

22 May 2025



Sophire Louise Wright
15 Waratah Street
BALGOWLAH NSW 2093

Dear Sir/Madam

Application Number: Mod2025/0163
Address: Lot 71 DP 16212 , 129 Rickard Road, NORTH NARRABEEN NSW 2101
Proposed Development: Modification of Development Consent DA2021/1634 granted for Alterations and additions to a dwelling house including a secondary dwelling

Please find attached the Notice of Determination for the above mentioned Application.

You should thoroughly read the Notice of Determination and be aware of any conditions imposed that affect the development and guide the next steps in the process before you can commence works and/or the use.

A copy of the Assessment Report associated with this application is available to view in the Planning and Development > Application Search section of Council's website at www.northernbeaches.nsw.gov.au

If you have any questions regarding the decision or the conditions, please contact Council to speak to the assessment officer or the undersigned on 1300 434 434 or via email quoting the Application number, property address and the description of works to council@northernbeaches.nsw.gov.au

Regards,



Charlotte Asbridge
Planner

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application Number:	Mod2025/0163 PAN-525411
Applicant:	Sophire Louise Wright 15 Waratah Street BALGOWLAH NSW 2093
Property:	Lot 71 DP 16212 129 Rickard Road NORTH NARRABEEN NSW 2101
Description of Development:	Modification of Development Consent DA2021/1634 granted for Alterations and additions to a dwelling house including a secondary dwelling
Determination:	Approved Consent Authority: Northern Beaches Council
Date of Determination:	22/05/2025
Date from which the consent operates:	22/05/2025
Date on which the consent lapses:	22/05/2030

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

Reasons for approval

The development proposal meets the Objects of the Environmental Planning and Assessment Act 1979, contained in Section 1.3, having considered the relevant provisions under s.4.15 of the aforementioned Act. Consequently, the development is considered to be in the public interest, subject to conditions.

Community views

The application was notified in accordance with Council's Community Participation Plan and the Environmental Planning and Assessment Regulation 2021. Any submissions received representing community views were considered as part of the assessment of the application. Conditions of consent included within this Notice of Determination have been applied to ensure that the development satisfies the Objects of the Environmental Planning and Assessment Act and will not result in unacceptable environmental impacts.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

Objector's right of appeal against the determination

An objector who is dissatisfied with the consent authority's determination to grant consent, in relation to Designated Development only has the right to appeal to the Court against the determination under section 8.8 of the EP&A Act within 28 days after the date that the objector was notified of the determination appealed against.

Dictionary

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

Signed On behalf of the Consent Authority



Name Charlotte Asbridge, Planner

Date 22/05/2025

Modification Summary

The development consent is modified as follows:

MODIFICATION SUMMARY TABLE

Application Number	Determination Date	Modification description
PAN-525411 MOD2025/0163	The date of this notice of determination	Modification of Development Consent DA2021/1634 granted for Alterations and additions to a dwelling house including a secondary dwelling • Add Condition No.1C - Modification of Consent - Approved Plans and supporting documentation • Modify Condition No.2 - Compliance with Other Department, Authority or Service Requirements
PAN-332172 MOD2023/0274	14/07/2023	Modification of Development Consent DA2021/1634 granted for Alterations and additions to a dwelling house including a secondary dwelling • Add Condition No. 1B - Modification of Consent - Approved Plans and supporting Documentation • Modify Condition No. 2 - Compliance with Other Department, Authority or Service Requirements • Add Condition No. 2A - Modification of Consent - Cooking Facilities • Delete Condition No. 7 - Tree Root Investigation and Tree Root Map • Modify Condition No. 11 - On-site Stormwater Detention Details • Modify Condition No. 26 - Landscape Completion
PAN-197655 MOD2022/0086	07/04/2022	Modification of Development Consent DA2021/1634 granted for Alterations and additions to a dwelling house including a secondary dwelling • Add Condition No. 1A - Modification of Consent - Approved Plans and supporting Documentation • Modify Condition No. 2 - Compliance with Other Department, Authority or Service Requirements • Add Condition No. 16A - Modification of Consent - No Clearing of Vegetation • Modify Condition No. 26 - Landscape Completion • Add Condition No. 30A - Modification of Consent - No Weeds Imported On To The Site

- Add Condition No. 35 - Modification of Consent - Protection of Habitat Features

Modified conditions

A. Add Condition No.1C - 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	Revision Number	Plan Title	Drawn By	Date of Plan
Sheet 2C	C	Level 2 Plan - Secondary Dwelling	Network Design	24/03/25
Sheet 3C	C	Level 3 Plan - Existing Residence	Network Design	24/03/25
Sheet 4C	C	Northeast and Southwest Elevation	Network Design	24/03/25
Sheet 5C	C	Southeast Elevation	Network Design	24/03/25
Sheet 6C	C	Northwest Elevation	Network Design	24/03/25
Sheet 7C	C	Section	Network Design	24/03/25
Sheet 8C	C	Site Plan	Network Design	24/03/25
Sheet 16C	C	Landscaping Plan	Network Design	24/03/25

Approved Reports and Documentation			
Document Title	Version Number	Prepared By	Date of Document
BASIX Certificate	Certificate A1789560	Mr John Wright	31 March 2025
Geotechnical Comments for Section 4.55	J3651C	White Geotechnical Group	4 April 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. Modify Condition No. 2 - 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	Dated
Ausgrid	Ausgrid Referral Response	14/10/2021
Ausgrid	Ausgrid Referral Response	06/04/2022
Ausgrid	Ausgrid Referral Response	01/06/2023
Ausgrid	Ausgrid Referral Response	05/05/2025

(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.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation.

Some of these additional obligations are set out in the Conditions of development consent: advisory notes, which has been uploaded to the NSW Planning Portal as a separate document. The consent should be read together with the advisory notes to ensure the development is carried out lawfully.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the Building and Development Certifiers Act 2018.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Council means Northern Beaches Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the Environmental Planning and Assessment Act 1979.

EP&A Regulation means the Environmental Planning and Assessment Regulation 2021.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Northern Beaches Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to: the collection of stormwater, the reuse of stormwater, the detention of stormwater, the controlled release of stormwater, and connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the Strata Schemes Development Act 2015 that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the Conveyancing Act 1919.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Sydney North Planning Panel. Some of these additional obligations are set out in the Conditions of development consent: advisory notes, which has been uploaded to the NSW Planning Portal as a separate document. The consent should be read together with the Conditions of development consent: advisory notes to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.