

NORTHERN BEACHES COUNCIL

29 March 2017



Vigor Master Pty Ltd
Suite 201A, 24 Thomas Street
CHATSWOOD NSW 2067

Dear Sir/Madam

Application Number: Mod2016/0302
Address: Lot 2506 DP 752038 , 2506 / 0 Bundaleer Street, BELROSE NSW 2085
Proposed Development: Modification of Consent DA2013/0587 granted for construction of a boarding 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 eServices website at www.warringah.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 (02) 9942 2111 or via email quoting the application number, address and description of works to council@warringah.nsw.gov.au

Regards,

Alex Keller
Senior Development Planner

NOTICE OF DETERMINATION

Application Number:	Mod2016/0302
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Vigor Master Pty Ltd
Land to be developed (Address):	Lot 2506 DP 752038 , 2506 / 0 Bundaleer Street BELROSE NSW 2085
Proposed Development:	Modification of Consent DA2013/0587 granted for construction of a boarding house

DETERMINATION - APPROVED

Made on (Date)	28/03/2017
-----------------------	------------

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

A. Insert Condition No. 5B – Modification of Consent – Approved Plans and Supporting Documentation, to read as follows:

“5B. Modification of Consent – Approved Plans and Supporting Documentation

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Modification Approved Plans

Drawing Number	Dated	Prepared By
M-101 Revision B	8.11.2016	Vigor Master
M-200 Revision B	8.11.2016	Vigor Master
M-201 Revision B	8.11.2016	Vigor Master
M-202 Revision B	8.11.2016	Vigor Master
M-203 Revision B	8.11.2016	Vigor Master
M-301 Revision B	8.11.2016	Vigor Master
M-302 Revision B	8.11.2016	Vigor Master
M-303 Revision B	8.11.2016	Vigor Master
Stormwater Drainage	29.4.2016	A & G Consulting

NORTHERN BEACHES COUNCIL

Layout Plan		Engineers
Stormwater Drainage Details	19.3.2016	A & G Consulting Engineers
Site Erosion and Sediment Control Layout	19.3.2016	A & G Consulting Engineers
Site Erosion and Sediment Control Details	19.3.2016	A & G Consulting Engineers

No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)"

B. Insert Condition No.39A Supplementary Landscape Screening, to read as follows:

"39A. Supplementary Landscape Screening

Low earth mounding is to be placed between 2.0m to 5.0m from the new basement level windows around the perimeter of the building (excluding any access, pathway ancillary building structures and the like) up to RL67.00. The earth mounding is to be landscaped with a suitable mix of native ground cover plants and low screen tree planting as per the following schedule:

No. of Trees Required.	Species	Location	Pot Size
10 plants per square metre	Native ground covers and native grasses. Selected from Council's "Tree Planting Guide".	To cover the earth mounding between 2.0m and 5.0m around the perimeter of the building.	Tube stock
1 plant per 2 square metres	Native "small" trees selected from Council's tree planting guide.	Evenly spaced and within the earth mounding area between 2.0m and 5.0m around the perimeter of the building.	Minimum 2 litre pot size.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim Occupation Certificate.

Reason: To maintain a rural landscape setting and screen the ground floor and basement level.”

C. Insert Condition No.39B Basement Level Louvres, to read as follows

“39B. Basement Level Louvres

Horizontal louvres / grilles (maximum 100mm spacing) are to be fixed to the exterior of the basement level storeroom windows.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim Occupation Certificate.

Reason: To reduce visual impact of the basement service area.”

D. Delete Condition No. 37A Positive Covenant for the Maintenance of Stormwater Pump-out Facilities, as follows:

“37A. Positive Covenant for the Maintenance of Stormwater Pump-out Facilities

[Deleted]”

E. Insert Condition No.12A Application for Stormwater Drainage Approval, to read as follows

“12A. Application for Stormwater Drainage Approval

An application for stormwater drainage approval under Section 68 of the *Local Government Act 1993* is to be submitted with Council for the connection of the stormwater drainage system from the site to the existing Council drainage pit in Bundaleer Street which is to be generally in accordance with the hydraulic plan by A & G Consulting Engineers Pty Ltd, drawing number 16005-C01a Rev 1, dated 19.03.2016 and Council's specification for engineering works - AUS-SPEC #1 and or Council's Minor Works Specification.

The submission is to include four (4) copies of Civil Engineering plans for the design and construction of the drainage connection which is to be generally in accordance with the hydraulic plan by A & G Consulting Engineers Pty Ltd, drawing number 16005-C01a Rev 1, dated 19.03.2016 and Council's specification for engineering works - AUS-SPEC #1 and or Council's Minor Works Specification. The plan is to be amended to include the following:

- i) A hydraulic grade line (HGL) analysis of the connection to indicate the

system has sufficient capacity up to and including the 1 in 100 year ARI storm event.

ii) The connection pipe into the existing Council pipe is to be a minimum of 225mm diameter.

Detailed drainage plans addressing the above requirements are to be prepared by a suitably qualified Civil Engineer, who has membership to the Institution of Engineers Australia, National Professional Engineers Register (NPER) and registered in the General Area of Practice for civil engineering.

The fee associated with the assessment and approval of the Section 68 of the *Local Government Act 1993* application is to be in accordance with Council's fees and charges. Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the relevant Construction Certificate.

Reason: Ensure stormwater works are designed in accordance with Council's standards. (DACENCPCC3)"

Important Information

This letter should therefore be read in conjunction with DA2013/0587 dated 11 December 2013 and MOD2015/0160 dated 4 November 2015.

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

Signature _____

Name Alex Keller, Senior Development Planner

NORTHERN BEACHES COUNCIL

Date 28/03/2017