

22 December 2022



Anna Jane Williams
15 / 28 - 34 Roseberry Street
BALGOWLAH NSW 2093

Dear Sir/Madam

Application Number: Mod2022/0454
Address: Lot 81 DP 8076 , 95 Bower Street, MANLY NSW 2095
Proposed Development: Modification of Development Consent DA2021/0668 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,



Nick Keeler
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2022/0454
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Anna Jane Williams
Land to be developed (Address):	Lot 81 DP 8076 , 95 Bower Street MANLY NSW 2095
Proposed Development:	Modification of Development Consent DA2021/0668 granted for Alterations and additions to a dwelling house

DETERMINATION - APPROVED

Made on (Date)	22/12/2022
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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
MOD03 Rev K	16/11/2022	Your Beautiful Home
MOD04 Rev K	16/11/2022	Your Beautiful Home
MOD05 Rev K	16/11/2022	Your Beautiful Home
MOD06 Rev K	16/11/2022	Your Beautiful Home
MOD07 Rev K	16/11/2022	Your Beautiful Home
MOD08 Rev K	16/11/2022	Your Beautiful Home
MOD09 Rev K	16/11/2022	Your Beautiful Home
MOD10 Rev K	16/11/2022	Your Beautiful Home
MOD11 Rev K	16/11/2022	Your Beautiful Home
MOD12 Rev K	16/11/2022	Your Beautiful Home
MOD13 Rev K	16/11/2022	Your Beautiful Home
MOD14 Rev K	16/11/2022	Your Beautiful Home
MOD14.1 Rev K	16/11/2022	Your Beautiful Home

Reports / Documentation – All recommendations and requirements contained within:

Report No. / Page No. / Section No.	Dated	Prepared By
BASIX Certificate No. A412525_05	08/08/2022	Efficient Living
Update Flora and Fauna Assessment (Ref: BS57TBR02)	14/04/2022	GIS Environmental Consultants

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

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.

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

B. Modify Condition No. 12 - Photographic Archival Record to read as follows:

A photographic archival record of the site is to made of all existing buildings and structures (including interiors and exteriors and their setting), generally in accordance with the guidelines issued by the NSW Heritage Division of the NSW Office of Environment & Heritage (OEH).

This record must be submitted and approved by the Certifying Authority prior to commencement of any demolition or works on-site. The photographic record should be made using digital technology, submitted on archival quality CD-R disc, and should include:

- Location of property, date of survey and author of survey;
- A site plan at a scale of 1:200 showing all structures and major landscape elements;
- Floor plans of any buildings at a scale of 1:100;
- Photographs which document the site, cross-referenced in accordance with recognised archival recording practice to catalogue sheets. The extent of documentation will depend on the nature of the item.

Details demonstrating compliance with this condition are to be submitted to Council's Heritage Advisor prior to the issue of the Construction Certificate.

Reason: To provide an archival photographic record of the site, including any buildings and landscape elements, prior to any works.

C. Modify Condition No. 13 - Amendments to Approved Plans - Heritage Consideration to read as follows:

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

- a. The front balcony above the bay window is required to be set back from the sides, to allow this retained portion of the roof below to be at the same level (height) of the retained portion of the main roof (matching height at the internal corners). In other words, the retained portion of the original roof should include the sloping section of the roof above the bay window.
- b. The first floor roof overhang should not exceed the width of the existing main roof overhang.
- c. The existing stone boundary wall should be retained along College and Bower Streets and the details of the proposed boundary fence should be provided to retain the

character of the existing streetscape.

- d. The bi-fold window (W31) is to be deleted and retained as existing. All existing windows facing Bower Street are to be retained and any necessary replacement shall be on a like-for-like basis.

Details demonstrating compliance with this condition are to be submitted to Council's Heritage Advisor for approval prior to the issue of the Construction Certificate.

Reason: To allow the interpretation and preserve the significance of the original building.

D. Add Condition No. 31A - Entry Door - Heritage to read as follows:

The existing external wall to the ground floor entry porch is now proposed to be demolished in order to raise the floor level; Heritage requires this wall to be rebuilt with the salvaged face brick to match existing and the existing entry door with side windows should be salvaged and reinstated in the same location.

Reason: To preserve the heritage values of the existing building.

Important Information

This letter should therefore be read in conjunction with DA2021/0668 dated 22/12/2021.

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 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 Nick Keeler, Planner

Date 22/12/2022