

8 November 2018



THW Architects
101/60 Old Barrenjoey Road
AVALON BEACH NSW 2107

Dear Sir/Madam

Application Number: Mod2018/0394
Address: Lot 1 DP 878612 , 125 Riverview Road, AVALON BEACH NSW 2107
Lot 2 DP 878612 , 127 Riverview Road, AVALON BEACH NSW 2107
Proposed Development: Modification of Development Consent N0275/15 for the boundary adjustment between 125 and 127 Riverview Road and alterations and additions to residential house and new pool at 127 Riverview 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,



Nick Armstrong
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2018/0394
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	THW Architects
Land to be developed (Address):	Lot 1 DP 878612 , 125 Riverview Road AVALON BEACH NSW 2107 Lot 2 DP 878612 , 127 Riverview Road AVALON BEACH NSW 2107
Proposed Development:	Modification of Development Consent N0275/15 for the boundary adjustment between 125 and 127 Riverview Road and alterations and additions to residential house and new pool at 127 Riverview Road

DETERMINATION - APPROVED

Made on (Date)	08/11/2018
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The request to modify the above-mentioned Development Consent has been approved as follows:

A. Add Condition 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
A00, Issue K - Site Plan	10/05/2018	THW Architects
A01, Issue K - Garage Plan	10/05/2018	THW Architects
A02, Issue K - Lower Ground 1	10/05/2018	THW Architects
A03, Issue K - Lower Ground 2	10/05/2018	THW Architects
A04, Issue K - Lower Ground 3	10/05/2018	THW Architects
A05, Issue K - West Elevation	10/05/2018	THW Architects
A06, Issue K - North Elevation	10/05/2018	THW Architects
A07, Issue K - South Elevation	10/05/2018	THW Architects
A08, Issue K - East Elevation	10/05/2018	THW Architects
A09, Issue K - Section A	10/05/2018	THW Architects

A10, Issue K - Section B	10/05/2018	THW Architects
A11, Issue K - Pool Section C	10/05/2018	THW Architects

Engineering Plans		
Drawing No.	Dated	Prepared By
Sheets 1, 2 and 3, Issue B - Stormwater Drainage Plan	16/07/2018	NiTmA Consulting

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Geotechnical Risk Report, Ref. MQ 30073B	03/07/2018	Jack Hodgson Consultants
Coastal Engineering Report	20/07/2017	Coastal Environment
Arboricultural Impact Report	25/07/2018	Naturally Trees
BASIX Certificate, Ref. A217801_03	25/07/2018	Sustainable Thermal Solutions

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:

Landscape Plans		
Drawing No.	Dated	Prepared By
LPL155, Revision B - Landscape Plan	28/06/2015	Lone Pine Landscapes

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

B. Modify Condition B9 to read as follows:

At least 6 locally native canopy trees are to be planted on site to replace trees approved for removal. Specimens are to be planted from tubestock and species are to be selected from the following list:

- Broad-leaved White Mahogany (*Eucalyptus umbra*)
- Grey Ironbark (*Eucalyptus paniculata*)
- Red Bloodwood (*Corymbia gummifera*)
- Rough-barked Apple (*Angophora floribunda*)
- Smooth-barked Apple (*Angophora costata*)
- Southern Mahogany (*Eucalyptus botryoides*)
- Spotted Gum (*Corymbia maculata*)
- Swamp Mahogany (*Eucalyptus robusta*)
- Sydney Grey Gum (*Eucalyptus punctata*)

Replacement plantings are to be retained for the life of the development or for their safe natural life. Trees that die or are removed must be replaced with another tree consistent with the above list. Replacement plantings are to be certified as complete and in accordance with these conditions of consent by a qualified landscape architect, arborist or ecologist prior to issue of the Occupation Certificate.

Reason: To establish appropriate landscaping in accordance with relevant Natural Environment LEP/DCP controls.

C. Add Condition C10 to read as follows

The following changes are to be made to the architectural and landscape plans before the submission of any future Construction Certificate:

- a) Deletion of the inclinator and associated inclinator landings running parallel to the northern boundary ,
- b) Deletion of the proposed modification to the access stairs on the southern elevation of the property,
- c) Deletion of the proposed deck extension on the southern elevation of the property

Reason: To ensure consistency with Section 4.55 of the EP&A Act and to ensure the safe retention of highly significant trees.

D. Add Condition D19 to read as follows:

All works within 5 metres of the existing trees to be retained including pruning, demolition, excavation, civil works, fencing and the like must be carried out by hand under the supervision of an experienced and minimally AQF Level 5 qualified Arborist. Should roots larger than 40mm be encountered all excavation works are to cease immediately and a qualified Arborist is to advise on the impacts of the roots removal on the tree's survival and report to the Principal Certifying Authority prior to works recommencing. If tree roots are present a pier and beam method of footing construction is to be adopted so as to bridge/span any identified lateral roots.

Reason: To safely retain protected locally native trees in accordance with relevant Natural Environment LEP/DCP controls.

E. Add Condition D20 to read as follows:

If in undertaking excavations or works any Aboriginal site or object is, or is thought to have been found, all works are to cease immediately and the applicant is to contact the Aboriginal Heritage Officer for Northern Beaches Council, and the Cultural Heritage Division of the Department of Environment and Climate Change (DECC).

Any work to a site that is discovered to be the location of an Aboriginal object, within the meaning of the National Parks and Wildlife Act 1974, requires a permit from the Director of the DECC.

Reason: Aboriginal Heritage Protection.

F. Add Condition B28 to read as follows:

If construction activity associated with this development results in injury or death of a native mammal, bird, reptile or amphibian, a registered wildlife rescue and rehabilitation organisation must be contacted for advice.

Reason: To mitigate potential impacts to native wildlife resulting from construction activity.

G. Add Condition C11 to read as follows:

All development or activities must be designed and constructed such that they will not increase the level of risk from estuarine processes for any people, assets or infrastructure in surrounding properties; they will not adversely affect estuarine processes; they will not be adversely affected by estuarine processes; they will not reduce public access to or diminish the amenity of adjoining public foreshore

land.

Reason: To minimise potential risk associated with estuarine hazards for development in the coastal zone.

H. Add Condition B29 to read as follows:

This consent does not authorise the installation of an inclinometer and associated landings at the subject site.

Reason: To ensure consistency with the outcome anticipated by Council.

Important Information

This letter should therefore be read in conjunction with N0275/15 and N0275/15/S96/1.

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



Name Nick Armstrong, Planner

Date 08/11/2018