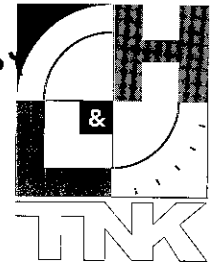


DA (3)  
24/01-10-2004

# LEAN & HAYWARD

File No: 76059.01.LE23



**LEAN & HAYWARD PTY LTD**  
Incorporating the Practice of  
W D Kimber & Associates Pty. Ltd.

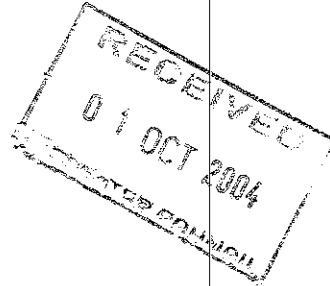
30<sup>th</sup> September 2004

Pittwater Council  
PO Box 882  
MONA VALE NSW 1660

ABN 19 067 492 755  
ACN 067 492 755

Level 1, 14 Dumaresq Street  
Campbelltown NSW 2560  
PO Box 232 DX 5105  
Ph: 61 2 4640 8222  
Fax: 61 2 4628 1056  
hq@lean-hayward.com.au

**Attention Darren Greenow**



Dear Sir

**Philip A Hayward**  
F.I.S.Aust.

**Patrick G McNamara**  
B.Surv., M.I.S.Aust.

**Ronald J Rengger**  
B.Surv., M.I.S.Aust.

**Richard J Meaker**  
Town Planner, Ord 4

**W Douglas Kimber**  
M.I.S.Aust.

**Larry D Ward**  
B.Tech.Surv., M.I.S.Aust.

**Gary M Warren**  
B.Surv., M.I.S.Aust.

**Graeme A Fleming**  
B.E., M.I.E.Aust.

**Nathan Whishaw**  
B.E., M.I.E.Aust.

**Michael P Pletkan**  
B.Surv., M.Planning

**Mony C Seng**  
B.Surv., M.I.S.Aust.

**RE: 23B MACPHERSON STREET, WARRIEWOOD**  
**Construction Certificate CC0534/04**

Please find enclosed the following:-

- Completed Notification of Commencement and Principal Certifying Authority Service Agreement form together with faxed copy of page 8 signed by Mr Cameron Holt of Mirvac Homes Pty Ltd.
- Our client's cheque for \$225.00 being the required fee

Yours faithfully  
**LEAN & HAYWARD PTY LTD**

Mail to W. D. Kimber:  
PO Box 1507  
Lane Cove 2066

All payments to:  
PO Box 232  
Campbelltown NSW 2560

*per: N. Meaker*

**RICHARD MEAKER**

enc.



# Mirvac Homes (NSW) Pty Limited

A.C.N. 006 922 998

Suite 205  
30 Cowper Street  
Parramatta NSW 2150  
Telephone 9893 8800  
Facsimile 9893 8844

PITCOUWA

22/09/04

102867

INVOICE	DATE	\$ AMOUNT	DISCOUNT	RETENTION	PPS	NET PAID
7256-20904	22/09/04	225.00		.00		225.00

RECEIVED  
30 SEP

PLEASE ATTACH A TAX  
INVOICE/RECEIPT AND RETURN  
IMMEDIATELY TO THE ADDRESS  
BELOW SO THAT WE CAN  
SUPPORT OUR GST RETURN

MIRVAC HOMES (NSW) P/L  
PO BOX 787  
PARRAMATTA NSW 2124

TOTALS		225.00		.00		225.00
--------	--	--------	--	-----	--	--------



Unit 9/5 Vuko Place  
Warriewood NSW 2102  
PO Box 882  
Mona Vale NSW 1660  
Tel:(612) 9970 1111  
Fax:(612) 9970 7150

## NOTIFICATION OF COMMENCEMENT & PRINCIPAL CERTIFYING AUTHORITY SERVICE AGREEMENT

under Environmental Planning and Assessment Act 1979 sections 81A (2) (b) (ii) or (c), or (4) (b) (ii) or (c), 86 (1) and (2)

### About this form

- Use this form to appoint Pittwater Council as the Principal Certifying Authority (PCA) to carry out nominated inspections of the building / subdivision works and to issue the required Occupation Certificate
- This form must be submitted to Pittwater Council a minimum of two (2) days prior to the commencement of works.

### Who can complete this form?

- The owner of the property or the person having the benefit of the development consent.  
*Note : The builder or other contractor cannot complete this form unless they are also the owner of the property.*

### Payment of fees

- At the time of submitting this form to Pittwater Council a fee is to be paid in accordance with the following fee structure, current to 30 June 2005.

Value of Development	Total Fee (including GST)	
	Domestic (class 1 and 10)	Commercial
\$0 - \$5,000	<del>\$88.00</del>	\$155.00
\$5,001 - \$100,00	\$225.00	\$294.00
\$100,001 - \$250,000	<del>\$370.00</del>	\$412.00
\$250,001 and over	\$464.00	
\$250,001 - \$500,000		\$566.00
\$500,001 - \$1,000,000		\$721.00
\$1,000,001 and over		Fee on application

- Critical Stage Inspection fees (refer to Part 6e of this form) maybe paid at the time of booking the inspection or a delayed payment until the request for either an Interim or Final Occupation Certificate.

## 1. DEVELOPMENT INFORMATION

### 1a) DEVELOPMENT CONSENT

Development Application No: N0352/04.	Determination Date:
--	---------------------

### 1b) CONSTRUCTION CERTIFICATE

Construction Certificate No: CC0534/04.	Date of Issue:
--	----------------

**1c) DEVELOPMENT DETAILS**

Type of Work:	Brief description of development:
<input type="checkbox"/> New Building <input type="checkbox"/> Additions / Alterations <input type="checkbox"/> Subdivision	DEMOLITION OF EXISTING STRUCTURES

**1d) SITE DETAILS**

Unit/Suite:	Street No:	Street:
	233	MACYMERSON ST
Suburb:	Lot No:	Deposit / Strata Plan:
MARLBOROUGH	11	Sec C 5464

**1e) VALUE OF PROPOSED DEVELOPMENT**

Estimated value of proposed works: \$ ..... 80,000. ....
--

**1f) DATE WORK IS TO COMMENCE**

Minimum notice of two (2) days is required to be given prior to commencement of works.
Date of commencement: <del>Monday</del> <del>20 Sept 04</del> Tues 5th Oct 04.

**2. APPLICANT DETAILS**

*Note: The builder or other contractor cannot complete this form unless they are also the owner of the property.*

Name / Company:	Contact Person:
MIRVAC HOMES P/L.	CAMERON HOLT.
Postal Address:	Phone (H/B): .....
38 COWPER ST	Mobile: .....
PEREREMATTA.	Email: .....
	Fax: .....

**3. PRINCIPAL CERTIFYING AUTHORITY**

PITTWATER COUNCIL PO Box 882 Mona Vale NSW 1660  Ph: 9970 1111 Fax: 9970 7150
--

**4. COMPLIANCE WITH DEVELOPMENT CONSENT**

Have all conditions to be addressed prior to the commencement of works been satisfied?

YES  NO (see Note below)

**Note: If NO work must not commence.**  
 Please be aware that failure to address these conditions may leave you liable and in Breach of the Environmental Planning and Assessment Act 1979 (as amended). Penalties may include an on-the-spot fine and/or legal action.

If you are uncertain as to these requirements please contact Council's Development Compliance Group.

**5. HOME BUILDING ACT 1989**

N/A.

**Note:** Only applicable to development involving erection / alteration / addition of residential dwellings, units or associated buildings.

Are you an Owner Builder?

YES Owner Builders Permit No: .....

NO (please complete Builder details below)

Name of Builder / Head Contractor: .....	Contact Person: .....
Phone: .....	Insurance Company: .....
Mobile: .....	.....
After hours emergency phone number: .....	.....
Fax: .....	.....

Have you attached evidence that the licensed person is insured to carry out this type of work?

Insurance Certificate attached:  YES

**Note:** The above requirements are not necessary if you have attached to this notice a declaration, signed by each owner of the land that the reasonable market cost of labour and materials to be used is less than \$12,000.

Signed Declaration attached:  YES

## 6. RESPONSIBILITIES OF THE PRINCIPAL CERTIFYING AUTHORITY (PCA)

### 6a) Quality of Service:

Pittwater Council will carry out PCA and inspection services in a professional manner and in accordance with the requirements of the Environmental Planning & Assessment Act 1979 and Council's Code of Conduct.

### 6b) Site Signage:

Pittwater Council will erect a sign on the site to advise the general public of the contact details of the PCA. The sign will be erected during the Commencement Inspection.

### 6c) Inspections:

Pittwater Council officers will undertake the Critical Stage Inspections of the work during construction and prior to issuing an Occupation Certificate to ascertain compliance of specified stages of construction with the Development Consent, Construction Certificate, Building Code of Australia & relevant standards of construction. On appointment as the PCA, Pittwater Council will notify the applicant in writing of the Critical Stage & other Inspections.

### 6d) Critical Stage and other inspections:

The following stages of construction are required to be inspected by Council (as indicated by a ✓ in the relevant box).

**Note: Council's Development Compliance Officer will complete this section of the form.**

- Commencement Inspection (once siltation controls, site signage, site fencing etc, installed)
- Footing Inspection (prior to placement of concrete)
- Slab and other Steel Inspection (prior to placement of concrete)
- Frame Inspection (prior to fixing floor, wall & ceiling linings)
- Wet Area Waterproofing Inspection (prior to covering)
- Stormwater Inspection (prior to backfilling of trenches)
- Swimming Pool Safety Fence Inspection (prior to placement of water)
- Final Inspection (all works completed and prior to occupation of the building)

**Note:** Should the building works be completed in parts and not all aspects of a Critical Stage Inspection be ready, additional inspections maybe required – with a further inspection fee payable.

*Eg: If two slabs are prepared at separate times, two separate inspection bookings and fees are required.*

### 6e) Critical Stage and other inspection fees:

An inspection fee is required for each inspection identified in Part 6d of this form. Multiple inspections and fees for a Critical Stage maybe required if the works of that Critical Stage is incomplete at the time of inspection by the Council Officer.

An inspection fee is required for each separate inspection. Each inspection fee may be paid at the time of requesting an inspection or delayed for payment with the request for either an Interim or Final Occupation Certificate.

*Critical Stage or other Inspection Fee Scale current to 30 June 2005*

Value of Development	Fee per Inspection
\$0 - \$150,000	\$122
\$150,001 and over	\$225

*Final Inspection Fee Scale current to 30 June 2005*

Type of Development	Interim Occupation Certificate	Final Occupation Certificate
Domestic (Class 1 and 10 buildings)	\$258	\$258
Commercial (Class 2 – 9 buildings)	\$310	\$310

*Please note that a failure to give correct notification of required inspections may result in the issuing of a Penalty Infringement Notice (PIN or on-the-spot fine) and/or a Notice and Order by Council and may result in refusal to issue an Occupation Certificate.*

6f) Inspection Results:

Pittwater Council will provide written confirmation to the applicant of the inspection results and indicate if satisfactory or if additional works are required prior to reinspection.

## 7. RESPONSIBILITIES OF THE APPLICANT

7a) Inspections:

A minimum of forty-eight (48) hours notice (excluding weekends and public holidays) must be given to Council to enable the specified stages of construction to be inspected as identified in Item 6 of this agreement.

The applicant must ensure that the head contractor is advised of the required inspections and that the directions of Council's Development Compliance Officers are to be observed to ensure compliance with the Development Consent, Construction Certificate, Building Code of Australia and the terms of this agreement.

7b) Booking of Inspections:

The applicant shall request an inspection via Pittwater Council's Inspection Booking Hotline on 9970 1300. A minimum of forty-eight (48) hours notice must be provided to Council to arrange for completion of the inspection.

At the time of requesting the inspection, Pittwater Council will confirm an inspection time and day, name of inspecting officer and mobile contact number.

Building works must **not** proceed to the subsequent stages of construction prior to obtaining a satisfactory inspection from Council for each stage of construction specified in Item 6d of this agreement.

7c) Site Signage:

The applicant is responsible to maintain the PCA signage provided by Pittwater Council at the site until the work is completed.

The applicant is responsible to ensure that the Owner Builder or Head Contractor (builder) provide a rigid durable sign at the site, visible from the public place and maintained at the site until the work is completed. Such a sign shall display: (a) the name, address and telephone number of the person; (b) an after-hours emergency telephone number for the person and (c) stating "Unauthorised Entry to the Site is Prohibited".

7d) Compliance with the Development Consent and Construction Certificate:

All works must be carried out in accordance with the terms and conditions of Council's Development Consent and the Construction Certificate and relevant provisions of the Building Code of Australia and Environmental Planning and Assessment Act 1979.

Development Consent and a Construction Certificate must be obtained for any amendments or variations to the development, prior to the commencement of the amendment or variation.

Works not in accordance with the approval and Building Code of Australia may result in the refusal to issue an Occupation Certificate. Council may also serve a Notice and Order to comply with the approval and/or the institution of legal proceedings.

7e) Structural Engineering and Other Specialist Details:

The following details are to be forwarded to the PCA prior to commencement of construction (as identified by a ✓). The details are to be prepared by a suitably qualified person to confirm compliance with the relevant provisions of the BCA and Australian Standards:

**Note: Council's Development Compliance Officer will complete this section of the form.**

- Timber framing details including bracing and tie-downs
- Roof construction or roof truss details
- Termite control measures
- Glazing details
- Mechanical ventilation details
- Wet area construction details
- Details of fire resisting construction
- Details of essential fire and other safety measures
- Sound transmission and insulation details
- Details of compliance with development consent conditions



7f) Certification of Works:

To ensure compliance with the Construction Certificate and Building Code of Australia (BCA), the applicant is to provide certification to the PCA (at the relevant stage of construction), verifying that the following specialist matters (identified by a ✓) have been carried out in accordance with the relevant requirements of the BCA and Australian Standards:

**Note:** *Council's Development Compliance Officer will complete this section of the form.*

- Survey detailing building setbacks, reduced levels of floors and ridge by a registered surveyor
- Shoring and support for adjoining premises and structures by a structural engineer
- Contiguous piers or piling by a structural engineer
- Underpinning works by a structural engineer
- Structural engineering works by a structural engineer
- Retaining walls by a structural engineer
- Stormwater drainage works by a hydraulic engineer and surveyor
- Landscaping works by the landscaper
- Mechanical ventilation by a mechanical engineer
- Termite control and protection by a pest controller
- Waterproofing of wet areas by the waterproofer
- Installation of glazing by the builder
- Installation of smoke alarm systems by a licensed electrician
- Completion of construction requirements in a bush fire prone area by a competent person
- Completion of requirements listed in the BASIX Certificate by a competent person
- Fire resisting construction systems by a competent person
- Smoke hazard management systems by a competent person
- Essential fire safety and other safety measures by a competent person

Each of the above certifications are required to be prepared by an accredited certifier or other suitably qualified and experienced person and must reference the subject property, the relevant provisions of the BCA, Australian Standards and approved drawings, to the satisfaction of Pittwater Council.

7g) Occupation Certificate:

A *Final* Occupation Certificate must be obtained from the PCA prior to the occupation or use of a new building (or part of a building) or prior to the change of an existing building use/classification. An inspection fee is to be paid to the PCA in accordance with the fee scale in Part 6e of this agreement.

An application may be made to the PCA for an *Interim* Occupation Certificate, which will be considered in accordance with the provisions of the Environmental Planning and Assessment Act 1979 and conditions of development consent.

Only the Principal Certifying Authority can issue an Occupation Certificate and the Environmental Planning and Assessment Act 1979 contains penalty provisions for failing to obtain a required Occupation Certificate.

An application for an *Interim* or *Final* Occupation Certificate must be accompanied by a final or interim *fire safety certificates* as required by the EP&A Regulations, Clauses 80E or 80F for buildings other than Class 1 and 10.

7h) Miscellaneous requirements:

The applicant is required to ensure that valid public liability insurance cover to the value of \$10,000,000 (minimum) is held by the applicant and/or builder.

The applicant is required to notify Council, in writing, of any change in the details or address of the applicant or head contractor.

Pittwater Council may cancel the agreement if there is a breach of the agreement.

8. **YOUR SIGNATURE**

I accept the terms and conditions of this service agreement, including the associated payment of fees and appoint Pittwater Council as the Principal Certifying Authority for the subject development.

Signature: ..... Date: .....


9. **COUNCIL'S AGREEMENT TO APPOINTMENT**

The relevant details in Parts 6d, 7e & 7f of this agreement have been completed and I acknowledge the appointment of Pittwater Council as the Principal Certifying Authority.

Officer's name: ..... on behalf of Pittwater Council

Officer's signature: ..... Date: .....

**OFFICE USE ONLY**

Date of receipt: 1/10/04	Receipt No: 153018	Amount Paid: \$225 -	Accepted by: 
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RICHARD MEAUSER

7g) Occupation Certificate:

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Pittwater Council may cancel the agreement if there is a breach of the agreement.

8. YOUR SIGNATURE

I accept the terms and conditions of this service agreement, including the associated payment of fees and appoint Pittwater Council as the Principal Certifying Authority for the subject development.

Signature: [Handwritten Signature]

Date: 15/9/04

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Officer's signature: ..... Date: .....

OFFICE USE ONLY

Date of receipt: 1/10/04	Receipt No: 153018	Amount Paid: \$225 -	Accepted by:
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