

Environmental Compliance  
8am to 5:30pm Mon - Thurs, 8am to 5pm Fri  
Phone 9970 1111

10 December 2013

Mepstead & Associates  
Attention: Mr Aaron Gray  
PO Box 208  
**PENNANT HILLS NSW 1715**

Dear Mr Gray

**Re: Complying Development Certificate – CDC0159/13**  
**Property: 2 Orchard Street, Warriewood**

Please find enclosed your approved Complying Development Certificate and stamped plans.

**Did you know that work is unable to commence until such time as a completed Notification of Commencement Form has been submitted to Council at least two (2) days prior to starting work? Not to do so is a breach of the Environmental Planning and Assessment Act, which would result in a Penalty Infringement Notice (on-the-spot fine) being issued to you and the builder.**

To assist you please find enclosed a "Notification of Commencement and Principal Certifying Authority Service Agreement" form to enable you to appoint Pittwater Council as your Principal Certifying Authority (PCA).

If appointed as the PCA, Council would carry out various inspections as indicated in Part 6 of the enclosed "Notification of Commencement and Principal Certifying Authority Service Agreement" form and ultimately issue an Occupation Certificate for your development. Appointment and inspection fees are also detailed in the enclosed form.

Council will endorse your "Notice of Commencement and Principal Certifying Authority Service Agreement" form and return a copy to the applicant with advice as to the required critical stage and other inspections to be carried out by Council.

Council is committed to providing a quality service and would value your business in being appointed as the Principal Certifying Authority for your development.

Yours sincerely



Kristy Wyres  
**DEVELOPMENT COMPLIANCE OFFICER**



**ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979  
NOTICE TO APPLICANT OF DETERMINATION  
OF A COMPLYING DEVELOPMENT CERTIFICATE  
DEMOLITION CODE**

**Applicant's Name and Address:**

**MEPSTEAD & ASSOCIATES PTY LTD  
ATTN: AARON GREY  
PO BOX 208  
PENNANT HILLS NSW 1715**

Being the applicant in respect of Complying Development Certificate No **CDC0159/13**

Pursuant to section 85A of the Environmental Planning and Assessment Act 1979, notice is hereby given of the determination by Pittwater Council, as the consent authority, of this Complying Development Certificate application for:

**DEMOLITION OF FIBRO CEMENT DWELLING AND SIX (6) METAL SHEDS**

**At:**

**LOT A DP 959150**

**2 ORCHARD STREET, WARRIEWOOD NSW 2102**

**BUILDING CLASSIFICATION: N/A**

**LANDUSE ZONE: 1(b)**

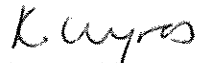
**Decision:**

A Complying Development Certificate has been granted subject to the conditions as detailed under SEPP (Exempt and Complying Development Codes) 2008 Part 7, Division 2, Subdivision 1 & 2:

- **Waste Management Plan dated 29 November 2013 for demolition of six metal buildings**
- **Waste Management Plan dated 13 November 2013 for demolition of a fibro cement dwelling**
- **Certification dated 25 November 2013 from ABAX Contracting indicating the existing septic tank will be demolished in accordance with advisory note dated 3 May 2006 issued by NSW Health**
- **Sediment and Erosion Control Plan number 1095-SED, sheet 1 of 2, dated 6 November 2013**
- **Pollution Control Plan number 1095-SED, sheet 2 of 2, dated 6 November 2013**
- **Detail Survey Plan, plan number 23132-001, issue A, dated 3 August 2013 prepared by Proust & Gardner Consulting Pty Limited**
- **Coloured enlargement of survey identifying structures to be demolished**

Endorsement date of issue: 10 December 2013

This Certificate lapses: 10 December 2018  
(5 years from endorsement date)



Kristy Wyres

**DEVELOPMENT COMPLIANCE OFFICER**

Accreditation No: BPB1560

## CONDITIONS

### COMPLYING DEVELOPMENT CONDITIONS

#### Part 7, DIV 2A, Clauses 136A – 136H

#### Environmental Planning and Assessment Regulation 2000

(In addition to the conditions prescribed under the Codes SEPP)

#### **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).

#### **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 458 of the Work Health and Safety Regulation 2011,
  - (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 1.** Under clause 317 removal work refers to work in which the bonded asbestos material or friable asbestos material is removed, repaired or disturbed.

**Note 2.** 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 3.** 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 4.** 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*.

## **Division 2 Conditions applying to complying development certificates under this code**

### **Subdivision 1 Conditions applying before works commence**

#### **7.3 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 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.

#### **7.4 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.

#### **7.5 Garbage receptacle**

- (1) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.
- (2) The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.

#### **7.6 Notification to neighbours**

- (1) The person having the benefit of the complying development certificate must give at least 2 days' notice in writing of the intention to commence the works to the owner or occupier of each dwelling that is situated within 20m of the lot on which the works will be carried out.
- (2) The notice must state that the works may include the removal of asbestos and, if it does, it will be carried out by a licensed person in accordance with the requirements of the Work Health and Safety Regulation 2011.

#### **7.7 Adjoining wall dilapidation report**

- (1) If on a lot a wall built to a boundary is to be demolished and there is a wall (the **adjoining wall**) on the lot adjoining that boundary that is less than 0.9m from that boundary, the person having the benefit of the complying development certificate must obtain a dilapidation report on the adjoining wall.

- (2) If the person preparing the report is denied access to the adjoining lot for the purpose of inspecting the adjoining wall, the report may be prepared from an external inspection of the adjoining wall.
- (3) In this clause:  
**dilapidation report** means a report, prepared by a professional engineer, confirming the structural condition of the adjoining wall before the development commences.

## **Subdivision 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.

### **7.8 Hours for demolition**

Demolition may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday and no demolition is to be carried out at any time on a Sunday or a public holiday.

### **7.9 Compliance with plans**

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

### **7.10 Sedimentation and erosion controls**

Run-off and erosion controls must be effectively maintained until the site has been stabilised and landscaped.

### **7.11 Maintenance of site**

- (1) Demolition materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- (2) Demolition materials and waste materials must be disposed of at a waste management facility.
- (3) The work site must be left clear of waste and debris at the completion of the works.