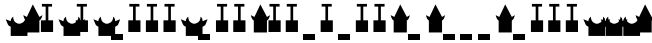


3 March 2010



Glenbell Pty Ltd
Po Box 48
PYMBLE NSW 2073

CC (PDS)

Dear Sir / Madam,

RE: Modification Application No: Mod2010/0009 - (DA2009/0392)
Description: Modification to Development Consent No. DA2009/0392 for Demolition works & construction of a builders supply & hardware establishment
Address: 19/9-13 Winbourne Road BROOKVALE

We are writing to advise that the request to modify the above-mentioned Development Consent has been approved on **15 February 2010** as follows:

(a) Modify Condition No.1 to read as follows:

1. Approved Plans and Supporting Documentation

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
DA02 2904 Issue A Sections and Elevations	03.04.09	Wolski, Lycenko & Brecknock
DA03 2904 Issue A Landscape Plan	26.03.09	Wolski, Lycenko & Brecknock
09499-04/04 Issue A Flood Evacuation Plan	12.06.09	Insight Architecture
DA01 2904 Issue A Ground Floor Plan	27.03.09	Wolski, Lycenko & Brecknock
0904 DA05 External Finishes	03.04.09	Wolski, Lycenko & Brecknock
DA04 2904 Site Analysis Plan	03.04.09	Wolski, Lycenko & Brecknock

Reports / Documentation		
Report	Dated	Prepared By
Preliminary Acid Sulfate Soil Management Plan	23 April 2009	Environmental Investigation Services
Any documentation submitted (and endorsed by Council) to satisfy a Deferred Commencement Condition requirement is to be fully complied with.		

As modified by the plans listed below that were submitted with the Section 96 Modification Application No.MOD2010/0009 and endorsed with Council's approval stamp, but only in so far as the plan reflects the tree removal at the northwestern corner at the site:

09499- 13/ 14 Issue B Landscape Plan	08-12-09	Insight Architecture
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No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

(b) Delete Condition No.6

6. [Deleted]

(c) Modify Condition No.17 to read as follows:

17. Protection of Trees

All trees which are not listed as exempt or noxious in Warringah that are not indicated for removal on Drawing No. 09499, Ground Floor Plan/04, Issue A, prepared by Insight Architects, dated 12-06-09 are to be protected. This is with the exception of the tree in the northwestern corner of the site.

Reason: Protection of existing environmental infrastructure and community assets. (DACLAE02)

(d) Modify Condition No.34 to read as follows:

34. Required Planting

The tree listed below shall be planted prior to the issue of an Interim/Final Occupation Certificate:

Tree Species	Location	Pot Size
Corymbia gummifera	One (1) at the garden bed in the southwestern corner of the site	45 ltr
Tree/s selected from Council's Tree Replacement Guide (Medium) http://www.warringah.nsw.gov.au/environment/tree_replace_guide	One (1) at the garden bed in the northwestern corner of the site	100 litre

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To maintain environmental amenity. (DACLAF01)

This letter should therefore be read in conjunction with Development Consent DA2009/0392 dated 23 October 2009.

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 **Cynthia Chan** 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

Cynthia Chan
Development Assessment Officer

