

7 June 2017
Ref: 130115.04.17

Northern Beaches Council
725 Pittwater Road
Dee Why NSW 2099



Re: Sec96 (1A) DA 2016/0874: 22 – 26 Albert Street, Freshwater

Dear Sir / Madam,

Further to our review of the above consent conditions, we hereby apply for a S96 (1A) amendment of Condition 10 as follows.

We require that the subdivision application be lodged with council as soon as the walls, slabs and services that form the location of the approved boundaries and easements have been constructed.

This construction will occur before any Occupation Certificate is issued (especially for the units) and we want to have the subdivision registered prior to lodging the strata plans due to the time taken by the LPI to register. As in all stratum and strata subdivisions the titling and registration should occur once all structure is built, Section 73 obtained, easements created and council sign the subdivision certificate. The occupation certificate is not related to titling and can be run parallel with the process and subject to the conditions of the building DA.

The ideal scenario is to have the subdivision strata plans registered at LPI on the same day the O.C is issued to allow settlement notices to be issued to purchasers.

If subdivision certificates and strata certificates are linked to O.C then potentially the development is left finished and empty for 10-12 weeks after O.C due to the subdivision having to be signed by council and then lodged with LPI. This is not necessary as the subdivision process should not be linked to the building works DA.

With this development the walls, slabs and services required to create approved boundaries and easements will be finalised for the **retail and carpark** well before the **residential units** which will enable us to finish the plan and lodge with council for subdivision certificate.

As a result we require Condition **10** be deleted or amended to read the following:

2. Subdivision

'A certificate is required from a Registered Surveyor to be submitted prior to the issue of the subdivision certificate certifying that all walls, slabs and services that form approved boundaries and easements have been constructed'.

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We trust this request is in order and await your prompt advice. Should you have any questions regarding this matter please do not hesitate to contact Karl Robertson at this office.

Yours sincerely,

Karl Robertson

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