



NOTICE OF DETERMINATION

Application Number:	DA2008/1298
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APPLICATION DETAILS

Applicant Name and Address:	R M Scheich 9 McIntosh Road Dee Why NSW 2099
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Land to be developed (Address):	Lot 15 Sec 8 DP 1521 20 Sydenham Road Brookvale NSW 2100
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Proposed Development:	Change of use to a Industry / Warehouse
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DETERMINATION - APPROVED

Made on (Date):	27 October 2008
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Consent to operate from (Date):	27 October 2008
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Consent to lapse on (Date):	27 October 2011
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Details of Conditions

The conditions, which have been applied to the consent, aim to ensure that the Environmental Impacts of Development are minimised and the Health and Safety of the community is maintained in accordance with the relevant standards and the Building Code of Australia.

NOTE:

If the works are to be certified by a Private Certifying Authority, then it is the certifier's responsibility to ensure all outstanding fees and bonds have been paid to Council prior to the issue of the Construction Certificate or as otherwise specified by Consent conditions.

Pursuant to Section 95(2) of the Environmental Planning and Assessment Act 1979, Council has varied the provisions of Section 95(1) and advise that the consent will lapse 3 years from the date upon which the consent operates.

Section 95A of the Environmental Planning and Assessment Act 1979, allows for an extension of 1 year to the period in which the consent will lapse, except for complying development. Such an application must be made in accordance with Clause 114 of the Environmental Planning and Assessment Regulation 2000.

GENERAL CONDITIONS

CONDITIONS THAT IDENTIFY APPROVED PLANS

1. Approved Plans And Supporting Documentation

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 No.	Title	Rev.	Dated	Prepared By
0827DA SHT ½	Floor Plans	A	2 September 2008	L.K.S. Design & Drafting
0827DA SHT 1/2	Site Plan, Elevations & Typical Section	A	2 September 2008	L.K.S. Design & Drafting

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.

2. Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

Reason: Prescribed - Statutory.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

3. Occupation Certificate Required

An Interim / Final Occupation Certificate shall be obtained in relation to the approved works prior to any use or occupation of those parts of the building.

Note: In issuing an Interim / Final Occupation Certificate the Principal Certifying Authority must be satisfied that the requirements of Section 109H of the Environmental Planning and Assessment Act 1979 have been satisfied.



Warringah Council

Reason: To ensure compliance with the provisions of the Environmental Planning and Assessment Act.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

4. Delivery Hours

No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 6am on any day.

Reason: To ensure the acoustic amenity of surrounding properties.

5. Hours of Operation

The hours of operation of the Warehouse are restricted to the following:

Day	Open	Closed
Monday	No Trading	
Tuesday	12.30pm	4pm
Wednesday	12.30pm	4pm
Thursday	12.30pm	4pm
Friday	12.30pm	4pm
Saturday	10am	3pm
Sunday	10am	3pm

Reason: Information to ensure that amenity of the surrounding locality is maintained and hours of operation are consistent with those in surrounding locality.

6. Loading Within Site

All loading and unloading operations shall be carried out wholly within the confines of the site and within the approved loading areas, at all times.

Reason: To ensure that deliveries can occur safely within the site and does not adversely affect traffic or pedestrian amenity.

7. Separate Development Application for Signs

A separate Development Application for any proposed signs (other than exempt and complying signs under Council's exempt and complying controls) must be submitted for the approval of Council prior to the erection or display of any such signs.

Reason: Control of signage.

8. Signs/Goods in the Public Way

No signs or goods are to be placed on the footway or roadway adjacent to the property.

Reason: To ensure pedestrian safety.



9. Commercial Waste Collection

Waste and recyclable material, generated by this premises, must not be collected between the hours of 10pm and 6am on any day.

Reason: *To ensure the acoustic amenity of surrounding properties.*

10. Sale Of Goods

All goods on site must be for the wholesaling and distribution to persons or companies engaged in the retail trade. No direct sales to the public that would constitute the use of the site as a shop are permitted as part of this approval.

Reason: *To ensure the operation is carried out in accordance with the determination of Council.*

Right to Review by the Council

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.

NOTE: *A fee will apply for any request to review the determination.*

Right of Appeal

If you are dissatisfied with this decision Section 97 of the Environmental Planning & Assessment Act 1979 may give you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

Signed _____ on behalf of the consent authority

Signature _____

Name Mitchell Drake
Development Assessment Officer

Date 27 October 2008