

21 October 2021



Ali Mehfooz  
3 May Street  
TURRAMURRA NSW 2074

Dear Sir/Madam

**Application Number:** Mod2021/0521  
**Address:** Lot 40 DP 7027 , 532 Pittwater Road, NORTH MANLY NSW 2100  
**Proposed Development:** Modification of Development Consent DA2021/0166 granted for demolition works and construction of a Boarding House pursuant to State Environmental Planning Policy Affordable Rental Housing 2009

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,



Penny Wood  
**Planner**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2021/0521
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	Ali Mehfooz
<b>Land to be developed (Address):</b>	Lot 40 DP 7027 , 532 Pittwater Road NORTH MANLY NSW 2100
<b>Proposed Development:</b>	Modification of Development Consent DA2021/0166 granted for demolition works and construction of a Boarding House pursuant to State Environmental Planning Policy Affordable Rental Housing 2009

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	21/10/2021
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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>
D-S-01 Site Plan	July 2021	Miles Winter Pty Ltd
D-P-01 Lower Floor Plan	July 2021	Miles Winter Pty Ltd
D-P-02 Upper Floor Plan	July 2021	Miles Winter Pty Ltd
D-P-03 Roof Plan - Loft Level	July 2021	Miles Winter Pty Ltd
D-E-01 Elevations 1	July 2021	Miles Winter Pty Ltd
D-E-02 Elevations 2	July 2021	Miles Winter Pty Ltd
D-E-04 External Finishes	July 2021	Miles Winter Pty Ltd
D-E-05 Site Sections	July 2021	Miles Winter Pty Ltd
Detailed Typical Lodger D-D-01	July 2021	Miles Winter Pty Ltd
Detailed Typical Lodger Sections D-D-02	July 2021	Miles Winter Pty Ltd
Detailed Accessible Lodger & Common Room D-D-03	July 2021	Miles Winter Pty Ltd

Detailed Lodger 9 - 10	July 2021	Miles Winter Pty Ltd
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Engineering Plans		
Drawing No.	Dated	Prepared By
Roof Plan and Stormwater Concept D-P-04	July 2021	Miles Winter Pty Ltd

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
BASIX Certificate No. 1096296M_03	19 May 2021	Building Sustainability Assessments
Plan of Management Boarding House	Feb 2021	Ali Mehfooz
BCA Access Compliance Report	19.2.2021	Lachlan Miles Design
Preliminary Landslip Assessment E24685.G02_Rev 1	1.3.2021	EI Australia
D-S-04 Site Accessibilty Plan	May 2021	Miles Winter Pty Ltd

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
Landscape Concept D-S-02	July 2021	Miles Winter Pty Ltd

Waste / Construction Management Plan		
Drawing No/Title.	Dated	Prepared By
Demolition Waste Management Plan	18.2.2021	Ali Mehfooz
D-S-03 Site Waste Management Plan	May 2021	Miles Winter Pty Ltd

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail. (Note: "interim/final" allows a Certifier to select an appropriate time or work stage to satisfy requirements of the condition)

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

#### **B. Delete Condition No. 6 - Amended Landscape Plan**

#### **C. Delete Condition No. 11 - Amendments to the approved plans**

#### **D. Add Condition No. 47A - Landscape Completion - to read as follows:**

Landscaping is to be implemented in accordance with the approved Amended Landscape Plan, inclusive of the following conditions:

i) substitute the proposed *Cupaniopsis anacardioides* with a native alternative, minimum 75L pot size. Suggested species include: *Banksia serrata*, *Banksia integrifolia*, or *Tristaniopsis laurina*.

Prior to the issue of an Occupation Certificate, details shall be submitted to the Certifying Authority,

certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Environmental amenity.

## Important Information

This letter should therefore be read in conjunction with DA2021/0166 dated 16 June 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 must be submitted to Council within 28 days 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 Penny Wood, Planner

Date 21/10/2021