

15 June 2009

Anthony Colella
72 Abbott Road
North Curl Curl NSW 2099

MOD2009/0117
CC (PDS)

Dear Sir / Madam,

**RE: 72 Abbott Road North Curl Curl
Modification of Development Consent No. DA2006/0494 – MOD2009/0117
- Modify Condition No.1 and add Condition No.56**

We are writing to advise that the request to modify the above-mentioned Development Consent has been approved on **12 June 2009** and determined as follows:

Modify Conditions No. 1 to read as follows:

1. Approved Plans and Supporting Documentation

The development is to be carried out in compliance with the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of consent:

<i>Drawing Number</i>	<i>Title</i>	<i>Dated</i>
0610 DA01 ISSUE B	SITE PLAN AND PERSPECTIVES	23/02/09
0610 DA02 ISSUE B	GROUND FLOOR PLAN	23/02/09
0610 DA03 ISSUE B	FIRST FLOOR PLAN	23/02/09
0610 DA04 ISSUE B	ELEVATIONS	23/02/09
0610 DA05 ISSUE B	ELEVATIONS AND SECTIONS	23/02/09

No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

Note: Further information on Construction Certificates can be obtained by contacting Council's Call Centre on 9942 2111, Council's website or at the Planning and Assessment Counter.

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

Add Condition No.56 to read as follows:

56. Swimming Pool

The proposed swimming pool coping is to be located at Reduced Level 6.26. Details demonstrating compliance are to be shown on the plans submitted to the Certifying Authority prior to the issue of the Construction Certificate

Reason: *To ensure the structure does not result in any adverse impacts on adjoining properties, due to excessive height above existing ground level.*

This letter should therefore be read in conjunction with Development Consent DA2006/0494 dated 18 September 2006.

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 96(6) 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.

Should you require any further information on this matter, please contact **Andrew Cowan** 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

Andrew Cowan
Development Assessment Officer
Planning and Development Services

