

17 August 2021



Robert Alfred Kenneth Nugan  
45 Medusa Street  
MOSMAN NSW 2088

Dear Sir/Madam

**Application Number:** Mod2021/0446  
**Address:** Lot 70 DP 11067 , 32 The Strand, WHALE BEACH NSW 2107  
**Proposed Development:** Modification of Development Consent DA2019/0913 granted for demolition works and construction of 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,



Kent Bull  
**Planner**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2021/0446
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	Robert Alfred Kenneth Nugan
<b>Land to be developed (Address):</b>	Lot 70 DP 11067 , 32 The Strand WHALE BEACH NSW 2107
<b>Proposed Development:</b>	Modification of Development Consent DA2019/0913 granted for demolition works and construction of a dwelling house including a swimming pool

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	17/08/2021
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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

<b>Architectural Plans - Endorsed with Council's stamp</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
200.01, Rev. K (Second Floor)	19.05.21	Shaun Lockyer Architects Pty Ltd
200.02, Rev. J (First Floor)	19.05.21	Shaun Lockyer Architects Pty Ltd
200.03, Rev. K (Ground Floor)	19.05.21	Shaun Lockyer Architects Pty Ltd
300.02, Rev. L (East Elevation)	19.05.21	Shaun Lockyer Architects Pty Ltd
300.03, Rev. L (South Elevation)	19.05.21	Shaun Lockyer Architects Pty Ltd
300.04, Rev. L (West Elevation)	19.05.21	Shaun Lockyer Architects Pty Ltd
400.07, Rev. K (Section 7)	19.05.21	Shaun Lockyer Architects Pty Ltd

<b>Reports / Documentation – All recommendations and requirements contained within:</b>		
<b>Report No. / Page No. / Section No.</b>	<b>Dated</b>	<b>Prepared By</b>
BASIX Certificate, Ref. 1020266S_02	4 June 2021	Building Sustainability Assessments

ABSA Assessor Certificate, Ref. 0006081954	4 June 2021	Building Sustainability Assessments
Geotechnical Addendum Letter, Ref. J2226H	21 June 2021	White Geotechnical Group 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.

**B. Modify Condition 33 Survey Certificate under heading CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK to read as follows:**

**Survey Certificate**

A Survey Certificate prepared by a Registered Surveyor at the following stages of construction:

- (a) Commencement of perimeter walls, columns and/or other structural elements to ensure the wall or structure, to boundary setbacks are in accordance with the approved details.
- (b) At ground level to ensure the finished floor levels are in accordance with the approved levels, prior to concrete slab being poured/flooring being laid.
- (c) At completion of the roof frame confirming the finished roof/ridge height is in accordance with levels indicated on the approved plans.
- (d) At the completion of the lift shaft confirming the finished height does not exceed RL 20.850.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To determine the height of buildings under construction comply with levels shown on approved plans.

**Important Information**

This letter should therefore be read in conjunction with DA2019/0913 dated 11 December 2019, Mod2020/0334 dated 8 September 2020.

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                Kent Bull, Planner

Date                 17/08/2021