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TWBA – Terry West Building Approvals & Consultants Pty Ltd

A.C.N. 084953186

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- •Building Approvals-Construction Cert
- •Building Co-ordinator
- •Building Consultant
- •Advice on Council Matters

A.B.N 36084953186

Pittwater RSL Club 80-82 Mona Vale Road, Mona Vale 2103 7th July 2009 Ref T W B A / C C No 41A / 2009

MODIFIED CONSTRUCTION CERTIFICATE Issued under Section 109C(1) (b), 81A(4) of the Environmental Planning and Assessment Act1979

Subject Land

Lot 26, DP 654262, Nos 80-82 Mona Vale Road, Mona Vale

Description of Development

Erection of a Two Storey Carpark & new Outdoor

Seating Terrace at Pittwater RSL Club

Development Consent No

N0384 / 08,

Section 96 Modification No N0384 / 08 & Section 96 Modification No N0384 / 08

Date

4th May 2009 &

Section 96 Modification Date 28th May 2009 & Section 96 Modification Date 25th June 2009

R 26/769 8/7/09 TWBA Classification under B C A

Two Storey Carpark – Class 7a Outdoor Terrace – Class 9b

Date of Issue

7th July 2009

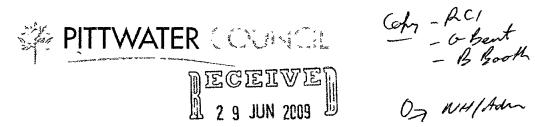
CERTIFICATION

It is certified that the work, if completed in accordance with the approved plans which are stamped as approved by Terry West of Terry West Building Approvals and Consultants Pty Ltd, will comply with the requirements of the Environmental Planning and Assessment Regulation 2000 as referred to in Section 81A (5) of the Environmental Planning and Assessment Act, 1979

The issuing of this Modified Construction Certificate permits the continuation of building works in accordance with the relevant approved plans, specifications and above-mentioned Development Consent

Terry West N S W Accreditation Scheme for Building Surveyors and Allied Professions Accreditation Number BPB0438

TWBA



BY

ABN61340837871 Telephone 02 9970 1111 facrimile 02 9970 7150 Postal Add es Mona Vale NSW 1660

DX 9018 Mona Vale

DA No N0384/08

Business Hours 8 00am to 6 00pm Monday to Thursday 8 00am to 5 00pm, Friday

25 June 2009

PAYNTER DIXON CONSTRUCTIONS **LOCKED BAG 9 ASHFIELD NSW 1800**

Dear Sır/Madam

Modification of Development Consent N0384/08 for construction of a two-storey carpark and new outdoor seating terrace at Pittwater RSL Club at PITTWATER RSL 80-82 MONA **VALE ROAD MONA VALE NSW 2103**

Your request for modification has been considered by Council and it has been agreed to modify the Consent

Please find attached the consent as modified

If there are any matters that require further clarification, please do not hesitate to contact me

Yours faithfully

Gına Hay

EXECUTIVE PLANNER



ABN61340837871 Talephone **02 9970 1111** 'acsimile 02 9970 7150 Phstal Addins PO Box 882 Mona Vale NSW 1660 DX 9018 Mona Vale

MODIFICATION OF DEVELOPMENT CONSENT NO N0384/08

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

NOTICE TO APPLICANT OF DETERMINATION

OF A DEVELOPMENT APPLICATION

Applicant's Name and Address

PAYNTER DIXON CONSTRUCTIONS LOCKED BAG 9 ASHFIELD NSW 1800

Being the applicant in respect of Development Application No. N0384/08

Pursuant to section 81 of the Act, notice is hereby given of the determination by Pittwater Council, as the consent authority, of this Development Application for -

Modification of Development Consent N0384/08 for construction of a two-storey carpark and new outdoor seating terrace at Pittwater RSL Club

At -

Lot 26 DP 654262

80-82 MONA VALE ROAD MONA VALE NSW 2103

Decision

The Development Application has been determined by the granting of consent based on information provided by the applicant in support of the application, including the Statement of Environmental Effects, and in accordance with

Drawings DA-CP 1 01 Rev A dated 30 07 08, DA-CP 1 02 Rev A 30 07 08, DA-CP 2 01 Rev A dated 31 07 08, DA-CP 2 02 Rev A dated 31 07 08, DA-CP 2 03 Rev A dated 30 07 08, DA-CP 2 04 Rev A dated 31 07 08, DA-CP 3 01 Rev A dated 27 06 08 all drawn by Bergstrom Architects, Concept Landscape Plan dated 01 10 08 and drawn by Angela Maroney, Stormwater Civil Design C01-P2, C02-P3, C03-P2, C04-P2 & C05-P2 all dated 06 03 09 and letter dated 06 03 09 and drawn by TaylorThompsonWhitting & Environmental Impact Statement prepared by Don Fox Planning and dated August 2008

as amended in red (shown clouded) or as modified by any conditions of this consent

The reason for the imposition of these conditions is to ensure that the development consented to is carried out in such a manner as to achieve the objectives of the Environmental Planning and Assessment Act, pursuant to section 5(a) of the Act having regard to the relevant matters for consideration contained in section 79C of the Act and the Environmental Planning Instruments applying to the land, as well as section 80A of the Act which authorises the imposing of the consent conditions

For ease of reference, all of the previous conditions have been re-listed Those conditions amended or deleted have been highlighted

Endorsement of date of consent 4/05/2009

(Modified 28/05/2009) (Modified 25/06/2009)

Mark Ferguson

GENERAL MANAGER

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Village Park 1 Park Street Mona Vale

59A Old Barrenjoey Road Avalon

Units 11 12 13 + 16/5 Vuko Place Warnewood

1 Boondah Road Warriewood



ABN 61 340 837 871 Telhatronc 02 9970 1111 Facsivist 02 9970 7150 PJ +1144-11 5 PO Box 882 Mona Vale NSW 1660 DX 9018 Mona Vale

Conditions of Approval

This consent is not an approval to commence building work. The works associated with this consent can only commence following the issue of the Construction Certificate

Note Persons having the benefit of development consent may appoint either a council or an accredited certifier as the principal certifying authority for the development or for the purpose of issuing certificates under Part 4A of the Environmental Planning and Assessment Act. When considering engaging an accredited certifier a person should contact the relevant accreditation body to ensure that the person is appropriately certified and authorised to act in respect of the development

A Prescribed Conditions

- 1 All works are to be carried out in accordance with the requirements of the Building Code of Australia
- 2 Critical stage inspections are to be carried out in accordance with clause 162A of the Environmental Planning & Assessment Regulation 2000 To allow a Principal Certifying Authority or another certifying authority time to carry out critical stage inspections required by the Principal Certifying Authority, the principal contractor for the building site, or the owner-builder must notify the Principal Certifying Authority at least 48 hours before building work is commenced and prior to further work being undertaken
- 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
 - а showing the name, address and telephone number of the Principal Certifying Authority for the work, and
 - h 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 house, and
 - C stating that unauthorised entry to the work site is prohibited

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

The hours of construction are restricted to between the hours of 7 00am and 5 00pm Monday - Friday and 7 00am to 1 00pm on Saturdays No works are to be carried out on Sundays or Public Holidays Internal building work may be carried out at any time outside these hours, subject to noise emissions from the building or works not being audible at any adjoining boundary

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B Matters to be incorporated into the development and maintained over the life of the development

Locally native canopy trees are to be planted onsite to replace trees approved for removal Canopy tree species and quantities are to be as per the approved Landscape Plan or selected from the list pertaining to the vegetation community growing in the locality as per the vegetation mapping and Native Plants for Your Garden book available from Pittwater Council and on the website (www pittwater nsw gov au). All native trees are to be retained for the life of the development, or for their safe natural life.

Trees that die or are removed must be replaced with another locally native canopy tree Any new fencing is to be made passable to native wildlife. As a guideline, hole dimensions should be 150mm wide x 100mm long at ground level spaced at 6 metre intervals.

- Over the life of the development all declared noxious weeds are to be managed / removed in accordance with the Noxious Weeds Act 1993 Environmental weeds are to be removed and/or controlled
- 3 No environmental weeds are to be planted on the site
- 4 Any vegetation planted outside approved landscape zones is to be consistent with
 - Locally native species or locally native plants growing on site and / or selected from the list pertaining to vegetation community(s) on the site as per the Pittwater Book Native Plants for Your Garden book available from Council and on the Pittwater Web Site
- This approval/consent relates only to the new work nominated on the approved consent plans and does not approve or regularise any existing buildings or structures within the property boundaries or within Council's road reserve
- 6 Landscape working drawings and specifications are to be prepared for the development which incorporate a landscape maintenance strategy for the owner/occupier to administer over a 12 month establishment period. This strategy is to address maintenance issues such as irrigation, soil testing, weeding, plant staking, fertilising, pest and disease control, replanting, remedial pruning and the like. Further, provision is to be made for the landscape designer to visit the site on a 3 monthly basis from the date of issue of the Occupation Certificate After the final inspection, the landscape designer is to issue a report to the owner/occupier certifying that all plant material is healthy and performing to expectation. A copy of this report is to be forwarded to the Accredited Certifier or Council.
- 7 The existing landscaping required to be retained together with any additional landscaping required by this Development Consent is to be maintained for the life of the development pittwater_councilepittwaternswgozau in the pittwaternswgozau.



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- Screen planting is to be provided, which after three years will, in conjunction with the canopy planting, screen 50% of the built form when viewed the street. Species selection is to incorporate locally native species. This screen planting is to be retained over the life of the development and replaced if any part of it should die or be destroyed or removed
- The recommended treatments set out in Section 6of the submitted Environmental Noise Impact Assessment by Acoustic Logic Consultancy and dated 4 August 2008 shall be adhered to throughout the life of the development
- 10 All lighting to be installed as part of the development shall comply with the requirements of AS 4282 and the submitted Obtrusive Lighting Report dated31 July 2008
- 11 A qualified acoustic engineer is to certify that the maximum noise level associated with the mechanical plant and equipment associated with the development does not exceed 5dB(A) above ambient background level, when measured from any adjoining premises
- 12 All utility services including overhead power supply and communication cables, but excluding any 33kv overhead power cables located in the adjacent road verge and those servicing the development are to be placed and/or relocated underground for the total frontage of the development site to any public road at the full cost to the developer
- 13 All plumbing and drainage fixtures are to be concealed and not exposed to public view
- 14 The finished surface materials, including colours and texture of any building, shall match the detail and materials of the existing building
- 15 An alternative accessible path of travel is to be provided in accordance with AS2890 1 between the bowlers' amenities building and Pittwater RSL Club within five years of the issue of a construction certificate under this Development Consent

C Matters to be satisfied prior to the issue of the Construction Certificate

Note All outstanding matters referred to in this section are to be submitted to the accredited certifier together Incomplete Construction Certificate applications / details cannot be accepted

- Prior to issue of the Construction Certificate, Form 2 of the Geotechnical Risk Management Policy for Pittwater (Appendix 5 of P21 DCP) is to be completed and submitted to the Principal Certifying Authority
- Drainage details showing site stormwater management are to be submitted to the Accredited Certifier or Council with the Construction Certificate application Such details are to be accompanied by a certificate from either a Licensed plumber, Surveyor or qualified practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (MTE), or who is eligible to become a Corporate member and has appropriate pittwater_council@pittwaternsw.govau



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experience and competence in the related field, that the stormwater management system complies with the requirements of section 3 1 2 *Drainage* of the Building Code of Australia Housing Provision and AS/NZS 3500 3 2 - Stormwater Drainage

The details shall include disposal of site stormwater (if the site is in a known slip area the stormwater disposal system must comply with the recommendations of a Civil (Geotechnical) Engineers report)

Note Where Council is the Principal Certifying Authority 3 sets of plans/specifications are to be submitted

3 DELETED

- 4 Submission of construction plans and specifications and documentation which are consistent with the approved Development Consent plans, the requirements of Building Code of Australia and satisfy all conditions shown in Part B above are to be submitted to the Principal Certifying Authority
- 5 The Accredited Certifier or Council must be provided with a copy of plans that a Quick Check agent/Sydney Water has stamped before the issue of any Construction Certificate
- Any proposed demolition works shall be carried out in accordance with the requirements of AS2601-1991 *The Demolition of Structures*

Amongst others, precautions to be taken shall include compliance with the requirements of the WorkCover Authority of New South Wales, including but not limited to

- 1 Protection of site workers and the general public
- 2 Erection of hoardings where appropriate
- 3 Asbestos handling and disposal where applicable
- 4 Any disused service connections shall be capped off

Council is to be given 48 hours written notice of the destination/s of any excavation or demolition material. The disposal of refuse is to be to an approved waste disposal depot

D Matters to be satisfied prior to the commencement of works and maintained during the works

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Note It is an offence to commence works prior to issue of a Construction Certificate

- 1 Temporary sedimentation and erosion controls are to be constructed prior to commencement of any work to eliminate the discharge of sediment from the site
- Sedimentation and erosion controls are to be effectively maintained at all times during the course of construction and shall not be removed until the site has been stabilised or landscaped to the Principal Certifying Authority's satisfaction
- 3 Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition
 - Waste materials generated through demolition, excavation and construction works are to be minimised by re-use on-site, recycling or where reuse or recycling is not practical, disposal at an appropriate authorised waste facility
- 4 The site is to be fully secured by a fence to all perimeters to the site to prevent unauthorised access both during the course of the works and after hours
- 5 No works are to be carried out in Council's Road Reserve without the written approval of the Council
- A Road Opening Permit, issued by Council, must be obtained for any road openings, or excavation within Councils Road Reserve associated with the development on the site, including stormwater drainage, water, sewer, electricity, gas and communication connections. During the course of the road opening works the Road Opening Permit must be visibly displayed at the site.
- 7 No skip bins or materials are to be stored on Councils Road Reserve
- 8 A clearly legible Site Management Sign is to be erected and maintained throughout the course of the works. The sign is to be centrally located on the main street frontage of the site and is to clearly state in legible lettering the following.
 - The builder's name, builder's telephone contact number both during work hours and after hours
 - That no works are to be carried out in Council's Road Reserve without the written approval of the Council
 - o That a Road Opening Permit issued by Council must be obtained for any road openings or excavation within Councils Road Reserve associated with development of the site, including stormwater drainage, water, sewer, electricity, gas and communication connections. During the course of the road opening works the Road Opening Permit must be visibly displayed at the site.

That no skip bins or materials are to be stored on Councils Road Reserve pittwater swgovau pittwater nswgovau



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o That the contact number for Pittwater Council for permits is 9970 1111

A satisfactory construction traffic management plan (CTMP) prepared by a suitably qualified traffic consultant is required to be submitted to the Private Certifying Authority prior to the commencement of any site works. The plan is to detail

- o Quantity of material to be transported
- o Proposed truck movements per day
- Proposed hours of operation
- Proposed traffic routes, noting that 3 tonne load limits apply to some roads within Pittwater
- 9 A stamped copy of the approved plans is to be kept on the site at all times, during construction
- 10 Toilet facilities are to be provided in a location which will not detrimentally affect the amenity of any adjoining residents at or in the vicinity of the work site during the duration of the development
- 11 Contractors and visitors to the site are to be advised of the purpose for the tree/ native vegetation/ habitat protection/exclusion fencing installed in accordance with this consent by the placement of a suitable warning sign on the fence. The sign is to include advice that no works or storage of materials is to take place within the dripline of existing trees.
- 12 During site excavation, topsoil which is to be used in later landscape works is to be stockpiled on site and stabilised during construction works. Stockpiles are to be stored outside of hazard areas and not located within the dripline of existing trees which are to be retained.
- 13 When working within the drip line of the trees, hand digging is to occur in sensitive areas Liaison on a daily basis is to be maintained during the excavation works between the Builder and Arborist. No filling or compaction shall occur over tree roots within the area defined by the outer drip line of the crown. Root protection/ compaction mitigation in the form of planks or metal decking supported clear of the ground fixed to scaffolding is to be installed as required.
- 14 No storage of building materials or building waste, excavated fill or topsoil storage is to occur within the dripline of trees shown on the approved landscape working drawing(s) as being retained or within protective fenced areas

Drainage is to be arranged such that fill, building materials or contaminants are not washed into protective fenced areas

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15 The developer or contractor will take all measures to prevent damage to trees and root systems during site works and construction activities including provision of water, sewerage and stormwater drainage services

In particular, works, erection of structures, excavation or changes to soil levels within 5 metres of the trunks of trees to be retained are not permitted unless part of the development as approved, and the storage of spoil, building materials, soils or the driving or parking of any vehicle or machinery within 5 metres of the trunk of a tree to be retained, is not permitted

NOTE Trees that are part of an Endangered Ecological Community or are habitat for threatened species and endangered populations must comply with the requirements of the Threatened Species Conservation Act, 1995 Failure to do so may result in a penalty up to a maximum of \$250,000 00 and jail sentences

Failure to comply with the requirements of the Pittwater Council Tree Preservation and Management Order may result in a penalty up to a maximum of \$20,000 00

16 All works within 5 metres of the existing trees to be retained including pruning, demolition, excavation, civil works, fencing and the like must be carried out by hand under the supervision of an experienced and qualified Arborist. Should roots larger than 50mm be encountered all excavation works are to cease immediately and a qualified Arborist is to advise on the impacts of the roots removal on the trees survival and report to the Principal Certifying Authority prior to works recommencing

If tree roots are present a pier and beam method of footing construction is to be adopted so as to bridge/span any identified lateral roots

E Matters to be satisfied prior to the issue of Occupation Certificate

Note Prior to the issue of an Occupation Certificate the principal certifying authority is to ensure that Council's assets, including road, kerb and gutter and drainage facilities adjacent or near to the site have not been damaged as a result of the works. Where such damage has occurred, it is to be repaired to Council's written satisfaction prior to the issue of an Occupation Certificate or suitable arrangements put in place to effect those repairs at a future date to Council's written satisfaction. Should this process not be followed, Council will pursue action against the principal accredited certifier in relation to the recovery of costs to effect such works.

Note It is an offence to occupy the building or part thereof to which this consent relates prior to the issue of an Occupation Certificate

- Prior to issue of the Occupation Certificate, Form 3 of the *Geotechnical Risk Management Policy* (Appendix 5 of P21 DCP) is to be completed and submitted to the Principal Certifying Authority
- 2 Certification is to be provided to the Principal Certifying Authority by an experienced civil pittwater_counginger, who is NPER accredited by the Institution of Engineers (Australia) that the



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drainage/stormwater management system has been installed to the manufacturers specification (where applicable) and completed in accordance with the engineering plans and specifications required under this consent

- 3 An Occupation Certificate application stating that the development complies with the Development Consent, the requirements of the Building Code of Australia and that a Construction Certificate has been issued must be obtained before the building is occupied or on completion of the construction work approved by this Development Consent
- 4 A landscape practical completion report is to be prepared by the consultant landscape architect/designer and submitted to the Principal Certifying Authority with the Occupation Certificate application. This report is to certify that all landscape works have been completed in accordance with the landscape working drawings and specifications
- 5 Compliance with the notes and recommendations contained within the accessibility report by ILC Access dated 6 April 2009

F Matters to be satisfied prior to the issue of Subdivision Certificate

Nil

G Advice

- Electrical insect killing light devices should not be used outside and not installed anywhere that they can attract and kill micro-bats
- 2 Failure to comply with the relevant provisions of the Environmental Planning and Assessment Act, 1979 (as amended) and/or the conditions of this Development Consent may result in the serving of penalty notices (on-the-spot fines) under the summary offences provisions of the above legislation or legal action through the Land and Environment Court, again pursuant to the above legislation
- The applicant is also advised to contact the various supply and utility authorities, ie Sydney Water, Sydney Electricity, Telstra etc to enquire whether there are any underground utility services within the proposed excavation area
- It is the Project Managers responsibility to ensure that all of the Component Certificates/certification issued during the course of the project are lodged with the Principal Certifying Authority Failure to comply with the conditions of approval or lodge the Component Certificates/certification will prevent the Principal Certifying Authority issuing an Occupation Certificate

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DX 9018 Mona Vale In accordance with Section 95(2) of the Act, this consent will lapse if the development, the subject of this consent, is not commenced within 2 years after the date from which this consent operates

NOTE Council may be prepared to consider an extension of this Consent period for a further 12 months, however, the request for extension would have to be received during the initial 2 year period

- To ascertain the date upon which the determination becomes effective, refer to Section 83 of the Environmental Planning and Assessment Act, 1979 (as amended)
- Should any of the determination not be acceptable, you are entitled to request reconsideration under Section 82A of the Environmental Planning and Assessment Act, 1979 Such request to Council must be made in writing, together with appropriate fees as advised at the time of lodgement of such request, within 1 year from the date of determination
- If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act, 1979, gives you a right of appeal to the Land and Environment Court within 12 months of the date of endorsement of this Consent
- The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Waters sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be appropriately stamped. For Quick Check agent details please refer to the web site at www sydneywater com au then see Building Developing and Plumbing then Quick Check, or telephone 13 20 92



SCHEDULE OF INSURANCE

Policy Type Policy Number Professional Indemnity Insurance

7986810PID

Insurer

QBE Insurance (Australia) Limited

Period of Insurance

30/06/2008 to 30/06/2009

Effective Date of Transaction

13/05/2009

PROFESSIONAL INDEMNITY INSURANCE

NAME OF INSURED Terry West I

Terry West Building Approvals & Consultants Pty Ltd and/or subsidiary and/or related Corporations as defined under Australian Corporations Law and/or financiers and all parties for whom the Insured undertakes to insure, for their respective rights,

interests, and liabilities

DESCRIPTION OF BUSINESS

Principally Building Consultants / Surveyors and any other activity

incidental thereto

INTEREST INSURED

Professional legal liability to third parties for any sum or sums which the insured may become legally liable to pay arising from any claim or claims made against the insured and reported during

the period of insurance

TERRITORIAL LIMITS

Worldwide

JURISDICTION.

Commonwealth of Australia

LIMITS OF LIABILITY

\$ 10,000 000 any one occurrence but \$ 10 000 000 in the aggregate for all claims first made against the Insured during the period of insurance (subject to Section 40(3) of the Insurance

Contracts Act 1984)

DEDUCTIBLE

\$ 5,000 Each and Every Claim (inclusive of costs) any one loss or in the aggregate for all losses excluding all costs, charges and

expenses

RETROACTIVE

Unlimited excluding known claims & circumstances

POLICY WORDING

Insurer's Professional Indemnity - Civil Liability policy wording

INSURING CLAUSES

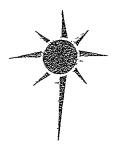
1 3 Intellectual Property Included
1 4 Defamation Included
1 5 Outgoing Principals Included
1 6 Retroactive Date Included
1 7 Trade Practices & Related Legislation Included

POLICY EXTENSIONS

2.1 Estates and Legal Representatives Included

2 2 Fraud and Dishonesty Included 2 3 Loss of Documents Included

(Sub-Limit \$100,000 any one claim and in



the aggregate)
2 4 Newly Created Subsidiary Included 2 5 Official Investigations & Enquiries Included Included

2 6 Run Off Cover Insured Entity (Sub-Limit \$25,000 any one claim and in the

aggregate) 2 7 Severability

Included

OPTIONAL EXTENSIONS

3 1 Aggregate Limit of Indemnity 3 2 Fidelity Not Included Not Included 3 3 Previous Business Not Included

ADDITIONAL **EXLUSIONS**

Manufacturing Construction Installation & Supervision Exclusion Employee Activities Exclusion

Building Surveyor, Inspector or Certifier Endorsement



Building Professionals Board

Certificate of Individual Accreditation

This is to certify that

Terry West

is accredited as an accredited certifier in New South Wales under the *Building Professionals Act 2005* in the following categories as set out in Schedule 1 of the Building Professionals Regulation 2007

A1 - Accredited Certifier - Building Surveying Grade 1

This certificate is subject to the conditions prescribed in the Building Professionals Regulation 2007 and the conditions contained in the attached Schedule

Penod of accreditation

23 March 2009 to 22 March 2010

Registration No

BPB0438

Neil Cocks

Director

Building Professionals Board

Schedule of conditions

The following conditions are imposed by the Building Professionals Board

1 The accredited certifier must not issue certificates for class 2 to 9 buildings where an alternative solution involving fire safety is proposed to achieve compliance with the relevant performance requirements of the Building Code of Australia