

Guidance Document Design Review Process and Approvals

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1. Summary of Design Process

To ensure that new homes in the Ecovillage are designed in accordance with our sustainability objectives, you (and/or your designer/builder) must participate in a <u>two-step iterative design review</u> <u>process</u> with the Witchcliffe Ecovillage (WEV) Design Team, comprising Concept Design Review and Formal Assessment.

The two-step design review process cannot be initiated until you have reached settlement with WEV for a lot. From there we can undertake both Concept and Formal assessments.

Once the two-step design review process is complete, each owner is provided with a Letter of Design Compliance which forms the final approval from WEV.

Please note that one full design review (concept and formal approvals) is included in the price of your lot for 36 months (3 years) from the date of registration of your relevant strata scheme. This provision is specified in 'Governance Bylaw 16' (extract included as Appendix 1). WEV can provide design review support beyond this date, however, a charge of \$300 per full review is applicable.

If you require an additional concept design review because you have significantly changed your concept design, this will be separately charged at \$300 per review to help cover staff costs. The design will then be reassessed by the WEV Design Team before a further Concept Approval can be issued. No additional fee will apply for formal assessment if the design has not significantly changed from the approved concept (fees will be reviewed annually).

The design review process must be complete prior to submitting any building plans to the Shire of Augusta-Margaret River ('Shire'). The WEV Letter of Design Compliance needs to be submitted to the Shire along with your detailed drawings and documentation to obtain a Building Permit prior to construction.

Please ensure that you have thoroughly read the Sustainable Building Design Guidelines (October 2023 (Rev B)) ("Design Guidelines") and relevant Local Development Plan (LDP) for your lot before starting the design review process.

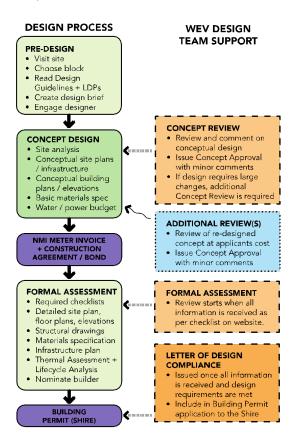
All relevant information and documentation can be found on our website under the heading 'Ecovillage Design Review Process & Approvals' at <u>WEV Document Library</u>

Initial enquiries can be made via the contact details below. From there you will be directed to the relevant member of the WEV Design Team.

E: <u>info@ecovillage.net.au</u> T: (08) 9757 6688

2. Design Review Assessment & Approval Stages

The process is summarised in the flow chart below.



2.1 Step 1 – Concept Design Review

This stage is step-one in the design review process and can be undertaken via email review.

Conceptual designs for all lots must be submitted to the WEV Design Team for review and approval. This to establish that the proposed design is generally consistent with the key principles of the Design Guidelines and LDPs prior to you documenting the proposal in detail.

You should only submit a concept design once you have gone through the design process with your designer (and/or builder) and are happy with the outcome.

Once submitted to us:

- If the concept design is significantly non-compliant, we will note the issue briefly and ask that you resubmit with a complying design.
- If your design is largely compliant with the requirements, we will respond via email providing you with <u>Concept Approval</u>. Along with this approval, we may also respond with a couple of minor changes or suggestions and ask that you incorporate them in the drawings submitted at step-two - the Formal Assessment.

It is important to note that Concept Approval only establishes that the design is generally moving towards compliance and consistency with key principles. It is not a full detailed assessment, nor is it a

final sign off or pre-approval of all elements of the design. Receipt of Concept Approval is a first mechanism that allows you to proceed to the Formal Assessment stage for more detailed assessment.

Whilst the WEV Design Team will flag items of major concern or non-compliance that would impede the design proceeding to Formal Assessment it is not in our remit to highlight all design requirements to you. This is why we encourage you to thoroughly review the Design Guidelines and LDP with your designer/builder at the outset and throughout the design review process.

After Concept Approval is issued, the onus is on the owner/designer/builder to further refine the design against all requirements of the Design Guideline and LDP prior to submission for Formal Assessment.

This is a checklist assessment process – a completed 'Concept Design Assessment Checklist' (this can be downloaded at <u>Concept Design Assessment Checklist</u>) must be submitted along with all required documentation (noted below) for the WEV design Team to commence concept design review. The WEV Design Team will not commence assessment until a full package of documents is received.

Concept Design submission requirements include:

- Concept design drawings of dimensioned site plan, floor plan, elevations, 3D massing
- Basic materials specification: cladding, structure, roofing, windows
- Proposed roof area, water tank location and size, PV panels location and size

2.2 Step 2 – Formal Assessment

Formal assessment is step-two in the design review process, proceeding only after you have received WEV Concept Approval.

You will refine the design and prepare detailed documentation to submit to the WEV Design Team for review and final approval.

This is a checklist assessment process - please see the '*Formal Assessment Checklist*' on WEV website at <u>Formal Assessment Checklist</u>. This includes a concise list of the submission requirements and detailed documentation required.

The WEV Design Team will not commence assessment until a full package of documents is received including a completed Formal Design Assessment Checklist. A detailed list of requirements is outlined below. Please submit all documents via email and as one package. The onus is on the designer/builder/owner to provide all details required and demonstrate compliance with the Design Guidelines and LDP.

Formal Assessment document submission requirements:

2.2.1 <u>Building Permit Drawing Set</u>

Drawing set to include:

- Site Plan (min scale 1:200)
- Floor Plan (min scale 1:100)
- Roof Plan (min scale 1:100)
- All Building Elevations (min scale 1:100)

- Electrical / Lighting Plan
- Door + Window Schedule
- Wet Area Detail Plans (layouts) and Interior Elevations (showing wall reinforcing for grab rails)
- Building Cross Sections (min scale 1:100)
- Key Footing, Wall and Roof Details (min scale 1:50)

2.2.2 Infrastructure Plan

To assist in coordinating on-site infrastructure, we require you to create an overlay of your site plan that shows the key systems that power your house and where they sit on the block. Specifically, we'd like to see:

- Location utilities connections (sewer, microgrid, NBN) and proposed reticulation from the house / shed
- Location and sizing of PVs including location of inverter and GPO to allow for future electric vehicle charging
- Location and size of rainwater tanks, downpipes, underground connecting pipework, pump, overflow pathway / pipework to off-site swale see Site Drainage drawings on WEV website at <u>Stages 1-3 Site Drainage Drawings</u>; <u>Stages 4-5 Drainage Drawings</u>)
- Greywater system diagram, overflow to sewer, irrigation reticulation, irrigation controller location
- Monitoring devices for water and power

2.2.3 <u>Thermal Assessment</u>

Contact a thermal assessor to undertake an energy assessment of your proposed design. It is recommended to start engaging with this consultant early and use this feedback to refine the design to optimise energy efficiency of your building. To comply, you need to achieve a minimum of:

- 7 stars for Stages 1 & 2.
- 7.5 stars for Stages 3, 4 & 5.

Achieving these ratings should be straightforward given the insulation and glazing requirements in the Design Guidelines. Please provide the NatHERS Certificate as part of the formal assessment documentation package.

2.2.4 Life Cycle Analysis (RapidLCA eTool)

You need to undertake a lifecycle assessment of your proposed building to ensure that it meets the carbon negative target we have set (you need to achieve -220kg CO2 per person per year, see Section 9.2 in the Design Guidelines).

This target translates into -105% of the OECD average of Global Warming Potential (GWP) emissions for a house of your size. Anything less than -100% GWP is carbon negative, and this is our aim for all Ecovillage homes. This assessment is included in the cost of your lot.

To undertake the assessment, this is the process you should follow:

- Learn more about lifecycle assessment and the required process by clicking on https://support.rapidlca.com/witchcliffe-eco-village/
- When you are ready to start inputting your information, put https://rapidlca.app/ into your browser and this will open up the software

- Click on 'Add New Build' in the green bar at the bottom of the screen
- Type in your email address in the grey bar, click 'Next'
- If this is your first login, a prompter will come up asking you to register as a 'New User.' Click the green bar to 'Register.'
- Insert name and details into grey bars, and accept the Terms and Conditions by checking the box.
- Click New Users Register in yellow bar, provide email and password, accept T+Cs, press Register button
- Confirm registration either via Google, Microsoft, or by providing an email and password.
- Choose a password (min 8 characters, with at least one letter, one number, and one special character), and confirm the password. Click on green bar at bottom of page labelled 'Register.'
- Click on left arrow in black bar that says 'Profile,' which will take you to a page asking for your 'Build Location.'
- Enter 'Witchcliffe, WA' for your location, and the Ecovillage stages will appear. Click on the stage that corresponds to the location of your lot.
- Click on the green bar at the bottom of the page that says 'Find your Lot and Add Build.'
- Click on the cluster number and lot number that corresponds with the lot that you own.
- Click on the yellow plus sign
- Select the WEV Stage that applies to your lot
- Click on Find Your Lot + Add Build on the yellow bar
- Click on your Lot and Cluster
- Input all information about your building into the forms
- When completed (assuming you've met the target), "Submit" design
- Then "Share" design
- Click on "Compliance Checklist" report
- Email to yourself, then forward a copy to the WEV Design Team

Should you require assistance on how to use the RapidLCA system information can be accessed on the support page at <u>https://support.rapidlca.com/</u>

2.2.5 Bushfire Certification

As the entire south-west is considered a Bushfire Prone Area, all Building Permit applications need to be accompanied by a Bushfire Attack level (BAL) Certification.

For lots that are more than 100m from a specific bushfire risk area, self-certification may be an option. If it is, a BAL Assessment (Basic) form can be completed. You can find this on the DPLH website - <u>BAL Assessment (Basic) Form</u> and the associated fact sheet - <u>BAL Assessment Fact Sheet</u>

For lots within 100m from a bushfire risk area (eastern edge of the Ecovillage), we have commissioned a Defined BAL Contour Plan to provide more certainty to designers about the requirements. This document can be downloaded from the WEV website in the Document Library at the following link - <u>WEV Bushfire Management Plan</u>. This also facilitates assessment and obtaining a Bushfire Certification if you go to the nominated consultant in the document, Bushfire Prone Planning.

Also, for those who could self-assess but find it too difficult, this consultant can undertake the assessment for you. In both cases it should be quite quick and inexpensive.

2.2.6 Liveable Housing Design Guidelines (LHDG) Checklist

All housing in the Ecovillage must meet the 'Silver' standard for accessibility in the Liveable Housing Design Guidelines. This document in can be downloaded at - <u>Liveable Housing Design Guidelines</u>

To confirm compliance with this standard, please fill out and submit the checklist at – <u>Liveable Housing</u> <u>Design Guidelines Checklist</u>

2.2.7 Sustainable Building Design Guidelines (October 2023 (Rev B)) Checklist

Please review your design against the Design Guidelines and confirm compliance with the various elements.

Complete the *Design Guidelines checklist* and submit it to the WEV Design Team as part of the formal assessment package. It can be downloaded at – <u>Building Design Guidelines Checklist</u>

[Note - the Sustainable Building Design Guidelines (September 2023 (Rev B)) incorporates all the amendments made since the first version of the document (October 2020 Rev A). For reference, all document amendments made to date are identified in a summary checklist on our website at – <u>Sustainable Building Design Guidelines record of Amendments</u>

2.2.8 Local Development Plan (LDP) & Residential Design Codes (RCodes) Compliance Checklist

RCodes Checklists relevant to your lot type can be downloaded from our website at -

<u>RCodes & LDP Checklist - Family Lot</u> <u>RCodes & LDP Checklist - Cottage Lots</u> <u>RCodes & LDP Checklist - Groupie Lots</u>

These checklists will be used by the Shire planner to confirm your compliance with the relevant Local Development Plans and the RCodes provisions.

The checklist identifies which elements of the RCodes are modified by the LDP and which still apply from the RCodes.

Your building designer or builder should go through this list and confirm that you are meeting the relevant standards (LDP, RCodes, or N/A "grey box")

2.2.9 Detailed Materials and Finishes Specification

To allow us to properly assess compliance with certain aspects of the Design Guidelines, we need to understand the intended materials with which the building will be constructed. Please provide this specification in the template format provided at – <u>Specification Summary Template</u>, and list as much detail as you have available.

2.2.10 Household Water

To confirm you are allowing for sufficient potable water for your household, please fill out the *Household Water Budget Template*. This form requires you to nominate the occupancy of your household, your rate of water use, your roof area, and your nominated water storage. The template is at - <u>Household Water Budget Template</u>

The WEV Water Handbook (2020) explains the requirements in detail and how to calculate minimum water storage volume and roof catchment area based on household occupancy/usage rates. This can be downloaded at - <u>WEV Water Handbook</u>

2.2.11 Household Energy

Please complete the *Household Energy Disclosure Template* that lists your proposed solar panel size and placement, as well as the brands and energy efficiency of your major appliances. This will help us confirm compliance with the Design Guidelines. This can be downloaded at - <u>Household Energy</u> <u>Disclosure Template</u>

The WEV Residential Energy Supply Handbook (Updated June 2023) explains the requirements in detail and can be downloaded at - <u>WEV Residential Energy Supply Handbook</u>

Each lot must meet minimum 6.0 kW PV and comply with all relevant Australian Standards. Allocated maximum inverter size varies by lot type and cluster is outlined in the handbook and associated energy specification sheets <u>Cluster Energy Specification Sheets</u>

2.2.12 NMI Meter

Every house must have an NMI meter to read their household energy use and solar export. Each lot owner must purchase their NMI meter for their house, prior to construction works starting.

These can be purchased from WEV Account Team or Integrated Electrical according to your cluster:

- For Stages 1, 2 and 3A, these must be purchased from WEV Accounts Team during the design approval process. The WEV Design team will initiate the invoicing process after Concept Approval as it can take up to 4 weeks.
- For all other stages these can be purchased from Integrated Electrical when they connect power to your home. Please ask your builder to contact Integrated Electrical at least 4 weeks before they require power on site. Integrated Electrical will invoice your builder for the meter and temporary power board.

The NMI meter must be paid for prior to receiving the Letter of Design Compliance from us at Formal Assessment. Proof of NMI meter purchase or at least initiation of the process should be included in your documentation for Formal Assessment.

2.3.13 Construction Agreement and Bond Payment

A Construction Agreement must be signed and bond paid prior to the owner receiving Formal Approval from us for the house design. The Construction Agreement is co-signed by the Director of Sustainable Settlements, as the representative of the Strata.

This will acknowledge that the purchaser and builder are aware of the requirements for building in the Ecovillage, and that the builder and all trades will comply in an orderly and courteous way. It states that the lot owner will be responsible for any damage to the common property or the adjacent public road verge caused by any contractor engaged by the owner.

Owners of lots must also commit to making every effort to ensure minimum damage to roads, paths, landscaping on verges and in community gardens during construction. Owners will be liable for replacement and repair costs of any damage (enforced via each cluster's strata bylaws).

The owner must pay a \$1,000 bond which is kept in escrow in the Strata bank account and held against the lot purchaser (not the builder). Once construction of the home is completed, the owner can request a Bond Inspection and if no damage is identified, the bond is returned. If damage is identified, the cost of rectification is then taken out of the bond and the balance returned to the owner.

To ensure a quality build, an orderly construction process and to reduce impact on neighbours, the following requirements must be met during construction:

- Construction works must comply with all Shire policies, regulations, and strata bylaws.
- Ensure all trades and contractors are aware of sustainability infrastructure requirements, e.g., correct installation of insulation, correct location of rainwater tank inlet and overflow, correct placement of PV array, etc.
- The site must be kept clean at all times during construction to minimise impact on neighbours. All rubbish must be disposed of off-site and skip bins appropriately covered to ensure contents are adequately secured.
- The lot must be maintained prior and during construction, with grass cut, weeds, rubbish removed and surface drainage maintained.
- Earthworks are to be managed carefully, and dust is to be controlled.
- Storage of all plant and materials to be on the subject lot only (not on adjoining lots, open space or common property even if unoccupied). Locations of site sheds, toilets, skip bins and sea containers must not impede vehicle sight lines or pedestrian pathways.
- Vehicle parking is not permitted on other lots, open space, median strips, footpaths or other landscaped areas. Footpaths are not designed for heavy vehicle access and appropriate protection shall be implemented by trades and contractors to protect existing paths.
- Existing vegetation and installed Street Tree planting shall be protected with tree protection barriers.
- Stormwater is to be appropriately managed (sediment to be controlled and managed so it does not impact downstream swales) and in accordance with the overland
- Swales along road verges must be maintained and not obstructed or filled in, and cross-overs / culverts over swales must not be damaged.
- Ensure all trades and contractors are aware of existing public and private infrastructure locations in both the public and private (community garden) lands. Dial Before You Dig as well as 'As Constructed Drawings' available on the <u>WEV Document Library</u> need to be referred to.
- Site topsoil that may be removed for house pad construction is a valuable resource. It should be retained on the private lot for use in gardens and matching house pads into existing ground levels, or appropriate locations within Ecovillage Commons land can be provided by the WEV Office.
- Allowance for supply of construction water for all trades and contractors should be considered. WEV accepts no responsibility for supply of water for construction purposes. The ECL water supplied to community garden and garden plots is not permitted to be used for construction purposes.

To ensure no delays, the WEV Design Team will initiate the Construction Agreement process after Concept Approval. Our Admin Team manages these agreements and will be your main point of contact (admin@ecovillage.net.au). Please note that the invoicing process can take up to <u>4 weeks</u>.

The WEV Admin Team will contact you to initiate the process. The Construction Agreement can either be emailed to you for hard copy signature or signed electronically via DocuSign.

Proof of completion of the Construction Agreement and Bond payment to your strata bank account should be included in your documentation for Formal Assessment.

2.2.14 Construction Waste Management Plan

Avoiding and reducing waste directly benefits builders and owners in reducing costs and should be standard practice as part of every building project. The owner and/or builder must submit a Waste Management Plan to the WEV Design Team to demonstrate that sustainable waste management requirements are understood and fulfilled.

At the Ecovillage, best practice construction waste management will be achieved in the following ways:

- With the assistance of your designer and builder, apply the best practice principles of AVOID, REDUCE, REUSE and RECYCLE to the construction of your home.
- The Ecovillage encourages the reuse of materials in new buildings and supports property owners who wish to utilise recycled/repurposed materials provided they meet building code standards and do not compromise the performance of buildings.
- The Ecovillage will provide a temporary site for storage and recycling of surplus building materials such as off-cuts, over orders, and incorrect materials to increase the reuse of materials on site and to help increase the availability of reusable materials.
- To maximise the recycling of building waste that cannot be reused on site, builders will be required to separate materials into waste streams that can be best handled at the local waste management facility operated by the Shire on Davis Road:
 - Rubble, including broken bricks, concrete waste, broken tiles, small offcuts of plasterboard;
 - o Metals; and
 - Timber offcuts and timber waste.

For more information, please see the <u>Master Builders' Association of WA Smart Waste Guide (2014)</u> and the <u>WA Local Government Associations' Construction Waste Management Plan Guidelines</u>.

2.3 Letter of Design Compliance

Once you have satisfactorily completed the Formal Assessment process, WEV will provide you with a <u>Letter of Design Compliance</u> that you should submit to the Shire alongside your Building Permit documentation.

Please note that if the design complies with the Local Development Plan and the R-Codes, you can submit to Building Permit approval at the Shire. However, if you are seeking variations to provisions in either of those documents you will first need to go through Shire Planning Approval.

2.4 Design Review Timeframes

The WEV Design team is small and tasked with oversight of a large and complex project to deliver. As such, our ability to respond varies depending on workload and staff availability. In normal circumstances, we estimate a timescale of:

• 2 weeks to complete Concept Review; and

• 2 weeks for Formal Assessment.

These timescales are based on designers/builders/owners having thoroughly reviewed the Design Guidelines and LDP so that when we receive a proposed concept or formal design it is largely compliant with our requirements and allows timely turn-around of the review.

We will not assess incomplete applications, please ensure all information required at each stage is included and you have completed relevant documents/checklists.

The WEV Design Team will do their best to meet these timescales, but at times and for various reasons, some applications take longer.

Please ask any clarification questions before committing to a particular design outcome, as this saves everyone's time and expense.

3. Augusta-Margaret River Shire (AMRS) Building Permit

Building Permits must be obtained prior to the commencement of any building work. To obtain a Building Permit, an application form (BA01 or BA02, see below) together with one copy of all plans, structural engineering, specifications, and our Letter of Design Compliance must be submitted to the Shire Building Services.

Submission requirements can be found on the Department of Commerce website <u>Building Approval</u> <u>Forms</u> and information on the Shire Building Services requirement at <u>Shire Building Services</u> <u>Information</u>.

There are two methods you can pursue: pre-certified and un-certified. You can engage a Building Surveyor to pre-certify that your plans comply with the National Construction Code (NCC) and then submit to the Shire. Or you can submit all your documentation to the Shire directly (un-certified) and they will assess the building code compliance of your plans:

- Certified applications BA01 approval timeframe 10 business days
- Uncertified applications BA02 approval timeframe 25 business days

4. Post-Construction Inspection

The correct installation of sustainability infrastructure is vital to its functional operation. To ensure the sustainability outcomes of the Ecovillage are being met the WEV Design Team will conduct a post-construction inspection to confirm all sustainability infrastructure is installed correctly and to the specifications of the submitted Infrastructure Plan.

5. Closing Summary

Thank you for your efforts to understand and comply with the detailed design requirements of the Witchcliffe Ecovillage. We understand that this process can be daunting at times, but we know that this early effort will pay off over time in increased energy efficiency, better liveability and a cohesive village aesthetic that will make this a unique place to live.

The WEV Design Team endeavours to be consistent in our design reviews and application of judgement relative to the Design Guidelines provisions we've put in place. Occasionally, things slip through the cracks and design elements get approved that, in hindsight, we'd like to amend.

Now that there are so many homes under construction or completed, it may be tempting to try to find examples from other builds to justify a design proposal that is inconsistent with our intended character or allowed materials.

Please be aware that we are not bound by precedent; if something was approved previously that we feel in hindsight shouldn't have been, we would not wish to repeat this. In addition, occasionally builders will build the home in a way that is inconsistent with the approved design, which is disappointing.

All this to say, please respect the vision we've laid out in the Design Guidelines and try to work within the design parameters that we have set for the Ecovillage.



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16. DEVELOPMENT OF LOT

- (1) The scheme is subject to:
 - (a) a local development plan approved by the local government (Local Development Plan); and
 - (b) building design guidelines a copy of which, at the date of registration of these by-laws, forms Annexure B (Building Design Guidelines).
- (2) The Local Development Plan may be amended with the consent of the local government.
- (3) The Building Design Guidelines may be amended from time to time by the council to adapt to changes to government policies, building code requirements, availability of materials, sustainable technology innovations and the like.
- (4) An owner must not construct, erect or install, or permit to be constructed or erected or installed on their lot any building or building addition unless:
 - (a) it is compliant with the Local Development Plan and Building Design Guidelines;
 - (b) they have first
 - submitted the building plans (including front elevation and external colours and materials) to the council;
 - (ii) the council has approved such plans; and
 - (iii) the building is constructed strictly in accordance with those approved plans. For the avoidance of doubt an owner must not vary any building or building addition from its approved plans without the variations themselves being approved under this by-law);
 - (c) they have first provided a Maintenance Bond in accordance with by-law 19;
 - (d) those works are approved by the strata company pursuant to sections 88 and 89 of the Act (if applicable); and
 - (e) those works are undertaken in accordance with a valid building licence issued by the local government.
- (5) The council may not unreasonably withhold, delay or condition its approval pursuant to by-law 16(4)(b) where the building plans comply with the Local Development Plan and Building Design Guidelines.
- (6) The council may employ an appropriately qualified consultant to assist in the assessment of any building plans pursuant to this by-law and may levy the reasonably costs of such consultant to the owner of that lot (which shall be treated as a levy raised in accordance with the Act against that owner and be payable within 14 days of demand).
- (7) All requests to the council for assessment and approval of building plans must be processed by the council within 45 days of receipt in writing.
- (8) An owner must do all things reasonably required to obtain all necessary approvals (including pursuant to this by-law) and undertake all necessary actions to:
 - (a) commence construction of a dwelling on their lot within 18 months of the date they, or their successor in title, settled on the purchase of the lot from the original proprietor; and
 - (b) complete construction of such dweiling within 36 months of the date they, or their successor in title, settled on the purchase of the lot from the original proprietor.
- (9) An owner may apply to the council for an extension to the construction start and completion timeframes referred to in sub-bylaw (8) if extenuating financial or personal circumstances apply.
- (10) An owner must and must ensure that their selected builder and subcontractors do:
 - (a) manage construction waste so as to minimise such waste and undertake to re-use and recycle construction waste wherever possible;

Version 2.1 -- Updated 07/05/2020.

Please note: As stated in the Strate Troles Act 1985 (Act) section 39 the Registrar of Titles is not obliged to examine scheme by-laws lodged for registration for compliance with the Act, it must not be presumed that because the Registrar of Titles has registered scheme by-laws, the by-laws are walld or enforceable and the State does not guarantee the validity or enforceability of scheme by-laws.

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- (b) provide a waste management plan to the strata company in accordance with the WA Master Builders' Smart Waste Guide; and
- (c) minimise (in accordance with normal building practice and the requirements of the local government) any nuisance that construction of that dwelling may cause to neighbouring land owners, including but not limited to nuisance by reason of noise and dust.
- (11) An owner must do all things reasonably necessary to ensure minimal damage to roads, paths and landscaping of verges occurs as a result of the development of their lot and must on demand reimburse the strats company for any associated repair or replacement costs in this regard.
- (12) An owner or occupier must not remove, disable or allow to become dysfunctional any sustainability infrastructure required by the Building Design Guidelines unless the council provides prior written approval to replace such infrastructure with equivalent infrastructure without compromise of the original sustainability objective.
- (13) For a period of 36 months following registration of the scheme, the strata company and council irrevocably appoint the original proprietor as their agent for the purpose of this by-law, including approving building plans and any request for an extension to construction start or completion timeframes.