

Jo Taylor Design
Attention: Jo Taylor
On behalf of Timothy Ross & Camilla Rose
5/28 Woolcott Road
WAVERTON NSW 2060

D124/18
KRR (CIS)

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 AS AMENDED
SECTION 4.55 MODIFICATION 124/18/4 – APPROVAL**

Development Consent Number: 124/18/4

Land to which this applies: Unit 5, 28 Woolcott Street, Waverton
Lot No.: 5, SP: 58679

Applicant: Jo Taylor Design

Proposal: Section 4.55(1) to make further amendments to vergola structure and screens

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. **124/18** and registered in Council's records as Application No. **124/18/4** relating to the land described as **Unit 5, 28 Woolcott Street, Waverton**.

Your request for the modification of the Development Consent as set out in Notice of Determination dated 4 July 2018, has been determined in the following manner: -

1. To amend Conditions A1, as follows: -

Development in Accordance with Plans (Section 4.55 Amendments)

A1. The development must be carried out in accordance with the following drawings and documentation and endorsed with Council's approval stamp, except where amended by the following conditions of this consent.

DA124/18 Approved Plans

Plan No.	Dated	Drawn by	Received
DA100	30 April 2018	KVB Drafting Services	3 May 2018
DA200	30 April 2018	KVB Drafting Services	3 May 2018

DA201	30 April 2018	KvB Drafting Services	3 May 2018
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DA124/18/4 Approved Plan List

Plan No.	Dated	Issue	Title	Drawn by	Received
DA100	02/10/2019	D	Coversheet, Site Analysis / Roof Plan & Unit 5 Floor Plan	KvB Drafting Services	26 November 2019
DA200	02/10/2019	C	East and West Elevations	KvB Drafting Services	26 November 2019
DA201	02/10/2019	D	North Elevation and Section	KvB Drafting Services	26 November 2019

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

Reason for approval:

The modifications do not result in any new material amenity impact to adjoining properties or the surrounding area. The proposed modifications are consistent with the reasons for the granted of development consent to the originally approved development and is considered to be acceptable.

How community views were taken into account:

The application was not notified in accordance with Council's adopted Notification of Development Proposals Development Control Plan. No submissions raising any concern with the proposed modifications have been received during the course of the assessment of the modification application.

The conditions attached to the original consent for Development Application No. 124/18 by endorsed date of 4 July 2018 still apply.

ADVISINGS

- (a) Council is always prepared to discuss its decisions and in this regard, please do not hesitate to contact **Kim Rothe**. 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 & 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 & Assessment Act.

Endorsed for and on behalf of North Sydney Council

DATE

Signature on behalf of consent authority
DAVID HOY
TEAM LEADER ASSESSMENTS