

26 June 2020



Victor Charles Comino
24 Tivoli Avenue
ROSE BAY NSW 2029

Dear Sir/Madam

Application Number: Mod2020/0216
Address: Lot 71 DP 6746 , 22 Ocean Road, PALM BEACH NSW 2108
Proposed Development: Modification of Development Consent DA2020/0046 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,



Nick Keeler
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2020/0216
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Victor Charles Comino
Land to be developed (Address):	Lot 71 DP 6746 , 22 Ocean Road PALM BEACH NSW 2108
Proposed Development:	Modification of Development Consent DA2020/0046 granted for alterations and additions to a dwelling house

DETERMINATION - APPROVED

Made on (Date)	26/06/2020
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The request to modify the above-mentioned Development Consent has been approved as follows:

A. Modify Condition No. 1 - 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
00A	20 January 2020	David Katon Studio
36A	20 January 2020	David Katon Studio
37A	20 January 2020	David Katon Studio

Engineering Plans		
Drawing No.	Dated	Prepared By
190861 101 Issue B	23 March 2020	Australian Consulting Engineers

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Coastline Risk Management Report	13 January 2020	Horton Coastal Engineering
Arboricultural Impact Assessment & Tree Protection Plan: Ref No. RTC-220	9 January 2020	RainTree Consulting
Flood Impact Assessment: Ref No. ACE190861 Issue B	25 November 2019	Australian Consulting Engineers

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

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

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

B. Add Condition No. 5A - Construction, Excavation and Associated Works Security Bond (Road & Drainage works) to read as follows:

The applicant is to lodge a bond with Council of \$20,000.00 as security against any damage or failure to complete the reconstruction of road pavement and construction of drainage works as part of this consent.

Details confirming payment of the bond are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: Protection of Council's infrastructure.

C. Add Condition No. 16A - Traffic Management and Control to read as follows:

The Applicant is to submit an application for Traffic Management and control Plan to Council for approval prior to issue of the Construction Certificate. The Traffic Management Plan shall be prepared to RMS standards by an appropriately certified person.

Reason: To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the construction process.

D. Add Condition No. 16B - Submission Roads Act Application for Civil Works in the Public Road to read as follows:

The Applicant is to submit an application for approval for infrastructure works on Council's roadway. Engineering plans for the new development works within the road reserve and this development consent are to be submitted to Council for approval under the provisions of Sections 138 and 139 of the Roads Act 1993.

The application is to include four (4) copies of Civil Engineering plans for the design of drainage and reinstate of pavement and concrete gutter which are to be generally in accordance with the Council's specification for engineering works - AUS-SPEC #1. The plan shall be prepared by a qualified civil engineer. The design must include the following information:

- Construction two cast in-situ pits on both sides of the existing road. The pits are to be located away from the proposed vehicular crossing.
- The pipes shall be minimum of 375 RCP pipes with covers suitable in accordance with the pipe specifications.
- Detail drainage design prepared by a Hydraulic Engineers with plan and long sections and hydraulic grade line analysis.
- Details of all pits and pipes.

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

An approval is to be submitted to the Certifying Authority prior to the issue of the Construction Certificate

Reason: To ensure engineering works are constructed in accordance with relevant standards and Council's specification.

E. Add Condition No. 16C - Civil Works Supervision to read as follows:

The Applicant shall ensure all civil works approved in the Section 138 approval are supervised by an appropriately qualified and practising Civil Engineer.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority and/or Roads Authority.

Reason: To ensure compliance of civil works with Council's specification for engineering works.

F. Add Condition No. 16D - Notification of Inspections (infrastructure works to be handed over to Council) to read as follows:

Council's Development Engineer is to be given 48 hours notice when the works reach the following stages:

- (a) Installation of Silt and Sediment control devices
- (b) Prior to backfilling of pipelines
- (c) Prior to pouring of stormwater gully pits
- (d) Prior to pouring of kerb and gutter
- (e) Subgrade level / basecourse level / subbase
- (f) Sealing road pavement

NOTE: Any inspections carried out by Council do not imply Council approval or acceptance of the work, and do not relieve the developer/applicant from the requirement to provide an engineer's certification.

Reason: To ensure new Council infrastructure is constructed in accordance with Auspec 1 Council's design and specification standards.

G. Add Condition No. 16E - Traffic Control During Road Works to read as follows:

Lighting, fencing, traffic control and advanced warning signs shall be provided for the protection of the works and for the safety and convenience of the public and others in accordance with RMS Traffic Control At Work Sites Manual (<http://www.rms.nsw.gov.au/business-industry/partnerssuppliers/documents/technical-manuals/tcws-version-4/tcwsv4i2.pdf>) and to the satisfaction of the Roads Authority. Traffic movement in both directions on public roads, and vehicular access to private properties is to be maintained at all times during the works

Reason: Public Safety.

H. Add Condition No. 26A - 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.

I. Add Condition No. 26B - Post-Construction Dilapidation Survey to read as follows:

A post-construction Dilapidation Survey of Council's Stormwater Assets is to be prepared by a suitably qualified person in accordance with Council's Guidelines for Preparing a Dilapidation Survey of Council Stormwater Asset in order to determine if the asset has been damaged by the works. Council's Guidelines are available at:

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/general-information/engineeringspecifications/preparingdilapidationsurveyforcouncilstormwaterassets.pdf>

The post construction dilapidation report must be submitted to the Council for review and the Certifying Authority prior to the issue of the Occupation Certificate. Any damaged to Council's stormwater infrastructure is to be rectified in accordance with Council's technical specifications prior to the release of the security bond.

Reason: Protection of Council's Infrastructure

J. Add Condition No. 26C - Certification of Drainage Works and Works as Executed Data to read as follows:

A suitably qualified Civil Engineer shall certify that the completed works have been constructed in accordance with this consent and the approved Construction Certificate plans. Works as Executed data certified by a registered surveyor prepared in accordance with Council's 'Guideline for preparing Works as Executed data for Council Stormwater Assets' shall be submitted to the Council for approval prior to the issue of the Occupation Certificate. Council's guidelines are available at:

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/general-information/engineeringspecifications/preparingdilapidationsurveyforcouncilstormwaterassets.pdf>

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

Reason: To ensure compliance of drainage works with Council's specification for engineering works.

Important Information

This letter should therefore be read in conjunction with DA2020/0046 dated 27/02/2020.

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 Nick Keeler, Planner

Date 26/06/2020