



NOTICE OF DETERMINATION

Application Number:	DA2009/1017
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APPLICATION DETAILS

Applicant Name and Address:	Boston Blyth Fleming Town Planners Suite 1 9 Narabang Way BELROSE NSW 2085
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Land to be developed (Address):	Lot 1 DP 235748 136 Anzac Avenue COLLAROY PLATEAU NSW 2097
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Proposed Development:	Demolition of existing structures
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DETERMINATION - APPROVED

Made on (Date):	1 September 2009
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Consent to operate from (Date):	1 September 2009
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Consent to lapse on (Date):	1 September 2012
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Details of Conditions

The conditions, which have been applied to the consent, aim to ensure that the Environmental Impacts of Development are minimised and the Health and Safety of the community is maintained in accordance with the relevant standards and the Building Code of Australia.

NOTE:

Pursuant to Section 95(2) of the Environmental Planning and Assessment Act 1979, Council has varied the provisions of Section 95(1) and advise that the consent will lapse 3 years from the date upon which the consent operates.

Section 95A of the Environmental Planning and Assessment Act 1979, allows for an extension of 1 year to the period in which the consent will lapse, except for complying development. Such an application must be made in accordance with Clause 114 of the Environmental Planning and Assessment Regulation 2000.

GENERAL CONDITIONS

CONDITIONS THAT IDENTIFY APPROVED PLANS

1. Approved Plans and Supporting Documentation

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

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
16880, Sheet 1 of 2	18/05/09	Bee & Lethbridge Pty Ltd

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

2. Prescribed Conditions

- (a) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (i) showing the name of the principal contractor (if any) for any demolition work and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- (b) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
 - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
 - (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative Requirement (DACPLB09)

3. General Requirements

- (a) Unless authorised by Council:

Demolition and excavation works are restricted to:
8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

- (b) After commencement of demolition works, a copy of the Development Consent is to remain onsite at all times until completion. The consent shall be available for perusal of any Authorised Officer.
- (c) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- (d) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community. (DACPLB10)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

4. Compliance with Standards

The development (where applicable) is to be carried out in accordance with relevant Australian Standards.

(Note: At the time of determination the following (but not limited to) Standards applied:

- (a) AS/NZS 2890.1:2004 Parking facilities - Off-street car parking.
- (b) AS2601.2001 - Demolition of Structures
- (c) AS4361.2 - Guide to lead paint management - Residential and commercial buildings
- (d) AS 1428.2 - 1992, Design for access and mobility - Enhanced and additional requirements - Buildings and facilities
- (e) AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting
- (f) All sound producing plant, equipment, machinery or fittings 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.)

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with appropriate standards.(DACPLC02)

5. Sewer / Water Quickcheck

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre prior to works commencing to determine whether the development will affect any Sydney Water asset's sewer and water mains, stormwater drains and/or easement, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- Quick Check agents details - see Building Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building Developing and Plumbing then Building and Renovating.
- Or telephone 13 20 92.

Reason: To ensure compliance with the statutory requirements of Sydney Water.(DACPLC12)

6. Bonds

A bond (determined from type of works) of \$2,000 and an inspection fee paid of \$210 as security to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of demolition or the transportation of materials and equipment to and from the development site.

A fee of \$210.00 is payable to Council for each kerb inspection as determined by Council (minimum of one (1) inspection).

Reason: To ensure adequate protection of Council infrastructure. (DACENC01)

CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

7. Installation and Maintenance of Sediment Control

Measures used for erosion and sediment control on building sites are to be installed and adequately maintained at all times in accordance with Warringah Council Specifications for Erosion and Sediment Control. All measures shall remain in proper operation until all demolition activities have been completed and the site fully stabilised.



Reason: To protect the environment from the effects of sedimentation and erosion from development sites.(DACPLE02)

8. Weeds

No noxious or environmental weeds, as listed on Warringah Councils website are to be imported on to the site.

Any noxious weeds or environmental weeds on the site are to be managed continuously, in accordance with the Noxious Weeds Act 1993 and the Biodiversity Management Plan and/or Vegetation Management Plan and/or Soil Seedbank Translocation Plan for this development.

Reason: To ensure bushland and riparian management



Right to Review by the Council

You may request Council review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979 if it is NOT integrated or designated development. Any request to review the application must be made and determined within 12 months from the date of determination.

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

Right of Appeal

If you are dissatisfied with this decision Section 97 of the Environmental Planning & Assessment Act 1979 may give you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

Signed on behalf of the consent authority

Signature _____
Name Keith Wright, Senior Development Assessment Officer

Date 1 September 2009