



# City of Wagga Wagga

## COMPLYING DEVELOPMENT CERTIFICATE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979 (S4.28(6))

**Application Number:** CDC20/0023  
**Certifying Authority:** City of Wagga Wagga  
**Applicant:** Matt Honeysett Constructions  
13 Bonner St  
LLOYD NSW 2650  
**Land to be Developed:** 31 Paradise Dr GOBBAGOMBALIN NSW 2650, Lot 228  
DP 1234337  
**Land Use Zone:** R1 General Residential  
**Proposed Development:** Dwelling with attached Garage and Alfresco  
**Classification under the Building Code of Australia:** Class 1a & 10a  
**Code under the SEPP (CDC) 2008:** Housing Code  
**Relevant Plans:** Plan No. A01 - A03 dated 28/02/2020, Plan No. 2019218 S00-S05, S10-S15, S20-S21 dated 22/01/2020, Basix Certificate No. 1069452S\_02 dated 28/02/2020, Specifications dated 22/01/2020 prepared by Design2 Consulting, Site Classification Report dated 13/12/2019 prepared by Aitken Rowe Testing Laboratories submitted with Application for Complying Development Certificate received 18/02/2020.

### Certification:

I, the undersigned, certify that the development is complying development, and if carried out as specified in this certificate will comply with all development standards applicable to the development and with such other requirements prescribed by the Environmental Planning and Assessment Regulation 2000.

**Decision:** Approved with conditions.

**Determination & Endorsement Date:** 03 March 2020

**Certificate to Lapse:** 03 March 2025

**Other Approvals:** Nil

Prasad Jayasekera  
Building Surveyor

BPB Accreditation Number (2982)

## CONDITIONS OF CONSENT FOR APPLICATION NO. CDC20/0023

### Plans & Specifications

Plan No. A01 - A03 dated 28/02/2020, Plan No. 2019218 S00-S05, S10-S15, S20-S21 dated 22/01/2020, Basix Certificate No. 1069452S\_02 dated 28/02/2020, Specifications dated 22/01/2020 prepared by Design2 Consulting, Site Classification Report dated 13/12/2019 prepared by Aitken Rowe Testing Laboratories submitted with Application for Complying Development Certificate received 18/02/2020.

1. **Prior to works commencing the applicant must lodge a bond with Council of:-  
\$1000.00 for security deposit on the kerb and gutter and footpath**

**Plus a non-refundable administration fee as per Council's Fees and Charges.**

**NOTE 1:** The applicant currently has an ONGOING security bond lodged with Council bond number (BKG 0689). This ongoing bond will be attached to this development to act as a security deposit on the kerb and gutter and footpath. No further payment under this condition is required.

**NOTE 2:** In lieu of payment, the applicant can with written authorisation from their builder, utilise an ongoing bond should their builder hold an ongoing bond.

**NOTE 3:** All monetary conditions are reviewed annually, and may change on 1 July each year.

**NOTE 4:** Works in the form of driveways, kerb and gutter and footpath may require you to obtain a Section 138 Roads Act 1993 approval. Please contact Council's Road Reserve Officer on 1300 292 442 prior to undertaking such works.

**NOTE 5:** The bond held on the kerb and gutter and footpath is fully refundable upon completion of all works and upon inspection by Council to ensure that any damage to Council infrastructure has been repaired. The bond will not be refunded in the event that damage done to Council's infrastructure is not repaired to the satisfaction of Council. All damage is to be repaired at the full cost of the applicant.

2. **At least two days prior to the commencement of works under this Complying Development Certificate, notification of the commencement of works shall be provided by the person having the benefit of the consent to each dwelling on a lot within 20 metres of the boundary of the development site.**

3. **The commitments listed in each relevant BASIX certificate for the development must be fulfilled.**

**Note 1.** Complying development under the Housing Code, the Rural Housing Code, the Greenfield Housing Code and the Inland Code must comply with the requirements of the Act, the *Environmental Planning and Assessment Regulation 2000* <<https://www.legislation.nsw.gov.au/>> and the conditions listed in this Schedule.

**Note 2.** Division 2A of Part 7 of the *Environmental Planning and Assessment Regulation 2000* <<https://www.legislation.nsw.gov.au/>> specifies conditions to which certain complying development certificates are subject.

- Note 3.** In addition to the requirements specified for development under this Policy, adjoining owners' property rights, applicable common law and other legislative requirements for approvals, licences, permits and authorities still apply.
- Note 4.** If the development is in the proximity of infrastructure (including water, stormwater or sewer mains, electricity power lines and telecommunications facilities), the relevant infrastructure authority should be contacted before commencing the development.
- Note 5.** Under section 4.29 of the *Environmental Planning and Assessment Act 1979*, a complying development certificate lapses 5 years after the date endorsed on the certificate, unless the development has physically commenced on the land during that period.

## **CONDITIONS APPLYING BEFORE WORKS COMMENCE**

### **Protection of adjoining areas**

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 the 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.

### **Toilet facilities**

- (1) 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.
- (2) 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* <<https://www.legislation.nsw.gov.au/>>, or
  - (c) be a temporary chemical closet approved under the *Local Government Act 1993* <<https://www.legislation.nsw.gov.au/>>.

### **Garbage receptacle**

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

### **Adjoining wall dilapidation report**

- (1) If a wall on a lot is to be built to a boundary 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.**
- (2) 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.**

### **Run-off and erosion controls**

**Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:-**

- (a) diverting uncontaminated run-off around cleared or disturbed areas, and**
- (b) erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and**
- (c) preventing the tracking of sediment by vehicles onto roads, and**
- (d) stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.**

### **Tree protection measures**

- (1) This clause applies to each protected tree and any other tree that is to be retained on a lot.**
- (2) The trunk of each of the following trees must be provided with a tree guard that is comprised of hardwood timber panels each having a minimum length of 2m, minimum width of 75mm and minimum thickness of 25mm and secured, but not permanently fixed or nailed, to the tree and spaced a maximum of 80mm apart-**
  - (a) each tree that is within 6m of a dwelling house or any ancillary development that is to be constructed, and**
  - (b) each protected tree that is within 10m of a dwelling house or any ancillary development that is to be constructed.**
- (3) Each protected tree that is within 6m of a dwelling house, outbuilding or swimming pool must have a fence or barrier that is erected-**
  - (a) around its tree protection zone as defined by section 3.2 of AS 4970-2009, *Protection of trees on development sites*, and**
  - (b) in accordance with section 4 of that standard.**
- (4) The person having the benefit of the complying development certificate must ensure that-**

- (a) the activities listed in section 4.2 of that standard do not occur within the tree protection zone of any tree on the lot or any tree on an adjoining lot, and
    - (b) any temporary access to, or location of scaffolding within the tree protection zone of a protected tree or any other tree to be retained on the lot during the construction, is undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of that standard.
  - (5) The tree protection measures specified in this clause must-
    - (a) be in place before work commences on the lot, and
    - (b) be maintained in good condition during the construction period, and
    - (c) remain in place for the duration of the construction works.
- Note.** A separate permit or development consent may be required if the branches or roots of a protected tree on the lot or on an adjoining lot are required to be pruned or removed.

#### **CONDITIONS APPLYING DURING THE WORKS**

- Note.** The Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Noise Control) Regulation 2008 contain provisions relating to noise.

#### **Hours for construction**

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

#### **Compliance with plans**

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

#### **Maintenance of site**

- (1) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- (2) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.
- (3) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.
- (4) During construction-
  - (a) all vehicles entering or leaving the site must have their loads covered, and

- (b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.
- (5) At the completion of the works, the work site must be left clear of waste and debris.

#### **Earthworks, retaining walls and structural support**

- (1) Any earthworks (including any structural support or other related structure for the purposes of the development)-
  - (a) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and
  - (b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and
  - (c) that is fill brought to the site-must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the *Protection of the Environment Operations Act 1997* <<https://www.legislation.nsw.gov.au/>>, and
  - (d) that is excavated soil to be removed from the site-must be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005* <<https://www.legislation.nsw.gov.au/>>.
- (2) Any excavation must be carried out in accordance with *Excavation Work: Code of Practice* (ISBN 978-0-642-785442), published in July 2012 by Safe Work Australia.

#### **Drainage connections**

- (1) If the work is the erection of, or an alteration or addition to, a dwelling house, the roof stormwater drainage system must be installed and connected to the drainage system before the roof is installed.
- (2) Any approval that is required for connection to the drainage system under the *Local Government Act 1993* <<https://www.legislation.nsw.gov.au/>> must be held before the connection is carried out.

#### **Swimming pool safety**

If the work involves the construction of a swimming pool, a child-resistant barrier that complies with the requirements of the *Building Code of Australia* and AS 1926.1-2012, *Swimming pool safety-Part 1: Safety barriers for swimming pools* must be erected around that work during the construction.

#### **Archaeology discovered during excavation**

If any object having interest due to its age or association with the past is uncovered during the course of the work:-

- (a) all work must stop immediately in that area, and
- (b) the Office of Environment and Heritage must be advised of the discovery.

**Note.** Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the *Heritage Act 1997* may be required before further the work can continue.

#### **Aboriginal objects discovered during excavation**

If an Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work:-

- (a) all excavation or disturbance of the area must stop immediately, and
- (b) the person making the discovery must advise the Chief Executive (within the meaning of the *National Parks and Wildlife Act 1974* <<https://www.legislation.nsw.gov.au/>>) of the discovery in accordance with section 89A of that Act.

**Note.** If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the *National Parks and Wildlife Act 1974* <<https://www.legislation.nsw.gov.au/>>.

### **CONDITIONS APPLYING BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE**

#### **Vehicular access**

If the work involves the construction of a vehicular access point, the access point must be completed before the occupation certificate for the work on the site is obtained.

#### **Utility services**

If the work requires alteration to, or the relocation of, utility services on, or adjacent to, the lot on which the work is carried out, the work is not complete until all such works are carried out.

REASON: To ensure the development complies with the requirements imposed under Clause 4.28(6) of the *Environmental Planning and Assessment Act 1979*, as amended, by imposing the Conditions of Consent required Schedule 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*

- 4.
  - a) **Work must be carried out in accordance with the requirements of the Building Code of Australia,**
  - b) **in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, a contract of insurance must be entered into and be in force before any building work authorised to be carried out by this certificate commences.**
- 5. **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.**

6. **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.**
7. **Residential building work within the meaning of the Home Building Act 1989 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:**
  - a) **in the case of work for which a principal contractor is required to be appointed:**
    - i) **the name and licence number of the principal contractor, and**
    - ii) **the name of the insurer by which the work is insured under Part 6 of that Act,**
  - b) **in the case of work to be done by an owner-builder:**
    - i) **the name of the owner-builder, and**
    - ii) **if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.**

**If arrangements for doing the residential building work are changed while the work is in progress so that the information notified above 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.**



## Final Occupation Certificate

**Note:** 1. All details must be legibly printed in ink or typed  
2. Failure to complete the form and supply the required information will result in delays.

### MUST BE COMPLETED BY APPLICANT

DA No:

CC No:

CDC No:

### Type of Certificate Sought

- ☐ Interim Occupation Certificate  
☐ Final Occupation Certificate. Kerb and Gutter Bond refund required Yes ☐ No ☐  
☐ Change of Building Use of an Existing Building  
☐ Occupation/use of a New Building

### Applicant's Details

Title  Name  Surname   
Company  ABN   
Postal Address  Post Code   
Phone  Mobile  Work   
Email  Fax

By signing below, I advise that the application form is completed and the information required by Council is attached.

Signature  Date

**Note:** ALL correspondence will be forwarded to the address provided above

### Owner's Details

Owner's Name   
Owner's Address   
Phone  Email

**I/we consent to this application (Note: consent of all owners is required)**

Signature  Date

Date

(Owner's signature to consent to lodgement of application)

Site Details	
Address <input style="width: 90%;" type="text"/>	City <input style="width: 90%;" type="text"/>
Legal Description (Lot & DP) <input style="width: 95%;" type="text"/>	
Site Area <input style="width: 80%;" type="text"/> m <sup>2</sup>	
Building Details	
<input type="checkbox"/> Whole of Building <input type="checkbox"/> Part of Building <input type="checkbox"/> Use of Building	
Use of building <input style="width: 95%;" type="text"/>	
<b>Building Code of Australia Classification</b> (this must be the same as that specified in the development consent or complying development certificate) <input style="width: 150px;" type="text"/>	
Boundary Adjustment <input style="width: 500px;" type="text"/>	
<input type="checkbox"/> New Building <input type="checkbox"/> Existing Building	
Required Attachments Where Relevant	
<p><i>Required certificates for Class 2-9 Buildings(Industrial/Commercial)</i></p> <ul style="list-style-type: none"> <li>Final Fire Safety Certificate or Interim Fire Safety Certificate (where relevant) to reflect the requirements of the Fire Safety Schedule.</li> <li>Energy Efficiency (Section J) Compliance Certificate/Letter.</li> <li>Structural engineers certification (where required).</li> <li>Glazing certificate(where required).</li> </ul> <p><i>Other Certificates relied on including Class 1&amp;10 Buildings(Residential)</i></p> <ul style="list-style-type: none"> <li>Waterproof Certificate for Wet Areas</li> <li>Frame &amp; Truss Detail /Certification</li> <li>Termite Protection Certificate ( Copy to Council, sticker installed in power meter box)</li> <li>Basix Compliance Letter</li> <li>Smoke Detector Installation Certificate (Issued by Electrician)</li> <li>Survey report (where required)</li> <li>Bushfire letter of compliance</li> <li>Certificate of Impermeability (for all Lloyd Developments)</li> </ul> <p>Council has created some of the above listed Compliance Forms for use located on the website under the following link;  <a href="http://www.wagga.nsw.gov.au/city-of-wagga-wagga/planning/document-quicklinks/development-applications">http://www.wagga.nsw.gov.au/city-of-wagga-wagga/planning/document-quicklinks/development-applications</a></p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><b>Note:</b> The Regulations require a copy of Development Consent, Construction Certificate or Complying Development Certificate, however it is noted that Council would have a copy of these documents on file, therefore additional copies are not required.</p> </div>	
Date of Receipt	
Date received <input style="width: 150px;" type="text"/> (to be completed by Certifying Authority)	



# WAGGA WAGGA CITY COUNCIL ASSISTING YOU IN THE NEXT STEP OF THE PROCESS

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## ***REQUIRED PCA SITE SIGNAGE***

From the time work is first started on the site until completion, certain signage, including identification of the PCA, must be displayed in a position visible from the street (clauses 98A and 136B of the EP&A Reg 2000). There are fines for not having the correct signage displayed. These signs are forwarded as part of the Construction Certificate documentation. They may also be obtained from Council's Planning and Regulatory Directorate, or contact the Administration Team on 1300 292 442 and we will forward one to you.

## ***PRIOR TO BOOKING INSPECTIONS***

We require the following documentation **BEFORE** you book the relevant inspection. An inspection request may not be accepted, or the inspection carried out, if these details have not been received:-

- Wall bracing details - layout plan, including bracing unit types.
- Engineered floor joists - layout plan, member sizes, spacings and method of connection.
- Roof trusses - layout plan, identification sections, member sizes and spacings.

## ***BOOKING INSPECTIONS***

We carry out inspections every weekday (except public holidays). To make an inspection booking, or to confirm requirements, please contact Development Services on 1300 292 442.

Clause 163 of the EP&A Regulation requires that the principal contractor, or the owner builder, must give the PCA **at least 48 hours notice** before each required inspection. Whilst we always endeavour to meet your inspection needs, this may not be achievable with less than 48 hours notice, and is also subject to availability.

**Additional inspections** due to staging of building works, variations in the construction sequence and reinspections as a result of incomplete or unsatisfactory works, may attract an additional inspection fee. Where the number of inspections requested exceeds the number of inspections paid for, you will be required to make payment for future inspections at current rates.

***To avoid a potential reinspection and subsequent fees, it is strongly recommended that the principal contractor or owner builder ensures all works are completed and compliant prior to booking an inspection.***

Please note: Legislation requires that the PCA is to carry out **all** nominated and critical stage inspections *(as listed in the attached approval)*. An Occupation Certificate might not be issued and the building may not be able to be used or occupied where this does not occur.

## ***OCCUPATION CERTIFICATE***

Legislation requires that an Occupation Certificate be issued on finalisation of work and prior to use. Only the PCA can issue the Occupation Certificate. The owner/person benefitting from the consent is required to complete and return to Council an application form for the Occupation Certificate. This can be downloaded from our website [www.wagga.nsw.gov.au](http://www.wagga.nsw.gov.au).