

4 February 2022



Adam Gregory Bacon  
34A The Bulwark  
CASTLECRAG NSW 2068

Dear Sir/Madam

**Application Number:** Mod2021/0917  
**Address:** Lot 7 DP 20097 , 190 McCarrs Creek Road, CHURCH POINT NSW 2105  
Lot LIC 395424 , 190 McCarrs Creek Road, CHURCH POINT NSW 2105  
**Proposed Development:** Modification of Development Consent DA2021/0319 granted for construction of a dwelling house including a swimming pool and inclinor

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,



Thomas Burns  
**Planner**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2021/0917
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	Adam Gregory Bacon
<b>Land to be developed (Address):</b>	Lot 7 DP 20097 , 190 McCarrs Creek Road CHURCH POINT NSW 2105 Lot LIC 395424 , 190 McCarrs Creek Road CHURCH POINT NSW 2105
<b>Proposed Development:</b>	Modification of Development Consent DA2021/0319 granted for construction of a dwelling house including a swimming pool and inclinator

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	04/02/2022
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The request to modify the above-mentioned Development Consent has been approved as follows:

### DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

**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
Drawing No. 01D - Site Plan	20 January 2022	Peter Downes Designs
Drawing No. 02D - Level 4	20 January 2022	Peter Downes Designs
Drawing No. 03D - Level 3	20 January 2022	Peter Downes Designs
Drawing No. 04D - Level 2	20 January 2022	Peter Downes Designs
Drawing No. 05D - Level 1	20 January 2022	Peter Downes Designs
Drawing No. 06D - North Elevation	20 January 2022	Peter Downes Designs
Drawing No. 07D - South Elevation	20 January 2022	Peter Downes Designs
Drawing No. 08D - East and West Elevations	20 January 2022	Peter Downes Designs
Drawing No. 09D - Section 1	20 January 2022	Peter Downes Designs

Drawing No. 15D - Demolition and Excavation Plans	20 January 2022	Peter Downes Designs
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Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
S4.55 Geotechnical Review Letter Ref. AG 19191	19 November 2021	Ascent Geotechnical Consulting
BASIX Certificate No. 1179704S_02	22 November 2021	Lin & Associates 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.

### Condition No. 9A - No Works Below Mean High Water Mark

This consent does not permit works to occur below (seaward) the Mean High Water Mark.

Reason: The relevant authorities have not consented to works below the Mean High Water Mark.

## Important Information

This letter should therefore be read in conjunction with DA2021/0319.

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            Thomas Burns, Planner

Date             04/02/2022