



**Warringah  
Council**

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14 October 2013



Wood Park Pty Limited  
C/- Humel Architects  
PO Box 1666  
DEE WHY NSW 2099

LP (ENV)

Dear Sir / Madam,

**RE: Modification Application No: Mod2013/0079 - (DA2002/1314)**  
**Description: Modification of Development Consent DA2002/1314 granted for**  
**Demolition of existing buildings situated on the site and the Construction**  
**of a New Motor Showroom with associated offices**  
**Address: 762-770 Pittwater Road Brookvale**

We are writing to advise that the request to modify the above-mentioned Development Consent has been refused on 10 October 2013 as follows:

1. **Assessment - Environmental Planning and Assessment Act 1979 - Section 96(2)**
  - A) Pursuant to Section 96 (2) and Section 79C (1)(a)(iii) and (b) of the Environmental Planning and Assessment Act, 1979, the proposed development is inconsistent with the following provisions of the Warringah Development Control Plan 2011:
    - (i) Clause C2 - Traffic Access and Safety
    - (ii) Clause C3 - Parking Facilities
    - (iii) Clause C4 - Stormwater
  - B) Insufficient information was submitted to make a complete and proper assessment of the application in relation to the following:
    - (i) Carparking provisions
    - (ii) Loading and Servicing arrangements
    - (iii) Stormwater provisions

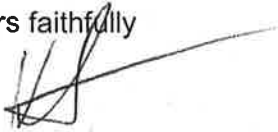
Section 97AA of the Environmental Planning and Assessment Act confers on an applicant who is not satisfied with the determination of the Consent Authority a right of appeal to the Land and Environment Court within 6 months of determination.

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.

Should you require any further information on this matter, please contact **Kevin Short** 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 are available online, to access this facility please visit Application Search at [www.warringah.nsw.gov.au](http://www.warringah.nsw.gov.au).

Yours faithfully

A handwritten signature in black ink, appearing to be 'K Short', written over a horizontal line.

Kevin Short  
**Development Assessment Officer**

Encl.

