

17 September 2021



Rise Projects Pty Ltd
57/6-8 Hebert Street
ST LEONARDS NSW 2065

Dear Sir/Madam

Application Number: Mod2021/0362
Address: Lot 102 DP 13760 , 24 Wandeen Road, CLAREVILLE NSW 2107
Proposed Development: Modification of Development Consent DA2020/1163 granted for construction of a dwelling house including a 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,



Rodney Piggott
Manager Development Assessments

NOTICE OF DETERMINATION

Application Number:	Mod2021/0362
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Rise Projects Pty Ltd
Land to be developed (Address):	Lot 102 DP 13760 , 24 Wandeen Road CLAREVILLE NSW 2107
Proposed Development:	Modification of Development Consent DA2020/1163 granted for construction of a dwelling house including a swimming pool

DETERMINATION - APPROVED

Made on (Date)	15/09/2021
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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 with DA2020/1633 approved on the 3 February 2021 (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 Plans 1.0 Rev I	21/5/2021	Rise Projects
Driveway 1.1 Rev I	21/5/2021	Rise Projects
Driveway Gradient 1.2 Rev I	21/5/2021	Rise Projects
Driveway Cross-Section 1.3 Rev I	21/5/2021	Rise Projects
Fire Place Flue Section 103.1	Undated	Rise Projects
Retaining Wall Location 1.4 Rev I	21/5/2021	Rise Projects
Retaining Wall Location 1.5 Rev I	21/5/2021	Rise Projects
Gabion Wall Setout Plan 1.6 Rev I	21/5/2021	Rise Projects
Cut and Fill Plan 1.7 Rev I	21/5/2021	Rise Projects
Pier Layout Plan 1.8 Rev I	21/5/2021	Rise Projects
Pool Level Layout 1.9 Rev I	21/5/2021	Rise Projects
Lower Level Layout 2.0 Rev I	21/5/2021	Rise Projects
Ground Floor Layout 2.1 Rev I	21/5/2021	Rise Projects

First Floor Layout 2.2 Rev I	21/5/2021	Rise Projects
Roof Plan 2.3 Rev I	21/5/2021	Rise Projects
Elevations 3.01 Rev I	21/5/2021	Rise Projects
Elevations 2 3.2 Rev I	21/5/2021	Rise Projects
External Window Schedule 1 3.3 Rev I	21/5/2021	Rise Projects
External Window Schedule 2 3.4 Rev I	21/5/2021	Rise Projects
Window and Door Schedule 3.5 Rev I	21/5/2021	Rise Projects
Section 1 4.1 Rev I	21/5/2021	Rise Projects
Section 2 4.2 Rev I	21/5/2021	Rise Projects
Section Void 4.3 Rev I	21/5/2021	Rise Projects
Pool Level Slab Layout 5.1 Rev I	21/5/2021	Rise Projects
Lower Level Floor Slab Layout 5.2 Rev I	21/5/2021	Rise Projects
Ground Floor Slab Layout 5.3 Rev I	21/5/2021	Rise Projects
Driveway Slab Plan 5.4 Rev I	21/5/2021	Rise Projects
Skylight detail 9.3 Rev I	21/5/2021	Rise Projects
Skylight detail 9.4 Rev I	21/5/2021	Rise Projects
Fire Place and Flue Detail 9.6 Rev I	21/5/2021	Rise Projects
Pool details 9.7 Rev I	21/5/2021	Rise Projects
Pool Detail 9.8 Rev I	21/5/2021	Rise Projects

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Arborist Addendum	26/7/2021	Blues Bros Arboricultural
Geotechnical Addendum J2913D	2/8/2021	White Geotechnical Group

b) 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. Modify Condition No. 8 Amendments to the approved plans to read as follows:

The windows on the western elevation are to be treated as follows:

- Vertical window (W11) to the stairwell on the ground floor western elevation shall be opaque glazing or incorporate external fixed vertical privacy screening over the entire window or incorporate external fixed blade to a minimum depth of 300mm along the southern edge and bottom sill of the window.
- Windows W9 & W10 on the western elevation shall be opaque to a height of at least 1.6m (when measured from the finished floor level) or incorporate external fixed vertical privacy screening over the entire window.

Amended plans are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason: to protect the amenity of the adjoining property to the west.

C. Add Condition 19A Updated Plan Layout of Sandstone Block Walling

Amended Plans to indicate the alignment and extent of the sandstone block walling shall be issued to the Certifying Authority prior to the issue of a Construction Certificate to include the following details:

- i) retention of the existing natural ground levels as shown on the approved Landscape Plan issue G dated 17.12.2020, with no reduced or raised natural ground levels permitted,
- ii) the alignment shall not encroach upon the structural root zone (SRZ) of T2 *Corymbia maculata* (minimum 2.8m SRZ), T3 *Eucalyptus botryoides* (minimum 3.5m SRZ), and T4 *Eucalyptus botryoides* (minimum 2.2m SRZ),
- iii) notes shall be included that the sandstone block walling shall be placed upon natural ground levels on a coarse sand / cement levelling bed only.

Certification shall be provided to the Certifying Authority that these amendments have been documented.

Reason: Landscape amenity.

D. Add Condition 42A Installation of Solid/Fuel Burning Heaters to read as follows:

Installation work must be carried out by an appropriately experienced and qualified person and in accordance with the relevant provisions of AS2918:2001 – Domestic Solid Fuel Burning Appliances – Installation

Reason: To ensure the installation is completed in a legislatively compliant manner.

E. Add Condition 42B Certification of Solid Fuel Burning Heaters to read as follows:

A certificate from an appropriately qualified person indicating the system is compliant with all relevant legislation, Building Code of Australia, Australian Standards, Specifications and manufacturer requirements is to be submitted to Council prior to the operation of the solid fuel heater.

Reason: To ensure the system operates in a legislatively compliant manner.

F. Add Condition 42C Sandstone Block Retaining Wall to read as follows:

The sandstone block retaining walling shall be completed in layout in accordance with approved updated plan layout of sandstone block walling.

Advice is given that the completion of the works as approved under the Landscape Plan should be completed as soon as possible to prevent ongoing soil erosion from works or from surface runoff, as the proposed garden planting lawn will limit any erosion.

Certification shall be provided to the Certifying Authority that the works have been completed in accordance with the updated plan layout of sandstone block walling.

G. Add Condition 42D Solar Panels to read as follows:

The installation of any solar panels on the roof shall be mounted flat against the roof and not demonstrate an elevated mounting.

Reason: In order to maintain view lines to the adjoining / nearby properties.

Reason: Landscape amenity.

H. Add condition 46 Operation of Solid Fuel Burning Heaters to read as follows:

You are requested to take all practicable measures to prevent the likelihood of causing smoke and/or odour nuisances. Such measures should include:

- Using dry seasoned hardwood
- Storing wood in a dry well ventilated place
- Having a hot and well oxygenated fire
- Ensuring that the chimney flue is clean
- Checking the chimney at different stages of the fire to see if there is any smoke

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

I. Add Condition 47 Maintenance of Solid Fuel Burning Heaters to read as follows:

The owner/occupier shall ensure servicing of the heater is maintained according to the manufacturer's specifications.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

Important Information

This letter should therefore be read in conjunction with DA2020/1163 dated 3 February 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 submitted to Council 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



northern
beaches
council

A handwritten signature in blue ink, appearing to read 'R. Piggott', positioned above a horizontal line.

Name Rodney Piggott, Manager Development Assessments

Date 15/09/2021