

27th April 2021

Northern Beaches Council
PO Box 82
Manly NSW 1655

Attention – Nick Keeler

RE Section 4.55 Modification of DA/2021/0049 for a Pylon Sign at 762-770 Pittwater Road, Brookvale

The proposed section 4.55 seeks modification of condition 7 of the conditions of consent which requires the surrendering of an earlier approval being DA2019/0594 due to the conflict of both DA's having approval for a pylon sign at the front of the property.

The condition reads as follows

7. Surrender of Consent

The applicant shall surrender to Council Development Consent No: DA2019/0594 in accordance with the requirements of the Environmental Planning and Assessment Act 1979.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To prevent inconsistencies between consent applying the site (ref s4.17 (5) EPAA & c197 EPA Reg).

Our client Seadoo, who recently received approval DA2021/0049 lease the property from the owners Suttons, who hold the previous approval DA2019/0594. The Suttons approval is for substantial works to the building as well as a pylon sign in a different location to the Seadoo sign. Suttons do not want to surrender their approval for the building works which is delaying our client obtaining a construction certificate.

We submit this section 4.55 modification to the consent to remove or reword the condition to ensure that there is only ever a single pylon sign erected at any time to allow our client to continue to obtain their construction certificate. We have sought advice from our certifier for the project and they have advised that we should seek temporary approval of the pylon sign for the duration of the DA2019/0594 to ensure that only a single pylon sign is erected on the property in accordance with Northern Beaches Council's requirements. We are also happy to consider other alternatives should council consider this appropriate and would be happy to discuss council's proposed condition of consent prior to the determination of the section 4.55 modification to the consent.

Our client is keen to address this matter and would like condition 7 modified accordingly to allow the progress of these works and we would appreciate your earliest advice in this matter.

If there are any additional items required please let us know and direct all enquiries to Ashley Holt at ashley@rfarch.com.au, mobile 0417 045 483.

Regards



Ray Fitz-Gibbon
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Ray Fitz-Gibbon and Associates PL Architects