

10 July 2018



Housed - Nanna Lesiuk  
PO Box 275  
AVALON BEACH NSW 2107

Dear Sir/Madam

**Application Number:** Mod2018/0180  
**Address:** Lot 74 DP 8075 , 77 Bower Street, MANLY NSW 2095  
**Proposed Development:** Modification of Development Consent DA269/2015 granted for construction of 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](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,



Rodney Piggott  
**Manager Development Assessments**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2018/0180
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	Housed - Nanna Lesiuk
<b>Land to be developed (Address):</b>	Lot 74 DP 8075 , 77 Bower Street MANLY NSW 2095
<b>Proposed Development:</b>	Modification of Development Consent DA269/2015 granted for construction of a dwelling house.

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	20/06/2018
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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>
01 Site/Roof Plan	1/08/2017	Housed
02 Level 00 Entry Plan	1/08/2017	Housed
03 Level 01 Living Plan	30/01/2018	Housed
04 Level 02 Bedrooms Plan	30/01/2018	Housed
05 Elevation North and East	30/01/2018	Housed
06 Elevation South and West	30/01/2018	Housed
07 Section 01 and 02	30/01/2018	Housed
08 Section 03	30/01/2018	Housed
Door and Window Schedule - Schedule of BASIX Commitments	30/01/2018	Housed

<b>Reports / Documentation – All recommendations and requirements contained within:</b>		
<b>Report No. / Page No. / Section No.</b>	<b>Dated</b>	<b>Prepared By</b>
BASIX Certificate 675020S_03	26 May 2018	GRS Building Reports

b) Any plans and / or documentation submitted to satisfy the Deferred Commencement Conditions of this consent as approved in writing by Council.

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

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

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

**B. Modify Condition ANS01 to read as follows:**

The approved Landscape Plans submitted in support of approved DA0269/2015 are to be amended prior to the issue of the Construction Certificate to include the following elements:

1. A planting schedule including stratum, species/common names, species quantities, pot sizes and staking details;
2. Planting of at least one (1) *Banksia integrifolia* specimen in a minimum 200L container located in the same location of the ornamental pear to be removed;
3. At least 60% of species listed in the planting schedule are to be selected from the Native Gardening Booklet as provided on Council's website:  
<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/general-information/native-gardening/pittwaternativegardeningbooklet.pdf>
4. The proposed finished treatment of garden areas, including soil depth and retaining walls and the location of underground services.

Each plan/sheet is to be certified by a qualified landscape architect, confirming that the plans/details for the works to be carried out will achieve the relevant conditions of the development consent of this modification and approved DA0269/2015. The Landscape Plan is to detail works on the subject property only. Landscaping works outside the property boundary are not permitted.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To offset the loss of additional endangered Long-nosed Bandicoot habitat as a result of the development and maintain appropriate landscaping on the site.

**C. Modify Condition ANS04 to read as follows:**

One (1) *Banksia integrifolia* is to be planted in the same location as the pear tree (identified as 7 on the approved plans), and planted at min 200 litres. This tree shall be maintained for the life of the development.

Reason: This is to ensure the landscaping is completed in accordance with the intent of the DA 0269/2015

**D. Modify Condition ANS05 to read as follows:**

A landscaped buffer is to be provided along the western boundary, with the exception of the external western stairs shown on 03 Level 01 Living Plan dated 30/01/2018 and prepared by Housed. Plans are to be suitably amended, prior to the issue of any Construction Certificate.

Reason: To protect the privacy of No.81 Bower St and reduce the visual impact of the development.

## Important Information

This letter should therefore be read in conjunction with DA269/2015 dated 21 April 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



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Name                Rodney Piggott, Manager Development Assessments

Date                 20/06/2018