

1 April 2016



Karimbla Properties (No41) Pty Ltd  
Lvl 11, 528 Kent Street  
SYDNEY NSW 2000

Dear Sir/Madam

**Application Number:** Mod2016/0041

**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

**Proposed Development:** Modification of Development Consent DA2014/0805 granted for Demolition Works - Amend condition 3 to allow for amended construction noise levels

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>	Mod2016/0041
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	Karimbla Properties (No41) 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
<b>Proposed Development:</b>	Modification of Development Consent DA2014/0805 granted for Demolition Works - Amend condition 3 to allow for amended construction noise levels

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	01/04/2016
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The request to modify the above-mentioned Development Consent has been approved as follows:

#### **Modify Condition 3. General Requirements (Demolition) to read as follows:**

(a) Unless authorised by Council:

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

(b) At all times after the submission a Notice of Commencement to Council, a copy of the Development Consent is to remain onsite at all times until completion of demolition works. The consent shall be available for perusal of any Authorised Officer.

(c) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.

(d) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.

(e) The applicant shall bear the cost of all works that occur on Council's property.

(f) No building, demolition, excavation or material of any nature shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.

(g) Demolition materials and builders' wastes are to be removed to approved waste/recycling

(h) Any noise from the premise shall not exceed more than 5dB(A) above the background level when measured from within any property boundary and will comply with the Environment Protection Authority's NSW Industrial Noise Policy and any appropriate guidelines or legislation to prevent offensive noise.

(i) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community. (DACPLB10)

### **Important Information**

This letter should therefore be read in conjunction with DA2014/0805 dated 9 September 2014..

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 01/04/2016