



## NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

|                                    |             |
|------------------------------------|-------------|
| <b>Development Application No:</b> | DA 2006/451 |
|------------------------------------|-------------|

### DEVELOPMENT APPLICATION DETAILS

|                        |                        |
|------------------------|------------------------|
| <b>Applicant Name:</b> | Colin Francis Woodward |
|------------------------|------------------------|

|                           |                                     |
|---------------------------|-------------------------------------|
| <b>Applicant Address:</b> | 807 Pittwater Road Dee Why NSW 2099 |
|---------------------------|-------------------------------------|

|                                        |                                             |
|----------------------------------------|---------------------------------------------|
| <b>Land to be developed (Address):</b> | Lot 2, DP 10223, 807 Pittwater Road Dee Why |
|----------------------------------------|---------------------------------------------|

|                              |                        |
|------------------------------|------------------------|
| <b>Proposed Development:</b> | External timber stairs |
|------------------------------|------------------------|

### DETERMINATION

|                        |              |
|------------------------|--------------|
| <b>Made on (Date):</b> | 20 June 2006 |
|------------------------|--------------|

|                                        |              |
|----------------------------------------|--------------|
| <b>Consent to operate from (Date):</b> | 20 June 2006 |
|----------------------------------------|--------------|

|                                    |              |
|------------------------------------|--------------|
| <b>Consent to lapse on (Date):</b> | 20 June 2011 |
|------------------------------------|--------------|

### Details of Conditions – (including Section 94 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.*



## 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    |
| 05-06-P1, Sheet 1 | May 2006 |

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. 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]*

### CONDITIONS THAT REQUIRE SUBSIDIARY MATTERS TO BE COMPLETED PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

#### 3. 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 Construction Certificate:

|                                         |
|-----------------------------------------|
| <b>SECURITY BOND &amp; FEE SCHEDULE</b> |
| 807 Pittwater Road, Dee Why             |

|                                                                                                      |                    |
|------------------------------------------------------------------------------------------------------|--------------------|
| DEVELOPMENT APPLICATION NUMBER 2006/0451                                                             |                    |
|                                                                                                      |                    |
| <b>SECURITY BONDS</b>                                                                                | <b>AMOUNT (\$)</b> |
| Tree Damage Bond (within the site)                                                                   |                    |
| Street Tree Bond (on Council Property)                                                               |                    |
| Builders Road/Kerb Security Bond                                                                     |                    |
| Engineering Construction Bond · General Works · Road Pavement · Stormwater · Kerb & Gutter, Footpath |                    |
| Others                                                                                               |                    |
| <b>TOTAL BONDS</b>                                                                                   |                    |
|                                                                                                      |                    |
| <b>FEES</b>                                                                                          |                    |
| <b>Kerb Security Inspection Fee</b>                                                                  | \$200.00           |
| Section 94 contribution                                                                              |                    |
| Long Service Levy                                                                                    |                    |
| Inspection if Council is PCA                                                                         | \$250.00           |
| <b>TOTAL FEES</b>                                                                                    | <b>\$250.00</b>    |

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

## CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

### 4. 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]*

### 5. Construction Certificate

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

*Reason: Legislative requirements. [D3]*

### 6. 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]*



## 7. 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]

## 8. 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]

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

## 9. 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, where applicable:

- (a) 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]

#### **10. 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]

#### **11. 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]

#### **12. 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]

#### **13. 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]

#### **14. 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]

#### **15. 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]

#### **16. 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]*

#### **17. 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]*

#### **18. 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**

#### **19. 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]*

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

#### **20. 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]*

#### **21. 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)]***



### **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         20 June 2006