

14 October 2008

Rice Daubey Architects  
Level 1, 110 Walker Street  
NORTH SYDNEY NSW 2060

SH (PDS)

Dear Sir / Madam,

**RE: 33 Oaks Street Dee Why  
Modification of Development Consent No. 2007/1259 (2008/0292 Mod 2)  
Amend Condition No.12 in relation to the dilapidation survey to undertaken  
prior to commencement**

We are writing to advise that the request to modify the above-mentioned Development Consent has been approved on 8 October 2008 and determined as follows:

➤ **Condition No. 12a** modified to read as follows:

**12a Stormwater Culvert**

The load bearing capacity of the culvert within the drainage easement traversing the site is to be assessed prior to any construction traffic being permitted over the easement. Should there be any construction traffic over the easement, a post construction dilapidation reports shall be submitted to Council. Any rectification costs for damage to the culvert resulting from construction works will be sought from the applicant.

**Reason:** *To maintain the structural integrity of the culvert (Council Infrastructure).*

This letter should therefore be read in conjunction with Development Consent 2007/1259 dated 11 April 2008 and Modification No. 1 dated 4 August 2008.

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 96(6) 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.

Should you require any further information on this matter, please contact **Phil Lane** 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 DA's Online System at [www.warringah.nsw.gov.au](http://www.warringah.nsw.gov.au).

Yours faithfully

Ailsa Prednergast  
**Team Leader Development Assessment  
Planning and Development Services**

