



Warringah Council

## NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

Development Application No: DA 2005/1022

### DEVELOPMENT APPLICATION DETAILS

Applicant Name: Fujifilm Australia Pty Ltd

Applicant Address: 18A Coonanga Road North Avalon NSW 2107

Land to be developed (Address): Lot 1, DP 868761, 114 Old Pittwater Road Brookvale

Proposed Development: Demolition of lightweight partitioning, construction of new partitioning, installation of work stations, use of area as office

### DETERMINATION

Made on (Date): 25 November 2005

Consent to operate from (Date): 25 November 2005

Consent to lapse on (Date): 25 November 2010

### Details of Conditions – (including Section 94 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.



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## 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 No.	Drawing Title	Revision Date	Prepared By
CD 1A	Existing Floor Plan /Elevations	July 2005	JJDrafting
CD 2A	Proposed New Floor Layout	July 2005	JJDrafting

As modified by any conditions of this consent /approval

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. 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:

<b>SECURITY BOND &amp; FEE SCHEDULE</b>	
114 Old Pittwater Road Brookvale (Property address)	
DEVELOPMENT APPLICATION NUMBER 2005/1022	
<b>SECURITY BONDS</b>	<b>AMOUNT (\$)</b>
Tree Damage Bond (within the site)	
Street Tree Bond (on Council Property)	
Builders Road/Kerb Security Bond	
Engineering Construction Bond • General Works • Road Pavement • Stormwater • Kerb & Gutter, Footpath	
Others	
<b>TOTAL BONDS</b>	<b>\$Nil</b>
<b>FEES</b>	
<b>Kerb Security Inspection Fee</b>	\$200.00
Section 94 contribution	
Long Service Levy	\$340.00
Council progress inspections if PCA	\$250.00
<b>TOTAL FEES</b>	<b>\$790.00</b>

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

## CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

### 4. 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]*

### 5. 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]*

### 6. WorkCover

Your attention is directed to the need to seek advice of your obligations from the



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WorkCover Authority prior to the commencement of any works on the site.

*Reason: Statutory requirement. [D5]*

## 7. Excavation/Building Works

No excavation or building works shall be carried out until a Construction Certificate has been issued.

*Reason: To ensure compliance with statutory provisions. [D13]*

## 8. Inspection Fees

Where Council is acting as the Principal Certifying Authority and where an inspection of building, civil or landscape work is required by these conditions, inspection fees and component certification fees must be paid to Council before Council will undertake any inspections. These fees may be paid at the time of submission of the required Notice of Commencement of works. This condition applies regardless of whether a Certification fee is also payable.

Note: The submission of a Notice of Commencement of works form to Council at least two (2) days prior commencing works is a statutory requirement.

*Reason: Statutory requirement and information. [D14]*

## CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

### 9. Progress Inspections- (Class 5, 6, 7, 8 and 9 Buildings)

The Principal Certifying Authority (PCA) SHALL BE given a minimum of two (2) working days notice for inspection of the following:

- (a) After the building work has been completed and prior 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



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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 telephoning Council on 9942 2111 and requesting the 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. [E9]*

#### **10. 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]*

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

#### **11. 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]*

#### **12. 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:



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- (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 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]***

### **13. 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. This payment is not required where the value of the works is less than \$25,000.

The Long Service Levy is calculated on 0.2% of the building and construction work.

***Reason: Prescribed - Statutory. [F12]***

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

### **14. 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]***

### **15. Fire Safety Certificate**

To ensure the safety of occupants of the building a "Fire Safety Certificate" which identifies the schedule of "Fire Safety Measures" that have been completed to satisfactory standard shall be provided to the Principal Certifying Authority prior to the issue of an "Occupation Certificate" as required in the "Environmental Planning and Assessment Act & Regulation.



***Reason:*** *To ensure an adequate level of fire safety is provided within the premises for the life safety of building occupants. [G3]*

#### **16. Annual Fire Safety Statement for the building**

In accordance with the EPA Act & Regulation the owner of a building is to provide Council with an Annual Fire Safety Statement for the building.

***Reason:*** *To ensure an adequate level of fire safety is provided within the premises for the life safety of building occupants. [G4]*

