

CONDITIONS OF APPROVAL

Application Number:	Mod2023/0201
Land to be developed (Address):	Lot 1 DP 5055, 8 Forest Road WARRIEWOOD NSW 2102
Proposed Development:	Modification of Development Consent N0440/15 granted for the subdivision of land and the construction of a residential development incorporating 81 dwellings and associated civil works and landscaping.

Modification Summary

The development consent is modified as follows:

MODIFICATION SUMMARY TABLE

Application Number	Determination Date	Modification description
PAN-323210 MOD2023/249527	The date of this notice of determination	<p>Modification of Development Consent N0440/15 granted for the construction of a residential development, comprising 81 dwellings</p> <p>Add Condition A1D - Modification of Consent 2 - Approved Plans and supporting Documentation</p> <p>Add Condition A9 - Compliance with Other Department, Authority or Service Requirements</p> <p>Delete Condition B41</p> <p>Add Condition C33- Amendment of Landscape Plan</p> <p>Add Condition C34 - Adherence to Natural Environment Consent Conditions</p> <p>Add Condition C35 - Fencing</p> <p>Add Condition C36 - Amendments to the approved plans</p> <p>Add Condition D22 - Wildlife Protection</p> <p>Add Condition D23 - Protection of Habitat Features</p> <p>Add Condition E24 - No Weeds Imported on to the Site</p> <p>Add Condition E25 - Priority Weed Removal and Management</p>
PAN-194267 MOD2022/0070	20 September 2022	<p>Modification of Development Consent N0440/15 granted for the construction of a residential development, comprising 81 dwellings</p> <p>Add Condition 1C - Approved Plans and supporting Documentation</p> <p>Amend Condition B21 - Visitor Parking</p>

		<p>Amend Condition B28 - Rooftop Mechanical Systems</p> <p>Add Condition B45.1 - Maintenance of Asset Protection Zones</p> <p>Amend Condition B67 - Apartment Mix</p> <p>Add Condition B73 - Parking Enclosure</p> <p>Amend Condition C8 - Construction Traffic Management Plan</p> <p>Add Condition D21 - Staff and Contractor Parking</p> <p>Add Condition E22 - Acoustic Review</p> <p>Add Condition E23 - Clearing Asset Protection Zones</p>
PAN-156910 MOD2021/0816	24 February 2022	<p>Modification of Development Consent N0440/15 granted for the construction of a residential development, comprising 81 dwellings</p> <p>Delete Condition A1</p> <p>Add Condition A1C</p> <p>Delete Condition B72</p> <p>Delete Condition B73</p> <p>Delete Condition B74</p> <p>Delete Condition B75</p> <p>Amend Condition C4</p> <p>Amend Condition C6</p> <p>Amend Condition C7</p> <p>Amend Condition C8</p> <p>Amend Condition C9</p> <p>Amend Condition C10</p> <p>Amend Condition C15</p> <p>Amend Condition C17</p> <p>Amend Condition C18</p> <p>Amend Condition C19</p> <p>Amend Condition C20</p> <p>Amend Condition C22</p> <p>Amend Condition E1</p> <p>Amend Condition E2</p> <p>Amend Condition E3</p> <p>Amend Condition E4</p> <p>Amend Condition E5</p> <p>Amend Condition E6</p> <p>Amend Condition E9</p> <p>Amend Condition E13</p> <p>Amend Condition F4</p> <p>Add Condition F1</p> <p>Add Condition F2</p> <p>Add Condition F3</p>
MOD2018/0566	13 December 2018	<p>Modification of Development Consent N0440/15 granted for the subdivision of land and the construction of a residential development incorporating 81 dwellings and associated civil works and landscaping.</p> <p>Add Condition A1B - Modification of Consent -- Approved Plans and supporting Documentation</p>

MOD2018/0019	10 June 2018	<p>Modification of Development Consent N0440/15 granted for the subdivision of land and the construction of a residential development incorporating 81 dwellings and associated civil works and landscaping.</p> <p>Add Condition 1A - Modification of Consent -- Approved Plans and supporting Documentation</p> <p>Add Condition B72</p> <p>Add Condition B73</p> <p>Add Condition B74</p> <p>Add Condition B75</p> <p>Amend Condition C9</p> <p>Amend Condition E18</p> <p>Amend Condition E19</p> <p>Delete Condition F1</p> <p>Delete Condition F2</p> <p>Delete Condition F3</p> <p>Add Condition F4</p> <p>Add Condition F5</p>
N0440/15/S96/1	9 April 2018	<p>Modification of Development Consent N0440/15 granted for the subdivision of land and the construction of a residential development incorporating 81 dwellings and associated civil works and landscaping.</p> <p>Delete Condition A1</p> <p>Amend Condition B1</p> <p>Delete Condition B36</p> <p>Amend Condition B43</p> <p>Delete Condition B44</p> <p>Amend Condition B45</p> <p>Add Condition B69</p> <p>Add Condition B70</p> <p>Add Condition B71</p> <p>Amend Condition C7</p> <p>Amend Condition C9</p> <p>Delete Condition C29</p> <p>Delete Condition C30</p> <p>Delete Condition E17</p> <p>Amend Condition E21</p> <p>Amend Condition F2</p>
N0440/15	3 May 2017	<p>Construction of a residential development, comprising 81 dwellings (including an existing dwelling) at 8 Forest Road, Warriewood (Lot 1 DP 5055) (the site).</p>

Modified conditions

A. Add Condition No. A1D - Modification of Consent 2 - Approved Plans and supporting Documentation to read as follows:

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

a) Modification Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
A001 Rev. 09 - Preliminary Site Plan	13 March 2023	ADS Architects
A099.1 Rev. 08 - Floor Plans - Basement 1 - East	13 March 2023	ADS Architects
A099.2 Rev. 08 - Floor Plans - Basement 1 - West	13 March 2023	ADS Architects
A100.1 Rev. 09 - Floor Plans - Ground Floor Plan - East	15 June 2023	ADS Architects
A100.2 Rev. 09 - Floor Plans - Ground Floor Plan - West	15 June 2023	ADS Architects
A101.1 Rev. 08 - Floor Plans - Level 1 - East	15 June 2023	ADS Architects
A101.2 Rev. 08 - Floor Plans - Level 1 - West	15 June 2023	ADS Architects
A102.1 Rev. 08 - Floor Plans - Level 2 - East	15 June 2023	ADS Architects
A102.2 Rev. 08 - Floor Plans - Level 2 - West	15 June 2023	ADS Architects
A103.1 Rev. 07 - Floor Plans - Roof Level - East	15 June 2023	ADS Architects
A103.2 Rev. 07 - Floor Plans - Roof Level - West	15 June 2023	ADS Architects
A200 Rev. 08 - Sections	15 June 2023	ADS Architects
A300 Rev. 09 - Elevations Building A and B	15 June 2023	ADS Architects
A301 Rev. 09 - Elevations Building C and D	15 June 2023	ADS Architects
A302 Rev. 09 - Elevations Townhouses	15 June 2023	ADS Architects
A303 Rev. 01 - Elevations Fence Detail	13 March 2023	ADS Architects
FF&E Schedule Revision 3/ Pages 1 - 5	29 May 2023	ADS Architects

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Thermal Comfort and BASIX Assessment (Issue. E)	24 January 2023	Efficient Living
Response to NSW Rural Fire Service RFI for Integrated Development Application S100B – Subdivision	30 March 2023	AEP

b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

c) The development is to be undertaken generally in accordance with the following:

Landscape Plans		
Drawing No.	Dated	Prepared By
L-01 Rev. M- Landscape Master Plan	9 January 2023	Site Design + Studios
L-02 Rev. M - Existing Trees Plan	9 January 2023	Site Design + Studios
L-03 Rev. M - Ground Floor East Landscape Plan	9 January 2023	Site Design + Studios

L-04 Rev. M - Ground Floor West Landscape Plan	9 January 2023	Site Design + Studios
L-05 Rev. M - Riparian Planting	9 January 2023	Site Design + Studios
L-06 Rev. M - Sections	9 January 2023	Site Design + Studios
L-07 Rev. M - Sections	9 January 2023	Site Design + Studios
L-08 Rev. M - Sections	9 January 2023	Site Design + Studios
L-09 Rev. M - Typical Details and Notes	9 January 2023	Site Design + Studios

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

B Add Condition A9- 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	N/A
Rural Fire Service	RFS Referral Response	6 June 2023
Department of Planning and Environment	Reference: IDAS1133220	21 June 2023

(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.

C. Delete Condition B41 to read as follows:

B41
Deleted

D. Add Condition C33 - Amendment of Landscape Plans - to read as follows:

The submitted Landscape Plan is to be amended in accordance with the following:

- Compliance with Biosecurity Act 2015: Replace *Murraya paniculata* (General biosecurity duty in all of NSW) with native hedging.

The Landscape Plan is to be amended by a qualified landscape architect and provided to the Principal Certifier prior to issue of the Construction Certificate.

Reason: To maintain and replace habitat on the site.

E. Add Condition C34 - Adherence to Natural Environment Consent Conditions - to read as follows:

All biodiversity-related conditions of consent under previous development applications are to be adhered to, including N0440/15, unless amended by these biodiversity-related conditions of consent.

Reason: To protect biodiversity values.

F. Add Condition C35 - Fencing - to read as follows:

Fencing shall be in accordance with the approved plans with the exception of the following:

- The provision of a maximum 1.4m high fence to the northern side of Townhouse 1.
- Fencing proposed to the ground floor private open space areas of the residential flat buildings is to be reduced to a maximum height of 1.4m.

No other fencing is approved on site.

Details demonstrating compliance are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To ensure development minimises unreasonable impacts upon surrounding land.

G. Add Condition C36 - Amendments to the approved plans - to read as follows:

The following amendments are to be made to the approved plans:

- Where decks are proposed in the front setback, the setback to the deck from the front boundary will be a minimum 2.5 metres with the landscaping planter boxes increased in size and planted out with native species.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure development minimises unreasonable impacts upon surrounding land.

H. Add Condition D22 - Wildlife Protection - to read as follows:

If construction activity associated with this development results in injury or displacement of a native mammal, bird, reptile or amphibian, a licensed wildlife rescue and rehabilitation organisation must be contacted for advice.

Reason: To protect native wildlife.

I. Add Condition D23 - Protection of Habitat Features - to read as follows:

All natural landscape features, including any rock outcrops, native vegetation and/or watercourses, are to remain undisturbed during the construction works, except where affected by necessary works detailed on approved plans.

Reason: To protect wildlife habitat.

J. Add Condition E24 - No Weeds Imported on to the Site - to read as follows:

No Priority or environmental weeds (as specified in the Northern Beaches Local Weed Management Plan) are to be imported on to the site prior to or during construction works.

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

Reason: To reduce the risk of site works contributing to spread of Priority and environmental weeds.

K. Add Condition E25 - Priority Weed Removal and Management - to read as follows:

All Priority weeds (as specified in the Northern Beaches Local Weed Management Plan) within the development footprint are to be removed using an appropriate control method.

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

Reason: To reduce the risk of site works contributing to spread of Priority weeds.