

3 June 2019

Skycorp Holdings Pty Ltd
Suite 602 Tower B The Zenith 821 Pacific Highway
CHATSWOOD NSW 2067

Dear Sir/Madam

Application Number: Mod2019/0062
Address: Lot 5 DP 736961 , 9 Fern Creek Road, WARRIEWOOD NSW 2102
Lot 13 DP 1092788 , 13 Fern Creek Road, WARRIEWOOD NSW 2102
Lot 102 DP 1033854 , 6 A Orchard Street, WARRIEWOOD NSW 2102
Lot C DP 367229 , 6 Orchard Street, WARRIEWOOD NSW 2102
Proposed Development: 20 Lot Community Title Subdivision to provide for 18 residential allotments 1 large residue lot 1 community lot containing a private road and infrastructure and construction and dedication of a new public road

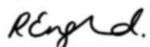
Please find attached the Notice of Determination for the above mentioned Application.

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:	Mod2019/0062
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Skycorp Holdings Pty Ltd
Land to be developed (Address):	Lot 5 DP 736961 , 9 Fern Creek Road WARRIEWOOD NSW 2102 Lot 13 DP 1092788 , 13 Fern Creek Road WARRIEWOOD NSW 2102 Lot 102 DP 1033854 , 6 A Orchard Street WARRIEWOOD NSW 2102 Lot C DP 367229 , 6 Orchard Street WARRIEWOOD NSW 2102
Proposed Development:	20 Lot Community Title Subdivision to provide for 18 residential allotments 1 large residue lot 1 community lot containing a private road and infrastructure and construction and dedication of a new public road

DETERMINATION - APPROVED

Made on (Date)	03/06/2019
-----------------------	------------

The request to modify the above-mentioned Development Consent has been approved as follows:

A. Add Condition A.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) The approved plans referenced in the 'Notice to Applicant of Determination of a Development Application' of development application N0013/15, dated 25 June 2015,
- b) as modified by N0013/15/S96/2, dated 12 September 2016, and as modified by N0013/15/S96/3, dated 21 November 2016
- c) as further modified by the following Modification Approved Plans:

Landscape Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Cover Sheet ASC04.1-DD-100, issue K	15 January 2019	Sym Studio
Landscape Plan (1 of 4) ASC04.1-DD-101, issue J	9 January 2019	Sym Studio

Landscape Plan (2 of 4) ASC04.1-DD-102, issue J	9 January 2019	Sym Studio
Landscape Plan (3 of 4) ASC04.1-DD-103, issue J	9 January 2019	Sym Studio

d) 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. New Condition A.1B to read as follows:

The proposed use of 300L Angophora costatas along Fern Creek Road is acceptable, subject to consistency with the minimum trunk caliper and height prescribed for street trees by Condition C10(f) (iv). The proposed use of 100L Eucalyptus robusta along Orchard Street is not supported, and must be replaced with a pot size consistent with Condition C10(f)(iv).

Reason: To ensure an appropriate scale of street tree along public road reserves.

C. Modify Condition C10 to read as follows:

- ...
- f. Landscaping incorporating:
- i. 2.1m wide shared footpath in Orchard Street located directly behind the kerb of the indented parking bays for the full length of the development site in accordance with the Warriewood Valley Urban Release Area Landscape Masterplan and Design Guidelines: Collector Street S-2;
 - ii. 2.1m wide shared footpath in Fern Creek Road located 0.6m from the property boundary for the full length of the development site in accordance with the Warriewood Valley Urban Release Area Landscape Masterplan and Design Guidelines: Collector Street S-2.
 - iii. Provision of a kerb ramp at the corner of Fern Creek Road and Orchard Street to facilitate pedestrian access across Fern Creek Road.
 - iv. All street trees shall be installed as a minimum **300-400L** litre stock, **with a minimum trunk caliper of 60mm and a minimum height of 2.5m**. All trees to be grown by recognised nursery under Natspec growing guidelines. Street trees shall be centred within the landscape verges with understorey planting as documented on the Landscape Plans and include hardwood timber tree guards. Street tree plantings to footpath should generally include underplantings of native grass and a strip of deco granite adjoining the kerb to enable opening of car doors.
 - v. All street trees in the public road reserves shall be located a minimum of 1.5m from the edge of kerb, and shall be located in consideration of underground services.
 - vi. The Eucalyptus punctate in the Orchard Street road reserve shall be replaced with Eucalyptus robusta.
 - vii. Garden areas to include minimum 400mm cultivated soil (compost added) and mulched with 100mm hardwood chip. Planting to be at a high density (ie. 4 per square metre) and generally include drought tolerant native species up to 1m ultimate height. All shrub / groundcover planting to be minimum 5 litre size.

Reason: To ensure an appropriate scale of street tree along public road reserves.

Important Information

This letter should therefore be read in conjunction with **N0013/15 dated 25 June 2015, N0013/15/S96/2 dated 12 September 2016 and N0013/15/S96/3 dated 21 November 2016**

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

REnglund.

Name Rebecca Englund, Principal Planner

Date 03/06/2019