

30 June 2022



Kathryn Terese Turner  
24 Lauderdale Avenue  
FAIRLIGHT NSW 2094

Dear Sir/Madam

**Application Number:** Mod2022/0335  
**Address:** Lot 1 DP 959013 , 24 Lauderdale Avenue, FAIRLIGHT NSW 2094  
**Proposed Development:** Modification of Development Consent DA2021/1742 granted for Alterations and additions to a dwelling house including a swimming pool

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>	Mod2022/0335
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	Kathryn Terese Turner
<b>Land to be developed (Address):</b>	Lot 1 DP 959013 , 24 Lauderdale Avenue FAIRLIGHT NSW 2094
<b>Proposed Development:</b>	Modification of Development Consent DA2021/1742 granted for Alterations and additions to a dwelling house including a swimming pool

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	30/06/2022
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The request to modify the above-mentioned Development Consent has been approved as follows:

#### A. Delete Condition 7A. External Finishes to Roof to read as follows:

#### DELETE

### Important Information

This letter should therefore be read in conjunction with DA2021/1742 dated 5 November 2021; Mod2022/0184 dated 24 May 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

No

measured in plan and the area of the lowest habitable floor)	
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 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                          Megan Surtees, Planner

Date                            30/06/2022