

Paul Koen:wkm  
CDC/203/2011

21 July 2011

1301012002011030012012332233320103  
213

SLN Property Group Pty Ltd  
PO Box 326  
SALAMANDER BAY NSW 2317

## Complying Development Certificate

Issued under the Environmental Planning and Assessment Act 1979  
Sections 85 & 85A

<b>Complying Development Certificate No:</b>	CDC/203/2011
<b>Property Address:</b>	Lot 33 DP 21032, 204-214 Pacific Highway WATANOBBI NSW 2259
<b>Description of Work:</b>	Demolition of existing dwelling & associated structures
<b>Determination Status:</b>	Approved
<b>Determination Date:</b>	21 July 2011
<b>Consent to lapse:</b>	If works are not commenced by: 21 July 2016
<b>BCA Classification:</b>	Class 1a
<b>Land Use Zone</b>	2A Residential
<b>Decision made under:</b>	State Environmental Planning Policy ( <i>Exempt and Complying Development Codes</i> ) 2008

**Plan referenced "Survey" sheets 1 to 1 prepared by Johnson Partners undated**

### Attachments

- Conditions of approval
- Schedule of essential fire safety measures to be implemented (if applicable)
- PCA Agreement
- Advisory notes



I **certify** that the proposed development is complying development and that if carried out in accordance with the approved plans (including any amendments marked in red), specifications and conditions of consent, will comply with all development standards prescribed by the SEPP Complying Codes as applicable to this development type and all requirements of the regulation under the Environmental Planning and Assessment Act 1979; and will upon completion, be a Class 1a building.

A handwritten signature in black ink, appearing to read 'Paul Koen', with a stylized, cursive script.

Paul Koen

**PRINCIPAL HEALTH AND BUILDING SURVEYOR  
ACCREDITED CERTIFIER**

Accreditation Number: BPB1399

Accreditation Body: Building Professionals Board

# Complying Development Conditions

The following conditions of approval are applicable to the proposed works and set out within both the:

- Environmental Planning and Assessment Regulations 2000, Part 7, Division 2A – Conditions of Complying Development Certificates; and
- SEPP Code for Complying Development 2008 Parts 3, 4 and 5, Divisions 2 and 3 – Conditions applying to Complying Development Certificates under this Code.

## **Environmental Planning and Assessment Regulations, Division 2a – Conditions of Complying Development Certificate**

### **Part 7 – Demolition Code**

#### **Division 2 Conditions applying to complying development certificates under this code**

##### **Subdivision 1 Conditions applying before works commence**

##### **Protection of adjoining areas**

- 1 A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of works if the works:
  - a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
  - b) could cause damage to adjoining lands by falling objects, or
  - c) involve the enclosure of a public place or part of a public place.

**Note.** See the entry in the General Exempt Development Code for scaffolding, hoardings and temporary construction site fences.

##### **Toilet facilities**

- 2 Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.
- 3 Each toilet must:
  - a) be a standard flushing toilet connected to a public sewer, or
  - b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
  - c) be a temporary chemical closet approved under the *Local Government Act 1993*.

### **Garbage receptacle**

- 4 A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.
- 5 The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.

### **Notification to neighbours**

- 6 The person having the benefit of the complying development certificate must give at least 2 days' notice in writing of the intention to commence the works to the owner or occupier of each dwelling that is situated within 20m of the lot on which the works will be carried out.
- 7 The notice must state that the works may include the removal of asbestos and, if it does, it will be carried out by a licensed person in accordance with the requirements of the *Occupational Health and Safety Regulation 2001*.

### **Adjoining wall dilapidation report**

- 8 If on a lot a wall built to a boundary is to be demolished and there is a wall (the **adjoining wall**) on the lot adjoining that boundary that is less than 0.9m from that boundary, the person having the benefit of the complying development certificate must obtain a dilapidation report on the adjoining wall.

If the person preparing the report is denied access to the adjoining lot for the purpose of inspecting the adjoining wall, the report may be prepared from an external inspection of the adjoining wall.

In this clause, **dilapidation report** means a report, prepared by a professional engineer, confirming the structural condition of the adjoining wall before the development commences.

### **Subdivision 2 Conditions applying during the works**

#### **Hours for demolition**

- 9 Demolition may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday and no demolition is to be carried out at any time on a Sunday or a public holiday.

#### **Compliance with plans**

- 10 Works must be carried out in accordance with the plans and specifications to which the complying development certificate relates.

#### **Sedimentation and erosion controls**

- 11 Run-off and erosion controls must be effectively maintained until the site has been stabilised and landscaped.

**Maintenance of site**

- 12 Demolition materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- 13 Demolition materials and waste materials must be disposed of at a waste management facility.
- 14 The work site must be left clear of waste and debris at the completion of the works.

# Principal Certifying Authority Service Agreement



**Complying Development Certificate No:** CDC/203/2011

The property owner has appointed Wyong Shire Council as the Principal Certifying Authority (PCA) for this development and accordingly the attached Complying Development Certificate has been issued. The following information outlines the roles and responsibilities of the PCA.

The Principal Certifying Authority;

- Administers the conditions of consent and progress of the development from commencement to completion and conducts a comprehensive inspection at each required stage of construction.
- Certifies at each mandatory inspection, that the works are being carried out in accordance with the Development Consent or Complying Development.
- Immediately advises the applicant, following each relevant inspection, if any works are inconsistent with the consent.
- Issues the applicant with an Occupation Certificate for any building or change of building use once all works have been satisfactorily completed in accordance with the consent.
- Receives and investigates any complaints from the public concerning the development.

To enable the Wyong Shire Council Accredited Certifier to fulfil these obligations, the following information is provided on the Critical Stage Inspections and compliance with the Building Code of Australia.

## **CRITICAL STAGE INSPECTIONS**

The following Critical Stage Inspections are required to be undertaken by a Wyong Shire Council Accredited Certifier in accordance with Clause 162A of the Environmental Planning and Assessment Regulation 2000.

### **Class 1 & 10 Buildings**

- 1 Commencement of building work inspection. (Prior to any excavation, clearing or demolition work), and
- 2 After the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Inspections can be arranged by telephoning Council's Customer Contact Centre on 4350 5555. Inspections are to be booked prior to close of business the day before the required time of the inspection.



Inspections will generally be undertaken between the hours of 10:30am and 4:00pm. However, if a specific time is required for the inspection, this can be arranged with the Council Accredited Certifier prior to or on the morning of the day of the inspection.

Please note that it is not possible for the Certifier to certify work retrospectively, for example, pier hole filled with concrete or lined framework. These inspections are mandatory and if they are not passed as satisfactory, an Occupation Certificate may not be able to be issued.

**Note: The owner must not occupy the building until an Occupation Certificate (either Interim or Final) has been issued. Note: The Environmental Planning and Assessment Act contains penalty provisions for failing to obtain an Occupation Certificate prior to occupation.**

Where an inspection is unintentionally missed, the Council Accredited Certifier must be informed within two (2) working days and the circumstances under which the inspection was not requested.

### **BUILDING CODE OF AUSTRALIA COMPLIANCE**

It is the responsibility of the Principal Contractor/Owner Builder to construct the building in compliance with the Environmental Planning and Assessment Act 1979 and the Building Code of Australia. In particular, the following requirements are relevant to this development;

No Conditions

### **CERTIFICATES**

The following certificates are to be submitted to Council prior to the issue of an Occupation Certificate.

No Conditions

Council looks forward to working with you on this project and achieving a quality outcome for all stakeholders.