

23 March 2022



Nonie Rebecca Veness
3 Arthur Street
DEE WHY NSW 2099

Dear Sir/Madam

Application Number: Mod2022/0068
Address: Lot 17 DP 9362 , 143 Balgowlah Road, BALGOWLAH NSW 2093
Proposed Development: Modification of Development Consent DA2021/1355 granted for demolition works and the construction of an attached dual occupancy development, including two (2) lot Torrens Title Subdivision

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:	Mod2022/0068
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Nonie Rebecca Veness
Land to be developed (Address):	Lot 17 DP 9362 , 143 Balgowlah Road BALGOWLAH NSW 2093
Proposed Development:	Modification of Development Consent DA2021/1355 granted for demolition works and the construction of an attached dual occupancy development, including two (2) lot Torrens Title Subdivision

DETERMINATION - APPROVED

Made on (Date)	23/03/2022
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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
A02 - Site Plan (Rev 2)	24.02.2022	Scope Architects
A03 - Ground Floor Plan (Rev 2)	24.02.2022	Scope Architects
A05 - Elevations (Rev 2)	24.02.2022	Scope Architects
A06 - Elevations (Rev 2)	24.02.2022	Scope Architects
A07 - Section & Driveway Design	24.02.2022	Scope Architects

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 DA2021/1355, dated 12 January 2022

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 submitted to Council 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

Megan Surtees, Planner

Date 23/03/2022