

23 October 2009

Plan 4 Property and Planning  
PO Box 527  
GORDON NSW 2072

TF(PDS)

Dear Sir/Madam,

**RE: Development Application No. DA2009/0392**  
**Description: Demolition of structure and construction of a building supply and hardware establishment**  
**Address: 19/9-13 Winbourne Road, Brookvale**

We are writing to advise that Council, on 23 October 2009, determined your Development Application by Deferred Commencement in accordance with Section 80(3) of the Environmental, Planning & Assessment Act 1979.

Please note that the consent is **not operative** until the following deferred commencement conditions have been satisfied.

**Diversion of Council's stormwater pipeline Compliance Certification**

Drainage plans detailing the provision of the diversion of Council's stormwater pipeline in the area immediately adjacent to the development lot in accordance with Warringah Council's AUS-SPEC #1, Council's "Building Over or Adjacent to Constructed Council Drainage system and Easements" Policy, PAS-PL 130 and specifications are to be submitted to Council for assessment and approval prior to the activation of the consent. The capacity of the new drainage system is to be equivalent to the existing stormwater system traversing the subject site.

***Reason: Ensure engineering works are designed in accordance with relevant standards. (DACENC17)***

Evidence required to satisfy these conditions must be submitted to Council within 24 months of the date of this consent, or the consent will lapse in accordance with Section 95 of the Environmental Planning and Assessment Regulation 2000.

Upon satisfaction of the deferred commencement condition/s, the following conditions apply:

The evidence required to satisfy these conditions **must** be submitted to Council within 24 months of the date of this Deferred Commencement Consent.

Upon compliance with the deferred commencement conditions, the consent shall be operative for Development Application DA2009/0392 subject to the conditions in the Notice of Determination.

(Note: Implementing development consent prior to written confirmation may result in legal proceedings. If such proceedings are required Council may seek all costs associated with such proceedings as well as any penalty or order that the Court may

impose. No Construction Certificate can be issued until all conditions; including this condition have been satisfied).

**You may apply for modification of the conditions attached to your deferred commencement under Section 96 of the Environmental Planning and Assessment Act 1979.**

**Please read your deferred commencement carefully** as you are required to undertake and complete specific tasks before the consent is operative. A Construction Certificate cannot be issued and subsequent works cannot commence until Council acknowledges, in writing, that the conditions for deferred commencement have been satisfied.

Please note that your Notice of Determination will lapse 3 years from the date on which your deferred commencement consent becomes operative.

Your Notice of Determination and plans are now available for collection at Council's Customer Service Centre.

It is Council's policy not to forward these documents by mail to ensure safe receipt. Please note that Council can only release the consent to the applicant, nominated on the application form. Please bring this letter (original only) and photo identification with you for collection purposes. If the person collecting the consent is not the applicant, then they must present a letter of authorisation from the applicant as well as photo identification. Development Consents that are not collected within 30 days of notification will be filed and can be retrieved by giving three days notice in advance.

Should you require any further information, please contact **Cynthia Chan** 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 E-Services at [www.warringah.nsw.gov.au](http://www.warringah.nsw.gov.au).

Yours faithfully

Cynthia Chan  
**Development Assessment Officer**  
**Planning and Development Services**

