

8 November 2022



Cradle Design
Shop 1 316 Sydney Road
BALGOWLAH NSW 2093

Dear Sir/Madam

Application Number: Mod2022/0603
Address: Lot 1 SP 31425 , 1 / 9 Eustace Street, MANLY NSW 2095
Lot 5 SP 31425 , 5 / 9 Eustace Street, MANLY NSW 2095
Lot 5 SP 31425 , 5 / 9 Eustace Street, MANLY NSW 2095
Proposed Development: Modification of Development Consent DA2021/2409 granted for alterations and additions to a residential flat building

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,



Clare Costanzo
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2022/0603
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Cradle Design
Land to be developed (Address):	Lot 1 SP 31425 , 1 / 9 Eustace Street MANLY NSW 2095 Lot 5 SP 31425 , 5 / 9 Eustace Street MANLY NSW 2095 Lot 5 SP 31425 , 5 / 9 Eustace Street MANLY NSW 2095
Proposed Development:	Modification of Development Consent DA2021/2409 granted for alterations and additions to a residential flat building

DETERMINATION - APPROVED

Made on (Date)	07/11/2022
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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
DA-002 Site Plan Rev B	24 October 2022	Cradle Design
DA-501 Unit 5 Existing & Demolition Plans Rev B	24 October 2022	Cradle Design
DA-502 Unit 5 Existing & Demolition Plans Rev B	24 October 2022	Cradle Design
DA-503 Unit 5 Floor, Roof & Stormwater Plans Rev B	24 October 2022	Cradle Design
DA-504 Unit 5 East Elevations Rev B	24 October 2022	Cradle Design
DA-505 Unit 5 North & South Key Elevations Rev B	24 October 2022	Cradle Design
DA-506 Unit 5 North & South Unit 5 Elevations Rev B	24 October 2022	Cradle Design
DA-507 Unit 5 Sections A & B Rev B	24 October 2022	Cradle Design
DA-514 Unit 5 Finishes Rev B	24 October 2022	Cradle Design

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
BASIX Certificate No. A433084	1 October 2021	Cradle Design

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 4 - Policy Controls to read as follows:

Northern Beaches 7.12 Contributions Plan 2021

A monetary contribution of \$1,912.8 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan 2021. The monetary contribution is based on a development cost of \$191,280.00. The monetary contribution is to be paid prior to the issue of the first Construction Certificate or Subdivision Certificate whichever occurs first, or prior to the issue of the Subdivision Certificate where no Construction Certificate is required. If the monetary contribution (total or in part) remains unpaid after the financial quarter that the development consent is issued, the amount unpaid (whether it be the full cash contribution or part thereof) will be adjusted on a quarterly basis in accordance with the applicable Consumer Price Index. If this situation applies, the cash contribution payable for this development will be the total unpaid monetary contribution as adjusted.

The proponent shall provide to the Certifying Authority written evidence (receipt/s) from Council that the total monetary contribution has been paid. The Northern Beaches Section 7.12 Contributions Plan 2021 may be inspected at 725 Pittwater Rd, Dee Why and at Council’s Customer Service Centres or alternatively, on Council’s website at www.northernbeaches.nsw.gov.au

This fee must be paid prior to the issue of the Construction Certificate. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To provide for contributions in accordance with the Contribution Plan to fund the provision of new or augmented local infrastructure and services.

C. Delete Condition 7 - Fire Resisting Construction to read as follows:

The proposed building works associated with the dining room/kitchen extension is required to comply with Specification C1.1 Fire-resisting construction clause 2.1 of the Building Code of Australia. Details demonstrating compliance from an appropriately qualified Registered Certifier* are to be provided prior to the issue of the Construction Certificate.

Reason: To ensure adequate provision is made for fire safety and for building occupant safety.

Important Information

This letter should therefore be read in conjunction with DA2021/2409.

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 Clare Costanzo, Planner

Date 07/11/2022