

25 March 2010

J T Carley
C/- Fergus Scott Architects
1A Cohen Street
FAIRLIGHT NSW 2094

TF(PDS)

Dear Sir/Madam,

RE: DEVELOPMENT APPLICATION NO. 2009/1504

Description: Demolition of existing dwelling and associated structures and construction of a new dwelling

Address: 9 Gardere Avenue Curl Curl

We are writing to advise that Council, on 18 March 2010, determined your Development Application by Deferred Commencement in accordance with Section 80(3) of the Environmental, Planning & Assessment Act 1979.

Please note that the consent is **not operative** until the following deferred commencement conditions have been satisfied.

1. Public Liability Insurance - Works on Public Land

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$10 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note, and provide protection for Warringah Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land.

The evidence required to satisfy these conditions must be submitted to Council within 12 months of the date of this Deferred Commencement Consent.

Upon compliance with the deferred commencement conditions, the consent shall be operative for Development Application DA2009/1504 subject to the conditions in the Notice of Determination.

(Note: Implementing development consent prior to written confirmation may result in legal proceedings. If such proceedings are required Council may seek all costs associated with such proceedings as well as any penalty or order that the Court may impose. No Construction Certificate can be issued until all conditions; including this condition have been satisfied.

You may apply for modification of the conditions attached to your deferred commencement under Section 96 of the Environmental Planning and Assessment Act 1979.

Please read your deferred commencement carefully as you are required to undertake and complete specific tasks before the consent is operative. A Construction Certificate cannot be issued and subsequent works cannot commence until Council acknowledges, in writing, that the conditions for deferred commencement have been satisfied.

Please note that your Notice of Determination will lapse 3 years from the date on which your deferred commencement consent becomes operative.

Your Notice of Determination and plans are now available for collection at Council's Customer Service Centre.

It is Council's policy not to forward these documents by mail to ensure safe receipt. Please note that Council can only release the consent to the applicant, nominated on the application form. Please bring this letter (original only) and photo identification with you for collection purposes. If the person collecting the consent is not the applicant, then they must present a letter of authorisation from the applicant as well as photo identification. Development Consents that are not collected within 30 days of notification will be filed and can be retrieved by giving three days notice in advance.

Should you require any further information, please contact **Kevin Short** 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 E-Services System at www.warringah.nsw.gov.au.

Yours faithfully

Kevin Short
Development Assessment Officer
Development Assessments

