

12 January 2021



Stephen Crosby & Associates  
Po Box 204  
CHURCH POINT NSW 2105

Dear Sir/Madam

**Application Number:** Mod2020/0555  
**Address:** Lot 3 DP 1023404 , 10 Wurringulla Avenue, ELVINA BAY NSW 2105  
**Proposed Development:** Modification of Development Consent DA2020/0509 for  
Construction of a boat shed, skid ramp and associated works

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,



Megan Surtees  
**Planner**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2020/0555
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	Stephen Crosby & Associates
<b>Land to be developed (Address):</b>	Lot 3 DP 1023404 , 10 Wurringulla Avenue ELVINA BAY NSW 2105
<b>Proposed Development:</b>	Modification of Development Consent DA2020/0509 for Construction of a boat shed, skid ramp and associated works

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	12/01/2021
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The request to modify the above-mentioned Development Consent has been approved as follows:

#### A. Modify Condition 12. Structural Engineering for Estuarine Risk to read as follows:

Structural engineering design for the development shall be prepared, with input as necessary from a chartered professional engineer with coastal engineering as a core competency, to ensure that for its design life (taken to be 30 years, as justified and accepted by Council) the development is able to withstand the wave impact forces and loadings identified in the approved Addendum Coastal Engineering Report by Cardno (NSW/ACT) Pty. Ltd. dated 20 October 2020 and Coastal Engineering Report prepared by Cardno (NSW/ACT) Pty. Ltd. dated 14 May 2020.

Note: The potential for component fatigue (wear and tear) should be recognised for the less severe, but more frequent, wave impact holdings.

Reason: To ensure structural engineering is prepared by an appropriately qualified professional.

### Important Information

This letter should therefore be read in conjunction with DA2020/0509 determined 31 July 2020.

#### 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	No
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 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                      Megan Surtees, Planner

Date                      12/01/2021