

8 July 2020

Mod Urban Pty Ltd
PO Box R1702
ROYAL EXCHANGE NSW 1225

Dear Sir/Madam

Application Number: Mod2020/0037
Address: Lot CP SP 10040 , 46 Victoria Parade, MANLY NSW 2095
Proposed Development: Modification of Development Consent DA367/2010 granted for Demolition of existing structures and construction of a seven (7) storey Residential Flat Building containing eleven 11 units with two 2 levels of basement car park decks and landscaping

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,

Steven Findlay
Manager Development Assessments

NOTICE OF DETERMINATION

Application Number:	Mod2020/0037
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Mod Urban Pty Ltd
Land to be developed (Address):	Lot CP SP 10040 , 46 Victoria Parade MANLY NSW 2095
Proposed Development:	Modification of Development Consent DA367/2010 granted for Demolition of existing structures and construction of a seven (7) storey Residential Flat Building containing eleven 11 units with two 2 levels of basement car park decks and landscaping

DETERMINATION - APPROVED

Made on (Date)	17/06/2020
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The request to modify the above-mentioned Development Consent has been approved as follows:

To ensure compatibility and quality and avoid ponding.**A. Add Condition No.DA1B - 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
2424-A509 - Rev 5 - Ausgrid (Detail Plan and Section)	10/01/2020	ARC Architects
2424-A001 - Rev 5 - Site Ground Plan	10/01/2020	ARC Architects
2424-A002 - Rev 6 - Level 1 Site Plan	10/01/2020	ARC Architects
2424-A201 - Rev 5 - East Elevation	10/01/2020	ARC Architects
2424-A202 - Rev 10 - South Elevation	10/01/2020	ARC Architects
2424 - Rev A - Exterior Materials -- Non-Trafficable Roof Terrace	Jan 2020	ARC Architects

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

c) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

d) The development is to be undertaken generally in accordance with the following:

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.

B. Add Condition 120. Non Trafficable Roof Over Driveway to read as follows:

The roof structure over the driveway access to the basement carpark is to be non-trafficable and accessed for maintenance purposes only.

Reason: To ensure adequate separation between the development and adjoining properties.

C. Add Condition 121. Compliance with Ausgrid Specifications to read as follows:

Details demonstrating compliance with and acceptance by Ausgrid of the south facing balustrade (referenced as "T/Glass Balustrade (shaded)" above the driveway roof satisfying the Ausgrid Specification. The glass must demonstrate resistance to both thermal shock and sustained heat with a 2kPa Blast Resistance. Written acceptance by Ausgrid of these details must be provided to Council and the Certifying Authority prior to the issue of a Final Occupation Certificate.

Reason: To ensure compliance with the Ausgrid requirements for developments adjacent to electricity substations.

C. Add Condition 122. Finish to read as follows:

The finish of the southern wall and planter bed wall, and western planter bed wall adjacent to the western boundary shall match and be of substantially the same quality as the existing building and be finished with Dulux acratex 3mm rendercoat – off white, in accordance with any applicable manufacturer's specifications and requirements.

Reason: To ensure compatibility and quality.

C. Add Condition 123. Structural Transfer Slab and Beam to read as follows:

The structural transfer slab and beam on top of the driveway access to the basement is to be sloped so as not to pond and is to be covered with the same sandy/brown washed river gravel as placed on the new slab over the driveway.

Reason: To ensure compatibility and quality and avoid ponding.

Important Information

This letter should therefore be read in conjunction with DA367/2010 dated 23 December 2011, DA367/2010/3 (MOD) dated 21 August 2014, MOD2019/0029 dated 29 July 2019 and MOD2019/0499 dated 18 March 2020..

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 Steven Findlay, Manager Development Assessments

Date 17/06/2020