

19 February 2016



Karimbla Constructions Services (Nsw) Pty Ltd  
Level 11, 528 Kent Street  
SYDNEY NSW 2000

Dear Sir/Madam

**Application Number:** Mod2016/0034

**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  
Lot A DP 371110 , 14 Oaks Avenue, DEE WHY NSW 2099  
Lot B DP 371110 , 16 Oaks Avenue, DEE WHY NSW 2099

**Proposed Development:** Modification of Consent No. DA2015/0612 granted for Drainage and Stormwater Management works and Installation of shoring walls and bulk excavation

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>	Mod2016/0034
<b>Determination Type:</b>	Modification of Development Consent

**APPLICATION DETAILS**

<b>Applicant:</b>	Karimbla Constructions Services (Nsw) 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 Lot A DP 371110 , 14 Oaks Avenue DEE WHY NSW 2099 Lot B DP 371110 , 16 Oaks Avenue DEE WHY NSW 2099
<b>Proposed Development:</b>	Modification of Consent No. DA2015/0612 granted for Drainage and Stormwater Management works and Installation of shoring walls and bulk excavation

**DETERMINATION - APPROVED**

<b>Made on (Date)</b>	19/02/2016
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The request to modify the above-mentioned Development Consent has been approved as follows:

**A. Modify Condition <25 -Dilapidation Survey> to read as follows:**

A photographic survey of adjoining properties, being No. 882A Pittwater Road, No. 880 Pittwater Road (also known as No. 10 Oaks Avenue) and No. 23 Howard Avenue Dee Why detailing the physical condition of those properties, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items, SHALL BE submitted to Council/Accredited Certifier prior to the commencement of any works. This survey is to be prepared by an appropriately qualified person.

On completion of the excavation and building works and prior to occupation of the building, a certificate prepared by the appropriately qualified person to the effect that no damage has resulted to adjoining premises, is to be provided to the Principal Certifying Authority. If damage is identified by the appropriately qualified person which is considered to require rectification, the damage shall be rectified or a satisfactory agreement for rectification of the damage is to be made with the affected person/s as soon as possible and prior to a final Occupation Certificate being issued.

All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this Consent. In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate, in writing, to the satisfaction of Council/Accredited Certifier that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

(Note: This documentation is for record keeping purposes only, and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible)

Reason: Proper management of records and protection of adjoining properties.

## Important Information

This letter should therefore be read in conjunction with DA2015/0612, dated 22 December 2015.

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                 19/02/2016