460/16 for the construction of a residential flat building comprising 13 dwellings on a yet to be created lot (Lot 21)

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,



Rebecca Englund
Principal Planner

NOTICE OF DETERMINATION

Application Number:	Mod2018/0073
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Skycorp Holdings Pty Ltd
Land to be developed (Address):	Lot 6 DP 736961 , 10 Fern Creek Road WARRIEWOOD NSW 2102
Proposed Development:	Modification of consent N0460/16 for the construction of a residential flat building comprising 13 dwellings on a yet to be created lot (Lot 21)

DETERMINATION - APPROVED

Made on (Date)	10/06/2018
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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 (with the authorised changes limited to those highlighted in red on the architectural plans and listed in the Site Plan)

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Site Plan, A 01.001, revision A	13 February 2018	Ghazi Al Ali Architect
Basement 02 Plan, A 02.001, revision A	13 February 2018	Ghazi Al Ali Architect
Basement 01 Plan, A 02.002, revision A	13 February 2018	Ghazi Al Ali Architect
Ground Floor Plan, A 02.003, revision A	13 February 2018	Ghazi Al Ali Architect
Level 01 Plan, A 02.004, revision B	05 April 2018	Ghazi Al Ali Architect
North & South Elevation, A 03.001, revision A	13 February 2018	Ghazi Al Ali Architect
Section AA, BB, CC, A 04.001, revision B	05 April 2018	Ghazi Al Ali Architect

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Supplementary Arboricultural Impact Assessment Report	9 January 2018	Mark Hartley of The Arborist network

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.

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

B. Modify Condition D20 to read as follows:

As there are existing trees to be retained within 5 metres of proposed development works, the following requirements must be complied with:

- Works, erection/demolition of structures, excavation or changes to soil levels within 5 metres of existing trees are not permitted unless part of the development as approved, and the storage of spoil, building materials, soil or the driving and parking of any vehicle or machinery within 5 metres of the trunk of a tree to be retained is not permitted;
- Tree guards are to be provided to all trees to be retained, and are to be installed prior to the commencement of any work on the site;
- All works within 5 metres of existing trees including demolition, excavation, civil works, fencing and the like must be carried out by hand and under the supervision of an experienced and suitably qualified AQF Level 5 arborist. In the event that major structural or feeder roots are encountered, the arborist is to advise the builder to carry out appropriate action to ensure the retention of the tree.
- Signage is to be erected advising all contractors and visitors to the site that no works or storage are to take place within the dripline of existing trees.
- The project arborist is to oversee all tree protection measures, in particular those identified in the approved arborist report referenced in N0460/16 and the Supplementary Arboricultural Impact Assessment Report referenced in this modified consent.
- Tree pruning shall not exceed 10% of any tree canopy and shall be undertaken in accordance with AS4373-2009 'Pruning of Amenity Trees'.
- to minimise the impact on trees and vegetation to be retained and protected, 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,
- no tree roots greater than 25mm diameter are to be cut from protected trees unless authorized by the project Arborist on site,

The Project Arborist shall record all on site events during excavation and construction works, and provide documentary details to the Certifying Authority.

Reason: Development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries, and protect the existing environmental amenity.

C. Amend Condition E17 to read as follows:

A report, prepared by an AQF Level 5 arborist, is to be provided to the Certifying Authority to confirm that all works to and within the vicinity of trees 10, 11, 12, 13, 14, 19, 20 and 22 have been carried out in accordance with the requirements of this consent. In particular, the report shall include the following information:

- compliance to any Arborist recommendations for tree protection, excavation works and

- construction techniques,
- extent of damage sustained by vegetation as a result of the construction works,
- any subsequent remedial works required to ensure the long term retention of the vegetation.

Reason: To ensure the long term survival of vegetation to be retained.

D. New Condition B48 to read as follows:

The changes/modifications authorised by MOD2017/0073 are limited to those highlighted in red on the architectural plans referenced in this modified consent and stamped by Council and those 11 items listed on the Site Plan referenced in this modified consent and stamped by Council. This modification application does not authorise any other changes that may be depicted in the architectural plans and in particular, this modified consent does not authorise the relocation of the OSD tank to within the front setback to the internal road.

Important Information

This letter should therefore be read in conjunction with Development Consent N0460/16 dated 13 April 2017..

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.

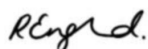
Section 97AA of the Environmental Planning and Assessment Act confers on an applicant who is not satisfied with the determination of the Consent Authority a right of appeal to the Land and Environment Court within 6 months of determination.

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



Name Rebecca Englund, Principal Planner

Date 10/06/2018