

NORTHERN BEACHES COUNCIL

22 March 2017



Graham Craig Opie , Rosemary Edith Booker
16 The Drive
FRESHWATER NSW 2096

Dear Sir/Madam

Application Number:	Mod2017/0030
Address:	Lot 1 DP 175452 , 16 The Drive, FRESHWATER NSW 2096
Proposed Development:	Modification of Development Consent DA2016/0903 granted for Construction of a secondary dwelling - Modification to delete the secondary dwelling and use the floor space as part of the existing 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 eServices website at www.warringah.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 (02) 9942 2111 or via email quoting the application number, address and description of works to council@warringah.nsw.gov.au

Regards,

Adam Mitchell
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2017/0030
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Graham Craig Opie Rosemary Edith Booker
Land to be developed (Address):	Lot 1 DP 175452 , 16 The Drive FRESHWATER NSW 2096
Proposed Development:	Modification of Development Consent DA2016/0903 granted for Construction of a secondary dwelling - Modification to delete the secondary dwelling and use the floor space as part of the existing dwelling house

DETERMINATION - APPROVED

Made on (Date)	22/03/2017
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The request to modify the above-mentioned Development Consent has been approved as follows:

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
334 Rev B	2 February 2017	Pacific 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.
(DACPLB01)

Add Condition No. 11 - Occupancy - to read as follows:

Nothing in this consent shall authorise the use of site/onsite structures/units/tenancies 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:

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"Dwelling house means a building containing only one dwelling."

(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. (DACPLB03)

Delete Condition No. 5 - Change of use/Fire Safety Upgrade

Delete Condition No. 5 - Change of Use

Delete Condition No.10 - Fire Safety Matters

Add Condition No. 11 - No Cooking Facilities - to read as follows:

There are to be no cooking facilities in the Bar Area located on the lower ground floor.

Reason: To ensure the area is used in accordance with this consent and not as a secondary dwelling.

Important Information

This letter should therefore be read in conjunction with DA2016/0903 dated 23 September 2016.

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.

Section 97AA 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.

Right to Review by the Council

You may request the Council to review the determination of the application under Section 96AB of the Environmental Planning and Assessment Act 1979. Any request to review the application must be lodged and determined within 28 days after the date of the determination shown on this notice.

NOTE: A fee will apply for any request to review the determination.

Signed On behalf of the Consent Authority

Signature _____

Name Adam Mitchell, Planner

Date 22/03/2017