

File No: 16-2010-558-1

SCHEDULE 1

APPROVAL UNDER SECTION 78A(3)

Nil required.

SCHEDULE 2

CONDITIONS OF APPROVAL

1. The development is to be carried out in accordance with the approved plans and documentation submitted with the application set out in Schedule 3, except as modified by the conditions of this development consent or as noted in red by Council on the approved plans.
2. Failure to comply with the conditions of consent constitutes a breach and on the spot fines may be issued under the Environmental Planning & Assessment Act 1979 and or the Protection of the Environment Operations Act 1997.
3. The development shall be constructed to BAL 12.5 under AS3959-2009 'Construction of Buildings in Bushfire Prone Areas'.
4. Filling shall not obstruct any natural stormwater flowpath or water drainage system. Neither shall the fill encroach any adjoining property.
5. Collected stormwater runoff from the proposed structure shall be connected to the existing stormwater drainage system.
6. Erosion control measures shall be put in place to prevent the movement of soil by wind, water or vehicles onto any adjoining property, drainage line, easement, natural watercourse, reserve or road surface, in accordance with "Managing Urban Stormwater", Volume 1:2004 (Landcom).
7. All building work must be carried out in accordance with the provisions of the *Building Code of Australia*.
8. Where no sanitary facilities currently exist onsite for construction workers toilet accommodation for all tradespersons shall be provided from the time of commencement until the building is complete. The toilet facilities shall be located so as to have minimal impact of adjoining properties and shall not be placed on the road reserve, without separate approval from Council.
9. Construction work that is likely to cause annoyance due to noise is to be restricted to the following times:-

MR M J MCDOUGALL
PO BOX 378
NELSON BAY NSW 2315

Dear Sir/Madam,

**Re: NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION
Environmental Planning and Assessment Act, 1979.**

Pursuant to section 80(1) of the Environmental Planning and Assessment Act, notice is hereby given of the determination by the consent authority of the Application No. 16-2010-558-1.

Date of Determination & Date from which Consent operates: **26 October, 2010**
Proposed Development: **Extension to Existing Shed (Recreational Facility)**
Property Description: **LOT: 273 DP: 871058**
5 Koala Place BOAT HARBOUR

The Application has been determined by granting consent including other approvals as detailed in Schedule 1 and subject to conditions in Schedule 2. The reasons for the imposition of such conditions are set out in Schedule 4.

Should you wish you may seek to have this Consent reviewed by Council. Arrangements for this review must be made within twelve (12) months of determination date.

If you have any further inquiries regarding this consent, please contact Council's Sustainable Development Department at your convenience.

Yours faithfully

David Broyd

DAVID BROYD
GROUP MANAGER
SUSTAINABLE PLANNING
PER:cf:kmk



principal certifying authority issues an occupation certificate. Note: if an accredited certifier approves occupation, the accredited certifier is to immediately notify council in writing.

17. A fire safety certificate as prescribed by Section 174 Environmental Planning & Assessment Regulations 2000 which certifies the performance of the implemented fire safety measures in accordance with Section 170 of the Regulation must be submitted to the Principal Certifying Authority and the Commissioner of New South Wales Fire Brigades. A copy of fire safety certificate needs to be forwarded to Council, If Council is not nominated as the Principal Certifying Authority. A further copy of the certificate must also be prominently displayed in the building.
18. At least once in each twelve (12) month period, fire safety statements as prescribed by Section 175 Environmental Planning & Assessment Regulations 2000 in respect of each required essential fire safety measure installed within the building are to be submitted to Council. Such certificates are to state that:
 - a) The service has been inspected and tested by a person (chosen by the owner of the building) who is competent to carry out such inspection and test; and
 - b) That the service was or was not (as at the date on which it was inspected and tested) found to be capable of operating to a standard not less than that specified in the fire safety schedule for the building.
19. Balustrading including balustrading for loft areas and mezzanines are to be provided to comply with the provisions of D2.16, Vol 1 of Building Code of Australia. Stairways to the existing loft areas are to conform with provisions of part D2, Vol 1 of Building Code of Australia

GENERAL ADVICES

- a) Access to an adjoining property for construction & maintenance work requires the owner(s) consent. It is the responsibility of the owner/applicant to ensure that no part of the structure encroaches onto the adjoining property. The adjoining property owner can take legal action to have an encroachment removed.
- b) You are advised that an easement exists over this property. Works are not to be undertaken within the drainage easements, and please note that the applicant is responsible for any damage that may occur during the proposed works.
- c) This approval relates to **Development Consent** only and does not infer any approval to commence excavations or building works upon the land. **A Construction Certificate should be obtained prior to works commencing.**

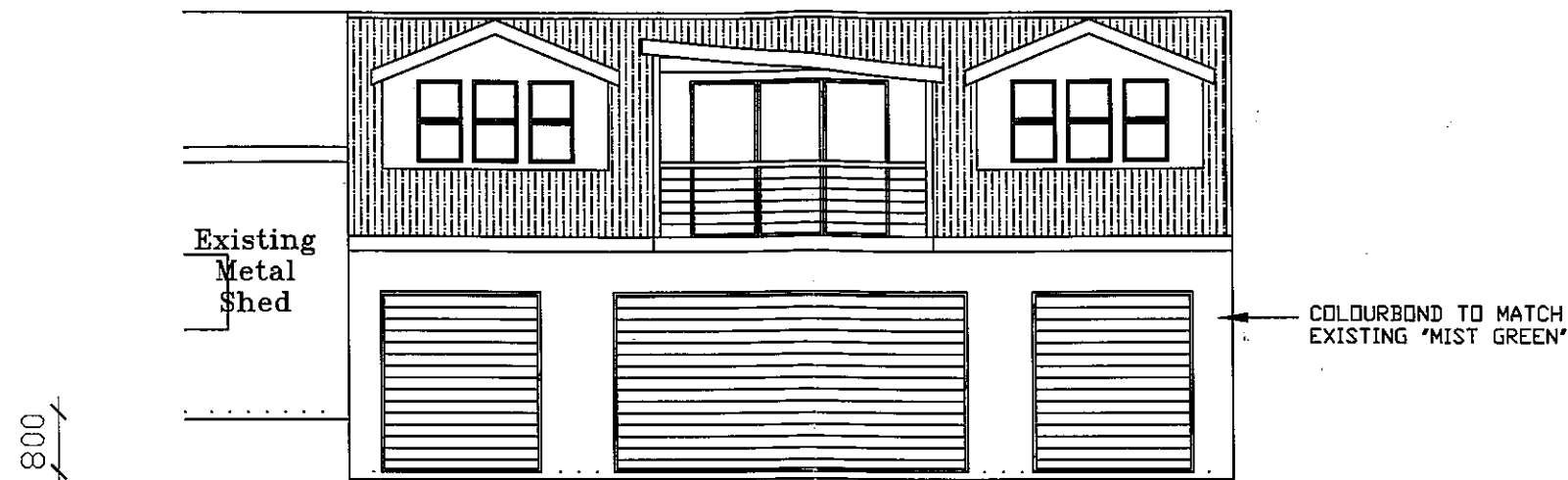
- * Monday to Friday, 7am to 6pm;
- * Saturday, 8am to 1pm;
- * No construction work to take place on Sunday or Public Holidays.

When the construction site is in operation the L_{10} level measured over a period of not less than 15 minutes must not exceed the background by more than 10dB(A). All possible steps should be taken to silence construction site equipment.

10. It is the responsibility of the applicant to erect a PCA sign (where Council is the PCA, the sign is available from Council's Administration Building at Raymond Terrace or the Tomaree Library at Salamander Bay free of charge). The applicant is to ensure the PCA sign remains in position for the duration of works.
11. The excavated and/or filled areas of the site are to be stabilised and drained to prevent scouring and the finished ground around the perimeter of the building is to be graded to prevent ponding of water and ensure the free flow of water away from the building.
12. Separate approval is required to occupy, close or partially close the road reserve adjacent to the property under the Roads Act. The storage of materials, placement of toilets and rubbish skips within the road reserve is not permitted.
13. A waste containment facility shall be provided on the construction site immediately after the first concrete pour for the building and is to be regularly serviced. **Council may issue 'on the spot' fines for pollution/littering offences under the Protection of the Environment Operations Act 1997.**
14. The construction site is to be adequately protected and drainage controlled to ensure that erosion and sediment movement is kept on your site. Construction sites without appropriate erosion and sediment control measures have the potential to pollute the waterways and degrade aquatic habitats. Offenders will be issued with an 'on the spot' fine under the Protection of the Environment Operations Act 1997.

Note: Erosion and sediment control measures prepared in accordance with the Erosion and Sediment Control Regional Policy and Code of Practice or Managing Urban Stormwater – Soils and Construction produced by Landcom 2004, need to be maintained at all times. A copy of Landcom 2004 bluebook may be purchased by calling (02) 98418600.

15. A "KEEP PORT STEPHENS WATERWAYS POLLUTION FREE" sign shall be displayed and be clearly visible from the road frontage for public viewing on the site at the commencement of works and remain in place until completion of the development. Signs are available from Port Stephens Council.
16. The principal certifying authority shall only issue an occupation certificate when the building has been constructed in accordance with the approved plans, specifications and conditions of consent. No occupational use is permitted until the



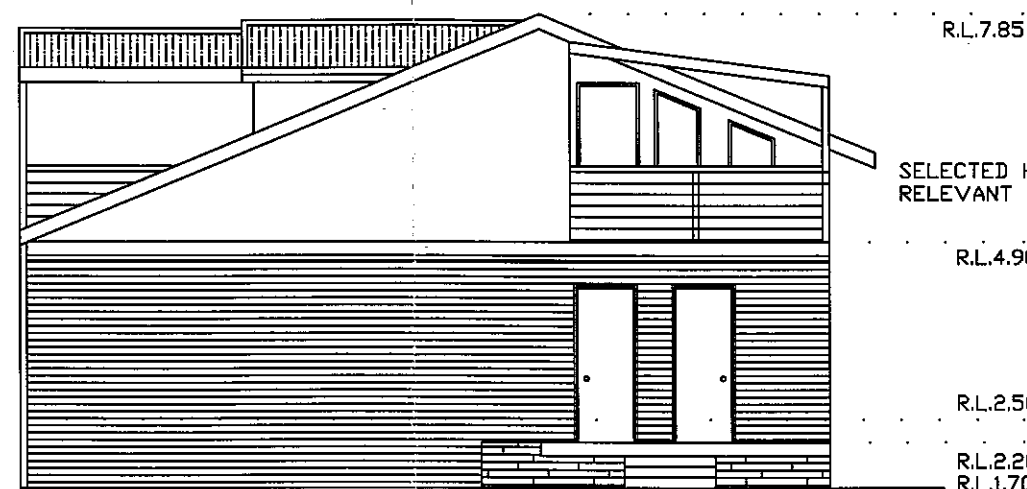
Proposed Shed Extension - Elevation A (Northern)

SELECTED "CLIPLOCK"
OR SIMILAR ROOF CLADDING
WITH "BLANKET" UNDER
AND ROOF BATTS TO CEILING

SELECTED WALL CLADDINGS
(COLORBOND AND ECO-PANEL)
TO EXTERIOR WALLS WITH
WALL BATTS AND "FOIL" UNDER

SELECTED ALUMINIUM FRAMED
DOORS AND WINDOWS

ALL PADS AND FOOTINGS
TO ENGINEERS DESIGN
AND DETAILS



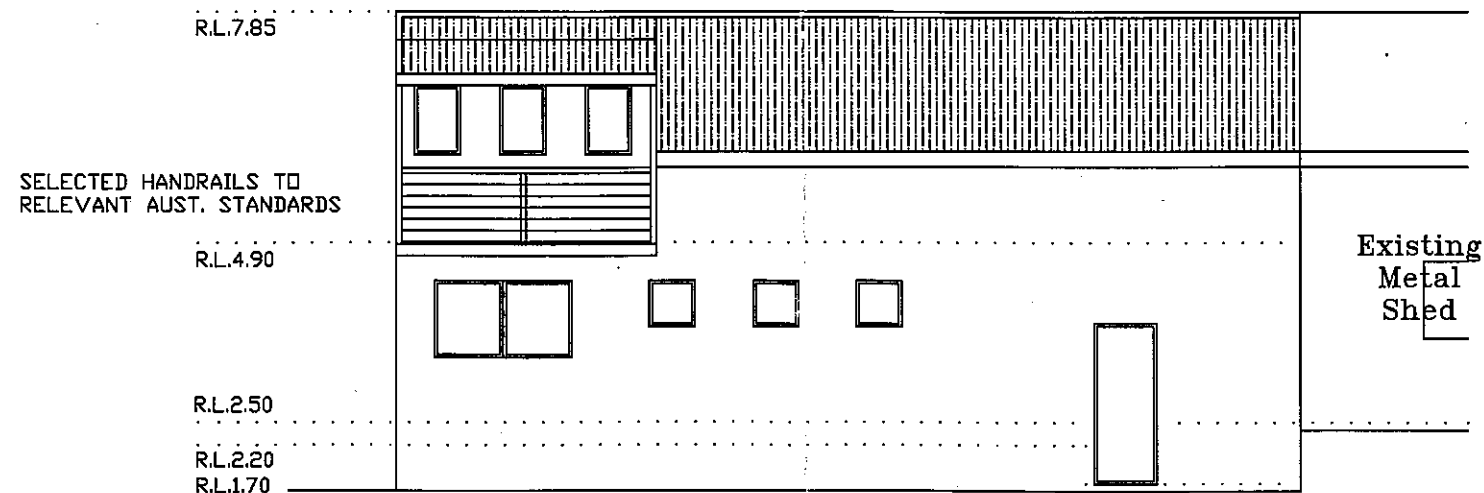
Elevation D (Western)

PORT STEPHENS COUNCIL
This plan relates to Development Consent No:

10--558-01

and is subject to conditions as shown on that
Consent.

ROOF PITCH TO SHED EXTENSION TO MATCH EXISTING



Proposed Shed Extension - Elevation B (Southern)

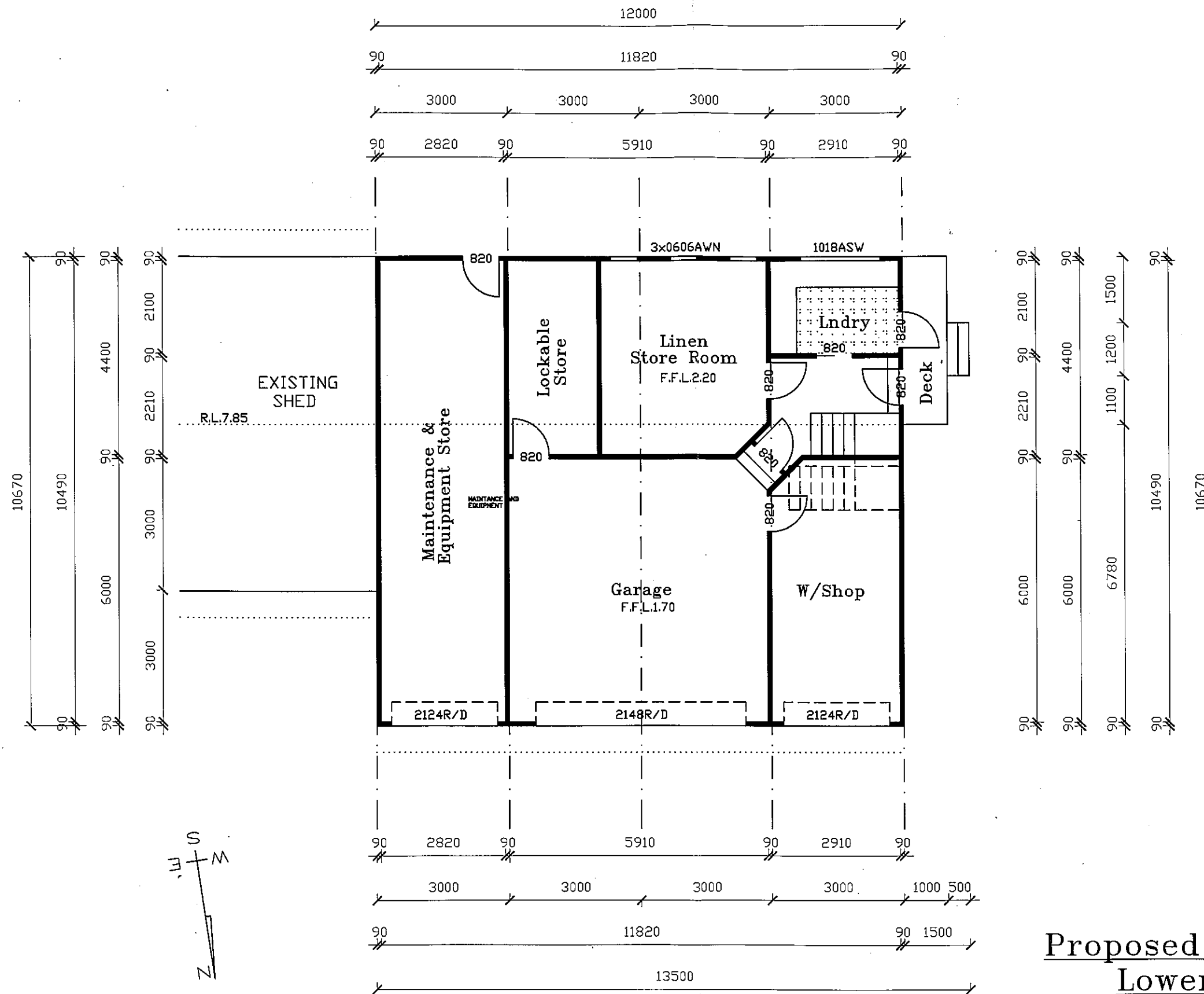
PORT STEPHENS COUNCIL
This plan relates to Construction Certificate No:

10--558-01

and is subject to the advices attached to
the certificate.

DO NOT SCALE.
IF IN DOUBT, ASK.

O'Carrolllys at One Mile Beach					JOB DETAILS M. J. McDougall 5 Koala Place One Mile Beach		JOB REFERENCE	REVISION
DRAWN Linda	DATE DRAWN July 2010	DWG FILE	SCALE 1:100	VIEW NAME A				



PORT STEPHENS COUNCIL
This plan relates to Development Consent No:

10 - - 558 - 01

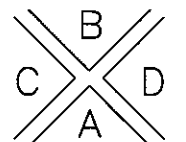
and is subject to conditions as shown on that
Consent

PORT STEPHENS COUNCIL
This plan relates to Construction Certificate No:

10 - - 558 - 01

and is subject to the advices attached to
the certificate.

Proposed Shed Extension Lower Floor Plan



DO NOT SCALE.
IF IN DOUBT, ASK.

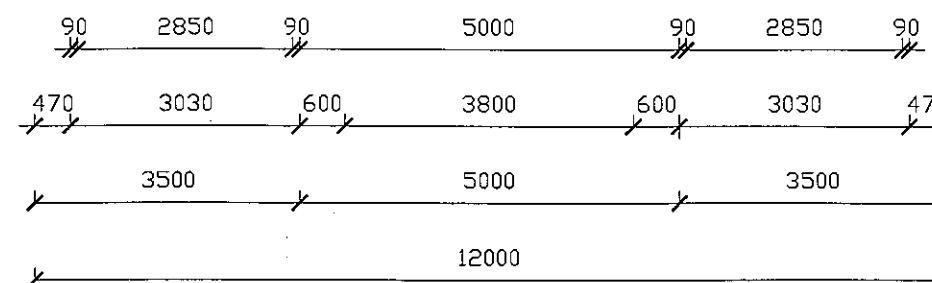
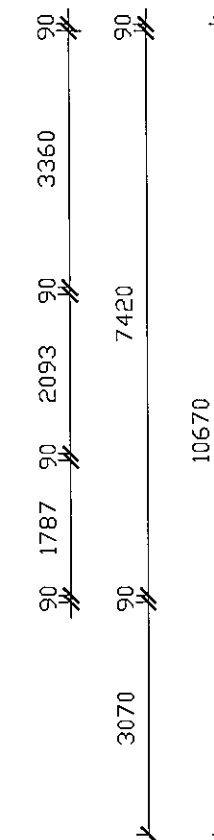
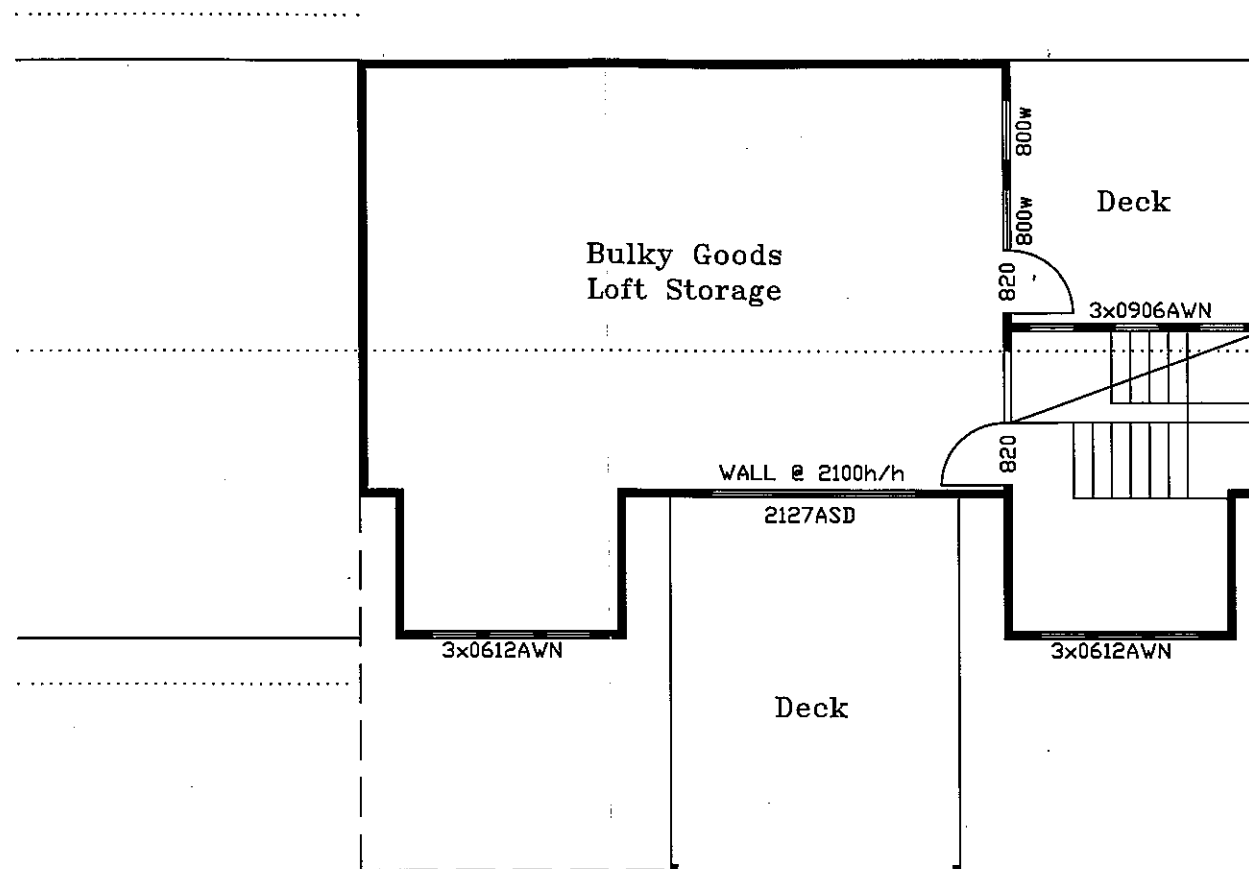
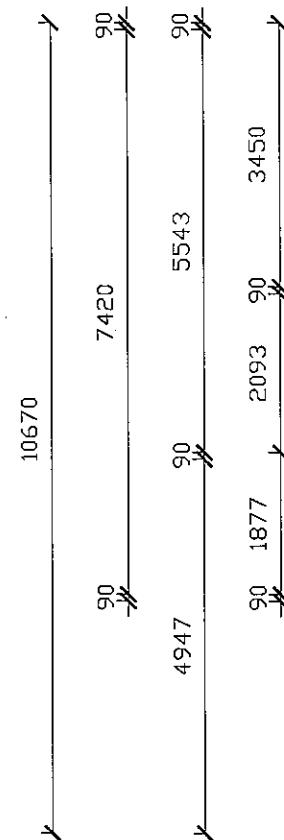
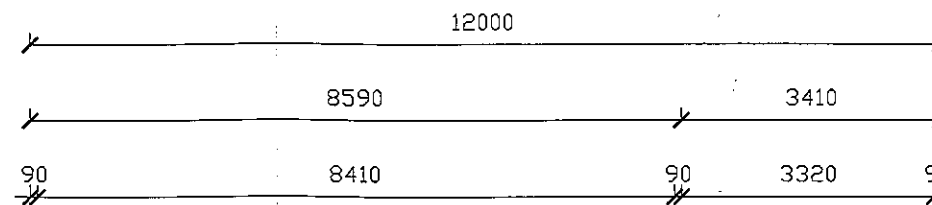
□'Carrolllyns at □ne Mile Beach

DRAWN Linda	DATE DRAWN July 2010	DWG FILE	SCALE 1:100	VIEW NAME A
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JOB DETAILS
M. J. McDougall
5 Koala Place
□ne Mile Beach

JOB REFERENCE

REVISION

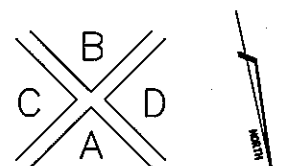


PORT STEPHENS COUNCIL
This plan relates to Development Consent No:
10 - - 558 - 01
and is subject to conditions as shown on that
Consent

PORT STEPHENS COUNCIL
This plan relates to Construction Certificate No:
10 - - 558 - 01
and is subject to the advices attached to
the certificate.

Proposed Shed Extension Upper Floor Plan

DO NOT SCALE.
IF IN DOUBT, ASK.



O'Carrolllys at One Mile Beach					JOB DETAILS M. J. McDougall 5 Koala Place One Mile Beach			JOB REFERENCE		REVISION	
DRAWN Linda	DATE DRAWN July 2010	DWG FILE	SCALE 1:100	VIEW NAME A							

10-2010-480-1

SCHEDULE 1

INSPECTIONS

Council's inspection of new buildings is undertaken at mandatory critical phases of construction to ensure acceptable community standards are maintained through compliance with approvals. It is not an exhaustive overseeing of workmanship and standard of finish. If you require a greater level of supervision then you may wish to employ the services of a private consultant.

INSPECTIONS REQUIRED FOR THIS APPLICATION

Be Advised that as from 1 July 2005 mandatory critical stage inspections listed below may only be undertaken by Council Officers or an alternative with Council's prior consent. Failure to comply with this requirement is a breach under the provisions of the Environmental Planning & Assessment Act and may result in legal action and/or prohibit the issuing of an Occupation Certificate.

Two (2) working days notification for the following inspections is required.

- a. After excavation for, and prior to the placement of, any footings, and
- b. Prior to covering of the framework for any floor, wall, roof or other building element, and
- c. Prior to covering any stormwater drainage connections

Please phone Council on **(02) 49800 115** during office hours for the above inspections, OR, you may call (0408) 49 3378 between 5pm and 8.30am. *Please quote the abovementioned application number.*

CERTIFICATION REQUIRED by your Principal Certifying Authority:

- i. Nil required.

SCHEDULE 2

PRINCIPAL CERTIFYING AUTHORITY REQUIREMENTS:

As your Principal Certifying Authority Council wishes to inform you of the following requirements.

- a) Failure to display the PCA sign is an offence and may incur a penalty of **\$1,100.00**.

Parcel No: 32722

Det Code: A1

MR M J MCDOUGALL
PO BOX 378
NELSON BAY NSW 2315

CONSTRUCTION CERTIFICATE

Certificate No: 10-2010-558-1 Date: 26 October, 2010

I certify that if the work is completed following the plans and specifications which have been approved, it will comply with the requirements of the Environmental Planning and Assessment Regulation 2000 as referred to in section 81A(5) of the *Environmental planning and Assessment Act 1979*.

Property Description: **LOT: 273 DP: 871058
5 Koala Place BOAT HARBOUR**

Development Consent: **16-2010-558-1**

Date of Determination: **26 October, 2010**

Classification of Building: **6/7**

Proposed Development: **Extension to Existing Shed (Recreational Facility)**

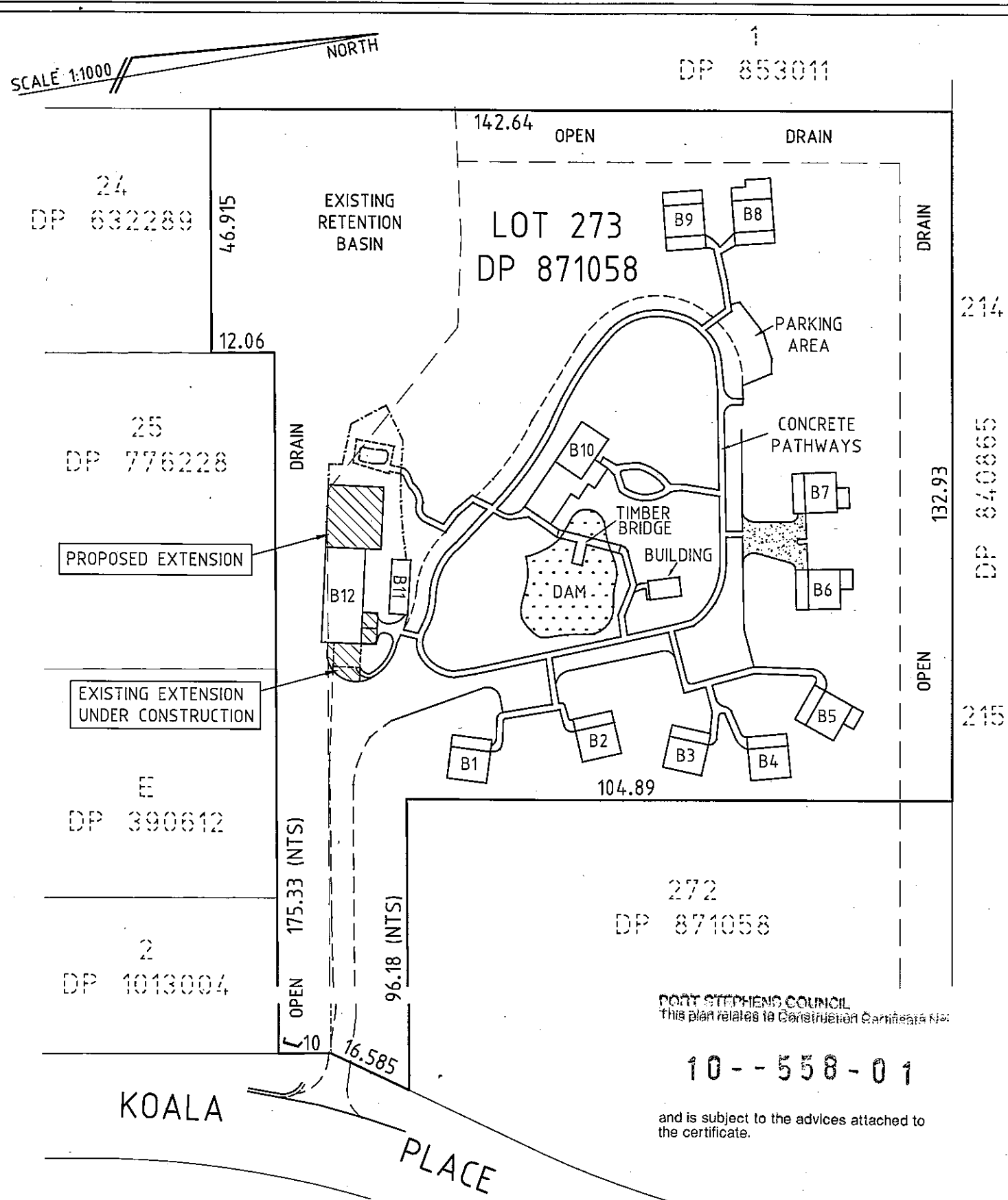
NOTE: Your attention is drawn to the attached schedules which include a list of the mandatory critical stage inspections, booking procedure and additional information required by Council as your Principal Certifying Authority.

Please note: At least two (2) days notice must be given to Port Stephens Council of intentions to start works approved by this certificate.

David Broyd

**DAVID BROYD
GROUP MANAGER
SUSTAINABLE PLANNING
PER:rm:kmk**





10-2010-480-1

- b) **Prior to commencement of building work** submit to Council a copy of the contract of insurance under Part 6 of the Home Building Act 1989 (specific for the building work the subject of this approval) and builders licence details. (Or alternatively present to Council a copy of an Owner Builders Permit issued by the Department of Fair Trading.)
- c) **Prior to commencement of work**, submit to Council structural engineers details for the following:
- Concrete Slab, footings.
 - Structural frame.
 - Connection to existing structure.
- d) All new balustrading is to conform with part D2.16 of Vol 1 Building Code of Australia.
- e) Lighting and ventilation to conform with part F of Building Code of Australia (C part F4.5)
- f) Detail of the construction and weatherproofing of the two upstairs decks is to be provided prior to commencing work.
- g) Underneath of stairs must not be enclosed unless in accordance with D2.8 of Vol 1 of Building Code of Australia.

RIGHT OF APPEAL

Section 109K of the Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court. This right of appeal is only valid for 12 months from the date of the determination.

NOTES:

- To ascertain the date upon which the determination becomes effective refer to Section 109K of the Act.
- To ascertain the extent to which the consent is liable to lapse refer to Section 109K of the Act.

M. J. McDOUGALL & ASSOCIATES

Consultants in Surveying, Engineering & Land Development

Suite 3/16 Stockton Street
(PO Box 378) Nelson Bay 2315
Phone : (02) 4984 2606 (B.H.)
Fax : (02) 4984 2592
Email : surveyors@nelsonbay.com

OVERALL SITE PLAN - PROPOSED EXTENSION TO EXISTING BUILDING 12

AT : LOT 273 DP 871058
No 5 KOALA PLACE
ONE MILE BEACH

FOR : MJ McDOUGALL

DATE : JULY 2010 REF. NO : 163499-06

