



## NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

**Development Application No:** DA 2007/22

### DEVELOPMENT APPLICATION DETAILS

**Applicant Name:** Warringah Council

**Applicant Address:** 725 Pittwater Road Dee Why NSW 2099

**Land to be developed (Address):** Road Reserve, Pitt Road cnr Griffin Road (adjacent to 55 Griffin road), North Curl Curl

**Proposed Development:** Demolition of bus shelter

### DETERMINATION

**Made on (Date):** 13 February 2007

**Consent to operate from (Date):** 13 February 2007

**Consent to lapse on (Date):** 13 February 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 No.	Drawing Title	Revision No.	Revision Date	Prepared By
A1 10480	Site plan, elevations (demolition)	-	Feb 2006	Warringah Design Services

Document Number	Dated
Document labeled "Work Plan and Environmental Control Plan" consisting of one (1) page	Undated, received by Council on 15/1/07

**Reason:** To ensure the work is carried out in accordance with the determination of Council and approved plans. [A1 (1)]

### CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

#### 2. Kerb Security Bond

A bond of \$550.00 shall be deposited with Council and inspection fees paid, prior to the commencement of works, against the potential for damage to Council's footpath and road reserve infrastructure during the construction process. (See Schedule)

**Reason:** To ensure appropriate security is in place for the protection or repair of Public Infrastructure. [C16]

#### 3. Asbestos & Hazardous Material

A person taking down, demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Work Cover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal. The requirements and standards imposed by the Authority, its consultants or contractors shall be complied with.



**Reason:** To ensure the long term health of workers on site and occupants of the building is not put at risk unnecessarily. [C53 (2)]

#### 4. 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 prior to the commencement of works:

<b>SECURITY BOND &amp; FEE SCHEDULE</b>	
Bus shelter - Road Reserve, Pitt Road cnr Griffin Road (adjacent to 55 Griffin road), North Curl Curl	
DEVELOPMENT APPLICATION NUMBER 2007/0022	
<b>SECURITY BONDS</b>	<b>AMOUNT (\$)</b>
Builders Road/Kerb Security Bond	\$550.00
<b>TOTAL BONDS</b>	<b>\$550.00</b>
<b>FEES</b>	
Kerb Security Inspection Fee	\$200.00
<b>TOTAL FEES (without inspections – see below)</b>	<b>\$200.00</b>
<b>Inspection fee if Council conducts inspections</b>	<b>\$550.00</b>

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

#### 5. Silt & Sediment Control

Provision shall be made throughout the period of demolition / Excavation & Construction to prevent transmission of soil to the public road and drainage system by vehicles leaving the site.

**Reason:** To avoid siltation to adjoining properties and waterways. [D1]

#### 6. 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]

#### 7. Inspection Fees

Where Council is acting as the Accredited Certifier for the purposes of carrying out the inspections required by Condition 10, the inspection fees must be paid to Council before Council will undertake any inspections. These fees may be paid prior to the carrying out of the inspection.



***Reason:*** Council and statutory requirement and information. **[SPECIAL CONDITION]**

#### **8. Demolition works by licensed contractor**

All demolition works are to be carried out by a licensed demolition contractor and a copy of the license shall be submitted to the Council/Accredited Certifier **prior to the commencement of demolition works on site.**

***Reason:*** To ensure a satisfactory standard of demolition works.

#### **9. Disposal of demolition waste materials**

Details demonstrating that all demolition waste and materials, including materials containing asbestos based materials, will be disposed of at an approved site shall be submitted to the Council/Accredited Certifier **prior to the commencement of demolition works on site.**

***Reason:*** To ensure that all waste materials are disposed of adequately.

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

#### **10. Progress Inspections (Class 10a Buildings)**

The Council or Accredited Certifier SHALL BE given a minimum of forty-eight (48) hours notice for mandatory inspection of the following, where applicable:

- (a) At the commencement of the work, and
- (b) After all works have been completed and all applicable conditions of this consent have been complied with.

***Reason:*** Council and statutory requirement and information. **[SPECIAL CONDITION]**

#### **11. Noise and Vibration**

Noise emissions and vibration must be minimised where possible and work is to be carried out in accordance with Environment Protection Authority guidelines for noise emissions from construction/demolition works and must also comply with the provisions of the Protection of the Environment Operations Act 1997. This Condition must be complied with during demolition and building work.

***Reason:*** To ensure residential amenity is maintained in the immediate vicinity. **[E17]**

## 12. Dust Emission and Air Quality

Materials must not be burnt on the site.

Vehicles entering and leaving the site with soil or fill material must be covered.

Dust suppression measures must be carried out to minimise wind-borne emissions in accordance with the NSW Department of Housing's 1998 guidelines - Managing Urban Stormwater: Soils and Construction. Odour suppression measures must be carried out so as to prevent nuisance occurring at adjoining properties. This Condition must be complied with during demolition and building work.

**Reason:** *To ensure residential amenity is maintained in the immediate vicinity. [E18]*

## 13. Demolition Hours

Demolition and excavation works shall be restricted to within the hours of 8.00 am to 5.00 pm Monday to Friday only. (Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

The builder and excavator shall display, on-site, their twenty-four (24) hour contact telephone number, which is to be clearly visible and legible from any public place adjoining the site.

**Reason:** *To ensure that works do not interfere with reasonable amenity expectations of residents and the community. [E26]*

## 14. Installation and Maintenance of Sediment Control

Techniques used for erosion and sediment control on building sites are to be adequately maintained at all times and must be installed in accordance with Warringah Council guidelines. All techniques shall remain in proper operation until all development activities have been completed and the site fully stabilised. This Condition must be complied with during demolition and building work.

**Reason:** *To protect the environment from the effects of sedimentation and erosion from development sites. [E28]*

## 15. Health and Safety

The work undertaken must satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements to prepare a health and safety plan. Site fencing must be installed sufficient to exclude the public from the site. Safety signs must be erected that; warn the public to keep out of the site, and provide a contact telephone number for enquiries. This Condition shall be



complied with during demolition and building work.

Further information and details regarding occupational health and safety requirements for construction sites can be obtained from the Internet at [www.WorkCover.nsw.gov.au](http://www.WorkCover.nsw.gov.au).

***Reason:*** *To ensure the health and safety of the community and workers on the site.*  
**[E30]**

#### **16. Maintenance of Road Reserve**

The public footways and roadways adjacent to the site shall be maintained at all times during the course of the work in a safe condition.

***Reason:*** *Public Safety* **[E39]**

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

#### **17. Lead**

For the protection of the health and safety of workers, adjoining property owners, the public and the environment, any person renovating or demolishing any building built before the 1970's should be aware that any surfaces may be coated with lead based paint. Lead dust is a hazardous substance. The requirements of the Environmental Protection Authority are to be followed in this regard.

***Reason:*** *Safety.* **[F4]**

#### **18. Demolition**

Demolition work must be undertaken in accordance with the provisions of Australian Standard 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]**

#### **19. Protection of Public Places**

(1) If the work involved in the erection or demolition of a building:

- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
- (b) building involves the enclosure of a public place,

a hoarding and site fencing must be erected between the work site and the public

place.

- (2) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- (3) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- (4) Any such hoarding, fence or awning is to be removed when the work has been completed.
- (5) No access across public reserves or parks is permitted.

**Note:** Prior to the erection of any temporary fence or hoarding over property owned or managed by Council, written approval must be obtained. Any application needs to be accompanied by plans indicating the type of hoarding and its layout.

Fees are assessed and will form part of any approval given. These fees must be paid prior to the approval being given.

Approval for hoardings will generally only be given in association with approved building works, maintenance or to ensure protection of the public. An application form for a Hoarding Permit can be downloaded from Council's website.

***Reason:*** To ensure public safety and the proper management of public land. **[F8]**

## **20. 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:
  - (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
- (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]**



### **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        K. Wright – Team Leader Development Assessment

Date        13 February 2007