

9 August 2018



Thomas Ruane Baxter
121 Wyndora Avenue
FRESHWATER NSW 2096

Dear Sir/Madam

Application Number: Mod2018/0305
Address: Lot 200 DP 1212459 , 228 - 260 Garden Street, WARRIEWOOD
NSW 2102
Proposed Development: Modification of Development Consent N0067/16 granted for
Torrens title subdivision of a yet to be created Lot into 28
allotments and associated civil works

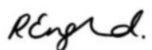
Please find attached the Notice of Determination for the above mentioned Application.

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,



Rebecca Englund
Principal Planner

NOTICE OF DETERMINATION

Application Number:	Mod2018/0305
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Thomas Ruane Baxter
Land to be developed (Address):	Lot 200 DP 1212459 , 228 - 260 Garden Street WARRIEWOOD NSW 2102
Proposed Development:	Modification of Development Consent N0067/16 granted for Torrens title subdivision of a yet to be created Lot into 28 allotments and associated civil works

DETERMINATION - APPROVED

Made on (Date)	09/08/2018
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The request to modify the above-mentioned Development Consent has been approved as follows:

A. Amend Condition B31, to read as follows:

B31. The OSD tanks and rainwater gardens on Lots 16-21 (inclusive) are to be located between any future dwelling and the southern property boundary. With the exception of an access hatch, the OSD is to be submerged below ground and covered in turf.

B. Amend Condition B33, to read as follows:

B33. The OSD tank and rainwater garden on Lot 15 are to be located between any future dwelling and the southern boundary. With the exception of an access hatch, the OSD is to be submerged below ground and covered in turf. The OSD tank and rainwater garden must not be located within the lowered garden setback area fronting Garden Street, and are not permitted within the resultant 2m setback to Garden Street.

C. Amend Condition C11, to read as follows:

C11. The draft Section 88B Instrument annexed to this consent and marked "A" is to be amended, as follows;

- a. to restrict the physical location of the raingardens and onsite detention storage tanks/basin on the said lots, as follows:*
 - i. the OSD tanks and rainwater gardens on Lots 22-28 (inclusive) are to be located*

- between any future dwelling and the eastern front property boundary. The OSD tank is to be wholly located beneath the driveway serving the respective dwelling.*
- ii. The OSD tanks and rainwater gardens on Lots 16-21 (inclusive) are to be located to the rear of any future dwelling and the southern rear property boundary. With the exception of an access hatch, the OSD is to be submerged below ground and covered in turf.*
 - iii. The OSD tanks and rainwater gardens on Lots 2-14 (inclusive) are to be located between any future dwelling and the upper most retaining wall fronting the eastern boundary (Garden Street). With the exception of an access hatch, the OSD is to be submerged below ground and covered in turf. The OSD tanks and rainwater gardens must not be located within the lowered landscaped setback areas fronting Garden Street, and are not permitted within the resultant 2m setback to Garden Street.*
 - iv. The OSD tanks and rainwater gardens on Lot 15 are to be located to the rear of any future dwelling and the southern boundary. With the exception of an access hatch, the OSD is to be submerged below ground and covered in turf. The OSD tank and rainwater garden must not be located within the lowered garden setback areas fronting Garden Street, and are not permitted within the resultant 2m setback to Garden Street.*

Important Information

This letter should therefore be read in conjunction with N0067/16 dated 11 August 2017:.

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

Rebecca Englund

Name Rebecca Englund, Principal Planner

Date 09/08/2018