

Ref: T6-16-280, LA 31574
SRR:NMD

19 September 2016

WOODMAN ARCHITECTS
SUITE 703, 20 LOFTUS STREET
SYDNEY NSW 2000

Dear Sir/Madam

**DEVELOPMENT APPLICATION T6-16-280: STRUCTURAL STRENGTHENING
PROPERTY: LOT 1 DP1129009, 2-14 BELGRAVE STREET, KEMPSEY**

Please find appended a Notice to Applicant of Determination of a Development Application.

It is strongly recommended that prior to commencing any work associated with this consent that you read the conditions carefully.

Should you have any further inquiries please contact Council's Town Planner - Shane Reinhold on 6566 3331.

Yours faithfully



Shane Reinhold
TOWN PLANNER
SUSTAINABLE ENVIRONMENT

PLEASE NOTE:

When making enquiries concerning this application, please quote our reference number, which will enable us to expedite your enquiry.



NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Issued under the *Environmental Planning and Assessment Act 1979* Section 81 (1)(a)

DEVELOPMENT APPLICATION

Development Application Number: T6-16-280

LA 31574

Date lodged with Council:

6 September 2016

Applicants Name:	WOODMAN ARCHITECTS
Applicants Address:	SUITE 703, 20 LOFTUS STREET SYDNEY NSW 2000
Builder's Name:	UNKNOWN
Builder's Address:	UNKNOWN
Owners Name:	GOWING BROS LTD
Owners Address:	UNIT 21/26-32 PIRRAMA ROAD PYRMONT NSW 2009
Land to be Developed - address:	LOT 1 DP1129009 2-14 BELGRAVE STREET KEMPSEY NSW 2440
Proposed Development:	STRUCTURAL STRENGTHENING
Zone No:	B3 COMMERCIAL CORE ZONE

Determination made on:	19 September 2016
Determination:	Consent granted subject to conditions described below
Consent to operate from:	19 September 2016
Consent to lapse on:	19 September 2021

Have General Terms of Approval been granted by an Approval Body pursuant to Section 93 of the <i>Environmental Planning and Assessment Act 1979</i> :-
No

The following conditions have been imposed in accordance with the requirements of Section 80A of the *Environmental Planning and Assessment Act 1979* having regard to the relevant matters identified under Section 79C of the Act.



PARAMETERS OF THIS CONSENT

- 1** The development shall be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Plan No./ Supporting Document	Version	Prepared by	Dated
STRUCTURAL WORKS PLAN - Job No Project 1605 - DRAWING No AE-703	REV A	Woodman Architects	08/31/16

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

The approved plans and supporting documents endorsed with the Council stamp and authorised signature shall be kept on site at all times while work is being undertaken.

- 2** Any building work must be carried out in accordance with the requirements of the Building Code of Australia as in force on the date the application for the relevant construction certificate or complying development certificate was made.

This condition does not apply:

- a) 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), or
- b) To the erection of a temporary building.

- 3** If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- a) Protect and support the building, structure or work from possible damage from the excavation; and
- b) Where necessary, underpin the building, structure or work to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.



- 4 The development shall fully comply with the *Disability (Access to Premises) Standards 2010*.
- 5 The total number of car parking spaces within the site shall not be reduced by this development.
- 6 This consent does not permit commencement of any site works. Works are not to commence until such time as a Construction Certificate has been obtained and the appointment of a Principal Certifying Authority (PCA).

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH PRIOR TO THE
ISSUE OF ANY CONSTRUCTION CERTIFICATE

- 7 Prior to the issue of any Construction Certificate, structural engineer's certification for all proposed works shall be provided to the Certifier. This structural engineer's certification shall be prepared by an appropriately qualified, experienced and practicing Engineer. This structural engineer's certification shall certify that the proposed design is suitable for the intended purpose/s. This structural engineer's certification shall be included as part of any Construction Certificate.
- 8 Prior to the issue of any Construction Certificate, flood certification from qualified practising civil or structural engineer shall be submitted to the Certifier. This certification shall certify that all structures the subject of the Construction Certificate have been designed so that all structural members will be capable of withstanding flood forces up to and including the 1% AEP flood event. This certification shall account for the impacts of any flotsam (carried by floodwaters). Velocities to be adopted for the calculation of forces created by flood waters and debris loading are to be at least three (3) times the velocities determined in Council's current Flood Management Study for the 1% AEP flood event. This certification shall be included as part of any Construction Certificate.
- 9 Prior to the issue of any Construction Certificate, a Traffic Control Plan shall be submitted to the Certifier for approval. This Traffic Control Plan shall be prepared by an accredited person trained in the current version of RTA *Traffic Control at Work Sites* manual in accordance with the current requirements of the Roads and Traffic Authority's Manual, *Traffic Control at Work Sites*, and Australian Standard 1742.3, *Manual of Uniform Traffic Control Devices Part 3, 'Traffic Control Devices for Works on Roads'*.
- 10 Prior to the issue of any Construction Certificate, a Long Service Levy shall be paid to the Long Service Payments Corporation. The amount payable is currently based on 0.35% of the cost of the work. This is a State Government Levy and is subject to change without notice. The requirements of the State Government supersede this condition. This payment may be made at Council's Customer Service Centre. Cheques shall be made payable to Kempsey Shire Council.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH
PRIOR TO ANY WORKS COMMENCING

- 11** Council shall be notified of the commencement of works not less than two (2) days prior to any works commencing. The two (2) day notification to Council shall be in writing and specify the date of commencement.
- 12** Prior to the commencement of any works a sign or signs shall be erected in a prominent position at the frontage to the site:
- Showing the name, address and telephone number of the Principal Certifying Authority (PCA) for the work;
 - Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
 - Stating that unauthorised entry to the work site is prohibited.

The sign/s shall be maintained while the building work, subdivision work or demolition work is being carried out, and shall be removed when the work has been completed. No sign is to have an area in excess of one (1) m².

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH DURING ANY WORKS

- 13** Construction works must not unreasonably interfere with the amenity of the neighbourhood. In particular construction noise, when audible on adjoining residential premises, can only occur:
- Monday to Friday, from 7:00am to 6:00pm.
 - Saturday, from 8:00am to 1:00pm.
- No construction work is to take place on Sundays or Public Holidays.
- 14** Construction noise is to be limited as follows:
- For construction periods of four (4) weeks and under, the L10 noise level measured over a period of not less than fifteen (15) minutes when the construction site is in operation shall not exceed the background level by more than 20 dB(A); or
 - For construction periods greater than four (4) weeks and not exceeding twenty-six (26) weeks, the L10 noise level measured over a period of not less than fifteen (15) minutes when the construction site is in operation shall not exceed the background level by more than 10 dB(A).
- 15** Vibration shall be in accordance with *Environmental Noise Management Assessing Vibration: a Technical Guideline* (Department of Environment and Conservation, 2006).



16 Hoardings shall only be erected within the road reserve in accordance with a Section 138 approval obtained from Council. In addition to any condition of the Section 138 approval, the following hoarding requirements shall be complied with:

- a) No third party advertising is permitted to be displayed on the subject hoarding/fencing; and
- b) The construction site manager shall be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.

17 Works must not interfere in any way with the continued operation of the street, adjoining premises, public car parking areas, pedestrian walkways, etc., unless such interference is authorised by an approved Traffic Control Plan and/or an approval under Section 138 of the *Roads Act 1993* to erect and maintain hoardings.

18 All demolition works shall be undertaken in accordance with the provision of *Australian Standard AS 2601 - The Demolition of Structures*.

All demolition waste shall be removed from the site and disposed of at an authorised waste transfer facility. Council requires the waste transfer facility receipts for disposal be retained and submitted to Council at the finalisation of demolition works.

Any asbestos wastes or suspected asbestos wastes associated with demolition works shall be disposed of in accordance with the requirements of "*Working with Asbestos Guide 2008*", the *Occupational Health and Safety Act 2000*, the *Occupational Health and Safety Regulations 2008*, and any other guidelines or requirements. All asbestos waste removal work shall be undertaken by a WorkCover licensed operator.

Until transferred to an authorised waste transfer facility all demolition waste shall be contained on the site in a 'Builders Skips' or an enclosure. Footpaths, road reserves and public reserves are to be maintained clear of waste materials and all other items associated with the works at all times.

19 All builders rubbish is to be contained on the site in 'Builders Skip' or an enclosure. Building materials are to be delivered directly onto the lease site. Roads, taxi-ways, airstrips, etc., are to be maintained clear of rubbish, building materials and all other items at all times.

20 All erosion and sediment controls shall be maintained at all times in until the site has been stabilised by permanent vegetation or hard surface.

21 A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal at the request of any officer of the PCA, Council, and/or any other Government Agency.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH
PRIOR TO THE ISSUE OF ANY OCCUPATION CERTIFICATE

- 22** Prior to the issue of any Construction Certificate, structural engineer's certification for all works shall be provided to the Principal Certifying Authority. This structural engineer's certification shall be prepared by an appropriately qualified, experienced and practicing Engineer. This structural engineer's certification shall confirm that all works are completed to a standard suitable for the intended purpose/s. This structural engineer's certification shall be included as part of any Construction Certificate.
- 23** The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the site as a result of construction works associated with the approved development, is to be met in full by the applicant/developer.

ADVICE

- A** Certain additional approvals and action required by the by you prior to and during construction works. The *Environmental Planning and Assessment Act 1979* require you to:
- a) Obtain a Construction Certificate prior to the commencement of any works. An application may be lodged with Council, or you may apply to a private accredited certifier for a *Construction Certificate*. An accredited certifier must obtain Council's approval to certain conditions of this development consent, where indicated before issuing the Construction Certificate.
 - b) Nominate a *Principal Certifying Authority* (PCA) which may be either Council or an accredited certifier and notify Council of that appointment. You cannot lawfully commence works without complying with this requirement.
 - c) Give Council at least two (2) days notice of your intention to commence the erection of a building before commencing construction works by lodging the '*Notice of Commencement of Building Works and Appointment of the Principal Certifying Authority*' form enclosed. You cannot lawfully commence works without complying with this requirement.
 - d) Obtain an *Occupation Certificate* before commencing occupation or commencing to use the building or on the completion of other works including the erection of a sign by lodging the '*Application for Occupation Certificate*' form enclosed. You cannot lawfully commence occupation or the use of a building without complying with this requirement.

Right of Appeal

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 six (6) months after the date on which you receive this Notice.

You are further advised that pursuant to Section 82A of the *Environmental Planning and Assessment Act 1979*, a request may be made to review a determination at any time within six (6) months of the date of notification. This right of review does not apply in respect to designated development, integrated development or an application by the Crown.

Signature:



Shane Reinhold
TOWN PLANNER
SUSTAINABLE ENVIRONMENT

Date:

19 September 2016