



Central Coast Council

**Ordinary Council Meeting**

**Enclosures**

**Tuesday, 8 October, 2019**

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**Central Coast Council**  
Enclosures to the  
**Ordinary Council Meeting**

To be held in the Council Chamber,  
2 Hely Street, Wyong  
on Tuesday, 8 October 2019  
commencing at 6.30pm

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**ATTACHMENT 1**

DA55574/2018 - Multi Dwelling Housing (5 units) & Demolition of Existing Structures  
 Description of Land - LOT: 5 DP: 12967, 5 Bangalow Street ETTALONG BEACH  
 LOT: 6 DP: 12967, 7 Bangalow Street ETTALONG BEACH

**Draft Conditions of consent****1. PARAMETERS OF THIS CONSENT****1.1 Approved Plans and Supporting Documents**

Implement the development substantially in accordance with the plans and supporting documents listed below as submitted by the applicant and to which is affixed a Council stamp "Development Consent" unless modified by any following condition

**Architectural Plans by: Knight - Mapleton Design Partners**

<b>Drawing</b>	<b>Description</b>	<b>Sheets</b>	<b>Issue</b>	<b>Date</b>
DA-100	Site Plan	1	C	28/05/2019
DA-110	Neighbour Setbacks	1	C	28/05/2019
DA-200	Unit 1 & 2 Floor Plans + Unit 1 Post Adaptation Plan	1	C	28/05/2019
DA-210	Unit 3, 4 & 5 Floor Plans	1	C	28/05/2019
DA-300	Unit 1 & 2 Elevations and Sections	1	C	28/05/2019
DA-310	Unit 3, 4 & 5 Elevations and Sections	1	C	28/05/2019
DA-400	Landscape Plan	1	C	28/05/2019

**Additional Plans by: Halcrow & Associate Engineers**

<b>Drawing</b>	<b>Description</b>	<b>Sheets</b>	<b>Issue</b>	<b>Date</b>
DA-1	Stormwater Concept Plan	1	B	28/05/2019

DA-2	Erosion Control Plan & Details	1	B	28/05/2019
DA-3	Vehicle Swept Paths	1	B	28/05/2019

**Supporting Documentation:**

Title	Prepared by	Date
Supplementary Flood Report	Halcrow & Associate Engineers	21/02/2019
BASIX Certificate Number 968547M	Building Sustainability Assessments	18/10/2018
Waste Management Plan	Knight - Mapleton Design Partners	18/10/2018
Statement of Environmental Effects	Clarke Dowdle & Associates	November 2018

- 1.2** Carry out all building works in accordance with the National Construction Code Series, Building Code of Australia, Volume 1 and 2 as appropriate.
- 1.3** Comply with all commitments listed in the BASIX Certificate for the development as required under clause 97A of the *Environmental Planning and Assessment Regulation 2000*.

## 2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

- 2.1.** All conditions under this section must be met prior to the issue of any Construction Certificate.
- 2.2.** Pay to Council a total contribution amount of \$55,069.00 that may require adjustment at the time of payment, in accordance with the relevant Council Contribution Plans No. 31A, 31B, 31C & 31D - Peninsula.

Roadwork - Capital	B	(Key No 789)	\$ 3,231.00
Open Space - Land	C	(Key No 791)	\$ 8,330.00
Open Space - Embellishment	C	(Key No 790)	\$ 22,783.00
Community Facilities - Land	D	(Key No 793)	\$ 523.00
Community Facilities - Capital	D	(Key No 792)	\$ 8,267.00
Drainage - Land	A	(Key No 787)	\$ 2,440.00
Drainage - Capital	A	(Key No 788)	\$ 9,495.00
<b>TOTAL AMOUNT</b>			<b>\$ 55,069.00</b>

The total amount must be indexed each quarter in accordance with the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician as outlined in the contributions plan.

Contact Council's Contributions Planner on Tel 4325 8222 for an up-to-date contribution payment amount.



Any Construction Certificate must not be issued until the developer has provided the Accredited Certifier with a copy of a receipt issued by Council that verifies that the contributions have been paid. A copy of this receipt must accompany the documents submitted by the certifying authority to Council under Clause 104/Clause 160(2) of the *Environmental Planning and Assessment Regulation 2000*.

A copy of the Contribution Plan may be inspected at the office of Central Coast Council, 49 Mann Street Gosford or on Council's website: Development Contributions - former Gosford LGA.

- 2.3** Submit amendments to the approved plans to the Accredited Certifier pursuant to Clause 139 of the *Environmental Planning Regulation 2000* that must detail:
- a. Details of the front courtyard fencing as follows:
    - i. Maximum height of 1.5m
    - ii. Must not restrict the desired sight-lines in accordance with Figure 3.3 Minimum Sight Lines for Pedestrian Safety of AS2890.12004 Off-street Car Parking
    - iii. Be semi-transparent that allows "filtered" views:
    - iv. If comprising solid fencing taller than 1.2m: at least one third of the surface area should be "open" materials such as spaced pickets or palings or battens, or lattice.
  - b. Landscape Plan: Provide an additional tree (minimum 45lt pot size) of an advanced native species within the front setback of Unit 2. And provide two (2) street trees (minimum 45lt pot size) of an advanced native species on Bangalow Road reserve.
  - c. Compliance with the relevant BASIX Certificate. The use of solar hot water and photovoltaic cells or other energy saving options should also be considered.
  - d. Mail boxes shall be secure and large enough to accommodate articles such as newspapers;
  - d. Locate satellite dish and telecommunication antennae, air conditioning units, ventilation stacks and any ancillary structures:
    1. Away from the street frontage;
    2. Integrated into the roof design and in a position where such facilities will not become a skyline feature at the top of any building;
    3. Adequately setback from the perimeter wall or roof edge of buildings;
- 2.4** No activity is to be carried out on-site until the Construction Certificate has been issued, other than:
- a. Site investigation for the preparation of the construction, and / or

- b. Implementation of environmental protection measures, such as erosion control and the like that are required by this consent
  - c. Demolition
- 2.5** Submit to the Accredited Certifier an Acid Sulfate Soils Assessment Report and Management Plan prepared in accordance with *Acid Sulfate Soils Planning Guidelines (Acid Sulfate Soil Management Advisory Committee, August 1998)*, by a suitably qualified consultant.

- 2.6** Submit an application to Council under section 305 of the Water Management Act 2000 to obtain a section 307 Certificate of Compliance. The *Application for a 307 Certificate under section 305 Water Management Act 2000* form can be found on Council's website [www.centralcoast.nsw.gov](http://www.centralcoast.nsw.gov). Early application is recommended.

A section 307 Certificate must be obtained prior to the issue of any Construction Certificate.

- 2.8** Submit engineering details prepared and certified by a practising structural engineer that comply with *Council's Building Over or Adjacent To Sewer and Water Main Guidelines* to the satisfaction of Council. Engineering details must be submitted to Council's Water Assessment Team for approval. Plan assessment fees apply.
- 2.9** Submit an application to Council under section 138 of the Roads Act 1993 for the approval of required works to be carried out within the road reserve.

Submit to Council Engineering plans for the required works within a public road that have been designed by a suitably qualified professional in accordance with Council's *Civil Design Guide, Construction Specifications and Standard Drawings and Chapter 6.3 - Erosion Sedimentation Control* of the Gosford Development Control Plan 2013. The Engineering plans must be included with the Roads Act application for approval by Council.

Design the required works as follows:

- a. widen the existing concrete roadway within Tenalga Avenue to 5.5m width, from Bangalow Street to a minimum distance of 8m west of the eastern site boundary of 1-3 Bangalow Street within the rear laneway
- b. a minimum 3m wide sealed pavement centrally located within the rear laneway from Tenalga Avenue to across the full frontage of the site and to a minimum 8m west of the site's western boundary to provide a vehicle turning area. The design must ensure that drainage patterns in the laneway are not altered
- c. footway formation graded at +2% from the top of kerb to the property boundary, across the full frontage of the site in Bangalow Street
- d. 1.5m wide reinforced (SL72 steel fabric, 100mm thick) concrete footpath in an approved location across the full frontage of the site in Bangalow Street

- e. vehicle crossings that have a minimum width of 4.0m and constructed with 150mm thick concrete reinforced with SL72 steel fabric
- f. heavy-duty dish crossing that has a minimum width of 5.5m and constructed with 200mm thick concrete reinforced with 1 layer of SL72 steel fabric at the intersection of Bangalow Street and Tenalga Avenue
- g. all redundant dish crossings and / or damaged kerb and gutter must be removed and replaced with new kerb and gutter
- h. all redundant vehicular crossings are to be removed and the footway formation reinstated with turf and a 1.5m wide reinforced (SL72 steel fabric, 100mm thick) concrete footpath in an approved location
- i. the piping of stormwater from within the site to Council's drainage system
- j. erosion and sedimentation control plan

The Roads Act application must be approved by Council prior to commencing works in the road reserve.

A fee for the approval of engineering plans under the *Roads Act 1993* applies. The amount of this fee can be obtained by contacting Council's Customer Service Centre on (02) 4325 8222 / (02) 4350 5555.

- 2.10** Submit a dilapidation report to Council with the Roads Act application and / or Construction Certificate application. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street signs or any other Council assets in the vicinity of the development. The dilapidation report may be updated with the approval of the Principal Certifying Authority prior to the commencement of works.
- 2.11** Submit design details of the following engineering works within private property:
- a. driveways / ramps and car parking areas must be designed according to the requirements of Australian Standard AS 2890: *Parking Facilities* for the geometric designs, and industry Standards for pavement designs
  - b. a stormwater detention system must be designed in accordance with *Chapter 6.7 - Water Cycle Management* of the Gosford Development Control Plan 2013 and Council's *Civil Design Guide, Construction Specifications and Standard Drawings*. The stormwater detention system must limit post development flows from the proposed development to less than or equal to predevelopment flows for all storms up to and including the 1% Annual Exceedance Probability (AEP) storm event. A runoff routing method must be used. An on-site stormwater detention report including an operation and maintenance plan must accompany the design. On-site stormwater detention is not permitted within private courtyards, drainage easements, and / or secondary flow paths

- c. nutrient/pollution control measures must be designed in accordance with *Chapter 6.7 - Water Cycle Management* of the Gosford Development Control Plan 2013. A nutrient / pollution control report including an operation and maintenance plan must accompany the design
- d. on-site stormwater retention measures must be designed in accordance with Chapter 6.7 - *Water Cycle Management* of the Gosford Development Control Plan 2013. A report detailing the method of stormwater harvesting, sizing of retention tanks for re-use on the site and an operation and maintenance plan must accompany the design
- e. piping of all stormwater from impervious areas within the site via an on-site stormwater detention structure to Council's drainage system
- g. the minimum floor level of all habitable rooms in the development must be Reduced Level (RL) 2.47m Australian Height Datum (AHD)
- h. all building materials used or located below Reduced Level (RL) 2.47m Australian Height Datum (AHD) must be of a type that is able to withstand the effects of immersion
- i. the underside of buildings must be open and constructed on piers with minimum obstructions to the flow of flood waters

These design details and any associated reports must be included in the Construction Certificate.

- 2.12** Submit a pavement investigation and report prepared by a practising Geotechnical Engineer for the road works. This report must be submitted with the Construction Certificate application or application for work under the Roads Act 1993.

The pavement depths must be determined in accordance with Council's specifications and the following traffic loadings:

Name of Streets	Traffic Loading (ESAs)
Tenalga Avenue	60,000
Rear Laneway	

### 3. PRIOR TO COMMENCEMENT OF ANY WORKS

- 3.1** All conditions under this section must be met prior to the commencement of any works.

- 3.2** Appoint a Principal Certifying Authority for the building work:

- a) The Principal Certifying Authority (if not Council) is to notify Council of their appointment and notify 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 no later than two (2) days before the building work commences.

- b) Submit to Council a *Notice of Commencement of Building Works* or *Notice of Commencement of Subdivision Works* form giving at least two (2) days' notice of the intention to commence building or subdivision work. The forms can be found on Council's website [www.centralcoast.nsw.gov.au](http://www.centralcoast.nsw.gov.au)

**3.3** Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:

- a) The name, address and telephone number of the principal certifying authority for the work; and
- b) The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
- c) That unauthorised entry to the work site is prohibited.
- d) Remove the sign when the work has been completed.

**3.4** Submit both a Plumbing and Drainage Inspection Application, with the relevant fee, and a Plumbing and Drainage Notice of Work in accordance with the *Plumbing and Drainage Act 2011* (to be provided by licensed plumber). These documents can be found on Council's website at: [www.centralcoast.nsw.gov.au](http://www.centralcoast.nsw.gov.au).

Contact Council prior to submitting these forms to confirm the relevant fees.

This condition only applies if installation / alteration of plumbing and / or drainage works proposed (excludes stormwater drainage). This condition does not apply to swimming pool plumbing that does not physically connect / break into the sewer system.

**3.5** Provide and maintain a garbage receptacle at the work site until the works are completed. The garbage receptacle must have a tight fitting lid and be suitable for food scraps and papers.

**3.6** Install run-off and erosion controls to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:

- a) 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
- b) Diverting uncontaminated run-off around cleared or disturbed areas; 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.

- 3.7** Notify the intention to commence works by giving written notice to the owner of the adjoining property affected by the proposed excavation and/or structural protective works. The required notice must be accompanied by details of the proposed work at least seven (7) days prior to the commencement of proposed excavation and/or structural protection works.
- 3.8** Disconnect, seal and make safe all existing site services prior to the commencement of any demolition on the site. Sewer and water services must be disconnected by a licensed plumber and drainer with a Start Work Docket submitted to Council's Plumbing and Drainage Inspector as the Water and Sewer Authority.
- 3.9** Erect a temporary hoarding or temporary construction site fence 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.

**Note 1:** A structure on public land or on or over a public road requires the prior approval of the relevant authority under the *Local Government Act 1993* or the *Roads Act 1993*, respectively.

**Note 2:** The *Work Health and Safety Act 2011* and *Work Health and Safety Regulation 2011* contain provisions relating to scaffolds, hoardings and other temporary structures.

- 3.10** Provide or make available toilet facilities at the work site before works begin and maintain the facilities until the works are completed at a ratio of one toilet plus one additional toilet for every twenty (20) persons employed at the site.

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*, or
  - c) be a temporary chemical closet approved under the *Local Government Act 1993*.
- 3.11** Undertake any demolition involving asbestos in accordance with the *Work Health and Safety Act 2011*.

The person having the benefit of this consent must ensure that the removal of:

- a) more than 10m<sup>2</sup> of non-friable asbestos or asbestos containing material is carried out by a licensed non-friable (Class B) or a friable (Class A) asbestos removalist, and
- b) friable asbestos of any quantity is removed by a licensed removalist with a friable (Class A) asbestos removal licence.

The licensed asbestos removalist must give notice to the regulator before work commences in accordance with Clause 466 of the *Work Health and Safety Regulation 2011*.

- 3.12** Ensure that all parties / trades working on the site are fully aware of their responsibilities with respect to tree protection conditions.

## 4. DURING WORKS

- 4.1** All conditions under this section must be met during works.

- 4.2** Carry out construction or demolition works during the construction phase of the development only between the hours as follows:

- 7:00am and 5:00pm Monday to Saturday

No construction or demolition works associated with the development are permitted to be carried out at any time on a Sunday or a public holiday.

- 4.3** During the construction phase of the development, if any 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 in that area, and
- b) The Office of Environment & Heritage must be advised of the discovery in accordance with section 89A of the *National Parks and Wildlife Act 1974*.

**Note:** If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the *National Parks and Wildlife Act 1974*.

- 4.4** Implement and maintain all erosion and sediment control measures at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

- 4.5** Keep a copy of the stamped approved plans on-site for the duration of site works and make the plans available upon request to either the Principal Certifying Authority or an officer of Council.

- 4.6** Notify Council when plumbing and drainage work will be ready for inspection(s) and make the work accessible for inspection in accordance with the *Plumbing and Drainage Act 2011*.

This condition only applies if installation / alteration of plumbing and / or drainage works proposed (excludes stormwater drainage).

- 4.7** Place all building materials, plant and equipment on the site of the development during the construction phase of the development so as to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure. Further, no construction work is permitted to be carried out within the road reserve unless the works are associated with a separate approval issued under the provisions of the *Roads Act 1993*.
- 4.8** Submit a report prepared by a registered Surveyor to the Principal Certifying Authority at each floor level of construction of the building (prior to the pouring of concrete) indicating that the finished floor level is in accordance with the approved plans. A compilation of these reports is to be provided to Council at completion of the Occupation Certificate
- 4.9** Connect downpipes and the associated stormwater disposal system to the site stormwater connection point immediately after the roof materials are positioned in order to prevent erosion of the site from roof water run-off. The Principal Certifying Authority for the development must not issue a mandatory critical stage Compliance Certificate for framing unless connection of the site stormwater (or temporary system) has occurred.
- 4.10** Demolish all buildings and / or building components in a safe and systematic manner in accordance with Australian Standard AS 2601-2001: *The demolition of structures*. Waste materials must be disposed of at a waste management facility.
- 4.11** No fill other than that as indicated within the approved plans is permitted to be placed upon the site.
- 4.12** Cease all excavation works if acid sulfate soils are identified until such time as details of mitigation and treatment measures are submitted to, and approved by, the Principal Certifying Authority.
- 4.13** Arrange with the relevant service provider / Authority (eg. Ausgrid, Jemena, communications provider) for the supply of services concurrently with the engineering work approved by this consent. Arrangements must include, where required, any relocation of existing mains and services, and dedication of easements for mains and services.
- 4.14** Re-use, recycle or dispose of all building materials during the demolition and construction phase of the development in accordance with the Waste Management Plan signed by Knight - Mapleton Design Partners, dated 18 October 2018.
- 4.15** Protect the land application area from damage from vehicles during all construction works on-site.
- 4.16** Submit to Council a Clearance Certificate issued by a suitably qualified independent Occupational Hygienist or Licensed Asbestos Assessor certifying that the site has been made free of asbestos material following completion of demolition works.
- 4.17** Immediately notify the Council of any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation.



- 4.18** Install the LPG facility in accordance with Australian Standard AS 1596-2014: *The storage and handling of LP Gas*. The LPG facility must be licensed by SafeWork NSW.
- 4.19** Implement all erosion and sediment control measures and undertake works in accordance with the approved Erosion and Sediment Control Plan prepared by Halcrow & Associate Engineers dated 28 May 2019. Update the plan as required during all stages of the construction or in accordance with the 'Blue Book' (*Managing Urban Stormwater: Soils and Construction, Landcom, 2004*).
- 4.20** Implement all soil and water management control measures and undertake works in accordance with the approved Soil and Water Management Plan prepared by Halcrow & Associate Engineers dated 28 May 2019. Update the plan as required during all stages of the construction or in accordance with the 'Blue Book' (*Managing Urban Stormwater: Soils and Construction, Landcom, 2004*).
- 4.21** No soils to be imported to the subject site except for Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the Protection of the Environment Operations Act 1997.
- 4.22** Implement dust suppression measures on-site during bulk earthworks to suppress dust generated by vehicles and equipment. Dust must also be suppressed at all other stages of construction in order to comply with the *Protection of the Environment Operations Act 1997*.
- 4.23** Collect stormwater in appropriate tanks or pits and direct overflows to Council's stormwater system.
- 4.24** Re-use, recycle or dispose of all building materials during the demolition and construction phase of the development in accordance with the Waste Management Plan signed by KM Design Partners, dated 18 October 2018.
- 4.25** Place all building materials, plant and equipment on the site of the development during the construction phase of the development so as to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure. Further, no construction work is permitted to be carried out within the road reserve unless the works are associated with a separate approval issued under the provisions of the *Roads Act 1993*.

## 5. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

- 5.1** All conditions under this section must be met prior to the issue of any Occupation Certificate.
- 5.2** Submit a Certificate of Compliance for all plumbing and drainage work and a Sewer Service Diagram showing sanitary drainage work (to be provided by licensed plumber) in accordance with the *Plumbing and Drainage Act 2011*.

This condition only applies if installation / alteration of plumbing and / or drainage works proposed (excludes stormwater drainage).

- 5.3** Prior to the occupation or use of the building/structure, an application for an Occupation Certificate for the development must be submitted to and approved by the Principal Certifying Authority. The Occupation Certificate application is to satisfy all of the requirements of the *Environmental Planning and Assessment Regulation 2000*.
- 5.4** Complete the landscaping works in accordance with the Landscape Plan by KM Design Partners Drawing No. 400 Rev C, dated 25 May 2019.
- 5.5** Provide the Principal Certifying Authority with written certification from a qualified landscape designer certifying that landscaping has been implemented in accordance with the approved landscape plan as amended by any conditions of this consent.
- 5.6** Install lighting to Pedestrian Access in accordance with the requirements of Australian Standard 1158: *Lighting for roads and public spaces* and Australian Standard 2890.1.
- 5.7** Implement the following Crime Prevention through Environmental Design (CPTED) principles and strategies to minimise the opportunity for crime:
- a. provide adequate lighting to common areas as required under Australian Standard AS 1158: Lighting for roads and public spaces
  - c. design of landscaping, adjacent to mailboxes and footpaths, must not provide concealment opportunities for criminal activity
  - d. design the development to avoid foot holes or natural ladders so as to minimise unlawful access to the premises
  - e. provide signage within the development to identify all facilities, entry / exit points and direct movement within the development
  - f. install a system of Closed Circuit Television of a type and in locations on the site that will record high-quality images of all public areas within the site.
- 5.8** Consolidate Lot 5 DP 12967 and Lot 6 DP 12967 into a single allotment under one Certificate of Title.
- Documentary evidence of the lodgement of the Consolidation Plan with the NSW Land and Property Information can be accepted by the Principal Certifying Authority as satisfying this requirement.
- 5.9** Erect a 1.8 metre high fence along the length of the side and rear boundaries behind the building line.
- 5.10** Provide mail receptacles appropriately numbered for each dwelling unit in the development, as well as for the managing body, in consultation with Australia Post.

- 5.11** Provide fold-away clothes lines for clothes drying purposes that must not extend above courtyard fencing.
- 5.12** Complete the building in accordance with the relevant provisions and requirements of the National Construction Code Series.
- 5.13** Install the required rainwater tank in the location as detailed within the approved development plans with suitable plumbing connections provided to collect rainwater from the roof area as detailed within the BASIX Certificate applicable to the development. The required rainwater tank is to be installed in accordance with the requirements of the National Plumbing and Drainage Code Australian Standard AS 3500 and must be provided with first flow diversion devices fixed to all inflows and a functioning pressure pump plumbed to service all fixtures as detailed within the BASIX Certificate applicable to the development. The required tank must be controlled in order that supplemental flow from domestic mains does not take place until the capacity of the tank has been reduced to 20%.
- 5.14** Drain all stormwater from impervious surface areas, including pathways and driveways, to the street kerb outlet / interallotment drainage easement serving the allotment / an infiltration trench.
- Note:** Infiltration trench details are to be designed by a practicing engineer experienced in hydraulics. The design details are to cater for a 1 in 20 year Annual Exceedance Probability (AEP) storm event and are to allow for a minimum setback of three (3) metres from any sewer main and lot boundaries.
- 5.15** Provide any additional civil works required to ensure satisfactory transitions to existing work as a result of work conditioned for the development. Works are to be approved by Council as the Roads Authority.
- 5.16** Construct the stormwater management system in accordance with the approved Stormwater Management Plan and Australian Standard AS 3500.3-2004: Stormwater drainage systems. Certification of the construction by a suitably qualified consultant must be provided to the Principal Certifying Authority.
- 5.17** Complete the internal engineering works within private property in accordance with the plans and details approved with the construction certificate.
- 5.18** Plant a minimum of two (2) replacement trees (advanced specimens min 25lt pot size) within the property either side of central driveway.  
Replacement trees must be native species capable of achieving a height of 8m.  
New trees are not to be located within an authority's service easement, or within 3m of an approved building.  
Where the replacement tree dies or is substantially damaged within five (5) years of planting, it must be replaced and maintained to maturity.
- 5.19** Plant street trees on the road reserve.

Provide two (2) advanced specimens (minimum 25 litre pot size) either side of driveway and adequately stake/protect to prevent vandalism.

Street trees must be same species (*Callistemon vimilaris* 'Hanna Ray') as existing street trees. Do not locate trees within an authority's underground service easement nor be closer than : 3m from a driveway or power pole.

**5.20** Complete works within the road reserve in accordance with the approval under the Roads Act 1993. The works must be completed in accordance with Council's Civil Design Guide, Construction Specifications and Standard Drawings and Chapter 6.3 - Erosion Sedimentation Control of the Gosford Development Control Plan 2013. Documentary evidence for the acceptance of such works must be obtained from the Roads Authority.

**5.21** Rectify to the satisfaction of Council any damage not shown in the dilapidation report submitted to Council before site works had commenced. Any damage will be assumed to have been caused as a result of the site works undertaken and must be rectified at the developer's expense.

**5.22** Complete the internal engineering works within private property in accordance with the plans and details approved with the construction certificate.

**5.23** Amend the Deposited Plan (DP) to:

- include an Instrument under the Conveyancing Act 1919 for the following restrictive covenants; with Council having the benefit of these covenants and having sole authority to release and modify. Wherever possible, the extent of land affected by these covenants must be defined by bearings and distances shown on the plan;
- create a Restriction as to use of land over all lots containing an on-site stormwater detention system and / or a nutrient / pollution facility restricting any alteration to such facility or the erection of any structure over the facility or the placement of any obstruction over the facility;
- include an instrument under the Conveyancing Act 1919 for the following positive covenants; with Council having the benefit of these covenants and having sole authority to release and modify. Contact Council for wording of the covenant(s)
  - a. to ensure on any lot containing on-site stormwater detention system and / or a nutrient / pollution facility that:
    - (i) the facility will remain in place and fully operational
    - (ii) the facility is maintained in accordance with the operational and maintenance plan so that it operates in a safe and efficient manner
    - (iii) Council's officers are permitted to enter the land to inspect and repair the facility at the owners cost
    - (iv) Council is indemnified against all claims of compensation caused by the facility

Submit to the Principal Certifying Authority copies of registered title documents showing the restrictive and positive covenants.

## **6. ONGOING OPERATION**

- 6.1** Load and unload delivery vehicles wholly within the site. Delivery vehicles must enter and exit the site in a forward direction.
- 6.2** Ensure the garbage / recycling bins do not encroach on the car parking or vehicle manoeuvring areas.
- 6.3** Do not, park, store or otherwise stand vehicles in a public street that are awaiting repair, under repair or awaiting delivery.
- 6.4** Do not store goods, equipment, packaging material or machinery exposed outside the building so as to be visible from any public road or thoroughfare.
- 6.5** Erect and maintain screen fencing with a minimum height of 2.5 metres around all storage areas. Goods must not be stored or stacked so as to exceed the height of the fence.
- 6.6** Operate and maintain all external lighting so as not to impact on any adjoining property.
- 6.7** No obstructions to the wheel out of the waste bins are permitted including grills, speed humps, barrier kerbs, etc.
- 6.8** Implement dust control measures to ensure airborne dust particulates are abated and airborne movement of sediment blown from exposed disturbed areas is contained within the site.
- 6.9** Store all waste generated on the premises in a manner so that it does not pollute the environment.
- 6.10** Transport all waste generated on the premises to a facility which is licensed to receive that material.
- 6.11** No obstructions to the wheel out of the waste bins are permitted including grills, speed humps, barrier kerbs, etc.
- 6.12** Comply with all commitments as detailed in the Waste Management Plan signed by KM Design Partners, dated 18 October 2018.
- 6.13** Locate the approved waste storage enclosure / area as indicated on Project / Drawing Number 100, Issue B, dated 14 August 2018, prepared by KM Design Partners.

- 6.14** Do not place or store waste material, waste product or waste packaging outside the approved waste storage enclosure.
- 6.15** Place the mobile garbage/recycling/green waste containers at a suitable location at the kerbside at the front of the property in Bangalow St no earlier than the evening prior to the collection day and return to the approved waste bin storage areas within individual courtyards where applicable or the screened waste storage enclosure for Units 3 and 4.
- 6.16** The screened waste bin enclosure for Units 3 and 4 to be constructed of materials and finish consistent with the proposed development to screen the MGB's from within the development, adjoining premises and public view.
- 6.17** All residential waste bins to be presented at the kerbside at the front of the development in Bangalow St.
- 6.18** Maintain all works associated with the approved Landscape Plans for a period of twelve (12) months from the date of the issue of any Occupation Certificate to ensure the survival and establishment of the landscaping.
- 6.19** Replace all damaged, dead or missing areas of lawn and plantings at the completion of the landscaping maintenance period, including adjoining road reserve areas that are in a state of decline, to a healthy and vigorous condition in accordance with the approved detailed Landscape Plans and Development Consent Conditions.
- 6.20** Maintain the astern Muraya hedge to an established minimum height of 2m.
- 6.21** Maintain the nutrient / pollution control facilities in accordance with the operation and maintenance plan.
- 6.22** Maintain all perimeter fencing for the life of the development.
- 6.23** Maintain the site landscaping for the life of the development.

## 7. PENALTIES

- 7.1** Failure to comply with this development consent and any condition of this consent may be a criminal offence. Failure to comply with other environmental laws may also be a criminal offence.

Where there is any breach Council may without any further warning:

- Issue Penalty Infringement Notices (On-the-spot fines);
- Issue notices and orders;
- Prosecute any person breaching this consent, and/or
- Seek injunctions/orders before the courts to retain and remedy any breach.

**Warnings as to Potential Maximum Penalties**

Maximum Penalties under NSW Environmental Laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

**ADVISORY NOTES**

- Discharge of sediment from a site may be determined to be a pollution event under provisions of the *Protection of the Environment Operations Act 1997*. Enforcement action may commence where sediment movement produces a pollution event.
- The following public authorities may have separate requirements in the following aspects:
  - a) Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments
  - b) Jemena Asset Management for any change or alteration to the gas line infrastructure
  - c) Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements
  - d) Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure
  - e) Central Coast Council in respect to the location of water, sewerage and drainage services.
- Carry out all work under this Consent in accordance with SafeWork NSW requirements including the *Workplace Health and Safety Act 2011 No 10* and subordinate regulations, codes of practice and guidelines that control and regulate the development industry.
- Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures. (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
- Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any

way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

- Install and maintain backflow prevention device(s) in accordance with Council's *WS4.0 Backflow Prevention Containment Policy*. This policy can be found on Council's website at: [www.centralcoast.nsw.gov.au](http://www.centralcoast.nsw.gov.au)
- The inspection fee for works associated with approvals under the *Roads Act 1993* is calculated in accordance with Council's current fees and charges policy.
- Payment of a maintenance bond may be required for civil engineering works associated with this development. This fee is calculated in accordance with Council's fees and charges.





West Elevation  
1:200



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Shop 1 - 65 Carawa Rd, Cromer 2099  
 TEL : 0414 744 874  
 FAX : 99385911  
 EMAIL : darren@archi-texture.com.au  
 WEB : archi-texture.com.au

# Architexture

Project Name :  
**SHOP TOP HOUSING**

Drawing Title :

**Elevation West**

Project Number:  
**17**

Client Name :  
**Private Residence**

Client Address :  
**58-62 Araluen Drv Hardys Bay**

Architect:  
**Darren Tye**  
 Status :  
**DA RFI1**

Plot Date :  
**10/12/18**  
 File Location:  
**2017 Hardys bay DA2 RFla.pln**

Scale : **1:100 (@ A3)**

Drawing No. : **DA15**



Architexture



East Elevation  
1:200



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Shop 1 - 65 Carawa Rd, Cromer 2099  
TEL: 0414 744 874  
FAX: 99385911  
EMAIL: darren@archi-texture.com.au  
WEB: archi-texture.com.au

# Architexture

Project Name :  
**SHOP TOP HOUSING**

Drawing Title :  
**Elevation East**

Project Number:  
17

Client Name :  
**Private Residence**

Client Address :  
**58-62 Araluen Drv Hardys Bay**

Architect:  
**Darren Tye**

Status :  
**DA RFI1**

Plot Date :  
10/12/18

File Location:  
2017 Hardys bay DA2 RFIa.pln

Scale : 1:100 (@ A3)

Drawing No. : DA14





South Elevation  
1:200

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Shop 1 - 65 Carawa Rd, Cromer 2099  
TEL : 0414 744 874  
FAX : 99385911  
EMAIL : darren@archi-texture.com.au  
WEB : archi-texture.com.au

Project Name :

### SHOP TOP HOUSING

Drawing Title :

### Elevation South

Project Number:

17

Client Name :

Private Residence

Client Address :

58-62 Araluen Drv Hardys Bay

Architect:

Darren Tye

Status :

DA RF11

Plot Date :

10/12/18

File Location:

2017 Hardys bay DA2 RF1a.pln

Scale : 1:100 (@A3)

Drawing No. : DA13

Architectu

Architexture



Archi texture



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Shop 1 - 65 Carawa Rd, Cromer 2099  
TEL : 0414 744 874  
FAX : 99385911  
EMAIL : darren@archi-texture.com.au  
WEB : archi-texture.com.au

Project Name :

**SHOP TOP HOUSING**

Drawing Title :

**Elevation North**

Project Number:  
17

Client Name :  
Private Residence

Client Address :  
58-62 Araluen Drv Hardys Bay

Architect:  
Darren Tye

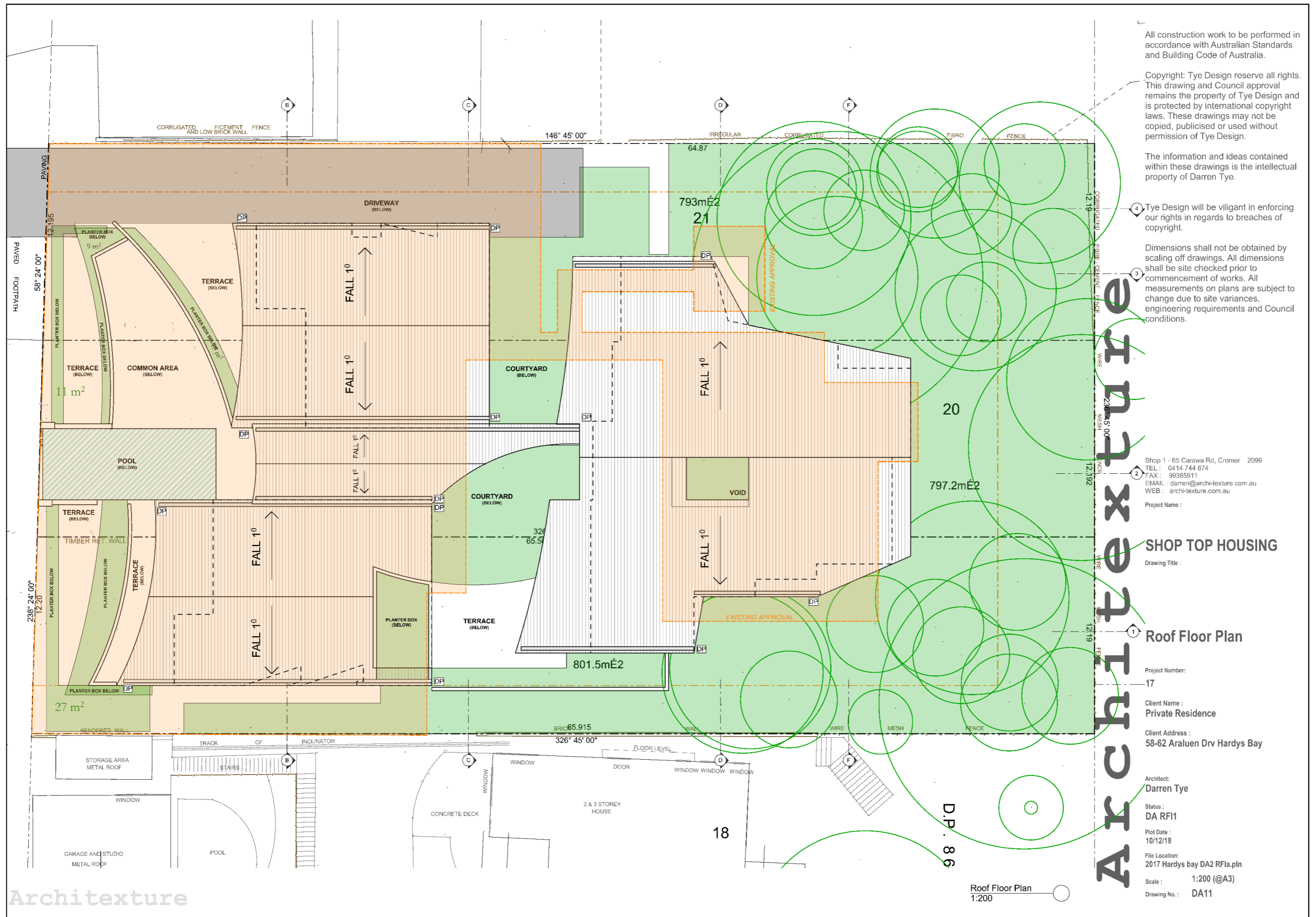
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DA RF11

Plot Date :  
10/12/18

File Location:  
2017 Hardys bay DA2 RF1a.pln

Scale : 1:100 (@A3)  
Drawing No. : DA12





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Shop 1 - 65 Carawa Rd, Cromer 2099  
 TEL : 0414 744 874  
 FAX : 99385911  
 EMAIL : darren@archi-texture.com.au  
 WEB : archi-texture.com.au

Project Name :

**SHOP TOP HOUSING**

Drawing Title :

**Roof Floor Plan**

Project Number:

17

Client Name :

Private Residence

Client Address :

58-62 Araluen Drv Hardys Bay

Architect:

Darren Tye

Status :

DA RF11

Plot Date :

10/12/18

File Location:

2017 Hardys bay DA2 RF1a.pln

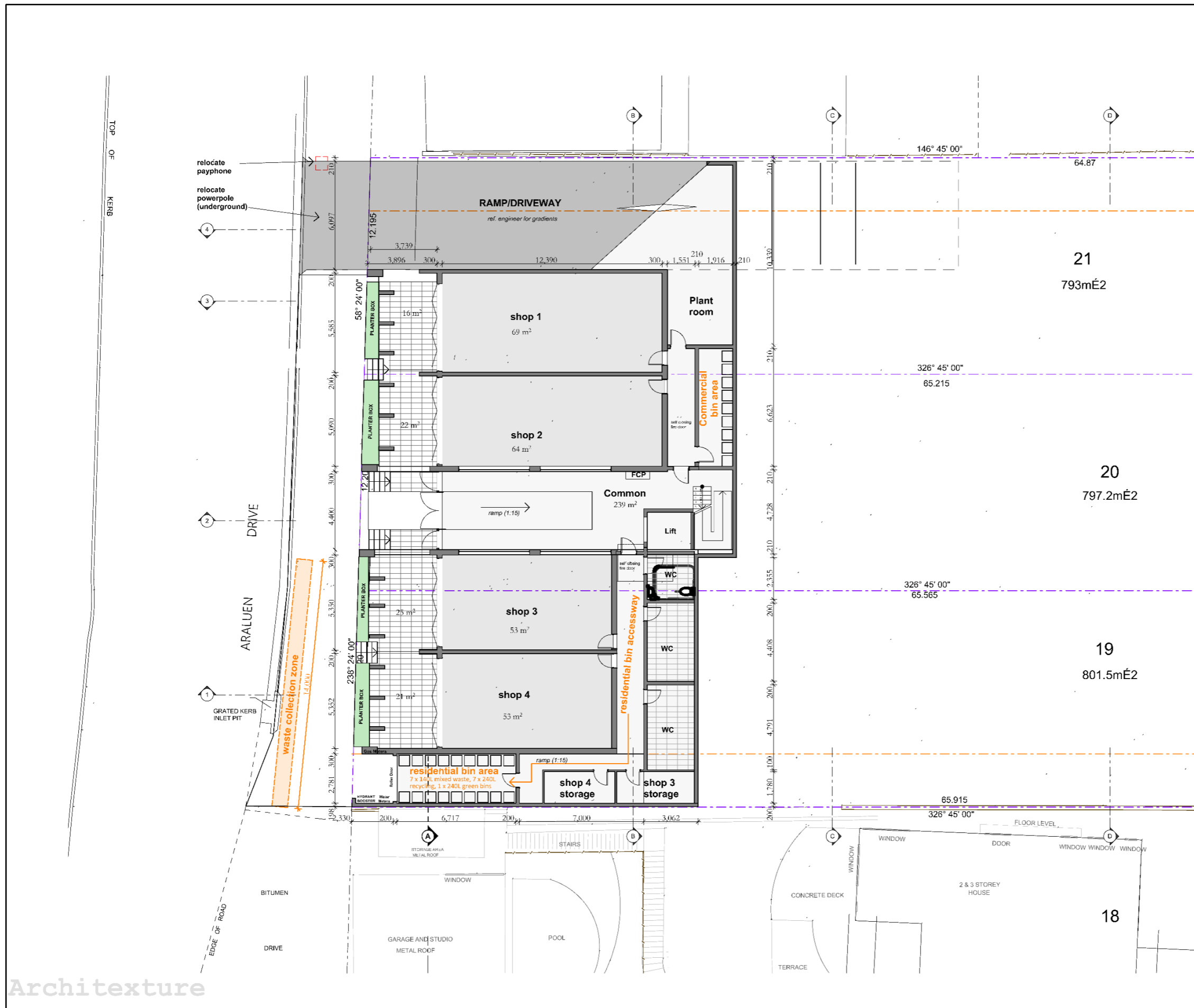
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1:200 (@A3)

Drawing No. : DA11

Architexture

Roof Floor Plan  
 1:200



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Shop 1 - 65 Carawa Rd, Cromer 2099  
 TEL : 0414 744 874  
 FAX : 99385911  
 EMAIL : darren@archi-texture.com.au  
 WEB : archi-texture.com.au

Project Name :

**SHOP TOP HOUSING**

Drawing Title :

**Ground Floor Plan**

Project Number :

17

Client Name :

Private Residence

Client Address :

58-62 Araluen Drv Hardys Bay

Architect :

Darren Tye

Status :

DA RF11

Plot Date :

10/12/18

File Location :

2017 Hardys bay DA2 RFla.pln

Scale : 1:200 (@A3)

Drawing No. : DA7

Architexture

Architexture

Architexture



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Shop 1 - 65 Carawa Rd, Cromer 2099  
TEL : 0414 744 874  
FAX : 99385911  
EMAIL : darren@archi-texture.com.au  
WEB : archi-texture.com.au

# Architexture

Project Name :  
**SHOP TOP HOUSING**  
Drawing Title :

Project Number:  
17

Architect:  
Darren Tye

Plot Date :  
10/12/18

Client Name :  
Private Residence

Status :  
DA RF11

File Location:  
2017 Hardys bay DA2 RFla.pln

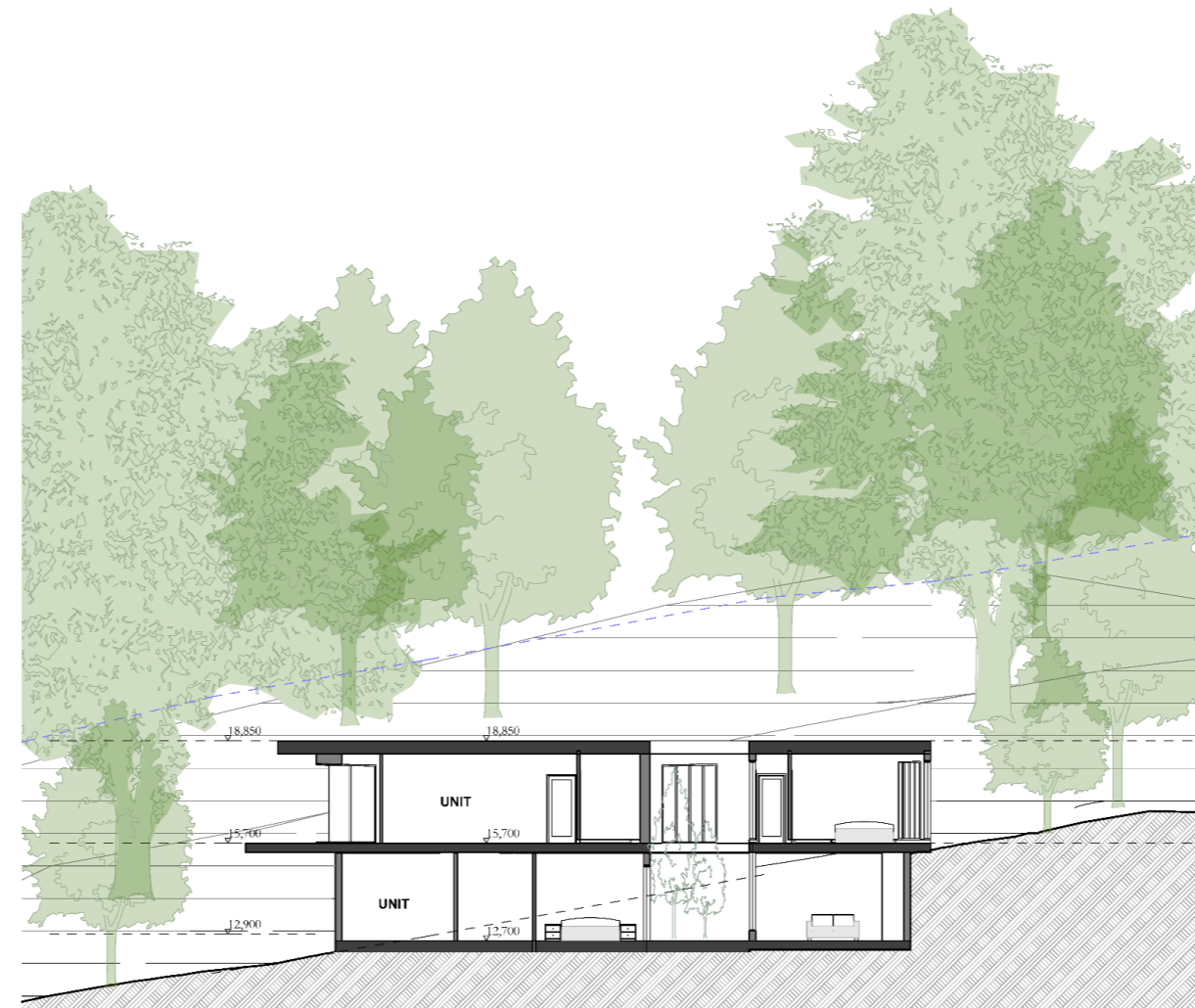
Client Address :  
58-62 Araluen Drv Hardys Bay

Scale : 1:200 (@ A3)

Drawing No. : DA24

Section E

Architexture



E/W  
1:200

# Architexture

Project Name :  
**SHOP TOP HOUSING**  
Drawing Title :

Project Number:  
**17**

Client Name :  
**Private Residence**

Client Address :  
**58-62 Araluen Drv Hardys Bay**

Architect:  
**Darren Tye**

Status :  
**DA RF11**

Plot Date :  
**10/12/18**

File Location:  
**2017 Hardys bay DA2 RFla.pln**

Scale : **1:200 (@ A3)**

Drawing No. : **DA23**

**Section D**

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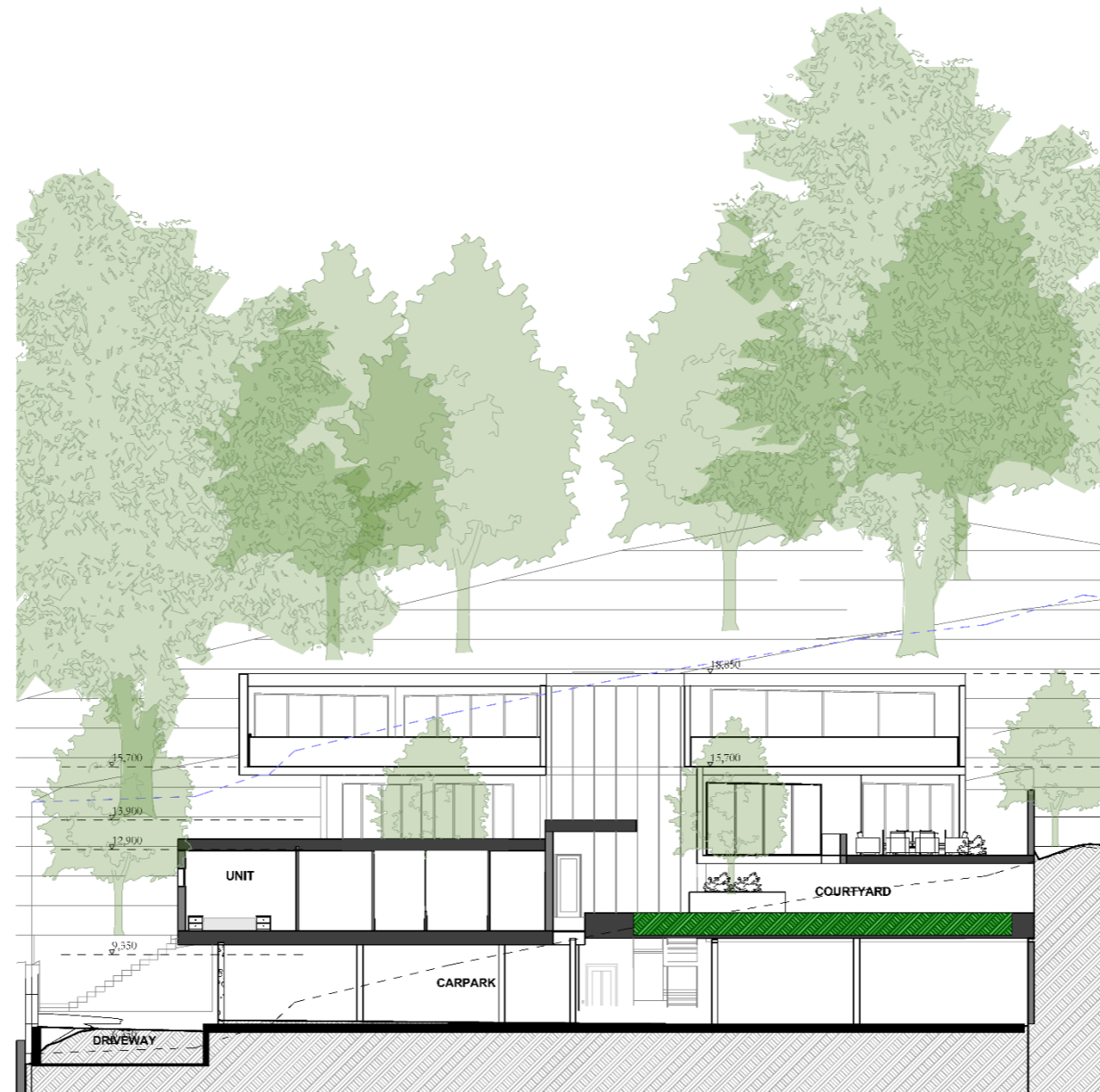
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Shop 1 - 65 Carawa Rd, Cromer 2099  
TEL : 0414 744 874  
FAX : 99385911  
EMAIL : darren@archi-texture.com.au  
WEB : archi-texture.com.au



Architexture



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Shop 1 - 65 Carawa Rd, Cromer 2099  
 TEL : 0414 744 874  
 FAX : 99385611  
 EMAIL : darren@archi-texture.com.au  
 WEB : archi-texture.com.au

Project Name :  
**SHOP TOP HOUSING**  
 Drawing Title :

Project Number:  
 17

Client Name :  
 Private Residence

Client Address :  
 58-62 Araluen Drv Hardys Bay

Architect:  
 Darren Tye

Status :  
 DA RF11

Plot Date :  
 10/12/18  
 File Location:  
 2017 Hardys bay DA2 RF1a.pln

Scale : 1:200 (@ A3)

Drawing No. : DA22

**Section C**

Architexture

- MC roof with metal cladding
- MR masonry wall with render painted
- TW timber framed wall with nominated cladding
- AW aluminium window
- RA rail to BCA
- PF pool fence and gate to AS1926.1 and BCA



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Shop 1 - 65 Carawa Rd, Cromer 2099  
 TEL: 0414 744 874  
 FAX: 99385911  
 EMAIL: darren@archi-texture.com.au  
 WEB: archi-texture.com.au

# Architexture

Project Name :  
**SHOP TOP HOUSING**

Drawing Title :

**Section A**

Project Number:  
 17

Client Name :  
**Private Residence**

Client Address :  
 58-62 Araluen Drv Hardys Bay

Architect:  
 Darren Tye

Status :  
 DA RF1

Plot Date :  
 10/12/18

File Location:  
 2017 Hardys bay DA2 RFla.pln

Scale : 1:100 (@ A3)

Drawing No. : DA20

Architexture



N/S  
1:200

# Architexture

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TEL : 0414 744 874  
FAX : 99385911  
EMAIL : darren@archi-texture.com.au  
WEB : archi-texture.com.au

Project Name :  
**SHOP TOP HOUSING**  
Drawing Title :

Project Number:  
**17**

Client Name :  
**Private Residence**

Client Address :  
**58-62 Araluen Drv Hardys Bay**

Architect:  
**Darren Tye**  
Status :  
**DA RF11**

Plot Date :  
**10/12/18**  
File Location:  
**2017 Hardys bay DA2 RF1a.pln**

Scale : **1:200 (@ A3)**

Drawing No. : **DA19**

**Section 4**



Architexture

- MC roof with metal cladding
- MR masonry wall with render painted
- TW timber framed wall with noninsulated cladding
- AW aluminium window
- RA rail to BCA
- PF pool fence and gate to AS1926.1 and BCA



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 FAX : 99385911  
 EMAIL : darren@archi-texture.com.au  
 WEB : archi-texture.com.au

Project Name :  
**SHOP TOP HOUSING**  
 Drawing Title :

Project Number:  
 17

Client Name :  
**Private Residence**

Client Address :  
 58-62 Araluen Drv Hardys Bay

Architect:  
**Darren Tye**

Status :  
**DA RF11**

N/S  
 1:200

Plot Date :  
 10/12/18

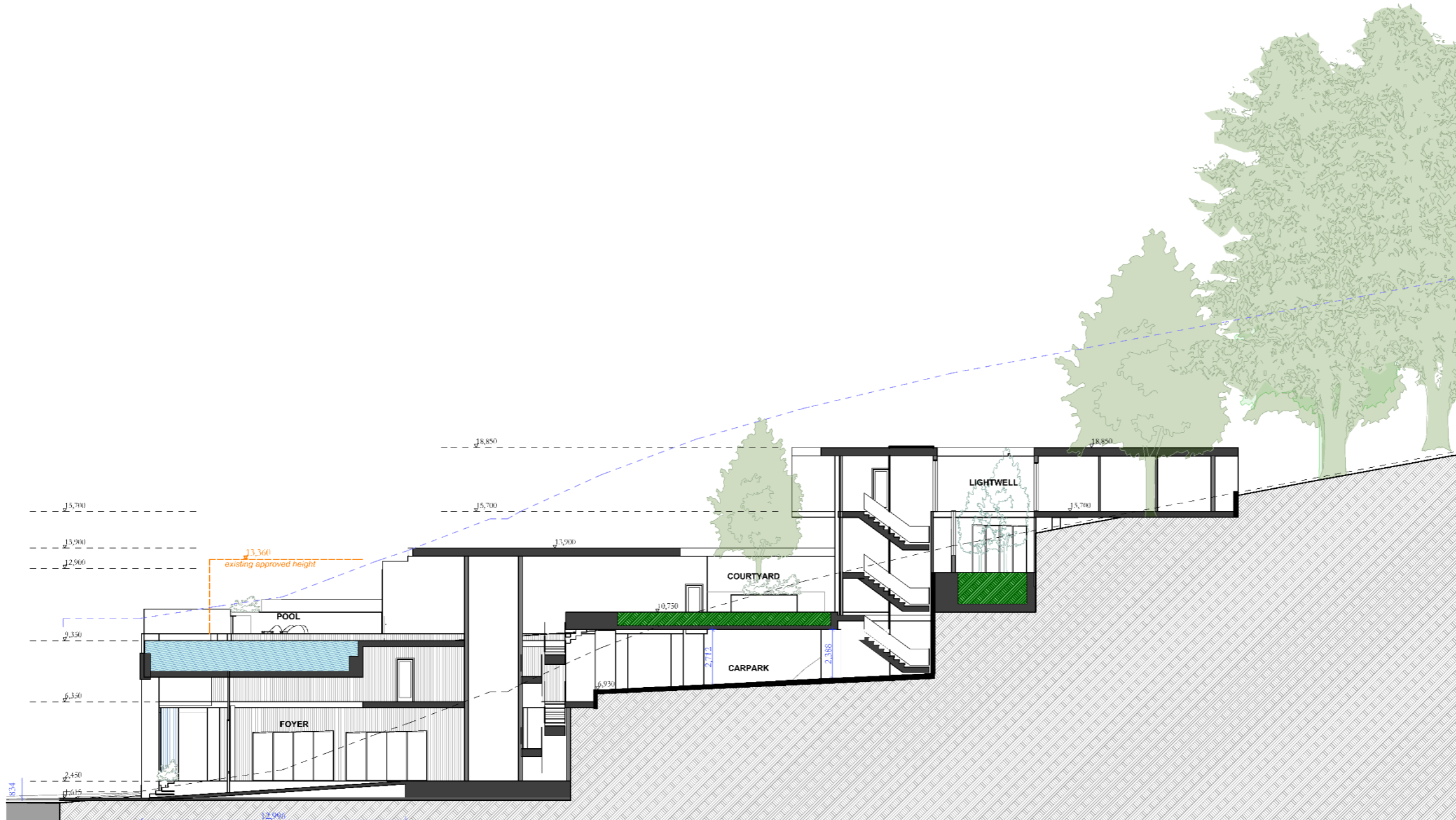
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Scale :  
 1:200 (@ A3)

Drawing No. :  
**DA18**

**Section 3**

Archi texture



N/S  
1:200

# Archi texture

Project Name :  
**SHOP TOP HOUSING**  
Drawing Title :

Project Number:  
17  
Client Name :  
**Private Residence**

Architect:  
**Darren Tye**  
Status :  
**DA RF11**

Plot Date :  
10/12/18  
File Location:  
2017 Hardys bay DA2 RF1a.pln

Client Address :  
58-62 Araluen Drv Hardys Bay

Scale : 1:200 (@ A3)

Drawing No. : DA17

## Section 2

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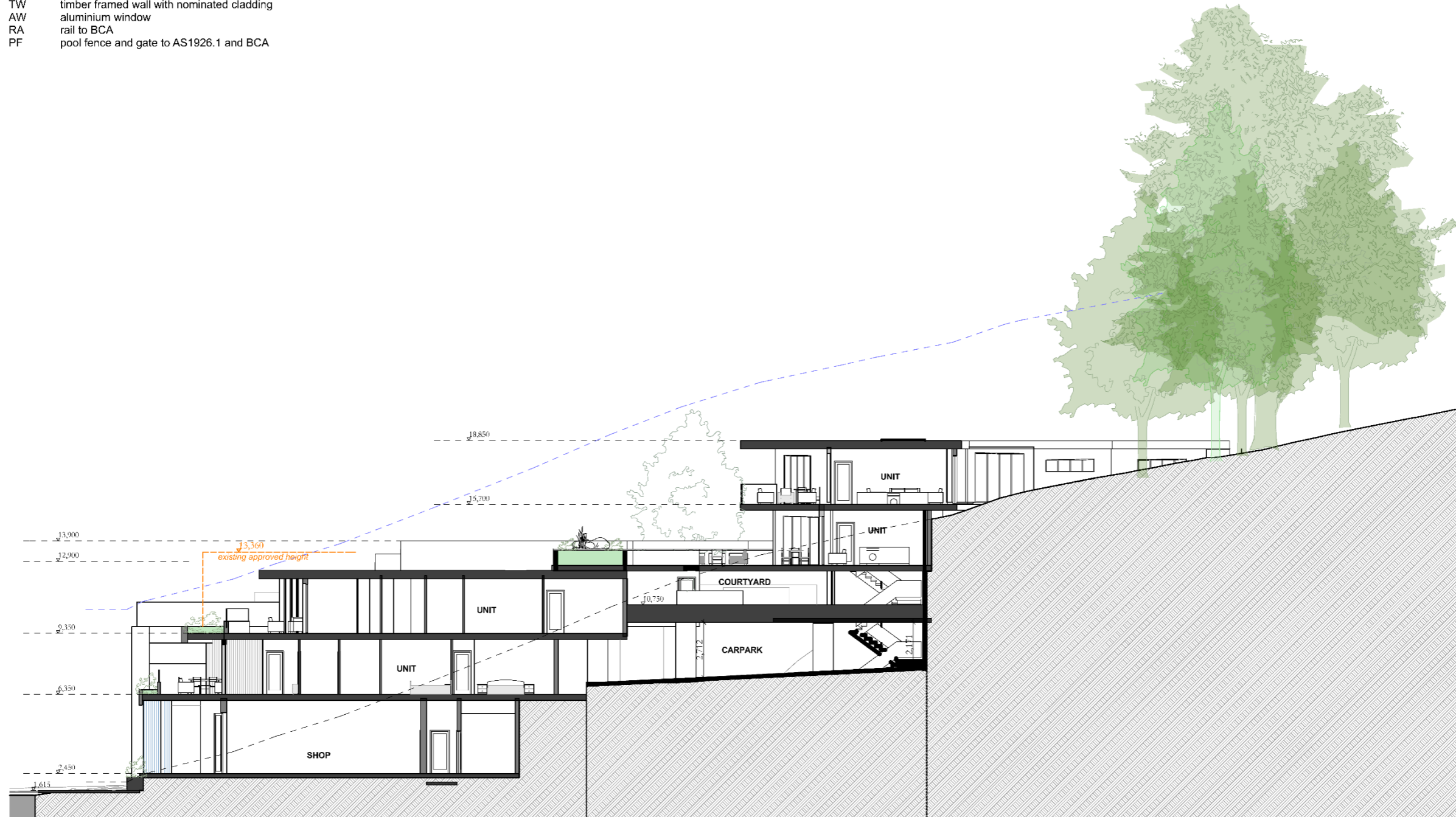
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Shop 1 - 65 Carawa Rd, Cromer 2099  
TEL : 0414 744 874  
FAX : 99365911  
EMAIL : darren@archi-texture.com.au  
WEB : archi-texture.com.au



Architexture

- MC roof with metal cladding
- MR masonry wall with render painted
- TW timber framed wall with nominated cladding
- AW aluminium window
- RA rail to BCA
- PF pool fence and gate to AS1926.1 and BCA



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 FAX : 99385911  
 EMAIL : darren@archi-texture.com.au  
 WEB : archi-texture.com.au

# Architexture

Project Name :  
**SHOP TOP HOUSING**  
 Drawing Title :

Project Number:  
 17

Client Name :  
 Private Residence

Client Address :  
 58-62 Araluen Drv Hardys Bay

Architect:  
 Darren Tye

Status :  
 DA RF11

Plot Date :  
 10/12/18

File Location:  
 2017 Hardys bay DA2 RFla.pln

Scale : 1:200 (@ A3)

Drawing No. : DA16

## Section 1