

17 March 2023

Vaughan Patrick Milligan
C/- Vaughan Milligan Development Consulting Pty Ltd Po Box 49
NEWPORT NSW 2106

Dear Sir/Madam

Application Number: Mod2022/0699
Address: Lot 1 DP 206629 , 45 Oxford Falls Road, BEACON HILL NSW 2100
Proposed Development: Modification of Development Consent DA2020/1043 granted for subdivision of land, including alterations and additions to a dwelling house, new driveway and parking

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

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

Regards,



Phil Lane
Principal Planner

NOTICE OF DETERMINATION

Application Number:	Mod2022/0699
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Vaughan Patrick Milligan
Land to be developed (Address):	Lot 1 DP 206629 , 45 Oxford Falls Road BEACON HILL NSW 2100
Proposed Development:	Modification of Development Consent DA2020/1043 granted for subdivision of land, including alterations and additions to a dwelling house, new driveway and parking

DETERMINATION - APPROVED

Made on (Date)	17/03/2023
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The request to modify the above-mentioned Development Consent has been approved as follows:

A. Add Condition No. 2A - 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

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
18080 - ELEV	14 February 2023	Michal Korecky
18080 - SW-1	18 November 2022	Michal Korecky
18080 - SW-2	18 November 2022	Michal Korecky

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 3 - 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/Received
NSWRFS	Response NSWRFS Referral	10 March 2023
Ausgrid	Ausgrid Referral Response	6 January 2023
Ausgrid	Ausgrid Referral Response - Network Standard	6 January 2023
Ausgrid	Ausgrid Referral Response - Clearances Quick Reference Guide	6 January 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. Modify Condition 12 - On-site Stormwater Detention and Inter-allotment Drainage Details to read as follows:

The Applicant is to provide a certification of drainage plans detailing the provision of the inter-allotment drainage line and the on-site stormwater detention in accordance with Northern Beaches Council's Water Management Policy, and generally in accordance with the concept drainage plans prepared by Michal Korecky, drawing number 18080 Sheets SW-1 and SW-2 Issue A dated 18/11/2022. Detailed drainage plans are to be prepared by a suitably qualified Civil Engineer, who has membership to Engineers Australia, National Engineers Register (NER) and registered in the General Area of Practice for civil engineering. Detailed drainage plans, including engineering certification, are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for the disposal of stormwater and stormwater management arising from the development.

D. Delete Condition 1 - On-site Stormwater Detention Details to read as follows:

Deleted

E. Add Condition 20A - On Slab Landscape Works to read as follows:

Details shall be submitted to the Certifier prior to the issue of the Construction Certificate indicating the proposed method of waterproofing and drainage to all planters over slab, over which soil and planting is being provided. Landscape treatment details shall be submitted to the Certifier prior to the issue of the Construction Certificate indicating the proposed soil type, planting, automatic irrigation, and services connections. Planter soil depth as shown on drawing number SW-2 shall be provided.

Design certification shall be submitted to the Certifier by a qualified Structural Engineer, that the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and established planting).

Reason: To ensure appropriate soil depth for planting and ensure waterproofing and drainage is installed.

F. Add Condition 20B - Stormwater Drainage Application to read as follows:

The Applicant is to provide a stormwater drainage application under Section 68 of the Local Government Act 1993 to Council for approval. The submission is to include Civil Engineering plans for the design of the stormwater connection from the site into the existing Council stormwater pit in Oxford Falls Road which are to be generally in accordance with the civil design approved with the Development Application and Council's specification for engineering works - AUS-SPEC #1. The form can be found on Council's website using the following link.

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/pdf-forms/stormwater-drainageapproval/4022-stormwater-drainage-approval.pdf>

The fee associated with the assessment and approval of the application is to be in accordance with Council's Fees and Charges.

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

Reason: To ensure appropriate provision for disposal and stormwater management arising from development.

G. Add Condition 33A - Required Planting to read as follows:

Planting to the planters shall be implemented in accordance with the following requirements:

a) OSD tank planter -

i) mass planting mix of shrub and groundcover planting, installed at minimum 1metre intervals for shrubs of a minimum 200mm container size at planting, and at 4 plants per metre square for groundcovers of a minimum 140mm container size at planting, with a suitable free draining planter soil mix and minimum 75mm depth of mulch.

b) Front boundary planter -

i) shrub planting to achieve at least 2 metres in height, installed at minimum 750mm intervals, and of a minimum 200mm container size at planting, with a suitable free draining planter soil mix and minimum 75mm depth of mulch.

Prior to the issue of an Occupation Certificate, details shall be submitted to the Principal Certifier, certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Landscape amenity.

H. Add Condition 44 - Landscape Maintenance to read as follows:

If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. Shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilised as required at the time of planting. If any shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be in accordance with any conditions of consent.

Reason: To maintain local landscape amenity.

Important Information

This letter should therefore be read in conjunction with DA2020/1043 dated 25 January 2021.

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



Name Phil Lane, Principal Planner

Date 17/03/2023