

16 March 2022



BPG Holdings (No. 5) Pty Ltd
138 Woorarra Avenue
ELANORA HEIGHTS NSW 2101

Dear Sir/Madam

Application Number: Mod2021/0822
Address: Lot 42 DP 4689 , 54 Bardo Road, NEWPORT NSW 2106
Proposed Development: Modification of Development Consent DA2020/1172 granted for Demolition works and construction of a seniors housing development to accommodate six units including associated car parking and landscape 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,



Thomas Prosser
Planner

NOTICE OF DETERMINATION

| | |
|----------------------------|-------------------------------------|
| Application Number: | Mod2021/0822 |
| Determination Type: | Modification of Development Consent |

APPLICATION DETAILS

| | |
|--|--|
| Applicant: | BPG Holdings (No. 5) Pty Ltd |
| Land to be developed (Address): | Lot 42 DP 4689 , 54 Bardo Road NEWPORT NSW 2106 |
| Proposed Development: | Modification of Development Consent DA2020/1172 granted for Demolition works and construction of a seniors housing development to accommodate six units including associated car parking and landscape works |

DETERMINATION - APPROVED

| | |
|-----------------------|------------|
| Made on (Date) | 16/03/2022 |
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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 |
| DA02- Demolition Plan - Issue H | 11/02/22 | Giles Tribe |
| DA05 - Site Plan -Issue J | 11/02/22 | Giles Tribe |
| DA06 -Basement Plan - Issue R | 11/02/22 | Giles Tribe |
| DA07 - Ground Floor Plan - Issue T | 11/02/22 | Giles Tribe |
| DA08 - Level 1 Plan - Issue Q | 11/02/22 | Giles Tribe |
| DA09 - Roof Plan - Issue K | 11/02/22 | Giles Tribe |
| DA10 - North & West Elevations - Issue L | 11/02/22 | Giles Tribe |
| DA11 - South & East Elevations - Issue K | 11/02/22 | Giles Tribe |
| DA12 - Section A-A & B-B - Issue J | 11/02/22 | Giles Tribe |
| DA13 - Section A-A & B-B - Issue J | 11/02/22 | Giles Tribe |
| DA19 - Window Schedule - Issue G | 11/02/22 | Giles Tribe |

Reports / Documentation – All recommendations and requirements contained within:

| Report No. / Page No. / Section No. | Dated | Prepared By |
|-------------------------------------|------------------|---------------------------|
| Traffic Statement | 15 February 2022 | Loka Consulting Engineers |

b) 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. Amend Condition 21 - On-site Stormwater Detention Details

The Applicant is to provide a certification of drainage plans detailing the provision of on-site stormwater detention in accordance with Northern Beaches Council's WATER MANAGEMENT POLICY for DEVELOPMENT, and generally in accordance with the concept drainage plans prepared by Loka Consulting Engineers, drawing number D01H D02 E, D03 L, D04 I, dated October 2021, Detailed drainage plans are to be prepared by a suitably qualified Civil Engineer, who has membership to the Institution of Engineers Australia, National Professional Engineers Register (NPER) or RPENG (Professionals Australia) and registered in the General Area of Practice for civil engineering.

Detailed drainage plans, including engineering certification, are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for the disposal of stormwater and stormwater management arising from the development.

C. Amend Condition 32 - Construction of pram ramps to read as follows:

The applicant shall construct pram ramps on either side of Bardo Road east of the King Street intersection to provide a continuous, convenient and safe pedestrian access route to the designated bus stops on Gladstone St for seniors and people with disabilities.

A plan demonstrating the construction of the pram ramps in accordance with Australian Standards AS1742 and relevant RMS supplements shall be prepared by a suitably qualified person and submitted to and approved by the Council prior to the issue of Construction Certificate.

The above pram ramps and any associated footpath modifications are to be constructed by the applicant at no cost to Council.

Reason: To provide a safe and convenient pedestrian access to public transport in compliance with the SEPP requirements.

D. Add Condition 10A - On-Slab Landscape Planters along western boundary to read as follows:

Details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate indicating the proposed method of waterproofing and drainage to all planters over slab, over which soil and planting is being provided.

The planters to the western boundary on structure shall be a minimum soil depth of 1.0 metre and a minimum internal width of 1.0 metre.

Landscape treatment details shall also be submitted to the Certifying Authority prior to the issue of the Construction Certificate indicating the proposed soil type, planting, automatic irrigation, services connections, and maintenance activity schedule.

Design certification shall be submitted to the Certifying Authority by a qualified Structural Engineer that the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and established planting).

For all new residential works with two or more dwellings and mixed use developments the maintenance activity schedule shall incorporate an on-going maintenance plan that shall be submitted to the Certifying Authority outlining a program to monitor and replenish soil levels as a result of soil shrinkage over time.

Reason: To ensure appropriate soil depth for planting and secure waterproofing and drainage is installed.

Important Information

This letter should therefore be read in conjunction with DA2020/1172.

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 submitted to Council 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 Prosser, Planner

Date 16/03/2022