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MEMORANDUM

DATE: 5 December 2023
TO: Northern Beaches Local Planning Panel
FROM: Adam Croft, Development Assessment Officer
SUBJECT: Item 4.3 - DA2022/2152 – 122, 122A Crescent Road, 124, 126 and 128 Crescent Road and 55 and 57 The Avenue, NEWPORT

Record Number: 2023/802745

Dear Panel,

The purpose of this memo is to make minor changes to the recommended conditions of consent as described below. There is no change to the content of the assessment.

Condition Changes

1. Add Condition No. 1A.

Condition proposes to provide clarity in relation to the time/s at which the conditions of consent must be satisfied in the event that no Construction Certificate or Occupation Certificate are required.

1A. Condition References

- i. Within this consent, reference to a Construction Certificate may be read by the Consent Authority or Certifying Authority as being in relation to a Subdivision Works Certificate; and
- ii. Within this consent, reference to an Occupation Certificate may be read by the Consent Authority or Certifying Authority as being in relation to a Subdivision Certificate.

Reason: To ensure the appropriate timing of satisfaction of conditions of consent.

2. Amend Condition No. 13.

This conditions relates to the detailed design of stormwater treatment measures – the amendments seeks to correct errors in the references to the stormwater plan and Music model revision numbers.

13. Detailed Design of Stormwater Treatment Measures – Major

A certificate from a Civil Engineer, stating that the stormwater treatment measures have been designed in accordance with the Stormwater plan rev [D 3.11.23](#) from BG&E, results from the MUSIC model S2204 Marina MUSIC-REV [4_Revised](#) and Council's Water Management for Development Policy.

The certificate shall be submitted to the Certifier prior to the release of the Construction Certificate.



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Reason: Protection of the receiving environment.

Conclusion

The recommendation that the NBLPP approve DA2022/2152 is maintained, subject to the above condition changes.

Recommendation

That the panel amend the recommendation contained in the assessment report to incorporate the following changes:

Add condition 1A as follows:

1A. Condition References

- i. Within this consent, reference to a Construction Certificate may be read by the Consent Authority or Certifying Authority as being in relation to a Subdivision Works Certificate; and
- ii. Within this consent, reference to an Occupation Certificate may be read by the Consent Authority or Certifying Authority as being in relation to a Subdivision Certificate.

Reason: To ensure the appropriate timing of satisfaction of conditions of consent

Amend condition 13 to read:

13. Detailed Design of Stormwater Treatment Measures – Major

A certificate from a Civil Engineer, stating that the stormwater treatment measures have been designed in accordance with the Stormwater plan rev D 3.11.23 from BG&E, results from the MUSIC model S2204 Marina MUSIC-REV 4_Revised and Council's Water Management for Development Policy.

The certificate shall be submitted to the Certifier prior to the release of the Construction Certificate.

Reason: Protection of the receiving environment.