

10 September 2021

Landmark Group Australia Pty Ltd
Level 25, 88 Phillip Street
SYDNEY NSW 2000

Dear Sir/Madam

Application Number: Mod2021/0274
Address: Lot 1 DP 710661 , 2 Delmar Parade, DEE WHY NSW 2099
Proposed Development: Modification of Development Consent DA2017/1183 (as modified by MOD2020/0081) granted for a mixed use development comprising retail shops and shop top housing

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,



Alex Keller
Principal Planner

NOTICE OF DETERMINATION

Application Number:	Mod2021/0274
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Landmark Group Australia Pty Ltd
Land to be developed (Address):	Lot 1 DP 710661 , 2 Delmar Parade DEE WHY NSW 2099
Proposed Development:	Modification of Development Consent DA2017/1183 (as modified by MOD2020/0081) granted for a mixed use development comprising retail shops and shop top housing

DETERMINATION - APPROVED

Made on (Date)	09/09/2021
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The request to modify the above-mentioned Development Consent has been approved as follows:

A. Add Condition No.1B - Modification of Consent - Approved Plans and supporting Documentation to read as follows:

1B - Modification of Consent - Approved Plans and supporting Documentation

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
TP01.05 C Site Plan	7.5.2021	Rothe Lowman
TP01.06 C Communal Landscape Plan	7.5.2021	Rothe Lowman
TP01.08 E Basement Level 2	7.5.2021	Rothe Lowman
TP01.09 F Basement Level 1	31.8.2021	Rothe Lowman
TP01.10 G Ground Level	31.8.2021	Rothe Lowman
TP01.11 D Level 1	7.5.2021	Rothe Lowman
TP01.12 D Level 2	7.5.2021	Rothe Lowman
TP01.13 D Level 3	7.5.2021	Rothe Lowman
TP01.14 D Level 4	7.5.2021	Rothe Lowman
TP01.15 D Level 5	7.5.2021	Rothe Lowman
TP01.16 D Level 6	7.5.2021	Rothe Lowman
TP01.17 C Roof Level	7.5.2021	Rothe Lowman

TP02.05 D Site Elevations - North	7.5.2021	Rothe Lowman
TP02.06 E Site Elevations - South	7.5.2021	Rothe Lowman
TP02.07 D Site Elevations - East	7.5.2021	Rothe Lowman
TP02.08 C Site Elevations - West	7.5.2021	Rothe Lowman
TP03.01 C Site Section 1	7.5.2021	Rothe Lowman
TP03.02 D Site Section 2	7.5.2021	Rothe Lowman
TP03.03 D Site Section 3	7.5.2021	Rothe Lowman
TP03.04 C Site Section 4	7.5.2021	Rothe Lowman
TP06.01 C Adaptable and LHA Plans	7.5.2021	Rothe Lowman

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Basix Certificate 1068650M-08	17.5.2021	Senica Consultancy Group

b) 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. Modify Condition No.3 Compliance with Other Department, Authority or Service Requirements, to read as follows:

3. Compliance with Other Department, Authority or Service Requirements

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

Other Department, Authority or Service	EDMS Reference	Dated
Ausgrid	Response Ausgrid Referral	8.6.2021
Ausgrid	Response Ausgrid Referral	18/12/2017
Transport for NSW	Referral Response - RMS	1 April 2020

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website www.northernbeaches.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies."

C. Modify Condition No.54 - Allocation of Spaces, to read as follows:

54. Allocation of Spaces

The parking allocation shall maintain parking requirements consistent with the Warringah DCP and plans shown with the following allocation:

- 18 'retail' parking spaces
- 14 'residential visitor' spaces

- 80 'resident' spaces

The above allocation includes disabled access parking to be consistent with that shown on the modification plans, to the satisfaction of the Certifying Authority.

A plan demonstrating the above is to be submitted to the satisfaction of the Certifying Authority prior to issues of the construction certification.

Reason: Maintain consistency with modified plans and compliance with Warringah DCP.

Important Information

This letter should therefore be read in conjunction with DA2017/1183 dated 13 June 2018 and MOD2020/0081 dated 22 September 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 Alex Keller, Principal Planner

Date 09/09/2021