

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

MODIFICATION (MOD 194-12-2005)

OF DEVELOPMENT CONSENT (DA 12-1-2005)

**SUBDIVISION BY BOUNDARY ADJUSTMENT AND ERECTION OF A DWELLING
HOUSE, LANDSCAPING AND ON-SITE EFFLUENT DISPOSAL SYSTEM**

**PURSUANT TO SECTION 80 OF THE ENVIRONMENTAL PLANNING AND
ASSESSMENT ACT 1979**

(FILE NO. 9041505-1)

I, Chris Wilson Acting Deputy Director General, Office of Sustainable Development Assessment Approvals, as delegate of the Minister for Planning, under Instrument of Delegation dated 12 September 2005, pursuant to Section 96 (2) of the *Environmental Planning & Assessment Act, 1979*, modify the development consent referred to in the attached Schedule 1 in the manner set out in the attached Schedule 2.

The reasons for the imposition of conditions are:

- a To encourage the layout and design of the development to respond appropriately to environmental, visual and land use constraints of the site; and
- b To maintain the amenity of the local area.

Chris Wilson
**Acting Deputy Director General,
Office of Sustainable Development Assessment and Approvals**

Sydney,

2006

SCHEDULE 1

PART A—TABLE

Application Number:	MOD 194-12-2005 modifying DA 12-1-2005
Application made by:	San Marco Investments Pty Ltd c/- David Crane and Associates Level 1, 93 Norton Street, Leichhardt, NSW, 2040
On land comprising:	Lots 12 and 13 DP 579733 Princess Highway, Kiama Heights.
Local Government Area	Kiama
For the carrying out of:	Subdivision and boundary adjustment and erection of a dwelling house, landscaping and on-site sewage effluent disposal system.
Section 96 (2) Application	MOD 194-12-2005 to modify DA12-1-2005 in the following manner ▪ amend condition A2 to refer to amended plans.
Development consent granted by:	Minister for Planning
On:	28th July 2005
Type of development:	State Significant Development Integrated Development
S.119 public inquiry held:	No
As modified:	Consent not previously modified

PART B—NOTES RELATING TO THE MODIFICATION OF DEVELOPMENT CONSENT NO. MOD 194-12-2005

Responsibility for other approvals / agreements

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The applicant has the right to appeal to the Land and Environment Court under Section 97 of the *Environmental Planning and Assessment Act, 1979*. The right to appeal is only available within 3 months after the date on which the applicant received this notice. Appeals—Third Party

A third party right to appeal to this development consent is available under Section 123, subject to Section 101, of the *Environmental Planning and Assessment Act, 1979*.

Legal notices

Any advice or notice to the consent authority shall be served on the Director-General.

PART C—DEFINITIONS

The definitions within this modification are consistent with the definitions in Schedule 1 of the consent to development application 12-1-2005.

SCHEDULE 2

MODIFICATION (MOD 194-12-2005) OF DEVELOPMENT CONSENT TO DEVELOPMENT APPLICATION NO. DA 12-1-2005

The development consent is modified as follows:

PART A – ADMINISTRATIVE CONDITIONS

(a) Omit Condition A2. Insert instead:

The development shall be in accordance with development application number DA No. 12-1-2005 submitted by the Applicant on 12 January 2005, and in accordance with the following:

Documents entitled :			
• Development Application and Statement of Environmental Effects “Proposed boundary adjustment and construction of new dwelling house, associated parking facilities, swimming pool and landscaping and paving works at lots 12 and 13, The Princes Highway, Kiama Heights Prepared for : Ms K Moran” and ; • The SEE addendum regarding SEPP 71 by prepared by David Crane & Associates, dated December 2004; • Report on Geotechnical Investigation Proposed Residence Lots12 and 13 Princes Highway Kiama Heights Prepared for : Ms K Moran Project 3580A November 2004 by Douglas Partners; • Servicing Report (including drawings) for a Proposed Residence on Lots 12 and 14DP 579733 Princess Highway Kiama December 2004 by Umwelt Environmental Consultants.			
Architectural Drawings prepared by hill thalis Architecture + Urban Projects Pty Ltd :			
Drawing No.	Revision	Name of Plan	Date
S96/01	01	Location Plan	16.12.05
S96/02	01	Roof and Service Room Plan	16-12-05
S96/03	01	Floor Plan	16-12-05
S96/04	01	Cross Sections	16-12-05
S96/05	01	Northern and Southern Elevations	16-12-05
S96/06	01	Eastern Elevation in Context	16-12-05
Engineering Drawings prepared by Wallis & Moore Pty Ltd			
23609 A Sheets 1-6		Location of Telstra Cables and detail levels over Lot 12 & 13 In DP 579733 Princes Highway Kiama	21.6.05
Landscape Drawings prepared by ASPECT Sydney			
Drawing No.	Revision	Name of Plan	Date
24049-DA01	A	Landscape plan	November 2004
24049-DA02	A	Landscape section / perspective	November 2004
Survey Drawings prepared by Wallis & Moore Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
23609 P1 B	Sheet 1	Proposed Boundary Adjustment Over Lot 12 & 13 In DP 579733 Princes Highway Kiama	17.6.05
23609 P1 B	Sheet 2	Proposed Boundary Adjustment Over Lot 13 and 13 in DP 579733 Princes Highway Kiama	17.6.05

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