

APPLICATION FOR MODIFICATION ASSESSMENT REPORT

Application Number:	Mod2023/0105
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Responsible Officer:	Stephanie Gelder
Land to be developed (Address):	Lot 3 DP 12377, 5 Kooloora Avenue FRESHWATER NSW 2096
Proposed Development:	Modification of Development Consent DA2021/1233 granted for Alterations and additions to a dwelling house including a carport and swimming pool
Zoning:	Warringah LEP2011 - Land zoned R2 Low Density Residential
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Anthony Peter Yeates Michelle Gail Yeates
Applicant:	Anthony Peter Yeates

Application Lodged:	24/03/2023
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Refer to Development Application
Notified:	31/03/2023 to 14/04/2023
Advertised:	Not Advertised
Submissions Received:	0
Clause 4.6 Variation:	Nil
Recommendation:	Approval

PROPOSED DEVELOPMENT IN DETAIL

The proposed modification works to DA2021/1233 comprise of the following:

Lower Ground Floor Level

- Approved single car garage to remain as storeroom at existing finished floor level;
- Delete approved storeroom and bathroom;
- Modify approved single carport to allow for 2.4m clearance to underside of soffit;
- Modify proposed gradient of single carport hardstand to assimilate with natural ground level and existing store room, gradient is compliant with 1:20;
- Delete approved 0.4m(h) retaining walls to lawn area around approved media room;

- Approved media room to remain as store room at the existing finished floor level;
- Finished floor level of the proposed laundry to allow for 2.1m ceiling heights;
- Modify size of W1 & W2;
- Delete W18;
- Include new timber gate within existing fence line along Murray Road boundary;
- Increase soft landscape area;

Mid Floor Level

- Slight modification to size of windows W14, W15, W20, W21 and W22;
- Delete the approved swimming pool;
- Delete the sidelight windows in Bedroom 2 bay window;
- Raise FFL by 0.3m from RL 8.73 to RL 9.03;

Upper Floor Level

- Utilise approved roof space for study and robe joinery;
- Raise FFL by 0.3m from RL 11.78 to RL 12.08;

Roof

- Extend approved pergola over Kooloora Avenue side terrace across the entry stairs;
- Minimise the pitch of the gable roof over the Master Bedroom and Ensuite from 24 degree to 14 degrees;
- Minor increase in the ridge-line over the mid floor living room from RL 13.62 to RL 14.11; and
- Minor increase in the upper ridge-line from RL 15.50 to RL 15.80 to allow for raising the mid and upper floor levels by 0.3m.

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Warringah Local Environmental Plan 2011 - 4.3 Height of buildings
Warringah Development Control Plan - B7 Front Boundary Setbacks
Warringah Development Control Plan - C3 Parking Facilities

SITE DESCRIPTION

Property Description:	Lot 3 DP 12377 , 5 Kooloora Avenue FRESHWATER NSW 2096
Detailed Site Description:	<p>The subject site consists of one (1) corner allotment located on the south-western side of Kooloora Avenue and north-western side of Murray Road.</p> <p>The site is regular in shape with a primary frontage of 13.41m along Kooloora Road and a secondary frontage of 28.005m along Murray Road. The site has a surveyed area of 374.9m².</p> <p>The site is located within the R2 Low Density Residential zone from WLEP 2011 and accommodates a two storey dwelling house and attached single garage.</p> <p>The site slopes gently from the north-eastern boundary upwards to the south-western boundary over approximately 2 metres.</p> <p>The site contains lawned areas, garden beds, hedges and trees. There are no details of any threatened species on the site.</p> <p>Detailed Description of Adjoining/Surrounding Development</p> <p>Adjoining and surrounding development is characterised by single and double storey dwelling houses varying in architectural style and design.</p>

Map:



SITE HISTORY

The land has been used for residential purposes for an extended period of time. A search of Council's records has revealed the following relevant history:

DA2008/0567

Development Application for Demolition works & alterations & additions to an existing dwelling.
Approved on 7 July 2008.

DA2021/1233

Development Application for Alterations and additions to a dwelling house including a carport and swimming pool.
Approved on 5 November 2021.

APPLICATION HISTORY

Following the preliminary assessment of the application, Council requested additional information in relation to Clause 4.3 Height of Buildings of Warringah Development Control Plan 2011. Subsequently, the applicant provided a response to the request for further information, requesting the maximum height of buildings to be reverted the height approved under DA2021/1233. The request to revert the maximum height of buildings constitutes a reduced environmental impact and therefore, the application was not required to be re-notified, in accordance with the Northern Beaches Community Participation Plan (CPP).

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared and is attached taking into all

relevant provisions of the Environmental Planning and Assessment Act 1979 and associated regulations;

- A site inspection was conducted and consideration has been given to the impacts of the development upon all lands whether nearby, adjoining or at a distance;
- Consideration was given to all documentation provided (up to the time of determination) by the applicant, persons who have made submissions regarding the application and any advice given by relevant Council / Government / Authority Officers on the proposal;

In this regard, the consideration of the application adopts the previous assessment detailed in the Assessment Report for DA2021/1233, in full, with amendments detailed and assessed as follows:

The relevant matters for consideration under Section 4.55 (2) of the Environmental Planning and Assessment Act, 1979, are:

Section 4.55 (2) - Other Modifications	Comments
A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:	
(a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and	<p>The consent authority can be satisfied that the development to which the consent as modified relates is substantially the same as the development for which the consent was originally granted under DA2021/1233 for the following reasons:</p> <ul style="list-style-type: none"> • The consent authority can be satisfied that the development to which the consent as modified relates is substantially the same as the development for which the consent was originally granted under DA2021/1233. • The proposed modification works are considered to be substantially the same as the development for which the consent was originally granted under DA2021/1233 and include a portion of works to be deleted, reducing the extent of the approved works.
(b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and	Development Application 2021/1233 did not require concurrence from the relevant Minister, public authority or approval body.
(c) it has notified the application in accordance with:	The application has been publicly exhibited in accordance with the Environmental

Section 4.55 (2) - Other Modifications	Comments
(i) the regulations, if the regulations so require, or (ii) a development control plan, if the consent authority is a council that has made a development control plan under section 72 that requires the notification or advertising of applications for modification of a development consent, and	Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021, and the Northern Beaches Community Participation Plan.
(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.	See discussion on "Notification & Submissions Received" in this report.

Section 4.15 Assessment

In accordance with Section 4.55 (3) of the Environmental Planning and Assessment Act 1979, in determining an modification application made under Section 4.55 (2) the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application.

The relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 'Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on "Environmental Planning Instruments" in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	There are no current draft environmental planning instruments.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan 2011 applies to this proposal.
Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021)	<p><u>Part 4, Division 2</u> of the EP&A Regulation 2021 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clause 29</u> of the EP&A Regulation 2021 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application.</p> <p><u>Clauses 36 and 94</u> of the EP&A Regulation 2021 allow Council to</p>

Section 4.15 'Matters for Consideration'	Comments
	<p>request additional information. Additional information was requested in relation to Clause 4.3 Height of Buildings of Warringah Development Control Plan 2011. Subsequently, the applicant provided a response to the request for further information, requesting the maximum height of buildings to be reverted the height approved under DA2021/1233.</p> <p><u>Clause 61</u> of the EP&A Regulation 2021 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent.</p> <p><u>Clauses 62 and/or 64</u> of the EP&A Regulation 2021 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This clause is not relevant to this application.</p> <p><u>Clause 69</u> of the EP&A Regulation 2021 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter has been addressed via a condition of consent.</p> <p><u>Clause 69</u> of the EP&A Regulation 2021 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p>
<p>Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</p>	<p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan 2011 section in this report.</p> <p>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
<p>Section 4.15 (1) (c) – the suitability of the site for the development</p>	<p>The site is considered suitable for the proposed development.</p>
<p>Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs</p>	<p>See discussion on “Notification & Submissions Received” in this report.</p>
<p>Section 4.15 (1) (e) – the public interest</p>	<p>No matters have arisen in this assessment that would justify the refusal of the application in the public interest.</p>

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited from 31/03/2023 to 14/04/2023 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021 and the Community Participation Plan.

As a result of the public exhibition of the application Council received no submissions.

REFERRALS

Internal Referral Body	Comments
Landscape Officer	<p>The application is for modification to development consent DA2021/1233.</p> <p>The proposed amendments will not diminish the landscape outcome approved in DA2021/1233, and as such the original conditions remain. No further conditions are imposed.</p>
NECC (Development Engineering)	<p>18/04/2023:</p> <p>The application is for modification to development consent DA2021/1233.</p> <p>No objections are raised to the proposed modifications.</p> <p>Below modifications to Development Engineering conditions are required;</p> <ol style="list-style-type: none"> 1) Delete Condition 20, Reinstatement of Kerb 2) Delete Condition 21, Retaining Wall <p>Rest of the existing Development Engineering conditions for DA2021/1233 are considered to still be relevant and adequate.</p> <p>The proposal is therefore supported.</p>

External Referral Body	Comments
Ausgrid - SEPP (Transport and Infrastructure) 2021, s2.48	<p>The proposal was referred to Ausgrid who provided a response stating that the proposal is acceptable subject to compliance with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice. These recommendations will be included as a condition of consent.</p>

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)*

All, Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many

provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP (Building Sustainability Index: BASIX) 2004

A BASIX certificate has been submitted with the application (see Certificate No.A420521_02 dated 03 February 2023).

A condition has been included in the recommendation of this report requiring compliance with the commitments indicated in the BASIX Certificate.

SEPP (Transport and Infrastructure) 2021

Ausgrid

Section 2.48 of Chapter 2 requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Comment:

The proposal was referred to Ausgrid who raised no objections, subject to conditions which have been included in the recommendation of this report.

SEPP (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Sub-section 4.6 (1)(a) of Chapter 4 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for residential purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under sub-section 4.6 (1)(b) and (c) of this Chapter and the land is considered to be suitable for the residential land use.

Warringah Local Environmental Plan 2011

Is the development permissible?	Yes
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After consideration of the merits of the proposal, is the development consistent with:	
aims of the LEP?	Yes
zone objectives of the LEP?	Yes

Principal Development Standards

Development Standard	Requirement	Approved	Proposed	% Variation	Complies
Height of Buildings:	8.5m	8.35m	9.38m	10.35% (0.88m)	No

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes

Detailed Assessment

4.3 Height of buildings

The proposed modification plans present an increase in height to the approved plans by 0.6m, with a maximum building height of 9.38m (RL15.80).

The development application was assessed prior to the NSW Land and Environment Court (*Merman Investments Pty Ltd v Woollahra Municipal Council [2021] NSWLEC 1582*) caselaw. As such, the approved building height under DA2021/1233 was assessed through the extrapolation of the existing ground level.

The approved building height under DA2021/1233 as measured in accordance to the NSW Land and Environment Court (*Merman Investments Pty Ltd v Woollahra Municipal Council [2021] NSWLEC 1582*) caselaw is 9.08m (RL15.50).

As discussed with the applicant, the proposed modification to the maximum building height is already above 8.5m maximum building height, and as such no further height is supportable. In response, the applicant has provided confirmation that they no longer wish to amend the maximum height of building, and the height as approved will be retained.

A recommended condition has been included to ensure the maximum height of buildings is accordance with the maximum height of buildings approved under DA2021/1233, and as such will be no higher than RL15.50.

Warringah Development Control Plan

Built Form Controls

Standard	Requirement	Approved	Proposed	Complies
B1 Wall height	7.2m	4.7m	unaltered	Yes
B3 Side Boundary Envelope	5m (North-West)	Within Envelope	Within Envelope	Yes

	5m (South-West)	Within Envelope	Within Envelope	Yes
B5 Side Boundary Setbacks	0.9m (North-West)	1.0m (Swimming Pool)	1.3m (Dwelling House)	Yes
	0.9m (South-West)	1.5m (Swimming Pool)	4.5m (Terrace)	Yes
B7 Front Boundary Setbacks*	Primary 6.5m (North-East)	0.22m (Carport) 5.84m (Dwelling House)	unaltered unaltered	N/A N/A
	Secondary 3.5m (South-East)	1.0m (Dwelling House)	unaltered	N/A
D1 Landscaped Open Space and Bushland Setting	40% (149.96m ²)	38.33% (143.7m ²)	41.64% (156.1m ²)	Yes

***Note:** As the site is a corner lot, there are two front boundary setbacks and no rear setback.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
B1 Wall Heights	Yes	Yes
B3 Side Boundary Envelope	Yes	Yes
B5 Side Boundary Setbacks	Yes	Yes
B7 Front Boundary Setbacks	N/A	N/A
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	No	Yes
C4 Stormwater	Yes	Yes
C6 Building over or adjacent to Constructed Council Drainage Easements	Yes	Yes
C7 Excavation and Landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	Yes	Yes
D1 Landscaped Open Space and Bushland Setting	Yes	Yes
D2 Private Open Space	Yes	Yes
D3 Noise	Yes	Yes
D6 Access to Sunlight	Yes	Yes
D7 Views	Yes	Yes
D8 Privacy	Yes	Yes
D9 Building Bulk	Yes	Yes
D10 Building Colours and Materials	Yes	Yes
D11 Roofs	Yes	Yes
D12 Glare and Reflection	Yes	Yes
D14 Site Facilities	Yes	Yes
D20 Safety and Security	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
D21 Provision and Location of Utility Services	Yes	Yes
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes
E10 Landslip Risk	Yes	Yes

Detailed Assessment

B7 Front Boundary Setbacks

The proposed modification application does not alter the front boundary setbacks approved under DA2021/1233.

A detailed merit assessment is not required in this instance as the objectives of the control have been previously assessed under DA2021/1233.

C3 Parking Facilities

Description of non-compliance

The proposed modification works include the approved single garage to remain as a storeroom, and the modification of the approved single carport. As such, DA2021/1233 provided for two (2) spaces, and the proposed modification provides one (1) space, as per the existing arrangement on site.

Therefore, in this instance the existing numerical non-compliance will be retained with the proposed modification application.

Notwithstanding, the proposal has been assessed against the objectives of the control and the proposal is supportable as the objectives have been satisfied.

Merit consideration

The development is considered against the underlying Objectives of the Control as follows:

- ***To provide adequate off street carparking.***

Comment:

As outlined in the table below, in accordance with the car parking requirements under Appendix 1 of Warringah Development Control Plan 2011, two (2) spaces are required per dwelling house. The proposal is non-compliant with this control and provides a deficit of one (1) car space. In this instance the provision of one (1) off street carparking is acceptable, as the applicant is retaining the existing site conditions.

The development provides the following on-site car parking:

Use	Appendix 1 Calculation	Required	Provided	Difference (+/-)
Dwelling house	2 spaces per dwelling	2 spaces	1 space	1 space

- ***To site and design parking facilities (including garages) to have minimal visual impact on***

the street frontage or other public place.

Comment:

The proposed modified carport structure is an open style, and as such will present a minimal visual impact to the street frontage and other public places.

- ***To ensure that parking facilities (including garages) are designed so as not to dominate the street frontage or other public spaces.***

Comment:

The proposed modified carport has been designed as not to dominate the street frontage or public spaces as it is of single storey open style structure, that is consistent with parking facilities in the vicinity.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly affect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Northern Beaches Section 7.12 Contributions Plan 2022

Section 7.12 contributions were levied on the Development Application.

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2021;
- All relevant and draft Environmental Planning Instruments;
- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP

- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant approval to Modification Application No. Mod2023/0105 for Modification of Development Consent DA2021/1233 granted for Alterations and additions to a dwelling house including a carport and swimming pool on land at Lot 3 DP 12377,5 Kooloorra Avenue, FRESHWATER, subject to the conditions printed below:

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
Site Plan - YH-04-DA, Issue Section 4.55	24 February 2023	Rachel Hudson Architect
Lower Floor Plan - YH-05-DA, Issue Section 4.55	24 February 2023	Rachel Hudson Architect
Mid Floor Plan - YH-06-DA, Issue Section 4.55	24 February 2023	Rachel Hudson Architect
Upper Floor Plan - YH-07-DA, Issue Section 4.55	24 February 2023	Rachel Hudson Architect
Roof Plan - YH-08-DA, Issue Section 4.55	24 February 2023	Rachel Hudson Architect
NE Elevation - YH-09-DA, Issue Section 4.55	24 February 2023	Rachel Hudson Architect
SW Elevation - YH-10-DA, Issue Section 4.55	24 February 2023	Rachel Hudson Architect
SE Elevation + Carport Section - YH-11-DA, Issue Section 4.55	24 February 2023	Rachel Hudson Architect
NW Elevation - YH-12-DA, Issue Section 4.55	24 February 2023	Rachel Hudson Architect
Section AA - YH-13-DA, Issue Section 4.55	24 February 2023	Rachel Hudson Architect
Section BB - YH-14-DA, Issue Section 4.55	24 February 2023	Rachel Hudson Architect

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
BASIX Certificate (No.A420521_02)	03 February 2023	Rachel Hudson
Geotechnical Report	27 February 2023	White Geotechnical Group
Schedule of External Finishes - YH-16-DA, Issue	24 February 2023	Rachel Hudson Architect

Section 4.55

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

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

Landscape Plans		
Drawing No.	Dated	Prepared By
Landscape Plan - YH-03-DA, Issue Section 4.55	24 February 2023	Rachel Hudson Architect

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

B. Add Condition 1C - Compliance with Other Department, Authority or Service Requirements to read as follows:

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

Other Department, Authority or Service	EDMS Reference	Dated
Ausgrid	Ausgrid Referral Response	14 March 2023

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website www.northernbeaches.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies.

C. Add Condition 12A - Amendments to the approved plans to read as follows:

The following amendments are to be made to the approved plans:

- The maximum height of building is to be RL15.50 as approved under DA2021/1233.

Details demonstrating compliance are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To ensure development minimises unreasonable impacts upon surrounding land.

D. Delete Condition 20 - Reinstatement of Kerb to read as follows:

Deleted.

E. Delete Condition 21 - Retaining Wall to read as follows:

Deleted.

F. Delete Condition 23 - Swimming Pool Requirements to read as follows:

Deleted.

G. Delete Condition 25 - Swimming Pool/Spa Motor Noise to read as follows:

Deleted.

In signing this report, I declare that I do not have a Conflict of Interest.

Signed



Stephanie Gelder, Planner

The application is determined on 18/04/2023, under the delegated authority of:



Adam Richardson, Manager Development Assessments