

11 September 2006

JBA URBAN PLANNING
Attn: K Osborne
Level 2, 97 Pacific Highway
North Sydney NSW 2060

Dear Sir / Madam,

**RE: 4-6 NIANGALA CLOSE BELROSE
MODIFICATION OF DEVELOPMENT CONSENT NO. 2001/1615/MOD2**

We are writing to advise that the request to modify the above-mentioned Development Consent has been approved on **11 September 2006** and determined as follows:

“That the Section 96(1A) application (2001/1615/1) to modify the existing bulky goods retail outlet, shops, restaurants and associated parking to provide a stairway linking the lower and upper level rooftop carparking areas, at Lot 1, DP 880191, 4 - 6 Niangala Close, Belrose be approved subject to:

Replace condition 1 with:

1. Approved Plans And Supporting Documentation

The development is to be carried out in compliance with the following plans as highlighted in red and documentation listed below and endorsed with Council’s stamp, except where amended by conditions of consent:

Drawing No.	Drawing Title	Revision No.	Dated	Prepared By
D.101			5 February 2002	
D.103			5 February 2002	
D.104			5 February 2002	
D.105			5 February 2002	
D.106			5 February 2002	
DA 1.02			Stamped by Council 13 February 2002	

DA 2.01			29.10.01	
DA 2.10			29.10.01	
DA 2.11			29.10.01	
RM1		B	6.02.02	
RM2		A	6.02.02	
LP-SD-01		B	17.10.01	

As amended by modification 1 of consent by the highlighted sections on plans numbered:

DA.106	Second Floor Level		14/09/05	Billard Leece Partners Pty Ltd
DA.107	Roof Level		14/09/05	Billard Leece Partners Pty Ltd
DA .201	Elevations		14/09/05	Billard Leece Partners Pty Ltd
DA.211	Sections		14/09/05	Billard Leece Partners Pty Ltd

As amended by modification 2 of consent by the highlighted sections on plans numbered:

SK 10.07	Site Plan NTS		July 2006	Billard Leece Partners Pty Ltd
SK 10.08	Plan	A	July 2006	Billard Leece Partners Pty Ltd
SK 10.09	Elevation	A	July 2006	Billard Leece Partners Pty Ltd
SK 10.10	Perspective 01	A	July 2006	Billard Leece Partners Pty Ltd
SK 10.11	Perspective 02	A	July 2006	Billard Leece Partners Pty Ltd

No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

Note: *Further information on Construction Certificates can be obtained by contacting Council's Call Centre on 9942 2111, Council's website or at the Planning and Assessment Counter.*

Reason: *To ensure the work is carried out in accordance with the determination of Council and approved plans. [A1 (1)]"*

This letter should therefore be read in conjunction with Development Consent 2001/1615 dated 11 May 2004 and Modification 1 dated 16 February 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.

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 **Rodney Piggott** 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,

Peter Robinson
Manager Major Developments
Planning and Assessment Services