

APPLICATION FOR MODIFICATION ASSESSMENT REPORT

| Application Number: | Mod2025/0211 |
|---------------------|--------------|
| · | |

| Responsible Officer: | Ryan Fehon |
|------------------------------------|--|
| Land to be developed (Address): | Lot 13 DP 758566, 142 Melwood Avenue KILLARNEY HEIGHTS NSW 2087 |
| Proposed Development: | Modification of Development Consent DA2023/0827 granted for Construction of a carport, swim spa and deck |
| Zoning: | Warringah LEP2011 - Land zoned R2 Low Density Residential |
| Development Permissible: | Yes |
| Existing Use Rights: | No |
| Consent Authority: | Northern Beaches Council |
| Land and Environment Court Action: | No |
| Applicant: | David Albert Barda |

| Application Lodged: | 27/05/2025 |
|---------------------------|----------------------------------|
| Integrated Development: | No |
| Designated Development: | No |
| State Reporting Category: | Refer to Development Application |
| Notified: | 05/06/2025 to 19/06/2025 |
| Advertised: | Not Advertised |
| Submissions Received: | 0 |
| Clause 4.6 Variation: | Nil |
| Recommendation: | Approval |

PROPOSED DEVELOPMENT IN DETAIL

This application seeks the Modification of Development Consent DA2023/0827, which was granted for construction of a carport, swim spa and deck.

This application proposes the following changes to the originally approved consent:

- Alteration of carport slab levels/RLs for driveway access.
- Roof level of carport increased.
- Internal vertical clearance of carport reduced.
- Front setback reduced on approved.
- Carport moved towards southeastern side boundary.
- First floor walkway moved to south.

MOD2025/0211 Page 1 of 17



- 1.6m high privacy screen added to entryway at the end of walkway.
- A new small pergola above walkway entry.

These works proposed as part of this Modification application have not commenced prior to this assessment.

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Warringah Development Control Plan - B5 Side Boundary Setbacks Warringah Development Control Plan - B7 Front Boundary Setbacks Warringah Development Control Plan - E10 Landslip Risk

SITE DESCRIPTION

| Property Description: | Lot 13 DP 758566, 142 Melwood Avenue KILLARNEY |
|-----------------------|--|
| | HEIGHTS NSW 2087 |

MOD2025/0211 Page 2 of 17



Detailed Site Description:

The subject site consists of one (1) allotment located on the southwestern side of Melwood Avenue, Killarney Heights.

The site is irregular in shape with a surveyed area of 699.5m².

The site is located within the R2 Low Density Residential zone and accommodates a two-storey dwelling house.

The site has a south-westerly aspect with a moderately significant slope of an average 14 degrees, falling down from the frontage on Melwood Avenue towards the rear boundary.

The site has a significant rock outcrop at the rear.

Adjoining and surrounding development is characterised by other one to two-storey detached dwelling houses.



SITE HISTORY

The land has been used for residential purposes for an extended period of time. A search of Council's records has revealed the following relevant history:

- DA2006/0743 Rear Deck Conversion of Garage Into Living Area With Internal Stairs New Driveway and Retaining Wall (Approved)
- **DA2023/0827** Construction of a carport, swim spa and deck (Approved). This is the parent consent of this Modification application.
- DA2024/1281 Alterations and additions to a dwelling house (Approved).

A site visit confirms the works sought under this modification application have not commenced.

MOD2025/0211 Page 3 of 17



ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are: The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared and is attached taking into all relevant provisions of the Environmental Planning and Assessment Act 1979 and associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon all lands whether nearby, adjoining or at a distance;
- Consideration was given to all documentation provided (up to the time of determination) by the applicant, persons who have made submissions regarding the application and any advice given by relevant Council / Government / Authority Officers on the proposal;

In this regard, the consideration of the application adopts the previous assessment detailed in the Assessment Report for DA2023/0827, in full, with amendments detailed and assessed as follows:

The relevant matters for consideration under Section 4.55 (2) of the Environmental Planning and Assessment Act. 1979. are:

| Section 4.55 (2) - Other | Comments |
|--------------------------|----------|
| Modifications | |

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and

The consent authority can be satisfied that the development to which the consent as modified relates is substantially the same as the development for which the consent was originally granted under DA2023/0827 for the following reasons:

- The changes are minor, with small amendments being made to the approved structures rather than additional structures being proposed.
- The most noticeable changes include the pergola structure and privacy screen, however these are considered to enhance the structures approved under DA2023/0827 and do not substantially change their operation.
- The amendments to the carport and boardwalk structures are considered minor, as the overall bulk and scale of these structures remains unchanged. The slight positional amendments do not provide any additional environmental impacts on the subject site or surrounding sites.

MOD2025/0211 Page 4 of 17



| Section 4.55 (2) - Other | Comments |
|-------------------------------------|--|
| Modifications | |
| (b) it has consulted with the | Development Application DA2023/0827 did not require concurrence |
| relevant Minister, public | from the relevant Minister, public authority or approval body. |
| authority or approval body | |
| (within the meaning of Division | |
| 5) in respect of a condition | |
| imposed as a requirement of a | |
| concurrence to the consent or in | |
| accordance with the general | |
| terms of an approval proposed | |
| to be granted by the approval | |
| body and that Minister, authority | |
| or body has not, within 21 days | |
| after being consulted, objected | |
| to the modification of that | |
| consent, and | |
| (c) it has notified the application | The application has been publicly exhibited in accordance with the |
| in accordance with: | Environmental Planning and Assessment Act 1979, Environmental |
| | Planning and Assessment Regulation 2021, and the Northern Beaches |
| (i) the regulations, if the | Community Participation Plan. |
| regulations so require, | |
| | |
| or | |
| | |
| (ii) a development control plan, | |
| if the consent authority is a | |
| council that has made a | |
| development control plan under | |
| section 72 that requires the | |
| notification or advertising of | |
| applications for modification of a | |
| development consent, and | |
| (d) it has considered any | No submissions were received in relation to this application. |
| submissions made concerning | |
| the proposed modification within | |
| any period prescribed by the | |
| regulations or provided by the | |
| development control plan, as | |
| the case may be. | |

Section 4.15 Assessment

In accordance with Section 4.55 (3) of the Environmental Planning and Assessment Act 1979, in determining a modification application made under Section 4.55 (2) the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority

MOD2025/0211 Page 5 of 17



for the grant of the consent that is sought to be modified.

Section 4.15(1) is addressed in the table below.

The reasons given by the consent authority for the grant of the consent that is sought to be modified is discussed as follows:

Comment on reasons for determination of DA2023/0827

This assessment of DA2025/0827 took into consideration the submitted plans, Statement of Environmental Effects, and all other documentation supporting the application and public submissions. The assessment determined that the application did not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation. It was considered that the proposed development satisfied the appropriate controls and that all processes and assessments had been satisfactorily addressed.

The reasons for the granting of the original consent have been considered in the assessment of this modification application. The proposed changes will result in a modified development that will not conflict with the original reasons for the granting of consent.

The relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979, are:

| Section 4.15 'Matters for Consideration' | Comments |
|--|--|
| Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument | See discussion on "Environmental Planning Instruments" in this report. |
| Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument | There are no current draft environmental planning instruments. |
| Section 4.15 (1) (a)(iii) – Provisions of any development control plan | Warringah Development Control Plan applies to this proposal. |
| Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement | None applicable. |

MOD2025/0211 Page 6 of 17



| Section 4.15 'Matters for | Comments |
|-----------------------------------|--|
| Consideration' | Confinents |
| Section 4.15 (1) (a)(iv) – | Part 4, Division 2 of the EP&A Regulation 2021 requires the consent |
| Provisions of the Environmental | authority to consider "Prescribed conditions" of development consent. |
| Planning and Assessment | These matters have been addressed via a condition of the original |
| Regulation 2021 (EP&A | consent. |
| Regulation 2021) | |
| | Clause 29 of the EP&A Regulation 2021 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application. |
| | Clauses 36 and 94 of the EP&A Regulation 2021 allow Council to request additional information. Additional information was requested in relation to development engineering comments. See the Referrals section of this report. |
| | Clause 61 of the EP&A Regulation 2021 requires the consent authority to consider AS 2601 - 2001: The Demolition of Structures. This matter has been addressed via a condition of the original consent. |
| | Clauses 62 and/or 64 of the EP&A Regulation 2021 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This clause is not relevant to this application. |
| | Clause 69 of the EP&A Regulation 2021 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter has been addressed via a condition of the original consent. |
| | Clause 69 of the EP&A Regulation 2021 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of the original consent. |
| Section 4.15 (1) (b) – the likely | (i) Environmental Impact |
| impacts of the development, | The environmental impacts of the proposed development on the natural |
| including environmental impacts | and built environment are addressed under the Warringah Development |
| on the natural and built | Control Plan section in this report. |
| environment and social and | (ii) Social Impact |
| economic impacts in the locality | (ii) Social Impact The proposed development will not have a detrimental social impact in |
| | the locality considering the character of the proposal. |
| | (iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use. |

MOD2025/0211 Page 7 of 17



| Section 4.15 'Matters for Consideration' | Comments |
|--|---|
| Section 4.15 (1) (c) – the suitability of the site for the development | The site is considered suitable for the proposed development. |
| Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs | See discussion on "Notification & Submissions Received" in this report. |
| Section 4.15 (1) (e) – the public interest | No matters have arisen in this assessment that would justify the refusal of the application in the public interest. |

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject application has been publicly exhibited from 05/06/2025 to 19/06/2025 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021 and the Community Participation Plan.

As a result of the public exhibition of the application Council received no submissions.

REFERRALS

| Internal Referral Body | Comments |
|------------------------|--|
| | The application is for modification to development consent DA2023/0827. The proposed amendments will not change the landscape outcome approved in DA2023/0827, and as such the original conditions remain. No further conditions are imposed. |

MOD2025/0211 Page 8 of 17



| Internal Referral Body | Comments |
|--------------------------------|--|
| NECC (Development Engineering) | Comments 20/8/2025 The amended driveway long section plans prepared by Geoff Hopkins by have been reviewed and are supported. No objections to the proposed modification subject to conditions. |
| | Comments 8/8/2025 |
| | The new driveway grades have been reviewed ,whilst they are better the engineer has graded part of the carport at 12.5% and this does not comply with Australian standards for off street carparking. It is suggested t that for the shortest drive way gradients to comply the finished floor level of the carport slab is to be raised to RL =180.3 AHD. (up 200mm). The amended driveway gradients are not supported. |
| | Comments 31/07/25. The submitted driveway long sections have been reviewed and longsection 1 is not supported as the grades to the proposed carport slab exceed the maximum allowable and transition grades as allowed by the Australian/NZ Off street carparking standard AS/NZS 2890.1 2004. It is recommended that the carport slab be raised to comply with the requirements of the Australian/standard. |
| | Previous comments The proposed modification has been reviewed and further information in relation to the driveway access is required as follows: 1) Driveway longsections are to be provided for the LHS and RHS of the proposed driveway demonstrating vehicle access compliance in relation to Councils standard vehicle crossing profiles and the Australian standard for off street carparking AS/NZS 2890.1 2004. 2) The driveway longsections are to be prepared by a suitably qualified engineer. |

| External Referral Body | Comments |
|---------------------------------|--|
| and Infrastructure) 2021, s2.48 | The proposal was referred to Ausgrid who provided a response stating that the proposal is acceptable subject to compliance with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice. These recommendations will be included as a condition of consent. |

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)*

All, Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council

MOD2025/0211 Page 9 of 17



Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP (Transport and Infrastructure) 2021

<u>Ausgrid</u>

Section 2.48 of Chapter 2 requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Comment:

The proposal was referred to Ausgrid who raised no objections, subject to conditions which have been included in the recommendation of this report.

SEPP (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Sub-section 4.6 (1)(a) of Chapter 4 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for residential purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under sub-section 4.6 (1)(b) and (c) of this Chapter and the land is considered to be suitable for the residential land use.

Warringah Local Environmental Plan 2011

MOD2025/0211 Page 10 of 17



| Is the development permissible? | Yes | |
|--|-----|--|
| After consideration of the merits of the proposal, is the development consistent with: | | |
| aims of the LEP? | Yes | |
| zone objectives of the LEP? | Yes | |

Principal Development Standards

| Development | Requirement | Approved | Proposed | % | Complies |
|-------------|-------------|--------------------|---------------------------|-----------|----------|
| Standard | | | | Variation | |
| Height of | 8.5m | 3.8m (carport / | 3.84m - (carport / | N/A | Yes |
| Buildings: | | accessway) | accessway) | N/A | Yes |
| | | 7.9m (covered rear | No change | N/A | Yes |
| | | deck) | 5.39m - top of pergola to | | |
| | | | paved terrace RL | | |

Compliance Assessment

| Clause | Compliance with Requirements |
|---------------------------------|------------------------------|
| 4.3 Height of buildings | Yes |
| 6.2 Earthworks | Yes |
| 6.4 Development on sloping land | Yes |

Warringah Development Control Plan

Built Form Controls

| Standard | Requirement | Approved | Proposed | Complies |
|---|--------------|---------------------------------------|--|------------------------|
| B1 Wall height | 7.2m | 2.3m | 2.6m (carport) 2.45m (new pergola structure) | Yes |
| B3 Side Boundary Envelope | 4m (North) | Inside | Inside | Yes |
| | 4m (South) | Inside | Inside | Yes |
| B5 Side Boundary Setbacks | 0.9m (North) | 0.6m (rear deck) 6.9m (carport) | No change 6.55m (carport) | Yes Yes |
| | 0.9m (South) | 1.1m (pool/deck) 7m (carport) | No change 7.25m (carport) | Yes Yes |
| B7 Front Boundary Setbacks | 6.5m | 3.6m (44.6% variation) | 3.4m (47.69% variation) | No - see discussion |
| B9 Rear Boundary Setbacks | 6m | 8.3m | Unchanged - all works in the front boundary area | Yes |
| D1 Landscaped Open Space and Bushland Setting | 40% | 278.4m2 or 40% | No change | Yes |

MOD2025/0211 Page 11 of 17



Compliance Assessment

| Compliance Assessment | 0 !' | 0 |
|--|--------------|--------------------------------|
| Clause | Compliance | Consistency Aims/Objectives |
| | Requirements | • |
| A.5 Objectives | Yes | Yes |
| B1 Wall Heights | Yes | Yes |
| B3 Side Boundary Envelope | Yes | Yes |
| B5 Side Boundary Setbacks | Yes | Yes |
| B7 Front Boundary Setbacks | No | Yes |
| B9 Rear Boundary Setbacks | Yes | Yes |
| C2 Traffic, Access and Safety | Yes | Yes |
| C3 Parking Facilities | Yes | Yes |
| C4 Stormwater | Yes | Yes |
| C6 Building over or adjacent to Constructed Council Drainage Easements | Yes | Yes |
| C7 Excavation and Landfill | Yes | Yes |
| C8 Demolition and Construction | Yes | Yes |
| C9 Waste Management | Yes | Yes |
| D1 Landscaped Open Space and Bushland Setting | Yes | Yes |
| D2 Private Open Space | Yes | Yes |
| D3 Noise | Yes | Yes |
| D6 Access to Sunlight | Yes | Yes |
| D7 Views | Yes | Yes |
| D8 Privacy | Yes | Yes |
| D9 Building Bulk | Yes | Yes |
| D10 Building Colours and Materials | Yes | Yes |
| D11 Roofs | Yes | Yes |
| D12 Glare and Reflection | Yes | Yes |
| D14 Site Facilities | Yes | Yes |
| D20 Safety and Security | Yes | Yes |
| E1 Preservation of Trees or Bushland Vegetation | Yes | Yes |
| E2 Prescribed Vegetation | Yes | Yes |
| E6 Retaining unique environmental features | Yes | Yes |
| E10 Landslip Risk | Yes | Yes |

Detailed Assessment

B5 Side Boundary Setbacks

The side boundary setbacks are unchanged from the consent of DA2023/0827.

MOD2025/0211 Page 12 of 17



While there was a 33% variation, a detailed assessment was undertaken and the non-compliance was approved on its merit.

B7 Front Boundary Setbacks

Description of non-compliance

There is a proposed front setback non-compliance of the carport structure is 47.69%, with a measurement of 3.4m. The **B7 Front Boundary Setbacks** control of the Warringah Development Control Plan 2011 requires structures to be setback 6.5m from the front boundary. The proposal, while it does not comply with the numerical requirement of the control, complies with the objectives of the control.

A merit assessment has been undertaken below to clarify the compliance of the proposal with each individual objective of the control.

Merit consideration:

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

To create a sense of openness.

Comment:

An adequate sense of openness is maintained as part of this application. The site experiences a large drop from the front boundary to the numerically non-compliant garage structure. This structure is not readily visible from the streetscape, meaning openness is maintained as part of this application.

• To maintain the visual continuity and pattern of buildings and landscape elements.

Comment:

The visual continuity and pattern of buildings and landscape elements on the streetscape of Melwood Avenue, Killarney Heights, remains unaffected by this application. The carport structure is situated well below street level, meaning the scale of the dwelling remains unaffected. The carport structure is not readily visible from the street.

To protect and enhance the visual quality of streetscapes and public spaces.

Comment:

The proposed carport will enhance the visual quality of the streetscape and nearby public spaces. The carport allows for off-street parking, reducing clutter on the street.

To achieve reasonable view sharing.

Comment:

Views in the surrounding locality are not affected by this application.

MOD2025/0211 Page 13 of 17



Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

E10 Landslip Risk

White Geotechnical Group provided additional comments on this modification application. These comments (J4510A) dated 12 May 2025 will be included in a condition of this consent.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly affect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Northern Beaches Section 7.12 Contributions Plan 2024

Section 7.12 contributions were levied on the Development Application.

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2021;
- All relevant and draft Environmental Planning Instruments;
- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP

MOD2025/0211 Page 14 of 17



- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant approval to Modification Application No. Mod2025/0211 for Modification of Development Consent DA2023/0827 granted for Construction of a carport, swim spa and deck on land at Lot 13 DP 758566,142 Melwood Avenue, KILLARNEY HEIGHTS, subject to the conditions printed below:

Modification Summary

The development consent is modified as follows:

MODIFICATION SUMMARY TABLE

| Application | Determination Date | Modification description |
|--------------|--------------------|---|
| Number | | |
| PAN-532167 | The date of this | Modification of Development Consent DA2023/0827 granted for |
| - | notice of | Construction of a carport, swim spa and deck |
| Mod2025/0211 | determination | |
| | | ADD Condition 1A - Modification of Consent - Approved |
| | | Plans and supporting documentation |
| | | ADD Condition 2A - Modification of Consent - Compliance |
| | | with Other Department, Authority or Service Requirements |
| | | ADD Condition 8A - Off Street Parking Design |

Modified conditions

A. Add Condition No.1A - Modification of Consent - Approved Plans and supporting documentation, to read as follows:

Development must be carried out in accordance with the following approved plans (stamped by Council) and supporting documentation, except where the conditions of this consent expressly require otherwise.

| Approved Plans | | | | |
|----------------|---|------------|----------------------|--------------|
| Plan Number | | Plan Title | Drawn By | Date of Plan |
| L-01 | 1 | Site Plans | SiteDesign + Studios | 11/04/2025 |

MOD2025/0211 Page 15 of 17



| L-02 | I | Waste Management Site Plan | SiteDesign + Studios | 11/04/2025 |
|------|---|-----------------------------------|----------------------|------------|
| L-04 | I | Planting Plan (Rear Yard) | SiteDesign + Studios | 11/04/2025 |
| L-05 | I | Planting Plan (Front Yard) | SiteDesign + Studios | 11/04/2025 |
| L-06 | I | Section A | SiteDesign + Studios | 11/04/2025 |
| L-07 | I | Elevation B | SiteDesign + Studios | 11/04/2025 |
| L-08 | I | Elevation C | SiteDesign + Studios | 11/04/2025 |
| L-09 | I | Elevation D | SiteDesign + Studios | 11/04/2025 |
| L-10 | I | Section E (Carport) | SiteDesign + Studios | 11/04/2025 |
| L-11 | I | Elevation F (Carport) | SiteDesign + Studios | 11/04/2025 |
| L-12 | I | Elevation G (Carport) | SiteDesign + Studios | 11/04/2025 |
| L-13 | I | Elevation H (Carport) | SiteDesign + Studios | 11/04/2025 |
| L-14 | I | Elevation I (Street Elevation) | SiteDesign + Studios | 11/04/2025 |

| Approved Reports and Documentat | | | |
|---------------------------------|-------------------|------------------------------------|------------------|
| Document Title | Version Number | Prepared By | Date of Document |
| Report - Geotechnical | J4510A | White Geotechnical Group | 12 May 2025 |
| Report - Arboricultural | - | Growing My Way Tree Consultants | 13 May 2025 |
| Engineering Plans - Driveway | | Geoff Hopkins and Associates | 30 June 2025 |

In the event of any inconsistency between the approved plans, reports and documentation, the approved plans prevail.

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

B. Add Condition 2A - Modification of Consent - Compliance with Other Department, Authority or Service Requirements to read as follows:

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

| Other Department, Authority or Service | EDMS Reference | |
|--|--------------------------|--|
| Ausgrid | AusgridReferral Response | |

MOD2025/0211 Page 16 of 17



(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website www.northernbeaches.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies.

C. Add Condition 8A - Off Street Parking Design to read as follows:

The proposed driveway grades and the carport finished levels are to be in accordance with the engineering plans prepared by Geoff Hopkins and Associates JOB NO 93750 Rev B dated 30/6/2025. The carport finished level is RL 108.3m AHD.

Details demonstrating compliance are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: Compliance with this consent.

In signing this report, I declare that I do not have a Conflict of Interest.

Signed

Ryan Fehon, Planner

The application is determined on //, under the delegated authority of:

cer

Claire Ryan, Acting Development Assessment Manager

MOD2025/0211 Page 17 of 17