



Our reference: 20/04652
LOC No: 618678

First Last: Elizabeth Lobo
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Mr Vaughan Milligan
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31 July 2020

Dear Sir

**Consent for
development
comprising:**

**Crown Land
Crown reserve
Parish
County**

Proposed use of outdoor terrace within the adjacent
Reserve 49115 and amendment to hours of operation
and number of patrons for existing approved
restaurant
Part Lot 7069 DP 1058602
Lake Park R49115 for Public Recreation
Narrabeen
Cumberland

Consent is granted by the Minister administering the *Crown Land Management Act 2016* to the lodgement of applications for approval under the *Environmental Planning and Assessment Act 1979*, and other associated applications required under other legislation, for the development proposal described above.

The Land Owner Consent is granted conditional to the following:

1. Land Owner Consent will expire after a period of 12 months from the date of this letter if not acted on within that time. Extensions of this consent may be sought
2. You are required to forward a copy of the approval to the NSW Department of Industry - Lands and Water ("the Department") after approval and prior to commencing works.
3. You are required to ensure that the approval provided is consistent with this Land Owner Consent.
4. The Land Owner Consent is provided for the works detailed on the plans provided by you and retained by the Department as DOC20/136769.

Land Owner Consent is granted in accordance with the following:

- Land Owner Consent is given without prejudice so that consideration of the proposed development may proceed under the *Environmental Planning and Assessment Act 1979* and any other relevant legislation;
- The grant of this Land Owner Consent does not guarantee that any subsequent authority to occupy will be granted;
- Land Owner Consent does not imply the concurrence of the Minister administering the *Crown Land Management Act 2016* for the proposed development and does not provide authorisation under the *Crown Land Management Act 2016* for this proposal;

- The issue of Land Owner Consent does not prevent the Department from making any submission commenting on, supporting or opposing an application;
- The Minister reserves the right to issue Land Owner Consent for the lodgement of applications for any other development proposals on the subject land concurrent with this Land Owner Consent;
- Any changes made to the proposal, including those imposed by the consent authority, must be consistent with the Land Owner Consent and therefore if modifications are made to the proposed development details must be provided to the Department for approval;
- Land Owner Consent also allows application to any other approval authority necessary for this development proposal.

This letter should be submitted to the relevant consent or approval authority in conjunction with the development application and/or any other application. You are responsible for identifying and obtaining all other consents, approvals and permits required under NSW and Commonwealth laws from other agencies for the proposed development.

It is important that you understand your obligations relating to Condition 3. If any alterations are made to the application (whether in the course of assessment, by conditions of consent, or otherwise), it is your responsibility to ensure the amended or modified development remains consistent with this Land Owner Consent. If there is any inconsistency or uncertainty you are required to contact the Department before undertaking the development to ensure that the Department consents to the changes. A subsequent LOC application may incur additional application fees.

It is advised that the Department will provide Northern Beaches Council a copy of this Land Owner Consent and will request that Council notify the Department of the subsequent development application, for potential comment, as part of any public notification procedure.

During the assessment the Department conducted an Aboriginal Heritage Information Management System (AHIMS) search and [1] Aboriginal site has been recorded in or near the proposed development site and/or there are natural landscape features that indicate the potential presence of Aboriginal heritage in or near the proposed development site. You are required to undertake the due diligence process to identify if any Aboriginal heritage is present at or nearby the proposal site and should seek further advice from NSW Office of Environment and Heritage (OEH).

For further information, please contact Elizabeth Lobo via the details given in the letter head.

Yours sincerely



Elizabeth Lobo
Senior Property Management Officer
Department of Planning, Industry & Environment -Crown Lands

Cc: Northern Beaches Council
Attention Jeremy Smith, Manager, Park Assets- Planning Design & Delivery
Email: council@northernbeaches.nsw.gov.au

Attachment A – Location Map

