

31 March 2016



Karimbla Constructions Services (Nsw) Pty Ltd  
Level 11, 528 Kent Street  
SYDNEY NSW 2000

Dear Sir/Madam

**Application Number:** Mod2016/0010

**Address:** Lot 3 DP 307937 , 896 Pittwater Road, DEE WHY NSW 2099  
Lot 1 DP 307937 , 896 Pittwater Road, DEE WHY NSW 2099  
Lot A DP 416469 , 894 Pittwater Road, DEE WHY NSW 2099  
Lot 1 DP 504212 , 892 Pittwater Road, DEE WHY NSW 2099  
Lot 10 DP 231418 , 890 Pittwater Road, DEE WHY NSW 2099  
Lot 11 DP 231418 , 888 Pittwater Road, DEE WHY NSW 2099  
Lot A DP 339410 , 884 Pittwater Road, DEE WHY NSW 2099  
Lot 7 DP 8172 , 9 Howard Avenue, DEE WHY NSW 2099  
Lot 1 DP 209503 , 11 Howard Avenue, DEE WHY NSW 2099  
Lot 1 DP 212382 , 15 Howard Avenue, DEE WHY NSW 2099  
Lot 2 DP 212382 , 17 Howard Avenue, DEE WHY NSW 2099  
Lot 3 DP 212382 , 28 Oaks Avenue, DEE WHY NSW 2099  
Lot A DP 371110 , 14 Oaks Avenue, DEE WHY NSW 2099  
Lot B DP 371110 , 16 Oaks Avenue, DEE WHY NSW 2099

**Proposed Development:** Modification of Development Consent No. DA2015/0612 granted for Drainage and Stormwater Management Works and Installation of Shoring Walls and Bulk Excavation to prune selected street trees

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 eServices website at [www.warringah.nsw.gov.au](http://www.warringah.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 (02) 9942 2111 or via email quoting the application number, address and description of works to [council@warringah.nsw.gov.au](mailto:council@warringah.nsw.gov.au)

Regards,

Lashta Haidari  
**Senior Development Planner**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2016/0010
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	Karimbla Constructions Services (Nsw) Pty Ltd
<b>Land to be developed (Address):</b>	Lot 3 DP 307937 , 896 Pittwater Road DEE WHY NSW 2099 Lot 1 DP 307937 , 896 Pittwater Road DEE WHY NSW 2099 Lot A DP 416469 , 894 Pittwater Road DEE WHY NSW 2099 Lot 1 DP 504212 , 892 Pittwater Road DEE WHY NSW 2099 Lot 10 DP 231418 , 890 Pittwater Road DEE WHY NSW 2099 Lot 11 DP 231418 , 888 Pittwater Road DEE WHY NSW 2099 Lot A DP 339410 , 884 Pittwater Road DEE WHY NSW 2099 Lot 7 DP 8172 , 9 Howard Avenue DEE WHY NSW 2099 Lot 1 DP 209503 , 11 Howard Avenue DEE WHY NSW 2099 Lot 1 DP 212382 , 15 Howard Avenue DEE WHY NSW 2099 Lot 2 DP 212382 , 17 Howard Avenue DEE WHY NSW 2099 Lot 3 DP 212382 , 28 Oaks Avenue DEE WHY NSW 2099 Lot A DP 371110 , 14 Oaks Avenue DEE WHY NSW 2099 Lot B DP 371110 , 16 Oaks Avenue DEE WHY NSW 2099
<b>Proposed Development:</b>	Modification of Development Consent No. DA2015/0612 granted for Drainage and Stormwater Management Works and Installation of Shoring Walls and Bulk Excavation to prune selected street trees

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	31/03/2016
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The request to modify the above-mentioned Development Consent has been approved as follows:

**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
CV-0001 rev 6	1 October 2015	Enstruct

CV-0002 rev 4	1 October 2015	Enstruct
CV-0005 rev 3	1 October 2015	Enstruct

<b>Engineering Plans</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
SKC05 Issue A	23 September 2015	AT&L
SKC06 Issue A	23 September 2015	AT&L
1790 P02	9 November 2015	Storm
1790 P03	9 November 2015	Storm
1790 P04	9 November 2015	Storm
1790 P05	9 November 2015	Storm

<b>Reports / Documentation – All recommendations and requirements contained within:</b>		
<b>Report No. / Page No. / Section No.</b>	<b>Dated</b>	<b>Prepared By</b>
Excavation Works - Noise and Vibration Impact Assessment	31 July 2015	Acoustic Logic
Flora and Fauna Assessment	19 October 2015	Niche
Flora and Fauna Assessment - Supplementary Report	16 November 2015	Niche
Construction Traffic Management Plan (revision 6)	18 November 2015	SBMG Pty Ltd
Desktop Summary - Geotechnical, Groundwater and Contamination	15 August 2014	Coffey
Supplementary Groundwater Assessment	22 June 2015	Coffey
Arboricultural Assessment Report	8 September 2015	TALC

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

<b>Waste Management Plan</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
Waste Management Plan	30 July 2015	Karimbla Construction Services

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

**Modify Condition 16 - Tree protection and roots to read as follows:**

(a) Existing trees which must be retained (Tree Root Protection)

Trees numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20 and 21 in the Arboricultural Assessment Report dated 8 September 2015 prepared by TALC

(b) Tree protection

i) No tree roots greater than 50mm diameter are to be cut from protected trees unless authorised by a qualified Arborist on site.

ii) All structures are to bridge tree roots greater than 50mm diameter unless directed otherwise by a qualified Arborist on site.

iii) All tree protection to be in accordance with the recommendations of the Arboricultural Assessment Report dated 8

September 2015 prepared by TALC and AS4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures.

iv) All tree pruning is to be in accordance with WDCP2011 Clause E1 Private Property Tree Management and AS 4373 Pruning of amenity trees AS4970-2009 Protection of trees on development sites.

iv) All tree protection measures, including fencing, are to be in place prior to commencement of works.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site. (DACLAC01)

## Important Information

This letter should therefore be read in conjunction with DA2015/0612 dated 22 December 2015..

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.

Section 97AA 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.

## Right to Review by the Council

You may request the Council to review the determination of the application under Section 96AB of the Environmental Planning and Assessment Act 1979. Any request to review the application must be lodged and determined within 28 days after the date of the determination shown on this notice.

*NOTE: A fee will apply for any request to review the determination.*

**Signed**            On behalf of the Consent Authority

Signature            \_\_\_\_\_

Name                Lashta Haidari, Senior Development Planner

Date                 31/03/2016