



NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

Development Application No: DA 2007/335

DEVELOPMENT APPLICATION DETAILS

Applicant Name: Greenfield DA Services

Applicant Address: PO Box 6160 Baulkham Hills BC 2153

Land to be developed (Address): Lot 110 in DP 874154, Suite 5, No. 13 Narabang Way Belrose

Proposed Development: Fit-out of Suite 5 of the existing building for use as an office.

DETERMINATION

Made on (Date): 3 July 2007

Consent to operate from (Date): 3 July 2007

Consent to lapse on (Date): 3 July 2010

Details of 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.

Pursuant to Section 95(2) of the Environmental Planning and Assessment Act 1979, Council has varied the provisions of Section 95(1) and advise that the consent will lapse 3 years from the date upon which the consent operates.

Section 95A of the Environmental Planning and Assessment Act 1979, allows for an extension of 1 year to the period in which the consent will lapse, except for complying development. Such an application must be made in accordance with Clause 114 of the Environmental Planning and Assessment Regulation 2000.

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 Number	Dated
2867 – PT01(A) "Partition Layout"	04.10.06
2867 – SK01(E) "Sketch Layout Proposal"	29.8.06

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. Building Works and Use of Adjoining Units Do Not Form Part of This Consent

This Development Consent is in relation to the use and occupation of Suite 5 of the building at No. 13 Narabang Way (Lot 110 in DP 874154) only. Nothing in this Consent approves or implies any use or building work in other units within the building.

Reason: To ensure compliance with this Consent.

3. No Signs

Nothing in this Development Consent approves or implies the installation of any business or advertising signage on or within the subject building. The installation of any signage shall require the submission and approval of a separate development application by Council, with the exception of those signs that fall within the definition of Exempt Development under Schedule 1 of Warringah Local Environmental Plan 2000.

Reason: To ensure compliance with Council's controls.

4. 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]

OTHER CONDITIONS

5. Fire Safety Schedule

The following fire safety schedule must be designed, installed and maintained in accordance with the provisions of the Environmental Planning and Assessment Regulation 2000:

No:	Service Currently Installed/Service Required:	Standard	BCA Clause(s)
001	Emergency lighting	AS/NZS 2293.1	E4.4
002	Exit signs	AS/NZS 2293.1	E4.8
003	Portable fire extinguishers & fire blankets	AS 2444	E1.6
004	Emergency Evacuation Plans	AS 3745	-

Notes:

- On completion of the building work the owner must furnish Council with a Fire Safety Certificate that states that each essential fire safety measure specified in the current fire safety schedule to which the Certificate relates:
 - has been assessed by a properly qualified person, and
 - was found, when it was assessed, to be capable of performing to a standard not less than that required by the current fire safety schedule for the building for which the certificate is issued.
- The assessment must have been carried out within the period of three (3) months prior to the date on which the final fire safety certificate was issued.
- The choice of person to carry out the assessment is up to the owner of the building.
- The person who carried out the assessment:
 - must inspect and verify the performance of each fire safety measure being assessed, and
 - must test the operation of each new item of equipment installed in the building premises that is included in the current fire safety schedule for the building.
- As soon as practicable after a final fire safety certificate is issued, the owner of the building to which it relates:
 - must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades, and
 - must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.

Reason: *Prescribed/Statutory.*

6. Access for People with Disabilities

Access for people with disabilities is to be provided within the subject suite (Suite 5). Consideration must be given to the means of dignified and equitable access to other areas within the building and to footpaths and roads. The subject development is to achieve compliance with the provisions of the Disability Discrimination Act, and the relevant provisions of AS1428.1 and AS1428.4.

Reason: *To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards. [C36]*

7. Construction Certificate

A Construction Certificate is to be approved and issued by either Council or an Accredited Certifier for any works that are required to satisfy the conditions of this Consent, prior to the commencement of such works on the site.

Reason: *Legislative requirements. [D3]*

8. 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]*

9. WorkCover

Your attention is directed to the need to seek advice of your obligations from the WorkCover Authority prior to the commencement of any works on the site.

Reason: *Statutory requirement. [D5]*

10. 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, where applicable:

- (a) At the commencement of the building work.
- (b) After the building work has been completed and prior to 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 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]

11. 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]

12. Final Compliance Certificate

A Certificate of Compliance under Section 109C (1) (a) of the Environmental Planning and Assessment Act 1979 must be provided by the Principal Certifying Authority. This Compliance Certificate must certify that the completed work complies with the relevant plans and specifications and with the conditions of this development consent.



Reason: To ensure compliance with the terms of this development consent. [E13]

13. 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]

14. Demolition

Demolition work must be undertaken in accordance with the provisions of AS2601-Demolition of Structures.

Reason: To ensure that work is undertaken in a professional and responsible manner and protect adjoining property and persons from potential damage. [F6]

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]

17. Hours of Operation

The operation hours of the subject premises (Suite 5) are generally limited to the following:

7am to 8pm, Monday to Sunday

Where business / office operation outside of the above hours is required, such operation shall not result in unreasonable noise or amenity impacts on the locality.

Reason: Information to ensure that amenity of the surrounding locality is maintained and hours of operation are consistent with those in surrounding locality. [I2]



18. Noise Impact On Surrounding Area

Use of the premises shall not cause a sound level in excess of 5 dB(A) at any time above the background noise level at any point along the site boundaries.

***Reason:** To ensure compliance with acceptable levels of noise established under best practice guidelines. [I18]*

19. Waste Collection

Waste and recyclable material, generated by this premises, must not be collected between the hours of 10pm and 6am on any day.

***Reason:** To ensure the acoustic amenity of surrounding properties. [I31]*

20. Delivery Hours

No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 6am on any day.

***Reason:** To ensure the acoustic amenity of surrounding properties. [I32]*

21. Building Certificate

This approval relates to proposed work only, not that already constructed without the prior consent of Council. Such unauthorised work is to be the subject of an application for a Building Certificate under Section 149A of the EPA Act.

***Reason:** To ensure appropriate steps are taken with respect to management of unauthorised works. [I47]*

22. Provision of Car Parking

A minimum of three (3) on-site car parking spaces shall be allocated for the exclusive use by the subject unit (Suite 5) at all times.

***Reason:** To ensure adequate car parking is provided for the subject premises and compliance with Council's controls.*



Right to Review by the Council

You may request the Council to review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979. Any request to review the application must be within 12 months after the date of determination shown on this notice.

NOTE: A fee will apply for any request to review the determination.

Right of Appeal

If you are dissatisfied with this decision Section 97 of the Environmental Planning & Assessment Act 1979 may give you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

Signed on behalf of the consent authority

Signature _____
Name

Date 3 July 2007