

9 December 2019



Jure Domazet
3 Riverview Road
AVALON BEACH NSW 2107

Dear Sir/Madam

Application Number: Mod2019/0485
Address: Lot 6 DP 3632 , 3 Riverview Road, AVALON BEACH NSW 2107
Proposed Development: Modification of Development Consent DA2018/1616 granted for alterations and additions to a dwelling house including alterations to an existing boathouse and swimming pool

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:	Mod2019/0485
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Jure Domazet
Land to be developed (Address):	Lot 6 DP 3632 , 3 Riverview Road AVALON BEACH NSW 2107
Proposed Development:	Modification of Development Consent DA2018/1616 granted for alterations and additions to a dwelling house including alterations to an existing boathouse and swimming pool

DETERMINATION - APPROVED

Made on (Date)	06/12/2019
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The request to modify the above-mentioned Development Consent has been approved as follows:

A. Add Condition No.1A - 'Modification 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 Approved Plans and Supporting Documentation referred to in Condition 1, as modified by the following:

a) Modification Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Site/Roof Plan DA003, revision H	4 October 2019	Smart Design Studio
G Plan - Boatshed DA100, revision E	4 October 2019	Smart Design Studio
L1 Plan - Terrace, Cellar DA101, revision G	4 October 2019	Smart Design Studio
L2 Plan - Gym, Media, Art DA102, revision H	4 October 2019	Smart Design Studio
L3 Plan - House DA103, revision E	4 October 2019	Smart Design Studio
L3 Plan - Guest & Carport DA104, revision E	4 October 2019	Smart Design Studio
North Elevation DA300, revision F	4 October 2019	Smart Design Studio
South Elevation DA301, revision F	4 October 2019	Smart Design Studio
West & East Elevation DA302, revision G	4 October 2019	Smart Design Studio
Section AA & BB DA400, revision G	4 October 2019	Smart Design Studio
Pool Cabana Plan	8 November 2019	[unknown]
Pool Cabana Elevation	8 November 2019	[unknown]

Pool Cabana Section	8 November 2019	[unknown]
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Landscape Plans		
Drawing No.	Dated	Prepared By
Site Plan LS4.55-02, issue B	2 October 2019	Fieldwork Associates
Landscape Plan - Rear Garden LS4.55-03	2 October 2019	Fieldwork Associates

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
BASIX Certificate A329719_02	30 September 2019	Delisle Hunt Wood Pty Ltd

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

B. New Condition 2A 'Amendments to the Modification Approved Plans' to read as follows:

The following amendments are to be made to the Modification Approved Plans (referenced in Condition 1A of this consent):

- The proposed widening of the entrance foyer is to be removed from all plans.
- The proposed widening of the western edge of the pool apron is to be removed from all plans.
- The proposed internal dividing wall within the ground floor of the boatshed is to be removed from all plans.
- The proposed replacement of the doors to the western facade of the ground floor of the boatshed is to be removed from all plans.
- The proposed cladding of the existing western facade of the boatshed is to be removed from all plans.
- The proposed retention and cladding of the existing wall/fence along the southern side of the western boundary, adjacent to Tree 20, is to be removed from all plans and replaced with an open style fence constructed of timber or finished in black, with a height not exceeding 1.8m above existing or proposed ground levels.
- No works are approved below Mean High Water Mark (MHWM) or on adjoining properties, and any such works are to be removed from all plans.
- The proposed bathroom on Level 1 of the boatshed is to be removed from all plans.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure development minimises unreasonable impacts upon surrounding land and the heritage significance of the development.

C. New Condition 2B 'Clarification of Approved Modifications and Use of Structures' to read as follows:

For the avoidance of doubt, in addition to the amendments required above, this consent does not authorise:

- the use of any part of the two storey boathouse/boatshed for habitable purposes, or
- the painting of external brickwork in any form or colour, or
- the painting of the external soffits in any colour other than an exact match with the existing

- colour, or
- any works on adjoining properties or below MHWL.

Reason: To ensure the work is carried out in accordance with the determination of Council and to minimise impacts upon the heritage significance of the development.

D. Amend Condition 18 'External Finishes' to read as follows:

The external finishes of the development are to be consistent with the Schedule of Finishes (External) referenced in Condition 1 of this consent, with the exception of the proposed 'light paint colour to existing brick', which is not endorsed by this consent. The existing face brickwork is to be retained and is to remain unaltered. The external soffits are to be painted in a tone to match the existing paint colour. The lift overrun is to be finished in a dark, earthy and tone reflective material.

An amended Schedule of Finishes (External) is to be submitted to Council's Heritage Officer for approval.

Details demonstrating Council's approval of the amended Schedule of Finishes (External) are to be submitted to the Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure that excessive glare or reflectivity nuisance does not occur as a result of the development, and to minimise impacts upon the heritage significance of the development.

E. Amend Condition 23 'Landscape Works' to read as follows:

Landscaping is to be implemented in accordance with the Approved Landscape Plans referenced in Condition 1 of this consent, as modified by the Modification Approved Landscape Plans referenced in Condition 1A of this consent, as modified by any other condition.

Prior to the issue of an occupation certificate, a landscape report prepared by a landscape architect or landscape designer shall be submitted to the Certifying Authority, certifying that the landscape works have been completed in accordance with the landscape plan and inclusive of any conditions of consent.

Reason: To ensure that the landscape treatments are installed to provide landscape amenity.

Important Information

This letter should therefore be read in conjunction with DA2018/1616 dated 22 March 2019.

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

R. Englund.

Name Rebecca Englund, Principal Planner

Date 06/12/2019