

9 May 2022



London Lakes Partnership
Attn: Lance Doyle 3A Kendall Road
CASTLE COVE NSW 2069

Dear Sir/Madam

Application Number: Mod2022/0153
Address: Lot 7005 DP 1117451 , 1193 Barrenjoey Road, PALM BEACH NSW 2108
Lot 7002 DP 1117592 , 1193 Barrenjoey Road, PALM BEACH NSW 2108
Lot 298 DP 721522 , 1191 Barrenjoey Road, PALM BEACH NSW 2108
Proposed Development: Modification of Development Consent DA2021/0669 granted for Demolition works and construction of a new restaurant, carparking and associated uses

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,



Daniel Milliken
Manager Development Assessments

NOTICE OF DETERMINATION

Application Number:	Mod2022/0153
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	London Lakes Partnership
Land to be developed (Address):	Lot 7005 DP 1117451 , 1193 Barrenjoey Road PALM BEACH NSW 2108 Lot 7002 DP 1117592 , 1193 Barrenjoey Road PALM BEACH NSW 2108 Lot 298 DP 721522 , 1191 Barrenjoey Road PALM BEACH NSW 2108
Proposed Development:	Modification of Development Consent DA2021/0669 granted for Demolition works and construction of a new restaurant, carparking and associated uses

DETERMINATION - APPROVED

Made on (Date)	04/05/2022
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The request to modify the above-mentioned Development Consent has been approved as follows:

A. Modify Condition 28 to read as follows and move 'Prior to the Issue of an Occupation Certificate:

28. Environmental Management Plan

An Environmental Management Plan (EMP) shall be prepared for the approved development. The plan shall be prepared by a suitably qualified person and shall be to the satisfaction of Council prior to the issue of any occupation certificate and shall address:

Risk assessment of all Environmental Aspects and impacts to site and other potentially impacted properties

The impacts must at minimum consider the following areas:

- Hazardous Substances.
- Water
- Air.
- Noise.
- Vibration.
- Waste & Litter.
- Land.
- Community.
- Environmental Protection objectives and control strategies.

- Environmental conditions using measurable indicators and standards.
- Emergency Response Plan.
- Environmental monitoring and reporting plan.

Reason: To ensure the appropriate operation and management of the approved use.

B. Amend Condition 38 'Dangerous Goods Assessment' prior to the issue of a construction certificate to read as follows:

38. Dangerous Goods Storage

Details shall be provided with the construction certificate demonstrating that the structural recommendations of the report titled 'Assessment Report – DG Advice, Ref 20225, Revision 1, dated 4/08/2020' with regard to the storage of Boat Fuel and LPG have been incorporated into the construction certificate plans and documentation.

Details demonstrating compliance are to be provided to the Principle Certifying Authority prior to the issue of a construction certificate.

Reason: To ensure the safe handling and storage of dangerous goods.

C. Add Condition 'Dangerous Goods Storage and Management' prior to the issue of an Occupation Certificate to read as follows:

Details shall be provided with the Occupation Certificate demonstrating that the recommendations of the report titled 'Assessment Report – DG Advice, Ref 20225, Revision 1, dated 4/08/2020' have been incorporated into the Plan of Management and Environmental Management Plan. The Plan of Management for the site and Environmental Management Plan is to be updated to include the recommendations of the above referenced report with regards to the handling and storage of dangerous goods.

Details demonstrating compliance are to be provided to the Principle Certifying Authority prior to the issue of an occupation certificate.

Reason: To ensure the safe handling and storage of dangerous goods.

Important Information

This letter should therefore be read in conjunction with DA2021/0669 dated 15 December 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 Daniel Milliken, Manager Development Assessments

Date 04/05/2022