

8 June 2012

Oliver Iaccarino
26 Lawrence Street
FRESHWATER NSW 2096

Dear Sir/Madam

Application Number: Mod2012/0069
Address: Lot 1 DP 100563
22 Lawrence Street
FRESHWATER NSW 2096
Proposed Development: Modify trading hours for takeaway food shop

Please find attached the Notice of Determination for the above mentioned Application.

Please be advised that a copy of the Assessment Report associated with the application is available on Council's eServices website at www.warringah.nsw.gov.au

Please read your Notice of Determination carefully and the assessment report in the first instance.

If you have any further questions regarding this matter please contact the undersigned on (02) 9942 2111 or via email quoting the application number, address and description of works to council@warringah.nsw.gov.au

Regards,

Luke Perry
Development Assessment Officer

NOTICE OF DETERMINATION

Application Number:	Mod2012/0069
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Oliver Iaccarino
Land to be developed (Address):	Lot 1 DP 100563 , 22 Lawrence Street FRESHWATER NSW 2096
Proposed Development:	Modify trading hours for takeaway food shop

DETERMINATION - APPROVED

Made on (Date)	05/06/2012
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The request to modify the above-mentioned Development Consent has been approved as follows:

A. Modify Condition 4 as follows:

Hours of Operation

The hours of operation are to be restricted to Midday to 11pm on Sunday to Thursday and Midday to Midnight on Friday and Saturday (inclusive).

Upon expiration of the permitted hours, all service (and entertainment) shall immediately cease, no patrons shall be permitted entry and all customers on the premises shall be required to leave within the following 30 minutes.

Reason: Information to ensure that amenity of the surrounding locality is maintained.

Add Condition No.1a - No Outdoor Seating to read as follows:

No approval is granted for outdoor seating associated with the development.

Reason: To ensure no unreasonable amenity impacts on the surrounding area.

Add Condition No.1b - Noise to read as follows:

All noise associated with the use of the site, will not exceed more than 5dB (A) above the background level when measured from any property boundary and will comply with the Environment Protection Authority's NSW Industrial Noise Policy.

Reason: To ensure no unreasonable noise impacts on the surrounding area.

Important Information

This letter should therefore be read in conjunction with DA85/29.

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 97AA 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 within 6 months of determination.

Right to Review by the Council

You may request the Council to review the determination of the application under Section 96AB of the Environmental Planning and Assessment Act 1979. Any request to review the application must be lodged and determined within 28 days after the date of the determination shown on this notice.

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

Signed On behalf of the Consent Authority

Signature _____

Name Luke Perry, Development Assessment Officer

Date 05/06/2012