

RE: DA 2021/0504 – 1 Undercliff Road Freshwater

Application for Correction to DA Condition No.11

We submit application for the update of DA Condition No.11 given notation within the Condition is in error.

Currently DA condition No.11 is not able to be satisfied as the BCA references listed within the Condition do not exist.

DA Condition 11 states.

11. External Finishes to Roof

The external finish to the roof shall have a medium to dark range (BCA classification M and D) in order to minimise solar reflections to neighbouring properties.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure that excessive glare or reflectivity nuisance does not occur as a result of the development.

We note that in reference to the current BCA (and the BCA at time of DA issue date) Classification Types M & D do not exist.

The Private Certifier engaged on the project has made note of this and has noted the Condition is not able to be satisfied in its current form given there are no BCA Classifications in existence to comply too.

We seek update of Condition No.11 in two parts;

1. remove reference to BCA classification M and D and
2. Remove the requirement to satisfy the Private Certifier with a condition that is erroneous and therefore not able to be satisfied i.e. deletion of the wording '*Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate*'

Therefore we apply for the update of Condition No. 11 to subsequently read as follows;

11. External Finishes to Roof

The external finish to the roof shall have a medium to dark range in order to minimise solar reflections to neighbouring properties.

Reason: To ensure that excessive glare or reflectivity nuisance does not occur as a result of the development.

Thank you

Regards

Lyle Harris

On behalf of the Property Owner

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