

23 August 2021

Marker Architecture & Design Pty Ltd
402 Darling Street
BALMAIN NSW 2041

Dear Sir/Madam

Application Number: Mod2021/0421
Address: Lot 2 DP 221631 , 78 Hudson Parade, CLAREVILLE NSW 2107
Proposed Development: Modification of Development Consent DA2019/0152 granted for Demolition Works and construction of a dwelling house including swimming pool and refurbishment of existing boatshed

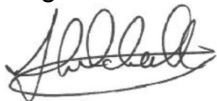
Please find attached the Notice of Determination for the above mentioned Application.

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,



Adam Mitchell
Principal Planner

NOTICE OF DETERMINATION

Application Number:	Mod2021/0421
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Marker Architecture & Design Pty Ltd
Land to be developed (Address):	Lot 2 DP 221631 , 78 Hudson Parade CLAREVILLE NSW 2107
Proposed Development:	Modification of Development Consent DA2019/0152 granted for Demolition Works and construction of a dwelling house including swimming pool and refurbishment of existing boatshed

DETERMINATION - APPROVED

Made on (Date)	23/08/2021
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The request to modify the above-mentioned Development Consent has been approved as follows:

A. Add Condition no.1B - 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
S4.55 01 Rev. 5	21 June 2021	Marker Architecture & Design
S4.55 02 Rev. 5	21 June 2021	Marker Architecture & Design
S4.55 03 Rev. 5	21 June 2021	Marker Architecture & Design
S4.55 04 Rev. 5	21 June 2021	Marker Architecture & Design
S4.55 05 Rev. 5	21 June 2021	Marker Architecture & Design
S4.55 06 Rev. 5	21 June 2021	Marker Architecture & Design
S4.55 07 Rev. 5	21 June 2021	Marker Architecture & Design
S4.55 08 Rev. 5	21 June 2021	Marker Architecture & Design
S4.55 09 Rev. 5	21 June 2021	Marker Architecture & Design

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By

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. Add Condition no. 28a - Tree Removal Within the Property - to read as follows:

This consent approves the removal of the following tree(s) within the property (as recommended in the Arboricultural Impact Assessment):

i) *Corymbia maculata*, located within the central portion of the site, specifically to the west of the approved garage, Tree No. 21.

Note:

- i) Exempt Species as listed in the Development Control Plan or the Arboricultural Impact Assessment do not require Council consent for removal.
- ii) Any request to remove a tree approved for retention under the development application is subject to a Section 4.55 modification application, or an assessment by an Arborist with minimum AQF Level 5 in arboriculture that determines that the tree presents an imminent risk to life or property.

Reason: To enable authorised building works.

C. Add Condition no. 42a - Required Tree Planting - to read as follows:

Trees shall be planted in accordance with the following:

i) 1x *Corymbia maculata* is required to be planted, minimum 75L pot size, within the central portion of the site in a similar location to that existing.

Tree planting shall be located within a 9m² deep soil area wholly within the site and be located a minimum of 3 metres from existing and proposed buildings, and other trees.

Tree planting shall be located to minimise significant impacts on neighbours in terms of blocking winter sunlight, or where the proposed tree location may impact upon significant views.

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

Reason: To maintain environmental amenity.

D. Modify Condition no. 51 - Landscape Maintenance - to read as follows:

If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. Trees, shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilised as required at the time of planting.

If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Landscape Plan and any conditions of consent.

All weeds are to be removed and controlled in accordance with the NSW Biosecurity Act 2015.

Reason: To maintain local environmental amenity.

Important Information

This letter should therefore be read in conjunction with DA2019/0152 dated 23 August 2019; MOD2020/0337 dated 21 August 2021; MOD2020/0343 dated 16 September 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

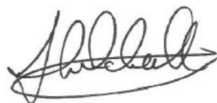
You may request Council to review this determination of the application under Division 8.2 of the Environmental Planning & Assessment Act 1979. Any Division 8.2 Review of Determination application should be submitted to Council within 3 months of this determination, to enable the assessment and determination 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 Adam Mitchell, Principal Planner

Date 23/08/2021