

22 August 2018

Claire Louise Cavanaugh
C/- Vaughan Milligan Development Consulting Pty Ltd PO Box 49
NEWPORT NSW 2106

Dear Sir/Madam

Application Number: Mod2018/0263
Address: Lot 12 DP 13291 , 24 Delecta Avenue, CLAREVILLE NSW 2107
Proposed Development: Modification of consent N0451/17 for the alterations and additions to a dwelling including new 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,



Ashley Warnest
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2018/0263
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Claire Louise Cavanaugh
Land to be developed (Address):	Lot 12 DP 13291 , 24 Delecta Avenue CLAREVILLE NSW 2107
Proposed Development:	Modification of consent N0451/17 for the alterations and additions to a dwelling including new swimming pool

DETERMINATION - APPROVED

Made on (Date)	22/08/2018
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The request to modify the above-mentioned Development Consent has been approved as follows:

A. Add Condition - 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 - Job No.1531	27/04/2018	Sketch Ark
Ground Floor Plan - Job No.1531	27/04/2018	Sketch Ark
First Floor Plan - Job No.1531	27/04/2018	Sketch Ark
Roof Plan - Job No.1531	27/04/2018	Sketch Ark
North & South Elevation - Job No.1531	27/04/2018	Sketch Ark
East & West Elevation - Job No.1531	27/04/2018	Sketch Ark
Sections A-A & B-B - Job No.1531	27/04/2018	Sketch Ark
Sections C-C & D-D - Job No.1531	27/04/2018	Sketch Ark
Job No.18404 - L-01, L-02, L-03, L-04, & L-05 - All Rev. B	11/04/2018	Serenescapes Landscape Designs

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. Modify Condition C1 & C2 to read as follows:

All previous conditions in relation to Landscaping and Tree Protection stated within the Notice of Determination in N0451/17 are to be upheld. Conditions C.1 & C.2 in N0451/17 are to be altered to ensure an overall total of five (5) canopy trees are located within the subject site. This incorporates existing trees or planted trees. Planted trees are to be locally native (within the species list of Pittwater & Wagstaff Spotted Gum Forest) and reach a minimum mature height of 13m.

Reason: Environmental Protection

C. Modify Condition B20 to read as follows:

The boundary fence to the east of the property must be a minimum height of 1800mm with a non climbable zone of 900mm on the inside of the fencing in accordance with the Australian Standards prescribed by the Swimming Pools Regulations 2008. Any shrubs maintained over the lifetime of the development at a height that does not interfere with the 900mm non climbable zone.

Reason: Public Safety

D. Modify Condition B12 to read as follows:

One (1) indigenous canopy tree, capable of reaching 13 metres at maturity, shall be planted within the front back of the property. The selected tree shall be planted at minimum 75 litre size, and shall be planted at least 3m from any structure.

Details are to be submitted by the Certifying Authority that this has been undertaken prior to the issue of the Occupation Certificate.

Reason: to enable the long term retention of local native tree canopy.

E. Add Condition Prior to Occupation Cert - Screen Planting to read as follows:

The northern boundary along the proposed spa shall include buffer shrub planting, to the extent of the proposed fencing. Shrubs planting shall consist of native shrubs capable of reaching 3 metres at maturity, and shall be planted at a minimum spacing of 900mm apart.

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

F. Add Condition On-Going - Tree Protection

A) Existing trees and vegetation shall be retained as follows:

- i) all trees and vegetation within the site shall be protected during all construction stages, excluding trees approved for removal, and exempt trees under the relevant planning instruments or legislation,
- ii) all other trees and vegetation located on adjoining properties,
- iii) all road reserve trees and vegetation.

B) Tree protection shall be undertaken as follows:

- i) all tree protection shall be in accordance with AS4970- 2009 Protection of Trees on

Development Sites, with particular reference to Section 4,

- ii) any tree roots exposed during excavation with a diameter greater than 50mm within the TPZ must be assessed by an Arborist. Details including photographic evidence of works undertaken shall be submitted by an AQF Level 5 Arborist to the Certifying Authority,
- iii) 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,
- iv) no tree roots greater than 50mm diameter are to be cut from protected trees unless authorized by the Project Arborist on site,
- v) all structures are to bridge tree roots greater than 50mm diameter unless directed by a AQF Level 5 Arborist on site,
- vi) should either or both iv) and v) occur during site establishment and construction works, a AQF Level 5 Arborist shall provide recommendations for tree protection measures provided. Details including photographic evidence of works undertaken shall be submitted by the Arborist to the Certifying Authority.

Reason: to retain and protect significant planting on development sites, and protect the existing amenity of trees.

G. Add Condition Prior to Construction Certificate - Estuarine Hazard Design Requirements

The following applies to all development:

All development or activities must be designed and constructed such that they will not increase the level of risk from estuarine processes for any people, assets or infrastructure in surrounding properties; they will not adversely affect estuarine processes; they will not be adversely affected by estuarine processes.

Reason: To minimise potential risks associated with coastal hazards for development in the coastal hazards.

H. Add Condition Prior to Construction Certificate - Estuarine Planning Level Requirements

An Estuarine Planning Level (EPL) of 2.73m AHD has been adopted by Council for the subject site and shall be applied to all development proposed below this level as follows:

- All structural elements below 2.73m AHD shall be of flood compatible materials;
- All electrical equipment, wiring, fuel lines or any other service pipes and connections must be located either above 2.73m AHD or waterproofed to this level; and
- The storage of toxic or potentially polluting goods, chemicals or materials, which may be hazardous or pollute the waterway, is not permitted below 2.73m AHD.

Reason: To ensure aspect of the development are built at the appropriate level

I. Delete Condition B6 as follows:

The paved area between the existing studio and front boundary is to be removed and replaced with soft landscaped areas.

Important Information

This letter should therefore be read in conjunction with N0451/17 Dated 28/02/2018..

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 Ashley Warnest, Planner

Date 22/08/2018