

1 August 2019



Jsalt Pty Ltd  
C/- Vaughan Milligan Development Consulting Pty Ltd PO Box 49  
NEWPORT BEACH NSW 2106

Dear Sir/Madam

**Application Number:** Mod2019/0361  
**Address:** Lot 1 DP 76807 , 29 - 33 Pittwater Road, MANLY NSW 2095  
**Proposed Development:** Modification of Development Consent DA2019/0083 granted for alterations and additions to an existing Mixed Use Development

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](http://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](mailto:council@northernbeaches.nsw.gov.au)

Regards,



Claire Ryan  
**Planner**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2019/0361
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	Jsalt Pty Ltd
<b>Land to be developed (Address):</b>	Lot 1 DP 76807 , 29 - 33 Pittwater Road MANLY NSW 2095
<b>Proposed Development:</b>	Modification of Development Consent DA2019/0083 granted for alterations and additions to an existing Mixed Use Development

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	31/07/2019
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The request to modify the above-mentioned Development Consent has been approved as follows:

#### A. Delete Condition No. 12 Rectification and Certification of Southern Wall:

12. DELETED

#### B. Add Condition No. 19A Rectification and Certification of Southern Wall to read as follows:

##### 19A. Rectification and Certification of Southern Wall

The existing southern wall is to be rectified to be wholly within the subject site's property boundaries. Certification shall be provided by a suitably qualified structural engineer that the remaining section of the southern wall can be made structurally sound. Details demonstrating compliance with this condition are to be provided to the satisfaction of the Certifying Authority prior to the issue of the Occupation Certificate.

Reason: To ensure development is wholly contained within the relevant property boundaries.

#### C. Amend Condition No. 21 No Boundary Encroachment to read as follows:

##### 21. No Boundary Encroachment

No portion of the proposed building or works are to encroach upon any other land, with the exception of the awnings approved on the northern and eastern elevations of the development. Details demonstrating compliance with this condition are to be provided to the satisfaction of the Certifying Authority prior to the issue of the Occupation Certificate.

Reason: To ensure structures are contained within the site.

### Important Information

This letter should therefore be read in conjunction with DA2019/0083.

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                      Claire Ryan, Planner

Date                      31/07/2019