



NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

Development Application No: DA 2007/430

DEVELOPMENT APPLICATION DETAILS

Applicant Name: Pittwater Homes Pty. Ltd.

Applicant Address: PO Box 787 Newport NSW 2106

Land to be developed (Address): Lot 22 in DP 7022, 31 Kooloorra Avenue, Harbord

Proposed Development: Demolition of existing structures and construction of a double-storey detached dwelling and associated works.

DETERMINATION

Made on (Date): 11 July 2007

Consent to operate from (Date): 11 July 2007

Consent to lapse on (Date): 11 July 2010

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:

If the works are to be certified by a Private Certifying Authority, then it is the certifier's responsibility to ensure all outstanding fees and bonds have been paid to Council prior to the issue of the Construction Certificate or as otherwise specified by Consent conditions.

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 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:

Drawing Number	Dated
223/2007-1a (B) "Site Plan – Demolition and Site Management"	02.05.2007
223/2007-1b (B) "Site Plan – Proposed Works"	02.05.2007
223/2007-2 (B) "Ground Floor Plan"	02.05.2007
223/2007-3 (B) "First Floor Plan"	02.05.2007
223/2007-4 (B) "Elevations A and B"	02.05.2007
223/2007-5 (B) "Elevations C and D"	02.05.2007
223/2007-6 (B) "Cross Section"	02.05.2007
1/3, 2/3, 3/3 "Proposed Landscape Plan"	Undated

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. [A1 (1)]

2. Plans on Site

A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) shall be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information and to ensure ongoing compliance. [A2]

CONDITIONS THAT REQUIRE SUBSIDIARY MATTERS TO BE COMPLETED PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

3. Damage to Public Infrastructure

The applicant shall bear the cost of all restoration works to Council's property damaged during the course of this development. The applicant shall advise Council, in writing, of any existing damage to Council property before commencement of the development.

Note: This documentation will be used to resolve any dispute over damage to infrastructure. It is in the applicant's interest for it to be as full and detailed as possible.

Reason: *To ensure the protection of existing built public infrastructure. [C6]*

4. Stormwater Disposal

Plans indicating all details relevant to the collection and disposal of stormwater from the site, building/s, paved areas and adjacent catchments, shall be submitted with the application for Construction Certificate. The plans must indicate the provision of a rainwater tank in accordance with the Basix certificate. Stormwater shall be conveyed from the site to the kerb in Kooloorra Ave. The completed works shall be certified as compliant with Australian Standard 3500.3.2, National Plumbing and Drainage Code upon completion.

Reason: *To ensure appropriate provision for disposal and stormwater management and Basix requirements arising from the development. [C8]*

5. Kerb Security Bond

A bond of **\$1100.00** shall be deposited with Council and inspection fee of **\$200.00** paid, prior to the issue of any construction certificate, against the potential for damage to Council's footpath and road reserve infrastructure during the construction process. (See Schedule)

Reason: *To ensure appropriate security is in place for the protection or repair of Public Infrastructure. [C16]*

6. Protection of Footpaths and Roadways

The public footways and roadways adjacent to the site shall be maintained at all times during the course of the work in a safe condition.

Reason: *Protection of footpath and roadways. [C22]*

7. Vehicle Crossing

Provision of one (1) vehicle crossing 3 metres wide in accordance with Warringah Council Drawing No. A4-3330/2 Normal - High and specifications. An Application for Street Levels is to be made prior to the issue of the Construction Certificate. Vehicle crossing and associated works within the road reserve shall be constructed in **plain concrete** by an Authorised Vehicle Crossing Contractor, for details see Warringah Council's website <http://www.warringah.nsw.gov.au> or phone (02) 9942 2111. All redundant laybacks and crossings are to be restored to footpath/grass.

Prior to the pouring of concrete, the vehicle crossing is to be inspected by Council and a satisfactory "Vehicle Crossing Inspection" card issued.

***Reason:** To facilitate suitable vehicular access to private property. [C32]*

8. Asbestos & Hazardous Material

A person taking down, demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Work Cover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal. The requirements and standards imposed by the Authority, its consultants or contractors shall be complied with.

***Reason:** To ensure the long term health of workers on site and occupants of the building is not put at risk unnecessarily. [C53 (2)]*

9. Reflectivity Index of Glazing

The reflectivity index (expressed as a percentum of the reflected light falling upon any surface) of external glazing for windows, walls or roof finishes of the proposed development is to be no greater than 20%. Written confirmation of the reflectivity index of materials is to be submitted with the Construction Certificate.

(Note: The reflectivity index of glazing elements can be obtained from glazing manufacturers. Glass with mirrored or reflective foil finishes is unlikely to achieve compliance with this requirement.

***Reason:** To ensure that excessive glare or reflectivity nuisance from glazing does not occur as a result of the development. [C54]*

10. Roofing Materials - Reflectivity

The external finish to the roof shall have a medium to dark range in order to minimise solar reflections to neighbouring properties. The metal roof shall not be of light colours such as off white, cream, silver or light grey colours. Details being submitted with the Construction Certificate.



Reason: To ensure that excessive glare or reflectivity nuisance from roofing materials does not occur as a result of the development. **[C55]**

11. Security Bond Schedule

All fees and security bonds in accordance with the schedule below must be paid or in place prior to the issue of the required Construction Certificate:

SECURITY BOND & FEE SCHEDULE	
No. 31 Kooloorra Avenue, Harbord	
DEVELOPMENT APPLICATION NUMBER 2007-0430DA	
SECURITY BONDS	AMOUNT (\$)
Builders Road/Kerb Security Bond	\$1,100.00
TOTAL BONDS	\$1,100.00
FEES	
Kerb Security Inspection Fee	\$200.00
Section 94A contribution	\$3,636.00
Long Service Levy (\$363600 x 0.35%)	\$1,272.60
TOTAL FEES	\$5,109.00
Progress Inspections if Council is nominated as the PCA (\$275 x 7)	\$1,925.00

Reason: Compliance with the development consent. **[C71]**

12. BASIX Certification

Prior to the issue of the Construction Certificate, certification is to be provided by the architect/design consultant to the Council / Accredited Certifier stating that the plans and specifications for the development meet the commitments of the BASIX Certificate lodged with the Development Application.

Reason: To ensure the development complies with the requirements of the SEPP (Building sustainability index: BASIX 2004). **[C81]**

13. S94A Contribution

The payment of **\$3,636.00** as a Section 94A levy prior to the approval/release of the Construction Certificate.

This amount has been calculated using the Warringah Section 94A Development Contributions Plan. It is current at the time of issue of this Consent. The amount will be adjusted at the time of payment according to the quarterly CPI (Sydney - All Groups Index). Please ensure that you provide details of this Consent when paying contributions so that they can be easily recalculated. (see schedule)

The basis for the contributions is as follows:

<i>Warringah Section 94A Development Contributions Plan</i>			
Contribution based on total development cost of		\$	363,600.00
Contribution - all parts Warringah	Levy Rate	Contribution Payable	Council Code
Total S94A Levy	0.95%	\$3,454	6923
S94A Planning and Administration	0.05%	\$182	6924
Total	1.0%	\$3,636	

Reason: *To retain a level of service for the existing population and to provide the same level of service for the population resulting from new development. [C82]*

14. Structural Design Certificate

That structural drawings and certificate from a qualified structural engineer, certifying that the design is in accordance with the relevant Australian Standards and design codes shall be submitted prior to issue of the construction certificate.

Reason: *To ensure the safety and structural adequacy of the approved development and compliance with the appropriate Australian Standards. [C83]*

15. Eaves

A minimum eaves to boundary setback of 675mm being maintained (measured from the bead on the eaves gutter to the boundary). Details demonstrating compliance with this requirement shall be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the Construction Certificate.

Reason: *Compliance with Council's controls. [I44]*

16. Rainwater Tank Capacity

The proposed rainwater tank as indicated on plan numbered 223/2007-1b (Issue B), dated 02.05.2007, prepared by Pittwater Homes, shall have a minimum capacity of 5,000 litres. Amended plans demonstrating compliance with this requirement shall be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the Construction Certificate.

Reason: *To ensure compliance with the requirements of the applicable BASIX Certificate.*

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

17. Silt & Sediment Control

Provision shall be made throughout the period of demolition / excavation & construction to prevent transmission of soil to the public road and drainage system by vehicles leaving the site.

***Reason:** To avoid siltation to adjoining properties and waterways. [D1]*

18. Construction Certificate

A Construction Certificate is required to be approved and issued by either Council or an Accredited Certifier, prior to the commencement of any works on the site.

***Reason:** Legislative requirements. [D3]*

19. Notice of Commencement

At least 2 days prior to work commencing on site Council must be informed, by the submission of a Notice of Commencement in accordance with Section 81A of EP & A Act 1979 of the name and details of the Principal Certifying Authority and the date construction work is proposed to commence.

***Reason:** Legislative requirement for the naming of the PCA. [D4]*

20. WorkCover

Your attention is directed to the need to seek advice of your obligations from the WorkCover Authority prior to the commencement of any works on the site.

***Reason:** Statutory requirement. [D5]*

21. Road opening permit

The developer/applicant is to obtain a "Road Opening Permit" from Council and pay all appropriate charges prior to commencement of any work on Council property. The developer/applicant shall be responsible for all public utilities and services in the area of the work, and as such shall notify all relevant Authorities, and bear all costs associated with any repairs and/or adjustments as those Authorities may deem necessary.

***Reason:** Statutory requirement (Roads Act 1993) [D6]*

22. Protection of Trees During Works

All trees that are specifically nominated to be retained by notation on the plans shall be maintained and protected during demolition, excavation and construction on the site. Protection methods shall be provided to the Principal Certifying Authority by an



appropriately qualified person prior to commencement of any works on the site.

Reason: *To ensure compliance with the requirement to retain significant planting on the site. [D10]*

23. 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.

(Note: Applications for hoarding permits, vehicular crossings etc will require evidence of insurance upon lodgement of the application.)

Reason: *To ensure the community is protected from the cost of any claim for damages arising from works on public land. [D17]*

CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

24. Road Reserve works

Lighting, fencing, traffic control and advanced warning signs shall be provided for the protection of the works and for the safety and convenience of the public and others, to the satisfaction of the Principal Certifying Authority, and in accordance with Council's standard specifications for engineering works. Traffic movement in both directions on public roads, and vehicular access to private properties is to be maintained at all times during the works. This Condition must be complied with during demolition and building work.

Reason: *Public Safety. [E4]*

25. Progress Inspections (Class 1 and 10 Buildings)

The Principal Certifying Authority (PCA) SHALL BE given a minimum of forty-eight (48) hours notice for mandatory inspection of the following, where applicable:

- (a) At the commencement of the work, and
- (b) After excavation for, and prior to the placement of any footings, and



- (c) Prior to pouring any in-situ reinforced concrete building element, and
- (d) Prior to covering of the framework for any floor, wall, roof or other building element, and
- (e) Prior to covering over waterproofing in any wet areas, and
- (f) Prior to covering over stormwater drainage connections, absorption pits and other drainage works, and
- (g) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The appointed Principal Certifying Authority **MUST** do the first inspection at the commencement of building work, and at completion of building work.

Notes:

- (1) The appointed Principal Certifying Authority has a discretion to determine additional inspections, or nominate other Accredited Certifiers to undertake inspections other than the first and last inspections, which are required to ensure compliance or otherwise with relevant codes and standards. In any event, the Principal Certifying Authority **MUST** be advised at all of the stages of construction identified above.
- (2) The PCA must advise the person with the benefit of the consent of the mandatory critical stage inspections referred to in the EP & A Regulations.
- (3) Where Warringah Council is acting as the Principal Certifying Authority for the project, notice is to be given by telephone to Council on 9942 2111 and requesting a relevant inspection. Failure to advise Council at the stages of construction identified above may result in fines being imposed.
- (4) Failure to advise the Principal Certifying Authority of the need for **MANDATORY INSPECTIONS** at the critical stages of construction detailed above may result in fines being imposed, works being required to be demolished, or delays experienced in obtaining final certification and occupation of the development in order to resolve issues.

Reason: Prescribed mandatory inspections under legislation. [E7]

26. Replacement of Principal Certifying Authority

If the person exercising the benefits of a development consent changes or replaces the Principal Certifying Authority (PCA) during works on the site, the replacement PCA must notify Warringah Council within two (2) days of appointment. If the original PCA was Warringah Council, written approval from Council must be obtained for any change to the PCA role.



(Note: Special legislative provisions in the Environmental Planning and Assessment Act 1979 apply to the procedure for replacing a PCA)

Reason: Statutory requirement. [E11]

27. Replacement of Builder- (Class 1, 2, 3 and 4 buildings)

If the builder is replaced while residential building work is being carried out, the Principal Certifying Authority (PCA) must give Warringah Council written notice of the name, licence number, and insurer of head contractor (or name and permit number of the owner-builder) within two (2) days of their appointment/replacement.

Reason: Statutory requirement. [E12]

28. Noise and Vibration

Noise emissions and vibration must be minimised where possible and work is to be carried out in accordance with Environment Protection Authority guidelines for noise emissions from construction/demolition works and must also comply with the provisions of the Protection of the Environment Operations Act 1997. This Condition must be complied with during demolition and building work.

Reason: To ensure residential amenity is maintained in the immediate vicinity. [E17]

29. Dust Emission and Air Quality

Materials must not be burnt on the site.

Vehicles entering and leaving the site with soil or fill material must be covered.

Dust suppression measures must be carried out to minimise wind-borne emissions in accordance with the NSW Department of Housing's 1998 guidelines - Managing Urban Stormwater: Soils and Construction. Odour suppression measures must be carried out so as to prevent nuisance occurring at adjoining properties. This Condition must be complied with during demolition and building work.

Reason: To ensure residential amenity is maintained in the immediate vicinity. [E18]

30. Construction Access Over Public Reserve

No building, demolition, excavation or material of any nature is to be placed on a public reserve and no vehicular or other access is to be gained over a public reserve.

A separate application for access is to be made only in circumstances where direct access from a street frontage is not reasonable.

Reason: To ensure the proper management of public land. [E20]

31. No Removal of Trees on Public Property

No trees on public property (footpaths, roads, reserves, etc.) unless specifically approved in its consent shall be removed or damaged during construction including for the erection of any fences, hoardings or other temporary works.

***Reason:** Protection of existing environmental infrastructure and community assets.
[E21]*

32. Special Permits

Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely on the property. The applicant, owner or builder must apply for specific permits available from Council's Customer Service Centre for the undermentioned activities on Council's property pursuant to S138 of the Roads Act. A minimum of forty-eight (48) hours notice is required for any permit:

(1) On-street mobile plant

Eg. cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation, the area of operation, etc. Separate permits are required for each occasion and each piece of equipment. It is the responsibility of the applicant, owner and builder to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.

***Reason:** Proper management of public land. [E24 (1)]*

(2) Hoardings

Permits are required to erect Class A, Class B and Class C hoardings. If an 'A' Class hoarding is to alienate a section of Council's property, that section will require a permit for the occupation of Council's property.

***Reason:** Proper management of public land. [E24 (2)]*

(3) Storage of building materials and building waste containers (skips) on Council's property

Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given. Storage of building materials and waste containers on open space reserves and parks is prohibited.

***Reason:** Proper management of public land. [E24 (3)]*

(4) Kerbside restrictions, construction zones

The applicant's attention is drawn to the existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a construction zone, the appropriate application must be made and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee and may take considerable time to be resolved. An earlier application is suggested to avoid delays in construction programs.

Reason: *Proper management of public land. [E24 (4)]*

33. Noxious Plants

All lantana, privet, rubber trees, parateria, and other declared noxious plants on the site, shall be eradicated before the commencement of landscape works.

Reason: *To ensure that plants identified as weed species are not allowed to proliferate or interfere with a quality-landscaping outcome. [E25]*

34. Construction Hours

Building construction shall be restricted to within the hours of 7.00 am to 5.00 pm Monday to Friday and on Saturday to within the hours of 8.00 am to 1.00 pm inclusive, with no work on Sundays and Public Holidays.

Demolition and excavation works shall be restricted to within the hours of 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).

The builder and excavator shall display, on-site, their twenty-four (24) hour contact telephone number, which is to be clearly visible and legible from any public place adjoining the site.

Reason: *To ensure that works do not interfere with reasonable amenity expectations of residents and the community. [E26]*

35. Installation and Maintenance of Sediment Control

Techniques used for erosion and sediment control on building sites are to be adequately maintained at all times and must be installed in accordance with Warringah Council guidelines. All techniques shall remain in proper operation until all development activities have been completed and the site fully stabilised. This Condition must be complied with during demolition and building work.



Reason: *To protect the environment from the effects of sedimentation and erosion from development sites. [E28]*

36. Health and Safety

The work undertaken must satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements to prepare a health and safety plan. Site fencing must be installed sufficient to exclude the public from the site. Safety signs must be erected that warn the public to keep out of the site, and provide a contact telephone number for enquiries. This Condition shall be complied with during demolition and building work.

Further information and details regarding occupational health and safety requirements for construction sites can be obtained from the Internet at www.WorkCover.nsw.gov.au.

Reason: *To ensure the health and safety of the community and workers on the site. [E30]*

37. Prohibition on Use of Pavements

Building materials shall not be placed on Council's footpaths, roadways, parks or grass verges at all times.

Reason: *To ensure public safety and amenity on public land. [E35]*

38. Plant & Equipment Kept Within Site

All plant and equipment used in the erection of the building, including concrete pumps, wagons, lifts, mobile cranes, etc, shall be situated within the boundaries of the site and so placed that all concrete slurry, water, debris and the like shall be discharged onto the building site, and is to be contained within the site boundaries. This condition shall be complied with during demolition and building work.

Reason: *To ensure public safety and amenity on public land. [E36]*

39. Applicant's Cost of Work on Council Property

The applicant shall bear the cost of all works associated with the development that occurs on Council's property.

Reason: *To ensure the proper management of public land and funds. [E38]*

40. Maintenance of Road Reserve

The public footways and roadways adjacent to the site shall be maintained at all times during the course of the work in a safe condition.

Reason: Public Safety [E39]

OPERATIONAL CONDITIONS IMPOSED UNDER EP&A ACT AND REGULATIONS AND OTHER RELEVANT LEGISLATION

41. Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

Reason: Prescribed - Statutory. [F1]

42. Lead

For the protection of the health and safety of workers, adjoining property owners, the public and the environment, any person renovating or demolishing any building built before the 1970's should be aware that any surfaces may be coated with lead based paint. Lead dust is a hazardous substance. The requirements of the Environmental Protection Authority are to be followed in this regard.

Reason: Safety. [F4]

43. Demolition

Demolition work must be undertaken in accordance with the provisions of AS2601-Demolition of Structures.

Reason: To ensure that work is undertaken in a professional and responsible manner and protect adjoining property and persons from potential damage. [F6]

44. Site Sign

- (1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - (a) stating that unauthorised entry to the work site is prohibited;
 - (b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
 - (c) showing the name, address and telephone number of the Principal Certifying Authority for the work.
- (2) Any such sign must be maintained while the building work or demolition work is



being carried out, but must be removed when the work has been completed.

- (3) This condition does not apply to building works being carried out inside an existing building.

Reason: Statutory requirement. [F9]

45. Toilets

- (1) Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
- (2) Each toilet provided:
 - (a) must be a standard flushing toilet, and
 - (b) must be connected:
 - (i) to a public sewer; or
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
 - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.
- (3) The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.
- (4) In this clause:

accredited sewage management facility means a sewage management facility to which Division 4 Sub-division 5 of the Local Government (General) Regulation 2005 applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in the Regulation.

approved by the Council means the subject of an approval in force under the Local Government (General) Regulation 2005.

public sewer has the same meaning as it has in the Local Government (General) Regulation 2005.

sewage management facility has the same meaning as it has in the Local Government (General) Regulation 2005.

Reason: To ensure adequate facilities are provided for workers on the site. [F10]

46. Long Service Levy

Payment of the Long Service Levy is required prior to the release of the Construction Certificate. This payment can be made at Council or to the Long Services Payments Corporation.

Advisory note: The rate of the Long Service Levy at the time of consent is 0.35% of the building construction works. At the time of consent, payment is not required where the value of the works is less than \$25,000. For works that are \$25,000 or over, a fee is required at the prescribed rate. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply and is based on the building construction works identified in the Construction Certificate.

Reason: Prescribed - Statutory. [F12]

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

47. Occupation Certificate Required

An Interim / Final Occupation Certificate shall be obtained in relation to the approved works prior to any use or occupation of those parts of the building.

Reason: To ensure compliance with the provisions of the Environmental Planning and Assessment Act. [G1]

48. Termite Control

- (1) Termite control measures being installed in accordance with AS 3660.1-2000 "Termite Management: New Building Work."

Reason: Termite control. [G6 (1)]

- (2) A durable notice is to be permanently fixed to the building in a prominent location, such as the meter box or the like, indicating: The method of termite protection; date of installation; life expectancy of chemical barrier (if used); and installer's or manufacturer's recommendations for the scope and frequency of future inspections for termite activity.

Reason: Termite control. [G6 (2)]

49. Street Number



Street number being affixed to building prior to occupation.

Reason: *Proper identification of buildings. [G7]*

50. Reinstatement of Kerb

All redundant lay-backs and vehicular crossings shall be reinstated to conventional kerb and gutter, foot-paving or grassed verge as appropriate. All costs shall be borne by the applicant, and works shall be completed prior to the issue of an Occupation Certificate.

Reason: *To facilitate vehicular access to private sites, without disruption to pedestrian and vehicular traffic, and the preservation of on street parking spaces. [G9]*

51. Utility Services

All utility services shall be adjusted, to the correct levels and/or location/s required by this consent, prior to final completion and the issue of any Occupation Certificate.

Reason: *To ensure compliance with the terms of this consent. [G23]*

52. BASIX Compliance Certification

Prior to the issue of the Occupation Certificate, a compliance certificate is to be prepared by an Accredited Certifier and submitted to the Principal Certifying Authority stating that all the selected BASIX commitments as detailed in the BASIX Certificate, lodged with the Development Application, and the approved plans/specifications have been completed.

Reason: *To ensure the development complies with the requirements of the SEPP (Building sustainability index: BASIX 2004). [G31]*

53. Smoke Alarms

Smoke alarms are to be installed throughout the new Class 1a building in accordance with the Building Code of Australia prior to the occupation of the new works.

Reason: *Compliance with BCA and safety of occupancies. [G40]*



Right to Review by the Council

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.

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

Date 11 July 2007