



Your reference: DA 1618/99
Our reference: Mr Ross Di Mauro
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06 April 1999

Mr V. Pace
395 Devonshire Road
KEMPS CREEK NSW 2171

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Being the applicant in respect of Development Application No. 1618/99 and pursuant to Section 81 (1) (a) of the Act, Notice is hereby given of the determination by Liverpool Council as Consent Authority of the above described Development Application relating to:

OWNER: MR V. PACE - AS ABOVE

LAND: NO. 395, (LOT 1, D.P. 172187) DEVONSHIRE ROAD,
KEMPS CREEK

PROPOSED DEVELOPMENT: AWNING EXTENSION

DETERMINATION: Consent granted subject to conditions described
below

BCA CLASSIFICATION: CLASS 10A

CONSENT TO OPERATE FROM: 06 APRIL 1999

CONSENT TO LAPSE ON: 06 APRIL 2001
(unless substantially commenced)

Before commencing the development please read the Development Consent carefully and make sure that you understand all the conditions that have been imposed. Please contact Ross Di Mauro regarding any enquiry you may have in respect of the following conditions.

CONDITIONS:

The following conditions have been imposed to achieve the objectives of the relevant planning instruments and policies.

A. OPERATIONAL MATTERS

These conditions pertain to the use of the site and have been imposed to ensure that the development and its operations do not interfere with the amenity of the surrounding area.

COMPLIANCE WITH APPROVED PLANS

1. All aspects of the development shall comply with the approved plans and conditions.

B. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with prior to the issue of a construction certificate;

STORMWATER DESIGN

2. Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.
3. All roofwater is to be connected to the existing stormwater system.

BUILDING WORKS & BUILDING DESIGN

4. * All aspects of construction shall comply with the applicable Performance Requirements of the Building Code of Australia. Compliance with the Performance Requirements can only be achieved by:
 - (a) complying with the Deemed to Satisfy Provisions: or
 - (b) formulating an Alternative Solution which:
 - (i) complies with the Performance Requirements; or
 - (ii) is shown to be at least equivalent to the Deemed to Satisfy Provision or
 - (c) a combination of (a) and (b).

C. PRIOR TO ANY WORK COMMENCING ON THE SITE

The following conditions are to be complied with prior to any work commencing on the site.

NOTIFICATION

5. *Building work that involves residential building work (within the meaning of the *Home Building Act 1989*) must not be commenced 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 has been informed in writing of the licensee's name and contractor licence number, and
 - (1) is satisfied that the licensee has complied with the requirements of Part 6 of that Act, or
 - (b) in the case of work to be done by any other person:
 - (1) has been informed in writing of the person's name and owner-builder permit number, or
 - (2) 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 definitions 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: 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 condition sufficient evidence that the person has complied with the requirements of that Part.

SITE FACILITIES

6. The following facilities shall be installed on the site;
- (a) Adequate refuse disposal methods and builders storage facilities. Builders wastes, materials or sheds are not to be placed on any property other than that which this approval relates to.
7. Building materials are not to be stored on Council's footpath or roadway.

NOTIFICATION OF SERVICE PROVIDERS

8. Approval, in the form of stamped Construction Certificate plans, is to be obtained from Sydney Water to verify that the development meets its requirements concerning the relationship of the development to any water mains, sewers or stormwater channels.

D DURING CONSTRUCTION

The following conditions are to be complied with whilst works occurring on the site;

INSPECTIONS of BUILDING WORK

9. Compliance certificates issued by an appropriately accredited person or documentary evidence shall be supplied to the Principal Certifier, for the following components of construction:
- (a) Piers, before placing concrete or covering;
 - (b) External drainage lines, prior to backfilling;
 - (c) On completion of the structure.

HOURS OF OPERATION/NOISE

10. Construction/civil work is only permitted on the site between the hours of 7am to 6pm Monday to Friday and 8am to 1pm on Saturday with no work permitted on Sundays or Public Holidays, unless otherwise approved by Council.

E. PRIOR TO OCCUPATION OF THE BUILDING

The following conditions are to be complied with prior to the occupation of the building;

CERTIFICATES

11. All required compliance certificates or reports shall be submitted to Council.

ADVICE:

The following matters are included as advice relative to this application.

- i. If you are dissatisfied with this notice of determination or the conditions contained within this notice of determination, Section 82A of the Environmental Planning and Assessment Act 1979 gives you the right to request a review of the determination within 28 days after the date of this determination.
- ii. If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.
- iii. In accordance with Section 95 of the Act, unless otherwise stated by a condition of this consent, this consent will lapse unless the development is commenced within two (2) years of the date of this notice.

- iv. The conditions are imposed taking into account the matters for consideration in determining a Development Application under Section 79C of the Environmental Planning and Assessment Act 1979.
- v. Section 125 of the Act provides that any person who contravenes or causes or permits to be contravened the conditions of this consent or the Tree Preservation Order shall be guilty of an offence.
- vi. The applicant is advised to consult with:
 - a. Sydney Water Corporation Limitedregarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, wither on site or on the adjacent public road(s). Enquiries should be made of the Corporation's requirements for the eventual operation of the approved use.
- vii. Builders Insurance is optional for the owner builder., However, you are advised if the residential premises is sold within seven (7) years of completion, an Insurance Certificate is to be obtained and attached to any Contract of Sale.
- viii. Information regarding the location of underground services may be obtained from Sydney One Call Service (SOCS), telephone (02) 9806-0800, Fax (02) 9806-0777. Inquirers should provide SOCS with the street/road name and number, side of street/road and the nearest cross street/road.
- ix. Your attention is drawn to the requirement to obtain Council's separate approval for any ancillary activities not approved by this consent:
 - (a) any cut or fill, which is further than 2.0 metres away from the perimeter of the building.
- x. You are advised that the placement of a concrete path around your home may render your home vulnerable to termite attack. To minimize the possibility of any damage, ensure that a minimum of 75mm clearance is provided between the base of the weephole and the level of the path.



Ross Di Mauro
SENIOR ENVIRONMENTAL HEALTH & BUILDING SURVEYOR