

Attn Steve Findlay
Manager Development
Nth Beaches Council.

Section 96(1) Application 1320 Pittwater Road Narrabeen

DA 2016/0850

Mod 2017/0008

Mod2017/0074

This is a description of the required changes to the DA approved conditions issued by Northern Beaches Council in November 2016 and the subsequent DA modifications in 2017 mentioned above.

Background

The proposed changes to the DA are proposed to be for the wording only. No changes to the building approved are proposed in this modification application.

We do not envisage any new conditions to be added to the approval just the wording rectified to allow the DA approval for Staged Development to be workable.

The modification of the wording in the DA and the DA Modifications 2017/0008 & 0074 are required **because:**

- 1) **The the wording in the approved consent is inappropriate** for staged strata which was approved by Council. Please refer to the Mod2017/0008 and that:
- 2) There was no **Strata Development Contract** approved with the Staged Strata approval which is a requirement of Government Legislation Strata Schemes Development Act 2015 no 51.
- 3) Further **the consent did not stage the conditions** for the Staged Approval to allow the lots in the existing building to be sold and settled prior to the construction of the development lot.
- 4) Utility lots will be created in the car park of stage 2 which will be transferred to the residential lots 4,5 & 6 in the existing building once the new building is complete.

Proposed Modifications required;

1) Modification of the wording of the approval.

The new wording to be:

“Staged development for alterations and additions to shop top housing including new units, retail shop and basement car parking.

Reason;

-To allow for the staging of the development as approved.

-Deletion of the wording, “strata subdivision”, as this will be dealt with by a CDC (complying development certificate), so a **Strata Development Contract** can be approved.

Council has previously written to the applicant confirming the Development Contract can be dealt with by an accredited strata certifier.(letter enclosed)

2) Staging of the consent

Please break the approval conditions into 2 stages;

stage 1 the existing building.

Please note the building works in stage 1 are the fire rectification works specified in the proposed fire order AFSS01658 & BCA report GRS Building Report previously approved by Council. These works are subject of a separate Building Certificate application to be lodged with Council.

Stage 2 the conditions for the proposed building facing Lagoon Street including CC and OC.

Reason;

To allow the development to be built and sold in 2 stages as was approved.

3) Car Parking

Utility lots 13, 14, & 15 will be created as car parking spaces within the new building which will be transferred to residential units lots 4, 5 & 6 in the existing building stage 1 once stage 2 is built. (see attached plan)

Reason;

To provide car parking spaces for the existing building residential units as was approved.

Staging Plan

We enclose a copy of the staging plan that shows the stage 1 development and the stage 2 development on the stamped plans, this should be endorsed by Council.

This staging plan will be included with the strata plan and the development contract lodged with the LPI.

Note

It is necessary for the changes outlined above to **be approved in full** to facilitate the approvals already issued by Northern Beaches Council and satisfy the Government legislation namely Strata Schemes Development Act 2015 No 51.

Should you have any questions do not hesitate to contact the undersigned.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'T. Salter', with a long horizontal stroke extending to the right.

Todd Salter
Director
Volcano Pty Limited
16 June 2017