

4 January 2021



Blue Sky Building Designs Pty Ltd
PO Box 167
NEWPORT BEACH NSW 2106

Dear Sir/Madam

Application Number: Mod2020/0563
Address: Lot 46 DP 13620 , 967 Barrenjoey Road, PALM BEACH NSW 2108
Proposed Development: Modification of Development Consent N0272/16 granted for the demolition of existing dwelling house and construction of a new dwelling house and 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

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

Regards,



Megan Surtees
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2020/0563
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Blue Sky Building Designs Pty Ltd
Land to be developed (Address):	Lot 46 DP 13620 , 967 Barrenjoey Road PALM BEACH NSW 2108
Proposed Development:	Modification of Development Consent N0272/16 granted for the demolition of existing dwelling house and construction of a new dwelling house and swimming pool

DETERMINATION - APPROVED

Made on (Date)	04/01/2021
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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

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
A-101 Site Plan	20 July 2020	Blue Sky Building Designs
A-101A Site Plan Enlarged	20 July 2020	Blue Sky Building Designs
A-102 Ground Floor	20 July 2020	Blue Sky Building Designs
A-103 First Floor & Section A	20 July 2020	Blue Sky Building Designs
A-104 South & East Elevation Driveway Crossing Profile	20 July 2020	Blue Sky Building Designs
A-105 North Elevation	20 July 2020	Blue Sky Building Designs
A-106 West Elevation	20 July 2020	Blue Sky Building Designs
A-107 Stairs	20 July 2020	Blue Sky Building Designs

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Geotechnical Comment (Project 35470.09)	15 October	Douglas Partners Pty Ltd

	2020	
Bushfire Hazard Assessment Report (Ref 160070)	7 March 2016	Building Code & Bushfire Hazard Solutions Pty Limited

d) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

B. Add Condition C13. Revised Bushfire Report to read as follows:

A revised Bush Fire Report is required to be submitted prior to the issue of the Construction Certificate. This report is to be prepared by a suitably qualified bush fire consultant. The application for the Construction Certificate is to be consistent with recommendations made within the revised Bush Fire Report.

Reason: To ensure all development is consistent with bush fire regulations and requirements.

Important Information

This letter should therefore be read in conjunction with N0272/16 dated 27 October 2016, Mod2018/0387 dated 21 February 2019, and Mod2020/0412 27 October 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	Yes
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 04/01/2021