

Ms Farial Ameen  
13 Echo Street  
CAMMERAY NSW 2062

D120/19  
AB7 (CIS)

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 AS AMENDED  
SECTION 4.55 MODIFICATION 120/19/2 – APPROVAL**

**Development Consent Number:** 120/19/2

**Land to which this applies:** 13 Echo Street, Cammeray  
Lot No.: 92, DP: 6687

**Applicant:** Ms Farial Ameen

**Proposal:** Modification of Consent No 120/19 for alterations and additions to residential development for changes to materials, windows and various other modifications.

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. **120/19** and registered in Council's records as Application No. **120/19/2** relating to the land described as **13 Echo Street, Cammeray**.

Your request for the modification of the Development Consent as set out in Notice of Determination dated 9 August 2019, has been determined in the following manner: -

**1. Condition A1 is modified as follows:**

**Development in Accordance with Plans (S4.55 Amendments)**

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

Plan No.	Title	Prepared by	Date
01	Overview Perspective	Superdraft	25/05/2019
02	Architectural Specification	Superdraft	25/05/2019
05	Site Plan	Superdraft	25/05/2019
10	Proposed Ground Floor	Superdraft	25/05/2019
11	Proposed First Floor	Superdraft	25/05/2019
12	Roof Plan	Superdraft	25/05/2019
13	Elevations	Superdraft	25/05/2019
14	Elevations	Superdraft	25/05/2019
15	Sections	Superdraft	25/05/2019

and endorsed with Council's approval stamp, except as modified on the following drawings for D120/19/2 and as approved by the conditions of consent:

Drawing No.	Title	Revision	Drawn by	Dated	Received
01	Sheets Schedule, Overview Perspective	06	Superdraft	08/01/2021	12/01/2021
07	Proposed Ground Floor Plan	06	Superdraft	08/01/2021	12/01/2021
08	Proposed First Floor Plan	06	Superdraft	08/01/2021	12/01/2021
09	Roof Plan	06	Superdraft	08/01/2021	12/01/2021
10	Elevations	06	Superdraft	08/01/2021	12/01/2021
11	Elevations	06	Superdraft	08/01/2021	12/01/2021
12	Sections	06	Superdraft	08/01/2021	12/01/2021
13	Sections	06	Superdraft	08/01/2021	12/01/2021

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

**2. New Condition C17 is added as follows:**

**Heritage Requirements**

C17. The following heritage requirements are to be met:

a) **New Roofing**

The new metal roof to the rear is to have a traditional corrugated profile equal to Custom Orb/Custom Orb 35. No approval is given for mini-orb or tray profile roof sheeting.

b) **Weatherboards**

New weatherboard cladding is to match the existing weatherboards on the First Level addition. The 'log cabin' profile used on the Ground Floor Rear Elevation is not to be used.

The Certifying Authority must also ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure the use of materials and built elements are consistent and sympathetic to the character of the conservation area)

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The development application has been assessed against the relevant planning instruments and policies, in particular the North Sydney Local Environmental Plan 2013 and the North Sydney Development Control Plan 2013, and generally found to be satisfactory.

There would be no unreasonable overshadowing, view loss, privacy loss and/or excessive bulk and scale as a result of the proposed modifications given that the works are primarily located within the approved footprint of the dwelling on the site.

**Reason for approval:**

The works will generally be sympathetic to the overall design of the subject dwelling and the character of the Cammeray Conservation Area. As a result, the proposed works as conditioned will provide additional resident amenity without negatively impacting the dwelling or neighbourhood amenity or character.

The application is considered to be acceptable in the circumstances and it is recommended for **approval** subject to standard and site-specific conditions.

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**How community views were taken into account:**

The owners of surrounding properties as well as the Bay Precinct Committee were notified of the proposed development as required by Council's notification policy pursuant to Section 4 in NSDCP 2013. No submissions were received by Council. Nevertheless, it is considered that the proposal would provide improved amenity for the residents without causing any unreasonable impacts to the streetscape and/or adjoining properties.

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The conditions attached to the original consent for Development Application No. 120/19 by endorsed date of 9 August 2019 still apply.

**ADVISINGS**

- (a) Council is always prepared to discuss its decisions and in this regard, please do not hesitate to contact **Andrew Beveridge**. 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

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Signature on behalf of consent authority  
ROBYN PEARSON  
**TEAM LEADER (ASSESSMENTS)**