

Council Reference: DA20/0980 LN9822 GG/ma

Your Reference:

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Please address all communications to the General Manager

ABN: 90 178 732 496

25 January 2021

Mr M Fairweather and Mrs VL Fairweather 1 Sand Street KINGSCLIFF NSW 2487

Dear Mr and Mrs Fairweather

Development Application DA20/0980 - dwelling alterations and additions including carport within the front building line and front fence at Lot 26 DP 249874; No. 1 Sand Street KINGSCLIFF

Reference is made to your Development Application regarding the above. Please find enclosed Development Consent No. DA20/0980.

You should note that before building construction works can commence you are required to obtain a Construction Certificate.

REASONS FOR THE DECISION

The development proposal/amendment has been considered in accordance with the relevant provisions of the NSW Environmental Planning and Assessment Act 1979 and on balance is suitable to be determined by way of approval.

Community views were considered as part of the assessment in accordance with Council's Development Control Plan and the NSW Environmental Planning and Assessment Act 1979 requirements for public notification.

For further information regarding this matter please contact Council's Building and Environmental Health Unit.

Yours faithfully

Gary Gee
BUILDING SURVEYOR
Enc



NOTICE NO. DA20/0980 Environmental Planning and Assessment Act 1979

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

To: Mrs VL Fairweather and Mr M Fairweather

1 Sand Street

KINGSCLIFF NSW 2487

Pursuant to Section 4.18(1)(a) of the Environmental Planning and Assessment Act 1979, notice is hereby given of the determination by the Tweed Shire Council of Development Application No. **DA20/0980** relating to land described as:

Lot 26 DP 249874; No. 1 Sand Street KINGSCLIFF

to be developed in accordance with plans and details submitted for the purpose of -

DWELLING ALTERATIONS AND ADDITIONS INCLUDING CARPORT WITHIN THE FRONT BUILDING LINE AND FRONT FENCE

The Development Application has been determined by the granting of consent subject to the conditions described below:

GENERAL

1. The development shall be completed in accordance with the plans approved by Council, except where varied by conditions of this consent.

[GEN0015]

2. The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia.

[GEN0115]

3. The owner is to ensure that the proposed building is constructed in the position and at the levels as nominated on the approved plans or as stipulated by a condition of this consent, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.

[GEN0300]

4. Bushfire Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

(a) Construction shall comply with Australian Standard AS3959-2018 'Construction of buildings in Bush Fire-prone areas', Bushfire Attack Level (BAL) 12.5 for the carport and front fence.

[GEN0335]

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

5. In accordance with Section 6.14 of the Environmental Planning and Assessment Act 1979 (as amended), a Construction Certificate for BUILDING WORKS OR Subdivision



Works Certificate for SUBDIVISION WORKS shall NOT be issued until any Long Service Levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid (as applicable). Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided.

[PCC0285]

PRIOR TO COMMENCEMENT OF WORK

- 6. The erection of a building in accordance with a development consent must not be commenced until:
 - (a) a construction certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or a registered certifier, and
 - (b) the person having the benefit of the development consent has:
 - (i) appointed a principal certifying authority for the building work, and
 - (ii) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
 - (c) the principal certifying authority has, no later than 2 days before the building work commences:
 - (i) notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
 - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
 - (d) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
 - (ii) notified the principal certifying authority of any such appointment, and
 - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspection and other inspections that are to be carried out in respect of the building work.

[PCW0215]

7. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least **2 days** prior to work commencing.

[PCW0225]

- 8. Residential building work:
 - (a) Residential building work within the meaning of the <u>Home Building Act 1989</u> must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:



- (i) in the case of work for which a principal contractor is required to be appointed:
 - * in the name and licence number of the principal contractor, and
 - * the name of the insurer by which the work is insured under Part 6 of that Act.
- (ii) in the case of work to be done by an owner-builder:
 - * the name of the owner-builder, and
 - * if the owner-builder is required to hold an owner builder permit under that Act, the number of the owner-builder permit.
- (b) If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (1) becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

[PCW0235]

- 9. Where prescribed by the provisions of the Environmental Planning and Assessment Regulation 2000, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) 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
 - (c) stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

[PCW0255]

10. Prior to commencement of work on the site all erosion and sedimentation control measures are to be installed and operational including the provision of a "shake down" area, where required. These measures are to be in accordance with the approved erosion and sedimentation control plan and adequately maintained throughout the duration of the development.

In addition to these measures the core flute sign provided with the stormwater approval under Section 68 of the Local Government Act is to be clearly displayed on the most prominent position of the sediment fence or erosion control device which promotes awareness of the importance of the erosion and sediment controls provided.

This sign is to remain in position for the duration of the project.

[PCW0985]

DURING CONSTRUCTION

 Should any Aboriginal object or cultural heritage (including human remains) be discovered all site works must cease immediately and the Tweed Byron Local Aboriginal Land Council (TBLALC) Aboriginal Sites Officer (on 07 5536 1763) are to be



notified. The find is to be reported to the Biodiversity and Conservation Division of the NSW Department of Planning, Industry and Environment. No works or development may be undertaken until the required investigations have been completed and any permits or approvals obtained, where required, in accordance with the National Parks and Wildlife Act, 1974.

[DUR0025]

12. Commencement of work, including the switching on and operation of plant, machinery and vehicles is limited to the following hours, unless otherwise permitted by Council:

Monday to Saturday from 7.00am to 6.00pm

No work to be carried out on Sundays or Public Holidays

The proponent is responsible to instruct and control subcontractors regarding hours of work.

IDUR0205

13. The wall and roof cladding is to have low reflectivity where they would otherwise cause nuisance to the occupants of buildings with direct line of sight to the proposed building.

IDUR02451

14. All building work (other than work relating to the erection of a temporary building) 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 was made).

[DUR0375]

15. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.

[DUR0395]

16. The Principal Certifying Authority is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifying Authority via the notice under Section 6.6 of the Environmental Planning and Assessment Act 1979.

[DUR0405

17. It is the responsibility of the applicant to restrict public access to the construction works site, construction works or materials or equipment on the site when construction work is not in progress or the site is otherwise unoccupied in accordance with WorkCover NSW requirements and Work Health and Safety Regulation 2017.

[DUR0415]

18. Any cut or fill on the property is to be battered at a ratio not greater than 1:2 (v:h) within the property boundary, stabilised and provided with a dish drain or similar at the base in accordance with Tweed Shire Councils Design and Construction Specifications, Development Control Plan Part A1 to the satisfaction of the Principal Certifying Authority.

Please note timber retaining walls are not permitted.

[DUR0835]



- 19. All work associated with this approval is to be carried out so as not to impact on the neighbourhood, adjacent premises or the environment. All necessary precautions, covering and protection shall be taken to minimise impact from:
 - Noise, water or air pollution.
 - Dust during filling operations and also from construction vehicles.
 - Material removed from the site by wind.

[DUR1005]

20. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired in accordance with Councils Development Design and Construction Specifications prior to the issue of a Subdivision Certificate and/or prior to any use or occupation of the buildings.

[DUR1875]

21. No portion of the structure may be erected over any existing sullage or stormwater disposal drains, easements, sewer mains, or proposed sewer mains.

[DUR1945]

22. The builder must provide an adequate trade waste service to ensure that all waste material is suitably contained and secured within an area on the site, and removed from the site at regular intervals for the period of construction/demolition to ensure no material is capable of being washed or blown from the site.

[DUR2185]

23. Overflow relief gully is to be located clear of the building and at a level not less than 150mm below the lowest fixture within the building and 75mm above finished ground level.

[DUR2545]

24. No retaining walls or similar structures are to be constructed over or within the zone of influence of Council's sewer main.

[DUR2705]

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

25. A person must not commence occupation or use of the whole or any part of a new building or structure (within the meaning of Section 6.9 and 6.10 unless an occupation certificate has been issued in relation to the building or part (maximum 25 penalty units).

[POC0205]

26. A Partial or Whole Occupation Certificate is to be obtained prior to the Occupation or the commencement of the use of the building.

Within 5 years from the date of issue of any Partial Occupation Certificate for part of a building an Occupation Certificate for the "Whole Building" must be applied for and obtained from the nominated Principal Certifying Authority.

[POC0355]

USE

27. All externally mounted air conditioning units and other mechanical plant or equipment are to be located so that any noise impact due to their operation which may be or is likely to be experienced by any neighbouring premises is minimised. Notwithstanding



this requirement all air conditioning units and other mechanical plant and or equipment is to be acoustically treated or shielded where considered necessary to the satisfaction of the General Manager or his delegate such that the operation of any air conditioning unit, mechanical plant and or equipment does not result in the emission of offensive or intrusive noise.

[USE0175]

28. The building is to be used for single dwelling purposes only.

[USE0505]

The reasons for the imposition of conditions are to minimise any adverse impact the development may cause and to give effect to the objectives of the Environmental Planning and Assessment Act, 1979.

The application was determined on: 21 January 2021
The consent to operate from: 25 January 2021

The consent to lapse on 25 January 2026 unless commenced prior to that date.

REVIEW OF DETERMINATION

For a determination other than for designated development you are entitled to request reconsideration of this determination under Section 8.2 of the Environmental Planning and Assessment Act, 1979. The request for review of the determination must be made to Council in writing and is to be accompanied by the fee as prescribed under Clause 257 of the Environmental Planning and Assessment Regulation 2000.

The request for a review may be made at any time:

- a) prior to the time limited for the making of an appeal under Section 8.7 expires, if no such appeal is made against the determination, or
- b) prior to an appeal under Section 8.7 against the determination is disposed of by the Court, if such an appeal is made against the determination.

RIGHT OF APPEAL

If you are dissatisfied with this decision, Sections 8.7 and 8.10 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the NSW Land and Environment Court.

Signed on behalf of the Tweed Shire Council

Gary Gee, Building Surveyor 25 January 2021

CARPORT RENOVATION FOR

MR & MRS FAIRWEATHER LOT 26 (#1) SAND ST KINGSCLIFF NSW

GENERAL NOTES

- 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA (LATEST EDITION) AND ALL SUBSEQUENT AMENDMENTS TO DATE, AS.1684.2 / RESIDENTIAL TIMBER FRAMED CONSTRUCTION AND ALL CODES REFERRED TO THEREIN.
- 2. ARCHITECTURAL PLANS SHALL BE READ IN CONJUNCTION WITH STRUCTURAL, AND MECHANICAL/VENTILATION ENGINEERSPLANS.
- 3. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE.
- 4. REFER TO LOCAL AUTHORITY "CONDITIONS OF APPROVAL" FOR ANY ADDITIONAL REQUIREMENTS.
- 5. CLARIFY ANY DISCREPANCY TO NOTED DIMENSIONS / PLANS PRIOR TO CONSTRUCTION

SITEWORKS

- 6. CHECK ALL DIMENSIONS OF SITE AND BUILDINGS SET OUT PLANS AND CHECK AGAINST SURVEYORS SITE SET OUT.
- 7. SITE TO BE EXCAVATED AND/OR FILLED TO LEVELS AS SHOWN.
- 8. GROUND SURFACE TO BE SLOPED 1:20(min.) AWAY FROM BUILDING FOR 900mm (min.) TO A POINT WHERE PONDING WILL NOT OCCUR NEAR THE BUILDING.
- 9. FOOTINGS SHALL BE PLACED AS PER ENGINEERS SPECIFICATIONS.
- 10. ALL DRIVEWAYS AND PATHS ETC. TO BE IN ACCORDANCE WITH CIVIL ENGINEERS DETAILS & SPECIFICATIONS AND/OR IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARDS.

TERMITE RISK MANAGEMENT

- 11. ALL CHEMICAL AND PHYSICAL TERMITE BARRIERS SPECIFIED SHALL BE IN ACCORDANCE WITH AS 3660.1-2010. IT SHALL BE THE RESPONSIBILITY FOR THE OWNER TO NOMINATE SYSTEMS OF THEIR CHOICE IE. STAINLESS STEEL MESH ETC. IT SHALL BE THE RESPONSIBILITY OF THE BUILDER (PRINCIPAL CONTRACTOR) TO ENSURE THE INSTALLER IS LICENCED AND CAN PROVIDE CERTIFICATION OF CONFORMITY
- BUILDER TO USE STAMPED FOR APPROVAL BY CERTIFIER PLANS FOR CONSTRUCTION
- IF IN DOUBT . . . PLEASE ASK !

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA20/0980

TWEED SHIRE COUNCIL

SYMBOLS / ABBREVIATIONS

mh 600x600mm MAN HOLE

VANITY BASIN LAUNDRY TUB

HEATED TOWEL RAIL ht

HOSECOCK

ROOF WATER DOWN PIPE

RANGEHOOD

mw MICROWAVE OVEN

COURSE

omp OUTERMOST PROJECTION

w.i.r WALK IN ROBE

RAIN WATER HEAD

BATH

WM WASHING MACHINE POSITION

- SHOWER TAPS / MIXER

INSTANTAINOUS GAS HOT WATER STOVE

dw DISHWASHER

ohc OVERHEAD CUPBOARDS

uno UNLESS STATED OTHERWISE

bch BENCH

w.i.p WALK IN PANTRY

fw FLOOR WASTE

shr SHOWER

WC WATER CLOSET

→ SHOWER ROSE

UDO UNDER BENCH OVEN wo WALL OVEN

dpc DAMP PROOF

WATER TANK

BROOM CUPBOARD

WINDOW & DOORS

ALL EXTERIOR WINDOWS AND SLIDING DOORS SHALL BE CONSTRUCTED OF POWDERCOATED ALUMINIUM FRAMES WITH GLASS PANELS (UNLESS STATED OTHERWISE) IN ACCORDANCE WITH THE "NCC" BUILDING CODE OF AUSTRALIA AND AUSTRALIA STANDARDS.

WINDOW OPENINGS IN BUILDINGS 2 STOREYS OR MORE SHALL BE IN ACCORDANCE WITH BCA: CLASS 1 PART 3.9.22 / CLASS 2 PART D2.16 LEGEND:

"SW" = SLIDING WINDOW "AW" = AWNING WINDOW

"FG" = FIXED GLASS "GL" = GLASS LOUVRES

"AL" = ALUMINIUM BLADE LOUVRES

"TL" = TIMBER BLADE LOUVRES

"DL" = DOUBLE HUNG

"CW" = CASEMENT WINDOW "S/D" = SLIDING DOOR

"SSD" = STACK SLIDING DOOR

ALL WINDOW SIZES ARE NOMINAL ONLY, **ACTUAL SIZES WILL VARY WITH** MANUFACTURER (CHECK PRIOR TO CONSTRUCTION)

INTERNAL DOORS:

"CSD" = CAVITY SLIDING DOOR

"FSD" = FACE MOUNTED SLIDING DOOR

DOOR FURNITURE SHALL BE 1040mm ABOVE

THE DOOR TO A FULLY ENCLOSED WC ROOM ENCLOSURES SHALL BE PROVIDED WITH EXTERNALLY REMOVEABLE HINGES IN ACCORDANCE WITH THE BCA: CLASS 1 BUILDINGS:PART 3.8.3.3 / CLASS 2 BUILDINGS:PART F2.5(b)

BAL 12.5 applicable for all new works as per Conditions of Consent.

STAIR NOTE:

stair manufacturer to check all head clearances are in accordance with N.C.C.

ENERGY EFFICIENCY

THIS BUILDING SHALL MEET COMPUTER GENERATED 6 STAR ENERGY EFFICIENCY (BERS).

MINIMUM BUILDING COMPONENT STANDARDS:

ROOF - METAL SHEET - 50mm ANTICON

CONCRETE TILES - SARKING AND INSULATION BATTS

ROOF INSULATION SHALL MEET MIN 'R' VALUE 3.5 IN ACCORDANCE WITH ENERGY EFFICIENCY 6 STAR RATINGS

EAVES VENTILATION (= 0.2% OF CEILING AREA)

WALLS - R 1.0 BUILDING PAPER WITH INSULATION BATTS TO WALL CAVITY AS NOMINATED IN ENERGY EFFICENCY REPORT. INSULATION BATTS TO MEET THERMAL ZONE 2.

JOB NO. OB20-0037

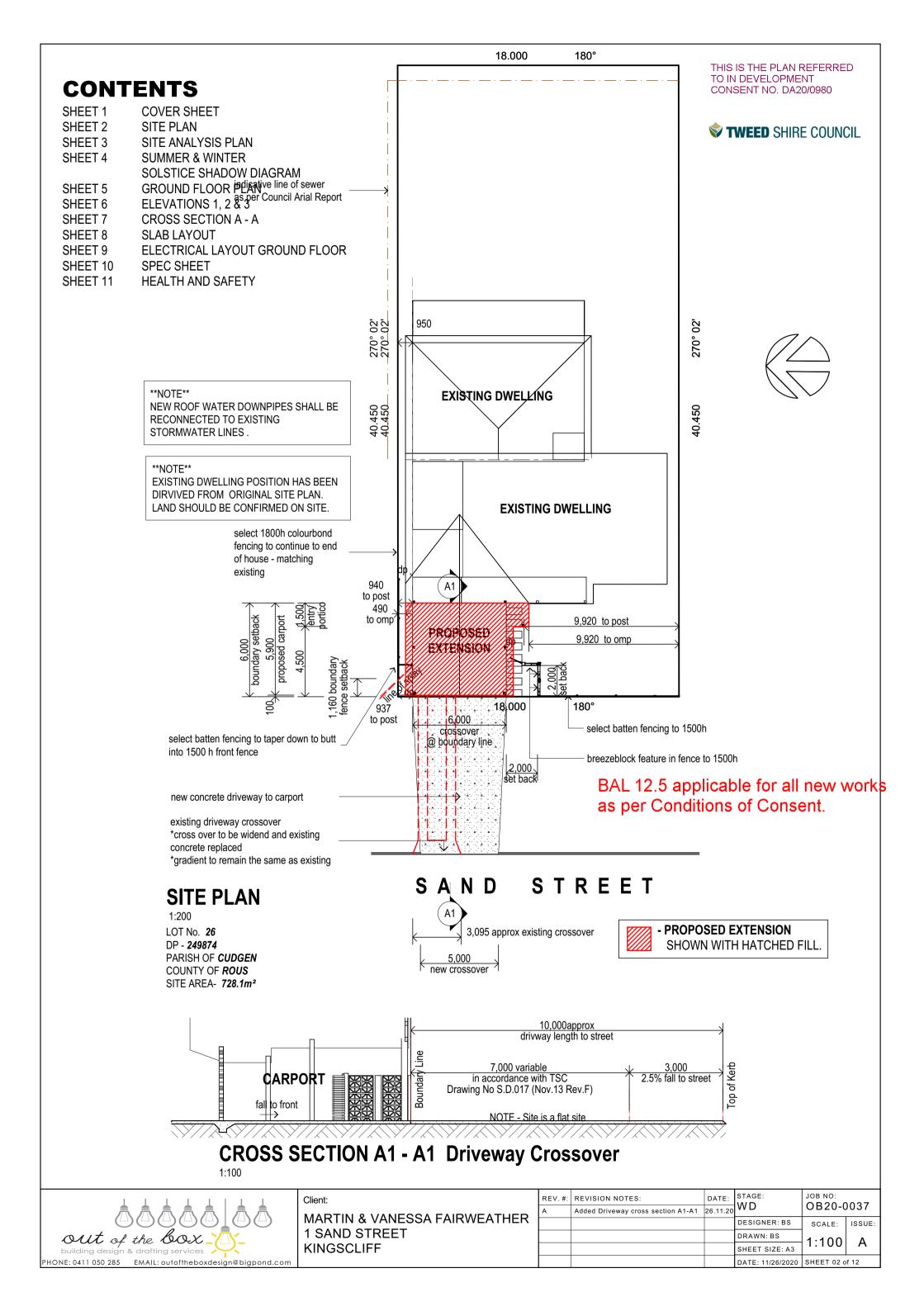
ISSUE: Α

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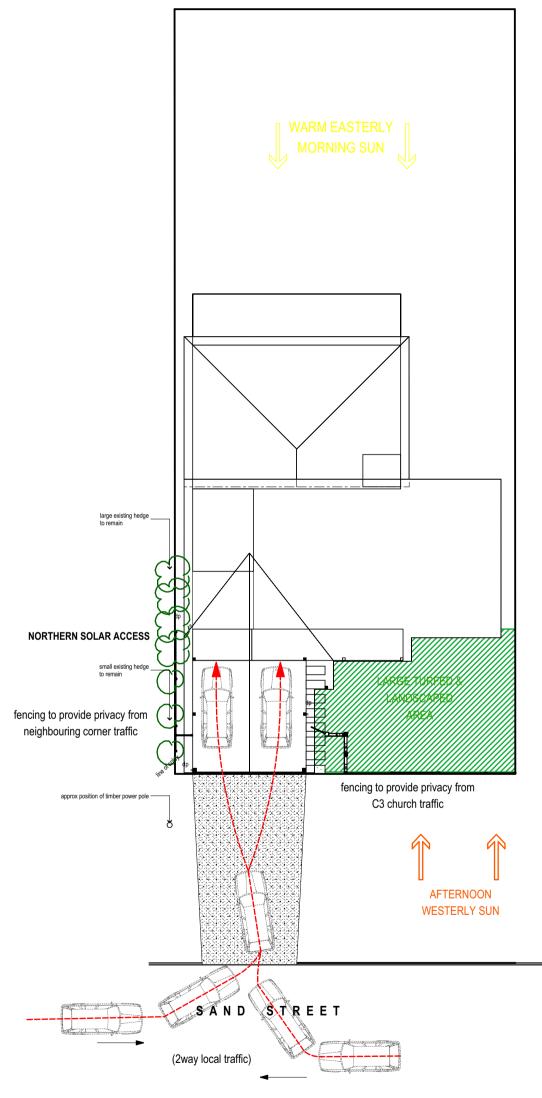


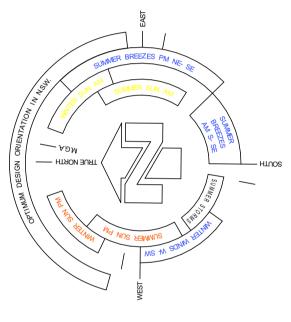
 ${\tt EMAIL: out of the box design@bigpond.com}$

PHONE: 0411 050 285



TWEED SHIRE COUNCIL









BAL 12.5 applicable for all new works as per Conditions of Consent.

SITE ANALYSIS

ÇALE 1:200



Client:

MARTIN & VANESSA FAIRWEATHER 1 SAND STREET KINGSCLIFF

REV.#:	REVISION NOTES:		STAGE:	ЈОВ NO: ОВ20-0037	
A	Added Driveway cross section A1-A1	26.11.20	WD		
			DESIGNER: BS	SCALE:	ISSUE:
			DRAWN: BS	1:100	Α
			SHEET SIZE: A3		
			DATE: 11/26/2020	SHEET 03 of 12	

