

14 April 2023



Baxter & Jacobson Architects Pty Ltd  
8 / 21 Sydney Road  
MANLY NSW 2095

Dear Sir/Madam

**Application Number:** Mod2022/0643  
**Address:** Lot 1 DP 827733 , 316 Hudson Parade, CLAREVILLE NSW 2107  
**Proposed Development:** Modification of Development Consent REV2021/0020 granted for Review of Determination of Application DA2020/1591 for alterations and additions to a dwelling house and garage

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,



Adam Croft  
**Principal Planner**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2022/0643
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	Baxter & Jacobson Architects Pty Ltd
<b>Land to be developed (Address):</b>	Lot 1 DP 827733 , 316 Hudson Parade CLAREVILLE NSW 2107
<b>Proposed Development:</b>	Modification of Development Consent REV2021/0020 granted for Review of Determination of Application DA2020/1591 for alterations and additions to a dwelling house and garage

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	14/04/2023
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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
Mod 2.00 Site Plan	Issue 1, 2 November 2022	Baxter & Jacobson Architects
Mod 10.03 Proposed Floor Plan - Level 1	Issue 1, 2 November 2022	Baxter & Jacobson Architects
Mod 10.04 Proposed Lower Ground Floor Plan	Issue 1, 2 November 2022	Baxter & Jacobson Architects
Mod 10.05 Proposed Plan - Garage / Studio	Issue 1, 2 November 2022	Baxter & Jacobson Architects
Mod 10.06 Roof Plan - House and Pavilion	Issue 1, 2 November 2022	Baxter & Jacobson Architects
Mod 10.07 Roof Plan - Garage / Studio	Issue 1, 2 November 2022	Baxter & Jacobson Architects
Mod 10.08 Master Bedroom Level	Issue 1, 2 November	Baxter & Jacobson

	2022	Architects
Mod 20.00 Elevation - West	Issue 1, 2 November 2022	Baxter & Jacobson Architects
Mod 20.01 Elevation - South	Issue 1, 2 November 2022	Baxter & Jacobson Architects
Mod 20.02 Elevations - East	Issue 1, 2 November 2022	Baxter & Jacobson Architects
Mod 20.03 Elevations - North	Issue 1, 2 November 2022	Baxter & Jacobson Architects
Mod 30.03 House - Section	Issue 1, 2 November 2022	Baxter & Jacobson Architects
Mod 30.11 Section - Pavilion - AA & BB	Issue 1, 2 November 2022	Baxter & Jacobson Architects
Mod 30.20 Section - Garage / Studio - CC & DD	Issue 1, 2 November 2022	Baxter & Jacobson Architects

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
BASIX Certificate No. A479554	9 November 2022	Leith Schmidt Architect
Geotechnical Report	1 December 2022	White Geotechnical Group

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 11. Geotechnical Report Recommendations have been Incorporated into Designs and Structural Plans to read as follows:**

**11. Geotechnical Report Recommendations have been Incorporated into Designs and Structural Plans**

The recommendations of the risk assessment required to manage the hazards as identified in the Geotechnical Reports prepared by White Geotechnical dated 27 November, 2020 and 1 December, 2022 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.

**C. Add Condition 14A. Roof Planter to read as follows:**

**14A. Roof Planter**

Details of the vegetation within the roof planter above the store/plant room adjacent to the southern boundary are to be included on the plans. The selected species shall be limited to a height of 1m at maturity.

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

Reason: To minimise overshadowing resulting from vegetation.

**D. Add Condition 23A. Aboriginal Heritage to read as follows:**

**23A. Aboriginal Heritage**

If in undertaking excavations or works any Aboriginal site or object is, or is thought to have been found, all works are to cease immediately and the applicant is to contact the Aboriginal Heritage Officer for Northern Beaches Council, and the Cultural Heritage Division of the Department of Planning and Environment.

Any work to a site that is discovered to be the location of an Aboriginal object, within the meaning of the National Parks and Wildlife Act 1974, requires a permit from the Director of the Department of Planning and Environment.

Reason: Aboriginal Heritage Protection.

**E. Modify Condition 32. Noise from pool plant to read as follows:**

**32. Mechanical Plant**

Noise associated with the ongoing operation of all mechanical plant equipment, including the proposed swimming pool filter and air conditioning units, is not to exceed 5dBA above background noise level when measured at the nearest property boundary.

Reason: To maintain the amenity of the surrounding properties.

**Important Information**

This letter should therefore be read in conjunction with REV2021/0020 dated 25 October 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.*



northern  
beaches  
council

**Signed** On behalf of the Consent Authority

*Adam Croft*

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**Name** Adam Croft, Principal Planner

**Date** 14/04/2023