



Warringah Council

NOTICE OF DETERMINATION

Application Number: DA2007/1085

APPLICATION DETAILS

Applicant Name: Minna Austlink 501 Pty Ltd
4 Minna Close
BELROSE NSW 2085

Applicant Address: 4 Minna Close BELROSE NSW 2085

Land to be developed (Address): Lot 502 DP 875858 4 Minna Close BELROSE NSW 2085

Proposed Development: Temporary Real Estate Sign

DETERMINATION - APPROVED

Made on (Date): 1 February 2008

Consent to operate from (Date): 1 February 2008

Consent to lapse on (Date): 1 February 2011

Details of Conditions

The conditions, which have been applied to the consent, aim to ensure that the Environmental Impacts of Development are minimised and the Health and Safety of the community is maintained in accordance with the relevant standards and the Building Code of Australia.

NOTE:

If the works are to be certified by a Private Certifying Authority, then it is the certifier's responsibility to ensure all outstanding fees and bonds have been paid to Council prior to the issue of the Construction Certificate or as otherwise specified by Consent conditions.

Pursuant to Section 95(2) of the Environmental Planning and Assessment Act 1979, Council has varied the provisions of Section 95(1) and advise that the consent will lapse 3 years from the date upon which the consent operates.

Section 95A of the Environmental Planning and Assessment Act 1979, allows for an extension of 1 year to the period in which the consent will lapse, except for complying development. Such an application must be made in accordance with Clause 114 of the Environmental Planning and Assessment Regulation 2000.



Warringah Council

GENERAL CONDITIONS

CONDITIONS THAT IDENTIFY APPROVED PLANS

1. Approved Plans And Supporting Documentation

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

Drawing No.	Drawing Title	Revision No.	Revision Date	Prepared By
Sheet 1 of 1	Detail Survey	N/A	22 October 2001	William L Backhouse
Drawing 1	Proposed Real Estate Sign	N/A	Not Stated	Not Stated

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.

2. Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

Reason: Prescribed - Statutory.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

3. Kerb Security Bond

A bond of \$500.00 shall be deposited with Council and inspection fees paid, prior to the issue of any construction certificate, against the potential for damage to Council's footpath and road reserve infrastructure during the construction process.

Reason: To ensure appropriate security is in place for the protection or repair of Public Infrastructure. **[C16]**



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CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

4. Excavation/Building Works

No excavation or building works shall be carried out until a Construction Certificate has been issued.

Reason: To ensure compliance with statutory provisions.

5. Notice of Commencement

At least 2 days prior to work commencing on site Council must be informed, by the submission of a Notice of Commencement in Accordance with Section 81A of the Environmental Planning and Assessment Act 1979 of the name and details of the Principal Certifying Authority and the date construction work is proposed to commence.

Reason: Legislative requirement for the naming of the PCA.

CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

6. Construction Hours

Building construction shall be restricted to within the hours of 7.00 am to 5.00 pm Monday to Friday and on Saturday to within the hours of 8.00 am to 1.00 pm inclusive, with no work on Sundays and Public Holidays.

Demolition and excavation works shall be restricted to within the hours of 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).

Where it is necessary for works to occur outside those hours allowed by these conditions, approval for such will be subject to issue of a permit on each occasion from Council's Customer Services Centre. Such permit must be obtained and the appropriate fee paid at least two (2) clear working days in advance of each relevant date. Such occurrence shall be limited to two occasions per calendar month and shall only be approved if public safety or convenience is at risk.

Note: Failure to obtain a permit for work outside of the approved hours will result in on the spot fines being issued, or Council pursuing any action required (including legal proceedings) to have the out of hours work cease, without prior warning.

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



7. Prohibition on Use of Pavements

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

Reason: To ensure public safety and amenity on public land.

8. Height

The height of the proposed development shall be 2.7m measured from ground level at the base of the sign.

Reason: To ensure compliance with the terms of this development consent. [E3]

9. Vegetation Clearing

The vegetation on road reserve and adjacent properties to the south-east is the endangered ecological community, Duffys Forest. The methods used to erect the sign must ensure that disturbances to the vegetation such as pruning of tree branches, clearance of understorey plants, and excavation of the soil profile do not occur.

Reason: Protection of endangered vegetation

10. Sign shall be contained within property boundaries

The proposed signage is to be located entirely within the property boundaries of the subject site.

Reason: Compliance with terms of approval.

11. Illumination Curfew

The illumination of the signage must cease between the hours of midnight and 6am 7 days a week. No flashing or "moving" lights or elements are permitted to be fitted to the signage.

Reason: To ensure appropriate forms of signage that are consistent with Council's controls and those that are desired for the locality, and do not interfere with amenity of nearby properties.

12. Consent Duration

This consent allows the signage to remain for a period of 18 months only, from the date of determination. All signage and associated structure must be removed at the appointed date.

Reason: To avoid future signage clutter and degradation of the amenity.

Review of Determination

You may request Council review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979. The review must be determined within 12 months.

NOTE: A fee will apply for any request to review the determination.



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Right of Appeal

If you are dissatisfied with this decision Section 97 of the Environmental Planning & Assessment Act 1979 may give you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

Signed _____ on behalf of the consent authority

Signature _____

Rod Piggott
Team Leader – Development Assessment.

1 February 2008