

11 July 2018

Baxter & Jacobson Architects Pty Ltd
Baxter & Jacobson Architects Level 2 32-37 The Corso
MANLY NSW 2095

Dear Sir/Madam

Application Number: Mod2018/0161
Address: Lot 2 SP 11874 , 5 Commonwealth Parade, MANLY NSW 2095
Proposed Development: Modification of Development Consent DA0436/2008 granted for basement additions to a three (3) storey Residential Flat Building

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,



Thomas Prosser
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2018/0161
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Baxter & Jacobson Architects Pty Ltd
Land to be developed (Address):	Lot 2 SP 11874 , 5 Commonwealth Parade MANLY NSW 2095
Proposed Development:	Modification of Development Consent DA0436/2008 granted for basement additions to a three (3) storey Residential Flat Building

DETERMINATION - APPROVED

Made on (Date)	11/07/2018
-----------------------	------------

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
Drawing No. 2.20- Basement Floor Plan - Issue A	27/03/2018	Baxter and Jacobson
Drawing No. 2.21- Ground Floor Plan- Unit 01 - Issue A	27/03/2018	Baxter and Jacobson
Drawing No. 2.22- Level 01 Floor Plan- Unit 02 - Issue A	27/03/2018	Baxter and Jacobson
Drawing No. 2.23- Level 02 Floor Plan- Unit 03 - Issue A	27/03/2018	Baxter and Jacobson
Drawing No.2.24- Level 03 Floor Plan- Unit 03 - Issue A	27/03/2018	Baxter and Jacobson
Drawing No.2.25- Roof Plan - Issue A	27/03/2018	Baxter and Jacobson
Drawing No.3.00- Elevations- Issue A	27/03/2018	Baxter and Jacobson
Drawing No.3.10- Elevations- Issue A	27/03/2018	Baxter and Jacobson
Drawing No. 3.20- Elevations- Issue A	27/03/2018	Baxter and Jacobson

Drawing No. 3.30- Sections A & B- Issue A	27/03/2018	Baxter and Jacobson
Drawing No. 3.40- Sections C & D- Issue A	27/03/2018	Baxter and Jacobson
Drawing No. 3.50- Sections E & F- Issue A	27/03/2018	Baxter and Jacobson
Drawing No. 3.60- Sections G- Issue A	27/03/2018	Baxter and Jacobson
Drawing No. 3.70- Sections H- Issue A	27/03/2018	Baxter and Jacobson
Drawing No. 6.30- Garden Beds- Floor Plan and Sections - Issue A	27/03/2018	Baxter and Jacobson

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

c) The development is to be undertaken generally in accordance with the following:

Landscape Plans		
Drawing No.	Dated	Prepared By
Drawing No. 4.00-Landscape Plan	27/03/2018	Baxter and Jacobson Architects.

Waste Management Plan		
Drawing No.	Dated	Prepared By
Waste Minimisation and Management Plan Checklist	23/08/2018	Baxter and Jacobson

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

B. Add Condition -ANS15- Dilapidation Report to read as follows:

A Dilapidation Report is required for this development. A photographic survey of adjoining properties detailing the physical condition of those properties, both internally and externally, including walls, ceilings, roof, structural members and other such items, is to be submitted to Council and the Accredited Certifier (where Council does not issue the Construction Certificate) prior to the issue of the Construction Certificate. This survey is to be prepared by an appropriately qualified person agreed to by both the applicant and the owner of the adjoining property/ies.

All costs incurred in achieving compliance with this condition must be borne by the person entitled to act on this Consent.

If access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate, in writing, to Council's satisfaction attempts have been made to obtain access and/or advise the affected property owner of the reason for the survey and these attempts have been unsuccessful. Written concurrence must be obtained from Council in such circumstances.

Note: This documentation is for record keeping purposes only, and may be used by an applicant or

affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible.

Reason: To maintain proper records in relation to the proposed development.

C. Add Condition -ANS16- Rear fence to read as follows:

The rear fence at The Crescent is to be no greater than 1.8 metres. Details notating compliance are to be provided to prior to the issue of a Construction Certificate.

Reason: To ensure the proposed fence does not have unreasonable bulk.

Important Information

This letter should therefore be read in conjunction with DA2018/0161.

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



Name Thomas Prosser, Planner

Date 11/07/2018