

5 October 2006

Roselea Homes Pty Ltd
PO Box 6245
Baulkham Hills BC NSW 2153

2005/0909MOD1
CC (PAS)

Dear Sir / Madam,

**RE: 93 OCEAN STREET NARRABEEN
MODIFICATION OF DEVELOPMENT CONSENT NO. 2005/0909**

We are writing to advise that the request to modify the above-mentioned Development Consent has been approved on **5 October 2006** and determined as follows:

“THAT:

A. The Development Application No: 2005/909/1 for deletion of Condition 4 relating to window sill height and subsequent deletion of Condition 3 relating to compliance with notations in red on plans, of 2005/0909 at Lot 3, DP 337664, 93 Ocean Street Narrabeen be Approved subject to the following special conditions and the attached standards conditions:

Condition 3 which reads as follows, is to be DELETED:

3. *Compliance with Notations in Red on Plans*

Compliance with notations made in red on the face of the approved plans. Amended plans being provided with the Construction Certificate detailing compliance with this requirement.

Reason: *To ensure compliance with the conditions of this consent.*

Condition 4 which reads as follows, is to be DELETED:

4. *Window Sill Height to upper storey rooms to Elevations B and D*

The upper storey windows to Elevations B and D as highlighted in red pen on the plans are to have window sills a minimum of 1600mm above the finished floor level. Details demonstrating compliance with this requirement are to be provided prior to the issue of the Construction Certificate.

Reason: *To ensure compliance with the conditions of this consent and the Warringah LEP 2000”*

This letter should therefore be read in conjunction with Development Consent 2005/0909 dated 21 June 2006. 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.

The appropriately stamped plan/s to which the modification of consent has now been granted is available for collection at Councils Customer Service Centre. 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.

It is Council's policy not to forward these by mail to ensure safe receipt of these important documents. When collecting your Modified Consent and accompanying documents, please bring this letter with you for identification purposes. The Customer Service Centre is open between 8.30am and 5pm Monday to Friday (excluding Public Holidays).

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 **Michael Edwards** 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,

Rebecca Fisher
Team Leader – Development Assessment
Planning and Assessment Services