

6 November 2020

Anthony Robert May
12 Goodwin Road
NEWPORT NSW 2106

Dear Sir/Madam

Application Number: Mod2020/0471
Address: Lot 7 DP 21934 , 12 Goodwin Road, NEWPORT NSW 2106
Proposed Development: Modification of Development Consent DA2020/0227 granted for Construction of a swimming pool and associated works

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,



Gareth David
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2020/0471
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Anthony Robert May
Land to be developed (Address):	Lot 7 DP 21934 , 12 Goodwin Road NEWPORT NSW 2106
Proposed Development:	Modification of Development Consent DA2020/0227 granted for Construction of a swimming pool and associated works

DETERMINATION - APPROVED

Made on (Date)	06/11/2020
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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

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Construction Traffic Management Plan	27/10/2020	Achievable Contracting

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

B. Delete Condition No.10 Use of Right of Way for Construction Vehicles which read as follows:

No construction or trade vehicles / machinery greater than 3 tonnes in weight are to use the Right of Way at any point during the demolition or construction of the development.

Reason: Protection of property.

C. Modify Condition No.11 - Right of Way Access to read as follows:

Access for the right of way is to be reasonably maintained at all times. The applicant must provide neighbours who use the right of way with contact details of the contractor in the event that access to the right of way is blocked.

Reason: To minimise impacts to nearby properties and residents.

D. Add Condition No.8A - Pre-Construction Dilapidation Report of Right of Way of to read as follows:

A dilapidation report must be prepared for the entire right of carriageway in which construction access is proposed. The report must be sufficiently detailed to determine the state of the right of carriageway prior to construction, in order to identify any damage caused by the construction of the development.

The dilapidation report is to be prepared by a suitably qualified person. A copy of the report must be provided to Council, the Principal Certifying Authority and the owners of the affected properties prior to any works commencing.

In the event that access for undertaking the dilapidation report is denied by an adjoining owner, the applicant must demonstrate, in writing that all reasonable steps have been taken to obtain access. The Principal Certifying Authority must be satisfied that the requirements of this condition have been met prior to commencement of any works.

Note: This documentation is for record keeping purposes and may be used by an applicant or affected property owner to assist in any action required to resolve any civil dispute over damage rising from the works.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the commencement of any works on site.

Reason: To maintain proper records in relation to the proposed development.

E. Add Condition No.24 - Maintenance of Easement Provisions of to read as follows:

This consent does not override any legal agreement or provisions associated with the Right of Carriageway Easement associated with the subject site.

Reason: To ensure compliance with the imposed legal agreements

Important Information

This letter should therefore be read in conjunction with DA2020/0227 dated 21 May 2020.

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 should be submitted to Council within 3 months 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 Gareth David, Planner

Date 06/11/2020