

30 September 2022



St Legend Pty Ltd
20 Carefree Road
NORTH NARRABEEN NSW 2101

Dear Sir/Madam

Application Number: Mod2022/0196
Address: Lot 20 DP 758044 , 1 Tabalum Road, BALGOWLAH HEIGHTS NSW 2093
Proposed Development: Modification of Development Consent DA2020/0077 granted for demolition works and 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

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,



Alex Keller
Principal Planner

NOTICE OF DETERMINATION

Application Number:	Mod2022/0196
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	St Legend Pty Ltd
Land to be developed (Address):	Lot 20 DP 758044 , 1 Tabalum Road BALGOWLAH HEIGHTS NSW 2093
Proposed Development:	Modification of Development Consent DA2020/0077 granted for demolition works and construction of a dwelling house

DETERMINATION - APPROVED

Made on (Date)	30/09/2022
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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:

"1A. Modification of Consent - Approved Plans and supporting Documentation

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
A 04 A Excavation Plan	2.3.2022	Legend Design Studio
A 05 A Garage	2.3.2022	Legend Design Studio
A 06 B Level 1	14.9.2022	Legend Design Studio
A 10 B Section A	14.9.2022	Legend Design Studio
A 11 A Section B	2.3.2022	Legend Design Studio

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Stormwater Additional Requirements	24.3.2022	NB Consulting
Updated Bushfire Assessment 191115C	7.4.2022	Bushfire Hazard Solutions

Geotechnical Investigation (excluding pool structure)	15.3.2022	White Geotechnical Group
Basix Certificate 1040129S_06	28.3.2022	Efficient Living

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.2A Compliance with Other Department, Authority or Service Requirements, to read as follows

"2A. Compliance with Other Department, Authority or Service Requirements

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

Other Department, Authority or Service	EDMS Reference	Dated
Ausgrid	Ausgrid Referral Response	8.6.2022

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website www.northernbeaches.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies."

Important Information

This letter should therefore be read in conjunction with DA2020/0077 dated 21 October 2020 and MOD2021/0509 dated 11 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.

Signed On behalf of the Consent Authority


Name Alex Keller, Principal Planner

Date 30/09/2022