

18 April 2023

Anthony Peter Yeates
5 Kooloora Avenue
FRESHWATER NSW 2096

Dear Sir/Madam

Application Number: Mod2023/0105
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

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,



Stephanie Gelder
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2023/0105
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Anthony Peter Yeates
Land to be developed (Address):	Lot 3 DP 12377 , 5 Kooloorra 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

DETERMINATION - APPROVED

Made on (Date)	18/04/2023
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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
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 Section 4.55	24 February 2023	Rachel Hudson Architect

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.

Important Information

This letter should therefore be read in conjunction with DA2021/1233 dated 5 November 2021.

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 lodged on the NSW Planning portal 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 Stephanie Gelder, Planner

Date 18/04/2023