

25 May 2021



Stepping Stone Custodian Pty Ltd  
40 Tamarama Street  
TAMARAMA NSW 2026

Dear Sir/Madam

**Application Number:** Mod2021/0014  
**Address:** Lot 11 DP 867302 , 79 A Lauderdale Avenue, FAIRLIGHT NSW 2094  
**Proposed Development:** Modification of Development Consent DA2019/0342 granted for alterations and additions to the existing residential flat building to allow for the creation of an attached dual occupancy and strata subdivision

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](http://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](mailto:council@northernbeaches.nsw.gov.au)

Regards,



Anna Williams  
**Manager Development Assessments**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2021/0014
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	Stepping Stone Custodian Pty Ltd
<b>Land to be developed (Address):</b>	Lot 11 DP 867302 , 79 A Lauderdale Avenue FAIRLIGHT NSW 2094
<b>Proposed Development:</b>	Modification of Development Consent DA2019/0342 granted for alterations and additions to the existing residential flat building to allow for the creation of an attached dual occupancy and strata subdivision

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	19/05/2021
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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
DA-01 Site Plan	Rev. E, 28 April 2021	Chapman Architecture
DA-11 Proposed Lower Ground Floor Plan	Rev. D, 15 January 2020	Chapman Architecture
DA-12 Proposed Ground Floor Plan	Rev. E, 28 April 2021	Chapman Architecture
DA-13 Proposed First Floor Plan	Rev. E, 28 April 2021	Chapman Architecture
DA-14 Proposed Second Floor Plan	Rev. E, 28 April 2021	Chapman Architecture
DA-21 Proposed Cross Section	Rev. D, 15 January 2020	Chapman Architecture
DA-22 Proposed Long Section	Rev. E, 28 April 2021	Chapman Architecture
DA-23 Proposed Long Section	Rev. E, 28 April 2021	Chapman Architecture
DA-24 Proposed Cross Sections	Rev. E, 28 April 2021	Chapman Architecture
DA-31 Proposed North Elevation	Rev. D, 15 January 2020	Chapman Architecture
DA-32 Proposed East Elevation	Rev. E, 28 April 2021	Chapman Architecture
DA-33 Proposed South Elevation	Rev. E, 28 April 2021	Chapman Architecture

DA-34 Proposed West Elevation	Rev. E, 28 April 2021	Chapman Architecture
DA-51 BASIX Information	Rev. D, 15 January 2020	Chapman Architecture

<b>Reports / Documentation – All recommendations and requirements contained within:</b>		
<b>Report No. / Page No. / Section No.</b>	<b>Dated</b>	<b>Prepared By</b>
BASIX Certificate No. A367187_02	8 November 2020	Chapman Andrew
BASIX Certificate No. A367190_02	8 November 2020	Chapman Andrew

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:

<b>Landscape Plans</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
Lower Ground Landscape Plan	19 October 2020	Aspect Designs
Ground Floor Landscape Plan	19 October 2020	Aspect Designs
Level 1 Landscape Plan	19 October 2020	Aspect Designs
Level 2 Landscape Plan	19 October 2020	Aspect Designs

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

**B. Add Condition 32a. BCA requirements, Fire Safety Upgrade and Access Requirements to read as follows:**

**32a. BCA requirements, Fire Safety Upgrade and Access Requirements**

The whole of the building is to be upgraded to comply with the requirements of Part C, D, E and F of the Building Code of Australia and requirements are to be incorporated into the proposal.

Details demonstrating implementation and compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure adequate provision is made for Health, Amenity, Fire safety and to facilitate compliant access (where required), to and within the premises for building occupants.

**C. Add Condition 32b. Vehicle Crossings Application to read as follows:**

**32b. Vehicle Crossings Application**

The Applicant is to submit an application for driveway levels with Council in accordance with Section 138 of the Roads Act 1993. The fee associated with the assessment and approval of the application is to be in accordance with Council's Fee and Charges.

An approval is to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To facilitate suitable vehicular access to private property.

**D. Add Condition 32c. Vehicle Driveway Gradients to read as follows:**

**32c. Vehicle Driveway Gradients**

The Applicant is to ensure driveway gradients within the private property are not to exceed the maximum allowable gradient and change of grade in accordance with Australian/ New Zealand Standard AS/NZS 2890.1.

Details demonstrating compliance are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason: to ensure compliance with the relevant Australian Standard.

**E. Add Condition 32d. Window W17 to read as follows:**

No change is approved to the second floor western window W17. The location, size and dimensions of W17 are to remain in accordance with the previously approved architectural plans and Plan Reference No. 21254 ('The Plan').

Details demonstrating compliance are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason: To ensure that the window design is in accordance with The Plan.

**F. Add Condition 49a. Vehicle Crossings to read as follows:**

**49a. Vehicle Crossings**

The Applicant is to construct one vehicle driveway crossing 5 metres wide in accordance with Northern Beaches Council Drawing No A4-3330/1 N and the driveway levels application approval, with internal driveway gradients provided in accordance with Australian/New Zealand Standard AS/NZS 2890.1 and the approved plans. Access levels across the road reserve are to comply with the allocated vehicle profile detailed in this consent. An Authorised Vehicle Crossing Contractor shall construct the vehicle crossing and associated works within the road reserve in plain concrete. All redundant laybacks and crossings are to be restored to footpath/grass. Prior to the pouring of concrete, the vehicle crossing is to be inspected by Council and a satisfactory "Vehicle Crossing Inspection" card issued.

A copy of the vehicle crossing inspection form is to be submitted to the Principal Certifying Authority.

Reason: to ensure compliance with the relevant Australian Standard and to facilitate suitable vehicular access.

**G. Add Condition 49b. Footpath Levels to read as follows:**

**49b. Footpath Levels**

No approval is granted for any change to existing footpath level at Lauderdale Avenue to accommodate the development.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To maintain the existing profile of the nature strip/road reserve.

**H. Add Condition 57a. BCA requirements, Fire Safety Upgrade and Access Requirements to read as follows:**

**57a. BCA requirements, Fire Safety Upgrade and Access Requirements**

The whole of the building is to be upgraded to comply with the requirements of Part C, D, E and F of the Building Code of Australia and requirements are to be incorporated into the proposal.

Details demonstrating implementation and compliance are to be submitted to the Certifying Authority prior to the issue of the Occupation Certificate.

Reason: To ensure adequate provision is made for Health, Amenity, Fire safety and to facilitate compliant access (where required), to and within the premises for building occupants.

**I. Amend Condition 60. Visitor Parking to read as follows:**

**60. Visitor Parking**

The eastern space within the first floor carport is to be kept available for visitor parking and is to be signposted as such.

Reason: To ensure compliance with the relevant car parking requirements for the development.

**J. Delete Condition 13. Amendment to the Approved Plans to read as follows:**

**13. DELETED**

**K. Delete Condition 25. Driveway Plans to read as follows:**

**25. DELETED**

**L. Delete Condition 61. Residential Parking to read as follows:**

**61. DELETED**

## **Important Information**

This letter should therefore be read in conjunction with REV2020/0006 (DA2019/0342).

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

A handwritten signature in black ink, appearing to be 'Anna Williams', written over a horizontal line.

**Name**

Anna Williams, Manager Development Assessments

**Date**

19/05/2021