

25 October 2018

Mod Urban Pty Ltd
PO Box R1702
ROYAL EXCHANGE NSW 1225

Dear Sir/Madam

Application Number: Mod2018/0196
Address: Lot 2 DP 1170245 , 0 Wharves And Jetties, MANLY NSW 2095
Lot 3 DP 1170245 , 0 Wharves And Jetties, MANLY NSW 2095
Lot 1 DP 1170245 , 0 Wharves And Jetties, MANLY NSW 2095
Lot 1 DP 809933 , 0 Wharves And Jetties, MANLY NSW 2095
Proposed Development: Modification of Development Consent DA0142/2011 granted for alterations and additions to Manly Wharf

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,



Rodney Piggott
Manager Development Assessments

NOTICE OF DETERMINATION

Application Number:	Mod2018/0196
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Mod Urban Pty Ltd
Land to be developed (Address):	Lot 2 DP 1170245 , 0 Wharves And Jetties MANLY NSW 2095 Lot 3 DP 1170245 , 0 Wharves And Jetties MANLY NSW 2095 Lot 1 DP 1170245 , 0 Wharves And Jetties MANLY NSW 2095 Lot 1 DP 809933 , 0 Wharves And Jetties MANLY NSW 2095
Proposed Development:	Modification of Development Consent DA0142/2011 granted for alterations and additions to Manly Wharf

DETERMINATION - APPROVED

Made on (Date)	17/10/2018
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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

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
N114471-01-01 (Manly Wharf Car Stacking)	17 April 2018	GTA Consultants

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

d) 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. (DACPLB01)

B. Add conditon No. 1A - External referral/approval

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
NSW Office of Environment and Heritage	Response OEH Referral	1/06/2018

(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 Department, Authority or Body's.

C. Modify Condition 60 to read as follows:

A contribution is to be paid prior to the issue of an Occupation Certificate for this consent for the provision, extension or augmentation of traffic and parking, environmental programs, streetscape and landscaping, community facilities and administration that will, or are likely to be, required as a consequence of development in the area.

Total contribution for this development for construction of a first floor addition to the existing Manly Wharf structure including two (2) restaurant tenancies with plant rooms is currently \$458,932.34 however the amount of the payment shall be in accordance with the Section 94 charges as at the date of the payment. The charges may vary at the time of payment in accordance with Council's Section 94 Contributions Plan to effect changes in land values, construction costs and the Consumer Price Index.

Section 94 Contributions calculations

Additional Gross Floor Area (GFA) - 1,339.7m².
 \$26,378.20 per 100m² GFA (2015-2016)
 Proposed additional GFA is 1,339.7m²
 (1,339.7/ 100) x \$26,378.20 = \$353,388.74

Plus the provision of 24 car parking spaces, or payment of contribution in lieu if they cannot be provided on site. The current amount of contribution (2015 – 2016) for each parking space not provided on site is Manly CBD - \$35,181.20 per space. The charges may vary at the time of payment in accordance with Council's Section 94 Contributions plan to effect changes in land values, construction costs and the Consumer Price Index.

Manly DCP 2013

1 car parking space per 40m² of service area.

The total proposed service area is 1241.2m²(Restaurant 1 serviced area 360.9m² + Restaurant 2 service area 405.2m² + outdoor dining area 195.8m² = 961.9)

961.9m² / 40 = 24 no. of car spaces required to be provided by the proposed development.

Parking contribution = 3 x \$35,181.20
 = \$105,543.60

Total Section 94 contributions = \$458,932.34

D. Add Condition 69 Valet Parking:

69. Valet Parking

The valet parking arrangement shall be provided in accordance with the traffic and parking assessment report by GTA consultants dated 17 April 2018 and the letter from GTA consultants to Ramon Kane Project Management dated 10 August 2018.

Reason: Adequate parking provisions (DACTRGOG2)

E. Add Condition 70 Signage:

70. Signage

Advisory signage shall be provided indicating when the carpark is full in accordance with a design and location submitted to and approved by Council.

Reason: To ensure efficient and safe manoeuvring into the carpark.

Important Information

This letter should therefore be read in conjunction with DA142/2011 dated 7 November 2013.

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



Name Rodney Piggott, Manager Development Assessments

Date 17/10/2018