

NOTICE OF MODIFICATION TO DETERMINATION OF A DEVELOPMENT APPLICATION

Issued under Clause 122 of the Environmental Planning and Assessment Regulation 2000.

Application No.	DA-62/2023/A
Applicant	TBN Construct Pty Ltd
Land to be developed	Lot 101 DP 1290608 15 Victoria Street, INVERELL 2360
Approved development	Additions and alterations
Building Code of Australia Classification	Class 1a
Determination	The determination is amended in accordance with Section 4.55 of the Environmental Planning and Assessment Act 1979.
Original date of determination	15 May 2023
Modification determination date	3 May 2024
Consent will lapse on	15 May 2028 Unless the work or use to which this consent relates has lawfully commenced on-site in accordance with Section 4.53 of Environmental Planning and Assessment Act 1979.

CONDITIONS OF CONSENT

Preliminary

- 1 Inverell Shire Council issues its consent, subject to conditions stated hereunder, in accordance with Section 4.17 of the Environmental Planning and Assessment Act 1979.

Consent is granted for — Alterations and Additions

To confirm and clarify the terms of consent, the development must be carried out in accordance with the stamped and approved plans and accompanying documentation, unless modified by any following condition. Any deviation will require the consent of Council.

- 2 The applicant must comply with all relevant prescribed conditions as contained in Division 8A of the Environmental Planning & Assessment Regulation 2000.

Prior to Issue of a Construction Certificate

- 3 Prior to the commencement of any works (including earthworks) on the site a Construction Certificate must be issued in accordance with the Environmental Planning and Assessment

Act 1979. The application for a Construction Certificate shall include plans and specifications demonstrating full compliance.

4. Prior to the issue of a Construction Certificate, details of the sewer pump system are to be submitted to and approved by Council under Section 68 of the Local Government Act 1993.
5. Prior to issue of a Construction Certificate, a stormwater drainage plan for the dwelling is to be submitted to and approved by Council.
6. To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:
 - Works on site are to be carried out in accordance with the Protection of the Environment Operations Act 1997 in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;
 - Construction may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no construction is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;
 - Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site; • Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;
 - Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot; and
 - Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the Surveying and Spatial Information Act 2002. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the Lands Titles Office.
7. Any replacement or renovation of a deteriorated frame member must be of equivalent or improved quality materials. Any second-hand materials to be used must be inspected and approved by Council's Building Surveyor prior to their use in the construction.
8. Prior to commencement of works (including earthworks), run-off and erosion control measures must be implemented in accordance with Council's Erosion and Sedimentation Control Policy 2005) to prevent soil erosion, water pollution and the discharge of loose sediment on the surrounding land. Measures are to include:
 - Diverting uncontaminated run-off around cleared or disturbed areas;
 - Erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties;
 - Preventing the tracking of sediment by vehicles onto roads; and
 - Stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.

Run-off and erosion control measures must be in place for the duration of building work and until adequate cover is established on the site.

9. The applicant will:
 - repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
 - relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development

Prior to Occupation of the Dwelling

10. Prior to occupation of the dwelling, an Occupation Certificate must be issued in accordance with the Environmental Planning and Assessment Act 1979.

Note: Prior to issue of the Occupation Certificate, the Principal Certifying Authority is required to be satisfied, amongst other things, that:

- all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
 - any preconditions to the issue of the certificate required by a development consent have been met.
11. Prior to issue of an Occupation Certificate, the internal driveway is to be constructed in accordance with the engineering plans approved under DA-88/2021/A.
12. Prior to issue of an Occupation Certificate, all stormwater (i.e. roof water and/or surface water) shall be drained in accordance with the approved plans and Australian Standard 3500.3 Plumbing and drainage.
13. Prior to issue of an Occupation Certificate, all existing and new electrical wiring serving the dwelling shall be inspected by a suitably qualified electrical contractor and a written report provided containing the following minimum requirements:
- The electrical contractors licence number;
 - That a visual examination (refer to Clause 8.2 of AS/NZS 3000:2007) of wiring, fittings and accessories was undertaken and they were found to be in sound condition;
 - That an insulation resistance and circuit connection test was carried out pursuant to Clause 8.3.6 of ASINZS 3000:2007 and was found to be satisfactory.
14. Prior to the issue of an occupation certificate, the external walls of the dwelling must be appropriately repaired, painted and finished.
15. Prior to issue of an Occupation Certificate, all pre-existing wet areas are to be removed and reinstalled in accordance with 'Part 3.8.1 Wet Areas and External Waterproofing' of the Building Code of Australia.
16. Prior to issue of an Occupation Certificate, the dwelling is to be equipped with hard wired smoke alarms that are located, on or near the ceiling:
- In any storey of the building or home-containing bedrooms — in every corridor or hallway associated with a bedroom, and if there is no such corridor or hallway, between that part of the building or home containing the bedroom and the remainder of the building or home.
 - In any other storey of the building not containing bedrooms.
17. Prior to issue of an Occupation Certificate, the following environmental site works are to be completed.
- The Easement for Drainage 3 Wide along the northern boundary must be clear of any obstructions and be in working order;
 - Scour protection must in place and in working order around pipe inlets and outlets;
 - Areas of exposed soil (i.e. trenches, wheel ruts, etc.) from construction activities must be fully restored to prevent erosion into the Macintyre River; and
 - Granite driveways must be compacted with suitable drainage to prevent erosion into the Macintyre River.

REASONS FOR CONDITIONS

The above conditions have been imposed:

1. To ensure compliance with the terms of the applicable environmental planning instruments.
2. Having regard to Council's duties of consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, as well as Section 4.17 which authorizes the imposing of the consent conditions.
3. Having regard to the circumstances of the case and the public interest.

RIGHT OF APPEAL

If you are dissatisfied with this decision, Division 8.3 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice. You are also advised that Division 8.2 of the *Environmental Planning and Assessment Act 1979* provides that you may apply to Council for a review of this decision subject to the limitations contained in that section and payment of the prescribed fee.

On behalf of Inverell Shire Council



ANTHONY ALLISTON
MANAGER DEVELOPMENT SERVICES

BASIX® Certificate

Building Sustainability Index www.basix.nsw.gov.au

Alterations and Additions

Certificate number: A473801

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Alterations and Additions Definitions" dated 06/10/2017 published by the Department. This document is available at www.basix.nsw.gov.au

Secretary

Date of issue: Tuesday, 11, April 2023

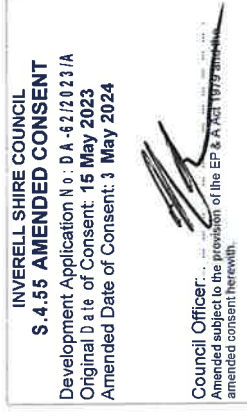
To be valid, this certificate must be lodged within 3 months of the date of issue.



Planning,
Industry &
Environment

Description of project

Project address	
Project name	#220312 Kelly
Street address	15 Victoria Street Inverell 2360
Local Government Area	Inverell Shire Council
Plan type and number	Deposited Plan 1290608
Lot number	101
Section number	
Project type	
Dwelling type	Separate dwelling house
Type of alteration and addition	My renovation work is valued at \$50,000 or more, and does not include a pool (and/or spa).



Certificate Prepared by (please complete before submitting to Council or PCA)
Name / Company Name: ABODE Building Design
ABN (if applicable): 58314782032

Fixtures and systems	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Hot water			
The applicant must install the following hot water system in the development: gas instantaneous.	✓	✓	✓
Lighting			
The applicant must ensure a minimum of 40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent, or light-emitting-diode (LED) lamps.		✓	✓
Fixtures			
The applicant must ensure new or altered showerheads have a flow rate no greater than 9 litres per minute or a 3 star water rating.		✓	✓
The applicant must ensure new or altered toilets have a flow rate no greater than 4 litres per average flush or a minimum 3 star water rating.		✓	✓
The applicant must ensure new or altered taps have a flow rate no greater than 9 litres per minute or minimum 3 star water rating.		✓	✓

Construction		Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Insulation requirements				
The applicant must construct the new or altered construction (floor(s), walls, and ceilings/roofs) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m ² , b) insulation specified is not required for parts of altered construction where insulation already exists.				
Construction	Additional insulation required (R-value)	Other specifications		
suspended floor with open subfloor: framed (R0.7).	R1.3 (down) (or R2.00 including construction)	✓	✓	✓
external wall: framed (weatherboard, fibro, metal clad)	R1.70 (or R2.10 including construction)			
flat ceiling, pitched roof	ceiling: R1.70 (up), roof: foil backed blanket (55 mm)			

Glazing requirements		Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check				
Windows and glazed doors								
<p>The applicant must install the windows, glazed doors and shading devices, in accordance with the specifications listed in the table below. Relevant overshadowing specifications must be satisfied for each window and glazed door.</p> <p>The following requirements must also be satisfied in relation to each window and glazed door:</p> <p>Each window or glazed door with improved frames, or pyrolytic low-e glass, or polylytic low-e glass, or clear/air gap/clear glazing, or toned/air gap/clear glazing must have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions. The description is provided for information only. Alternative systems with complying U-value and SHGC may be substituted.</p> <p>For projections described in millimetres, the leading edge of each eave, pergola, verandah, balcony or awning must be no more than 500 mm above the head of the window or glazed door and no more than 2400 mm above the sill.</p> <p>Pergolas with polycarbonate roof or similar translucent material must have a shading coefficient of less than 0.35.</p> <p>Pergolas with fixed battens must have battens parallel to the window or glazed door above which they are situated, unless the pergola also shades a perpendicular window. The spacing between battens must not be more than 50 mm.</p>					✓	✓	✓	✓
Windows and glazed doors glazing requirements								
Window / door no.	Orientation	Area of glass inc. frame (m ²)	Overshadowing Height (m) Distance (m)	Shading device	Frame and glass type			
W1	E	1.44	0 0	eave/verandah/pergola/balcony >=600 mm	standard aluminium, clear/air gap/clear, (U-value: 5.34, SHGC: 0.67)			
W2	E	1.62	0 0	eave/verandah/pergola/balcony >=600 mm	standard aluminium, clear/air gap/clear, (U-value: 5.34, SHGC: 0.67)			
W3	S	2.24	0 0	eave/verandah/pergola/balcony >=900 mm	standard aluminium, clear/air gap/clear, (U-value: 5.34, SHGC: 0.67)			
W4	S	1.6	0 0	eave/verandah/pergola/balcony >=900 mm	standard aluminium, clear/air gap/clear, (U-value: 5.34, SHGC: 0.67)			
W5	S	1.62	0 0	eave/verandah/pergola/balcony >=600 mm	standard aluminium, clear/air gap/clear, (U-value: 5.34, SHGC: 0.67)			

Glazing requirements							Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Window / door no.	Orientation	Area of glass inc. frame (m ²)	Overshadowing		Shading device	Frame and glass type			
			Height (m)	Distance (m)					
W6	W	2.16	0	0	eave/verandah/pergola/balcony >=600 mm	standard aluminium, clear/air gap/clear, (U-value: 5.34, SHGC: 0.67)			
W7	N	0.735	0	0	eave/verandah/pergola/balcony >=900 mm	standard aluminium, clear/air gap/clear, (U-value: 5.34, SHGC: 0.67)			
W8	N	0.735	0	0	eave/verandah/pergola/balcony >=900 mm	standard aluminium, clear/air gap/clear, (U-value: 5.34, SHGC: 0.67)			
W9	N	0.595	0	0	eave/verandah/pergola/balcony >=900 mm	standard aluminium, clear/air gap/clear, (U-value: 5.34, SHGC: 0.67)			

Legend

In these commitments, "applicant" means the person carrying out the development.

Commitments identified with a "✓" in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).

Commitments identified with a "✓" in the "Show on CC/CDC plans & specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.

Commitments identified with a "✓" in the "Certifier check" column must be certified by a certifying authority as having been fulfilled, before a final occupation certificate for the development may be issued.