

6 April 2009

Sanctum Design Consultants
Po Box 277
NEUTRAL BAY NSW 2089

Dear Sir / Madam,

SH (PDS)

**RE: 80 Undercliff Road Freshwater
Modification of Development Consent No. DA2007/0873 (2008/0356 Mod 1)
For the demolition of the existing brick storage shed and construction of a
kiosk for use as a Cafe-Restaurant.**

We are writing to advise that the request to modify the above-mentioned Development Consent has been approved on 3 April 2009 and determined as follows:

➤ **Condition No. 1** modified to read as follows:

The development is to be carried out in compliance with the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of consent:

Drawing Number	Issue Number	Title	Dated	Prepared By
A02	SEC96-2	Site Plan & Area Calculations	24.11.08	Sanctum Design Consultants
A03	SEC96	Floor Plan	24.11.08	Sanctum Design Consultants
A04	SEC96	North East & North West Elevations	24.11.08	Sanctum Design Consultants
A05	SEC96	North East & North West Elevations	24.11.08	Sanctum Design Consultants
A06	SEC96	Section A-A	24.11.08	Sanctum Design Consultants
A07		North East Elevation	29-08-07	Sanctum Design Consultants
A08		North West & South East Elevations	09-07-08	Sanctum Design Consultants

No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

Note: Further information on Construction Certificates can be obtained by contacting Council's Call Centre on 9942 2111, Council's website or at the Planning and Assessment Counter.

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

➤ Addition of **Condition No. 11(a)** to read as follows:

Mechanical Ventilation

Mechanical ventilation is to be provided in accordance with Australian Standard AS1668. The discharge of any smoke, fumes, odours or particulates are to be captured in a manner that does not necessitate any external structure, including a flue. Details are to be provided prior to the issue of a Construction Certificate.

Reason: *To preserve community health and ensure compliance with acceptable standards and preserve the setting of the item of the environmental health.*

- Addition of **Condition No. 35a** to read as follows:

Mechanical Ventilation

Prior to occupation certificate provide certification that the mechanical ventilation system complies with Australian Standard AS1668 and the requirements of Condition No.11(a).

Reason: *To preserve community health and ensure compliance with acceptable standards.*

- Deletion of **Condition No.39.**
- Addition of **Condition No. 39a** to read as follows:

Self Closing Doors

The external doors to the storeroom and the kiosk must be fitted with self closing devices.

Reason: *To prevent ingress of pests and comply with the Food Standards Code.*

This letter should therefore be read in conjunction with Development Consent DA2007/0873 dated 15 July 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 **Nick England** 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.

Yours faithfully

Nick England
Senior Development Assessment Officer
Planning and Development Services