

31 March 2021



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

Dear Sir/Madam

Application Number: Mod2020/0232
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

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,



Lashta Haidari, Acting Development Assessment Manager

NOTICE OF DETERMINATION

Application Number:	Mod2020/0232
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Jsalt Pty Ltd
Land to be developed (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

DETERMINATION - APPROVED

Made on (Date)	24/03/2021
-----------------------	------------

The request to modify the above-mentioned Development Consent has been approved as follows:

A. Add Condition No.1A - 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
PR-01, Issue D	May 2020	Alastair Robb Architects
PR-02, Issue D	February 2021	Alastair Robb Architects
PR-03, Issue D	May 2020	Alastair Robb Architects
PR-04, Issue C	May 2020	Alastair Robb Architects
PR-05, Issue D	May 2020	Alastair Robb Architects
PR-06, Issue A	May 2020	Alastair Robb Architects

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

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

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

B. Add Condition 1C 'Staging of development' under Operational Conditions to read as follows:

The development may be staged in the following way:

- **Stage 1** - Carry out refurbishment works and approved alterations to the existing Ground Floor, First Floor and Second Floor Levels of the existing building in accordance with the approved development consent and approved architectural plans (as amended).
- **Stage 2** - Construct the additional Third Floor Level over the existing building levels of the existing building in accordance with the approved development consent and approved architectural plans (as amended).

Reason: To ensure the orderly and economic development of land.

C. Modify Condition 6 'Development Contributions - Commercial' to read as follows:

Stage 2 - Development Contribution – Commercial

A contribution of \$83,860.17 for commercial floorspace (286.3sqm approved under DA ply 5.3sqm under this Modification) is to be paid for the provision, extension or augmentation of local infrastructure that will, or is likely to, be required as a consequence this development pursuant to section 7.11 of the Environmental Planning and Assessment Act 1979 and the Manly Section 94 Contributions Plan 2004 (as amended).

The contribution shall be paid to Council prior to the release of the Construction Certificate for Stage 2.

The contribution must be adjusted by CPI at the time of payment. CPI should be taken from the date of consent for MOD2020/0232.

Total contribution applicable to 286sqm approved under DA2019/0083 is \$80,268.04

CPI adjustment to Dec 2020 is 1.02519548

CPI adjusted total contribution for DA2019/0087 as at Feb2021 is \$82,290.43

Additional floor area of 5.3sqm under MOD2020/0232 5.3sqm

Commercial/ Retail rate in Manly Precinct is \$29,617.62 per 100sqm GFA

Total contribution applicable for additional 5.3sqm is \$1,569.73

Total contribution for commercial development is \$83,860.17.

Reason: To enable the provision of public amenities and services required/anticipated as a consequence of increased demand resulting from the development

D. Amend Condition 7 'Development Contributions - Car Parking' to read as follows:

Stage 2 - Development Contribution – Car Parking

A contribution of \$191,674.55 for car parking is to be paid for the provision, extension or augmentation of local infrastructure that will, or is likely to, be required as a consequence this development pursuant to section 7.11 of the Environmental Planning and Assessment Act 1979 and the Manly Section 94 Contributions Plan 2004 (as amended).

The contribution shall be paid to Council prior to the release of the Construction Certificate for Stage 2.

The contribution must be adjusted by CPI at the time of payment. CPI should be taken from the date of consent for MOD2020/0232.

Total contribution for parking spaces, imposed under consent for DA2019/0083.

5 parking spaces x \$37,392.78 = \$186,963.90

CPI adjustment to Dec 2020 is 1.02519548

CPI adjusted total contribution applicable per DA2019/0087 as at Feb 2021

Total contribution for Car Parking is \$191,674.55.

Reason: To enable the provision of public amenities and services required/anticipated as a consequence of increased demand resulting from the development.

Important Information

This letter should therefore be read in conjunction with DA2019/0083 dated 10 July 2019, MOD2019/0361 dated 31 July 20219 and MOD2019/0377 dated 12 August 2019..

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

Lashta Haidari, Acting Development Assessment Manager

Date 24/03/2021