

8 June 2022



The Trustee for the Northern Beaches Trust  
47-51 Riley Street  
WOOLLOOMOOLOO NSW 2011

Dear Sir/Madam

**Application Number:** Mod2022/0122  
**Address:** Lot 11 DP 577062 , 23 Fisher Road, DEE WHY NSW 2099  
**Proposed Development:** Modification of Development Consent DA2018/1574 granted for construction of a mixed development comprising three residential flat buildings, commercial use of a heritage listed building, car parking, infrastructure and landscaping

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 Susko  
**Principal Planner**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2022/0122
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	The Trustee for the Northern Beaches Trust
<b>Land to be developed (Address):</b>	Lot 11 DP 577062 , 23 Fisher Road DEE WHY NSW 2099
<b>Proposed Development:</b>	Modification of Development Consent DA2018/1574 granted for construction of a mixed development comprising three residential flat buildings, commercial use of a heritage listed building, car parking, infrastructure and landscaping

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	08/06/2022
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The request to modify the above-mentioned Development Consent has been approved as follows:

**A. Modify description of Proposed Development on Notice of Determination to read as follows:**

*Construction of a mixed development comprising three residential flat buildings, commercial use of a heritage listed building, car parking, infrastructure, landscaping and strata subdivision.*

**B. 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

<b>Architectural Plans - Endorsed with Council's stamp</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
A2.03 - Level 1 Plan - Rev. D	19 February 2022	Rose Architectural Design
A2.04 - Level 2 Plan - Rev. D	19 February 2022	Rose Architectural Design
A2.05 - Level 3 Plan - Rev. D	19 February 2022	Rose Architectural Design
A2.06 - Level 4 Plan - Rev. D	19 February 2022	Rose Architectural Design
A2.07 - Level 5 Plan - Rev. D	19 February 2022	Rose Architectural Design
A2.08 - Roof Plan - Rev. D	19 February 2022	Rose Architectural Design
A3.02 - West Elevation (Fisher Road) & South Elevation (St David Avenue) no trees - Rev. D	19 February 2022	Rose Architectural Design
A3.04 - East Elevation (Civic Parade) & North	19 February 2022	Rose Architectural Design

Elevation no trees - Rev. D		
A3.05 - Section A-A & Section B-B - Rev. D	19 February 2022	Rose Architectural Design
A3.06 - Section C-C & D-D - Rev. D	19 February 2022	Rose Architectural Design

<b>Reports / Documentation – All recommendations and requirements contained within:</b>		
<b>Report No. / Page No. / Section No.</b>	<b>Dated</b>	<b>Prepared By</b>
BASIX Certificate No. 944202M_04	18 February 2022	Rose Management Services Pty Ltd

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.

## Important Information

This letter should therefore be read in conjunction with DA2018/1574 dated 18 June 2019, and MOD2020/0097 dated 15 April 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 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                Adam Susko, Principal Planner



Date 08/06/2022