



Ms Paula Fletcher
8 Penshurst Avenue
KURRABA POINT NSW 2089

D192/20
LA (PE)

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 AS AMENDED
SECTION 4.55 MODIFICATION 192/20/4 - APPROVAL**

Development Consent Number: 192/20

Land to which this applies: 10 Guthrie Avenue, Cremorne
Lot No.: 1, DP: 795415

Applicant: Paula Fletcher

Proposal: Modification application to amend the position of the internal doorway to connect the kitchen to the laundry

Pursuant to Section 4.55 of the Act notice is hereby given of the determination by the consent authority of your request for a modification to Development Consent No. **192/20** and registered in Council's records as Application No. **192/20/4** relating to the land described as **10 Guthrie Avenue, Cremorne**.

Your request for the modification of the Development Consent as set out in Notice of Determination dated **24 February 2021**, has been determined in the following manner:

1. To modify the development consent (D192/20) and modify Condition A1A to read as follows:

Development in Accordance with Plans (S4.55 Amendments)

A1. The development being carried out in accordance with the following drawings:

| Plan No. | Description | Prepared by | Dated |
|----------|------------------------------------|--------------|-----------|
| | Cover Page | Space Chaser | 7/07/2023 |
| 01, 02 | Site Plan, Garage Floor Plan | Space Chaser | 7/07/2023 |
| 03, 04 | Existing GF, Proposed GF Plan | Space Chaser | 7/07/2023 |
| 05, 06 | First Floor Plan, Attic Floor Plan | Space Chaser | 7/07/2023 |
| 07, 08 | North Elevation, East Elevation | Space Chaser | 7/07/2023 |
| 09, 10 | South Elevation, West Elevation | Space Chaser | 7/07/2023 |
| 11, 12 | Section A-A, Section B-B | Space Chaser | 7/07/2023 |
| 13 | Stormwater Concept and Roof Plan | Space Chaser | 7/07/2023 |
| 14 | Soil and Erosion Plan | Space Chaser | 7/07/2023 |
| 15 | Landscape Plan | Space Chaser | 7/07/2023 |

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|----|---------------------------|--------------|------------|
| 16 | Site Cal - Landscape Plan | Space Chaser | 7/07/2023 |
| 17 | Demolition Plan | Space Chaser | 7/07/2023 |
| | BASIX Certificate | Space Chaser | 14/07/2023 |

and endorsed with Council's approval stamp, except as modified by the plans in bold on the following drawings for D192/20/4:

| Plan No. | Description | Prepared by | Dated |
|---------------|--------------------------------------|---------------------|-------------------|
| | Cover Page | Space Chaser | 7/07/2023 |
| 01, 02 | Site Plan, Garage Floor Plan | Space Chaser | 7/07/2023 |
| 03, 04 | Existing GF, Proposed GF Plan | Space Chaser | 26/02/2024 |
| 05, 06 | First Floor Plan, Attic Floor Plan | Space Chaser | 7/07/2023 |
| 07, 08 | North Elevation, East Elevation | Space Chaser | 7/07/2023 |
| 09, 10 | South Elevation, West Elevation | Space Chaser | 7/07/2023 |
| 11, 12 | Section A-A, Section B-B | Space Chaser | 7/07/2023 |
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| 14 | Soil and Erosion Plan | Space Chaser | 7/07/2023 |
| 15 | Landscape Plan | Space Chaser | 7/07/2023 |
| 16 | Site Cal - Landscape Plan | Space Chaser | 7/07/2023 |
| 17 | Demolition Plan | Space Chaser | 26/02/2024 |
| | BASIX Certificate | Space Chaser | 14/07/2023 |

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information)

Reasons for Approval:

The development application has been assessed against the North Sydney Local Environmental Plan (NSLEP) 2013 and the North Sydney Development Control Plan (NSDCP) 2013 and generally found to have no significant impacts on adjoining properties and surrounding amenity. Given the very minor proposed and internalised location, the proposal will not affect the historical physical and environmental characteristics of the Cremorne Conservation Area. As a result, the application is considered satisfactory and is recommended for approval.

How community views were taken into account:

Given the nature of the proposed modification, the application was not notified.

The conditions attached to the original consent for Development Application No. **192/20** by endorsed date of **24 February 2021** still apply.

ADVISINGS

- (a) Council is always prepared to discuss its decisions and in this regard, please do not hesitate to contact **Luka Abramovic**. However, if you wish to pursue your rights of appeal in the Land and Environmental Court pursuant to Section 8.7 of *the Environmental Planning and Assessment Act 1979* (as amended), you are advised that Council generally seeks resolution of such appeals through a Section 34 Conference, instead of a full Court hearing, subject to any further advice to the contrary from Council's Solicitors and senior staff. Such an approach is less adversarial, it achieves a quicker decision than would be the case through a Court hearing and it can give rise to considerable cost and time savings for all parties involved.
- (b) Pursuant to Section 8.2, an applicant is able to request Council to review its determination. An application for a review under Section 8.2 of the Act must be made no later than 28 days after the date on which the application for the modification of the development consent was determined.
- (c) Prior to commencing any building, subdivision or associated constructions works, the following provisions of *the Environmental Planning and Assessment Act 1979* (the 'Act') are to be complied with:
- (i) A Construction Certificate is to be obtained in accordance with Section 6.3 of the Act.
 - (ii) A Principal Certifier is to be appointed and Council is to be notified of the appointment in accordance with Section 6.6 of the Act.
 - (iii) Council is to be notified at least two (2) days of the intention to commence building works, in accordance with Section 6.6(2)(a) of the Act.
- (d) You are advised that changes to the external configuration of the building, changes to the site layout, density and unit configuration internal changes to the proposed building or any changes to the proposed operation of a use **MAY** require the submission of a further modification under Section 4.55 of *the Environmental Planning and Assessment Act, 1979* (as amended).

Council staff would be pleased to assist in identifying such changes which may require the submission of a modification of a Development Application under Section 4.55 of *the Environmental Planning and Assessment Act*.

Endorsed for and on behalf of North Sydney Council

30 May 2024

DATE



Signature on behalf of consent authority
ISOBELLA LUCIC
TEAM LEADER (ASSESSMENTS)