

20 January 2011

AMP Capital Investors Ltd
C/- AMP Capital Shopping Centres
PO Box R227
ROYAL EXCHANGE SYDNEY NSW 1225

CC (SDS)

Dear Sir / Madam,

RE: Modification Application No: Mod2010/0322 - (DA2008/1741)
Description: Modification of Development Consent DA2008/1741 for Partial demolition of existing buildings and construction of an extension to Warringah Mall Shopping Centre including 2 levels of retail floorspace, a multi level carpark and associated stormwater works
Address: Warringah Mall 145 Old Pittwater Road BROOKVALE

We are writing to advise that the request to modify the above-mentioned Development Consent has been approved on **20 January 2011** as follows:

Amend condition No.1 to read as follows:

1. Stormwater Management

Evidence that the stormwater works will meet the objectives and requirements of Section 6.1 'Stormwater Management' of the Warringah Development Control Plan - Warringah Mall Shopping Centre (the DCP) is to be submitted to Council for written approval.

The following information is to be submitted as a minimum:

- i) A ground floor plan of Warringah Mall showing critical peak 100 year ARI flood levels at all potential ingress points to the new retail development. The plan is to include critical floor level information and provide details of the approach which will be adopted to achieve Council's freeboard requirement.
- ii) Details demonstrating how the flood protection measures along the northern side of the Palm Tree car park will provide the required minimum 500 mm freeboard to the 100 year ARI flood event.
- iii) An update of Table A.5 in the 'Flood Impact Assessment Addendum Report' dated January 2010 prepared by Cardno showing the results of the latest flood modelling. An additional column is to be incorporated into Table A.5 showing the results of modelling conditions under the "Interim Works for FSR DA" with zero blockage applied to the stormwater drainage system.

- iv) A set of figures showing the impact the proposed development will have on peak 100 year ARI flood levels. The figures are to show the difference in peak flood levels between pre- and post developed conditions as a graded set of coloured regions. A separate figure is to be prepared for each of the development scenarios contained in the updated Table A.5. It is anticipated that the figures will be centred mainly on Warringah Mall since it is understood that the impact of the proposed development is limited to the site and areas immediately adjacent to it. The figures are to be presented at a scale which renders the information legible to the naked eye. A legend clearly identifying the range of levels comprising the graded set of coloured regions is to be included on each figure.

Reason: To comply with the objectives of the 'Warringah Development Control Plan - Warringah Mall Shopping Centre'.

Evidence required to satisfy this condition must be submitted to Council within 3 years of the date the deferred commencement consent was issued, or the consent will lapse in accordance with Section 95 of the Environmental Planning and Assessment Regulation 2000.

This letter should therefore be read in conjunction with Development Consent DA2008/1741 dated 28 April 2010.

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 **Andrew Cowan** 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 E-Services System at www.warringah.nsw.gov.au.

Yours faithfully

Andrew Cowan
Development Assessment Officer

