

Business Hours:
8.00am to 6.00pm, Monday to Thursday
8.00am to 5.00pm, Friday

Deemed DA No: 0699/95

10 January 2007

MOODY & DOYLE PTY LTD
1ST FLOOR, SUITE 102
25-29 BERRY STREET
NORTH SYDNEY NSW 2060

Dear Sir/Madam

Modification of Deemed Development Consent 0699/95 for additions to the dwelling at 5 CABARITA ROAD AVALON NSW 2107.

Your request for modification has been considered by Council and it has been agreed to modify the deemed consent.

Please find attached the consent as modified.

If there are any matters that require further clarification, please do not hesitate to contact me.

Yours faithfully

**Sarah Winnacott
PLANNER**

MODIFICATION OF DEEMED DEVELOPMENT CONSENT NO: 0699/95

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

NOTICE TO APPLICANT OF DETERMINATION

OF A DEVELOPMENT APPLICATION

Applicant's Name and Address:

**MOODY & DOYLE PTY LTD
1ST FLOOR, SUITE 102 25-29 BERRY STREET NORTH SYDNEY NSW 2060**

Being the applicant in respect of Development Application No 0699/95

Pursuant to section 81 of the Act, notice is hereby given of the determination by Pittwater Council, as the consent authority, of this Development Application for: -

Modification of Deemed Development Consent 0699/95 for additions to the dwelling

At:-

Lot 3 DP 226537

**5 CABARITA ROAD
AVALON NSW 2107**

Decision:

The Development Application has been determined by the granting of consent based on information provided by the applicant in support of the application and in accordance with **plans numbered A94213** as amended in red (shown clouded) or as modified by any conditions of this consent.

The reason for the imposition of these conditions is to ensure that the development consented to is carried out in such a manner as to achieve the objectives of the Environmental Planning and Assessment Act, pursuant to section 5(a) of the Act, having regard to the relevant matters for consideration contained in section 79C of the Act and the Environmental Planning Instruments applying to the land, as well as section 80A of the Act which authorises the imposing of the consent conditions.

Note: For ease of reference, all of the previous conditions have been re-listed. Those conditions amended or deleted have been highlighted.

Endorsement of date of consent 29/8/1995, Amended 17/10/1995, **Modified 10 January 2007**

Mark Ferguson
GENERAL MANAGER

Per:

CONDITIONS OF APPROVAL

1. Local Government Act 1993, Local Government Act (Approvals) Regulation 1993 and the Building Code of Australia thereunder being complied with.
2. Council's Policy Guidelines relative to the erection of building being complied with.
3. Street Levels in relation to driveways, fences, garages etc being established from the Chief Engineer before construction commences.
4. Submission of details prior to the commencement of work from a Council listed:

(c) Structural Engineer, endorsed by a geotechnical engineer covering reinforced concrete slabs.
5. Approved smoke alarms being provided in each storey of the dwelling and/or additions, in accordance with Part E1.7 of the Building Code of Australia and Australian Standard 3786-1993. Details of the type, location and method of installation of smoke alarms are to be submitted to Council prior to the commencement of building works.

NOTE: Written certification is to be submitted to Council, endorsed by a licensed electrical contractor, certifying all smoke alarms have been installed in accordance with AS 2786-1993.
6. Compliance with the recommendations made in the Geotechnical Engineer's Report No UQ13434 dated 3/8/95.
7. Carport not being further enclosed without written permission from Council.
8. Wet room floors being finished in an impervious material with a grade to a suitable floor waste outlet, full details of finishes and flashings are to be submitted prior to commencement of work.
9. The construction of all timber members, bracing of stud walls, tie down and fixing requirements being in accordance with the provisions of A.S. 1684-1992 "National Timber Framing Code".
10. Top of slab being a minimum of 300mm above the adjacent finished ground level with a 75mm step to enable suitable flashing and drainage.
11. Moisture from the ground beneath the concrete floor slabs shall be prevented from reaching the inner surfaces at the floor and adjacent walls by the insertion of damp proof courses or membranes or other approved damp proofing means.
12. All seepage and surface water being diverted clear of the building and disposed of on-site. Details of method of disposal are to be submitted to Council prior to commencement of work.
13. Stormwater being piped to the Council controlled drainage easement or piped to Council's street drainage system.
14. Safety Glass as defined in AS 2208-1978 being provided in all locations subject to human impact as required by AS 1288-1979.

15. ***DELETED.***
16. Premises not being adapted for occupation as a separate occupancy.
17. The studio not being adapted as a habitable room or adapted for commercial/industrial activities.
18. Termite control measures to be implemented in accordance with Amendment 8 of the Building Code of Australia and Australian Standard AS 3660.1-1995 "Protection of building from subterranean termites".

Building is not to be occupied before it has been completed in accordance with the plans and specifications approved by Council.

Garage and/or other non-residential section of the building not being used for human habitation or occupation or let out for such purposes.

IMPORTANT: This approval shall be void if building work is not substantially commenced within 12 months after the date of approval.