

17 March 2022



Baxter & Jacobson Architects Pty Ltd
Level 2 37-39 The Corso
MANLY NSW 2095

Dear Sir/Madam

Application Number: Mod2021/0967
Address: Lot 32 DP 233469 , 314 Hudson Parade, CLAREVILLE NSW 2107
Proposed Development: Modification of Development Consent DA2020/0143 granted for Alterations and additions to 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

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,



Thomas Prosser
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2021/0967
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Baxter & Jacobson Architects Pty Ltd
Land to be developed (Address):	Lot 32 DP 233469 , 314 Hudson Parade CLAREVILLE NSW 2107
Proposed Development:	Modification of Development Consent DA2020/0143 granted for Alterations and additions to a dwelling house

DETERMINATION - APPROVED

Made on (Date)	17/03/2022
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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

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
CC02 - Site Plan - Waste Management/ Sediment Control Plan - Rev J	29/11/2021	Baxter and Jacobsen
CD134 - Garage Carport/Setout - Rev E	29/11/2021	Baxter and Jacobsen
CD143 - North/South Elevation - Rev D	29/11/2021	Baxter and Jacobsen

Engineering Plans		
Drawing No.	Dated	Prepared By
DA01-DA04 - Stormwater Plans	December 2019	NB Consulting Engineers

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Ausgrid Letter	21/01/2022	Ausgrid
Geotechnical Investigation	16 December 2019	White Geotechnical Group
Geotechnical Appendum	3 December 2021	White Geotechnical Group

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:

Waste Management Plan		
Drawing No.	Dated	Prepared By
Waste Management Plan	04.12.19	Applicant

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

A. Add Condition 8A - Installation and Maintenance of Sediment and Erosion Controls to read as follows:

Council proactively regulates construction sites for sediment management.

Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004) and the Erosion and Sediment Control Plan prior to commencement of any other works on site.

Erosion and sediment controls are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and vegetation cover has been re-established across 70 percent of the site, and the remaining areas have been stabilised with ongoing measures such as jute mesh or matting.

Reason: Protection of the receiving environment.

B. Add Condition 7A - Stormwater Disposal to read as follows:

The applicant is to demonstrate how stormwater from the new development within this consent is disposed of to an existing approved system or in accordance with Northern Beaches Council's Water Management for Development Policy. Details by an appropriately qualified and practicing Civil Engineer demonstrating that the existing approved stormwater system can accommodate the additional flows, or compliance with the Council's specification are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

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

C. Add Condition 7B - Structural Adequacy and Excavation work to read as follows:

Excavation work is to ensure the stability of the soil material of adjoining properties, the protection of adjoining buildings, services, structures and / or public infrastructure from damage using underpinning, shoring, retaining walls and support where required. All retaining walls are to be structurally adequate for the intended purpose, designed and certified by a Structural Engineer, except where site conditions permit the following:

- (a) maximum height of 900mm above or below ground level and at least 900mm from any property boundary, and
- (b) Comply with AS3700, AS3600 and AS1170 and timber walls with AS1720 and AS1170.

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

Reason: To provide public and private safety.

D. Add Condition 7C - Geotechnical Report Recommendations have been Incorporated into Designs and Structural Plans to read as follows:

The recommendations of the risk assessment required to manage the hazards as identified in the Geotechnical Report and Geotechnical letter prepared by White Geotechnical Group dated 16/12/2019 and 3/12/2021 are to be incorporated into the construction plans. Prior to issue of the Construction Certificate, Form 2 of the Geotechnical Risk Management Policy for Pittwater (Appendix 5 of P21 DCP) is to be completed and submitted to the Accredited Certifier. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure geotechnical risk is mitigated appropriately.

E. Add Condition 7D - Geotechnical Form 3 to read as follows:

The Applicant is to submit the completed Form 3 of the Geotechnical Risk Management Policy (Appendix 5 of P21 DCP) to the Principal Certifying Authority prior to issue of the Occupation Certificate.

Reason: To ensure geotechnical risk is mitigated appropriately.

F. Add Condition 9A - Wildlife Protection to read as follows:

If construction activity associated with this development results in injury or displacement of a native mammal, bird, reptile or amphibian, a registered wildlife rescue and rehabilitation organisation must be contacted for advice.

Reason: To protect native wildlife.

G. Add Condition 11 - No Weeds imported on to the site to read as follows:

No Priority or environmental weeds (as specified in the Northern Beaches Local Weed Management Plan 2019 – 2023) are to be imported on to the site prior to or during construction works.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to issue of any Occupation Certificate.

Reason: To reduce the risk of site works contributing to spread of Priority and environmental weeds.

H. Add Condition 12 - Stormwater Disposal to read as follows:

The stormwater drainage works shall be certified as compliant with all relevant Australian Standards and Codes by a suitably qualified person. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

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

Important Information

This letter should therefore be read in conjunction with **YOU MUST ENTER THE PREVIOUS DETAILS OF MODS AND ORIGINAL DA in Assessment Finish**

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 submitted to Council 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 Thomas Prosser, Planner

Date 17/03/2022