

7 November 2021



Shaun Bradley George Pearson  
50 Earl Street  
BEACON HILL NSW 2100

Dear Sir/Madam

**Application Number:** Mod2021/0748  
**Address:** Lot 29 DP 25164 , 50 Earl Street, BEACON HILL NSW 2100  
**Proposed Development:** Modification of Development Consent DA2020/1488 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](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,



Catriona Shirley  
**Planner**

## NOTICE OF DETERMINATION

|                            |                                     |
|----------------------------|-------------------------------------|
| <b>Application Number:</b> | Mod2021/0748                        |
| <b>Determination Type:</b> | Modification of Development Consent |

### APPLICATION DETAILS

|  |   |
|--|---|
| <b>Applicant:</b>                      | Shaun Bradley George Pearson  |
| <b>Land to be developed (Address):</b> | Lot 29 DP 25164 , 50 Earl Street BEACON HILL NSW 2100   |
| <b>Proposed Development:</b>           | Modification of Development Consent DA2020/1488 granted for alterations and additions to a dwelling house |

### DETERMINATION - APPROVED

|                       |            |
|-----------------------|------------|
| <b>Made on (Date)</b> | 04/11/2021 |
|-----------------------|------------|

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 with DA2020/1488 (dated 08/02/2021) and with the following:

##### a) Modification Approved Plans

| <b>Architectural Plans - Endorsed with Council's stamp</b> |              |                    |
|--|--------------|--------------------|
| <b>Drawing No.</b>   | <b>Dated</b> | <b>Prepared By</b> |
| Site Analysis 01   | 18/08/2021   | Action Plans       |
| Site/Roof 02   | 18/08/2021   | Action Plans       |
| Ground Floor 04  | 18/08/2021   | Action Plans       |
| First Floor 05   | 18/08/2021   | Action Plans       |
| North/East Elevation 06                                    | 18/08/2021   | Action Plans       |
| South/West Elevation 07                                    | 18/08/2021   | Action Plans       |
| Long/Cross Section 08                                      | 18/08/2021   | Action Plans       |

##### 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.

#### **B. Modify Condition No. 2 Approved Land Use to read as follows:**

Nothing in this consent shall authorise the use of the entire site as detailed on the approved plans for

any land use of the site beyond the definition of a dwelling house.

A dwelling house is defined as:

*“dwelling house means a building containing only one dwelling.*

*Note—*

*Dwelling houses are a type of residential accommodation—see the definition of that term in this Dictionary.”*

(development is defined by the Warringah Local Environment Plan 2011 (as amended) Dictionary)

Any variation to the approved land use and/occupancy of any unit beyond the scope of the above definition will require the submission to Council of a new development application.

Reason: To ensure compliance with the terms of this consent.

**C. Delete Condition 12 Change of Building Class/Building Upgrade to read as follows:**

Delete

## **Important Information**

This letter should therefore be read in conjunction with DA2020/1488 dated 08/02/2021.

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.

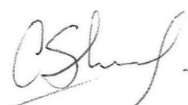
## **Right of Appeal**

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            Catriona Shirley, Planner

Date            04/11/2021