

11 April 2023

Russell Ernest Denning  
81 Hilltop Road  
AVALON BEACH NSW 2107

Dear Sir/Madam

**Application Number:** Mod2023/0095  
**Address:** Lot 2 DP 30019 , 81 Hilltop Road, AVALON BEACH NSW 2107  
**Proposed Development:** Modification of Development Consent DA2019/0600 granted for Alterations and additions to a dwelling house including a swimming pool

Please find attached the Notice of Determination for the above mentioned Application.

Please be advised that a copy of the Assessment Report associated with the application is available on Council's website at [www.northernbeaches.nsw.gov.au](http://www.northernbeaches.nsw.gov.au)

Please read your Notice of Determination carefully and the assessment report in the first instance.

If you have any further questions regarding this matter please contact the undersigned on 1300 434 434 or via email quoting the application number, address and description of works to [council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)

Regards,



Phil Lane  
**Principal Planner**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2023/0095
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	Russell Ernest Denning
<b>Land to be developed (Address):</b>	Lot 2 DP 30019 , 81 Hilltop Road AVALON BEACH NSW 2107
<b>Proposed Development:</b>	Modification of Development Consent DA2019/0600 granted for Alterations and additions to a dwelling house including a swimming pool

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	11/04/2023
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The request to modify the above-mentioned Development Consent has been approved as follows:

#### **A. Add Condition No.1A - Modification of Consent - 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

<b>Architectural Plans - Endorsed with Council's stamp</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
A100	9 February 2023	Blue Sky Building Designs
A101	9 February 2023	Blue Sky Building Designs
A102	9 February 2023	Blue Sky Building Designs
A103	9 February 2023	Blue Sky Building Designs
A104	9 February 2023	Blue Sky Building Designs
A105	9 February 2023	Blue Sky Building Designs
A106	9 February 2023	Blue Sky Building Designs
A107	9 February 2023	Blue Sky Building Designs
A108	9 February 2023	Blue Sky Building Designs
A109	9 February 2023	Blue Sky Building Designs
A110	9 February 2023	Blue Sky Building Designs

**Reports / Documentation – All recommendations and requirements contained within:**

Report No. / Page No. / Section No.	Dated	Prepared By
Geotechnical Comments for Section 4.55	21 February 2023	White Geotechnical Group
Section 4.55 Modification (Bushfire)	23 February 2023	Bushfire Consultancy Australia
BASIX Certificate (A487942)	24 February 2023	Blue Sky Building Designs

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

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

**B. Modify Condition 4 - Policy Controls to read as follows:**

Northern Beaches 7.12 Contributions Plan 2019

A monetary contribution of \$7,511.86 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan 2019. The monetary contribution is based on a development cost of \$751,185.59.

The monetary contribution is to be paid prior to the issue of the first Construction Certificate or Subdivision Certificate whichever occurs first, or prior to the issue of the Subdivision Certificate where no Construction Certificate is required. If the monetary contribution (total or in part) remains unpaid after the financial quarter that the development consent is issued, the amount unpaid (whether it be the full cash contribution or part thereof) will be adjusted on a quarterly basis in accordance with the applicable Consumer Price Index. If this situation applies, the cash contribution payable for this development will be the total unpaid monetary contribution as adjusted.

The proponent shall provide to the Certifying Authority written evidence (receipt/s) from Council that the total monetary contribution has been paid.

The Northern Beaches Section 7.12 Contributions Plan 2019 may be inspected at 725 Pittwater Rd, Dee Why and at Council's Customer Service Centres or alternatively, on Council's website at [www.northernbeaches.nsw.gov.au](http://www.northernbeaches.nsw.gov.au)

This fee must be paid prior to the issue of the Construction Certificate. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To provide for contributions in accordance with the Contribution Plan to fund the provision of new or augmented local infrastructure and services.

**C. Delete Condition 7 - Vehicle Driveway Gradients to read as follows:**

**Deleted**

**D. Delete Condition 26 - Certification of Internal Driveway and Parking Facility Works to read as follows:**

**Deleted**

## Important Information

This letter should therefore be read in conjunction with DA2019/0600 dated 11 October 2019 .

Please note that on site works cannot proceed unless a Construction Certificate application for the modified proposal has been lodged with and approved by Council or an accredited certifier, and relevant conditions of the Development Application have been carried out.

## Right to Review by the Council

You may request Council to review this determination of the application under Division 8.2 of the Environmental Planning & Assessment Act 1979. Any Division 8.2 Review of Determination application must be lodged on the NSW Planning portal within 28 days of this determination, to enable the assessment and determination of the application within the 6 month timeframe.

## Right of Appeal

Section 8.10 of the Environmental Planning and Assessment Act confers on an applicant who is not satisfied with the determination of the Consent Authority a right of appeal to the Land and Environment Court within 6 months of determination.

*NOTE: A fee will apply for any request to review the determination.*

**Signed**                      On behalf of the Consent Authority



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Name                          Phil Lane, Principal Planner

Date                            11/04/2023