

5 October 2022



David Scott
18 Gwynore Court
BUDERIM NSW 4556

Dear Sir/Madam

Application Number: Mod2022/0422
Address: Lot 2 DP 2610 , 89 Cutler Road, CLONTARF NSW 2093
Proposed Development: Modification of Development Consent DA2020/1487 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,



Megan Surtees
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2022/0422
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	David Scott
Land to be developed (Address):	Lot 2 DP 2610 , 89 Cutler Road CLONTARF NSW 2093
Proposed Development:	Modification of Development Consent DA2020/1487 granted for Alterations and additions to a dwelling house

DETERMINATION - APPROVED

Made on (Date)	05/10/2022
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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:

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
DA05 (Rev C) - Ground Floor Plan	02.08.2022	David Scott Design
DA08 (Rev C) - East Elevation	21.07.2022	David Scott Design
DA09 (Rev C) - West Elevation	21.07.2022	David Scott Design
DA10 (Rev C) - Sections	21.07.2022	David Scott Design
DA18 (Rev B) - Schedule of materials and finishes	20.7.2022	David Scott Design

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Bushfire Advice (BL-521422-A)	22/07/2022	Bushfire Planning & Design
Geotechnical Letter (AG 19158)	25/07/2022	Ascent Geo - Consulting Geotechnical Engineers
BASIX Certificate A392851_02	09/06/2022	David Scott Design

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

c) The development is to be undertaken generally in accordance with the following:

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 DA2020/1487 dated 28 April 2021.

Planning Principles

In a merit consideration of the proposal, consideration of the development has been given against the Land and Environment Court Planning Principle in relation to The extent of demolition - alterations and additions or a new building detailed in Edgar Allan Planning Pty Limited v Wollahra Municipal Council [2006] NSWLEC 790 as follows:	
Will the development result in an alteration to an existing by more than half (50%) of the existing external fabric of the building is demolished? (Note: The area of the existing external fabric is taken to be the surface area of all the existing external walls, the roof measured in plan and the area of the lowest habitable floor)	No
Is the development considered to be Alterations and additions; or	Yes
Is the development considered to be a new building	No

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

A handwritten signature in blue ink, appearing to read 'Megan Surtees', written over a horizontal line.

Name

Megan Surtees, Planner

Date

05/10/2022