

9 September 2008

William George & Jaqueline Walburn
21 Rayner Avenue
Narraweena NSW 2099

MOD2008/0148
MaB (PDS)

Dear Mr and Mrs Walburn

**RE: 21 RAYNER AVENUE, NARRAWEENA
MODIFICATION OF DEVELOPMENT MOD 2008/0148 OF CONSENT
DA2003/1756 TO CHANGE THE ROOF DESIGN AND AMEND WINDOWS**

We are writing to advise that the request to modify the above-mentioned Development Consent has been approved on 4 September 2008 and determined as follows:

a) Condition No. 1 to be amended as follows:

1. Development in Accordance with Plans (S96 Amendments)

The development being carried out in accordance with plans Reference DA2003/1756 numbered as seen below:

Development being generally in accordance with plans numbered DA01B, dated 11.10.2004, submitted 23 December 2003 as modified by any conditions of this consent/approval. (C1)

Except as modified by Modification 1 Reference 2008/0148 plans listed below (refer to the highlighted sections on the plans only):

Drawing Number	Dated
DA01 – Revision C – Site plans, floor plans and elevations.	15.05.08

Reason: *To ensure that the form of the development undertaken is in accordance with the determination of Council - Public Information.*

b) The following new Condition No. 15 to be added:

15. Certification of Works

A certificate is to be issued by a registered surveyor in relation to the works showing compliance with the relative levels shown on the plans approved by Council. This is to be issued and prior to the issue of any interim/final occupation certificate for the works as approved.

Reason: *To ensure compliance with the development consent.*

This letter should therefore be read in conjunction with Development Consent DA2003/1756 dated 20 October 2004. Please find attached a consolidated set of conditions incorporating both modifications of consent.

Please note that on site works cannot proceed unless a Construction Certificate application for the modified proposal has been lodged with and approved by Council or an accredited certifier, and relevant conditions of the Development Application have been carried out.

Section 96(6) of the Environmental Planning and Assessment Act confers on an applicant who is not satisfied with the determination of the Consent Authority a right of appeal to the Land and Environment Court.

Should you require any further information on this matter, please contact **Nancy Sample** between the hours of 9.30am and 10.30am or 3.00pm and 4.00pm, Monday to Friday, on telephone number **9942 2111**, or at any time on facsimile number **9971 4522**.

Details of development applications lodged after July 1, 2005 are also available online, to access this facility please visit our DA's Online System at www.warringah.nsw.gov.au.

Yours faithfully

Ryan Cole
Team Leader Development Assessment



1. Development in Accordance with Plans (S96 Amendments)

The development being carried out in accordance with plans Reference DA2003/1756 numbered as seen below:

Development being generally in accordance with plans numbered DA01B, dated 11.10.2004, submitted 23 December 2003 as modified by any conditions of this consent/approval. (C1)

Except as modified by Modification 1 Reference 2008/0148 plans listed below (refer to the highlighted sections on the plans only):

Drawing Number	Dated
DA01 – Revision C – Site plans, floor plans and elevations.	15.05.08

Reason: *To ensure that the form of the development undertaken is in accordance with the determination of Council - Public Information.*

2. Form 7 - Commencement of work notification

At least 2 days prior to work commencing on site Council must be informed, by the submission of Form 7 of the Environmental Planning and Assessment Regulation 1998 of the name and details of the Principal Certifying Authority and the date construction work is proposed to commence. (C168)

Reason: *Prescribed/regulatory*

3. Compliance with Building Code of Australia

- a. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
- b. This clause does not apply to the extent to which an exemption is in force under Clause 187 or 188, subject to the terms of any condition or requirement referred to in Clause 187 (6) or 188 (4). (C375)

Reason: *Prescribed/Statutory*

4. Long Service Levy

Payment of the Long Service Leave Levy is required prior to the release of the Construction Certificate. 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. (C3)

Reason: *Prescribed/Statutory*

5. Construction Certificate

A Construction Certificate is required to be approved by either Council or an Accredited Certifier, prior to the commencement of any works on the site. (C165)

Reason: *Legislative requirements*



6. Residential Building Work

- a. Building work that involves residential building work (within the meaning of the Home Building Act 1989) must not be carried out unless the principal certifying authority for the development to which the work relates:
- (i) in the case of work to be done by a licensee under that Act:
 - A. has been informed in writing of the licensee's name and contractor licence number, and
 - B. is satisfied that the licensee has complied with the requirements of Part 6 of that Act, OR
 - (ii) in the case of work to be done by any other person:
 - A. has been informed in writing of the person's name and owner-builder permit number, or
 - B. 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 definition of owner-builder work in section 29 of that Act, and is given appropriate information and declarations under paragraphs (i) and (ii) 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 (ii) B 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, so that amount may vary.

- b. 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. (C377)

Reason: *To ensure that the form of development undertaken is in accordance with the determination of Council.*

7. Signs to be Erected on Building and Demolition Sites. (C382)

- a. 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:
- (i) stating that unauthorised entry to the work site is prohibited, and
 - (ii) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- b. Any such sign is to be removed when the work has been completed.
- c. This clause does not apply to:
- (i) building work carried out inside an existing building, or
 - (ii) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

Reason: *Public Information*

8. Not a Multiple Dwelling Occupancy

The building not being adapted for multiple dwelling occupancy. (C291)

Reason: *To ensure that the form of development undertaken is in accordance with the determination of Council*

9. Principal Certifying Authority

Class 1

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

- c) Prior to any pouring of any in-situ reinforced concrete building element.
- d) Prior to covering of the framework for any floor, wall roof or other building element.
- e) Prior to covering waterproofing in any wet areas.
- f) Prior to covering stormwater drainage connections
- g) 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 the 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 to Council by telephoning 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*

10. Stormwater

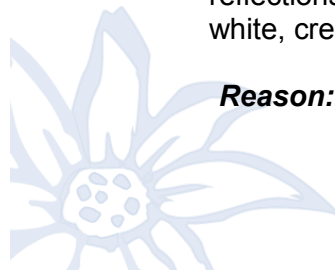
Stormwater being piped to the interallotment drainage easement. (C301)

Reason: *Stormwater control*

11. Roof Colour

The external finish to the roof shall have a medium to dark range in order to minimise solar reflections to neighbouring properties. The metal roof shall not be of light colours such as off white, cream, silver or light grey colours. (C305)

Reason: *Protection from glare and amenity*



12. Hours of Construction

Hours of construction being restricted to 7am to 5pm Monday to Friday, Saturday 7am to 1pm if audible at residential premises, excluding public holidays. No audible construction work to take place outside these hours. (C326)

Reason: *Public health and amenity*

13. Inspection fees

The fee(s) required for a Council Inspection / Compliance Certificate is \$800 and it is to be paid prior to Council issuing the Construction Certificate. NOTE: Each Inspection / Compliance Certificate fee is \$160. Where external accredited certifiers issue construction certificates and compliance certificates the above fee is not required. (C397)

Reason: *Fees for inspection*

14. Component Certificates

The following component certificates are required to be submitted to Council where Council is the nominated principal certifying authority prior to occupation/use of the building, to ensure compliance with the Building Code of Australia and relevant Australia Standards:(C399)

- c. Structural Engineer / Accredited Certifiers certificate covering the supervision of all structural work and adequacy of the building.
- l. Accredited waterproof installers certificate which certifies the waterproofing system has been applied in accordance with the manufactures recommendations and AS 3740-1994 "Waterproofing of Wet Areas in Residential Buildings".
- j. Electrical contractors certificate stating the smoke alarm system has been installed in accordance with AS 3786-1993 "Smoke Alarms".
- r. Drainage contractors Certificate certifying that the stormwater drainage system has been satisfactorily installed and completed.

Reason: *Required certification certificates to ensure completion of specified works.*

15. Certification of Works

A certificate is to be issued by a registered surveyor in relation to the works showing compliance with the relative levels shown on the plans approved by Council. This is to be issued and prior to the issue of any interim/final occupation certificate for the works as approved.

Reason: *To ensure compliance with the development consent.*

