

10 November 2022



Stuart John McPhail
90 Birkley Road
MANLY NSW 2095

Dear Sir/Madam

Application Number: Mod2022/0516
Address: Lot 18 DP 6100 , 90 Birkley Road, MANLY NSW 2095
Proposed Development: Modification of Development Consent DA2020/1053 granted for Alterations and additions to a 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 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,



Dean Pattalis
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2022/0516
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Stuart John McPhail
Land to be developed (Address):	Lot 18 DP 6100 , 90 Birkley Road MANLY NSW 2095
Proposed Development:	Modification of Development Consent DA2020/1053 granted for Alterations and additions to a dwelling house

DETERMINATION - APPROVED

Made on (Date)	10/11/2022
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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
S4.5503-A	9 August 2022	Action Plans
S4.5506-A	9 August 2022	Action Plans
S4.5507-A	9 August 2022	Action Plans
S4.5508-A	9 August 2022	Action Plans
S4.5509-A	9 August 2022	Action Plans
S4.5510-A	9 August 2022	Action Plans
S4.5511-A	9 August 2022	Action Plans
S4.5512-A	9 August 2022	Action Plans
S4.5514-A	9 August 2022	Action Plans

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
BASIX Certificate (A385664_02)	17 June 2022	Action Plans

d) 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 15(A). Amendments to the approved plans to read as follows:

The following amendments are to be made to the approved plans:

- The modification to the approved privacy screen located along the northern elevation of the elevated terrace, involving a height increase to 2 metres, shall be deleted. The privacy screen shall remain unchanged and maintain the approved height of 1.65m.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure development minimises unreasonable impacts upon surrounding land.

Important Information

This letter should therefore be read in conjunction with DA2020/1053.

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 lodged on the NSW Planning portal 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 Dean Pattalis, Planner

Date 10/11/2022