

29 January 2021



The Rubix Collective  
Level 1, 152-160 Hunter Street  
NEWCASTLE NSW 2300

Dear Sir/Madam

**Application Number:** Mod2020/0663  
**Address:** Lot 1 DP 1237847 , 128 Elanora Road, ELANORA HEIGHTS NSW 2101  
**Proposed Development:** Modification of Development Consent DA2020/0259 granted for the construction of a dwelling house

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,



Ashley Warnest  
**Planner**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2020/0663
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	The Rubix Collective
<b>Land to be developed (Address):</b>	Lot 1 DP 1237847 , 128 Elanora Road ELANORA HEIGHTS NSW 2101
<b>Proposed Development:</b>	Modification of Development Consent DA2020/0259 granted for the construction of a dwelling house

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	29/01/2021
-----------------------	------------

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>
A1.1 - Site Plan - Issue 05	26/11/2020	The Rubix Collective
A2.1 - Lower Ground Floor - Issue 05	26/11/2020	The Rubix Collective
A2.2 - Ground Floor - Issue 05	26/11/2020	The Rubix Collective
A2.4 - Roof Plan - Issue 05	26/11/2020	The Rubix Collective
A3.1 - North/East Elevations - Issue 05	26/11/2020	The Rubix Collective
A3.2 - South/West Elevations - Issue 05	26/11/2020	The Rubix Collective
A4.1 - Section A-A & B-B - Issue 05	26/11/2020	The Rubix Collective

<b>Engineering Plans</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
Stormwater Management Plans - D1, D2, D3, D4, D5, and D6 - Rev. D	30/11/2020	NY Civil Engineering

##### 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:

<b>Landscape Plans</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
A5.1 - Landscape Plan - Issue 05	26/11/2020	The Rubix Collective

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

**B. Modify Condition 9 - On-site Stormwater Detention Details - to read as follows:**

The Applicant is to provide drainage plans detailing the provision of 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 NY Civil Engineering, dated 30.11.2020.

Detailed drainage plans are to be prepared by a suitably qualified Civil Engineer, who has membership to the Institution of Engineers Australia, National Professional Engineers Register (NER) and registered in the General Area of Practice for Civil Engineering.

The drainage plans must address the following:

- i. The proposed volume of the detention tank is to be 10.5 cubic metres.
- ii. The orifice plate is to be 100mm diameter.

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.

**Important Information**

This letter should therefore be read in conjunction with DA2020/0259 dated 07/05/2020.

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 should be submitted to Council within 3 months 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                Ashley Warnest, Planner

Date                 29/01/2021