

# **APPLICATION TO MODIFY A CONSENT (SECTION 96)**

MADE UNDER THE WARRINGAH LOCAL ENVIRONMENTAL PLAN 2000 OR 2011 MADE UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (SECTION 78A), ROADS ACT 1993 (SECTION 138), LOCAL GOVERNMENT ACT 1993 (SECTION 63) AND PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998

Contact Us		Of	ice Use	Only		rec	10	)0	3010	291			
The General Manager, 725 Pittwater Road, Dee Why NSW 2099 or		С	WLEF	2000 <sup>2</sup>				С	) WLEF	2011 o		_	
Customer Service Centre, Northern Beaches Council DX9118 Dee Why		м	0	D	2	0	1	6		0	3	0	7
Email	council@warringah nsw gov au	D	A	2	0	1	5	1	0	6	١	2	
Fax	9942 2606	C	O Locality LEP 2000		lity LEP 2000 O 40 Metre Buffer			ffer	0	Wave	Impact		
If you need help lodging your application call Customer Service on (02) 9942 2111 or come in and talk to us at the Civic Centre, Dee Why			Categ Owne Lot ar	rs Conse		000	Acıd S Bushfi Herita	re Zoi		000	Slip Zo Flood Vegeta	Zone	

#### For applicable fees and charges, please refer to Council's website northernbeaches nsw gov au or contact our Customer Service Centre

The personal information requested in this form is required by or under the Environmental Planning and Assessment Act 1979 and will only be used by Northern Beaches Council in connection with the requirements of that Act and any other relevantly applicable legislation relating to the subject matter of this application. The information is being collected for the following purposes, namely, to enable us to (1) process and determine your application, (2) contact you in relation to your application should that be necessary, and (3) keep the public informed by making the application publicly accessible. If you do not provide the information, Council will not be able to process your application, and your application will be rejected.

Your application will be available to Councillors and Council Officers Members of the public have certain rights of access to information and documents held by Council under the Government Information (Public Access) Act 2009 (GIPA), and under the Privacy and Personal Information Protection Act 1998 (NSW) to the extent permitted by those Acts

Northern Beaches Council is to be regarded as the agency that holds the information, which will be stored on Council's records management system or in archives and may be displayed on E. Services Online (except as regards to personal particulars). You have a right to access information within the meaning of the Privacy and Personal Information Protection Act 1998 (NSW) on application to Council, and to have that information updated or corrected as necessary. Please contact Northern Beaches Council if the information you have provided is incorrect or changes or if access is otherwise sought to the information. In addition, a person may request that any material that is available (or is to be made available) for public inspection by or under the Local Government Act 1993 (NSW) be prepared or amended so as to omit or remove any matter that would disclose or discloses the person's place of living if the person considers that the disclosure would place or places the personal safety of the person or of members of the person's family at risk. Any such request must be made to Council's General Manager sees 739 of the Local Government Act 1993 (NSW)

### Part 1 Summary Applicant(s) Details

1 APPLICANT(S) DETAILS	Customer Service Received		
Applicant(s) name	1 7 NOV 2016		
Owner(s) name			
If any owner/applicant of th	is development application is a current	Council Employee	
	entative of Warringah Council	C Elected Representative	Signature

### Part 2 Application Details

2 1 LOCATION OF THE PROPER We need this to correctly identif		own on your rates notice, property title etc	c				
Unit number		House number	884-896				
Street	PITTWATER ROAD	PITTWATER ROAD					
Suburb	DEE WHY	DEE WHY					
	Lot	LOT1&3 DP307937, L	LOT1&3 DP307937, LOT A DP416469, LOT 1 DP504212,				
Legal Property Desciption This information must be supplied	Sect	LOT 10&11 DP231418, LOT A DP209503,					
	DP/SP	LOT 1, 2&3 DP212382, LOT A&B DP371110					

Northern Beaches Council

Part 2 Application Details

2 2 DEVELOPMENT CONSENT								
Development Consent no	2015/0612							
Date of Determination	22 DECEMBER 2015							
	DRAINAGE AND STORMWATER, MANAGEMENT WORKS, INSTALLATION OF							
Description of Consent	SHORING WALLS AND EXCAVATION							

2 3 DETAILS OF MODIFICATION	
	AMEND CONDITION 4 FOR FURTHER FOUR (4) MONTHS TO COMPLETE
	EXCAVATION WORKS
(a) Give details of manner and extent of modification	
	Section 96(1) Modification to correct a minor error, misdescription or miscalculation
(b) Modification Tuno	Section 96AA Modification to a consent issued by the Land & Environment Court
(b) Modification Type	Section 96 (1A) Modification involving changes with a minimal environmental impact
	Section 96 (2) - Modification involving changes other than minimal environmental impact *
* most modifications are normally t	nis type

2 4 DETAILS OF ORIGINAL CONSENT	
Was the consent integrated?	
Approval under s68 Local Government Act 1993	🔿 Yes 🖉 No
Approval under s138 Roads Act 1993	🔿 Yes 🖉 No
Heritage item or within conservation area	🔿 Yes 🕜 No
2 5 TREES Drip line is the outermost edge of the canopy of the tree	
Does the modification involve works within the drip line of a tree? (either on your property or an adjoining site)	🔿 Yes 🖉 No
Does this proposal involve removal of tree(s)?	🔿 Yes 🧭 No
2 6 BASIX/NATHERS CERTIFICATE	
The proposed modification remains consistent with the current BASIX certificate	🔿 Yes 🖉 No

If no, a new BASIX certificate must be submitted with modifications

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2 7 DISCLOSURE OF POLITICAL DONATIONS AND GIFTS								
Note gift means a gift within the meaning of section 84 of the Election Funding & Disclosures Act 1981 Failure to disclosure relevant information is considered an offence under Part 6 section 96H of the Election Funding and Disclosures Act 1981								
Under section 147 of the Environmental Planning and Assessment Act 1979 any reportable political donation to an elected representative of Council (Mayor or Councillor) and/or any gift to an elected representative or Council employee within a two (2) year period commencing two (2) years before the date of this application and ending when the application is determined must be disclosed								
Are you aware of any person with a financial interest in this application who made a reportable donation or gave a gift in the last two (2) years								
If yes, complete the Political Donation Declaration and lodge it with this writing if I become aware of any person with a financial interest in this a the date of lodgement of this application and the date of its determination	If yes, complete the Political Donation Declaration and lodge it with this application If no, in signing this application I undertake to advise the Council in writing if I become aware of any person with a financial interest in this application who has made a political donation or has given a gift in the period from the date of lodgement of this application and the date of its determination.							
For further information visit Councils website at warringah nsw gov au/								
2 8 DIGITAL REQUIREMENTS FOR PLANS, REPORTS AND OTHER DA DOC	UMENTS							
All applications must be accompanied by a digital data disc (CD or USB), co in accordance with the following requirements	ntaining all plans, reports and other documentation lodged with the application,							
Files must be in PDF format and be able to be opened in Council's digitation	tal system							
Each of the following (as applicable) is required to be a separate PDF f	file with the following file names							
Plans Survey								
<ul> <li>Plans - Notification (Site Plan and Elevation Plans only with no inter</li> </ul>	nal layouts or floor plans)							
Plans - Master Set (all plans including internal and external plans)								
<ul> <li>Plans Internal (all plans showing any internal layouts and/or floor plans)</li> </ul>	plans and sections only)							
<ul> <li>Plans External (all plans excluding any internal layouts eg Site Ana Schedule of External Finishes, Photomontage etc)</li> </ul>	lysis Plan, Site Plan, Roof Plan, Elevation Plans, Landscape Plan,							
Stormwater Plans (Engineering Drawings, Erosion and Sediment Co	ontrol etc)							
Engineering Plans (Driveway, Road etc)								
Plans Certification of Shadow Diagrams with Plans (no internal layer	outs or floor plans)							
Report - Statement of Environmental Effects	<ul> <li>Report BASIX Certificate and/or Plans Basix and Nathers Plans (no internal layouts or floor plans)</li> </ul>							
Report Bushfire	Report Geotechnical							
Report - Traffic and Parking Assessment	Report Flora and Fauna							
Report Waste Management	Report Access							
Report Noise	Report Other (Include detail of report provided)							
Report Heritage	Cost Summary Report Quote and/or Quantity Surveyors							
(Please do not include internal layouts or floor plans in Reports)								
<ul> <li>Plans Revised (name of plan)</li> </ul>								
<ul> <li>Reports Revised (name of report)</li> </ul>								
Applications without a correctly formatted digital data disc (CD or USB) wi	ll not be accepted							
I confirm that the attached Disc/USB contains file names that match the ha								
<u>Disclaimer</u> Any plans supplied which include internal or floor plans where to be included, then the signature on the Development Application Form is	It clearly states above that they are not 🖉 Yes							
acceptance that all relevant plans and reports will be released online	-							

## NORTHERN BEACHES COUNCIL

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# **MODIFY A CONSENT CHECKLIST**

Required	Suppli	ed	
Contact Council if you are unsure what details will be required for your modification application	Yes	No	Why Not
PREPARING YOUR APPLICATION			
Only one (1) copy of all documentation, including the application form are required Additional copies of documentation may be requested Highlight in colour all proposed additions/amendments on the plans		$\bigcirc$	
A4 PLANS Proposed modifications must be highlighted, or otherwise identified			
<ul> <li>Provide one (1) copy of A4 size reductions of the site plan and elevations to be double sided (excluding floorplans)</li> <li>Plans are to be legible, including dimensions and wording</li> <li>These plans need not include interior detail that may affect your rights to privacy. However, if such plans are provided, then the signature on the Development Application Form acknowledges and accepts that all relevant A4 plans submitted will be used for public notification purposes.</li> </ul>		Ø	
CD / DISC / USB			
All applications must be accompanied by a digital data disc (CD or USB), containing all plans, reports and other documentation lodged with the application, in accordance with the Digital requirements on page 3	$\bigcirc$	$\bigcirc$	
PLANS			
<ul> <li>Plans must be drawn to scale (preferably 1 100 or 1 200) Free hand, single line or illegible drawings will not be accepted. The following information should be included on all plans and documents.</li> <li>Applicant(s) name(s)</li> <li>Property address (block/house/shop/flat number)</li> <li>Lot number, Section number and Deposited Plan / Strata Plan number.</li> <li>Measurements in metric.</li> <li>The position of true north.</li> </ul>			
Draftsman/architect name, date, plan name and number, plan version, and revision	_		
SURVEY PLAN			
A survey plan will be required if the proposed modification involves changes to the works footprint and the original survey submitted with the development application is more than two (2) years old	0	Ø	
SITE ANALYSIS PLAN			
An amendment site analysis plan must be submitted if the proposed modification involves external changes to the building A site plan is a birds-eye view of the existing approved and proposed development on the site and its position in relation to boundaries and neighbouring developments Please refer to the Development Application Checklist for details to be included in a site analysis plan	0	Ø	
FLOOR PLAN			
An amended floor plan must be submitted if the proposed modification involves changes to the internal layout A floor plan is a birds eye view of your existing and/or proposed layout of rooms within the development Please refer to the Development Application Checklist for details to be included in a floor plan		Ø	
ELEVATION PLAN			
Amended elevations must be submitted if the proposed modification involves external changes to the building Elevation plans are a side-on view of your proposal Include drawings of all affected elevations (north, south, east and west facing) of your development Please refer to the Development Application Checklist for details to be included in a elevation plan	0	Ø	

Required	Supplied		
	Yes	No	Why Not
SECTION PLAN			
Amended sections must be provided where relevant	$\bigcirc$	$\oslash$	
A section is a diagram showing a cut through the development at the most typical and critical points	_		
SECOND STOREY			
Amended elevations and sections showing proposed external finishes and heights, side boundaries and relevant side boundary envelope under WLEP 2011/WDCP are to be provided if the proposed modification involves external changes to the building	0	Ø	
REVISED STATEMENT OF ENVIRONMENTAL EFFECTS			
This is a written statement which demonstrates the applicant has considered the impact of the proposed modification on the natural and build environments both during and after construction, and the proposed method of mitigating any adverse effects The revised statement of environmental effects must address how the development responds to the relevant provisions of State Environmental Planning Policies, the relevant Warringah Local Environment Plan and Warringah Development Control Plan as relating to the modification proposal and all existing conditions of consent which will be affected by the modifications		0	
In addition, indicate that the proposed modification does not substantially alter the original proposal and justify the form of the application (ie, s96 (1), s96 AA, s96 (1A) or s96 (2) )			
Please refer to the Development Application Checklist for details to be included in the revised statement of environmental effects			
REVISED SHADOW DIAGRAMS	]		
<ul> <li>Amended shadow diagrams must be submitted for proposals that involve external changes to the height, bulk or setbacks of the building</li> </ul>	$\left  \circ \right $	$\oslash$	
All shadow diagrams must be accompanied by the Certification of Shadow Diagrams form available from warringah nsw gov au, Planning and Development /Online Forms /Development Applications			
REVISED SUBDIVISION PLAN (Torrens or Strata)			
If you are planning to amend your approved subdivision you will need to supply a plan showing the approved subdivision and proposed changes, with land title details (including number of lots)		Ø	
REVISED LANDSCAPING PLAN			
An amended landscape plan is to be submitted if the proposed modification results in changes to approved landscape areas	0	$\oslash$	
REVISED BASIX AND NATHERS CERTIFICATE			
A revised BASIX certificate may be required Please refer to www basix nsw gov au or phone the BASIX Help Line on 1300 650 908		Ø	
REVISED ADVERTISING STRUCTURE/SIGN (Advertising applications only)	1		
If you are planning to modify an advertising structure or sign you will need to supply relevant details as contained in the Development Application checklist for advertising structures	0	Ø	
REVISED STATEMENT OF HERITAGE IMPACT	1		
A revised statement of heritage impact is required for all modifications involving heritage items or works to buildings in conservation areas	0	$\oslash$	
REVISED EROSION AND SEDIMENT CONTROL PLAN	1		
A revised erosion and sediment control plan is required for all works that require excavation if proposed changes affect the approved erosion and sediment control plan		Ø	
REVISED WASTE MANAGEMENT PLAN	1		
A revised waste management plan is required for new multi unit residential or commercial developments if proposed changes affect the approved waste management program		Ø	
REVISED CONTAMINATED LAND MANAGEMENT	1		
A revised contamination report must be submitted if the site was identified under the original application as being a contaminated site, or if previous activities on site indicate a potential for contamination	$\left  \circ \right $	Ø	

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Required	Supplied		
	Yes	No	Why Not
REVISED ON-SITE STORMWATER DETENTION CHECKLIST/STORMWATER PLANS			
If proposed changes will affect stormwater disposal please provide amended stormwater drainage plan in accordance with Council's Stormwater Technical specification (including submission of the On-site Stormwater Detention Checklist) Ilsax or drains model are to be supplied on CD in accordance with Council's OSD Technical Specification	0	Ø	
REVISED GEOTECHNICAL REPORT - LAND SLIP AREA			
A revised geotechnical report is required for developments located in a slip zone if approved footprint or excavation is proposed to be amended	0	$\oslash$	
BUSHFIRE HAZARD ASSESSMENT REPORT			
A revised Bushfire Hazard Assessment report is required to be submitted with all applications	$ \circ $	$\bigotimes$	
The Report shall be commensurate to the scope of the modifications and shall address how the development (as modified) responds to the requirements of Planning for Bushfire Protection (most recent version)			
REVISED ARCHAEOLOGICAL REPORT			
A revised archaeological report is required where the site may be impacted by items of archaeological significance if approved footprint or excavation is proposed to be amended	0	$\oslash$	
REVISED FLORA AND FAUNA ASSESSMENT			
A revised flora/fauna impact report under section 5A of Environmental Planning and Assessment Act 1979 as amended is required where proposed changes will further impact on a protected species	$ \circ $	$\oslash$	
REVISED ACID SULPHATE SOIL MANAGEMENT PLAN			
A revised acid sulphate management plan is required for prone sites if approved footprint or excavation is proposed to be amended	$\left  \circ \right $	$\oslash$	
INTEGRATED DEVELOPMENT			
If the original application was identified as an integrated development <ul> <li>Two (2) additional copies of documentation as determined by consent authority</li> <li>Fees made out to each integrating authority</li> </ul>	0	Ø	
FIRE SAFETY MEASURES SCHEDULE (BCA Class 2 TO 9)	-		
A statement from an accredited certifier is required detailing whether the proposed modification will affect any fire safety measures	0	Ø	
REVISED FLOOD REPORT			
A revised flood risk assessment is to be provided if the site is flood prone and any proposed changes involve building footprints or floor levels	0	Ø	
REVISED HYDROLOGICAL REPORT (WATERTABLE)			
A revised hydrological report is to be provided if proposed changes involve enlarging or deeper excavations	0	$\oslash$	
REVISED ARBORIST REPORT			
A revised arborist report is required if proposed changes will impact on any trees	0	$\bigotimes$	
REVISED TREE CONSTRUCTION IMPACT STATEMENT			
A revised tree construction impact statement is required if proposed changes will impact on any trees	$\left  \circ \right $	Ø	
REVISED ACCESS REPORT	1		
A revised access report will be required if proposed changes will impact on access requirements under the Disability Discrimination Act 1992	0	Ø	
REVISED TRAFFIC AND PARKING REPORT	1		
A revised traffic and parking report is required if proposed changes involve parking layout, number of parking spaces, or traffic generation	$\left  \circ \right $	$\oslash$	

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Required		ıed	
	Yes	No	Why Not
REVISED MONTAGE			
A revised montage is required (where originally submitted) if the modification involves significant colour/design changes to the external facade	0	Ø	
REVISED COLOURS AND FINISHES SAMPLE BOARD			
A revised colour and finishes sample board is required (where originally submitted) if the modification involves significant colour/design changes to the original facade		$\bigotimes$	
REVISED BUILDING CODE OF AUSTRALIA (BCA) REPORT			
A revised BCA report is required where modifications have impacted on the original BCA report submitted	0	$\oslash$	
NOTE SPECIFIC DETAILS OF INFORMATION TO BE SUBMITTED IN ANY OF THE ABOVE DOCUMENTS CAN BE FOUND IN THE DEVELOPMENT APPLICATION CHECKLIST			

OFFICE USE ONLY			
Quality Checking Officer			
Comments			
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Checked by			
Quality Checking Officer			
Duty Officer			

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#### Part 3 Full Applicant Details

EVERY OWNER OF THE LAND MUST SIGN THIS FORM		
Company / Organisation		
If the owner is a company, owner's consent is to be provided in one of the following ways		
• Execution of owner's consent form (or other document to the same effect) in accordance with s 127 (1) of the Corporations Act 2001		
Common seal affixed to, and execution of, owner s consent form (or other document to the same effect) in accordance with s 127 (2) of the Corporations Act 2001		
Together with an up to date ASIC Company Extract and other relevant supporting documentation		
New Owners(s)		
If the property has recently been sold, documentary evidence of the sale must be provided Please provide one of the following		
A copy of the Certificate of Title		
A letter from your solicitor confirming settlement		
Previous owner(s) to provide owner(s) consent		
Strata Title / Owner's Corporation		
If the property is a unit under strata title or a lot in a community title, then in addition to the owner(s) signature the following items must be provided		
<ul> <li>The common seal of the owner's corporation must be stamped on this form over the signature of the owner(s) and signed by the chairman or secretary of the owner's corporation or the appointed managing agent</li> </ul>		
A letter on strata management letterhead		
<ul> <li>Minutes signed by the Owner's Corporation, clearly stating the words "Support for lodgement of a Development Application"</li> </ul>		
Signing on Owners Behalf		
If you are signing on the owner(s) behalf as the owner(s) legal representative, you must state the nature of your legal authority and attach documentary evidence (e.g. Power of attorney, executor, trustee, company director, etc.)		
🔘 Joint Wall / Fence		
When works affect a joint wall or fence, consent of all property owners is required (e.g. Semi-detached or terrace dwelling and boundary fences)		

3 4 ACCESS TO YOUR SITE			
Has construction commenced on site?	Ves No		
Is there a dog on the premises?	🔿 Yes 🖉 No		
Is access readily available? (ie locked gates, vacant locked premises)	Yes No (If no, please provide your contact details)		
Name			
Phone Number (for contact during business hours)			

#### 3 5 DECLARATION

See 3 3 for requirements relating to companies or units under strata or community title

Council policies available at waringah nsw gov au/publications/policies

I/We apply for approval to carry out the development or works described in this application. I/We declare that all the information in the application and checklist is, to the best of my knowledge, true and correct

I/We also understand pursuant to clause 51 of the Environmental Planning and Assessment Regulations 2000 that if the information is incomplete, the application may be delayed or rejected or more information may be requested. I/We acknowledge that if the information provided is misleading any approval granted 'may be void'

I/We acknowledge and accept Council's policy 'Applications for Development' - handling of unclear, non-conforming insufficient and amended applications, (PDS POL 140) in assessing my application

I/We agree to the use of the plans provided in support of this application for advertising and notification purposes

Signature	Korden
Signature	1
Date	16 November 2016

### Part 4 Designer Declaration

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4 1	DESIGNER DECLARATION
l co	infirm the following
Ø	I/We declare that the information submitted on CD / disc is identical to the details submitted on hard copy plans and documents. I/We accept Council cannot be held responsible for any discrepancies of information provided on the electronic and hard copy plans and documents.
Ċ	Modification plans are verified by a qualified designer under section 50(1A) Environmental Planning and Assessment Regulation 2000
Ple	ase tick if relevant
С	Modification achieves the design quality principles set out in Part 2 of State Environmental Planning Policy No 65 Design Quality of Residential Flat Development
С	Modification does not diminish or detract from the design quality, or compromise the design intent, of the development of which the development consent was granted

Signature of person preparing plans	
Date	