

26 MAR 2009

General Manager
Pittwater Council
PO Box 882
MONA VALE NSW 1660

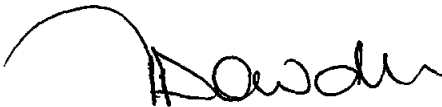
Dear Sir/ Madam

Development Consent No NO405/04 (as modified)
Construction Certificate No 2004/318A

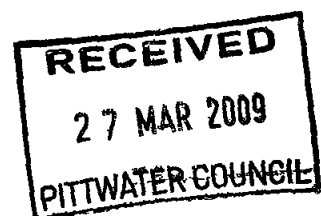
For Council's information, please find enclosed the following

- 1 Occupation Certificate No 2004/318A
- 2 A cheque for \$30 00 being Council's administration fee to accept the above **Please send receipt to Insight Building Certifiers, PO Box 326, Mona Vale 1660**

Yours faithfully



Tom Bowden
Insight Building Certifiers Pty Ltd



Rec-257109

530

3rd MAR 2009

PITTWATER COUNCIL

Determination of a Final Occupation Certificate Application

Made under Sections 109C(1)(c) and 109H of the Environmental Planning and Assessment Act 1979

Final Occupation Certificate No. 2004/318A

Land to which this certificate applies

Address. 5 Bilgola Terrace, Bilgola

Lot No 8 DP No 822265

I approve the issuing of this Final Occupation Certificate and certify that

- **I have been appointed as the Principal Certifying Authority under Section 109E of the Environmental Planning & Assessment Act 1979**
- **Current Development Consent No NO405/04 (as modified) is in force for this development**
- **Construction Certificate No 2004/318A has been issued with respect to the plans and specifications for alterations & additions to an existing dwelling including a swimming pool**
- **The building is completed in accordance with its classification under the Building Code of Australia**
- **Refer to the attached Schedule of all critical stage inspections**

Determination date 26 MAR 2009



**Tom Bowden
Accredited Certifier – Accreditation No BPB0042**

Schedule of critical stage inspections carried out or missed by the Principal Certifying Authority (Clause 151, 162A, 162B & 162C of the Environmental Planning & Assessment Regulations 1994)

Critical Stage Inspections	Inspected or Missed	Date Inspected
Commencement of building works	Missed	-
Excavation for footings	Inspected	4/11/2004
Prior to pouring of any in-situ reinforced concrete	Missed	-
Prior to the covering of any framework	Missed	-
Prior to covering waterproofing in any wet area	Inspected	1/12/2004
Prior to covering any stormwater drainage connections	Inspected	13/05/2005
Other required inspections	Pool Safety Fence	13/05/2005
Final Inspection	Inspected	13/05/2005

Schedule of Compliance Certificates or other documentary evidence relied upon to issue the Final Occupation Certificate

Form 3 Certificate	Issued by Peter Crozier Geotechnical Engineers dated 2 July 2005
Positive Covenant	Positive Covenant dated 30 November 2005
Building Setout	Component Certificate issued by Paul Keen Surveyors dated 23 November 2004
Engineers Certificates	Issued by Northern Beaches Consulting Engineers dated 3 November 2004 & 25 November 2004
Landscaping Completion Statement	Issued by Evergreen Designs dated 5 July 2005
Leaf Guard	Certificate of installation issued by The Leaf Man dated 16 February 2009

GEOTECHNICAL RISK MANAGEMENT POLICY FOR PITTWATER
FORM NO 3 – Post Construction Geotechnical Certificate

Development Application for <u>Mr & Mrs Mitchell</u> Name of Applicant
Address of site <u>5 Belgola Terrace, Belgola</u>

Declaration made by geotechnical engineer on completion of the Development

I Peter Crozier on behalf of CROZIER - Geotechnical Consultants
(Insert Name) (Trading or Company Name)

on this the 2nd July 2005

certify that I am a geotechnical engineer as defined by the Geotechnical Risk Management Policy for Pittwater. I am authorised by the above ~~organisation~~/company to issue this document and to certify that the ~~organisation~~/company has a current professional indemnity policy of at least \$2million. I prepared and/or verified the Geotechnical Report as per Form 1 dated 7th Oct 2004 referred to below

Geotechnical Report Details

Report Title <u>Proposed House Alterations & Pool</u>
Report Date <u>31-5-04</u>
Author <u>Pete Crozier</u>

I reviewed the original structural design and where applicable the subsequently amended structural details (below listed) which have been incorporated into the completed project

I have inspected and/or am satisfied that the foundation materials upon which the structural elements (as detailed in the original and amended structural documents) of the development have been erected comply with the requirements specified in the Geotechnical Report

I have inspected the site during construction and to the best of my knowledge I am satisfied that the development referred to in the development consent D A _____ dated _____
(D A No) (Date consent given) [Signature]

has been constructed in accordance with the intent of the Geotechnical Report and the requirements of the conditions of Development Consent relating to the geotechnical issues (including any treatment and/or maintenance plan that may be required to remove risk where reasonable and practical)

I am aware that Pittwater Council require this certificate prior to issuing an occupancy certificate for the development identified above and will rely on this certificate in regard to the development having achieved the Acceptable Risk Management criterion defined in the Policy and that reasonable and practical measures have been taken to remove foreseeable risk

List of all work as executed drawings and Ongoing Maintenance plans relevant to geotechnical risk management

- | |
|--|
| <u>As per Recommendations in,</u>
a) CSIRO Sheet No 10-91 1988
b) The Aust Geomechanics Article # 1985 & 200
c) Table 5 of Report |
|--|

Signature [Signature]
Name Pete Crozier
Chartered Professional Status MIE Aust CPENG NPER
Membership No 691550

LEGALINK PTY LTD

LEGAL SUPPORT SERVICES ABN 35 099 032 596
Level 8 170 Phillip St SYDNEY 2000 DX 1239 SYDNEY
Phone (02) 9230 6900 Fax (02) 9223 8215 www.legalink.com.au

An Approved
LPI NSW
Information Broker

TITLE SEARCH

Torrens Title Computer Folio

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO 8/822263

SEARCH DATE	TIME	EDITION NO	DATE
16/2/2006	11 18 AM	3	6/2/2006

LAND

LOT 8 IN DEPOSITED PLAN 822263
AT BILGOLA
LOCAL GOVERNMENT AREA PITTWATER
PARISH OF NARRABEEN COUNTY OF CUMBERLAND
TITLE DIAGRAM DP822263

FIRST SCHEDULE

MARK ALLAN MITCHELL
KATRINA ELIZABETH MAGNUS
AS JOINT TENANTS

(T 6028222)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 C183721 COVENANT
- 3 AB646291 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED
- 4 AC94600 POSITIVE COVENANT

NOTATIONS

UNREGISTERED DEALINGS NIL

*** END OF SEARCH ***

HP VOC 22342

PRINTED ON 16/2/2006

LEGALINK hereby certifies that the information contained in this document has been provided electronically
by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900
*ANY ENTRIES PRECEDED BY AN ASTERIX DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE
WARNING THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER

Form 13PC
Licence 01-05-074
Licensee Cichero McLean & Menzies

POSITIVE COVENANT

Leave this space clear Affix additional pages to the top left-hand corner

New South Wales
Section 88E(3) Conveyancing Act 1919

PRIVACY NOTE Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any


(A) TORRENS TITLE	Folio Identifier 8/822263		
(B) LODGED BY	Delivery Box	Name, Address or DX and Telephone	CODE
		Reference (optional)	PC
(C) REGISTERED PROPRIETOR	MARK ALLAN MITCHELL & KATRINA ELIZABETH MAGNUS		
(D) LESSEE MORTGAGEE or CHARGE	Of the above land agreeing to be bound by this positive covenant		
	Nature of Interest	Number of Instrument	Name
	Mortgage	AB646291	NATIONAL AUSTRALIA BANK LIMITED
(E) PRESCRIBED AUTHORITY	Within the meaning of section 88E(1) of the Conveyancing Act 1919 PITTWATER COUNCIL ABN 61 340 837 871		


(F) The prescribed authority having imposed on the above land a positive covenant in the terms set out in annexure "A" hereto applies to have it recorded in the Registrar and certifies this application correct for the purposes of the Real Property Act 1900

DATE 30/11/2005

(G) Execution by the prescribed authority

I certify that an authorised officer of the prescribed authority who is personally known to me or as to whose identity I am otherwise satisfied signed this application in my presence


Signature of witness 
Name of witness Stephen Rowe
Address of witness 12/5 Vuko Place, Warriewood

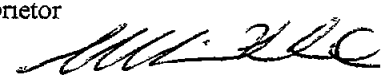


Signature of authorised officer
Name of authorised officer MARK FERGUSON
Position of authorised officer GENERAL MANAGER

(G) Execution by the registered proprietor

I certify that the person(s) signing opposite, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence

Certified correct for the purposes of the Real Property Act 1900 by the Registered Proprietor

Signature of witness 
Name of witness Harry Papadopoulos
Address of witness 73 Albert Ave Chatswood

Signature of Registered Proprietor 


(H) Consent of the mortgagee

The mortgagee under mortgage No AB646291, agrees to be bound by this positive covenant. I certify that the above mortgagee who is personally known to me or as to whose identity I am otherwise satisfied signed this application in my presence

Signature of witness
Name of witness
Address of witness

Signature of mortgagee

**ANNEXURE "A" OF POSITIVE COVENANT IN FAVOUR OF PITTWATER
COUNCIL SETTING OUT TERMS OF POSITIVE COVENANT PURSUANT TO
SECTION 88E (3) OF THE CONVEYANCING ACT, 1919**

TERMS

- 1 The registered proprietor of the land hereby burdened shall at all times in respect of the development
 - (a) adopt and implement an on-going maintenance and inspection program substantially in accordance with the recommendations set out in the Geotechnical Report Reference No 2439 dated May 2004 prepared by Crozier Geotechnical Consultants (Table 5 – Appendix 6), which is reproduced in paragraph 3 hereof, so as to ensure that the development achieves the “acceptable level of risk” criteria over the life of the development
 - (b) permit the Council or its authorized agents from time to time but no more than once in every year and upon giving to the proprietor at least fourteen (14) days prior written notice to enter and inspect the land hereby burdened for compliance with the requirements of this covenant
 - (c) comply with the terms of any written notice issued by the Council in respect of the requirements of this covenant within the time stated in the notice so long as the time stated therein is not less than 28 days from the date of issue of the notice

- 2 In substitution of the powers of the Council prescribed under s 88F of the Conveyancing Act 1919 the Council shall have the following powers
 - (a) for the purposes of ensuring observance of this covenant, the Council or its authorized agents, no more than once in every year upon giving the proprietor not less than fourteen (14) days prior written notice, may enter the land hereby burdened and view the development,
 - (b) where this covenant requires the carrying out of any works, the Council may carry out the works upon the failure by the proprietor to carry out the works in compliance with the terms of this covenant after the required written notice has been provided to the proprietor,
 - (c) the Council may recover from the proprietor, in a court of competent jurisdiction, any expense reasonably incurred by it in exercising the powers under paragraph 2(b) hereof

- 3 For the purposes of this covenant

“Acceptable Level of Risk” Criteria is that criteria specified in the Pittwater Council’s Interim Geotechnical Risk Management Policy dated on or about 16 June 2003

Council shall mean Pittwater Council ABN 61 340 837 871

Development shall mean the development approved pursuant to the Development Consent No. N0405/04 issued and endorsed by the Pittwater Council on 27 July 2004 in respect of the land hereby burdened

Land Hereby Burdened shall mean the land in Folio Identifier 8/822263

Registered Proprietor and Proprietor shall mean the registered proprietor for the time being of the land hereby burdened

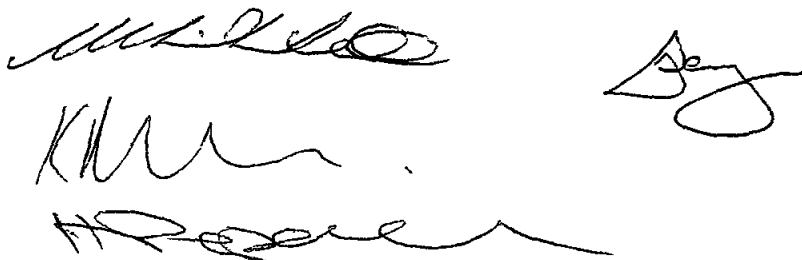
Works shall mean such actions taken or required to be taken so as to comply with the obligations contained in paragraph 1(a) of this covenant

The ongoing maintenance and inspection program referred to in paragraph 1(a) hereof is as follows -

STRUCTURE	MAINTENANCE/INSPECTION ITEM	FREQUENCY
Stormwater drains	Proprietor to inspect to ensure that the drains and pipes are free of debris and sediment build-up Clear surface grates and litter	Every year or following each major rainfall event
Retaining walls	Proprietor to inspect walls for deviation from as constructed condition	Every two years or following major rainfall event
Large trees on site	Arbourist to check condition of trees and remove branches as required	Every five years
Slope Stability	Hydraulics (stormwater) & Geotechnical Consultants to check on site stability at same time and provide report	One year after construction is completed

Name of Authority having the power to release this covenant is Pittwater Council

Name of Authority having the power to vary or modify this covenant is Pittwater Council and each person against whom this covenant may be enforced for the time being





DIRECTORS

Bruce Lewis Lucas Mollov Rick Wray Stewart McGeady

JOB No.

DA/CC #


PCA NAME

SITE INSTRUCTION

PROJECT ADDRESS 5 BILGOLA TERRACE.
BUILDER _____ ENGINEER R. Wray. DATE 3/11/4

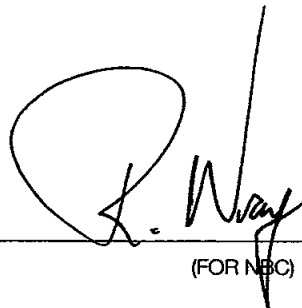
ITEMS INSPECTED	ITEMS APPROVED
<p>PERS TO FRONT for BALCONY POSTS ① FRAMING TO REAR</p>	

COMMENTS

① PERS OK - OK TO USE  BARS
- OK TO BRICK SOUND MATERIAL -
(beateck has approved)

② ENSURE Adequate hold down
to all roof framing.
otherwise OK.

SIGNED _____
(FOR BUILDER)

SIGNED 
(FOR NBC)

This inspection was carried out at the request of the client / builder I have read and understand the above site instruction
This inspection is / is not a mandatory critical stage inspection

JOB No

040112

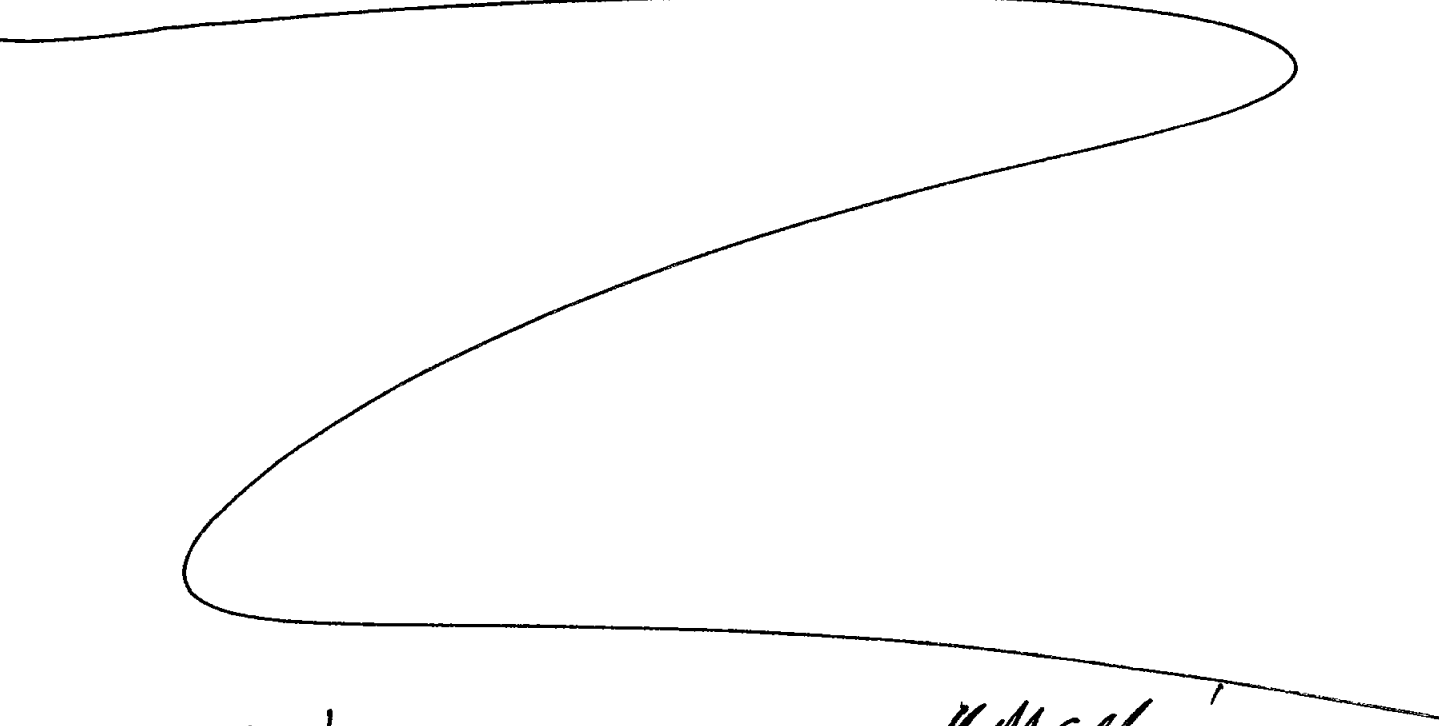
SITE INSTRUCTION

PROJECT ADDRESS S BILGOLA TERRACE BILGOLA

BUILDER COLMER CONST PTL ENGINEER KIMCKIE DATE 28/11/02
MICHAEL COLMER

ITEMS INSPECTED	ITEMS APPROVED
Front balcony floor/roof - STRES O.K.	

COMMENTS TRIP-L-GRIP BRACKETS TO BE FINALISED TO ROOF MEMBERS



SIGNED [Signature]
(FOR BUILDER)

SIGNED [Signature]
(FOR NBC)

This inspection was carried out at the request of the client/builder. I have seen and agree signed the above site instruction.

BUILDING INSPECTION REPORT

Land to which this Building Inspection Report result sheet applies

Council Area Pittwater ~~WIND~~ Date of Inspection 4/11/04
 Address 5 Bilgala TC Lot DP
 DA No NO 405/04 CC No 2004/318 CDC No —
 Requested by Ph No

Critical Stage Inspections

- | | | |
|---|--|--|
| <input type="checkbox"/> PCA Signage | <input type="checkbox"/> Floor Framing /Slab | <input type="checkbox"/> Pool Fence |
| <input type="checkbox"/> Sediment Controls | <input type="checkbox"/> Wall Framing | <input type="checkbox"/> Final Inspection |
| <input type="checkbox"/> Building Commencement | <input type="checkbox"/> Roof Framing | <input type="checkbox"/> Other (specify) |
| <input checked="" type="checkbox"/> Footings and Excavation | <input type="checkbox"/> Water Proofing | <input type="checkbox"/> Photographic record |
| <input type="checkbox"/> Steel Placement | <input type="checkbox"/> Stormwater | |

An inspection of pers to 5.pool has been carried out and has been found to be in compliance with the plans and specifications as approved in that Construction Certificate/Complying Development Certificate

Complete the work detailed hereunder

Complete the work detailed hereunder and contact the Principal Certifying Authority to arrange a re-inspection NB A re-inspection fee of \$_____ will be charged which is payable **PRIOR TO THE RE-INSPECTION BEING CARRIED OUT**

* Engr & Certch to City also

Signed

Accredited Building Surveyor

[Signature]

Date

5/11/04

BUILDING INSPECTION REPORT

0415 464 264

Land to which this Building Inspection Report result sheet applies

Council Area *PITTWATER* Date of Inspection *1/17/2004*
 Address *5 BILGOLA TERRACE* Lot *8* DP *822265*
 DA No *NO 405/04* CC No *2004/318* CDC No
 Requested by *Burke* Ph No

Critical Stage Inspections

- PCA Signage
- Sediment Controls
- Building Commencement
- Footings and Excavation
- Steel Placement
- Floor Framing /Slab
- Wall Framing
- Roof Framing
- Water Proofing *BATHROOM*
- Stormwater
- Pool Fence
- Final Inspection
- Other (specify)
- Photographic record

An inspection of *MEMBRANE BATHROOM - CEILING* has been carried out and has been found to be in compliance with the plans and specifications as approved in that Construction Certificate/Complying Development Certificate *FASTS DECK AREA*

- Complete the work detailed hereunder
- Complete the work detailed hereunder and contact the Principal Certifying Authority to arrange a re-inspection NB A re-inspection fee of \$_____ will be charged which is payable **PRIOR TO THE RE-INSPECTION BEING CARRIED OUT**

Provide additional test to membrane.

Signed *[Signature]* Date *1/17/2004*
 Accredited Building Surveyor

03 AUG 2005 14 1

DEPT PLANNING

02 0 1724

021



Pittwater Council
Component Certificate

DA No N0405/04

CC No

Property: 5 BILGOLA TERRACE BILGOLA NSW 2107

Landscaping

LS 1

DUNCAN JAMES
(Name)

of **EVERGREEN DESIGNS**
(Business)

at **UNIT 2 / 263 SOUTH BOLLING STREET, WATERLOO NSW 2011**
(Mailing Address)

0407 025 466
(Contact Phone No)

being a

- qualified horticulturist
- landscape architect

hereby certify that the **site landscaping** has been completed in accordance with the details shown on the approved plans or as required by any condition of Development Consent

Further I am appropriately qualified and experienced to provide the certification for this component of the project.

Signature

Date **4 8 05**



EVERGREEN DESIGNS

LANDSCAPE ARCHITECTURE AND DESIGN CONSULTATION

PH/FAX (02) 9663 0441
MOB 0407 025 466

ABN 20 447 066 174
BRN BN97726617

5th July 2005

Attention Mr Mark Mitchell
Project 5 Bilgola Terrace, Bilgola
Subject Completion of Landscape Works

Dear Mark

Following a recent site inspection I am pleased to confirm that the landscaping works have been completed for the above-mentioned property. All landscape elements have been supplied and installed in accordance with the approved Landscape Planting Plan LC-MRBT-ED-01.

Should you have any further requirements for inspections of this property and associated landscape works please do not hesitate to contact me.

Regards



Duncan James BBE - LA
EVERGREEN DESIGNS

PITTWATER COUNCIL

BS-1
Component Certificate
For
Building Setout

Property 5 *Sylvia Tce*

D/A No

CC No

1 PAUL KEEN
(Name)

of PAUL KEEN # 20
(Business)

at P-O BOX 175 NEWPORT 2106
(Mailing Address)

being a registered surveyor, my qualifications being

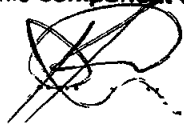
REGISTERED SURVEYOR

hereby certify that the building has been set out in accordance with the boundary setbacks nominated on the approved Development Consent plans or as amended/required by any condition of Development Consent.

AS SHOWN IN MY SKETCH DATED

Further, I am appropriately qualified and experienced to provide the certification for this component of the project.

Signature



Date

23/11/04

PAUL KEEN & COMPANY

LAND & ENGINEERING SURVEYORS
P KEEN (REG'D SURV M I S AUST)


P O BOX 175
NEWPORT 2106
138 WALLUMATTA ROAD,
NEWPORT 2106

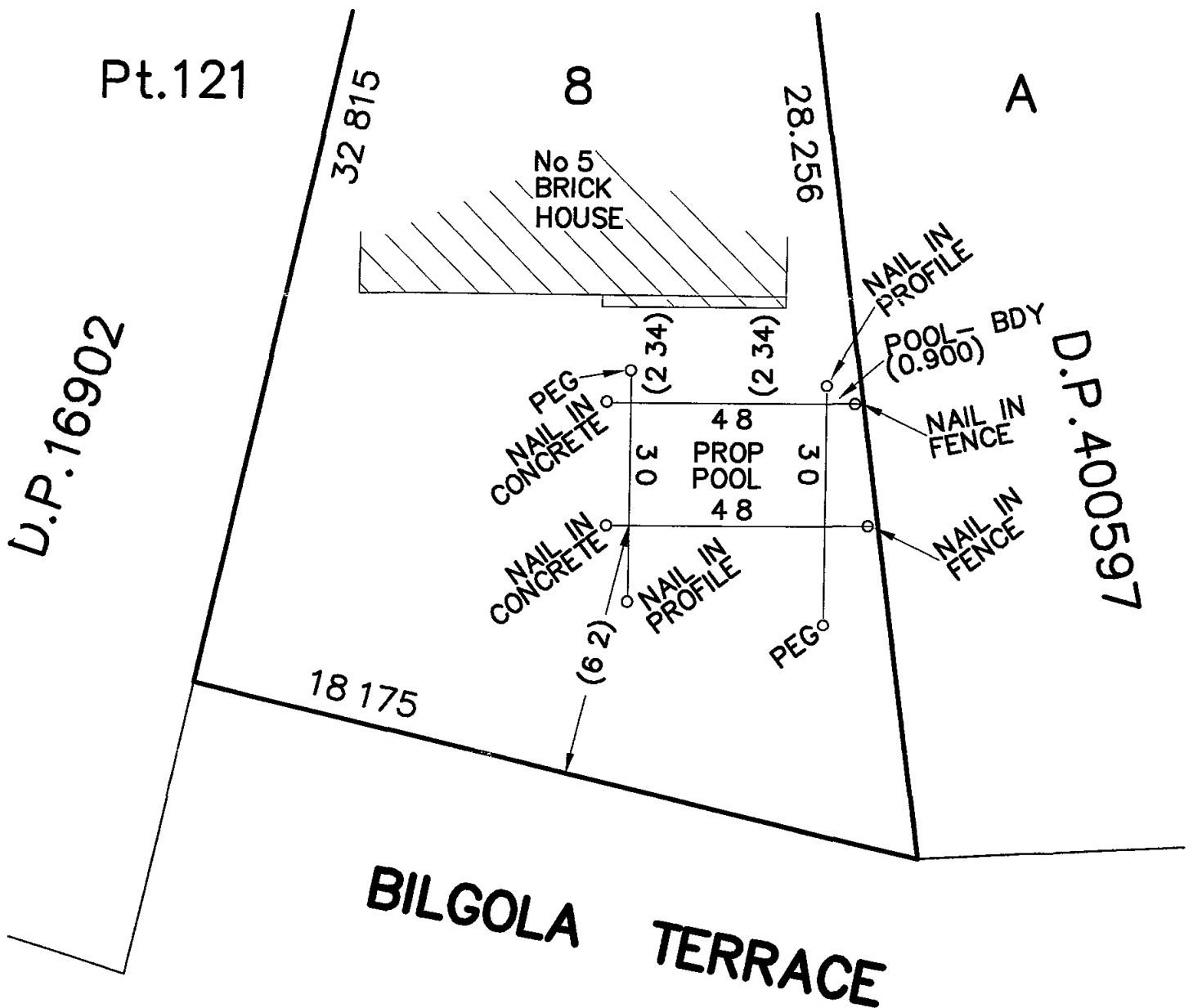
TEL 9997-3088
FAX 9997-8991
DX 9038, MONA VALE
E-MAIL paulkeen@ihug.com.au

SURVEY REPORT

DATE 23rd Nov 04
REF 18904

SKETCH SHOWING MARKS PLACED
FOR PROPOSED POOL
5 BILGOLA TERRACE, BILGOLA


Paul Keen



16 Feb 09 12 55p

Simon & Sonja

0299821615

RECEIVED
16 FEB 2009

THE LEAF MAN

THE LEAF MAN
Po Box 532 Terrey Hills NSW 2084
Enquiries 9999 1616 Fax 9982 1615
Mob 0414 502 843
theleafman@bigpond.com
ABN 16 165 524 126 Lic 154808C

BY.-----

Certification Requirement

To **Natalie Robinson**
Insight Building Certifiers

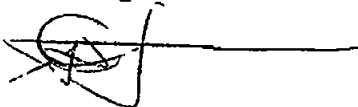
Re **5 Bilgola Terrace BILGOLA**

This is to certify that The Leaf Man has installed 'Bluescope' Colorbond steel leafguard to all external gutters to Australian standards

The product used is a quality metal product that meets Australian Standards AS1530Part3 for Fire Resistance

A copy of the paid invoice has also been attached

Kind regards



Simon Frauenfelder
The Leaf Man