
Sent: 11/06/2021 1:53:49 PM
Subject: RE DA 2021/0511 Subdivision of 1 Bibbenluke Ave Duffys Forest
Attachments: 0197_001.pdf;

Dear Sir

I refer to the abovementioned development application at 1 Bibbenluke Avenue Duffys Forest to subdivide the property into two parcels of land.

Currently there is a consent number 81A/285 on the proposed smaller lot, for use of the premises for dog boarding. A copy of this consent is attached. Condition 2 of the consent states *All kennels to be set back a minimum of 20m from the property boundaries*. If the subdivision is approved then this condition would not be able to be complied with. This is another reason why the application should be refused.

Yours Sincerely

Brent and Linda Lawson
383 Wyong Road
Duffys Forest



CIVIC CENTRE
PITTWATER RD.
DEE WHY
982-0333

FILE No. SF5278/P.392

CONSENT NO: 81A/285

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

NOTICE TO APPLICANT OF DETERMINATION

OF A DEVELOPMENT APPLICATION

Applicant's Name & Address: Sydney Skyline, PO Box
2292, North Parramatta. 2151

Being the applicant in respect of Development Application
No. 1981/333.

Pursuant to section 92 of the Act, notice is hereby
given of the determination by the Council of the Shire
of Warringah, as the consent authority, of the Develop-
ment Application No. 1981/333 relating to the land
described as follows:-

Portion 392, Wyong Road, Duffy's Forest.

For the following development:-

Erect a carport, garage and grooming room for dogs
and use the premises for dog boarding and breeding
kennels.

The Development Application has been determined by
granting of consent subject to the following conditions:-

1. Provision of a levelled, drained and gravelled
car parking area of sufficient size to cater
for all traffic generated by the use of the
premises.
2. All kennels to be set back a minimum of 20m
from property boundaries.
3. A 7.5m deep landscaping strip containing mature
native trees and shrubs to be provided to
the south western boundary.
4. A 3m deep landscaping strip containing mature
native trees and shrubs to be provided in
the area fronting the existing kennels in
Bubbenluke Avenue and Wyong Road.
5. That the kennels be kept clean and maintained
to the satisfaction of Council's Health and
Building Department.
6. Development being generally in accordance
with plans submitted by Skyline on 11th August,
1981.



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7. Compliance with Council's Health and Building Department requirements and no work of any kind, clearing or vegetation removal, pursuant to this Consent, to be done on the site until after a valid Building Approval has been issued.
8. Compliance with provisions of Tree Preservation Order; ~~or 50' Foreshore Building Line.~~
9. No signs to be displayed without a separate approval from Council.
10. The colour, texture and substance of all external components of the building and hardsurfaced areas being to Council's satisfaction, details to be included on building plans.

The reason for the imposition of the above consent conditions is as follows:-

To ensure that the development consented to is carried out in such a manner as to achieve the objectives of the Environmental Planning & Assessment Act, pursuant to section 5(a) of the Act, having regard to the relevant matters for consideration contained in section 90 of the Act and the Environmental Planning Instrument applying to the land, as well as section 91(3) of the Act which authorises the imposing of the consent conditions.

Endorsement of date of consent - 7 OCT 1981

NOTES:

- (1) This consent shall be effective and operative, pursuant to section 93 of the Act, from the endorsement date of this consent.
- (2) To ascertain the extent to which the consent is liable to lapse refer to section 99 of the Act.
- (3) Section 97 of the Act confers on the applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land & Environment Court exercisable within 12 months after receipt of this notice.

IMPORTANT

- (1) It is to be clearly understood that the above consent is NOT an approval to carry out any structural work. A formal Building Application must be submitted to Council and be approved before any structural work is carried out to implement the above consent. Also, the applicant is not relieved of any obligation

WARRINGAH SHIRE COUNCIL

Page 3.



CIVIC CENTRE
PITWATER RD.
DEE WHY
982-0333

FILE No. SF5278/P.392
CONSENT NO. 81A/285

to obtain any other approval required under any other Act.

- (2) Any person who contravenes this notice of determination of the abovementioned development application shall be guilty of a breach of the Environmental Planning & Assessment Act, 1979, and shall be liable to a monetary penalty and for a restraining order which may be imposed by the Land & Environment Court.

L. G. RIORDAN
Shire Clerk

per 

Date - 7 OCT 1981