



PFCDC2006/0542  
Steve Kaposi

30 June 2006

Precision Pergolas  
133 Bannockburn Road  
TURRAMURRA NSW 2074

## Complying Development Certificate

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### Certificate

**Address of Property:** Lot 77, DP224804,  
No. 16 Jindabyne Street, Frenchs Forest

**Type of Complying Development:** Covered timber deck

**Complying Development Certificate No:** 2006/0542

**Date of determination of  
Complying Development Certificate:** 30 June 2006

**Date of issue of  
Complying Development Certificate:** 30 June 2006  
**Date of lapse – 5 years from DATE OF ISSUE**

I certify that the proposed development is complying development and that if carried out in accordance with the plans and specifications and conditions\* will comply with all development standards, any standards in a DCP and all requirements of the Regulation under the Environmental Planning and Assessment Act 1979, and will upon completion be a class 10a building.

**Name of  
Authorised Officer:** Steve Kaposi      **Signature:** \_\_\_\_\_

**\* Attachments – Conditions of complying development.**

## COMPLYING DEVELOPMENT 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
05/06-043, Sheet A3-01/02	22/5/06
05/06-043, Sheet A3-01/02 - 2	22/5/06

**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 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]

#### 3. Compliance with notations in red on plans

The notations in red on the face of the plans are to be complied with.

**Reason:** To ensure compliance with the conditions of this consent [SPECIAL CONDITION]

### CONDITIONS THAT REQUIRE SUBSIDIARY MATTERS TO BE COMPLETED PRIOR TO COMMENCEMENT OF WORKS

#### 4. Kerb Security Bond

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



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

## 5. Protection of Footpaths and Roadways

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:** Protection of footpath and roadways. [C22]

## 6. Security Bond & Fee Schedule

All fees and security bonds in accordance with the schedule below must be paid or in place prior to the commencement of works:

<b>SECURITY BOND &amp; FEE SCHEDULE</b>	
<b>16 Jindabyne Street, Frenchs Forest</b>	
COMPLYING DEVELOPMENT APPLICATION NUMBER 2006/0542	
<b>SECURITY BONDS</b>	<b>AMOUNT (\$)</b>
Tree Damage Bond (within the site)	
Street Tree Bond (on Council Property)	
Builders Road/Kerb Security Bond	\$550.00
Engineering Construction Bond • General Works • Road Pavement • Stormwater • Kerb & Gutter, Footpath	
Others	
<b>TOTAL BONDS</b>	<b>\$550.00</b>
<b>FEES</b>	
<b>Kerb Security Inspection Fee</b>	\$200.00
Section 94 contribution	
Inspections if Council is PCA	\$500.00
<b>TOTAL FEES</b>	<b>\$700.00</b>

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

## 7. 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]



## **8. 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]***

## **9. 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]***

## **10. Notifying adjoining properties**

Two days before any site works, building or demolition begins the applicant must inform the adjoining owners in writing that work will commence.

***Reason: Statutory requirement and information. [SPECIAL CONDITION]***

## **11. Installation and Maintenance of Sediment Control**

- (a) Techniques used for erosion and sediment control on building sites shall be installed in accordance with Warringah Council guidelines prior to the commencement of works and are to be adequately maintained at all times. 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.
- (b) Provision shall be made throughout the period of all demolition, excavation & construction works to prevent transmission of soil to the public road and drainage system by vehicles leaving the site.

***Reason: To protect the environment from the effects of sedimentation and erosion from development sites and to avoid siltation to adjoining properties and waterways. [SPECIAL CONDITION]***

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

## 12. Progress Inspections (Class 1 and 10 Buildings)

The Principal Certifying Authority (PCA) SHALL BE given a minimum of forty-eight (48) hours notice for mandatory inspection of the following:

- (a) At the commencement of the work, and after excavation for, and prior to the placement of any footings; and
- (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 telephone to Council on 9942 2111 and requesting an 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. [E7]

## 13. 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]

#### **14. Replacement of Builder- (Class 1, 2, 3 and 4 buildings)**

If the builder is replaced while residential building work is being carried out, the Principal Certifying Authority (PCA) must give Warringah Council written notice of the name, licence number, and insurer of head contractor (or name and permit number of the owner-builder) within two (2) days of their appointment/replacement.

***Reason:*** Statutory requirement. [E12]

#### **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]

#### **15. 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]

#### **16. 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]*

## **17. Construction Hours**

Building construction shall be restricted to within the hours of 7.00 am to 5.00 pm Monday to Friday and on Saturday to within the hours of 8.00 am to 1.00 pm inclusive, with no work on Sundays and Public Holidays.

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]*

## **18. Prohibition on Use of Pavements**

Building materials shall not be placed on Council's footpaths, roadways, parks or grass verges and a suitable sign to this effect shall be erected adjacent to the street alignment.

***Reason:*** *To ensure public safety and amenity on public land. [E35]*

## **19. Plant & Equipment Kept Within Site**

All plant and equipment used in the erection of the building, including concrete pumps, wagons, lifts, mobile cranes, etc, shall be situated within the boundaries of the site and so placed that all concrete slurry, water, debris and the like shall be discharged onto the building site, and is to be contained within the site boundaries. This condition shall be complied with during demolition and building work.

***Reason:*** *To ensure public safety and amenity on public land. [E36]*

## **20. Site management**

- (a) All topsoil, excavated material, construction and landscaping supplies and debris is to be stockpiled within the site.
- (b) All uncontaminated run-off is to be diverted around cleared or disturbed areas.



(c) Removal or disturbance of vegetation and topsoil must be confined to within 3 metres of the approved building area.

(d) Public places are to be protected from obstruction or inconvenience by the carrying out of the consent

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

## **21. Stormwater disposal**

Stormwater runoff from the new roof surfaces shall be collected and discharged to the existing stormwater drainage system.

***Reason:*** To ensure adequate stormwater disposal **[SPECIAL CONDITION]**

## **22. Privacy screens**

A privacy screen with a minimum height of 1.7m above the floor of the deck is to be provided along the full length of the eastern side of the deck. This work is to be completed at the completion of the construction of the deck and prior to its use/occupation.

***Reason:*** To ensure the privacy of adjoining properties. **[Special Condition]**

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

## **23. Building Code of Australia**

All building work must be carried out in accordance with the provisions of the Building Code of Australia: Housing Provisions - Volume 2.

***Reason:*** Prescribed - Statutory. **[F1]**

## **24. Home Building Act**

(1) Building work that involves residential building work (within the meaning and exemptions provided in the Home Building Act) must not be carried out unless the Principal Certifying Authority for the development to which the work relates:

- (a) in the case of work to be done by a licensee under that Act:
  - (i) has been informed in writing of the licensee's name and contractor licence number, and
  - (ii) is satisfied that the licensee has complied with the requirements of the Home Building Act, or



- (b) in the case of work to be done by any other person:
  - (i) has been informed in writing of the person's name and owner-builder permit number, or
  - (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in section 29 of that Act, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: The amount referred to in paragraph (b)(ii) is prescribed by regulations under the Home Building Act 1989. As at the date on which this Regulation was gazetted, that amount was \$3,000. As those regulations are amended from time to time, that amount may vary.

- (2) A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.
- (3) If arrangements for doing residential building work are changed while the work is in progress so that the information submitted to Council is out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

***Reason: Prescribed - Statutory. [F2]***

**Note:** Evidence of insurance required PRIOR to commencement of work.

## **25. 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
  - (c) showing the name, address and telephone number of the Principal Certifying Authority for the work.



- (2) Any such sign must be maintained while the 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]

## **26. Long Service Levy**

Payment of the Long Service Levy is required prior to the commencement of works. 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 0.35% of the building and construction work.

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

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

## **27. 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]

## **28. Termite Control**

- (1) Termite control measures being installed in accordance with AS 3660.1-2000 "Termite Management: New Building Work."

**Reason:** Termite control. [G6 (1)]

- (2) A durable notice is to be permanently fixed to the building in a prominent location, such as the meter box or the like, indicating: The method of termite protection; date of installation; life expectancy of chemical barrier (if used); and installer's or manufacturer's recommendations for the scope and frequency of future inspections for termite activity.

**Reason:** Termite control. [G6 (2)]