

7 June 2021



Raymond Andrew Balcomb
83-85 Bower Street
MANLY NSW 2095

Dear Sir/Madam

Application Number: Mod2021/0177
Address: Lot 76 DP 8075 , 83 Bower Street, MANLY NSW 2095
Lot 77 DP 8075 , 83 Bower Street, MANLY NSW 2095
Proposed Development: Modification of Development Consent DA2020/0855 granted for
demolition works and construction of a dwelling house including
swimming pool

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,



Rebecca Englund
Principal Planner

NOTICE OF DETERMINATION

Application Number:	Mod2021/0177
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Raymond Andrew Balcomb
Land to be developed (Address):	Lot 76 DP 8075 , 83 Bower Street MANLY NSW 2095 Lot 77 DP 8075 , 83 Bower Street MANLY NSW 2095
Proposed Development:	Modification of Development Consent DA2020/0855 granted for demolition works and construction of a dwelling house including swimming pool

DETERMINATION - APPROVED

Made on (Date)	04/06/2021
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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 documents listed in Condition 1, as modified by the following:

a) Modification Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Site Plan (Drawing no. S4.55.01, Rev. A)	March 2021	Evans and Green
Lower Ground Floor Plan (Drawing no. S4.55.02, Rev. A)	March 2021	Evans and Green
Ground Floor Plan (Drawing no. S4.55.03, Rev. A)	March 2021	Evans and Green
First Floor Plan (Drawing no. S4.55.04, Rev. A)	March 2021	Evans and Green
Roof Plan (Drawing no. S4.55.05, Rev. A)	March 2021	Evans and Green
East Elevation (Drawing no. S4.55.20a, Rev. A)	March 2021	Evans and Green
East Elevation (Drawing no. S4.55.20b, Rev. A)	March 2021	Evans and Green
West Elevation (Drawing no. S4.55.21, Rev. A)	March 2021	Evans and Green
South Elevation (Drawing no. S4.55.22, Rev. A)	March 2021	Evans and Green
North Elevation (Drawing no. S4.55.23, Rev. A)	March 2021	Evans and Green
North Street Elevation (Drawing no. S4.55.24, Rev. A)	March 2021	Evans and Green

Section AA (Drawing no. S4.55.30, Rev. A)	March 2021	Evans and Green
Section BB (Drawing no. S4.55.31, Rev. A)	March 2021	Evans and Green
Section CC (Drawing no. S4.55.32, Rev. A)	March 2021	Evans and Green
Excavation Plan (Drawing no. S4.55.50, Rev. A)	March 2021	Evans and Green
Demolition Plan, Ground Floor (Drawing no. S4.55.52, Rev. A)	March 2021	Evans and Green
Demolition Plan, Ground Floor (Drawing no. S4.55.53, Rev. A)	March 2021	Evans and Green
Finishes (Drawing no. S4.55.56, Rev. A)	March 2021	Evans and Green

Engineering Plans		
Drawing No.	Dated	Prepared By
Stormwater Management Plans Sheets 1-8 of 8, all issue 2	23 March 2021	C.K.Engineering Services

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
BASIX Certificate No. A394178	3 March 2021	Evans and Green
Terrestrial Biodiversity Report & Threatened Species Assessment for the North Head Long-Nosed Bandicoot	March 2021	ACS Environmental Pty Ltd
Arboricultural Impact Assessment Report	5 March 2021	Glenice Buck Designs
Geotechnical Investigation	8 March 2021	White Geotechnical Group

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 Master Plan (Drawing no. LMP, Rev. D)	18 January 2021	Landart

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

B. Modify Condition 8 'On-site Stormwater Detention Details to read as follows:

The Applicant is to provide a certification of drainage plans detailing the provision of on-site stormwater detention in accordance with Northern Beaches Council's WATER MANAGEMENT FOR DEVELOPMENT POLICY, and generally in accordance with the concept drainage plans prepared by C. K. Engineering Services, drawing number 19987, issue 2 and dated 23/3/2020. Detailed drainage plans are to be prepared by a suitably qualified Civil Engineer, who has membership to the Institution of Engineers Australia, National Professional Engineers Register (NPER) and registered in the General Area of Practice for civil engineering.

The drainage plans must address the following:

- i. Step irons shall be installed.

Detailed drainage plans, including engineering certification, are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for the disposal of stormwater and stormwater management arising from the development.

C. New Condition 14A 'Amended Landscape Plan' to read as follows:

The Landscape Plan referenced in Condition 1A of this modified consent is to be amended as follows:

- i) co-ordinate the landscape works and layout proposed with the approved architectural plans,
- ii) be based on the approved development consent DA2020/0855 landscape scheme,
- iii) delete *Cupaniopsis anacardioides* from the schedule and replace with a similar tree in form and size that is not self-seeding into natural bushland,
- iv) delete *Rhaphiolepis* species from the schedule and replace with a similar shrub in form and size that is not self-seeding into natural bushland,
- v) ensure all tree planting shall be located within a 9m² deep soil area and be located a minimum of 3 metres from existing and proposed buildings, and located to minimise significant impacts on neighbours in terms of blocking winter sunlight, or where the proposed tree location may impact upon significant views.

The Amended Landscape Plan shall be issued to the Certifying Authority prior to the issue of a Construction Certificate and certification shall be provided to the Certifying Authority that these amendments have been documented.

Reason: Landscape amenity.

D. New Condition 14B 'Amended Architectural Plans' to read as follows:

The Architectural Plans referenced in Condition 1A of this modified consent are to be amended, as follows:

- a. No part of the garage or garage roof is to extend beyond the boundaries of the subject site. This can be achieved by either:
 - i. demolishing the eastern wall of the existing garage to be rebuilt 500mm further to the west (ie: a 500mm reduction to the width of the garage) and a 500mm increase to the eastern setback of the garage roof, or
 - ii. demolishing the southern wall of the existing garage to be rebuilt 500mm further to the north (ie: a 500mm reduction to the depth of the garage) and a 500mm increase to the southern setback of the garage roof.

The amended plans are to be submitted to the Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure that all structures are maintained within the site.

E. Amend Condition 33 'Landscape Completion' to read as follows:

Landscaping is to be implemented in accordance with the Amended Landscape Plan required by this modified consent.

Prior to the issue of any Occupation Certificate, details (from a landscape architect or landscape designer) shall be submitted to the Principal 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 DA2020/0855 dated 11 November 2020.

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 should be submitted to Council within 3 months 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 Rebecca Englund, Principal Planner

Date 04/06/2021