

3 February 2015



Spencer Timothy James Leach  
3 Richter Crescent  
DAVIDSON NSW 2085

Dear Sir/Madam

**Application Number:** Mod2014/0258  
**Address:** Lot 21 DP 8139 , 168 Headland Road, NORTH CURL CURL NSW 2099  
**Proposed Development:** Modification of DA2010/2020 granted for alterations and additions to a dwelling house

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](http://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](mailto:council@warringah.nsw.gov.au)

Regards,

Kevin Short  
**Planner**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2014/0258
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	Spencer Timothy James Leach
<b>Land to be developed (Address):</b>	Lot 21 DP 8139 , 168 Headland Road NORTH CURL CURL NSW 2099
<b>Proposed Development:</b>	Modification of DA2010/2020 granted for alterations and additions to a dwelling house

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	03/02/2015
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The request to modify the above-mentioned Development Consent has been approved as follows:

#### A. Add Condition 1A - Modification of Consent - Approved Plans and supporting Documentation to read as follows:

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

##### a) Modification Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
SL/DA-02	Sept 2013	Kevin Spencer
SL/DA-07	Aug 2013	Kevin Spencer
SL/DA-08	Aug 2013	Kevin Spencer
SL/DA-09	Feb 2014	Kevin Spencer
SL/DA-10	Feb 2014	Kevin Spencer
SL/DA-11	Feb 2014	Kevin Spencer

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

#### B. Add Condition 16. Swimming Pool Requirements (existing pool modified by works)

## **16. Swimming Pool Requirements (existing pool modified by works)**

The existing onsite Swimming Pool / Spa fencing enclosure shall be upgraded to comply with:

(a) All required safety fencing has been erected in accordance with and all other requirements have been fulfilled with regard to the relevant legislative requirements and relevant Australian Standards (including but not limited) to:

- (i) Swimming Pools Act 1992;
- (ii) Swimming Pools Amendment Act 2009
- (iii) Swimming Pools Regulation 2008;
- (iv) Australian Standard AS1926 Swimming Pool Safety;
- (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools;
- (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.

(b) A warning sign stating 'YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS POOL' has been installed.

(c) All signage shall be located in a prominent position within the pool area.

Swimming pools and spas must be registered with the Division of Local Government.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of a Interim / Final Occupation Certificate.

Reason: To protect human life. (DACPLF10)

## **Important Information**

This letter should therefore be read in conjunction with DA2010/2020 dated 7 March 2010.

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 Kevin Short, Planner

Date 03/02/2015