

3 April 2006

S Gillespie
638 Pittwater Road
BROOKVALE NSW 2100

98/318 - (6000/7104)MOD1
LP (PAS)

Dear Sir / Madam,

**RE: NO. 638 PITTWATER ROAD, BROOKVALE
MODIFICATION OF DEVELOPMENT CONSENT NO. 98/318 - (6000/7104)**

We are writing to advise that the request to modify the above-mentioned Development Consent has been approved on 31 March 2006 and determined as follows:

- **Modification to Condition No. 1 to read as follows:**

1. Development being generally in accordance with plan numbered 9714 DA1, dated June 1998, submitted 30 June 1998, as modified by plan numbered 1390-1 (Revision C), dated August 2004, and by markings in red and any conditions of this consent / approval.

- **Modification to Condition No. 7 to read as follows:**

7. Car parking for a minimum of twenty-nine (29) vehicles shall be provided on the site. The car parking spaces are to be line-marked in accordance with the provisions of AS 2890.1. The car parking spaces shall be used for parking purposes only.

- **Imposition of Condition No. 11 to read as follows:**

11. Deletion of Stack Parking Bays

The stack car parking bays numbered 16, 17, 18 and 19, as indicated on plan numbered 1390-1 (Revision C), dated August 2004, are to be deleted.

Reason: *To ensure efficient maneuverability of vehicles within the car parking areas and safety.*

This letter should therefore be read in conjunction with Development Consent 98/318 dated 11 November 1998 and Modification No. 1 dated 31 March 2006. Please find attached a consolidated set of conditions incorporating both modifications of consent.

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 97(1) of the Environmental Planning and Assessment Act confers on the applicant who is not satisfied with the determination of the Consent Authority has a right of appeal to the Land and Environment Court exercisable within 12 months of receipt of this notice.

You may request the Council to review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979. Any request to review the application must be within 12 months after the date of determination shown on this notice.

Should you have any further enquiries in connection with this matter, please contact the referred to Enquiry Officer.

The appropriately stamped plan/s to which the modification of consent has now been granted is available for collection at Councils Customer Service Centre. Please note that if you nominate Council to assess your Construction Certificate, associated forms and information regarding what to submit is also enclosed in the determination kit.

It is Council's policy not to forward these by mail to ensure safe receipt of these important documents. When collecting your Modified Consent and accompanying documents, please bring this letter with you for identification purposes. The Customer Service Centre is open between 8.30am and 5pm Monday to Friday (excluding Public Holidays).

Work must also be in accordance with the relevant MODIFIED conditions of the Development Consent.

Should you require any further information on this matter, please contact **Simon Ip** between the hours of 9.30am and 10.30am or 3.00pm and 4.00pm, Monday to Friday, on telephone number **9942 2111**, or at any time on facsimile number **9971 4522**.

Details of development applications lodged after July 1, 2005 are also available online, to access this facility please visit our DA's Online System at www.warringah.nsw.gov.au.

Yours faithfully,

Philip Hoffman
Senior Team Leader

**Consolidated Conditions of Modification No.1 Approved 31 March 2006,
of Development Consent 98/318 Approved 11 November 1998**

Modification to Condition No. 1 to read as follows:

1. Development being generally in accordance with plan numbered 9714 DA1, dated June 1998, submitted 30 June 1998, as modified by plan numbered 1390-1 (Revision C), dated August 2004, and by markings in red and any conditions of this consent / approval.
2. No signs to be displayed without a separate approval where required under Council's Local Environmental Plan. (A3)
3. The colours, texture and substance of all external components of the building and hard surfaced areas being submitted for approval with the Building Application. (A4)
4. A sample board indicating colours, texture and substance of all external components of the building and hard surfaced areas being submitted for approval with the Building Application. (A5)
5. The existing building being upgraded to be commensurate with the proposed building. Details to be provided with the Building Application. (A8)
6. The payment of the following contribution pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, as amended prior to the release of building approval.
\$556.80 to S94 Plan Part I - Roads and Traffic Management (AC 28023)
The above amounts are subject to quarterly adjustment based on economic trends they are current until such adjustment. Final assessment will be made at the time of payment prior to release of building approval or linen plan having consideration of such revised adjustments.

Modification to Condition No. 7 to read as follows:

7. Car parking for a minimum of twenty-nine (29) vehicles shall be provided on the site. The car parking spaces are to be line-marked in accordance with the provisions of AS 2890.1. The car parking spaces shall be used for parking purposes only.
8. Trade materials, product and plant to be kept within the confines of the building at all times. (E1)
9. The consolidation of Lots 1, DP 922247, Lots 1 and 2, DP 456138 and Lot 1, DP 511307 as one lot and the registration of the appropriate survey plan by the Land Titles Office prior to the finalisation of building approval. (N1)
10. Loading and unloading shall not take place outside approved loading areas. (C31)

**Consolidated Conditions of Modification No.1 Approved 31 March 2006,
of Development Consent 98/318 Approved 11 November 1998**

- **Imposition of Condition No. 11 to read as follows:**

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***Reason:** To ensure efficient maneuverability of vehicles within the car parking areas and safety.*

11.