

25 May 2022



Kim Marie Williams
C/- Sarah Blacker Architect Po Box 1313
POTTS POINT NSW 1335

Dear Sir/Madam

Application Number: Mod2022/0112
Address: Lot 27 DP 28669 , 950 Barrenjoey Road, PALM BEACH NSW 2108
Proposed Development: Modification of Development Consent DA2020/1155 granted for alterations and additions to a dwelling house

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,



Olivia Ramage
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2022/0112
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Kim Marie Williams
Land to be developed (Address):	Lot 27 DP 28669 , 950 Barrenjoey Road PALM BEACH NSW 2108
Proposed Development:	Modification of Development Consent DA2020/1155 granted for alterations and additions to a dwelling house

DETERMINATION - APPROVED

Made on (Date)	25/05/2022
-----------------------	------------

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 - RevA	2 March 2022	Sarah Blacker
DA.02 - RevA	2 March 2022	Sarah Blacker
DA.03 - RevA	2 March 2022	Sarah Blacker
DA.04 - RevA	2 March 2022	Sarah Blacker
DA.05 - RevA	2 March 2022	Sarah Blacker
DA.06 - RevA	2 March 2022	Sarah Blacker
DA.07 - RevA	2 March 2022	Sarah Blacker
DA.08 - RevA	2 March 2022	Sarah Blacker
DA.09 - RevA	2 March 2022	Sarah Blacker
DA.09a - RevA	2 March 2022	Sarah Blacker

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:

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

B. Modify Condition 2. Amendments to the approved plans to read as follows:

The following amendments are to be made to the approved plans:

- (a) Windows W6, W11 and W12 on the south-east side elevation are to:
 - (i) comprise frosted glass, or
 - (ii) have a minimum sill height of 1.7m above the FFL of the associated room, or
 - (iii) comprise fixed external privacy screens, with a minimum height of 1.7m above the FFL of the associated
- (b) Fixed privacy screening is to be incorporated on the south-eastern side elevation of the level one rear deck/pergola. The privacy screen is to be opaque and 1.7m in height above the FFL of the associated deck and is to be designed to blend with the treatment of the proposed balustrade and restrict overlooking of the adjoining dwelling at 948 Barrenjoey Road.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure development minimises unreasonable impacts upon surrounding land.

C. Modify Condition 18. Provision of Landscape Working Drawings - to read as follows:

Detailed landscape working drawings and specifications, which comply in all respects with the conditions of development consent, are to be submitted to the Accredited Certifier with the Construction Certificate application. Each plan/sheet is to be certified by a qualified landscape architect or ecologist and a bushfire consultant, confirming that the plans/details for the works to be carried out will achieve the relevant conditions of the development consent. In particular, the landscape working drawing is to provide full details of the following:

- (a) Relocation of Tree 7 to a suitable location on site;
- (b) New compensatory plantings of at least eight (8) locally native canopy trees consistent with the characteristic Spotted Gum Forest and/or Littoral Rainforest EECs. Tree species must be selected to achieve a minimum
- (c) Understory plantings shall be comprised of at least 80% species (of the total number of species) selected list of the Pittwater Spotted Gum Forest and/or Littoral Rainforest EECs;
- (d) Clear indication of the location of all existing trees and vegetation to be retained, removed and/or proposed TPZ and SRZ as stated within the associated arborist report;
- (e) A planting schedule including stratum, species/common names, species quantities, pot sizes and staking
- (f) The proposed finished treatment of garden areas, including soil depth and retaining walls and the location
- (g) The incorporation of at least 5 x locally native shrubs, with a minimum maturity height of 3m, planted with planter boxes atop of the garage.
- (h) The incorporation of at least 1 x locally native small tree, with a minimum maturity height of 5m, planted with the planter boxes atop of the garage.
- (i) The ground covers proposed atop of the garage are to extend under the elevated front deck above

Reason: Protection and retention of existing biodiversity values, Littoral Rainforest and Pittwater Spotted Gum Endangered Ecological Communities on site.

Important Information

This letter should therefore be read in conjunction with Mod2021/0190 dated 25 August 2021, Mod2020/0447 dated 21 December 2020 and DA2018/0563 dated 14 December 2018. .

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 lodged on the NSW Planning portal 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



Name Olivia Ramage, Planner

Date 25/05/2022