

11 December 2006

Brian & Elaine Mills
7 Beatty Street
Balgowlah Heights NSW 2093

2002/1680MOD1
CC (PAS)

Dear Sir / Madam,

**RE: 92 ALLAMBIE ROAD ALLAMBIE HEIGHTS
MODIFICATION OF DEVELOPMENT CONSENT NO. 2002/1680**

We are writing to advise that the request to modify the above-mentioned Development Consent has been approved on **6 December 2006** and determined as follows:

“THAT:

- A. The Development Application No: 2002/1680/1 for modification to carparking layout vehicle entry stairs and new deck and forecourt, at Lot 2183, DP 752038, 92 Allambie Road Allambie Heights be Approved to the attached special and standards conditions:
- Condition No.1 to replaced below with:

1. Approved Plans

Development being generally in accordance with plans numbered as below:

Drawing No.	Drawing Title	Revision No.	Revision Date	Prepared By
BM-12	Stie plan with proposed DA changes	1	22/9/2006	GBJ BUILDING
BM-13	Car park Set Out Plan	1	22/9/2006	GBJ BUILDING
GBJ-06-92ALLM-003	WEST ELEVATION	B	28.08.06	GBJ BUILDING
GBJ-06-92ALLM-004	EAST ELEVATION	B	28.08.06	GBJ BUILDING
GBJ-06-92ALLM-005	NORTH ELEVATION	B	28.08.06	GBJ BUILDING
GBJ-06-92ALLM-005	SOUTH ELEVATION	C	24.08.06	GBJ BUILDING

Reason: *To ensure the work is carried out in accordance with the determination of Council and approved plans. [A1 (1)]*

1a. Construction Certificate for Modification

A Construction Certificate is required to be approved and issued by either Council or an Accredited Certifier, prior to the commencement of any works on the site on those parts of the building that are the subject of the modification.

Reason: *Legislative requirements. [D3A]*

- Condition No.50 to be replaced below with:

50. Vehicle Crossings

Provision of 2 vehicle crossings 3 metres wide with a 2.2 metre wide grassed separation in accordance with Warringah Council Drawing No A4-3330/1 Normal and specifications. An Application for Street Levels is to be made prior to the issue of the Construction Certificate. Vehicle crossings and associated works within the road reserve shall be constructed in plain concrete by an Authorised Vehicle Crossing Contractor, for details see Warringah Council's website <http://www.warringah.nsw.gov.au>, or phone (02) 9942 2111. All redundant laybacks and crossings are to be restored to footpath/grass.

Prior to the pouring of concrete, the vehicle crossing/s are to be inspected by Council and a satisfactory "Vehicle Crossing Inspection" card issued.

Reason: *To facilitate suitable vehicular access to private property. [C32]*

73. No Parking Signage – Extension

The "No Parking" restrictions must be extended with the necessary signage to be installed at the expense of the developer. The signage is to be located between the existing "no parking" signage located from the corner of Kirra Road and bus stop prior to the issue of the interim/final occupation certificate.

Reason: *Compliance with the recommendations of Warringah Traffic Committee.*

74. Aboriginal Heritage

If in undertaking excavations or works, any Aboriginal site or relic is, or is thought to have been found, all works are to cease immediately and the applicant is to contact Aboriginal Heritage Officer for Warringah Council, and the National Parks and Wildlife Service (NPWS). Any work to a site that is discovered to be the location of an Aboriginal relic, within the meaning of the National Parks and Wildlife Act, requires a permit from the Director of the NPWS.

Reason: *Aboriginal Heritage Protection. [E34]*

75. Construction Fencing

The construction fencing, which adjoins the Allambie Road Reserve, Allambie Heights and has legal description LOT 7096 DP 1023260 to the east of the subject site (No. 92 Allambie Road, Allambie Heights) must be maintained at all times.

Reason: *Aboriginal Heritage Protection.*

This letter should therefore be read in conjunction with Development Consent 2002/1680 dated 9 April 2003. Please find attached a consolidated set of conditions incorporating both modifications of consent.

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 97(1) of the Environmental Planning and Assessment Act confers on the applicant who is not satisfied with the determination of the Consent Authority has a right of appeal to the Land and Environment Court exercisable within 12 months of receipt of this notice.

You may request the Council to review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979. Any request to review the application must be within 12 months after the date of determination shown on this notice.

Should you have any further enquiries in connection with this matter, please contact the referred to Enquiry Officer.

Please note that if you nominate Council to assess your Construction Certificate, associated forms and information regarding what to submit is also enclosed in the determination kit.

Work must also be in accordance with the relevant MODIFIED conditions of the Development Consent.

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.

Yours faithfully,

Philip Hoffman
Senior Team Leader - Development Assessment
Planning and Assessment Services