

24 July 2015  
2015-0453

The General Manager  
Pittwater Council  
PO Box 882  
Mona Vale NSW 1660

Re: **First Use Cafe**  
**Lot 11 Section C DP 5464- 23B Macpherson Street WARRIEWOOD**  
**Development Application No.:**

NOTICE TO COUNCIL OF APPOINTMENT OF PRINCIPAL CERTIFYING AUTHORITY (PCA)	
Details of person appointing the PCA	
Name: Peter Haxell	
Address: Level 1, 4 Ponderosa Parade WARRIEWOOD	
Details of the PCA	
Name: AcroCert Pty Ltd	Accreditation No.: ABC 5
Address: PO Box 216 MAITLAND NSW 2320	
Consent of appointment	
AcroCert Pty Ltd consent to being appointed as the PCA for the development described above.	

Please find attached certified documents for archiving by Council. Would you please forward a receipt to AcroCert Pty Ltd in MAITLAND.

The Notice of Commencement will be forwarded to Council 48 hours prior to commencement of construction.

Should you require any further information or assistance, please contact the undersigned during normal working hours.

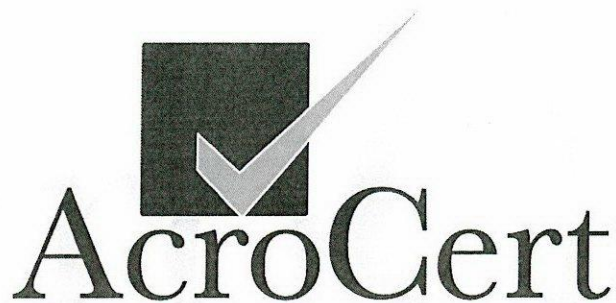
Yours faithfully

Stephen Murray  
Certifying Authority on behalf of AcroCert Pty Ltd

OFFICE USE ONLY	
Cheque Number:	5840
Certificate Lodged:	Complying Development Certificate

B36 REC: 380834 27/7/15





**COMPLYING DEVELOPMENT  
NOTICE OF DETERMINATION**

Complying Development No.	2015-0453
Determination	APPROVED
Property Details	23B Macpherson Street WARRIEWOOD NSW 2102 Lot 11SectionC DP5464
Zoning	R3 Medium Density Residential
Equivalent zoning	

Description of Works to be Undertaken	First Use Cafe (Fitout not included)
BCA Classification	6

Applicant	Peter Haxell Level 1, 4 Ponderosa Parade WARRIEWOOD NSW 2102
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**Statement:** This development is complying development and (if carried out as specified in the certificate) will comply with all development standards applicable to the development and with such other requirements prescribed by the Environmental Planning & Assessment Regulation, 2000, concerning the issue of this certificate.

**THIS COMPLYING DEVELOPMENT CERTIFICATE SHOULD BE READ IN CONJUNCTION WITH:**

Complying Development Conditions	See Attachment A
Notice of Inspections	See Attachment C

**THIS CERTIFICATE ISSUED BY:**

Stephen Murray - Accreditation Number: BPB0282

On behalf of AcroCert Pty Ltd - ABC 5

Accreditation Body: Building Professionals Board

Signature:	Certificate Determined On:
	23 July 2015

**THIS CONSENT WILL LAPSE FIVE YEARS FROM THE DATE OF DETERMINATION**



## **CONDITIONS APPLYING TO A COMPLYING DEVELOPMENT CERTIFICATE**

### **Attachment A**

#### **Conditions Under SEPP (Exempt and Complying Development Codes) 2008 – Commercial & Industrial (Alterations) & (New Buildings and Additions) Code**

**Note 1.** Complying development under the Commercial and Industrial Alterations Code and the Commercial and Industrial (New Buildings and Additions) Code must comply with the requirements of the Act, the Environmental Planning and Assessment Regulation 2000 and the conditions listed in this Schedule.

**Note 2.** Division 2A of Part 7 of the Environmental Planning and Assessment Regulation 2000 specifies conditions to which certain complying development certificates are subject.

**Note 3.** In addition to the requirements specified for development under this Policy, adjoining owners' property rights, applicable common law and other legislative requirements for approvals, licences, permits and authorities still apply.

**Note 4.** If the development is in the proximity of infrastructure (including water, stormwater or sewer mains, electricity power lines and telecommunications facilities), the relevant infrastructure authority should be contacted before commencing the development.

**Note 5.** Under section 86A of the Environmental Planning and Assessment Act 1979, a complying development certificate lapses 5 years after the date endorsed on the certificate, unless the development has physically commenced on the land during that period.

### **PART 1 – CONDITIONS APPLYING BEFORE WORKS COMMENCE**

#### **1. Protection Of Adjoining Areas**

A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:

- (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- (b) could cause damage to adjoining lands by falling objects, or
- (c) involve the enclosure of a public place or part of a public place.

**Note.** See the entry in the General Exempt Development Code for scaffolding, hoardings and temporary construction site fences.

#### **2. Toilet Facilities**

- (1) Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.
- (2) Each toilet must:
  - (a) be a standard flushing toilet connected to a public sewer, or
  - (b) have an on-site effluent disposal system approved under the Local Government Act 1993, or
  - (c) be a temporary chemical closet approved under the Local Government Act 1993.

#### **3. Waste Management**

- (1) A waste management plan for the work must be submitted to the principal certifying authority at least 2 days before work commences on the site



- (2) The waste management plan must:
  - (a) identify all waste (including excavation, demolition and construction waste materials) that will be generated by the work on the site, and
  - (b) identify the quantity of waste material in tonnes and cubic metres to be:
    - (i) reused on-site, and
    - (ii) recycled on-site and off-site, and
    - (iii) disposed of off-site, and
  - (c) if waste materials are to be reused or recycled on-site—specify how the waste material will be reused or recycled on-site, and
  - (d) if waste materials are to be disposed of or recycled off-site—specify the contractor who will be transporting the materials and the waste facility or recycling outlet to which the materials will be taken.
- (3) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.
- (4) The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.

#### **4. Adjoining Wall Dilapidation Report**

- (1) Before commencing any demolition or excavation works, the person having the benefit of the complying development certificate must obtain a dilapidation report on any part of a building that is within 2m of the works.
- (2) If the person preparing the report is denied access to the building for the purpose of an inspection, the report may be prepared from an external inspection.

#### **5. Run-Off And Erosion Controls**

Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:

- (a) diverting uncontaminated run-off around cleared or disturbed areas, and
- (b) erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
- (c) preventing the tracking of sediment by vehicles onto roads, and
- (d) stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.

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## **PART 2 – CONDITIONS APPLYING DURING THE WORKS**

**Note.** The *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Noise Control) Regulation 2008* contain provisions relating to noise.

#### **6. Standard Hours for Construction**

Construction may only be carried out between 7.00 am and 6.00 pm on Monday to Friday, or between 8.00 am and 1.00 pm on Saturdays, and no construction is to be carried out at any time on a Sunday or a public holiday.

#### **7. Works Outside Standard Hours for Construction**

- (1) Work may be carried out outside the standard hours for construction if the work only generates noise that is:
  - (a) no louder than 5 dB(A) above the rating background level at any adjoining residence in accordance with the *Interim Construction Noise Guideline* (ISBN 978 1 74232 217 9) published by the Department of Environment and Climate Change NSW in July 2009, and
  - (b) no louder than the noise management levels specified in Table 3 of that guideline at other sensitive receivers.
- (2) Work may be carried out outside the standard hours for construction:
  - (a) for the delivery of materials—if prior approval has been obtained from the NSW Police Force or any other relevant public authority, or
  - (b) in an emergency, to avoid the loss of lives or property or to prevent environmental harm.

#### **8. Compliance with Plans**

Works must be carried out in accordance with the plans and specifications to which the complying development certificate relates.

#### **9. Demolition**

Any demolition must be carried out in accordance with AS 2601—2001, *The demolition of structures*.



#### 10. Maintenance of Site

- (1) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- (2) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.
- (3) Copies of receipts stating the following must be given to the principal certifying authority:
  - (a) the place to which waste materials were transported,
  - (b) the name of the contractor transporting the materials,
  - (c) the quantity of materials transported off-site and recycled or disposed of.
- (4) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.
- (5) During construction:
  - (a) all vehicles entering or leaving the site must have their loads covered, and
  - (b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.
- (6) At the completion of the works, the work site must be left clear of waste and debris.

#### 11. Earthworks, Retaining Walls and Structural Support

- (1) Any earthworks (including any structural support or other related structure for the purposes of the development):
  - (a) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and
  - (b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and
  - (c) that is fill brought to the site—must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the *Protection of the Environment Operations Act 1997*, and
  - (d) that is excavated soil to be removed from the site—must be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005*.
- (2) Any excavation must be carried out in accordance with Excavation Work: Code of Practice (ISBN 978-0-642-785442 [PDF] and ISBN 978-0-642-785459 [DOCX]), published in July 2012 by Safe Work Australia.

#### 12. Drainage Connections

- (1) If the work is the erection of, or an alteration or addition to, a building, the roof stormwater drainage system must be installed and connected to the drainage system before the roof is installed.
- (2) Any approval that is required for connection to the drainage system under the *Local Government Act 1993* must be held before the connection is carried out.

#### 13. Archaeology Discovered During Excavation

If any object having interest due to its age or association with the past is uncovered during the course of the work:

- (a) all work must stop immediately in that area, and
- (b) the Office of Environment and Heritage must be advised of the discovery.

**Note.** Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the *Heritage Act 1997* may be required before further the work can continue.

#### 14. Aboriginal Objects Discovered During Excavation

If any Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work:

- (a) all excavation or disturbance of the area must stop immediately in that area, and
- (b) the Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the *National Parks and Wildlife Act 1974*.

**Note.** If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the *National Parks and Wildlife Act 1974*.

#### 15. When a Survey Certificate is Required

- (1) If any part of the work is the erection of a new building, or an alteration or addition to an existing building, that is located less than 3m from the lot boundary, a survey certificate must be given to the principal certifying authority:
  - (a) before any form work below the ground floor slab is completed, or



- (b) if there is no such form work—before the concrete is poured for the ground floor slab.
- (2) The survey certificate must be prepared by a registered land surveyor and show the location of the work relative to the boundaries of the site.

### **PART 3 – CONDITIONS APPLYING BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE**

#### **16. Vehicular Access**

If the work involves the construction of a vehicular access point, the access point must be completed before the occupation certificate for the work on the site is obtained.

#### **17. Utility Services**

- (1) If the work requires alteration to, or the relocation of, utility services on, or adjacent to, the lot on which the work is carried out, the work is not complete until all such works are carried out.
- (2) If the work will be the subject of a notice of requirements for water supply or sewerage services (or both) by a water utility or an entity authorised by the utility, the work must be satisfactorily completed before the occupation certificate is issued.
- (3) If the work will be the subject of a compliance certificate under section 73 of the Sydney Water Act 1994, the work must be satisfactorily completed before the occupation certificate is issued.

#### **18. Mechanical Ventilation Systems**

If the work includes a mechanical ventilation system that is a **regulated system** within the meaning of the Public Health Act 2010, the system must be notified as required by the Public Health Regulation 2012, before an occupation certificate (whether interim or final) for the work is issued.

#### **19. Food Businesses**

If the work relates to a **food business** within the meaning of the Food Act 2003, the food business must be notified, as required by that Act, or licensed as required by the Food Regulation 2010, before an occupation certificate (whether interim or final) for the work is issued.

#### **20. Premises where Skin Penetration Procedures are Carried Out**

If the work relates to premises at which a **skin penetration procedure**, within the meaning of the Public Health Act 2010, will be carried out, the premises must be notified as required by Part 4 of the Public Health Regulation 2012 before an occupation certificate (whether interim or final) for the work is issued.

### **PART 4 – OPERATIONAL REQUIREMENTS**

#### **21. Hours of Operation**

The development must not be operated outside the following hours:

- (a) if there are no existing conditions on the development consent applying to hours of operation—from 7.00 am to 7.00 pm on Monday to Saturday (other than public holidays) and 9.00 am to 6.00 pm on Sunday and public holidays,
- (b) if the development is a new building to be used for the purposes of industry or a warehouse or distribution centre—from 7.00 am to 7.00 pm on Monday to Saturday (other than public holidays) and 9.00 am to 6.00 pm on Sunday and public holidays,
- (c) If the development comprises the alteration of or addition to an existing building that is used for commercial premises where there are no existing conditions on the development consent applying to hours of operation—from 7.00 am to 10.00 pm on Monday to Sunday.

#### **22. Noise**

- (1) The development must comply with the requirements for industrial premises contained in the Noise Policy.
- (2) Noise emitted by the development:
  - (a) must not exceed an L A (15 min) of 5dB(A) above background noise when measured at any lot boundary of the property where the development is being carried out, and
  - (b) must not cause the relevant amenity criteria in Table 2.1 in the Noise Policy to be exceeded.
- (3) In this clause, the **Noise Policy** means the document entitled *NSW Industrial Noise Policy* (ISBN 0 7313 2715 2) published in January 2000 by the Environment Protection Authority.

#### **23. Lighting**

- (1) All new external lighting must:
  - (a) comply with AS 4282–1997 *Control of the obtrusive effects of outdoor lighting*, and



- (b) be mounted, screened and directed in a way that it does not create a nuisance or light spill on to buildings on adjoining lots or public places.
- (2) Lighting at vehicle access points to the development must be provided in accordance with AS/NZS 1158 Set:2010 *Lighting for roads and public spaces Set*.

#### **24. Unobstructed Driveways and Parking Areas**

- (1) All driveways and parking areas must be unobstructed at all times.
- (2) Driveways and car spaces:
  - (a) must not be used for the manufacture, storage or display of goods, materials or any other equipment, and
  - (b) must be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

#### **25. Landscaped Area (Planting and Maintenance)**

- (1) Any tree or shrub that fails to establish within 2 years of the initial planting date must be replaced with the same species of tree or shrub.
- (2) All landscaped areas on the site must be maintained on an on-going basis.

### **Conditions Under NSW Environmental Planning and Assessment Regulation, 2000 Division 2A - Conditions of Complying Development Certificate**

#### **136A Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989 (cf clauses 78 and 78A of EP&A Regulation 1994)**

- (1) A complying development certificate for development that involves any building work must be issued subject to the following conditions:
  - (a) that the work must be carried out in accordance with the requirements of the Building Code of Australia,
  - (b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.
- (1A) A complying development certificate for a temporary structure that is used as an entertainment venue must be issued subject to the condition that the temporary structure must comply with Part B1 and NSW Part H102 of Volume One of the Building Code of Australia (as in force on the date the application for the relevant complying development certificate is made).
- (2) This clause does not limit any other conditions to which a complying development certificate may be subject, as referred to in section 85A (6) (a) of the Act.
- (3) This clause does not apply:
  - (a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or
  - (b) to the erection of a temporary building, other than a temporary structure that is used as an entertainment venue.
- (4) In this clause, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application for the relevant complying development certificate is made.

**Note:** There are no relevant provisions in the Building Code of Australia in respect of temporary structures that are not entertainment venues.

#### **136AB Notice to Neighbours**

- (1) A complying development certificate for development on land that is not in a residential release area and that involves:
  - (a) a new building, or
  - (b) an addition to an existing building, or
  - (c) the demolition of a building,



must be issued subject to a condition that the person having the benefit of the complying development certificate must give at least 7 days' notice in writing of the person's intention to commence the work authorised by the certificate to the occupier of each dwelling that is located on a lot that has a boundary within 20 metres of the boundary of the lot on which the work is to be carried out.

(2) A complying development certificate for development on land that is in a residential release area and that involves:

- (a) a new building, or
- (b) an addition to an existing building, or
- (c) the demolition of a building,

must be issued subject to a condition that the person having the benefit of the complying development certificate must give at least 2 days' notice in writing of the person's intention to commence the work authorised by the certificate to the occupier of each dwelling that is located on a lot that has a boundary within 20 metres of the boundary of the lot on which the work is to be carried out.

(3) In this clause:

"**residential release area**" means any land within:

- (a) an urban release area identified within a local environmental plan that has been prepared under the Standard Instrument (Local Environmental Plans) Order 2006 and made as provided by section 33A (2) of the Act, or
- (b) a land release area identified under the Eurobodalla Local Environmental Plan 2012, or
- (c) any land subject to State Environmental Planning Policy (Sydney Region Growth Centres) 2006, or
- (d) any area included in Parts 6, 26, 27, 28 and 29 of Schedule 3 to State Environmental Planning Policy (Major Development) 2005.

#### **136B Erection of Signs**

- (1) A complying development certificate for development that involves any building work, subdivision work or demolition work must be issued subject to a condition that the requirements of subclauses (2) and (3) are complied with.
- (2) 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:
  - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
  - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - (c) stating that unauthorised entry to the site is prohibited.
- (3) 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.
- (4) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building, that does not affect the external walls of the building.
- (5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.
- (6) This clause applies to a complying development certificate issued before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

**Note:** Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

#### **136C Notification of Home Building Act 1989 Requirements**

- (1) A complying development certificate for development that involves any residential building work within the meaning of the Home Building Act 1989 must be issued subject to a condition that the work is carried out in accordance with the requirements of this clause.



- (2) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
  - (a) in the case of work for which a principal contractor is required to be appointed:
    - (i) the name and licence number of the principal contractor, and
    - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
  - (b) in the case of work to be done by an owner-builder:
    - (i) the name of the owner-builder, and
    - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.
- (3) If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.
- (4) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.

#### **136D Fulfilment of BASIX Commitments**

- (1) This clause applies to the following development:
  - (a) BASIX affected development,
  - (b) any BASIX optional development in relation to which a person has made an application for a complying development certificate that has been accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under clause 4A of Schedule 1 for it to be so accompanied).
- (2) A complying development certificate for development to which this clause applies must be issued subject to a condition that the commitments listed in each relevant BASIX certificate for the development must be fulfilled.

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#### **136E Development Involving Bonded Asbestos Material and Friable Asbestos Material**

- (1) A complying development certificate for development that involves building work or demolition work must be issued subject to the following conditions:
  - (a) work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 318 of the Occupational Health and Safety Regulation 2001 ,
  - (b) the person having the benefit of the complying development certificate must provide the principal certifying authority with a copy of a signed contract with such a person before any development pursuant to the complying development certificate commences,
  - (c) any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the bonded asbestos material or friable asbestos material is to be delivered,
  - (d) if the contract indicates that bonded asbestos material or friable asbestos material will be removed to a specified landfill site, the person having the benefit of the complying development certificate must give the principal certifying authority a copy of a receipt from the operator of the landfill site stating that all the asbestos material referred to in the contract has been received by the operator.
- (2) This clause applies only to a complying development certificate issued after the commencement of this clause.
- (3) In this clause,  
 "bonded asbestos material",  
 "bonded asbestos removal work",  
 "friable asbestos material" and  
 "friable asbestos removal work" have the same meanings as in clause 317 of the Occupational Health and Safety Regulation 2001 .



**Note:** Under clause 317 removal work refers to work in which the bonded asbestos material or friable asbestos material is removed, repaired or disturbed.

**Note:** The effect of subclause (1) (a) is that the development will be a workplace to which the Occupational Health and Safety Regulation 2001 applies while removal work involving bonded asbestos material or friable asbestos material is being undertaken.

**Note:** Information on the removal and disposal of asbestos to landfill sites licensed to accept this waste is available from the Department of Environment, Climate Change and Water.

**Note:** Demolition undertaken in relation to complying development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 must be carried out in accordance with Australian Standard AS 2601-2001, Demolition of structures .

#### **136H Condition Relating to Shoring and Adequacy of Adjoining Property**

- (1) A complying development certificate for development must be issued subject to a condition that if the development 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 certificate must at the person's own expense:
  - (a) protect and support the adjoining premises from possible damage from the excavation, and
  - (b) where necessary, underpin the adjoining premises to prevent any such damage.
- (2) The condition referred to in subclause (1) does not apply if the person having the benefit of the complying development certificate owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

#### **136I Traffic Generating Development**

If an application for a complying development certificate is required to be accompanied by a certificate of Roads and Maritime Services as referred to in clause 4 (1) (k) of Schedule 1, the complying development certificate must be issued subject to a condition that any requirements specified in the certificate of Roads and Maritime Services must be complied with.



**NOTICE OF INSPECTIONS – Attachment B**  
**Complying Development Certificate - Clause 135A**  
**Environmental Planning & Assessment Regulation, 2000 as amended**

This notice provides details as to what inspections and information are required throughout the course of construction. The Principal Certifying Authority (PCA) is the only Authority that can issue an Occupation Certificate for the works covered by the attached Complying Development Certificate

<b>Applicant</b>	Peter Haxell
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Pursuant to Section 86(1)(a1)(ii) of the Environmental Planning and Assessment Act, 1979 notice is hereby given of the inspections required by the Principal Certifying Authority relating to the land and development described as follows:

<b>Property Details</b>	23B Macpherson Street WARRIEWOOD NSW 2102 Lot 11SectionC DP5464
<b>Development</b>	First Use Cafe
<b>BCA Classification</b>	6
<b>Complying Development No.</b>	2015-0453

**MANDATORY CRITICAL STAGE INSPECTIONS**

Where appropriate, certain inspections may be conducted concurrently (e.g. the Stormwater Drainage & Final inspection are often carried out at the same time).

<b>Inspection</b>	<b>Inspection Notes</b>
Final Inspection	After the building work has been completed and PRIOR to any occupation certificate being issued, in relation to the building/development.

*Additional inspections may be required by the PCA throughout the course of construction, in order to issue the Occupation Certificate.*

Where appropriate, certain inspections may be conducted concurrently. If in any doubt as to which inspections can be carried out at the same time, please ring and confirm with AcroCert Pty Ltd PRIOR to proceeding with any further works.

**Inspections must be arranged at least one working day prior to when the inspection is required.** Inspection bookings can be made by telephoning AcroCert Pty Ltd on 02 4015 7626 during normal office hours or via our website at [www.acrocert.com.au](http://www.acrocert.com.au). Cancellations should be notified as soon as possible. A re-inspection fee may be applied where no cancellation has been received and the work is not ready for inspection.



Where an inspection reveals unsatisfactory or defective results, a re-inspection may be required and fees may be applied for any subsequent or additional inspections. When directed, continuation of further works is **STRICTLY PROHIBITED** until such time as a satisfactory inspection has been carried out and approval to continue is obtained.

Failure to call for an inspection or failure to carry out any rectification works found to be defective may result in the Occupation Certificate being refused. It is an offence to occupy or use the development without an Occupation Certificate.

Inspections will generally be carried out at the time and on the day requested. While every effort shall be made to attend an inspection at a specific time, AcroCert Pty Ltd cannot guarantee that specific appointment timings will be kept.

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## **CERTIFICATES AND INFORMATION**

The following Certificates and/or Information must be submitted prior to the required inspection or issue of an Occupation Certificate, as specified:

<b>Document</b>	<b>Notes</b>
Pre-Commencement Conditions	A signed statement that all applicable conditions of Development Consent have been complied with prior to the commencement of works. This statement should be accompanied by any relevant supporting evidence.
	Note: This information <b>MUST</b> be submitted prior to the Notice of Commencement being sent, and works commencing.
Application for an Occupation Certificate	On completion of the works please submit an application form signed by the owner/s

*Additional certificates may be requested upon inspection of building work.*

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An Occupation Certificate can only be issued if all of the pre-conditions of complying development consent have been complied with and all of the mandatory critical stage inspections have been completed. Also any additional required inspections must be completed, and all requested certificates and information must be submitted.

The person having the benefit of the development consent associated with this Notice of Inspections must, prior to the commencement of any works (if not carrying out the work as an owner-builder):



- Appoint a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
- Notify AcroCert Pty Ltd of any such appointments, and
- Notify the principal contractor of the inspections that are to be carried out and of the certificates/information that are to be submitted to AcroCert Pty Ltd in respect of the building work to enable the issue of an Occupation Certificate.



**Stephen Murray**

**On behalf of AcroCert Pty Ltd - ABC 5**

**Accreditation Body: Building Professionals Board**



# SITE BUILDING INSPECTION RESULT SHEET

Phone: 02 4933 5626 Fax: 02 4933 5609  
308 High Street (PO Box 216) MAITLAND NSW 2320



## APPLICATION DETAILS

Date App. Received:	Tuesday, 14. July 2015
Application No.:	20150453 / WARRIEWOOD PROPERTIES PTY LTD
Property Address:	Lot 11SectionC / 23B Macpherson Street WARRIEWOOD
Development Type:	of Coffee Shop
Company Name:	Individual
Owners Name & No.:	Peter Huxell M: P: 9999 6494
DA No. (If Applicable):	

## OBSERVATIONS FROM SITE VISIT

Application Type	Possibly CD	CC Only
Site Access	off Macpherson Street	
Stormwater Drainage	To Street	
Kerb & Gutter	Nil & Good	
Overhead Power Lines	Nil	
Easements	None affected	
Tree Removal	Nil	
Bushfire Hazard	Dist	Water Supply
Flooding	Likely or not likely?	
Slope of Block	To Street (Slight Fall)	
Retaining Walls	Nil	
Set Backs	Informal	Front Setback Average
Existing Slab	Yes	No Partial
Sewer Mains	Not affected	
Natural Waterbody	Within 40m? Nil	
Fire Safety Measures (Class 2-9 Only)	Fire Hydrant <input type="checkbox"/>	Fire Hose Reels <input type="checkbox"/>
	Portable Fire Extinguishers <input type="checkbox"/>	Exit Signs <input type="checkbox"/>
	Other <input type="checkbox"/>	Emergency Lighting <input type="checkbox"/>
	rule to CC 2013-1914-1	

\* Do the plans and specifications adequately & accurately depict existing site conditions and/or existing buildings? Yes ☒ / No ☐

\* Are there any features of the site or buildings that would mean the development cannot be CD or comply with the BCA? Yes ☐ / No ☒  
If Yes, give details: \_\_\_\_\_

\* Do any existing structures applicable to this development appear structurally adequate to support this development? Yes ☒ / No ☐

Has any building work commenced? Yes ☐ / No ☒  
If Yes, give details: \_\_\_\_\_

Have you left a business card in the letterbox? Yes ☐ / No ☒ Comment Site  
Comments: No photos

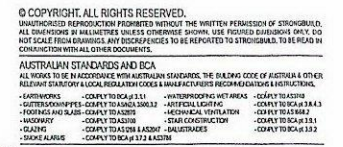
Brenden Lantry BPB0220 ☐  
Jeremy Gray BPB0792 ☐  
Jodie Eagar BPB1923 ☐  
Scott McGufficke BPB0258 ☐

Stephen Murray BPB0282 ☒  
Lauren Piper BPB1514 ☐  
Josh McGufficke BPB2037 ☐  
Warwick Green BPB0146 ☐

SIGNED: \_\_\_\_\_

DATE: 15/7/15





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Info@strongbuild.com.au  
www.strongbuild.com.au

client  
**WARRIEWOOD PROPERTIES PTY LTD**  
project  
**WARRIEWOOD - THE GROVE - RETAIL**

23 B MACPHERSON STREET,  
WARRIEWOOD, NSW, 2102

drawing

**FIRST FLOOR PLAN**

lot no. | D.P. no. | dwelling type  
**LOT 2 IN UNREG. PLAN OF SUBDIV.**  
**OF LOT 11, SEC. C, DP 5464**

ISSUED FOR  
CONSTRUCTION CERTIFICATE



stage drawn checked scale @ A3

CD AB TS/ML 1:100

project #	drawing #	revision
CP01042	00.02.02	B

For 15052 WARRIEWOOD CAFE.ph | Date: 6/07/2015 | Time: 6:02 pm



# Application for a Construction Certificate or a Complying Development Certificate



## Information for the Applicant

- To minimise delay in receiving a decision about the application, please fill in all sections and ensure all relevant information and documents are provided. If clarification and/or advice is required when completing this form please contact our office for assistance.
- Once completed, applications must be delivered by hand, by post or transmitted electronically to AcroCert for determination. Applications may not be sent by fax.
- A Construction Certificate or Complying Development Certificate has no effect if it is issued after the building work to which it relates is physically commenced.
- Upon an application being made for a Complying Development Certificate, the applicant (not being entitled to copyright) is taken to have indemnified all persons using the application & any accompanying documents in accordance with the Act against any claim or action in respect of breach of copyright (See-CL129 EP&A Regulation 2000).

## Office Use Only

To be completed by the certifying authority immediately after receiving the application.

Application No.: 2015-0453 Date Received: 14/7/2015

## Section A Details of the applicant\*

\* An application for a Construction Certificate should be made by a person who has the benefit of the development consent. An applicant can not be the person who will carry out the building work, unless that person owns the land on which the work is to be carried out.

Name(s): WARRIEWOOD PROPERTIES PTY LTD  
Correspondence to be c/- ROSE HAYES  
Postal Address: LEVEL 1, 4 SPONDEROSA AVE  
WARRIEWOOD NSW 2102  
Phone(s): 99996494  
Email: phaxell@auropacific.com

## Section B Details of the land where the building work is to be carried out

Street Address: 23 B MACPHERSON ST  
Suburb & Postcode: WARRIEWOOD NSW 2102  
Title Particulars (Lot & DP/SP): PROPOSED LOT 2 IN LOT 11 SECTION 1, DP 5464

## Section C Description of the building work

Briefly describe the development: FOR USAGE ONLY - FOR RETAIL BUILDING  
- CAFE  
BCA Class:

## Section D Cost of works

The contract price, or if there is no contract a genuine and accurate estimate, for all labour and material costs associated with all construction required for the development. NIL COST - USAGE ONLY  
Amount inclusive of GST: \$ NIL

## Section E Planning Consent - complete either Part 1 or Part 2 only

### Part 1. Development Application (Construction Certificate Only)

Development Consent No.: 596 / N0085 / 11 / 596 / 5 (copy for CCL)  
Date of Development Consent: 10/2015

### Part 2. Environmental Planning Instrument (Complying Development Certificate Only)

Tick the name of the "environmental planning instrument" under which the development is Complying Development and provide details if applicable.

- ☒ SEPP (Exempt & Complying Development Codes) 2008 First Use  
☐ SEPP (Affordable Rental Housing) 2009  
☐ SEPP (Infrastructure) 2007  
☐ SEPP (Mining, Petroleum Production & Extractive Industries) 2007  
☐ Council's Complying Development DCP/relevant policy



Section F Development statistics									
Indicate the types of building materials to be used in association with this application.									
<b>WALLS</b>			<b>ROOF</b>			<b>FLOOR</b>			
Brick (double)	11		Tiles	10		Concrete/slate	20		✓
Brick (veneer)	12		Concrete/slate	20		Timber	40		
Concrete/stone	20	✓	Fibre cement	30		Other	80		
Fibre Cement <i>UPPER LEVEL</i>	30	✓	Steel	60	✓	Not specified	90		
Timber	40		Aluminium	70		<b>FRAME</b>			
Curtain Glass	50		Other	80		Timber	40		✓
Steel	60		Not Specified	90		Steel	60		
Aluminium Cladding	70					Aluminium	70		
Timber/weatherboard	40					Other	80		
Other	80					Not Specified	90		
Not Specified	90								
<b>Proposed New Development</b>					<b>Proposed New Residential Building</b>				
Gross site area of land (m <sup>2</sup> ):			710 m <sup>2</sup>		No. of pre-existing dwellings on the site:				
Gross floor area of development (m <sup>2</sup> ):			530 m <sup>2</sup>		No. of dwellings to be demolished:				
No. of storeys the building will have:			2		No. of dwellings to be constructed:				
<b>Swimming Pool Only</b>			N/A		Will the new building be attached to an existing building:				
Gross volume of swimming pool (L):					Does the site contain a dual occupancy:				
<b>Proposed Change of Use</b>									
Current uses of the building:									
Future uses of the building:									
<b>Section G Applicants' consent/authority to enter and inspect land</b>									
<ul style="list-style-type: none"> <li>I/we consent to the certifying authority, or an accredited certifier, to enter the subject property at any reasonable time for the purpose of carrying out inspections in connection with the assessment of this application. I/we undertake to make access to the property available to enable inspections to be carried out.</li> <li>I / We agree to the terms and conditions of AcroCert's Certifying Authority Standard Contract, available at <a href="http://www.acrocert.com.au/documents">www.acrocert.com.au/documents</a>.</li> </ul>									
Name(s): <i>WARRIEWOOD PROPERTIES PTY LTD</i>									
Signature of applicant(s): <i>[Signature]</i>						Date: <i>8 JULY 2015</i>			
<b>Section H Owners' consent &amp; details (If different to the applicant)</b>									
Please note that <u>ALL</u> owners of the property must provide written consent. If you are signing on the owner's behalf as the owner's legal representative, please attach documentary evidence as to the nature of your legal authority, e.g. Power of Attorney, Company Director, Executor, Trustee.									
<ul style="list-style-type: none"> <li>As the owner(s) of the above property, I/we consent to this application.</li> </ul>									
Phone:									
Email:									
Name(s):									
Signature of owner(s):						Date:			



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- EARTHWORKS - COMPLY TO BCA p 3.1.1
- WATERPROOFING WET AREAS - COMPLY TO AS1740
- GUTTERS/DOWNPIPES - COMPLY TO AS/NZS 3500.12
- ARTIFICIAL LIGHTING - COMPLY TO BCA p 3.8.4.3
- FOOTINGS AND SLABS - COMPLY TO AS2870
- MECHANICAL VENTILATION - COMPLY TO AS1563.2
- MASONRY - COMPLY TO AS1700
- STAR CONSTRUCTION - COMPLY TO BCA p 3.9.1
- GLAZING - COMPLY TO AS 2888 & AS2047
- BALUSTRADES - COMPLY TO BCA p 3.9.2
- SMOKE ALARMS - COMPLY TO BCA p 3.7.2 & AS1786

AcroCert Pty Ltd  
APPROVED PLANS  
COUNCIL COPY

This plan/document forms part of the  
Approval issued by AcroCert Pty Ltd - ABC 5.  
Certificate No. 2015 0153  
Date 23 JUL 2015

B 08/07/2015 TITLE BLOCK AMENDED, AWNING COL. MOVED AB  
A 12/06/2015 ISSUED FOR CONSTRUCTION CERTIFICATE AB/ML  
rev date revision notes by

Unit 2B Old Creamery Lane  
Berry NSW 2535  
Tel: 4464 3892 | Fax: 4464 2625

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info@strongbuild.com.au  
www.strongbuild.com.au

client  
**WARRIEWOOD PROPERTIES PTY LTD**  
project  
**WARRIEWOOD - THE GROVE - RETAIL**  
site address  
**23 B MACPHERSON STREET,  
WARRIEWOOD, NSW, 2102**

drawing  
**GROUND FLOOR PLAN**

lot no. | D.P. no. | dwelling type  
**LOT 2 IN UNREG. PLAN OF SUBDIV.  
OF LOT 11, SEC. C, DP 5464**

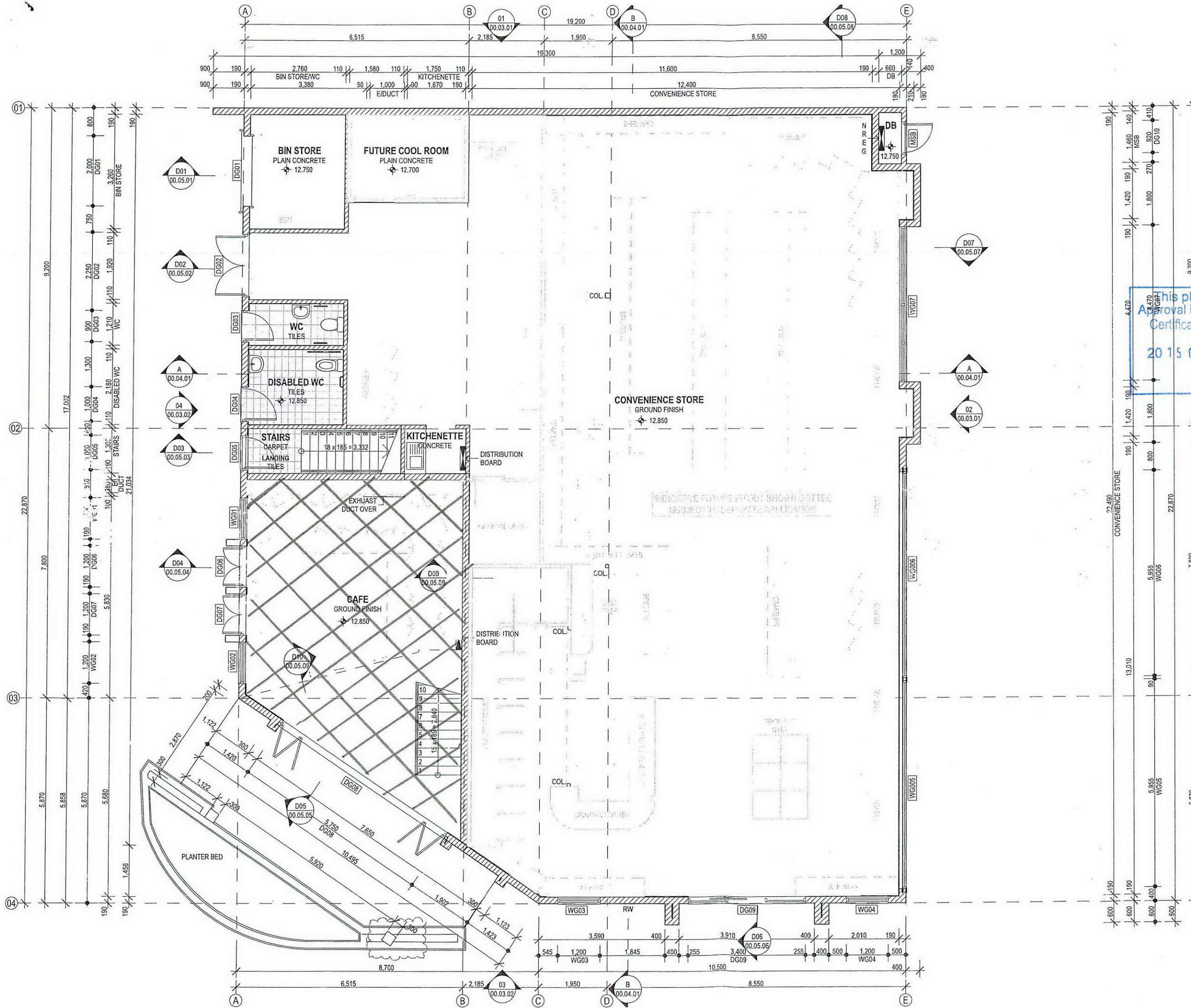
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CONSTRUCTION CERTIFICATE

0 1 2 3 metres 4

stage drawn checked scale @ A3  
**CD AB TS/ML 1:100**

project # drawing # revision  
**CP01042 00.02.01 B**

File: 150629 WARRIEWOOD CAFE.dwg | Date: 5/07/2015 | Time: 4:02 pm

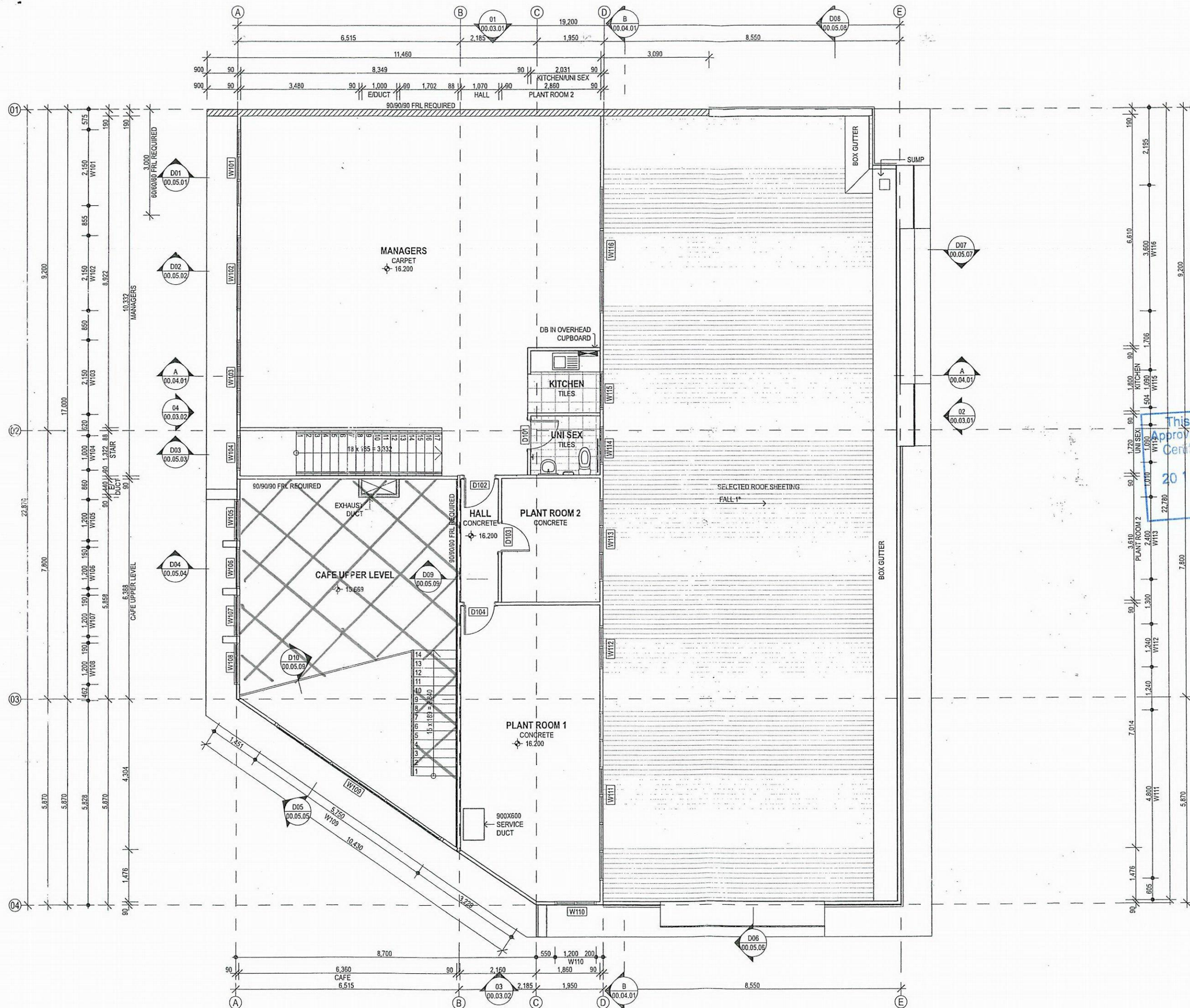




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- EARTHWORKS - COMPLY TO BCA p.3.1.1
- WATERPROOFING WET AREAS - COMPLY TO AS4042
- GUTTERS/DOWNPIPES - COMPLY TO AS2903.3.2
- ARTIFICIAL LIGHTING - COMPLY TO AS4384.3
- FOOTINGS AND SLABS - COMPLY TO AS2870
- MECHANICAL VENTILATION - COMPLY TO AS4682.2
- MASS MASONRY - COMPLY TO AS3700
- STAIR CONSTRUCTION - COMPLY TO AS4384.1
- CLADDING - COMPLY TO AS4576 & AS4577
- BALUSTRADES - COMPLY TO AS4384.2
- SMOKE ALARMS - COMPLY TO AS4384.3



This plan/document forms part of the  
Approval issued by AcroCert Pty Ltd - ABC 5.  
Certificate No. 20150153  
23 JUL 2015

B 08/07/2015 TITLE BLOCK AMENDED, AWNING COL. MOVED AB  
A 12/06/2015 ISSUED FOR CONSTRUCTION CERTIFICATE AB/ML  
rev date revision notes by



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