

7 September 2021



Vigor Master Pty Ltd
Suite 201a 24 Thomas Street
CHATSWOOD NSW 2067

Dear Sir/Madam

Application Number: Mod2021/0451
Address: Lot 806 DP 752038 , 8 Lady Penrhyn Drive, BEACON HILL NSW 2100
Proposed Development: Modification of Development Consent DA2009/0800 granted for construction of 34 units (as modified) for older people or people with a disability and subdivision – subdivision component modification.

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,



Alex Keller
Principal Planner

NOTICE OF DETERMINATION

Application Number:	Mod2021/0451
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Vigor Master Pty Ltd
Land to be developed (Address):	Lot 806 DP 752038 , 8 Lady Penrhyn Drive BEACON HILL NSW 2100
Proposed Development:	Modification of Development Consent DA2009/0800 granted for construction of 34 units (as modified) for older people or people with a disability and subdivision – subdivision component modification.

DETERMINATION - APPROVED

Made on (Date)	31/08/2021
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The request to modify the above-mentioned Development Consent has been approved as follows:

A. Add Condition No.1C - Modification of Consent - Approved Plans and supporting Documentation, to read as follows:

“1C - Modification of Consent - Approved Plans and supporting Documentation

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Modification Approved Plans

Subdivision Plan - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
2092 Sheet 1 of 1	21 May 2021	Simon Pak Yan Ho

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. Add Condition No.1D - “Compliance with Other Department, Authority or Service Requirements” to read as follows:

“1D. Compliance with Other Department, Authority or Service Requirements

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

Other Department, Authority or Service	EDMS Reference
NSW Rural Fire Service	Response RFS Referral

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council’s website www.northernbeaches.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies.”

C. Modify Condition part No.3A(a) wording from “1729 sub sheet 1 of 1, February 2010 prepared by Duncan John Sim” to read “2902 sheet 1 of 1, 21 May 2021 prepared by Simon Pak Yan Ho” to read as follows within Condition 3A:

“3A Conditions applying to the two lot Torrens title subdivision

The conditions of this consent which apply to Lot 2 in the two lot subdivision are

(a) Condition 1 insofar as it refers to Plan of Subdivision 2902 sheet 1 of 1, 21 May 2021 prepared by Simon Pak Yan Ho;

(b) Conditions 2 (compliance with submitted documentation), 4 (RFS requirements) 6 (general requirements), 81 and 86 (Subdivision Plan).”

D. Modify Condition No.81 to delete reference to condition 3A(b) and amend the words to “Prior to the issue of any strata subdivision certificate”, to read as follows:

“81. Creation of allotments

Prior to the issue of any Strata subdivision certificate, a final occupation certificate for the approved development of housing for older people or people with a disability on Lot 1 must be issued.

Reason: To prevent the creation of allotments with substandard areas and to ensure that the

development is for the purpose of housing for older people or people with a disability.”

E. Modify Condition No.84 reference to “subdivision certificate” to be the “Strata Subdivision Certificate” to read as follows:

“84. Plan Lodgement

To enable the lodgement of the final plan at the NSW Land and Property Information Department the Strata Subdivision Certificate shall not be issued until the Final Occupation Certificate for the approved development.

Reason: To ensure that the plans relate to approved development”

Important Information

This letter should therefore be read in conjunction with DA2009/0800 dated 30.12.2010 including MOD22021/0172 dated 4.6.2021.

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 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 Alex Keller, Principal Planner

Date 31/08/2021