

APPENDIX K

DRAFT CONDITIONS T6-18-100

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| PARAMETERS OF THIS CONSENT |
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1. The development is to be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

| Plan No./ Supporting Document | Version | Prepared by | Dated |
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| Site Plan, Elevations, Floor Plans, Sections Project 17042 | | Simon Hayward Design | 12 March 2018 |
| Basix No 9070155 | | Simon Hayward Design | 12 March 2018 |

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

The approved plans and supporting documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

2. All building work must be carried out in accordance with the requirements of the Building Code of Australia as in force on the date the application for the relevant construction certificate or complying development certificate was made.

In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

This condition does not apply:

- a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or
 - b) to the erection of a temporary building.
3. This consent does not permit commencement of any site works. Works shall not commence until such time as a Construction Certificate has been obtained and the appointment of a Principal Certifying Authority.
 4. Under the provisions of AS3959 – 2009 Construction of Buildings in Bushfire-Prone Areas, the site has been determined as a Bushfire Attack Level (BAL) – LOW in accordance with Planning for Bushfire Protection 2006.

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| THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE FOR BUILDING WORKS |
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5. The Principal Certifying Authority (PCA) is to ensure that the proposed development is constructed in accordance with the requirements of BASIX Certificate No. 90795s, dated 12 March 2018. The Plans submitted for approval with the Construction Certificate must include all of the BASIX Certificate commitments indicated in this certificate.

Where changes to the development are proposed that may affect the water, thermal comfort or energy commitments, a new BASIX Certificate may be required.

6. Prior to the issue of any Construction Certificate, structural details and a Structural Certificate for Design prepared by a qualified practising structural engineer and in accordance with Clause 1.2.2(iii) of Volume 2 of the BCA (applicable to Class 1 and 10 buildings) must be submitted to the Principal Certifying Authority.
7. Prior to the issue of any Construction Certificate provide the Principal Certifying Authority with three (3) copies of the specifications for the works with reference to Volume 2 BCA clauses and relevant Australian Standards.
8. The plans submitted for approval with the Construction Certificate must include all Bushfire requirements in accordance with the determined Bushfire Attack Level (BAL – Low) and the provisions of AS3959-2009.
9. A Long Service Levy must be paid to the Long Service Payments Corporation prior to the issue of a Construction Certificate. This amount payable is currently based on 0.35% of the cost of the work. This is a NSW State Government Levy and is subject to change.

These payments may be made at Council's Administration Office. Cheques are to be made payable to Kempsey Shire Council.

10. A Site Waste Minimisation and Management Plan is to be prepared and submitted to Council for approval, prior to issue of the Construction Certificate. The Plan is to be prepared in accordance with Chapter B16 - Waste Minimisation and Prevention of the *Kempsey Development Control Plan 2013*.

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| THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH PRIOR TO ANY BUILDING OR CONSTRUCTION WORKS COMMENCING |
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11. Toilet facilities are to be provided, at or in the vicinity of the work site of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be a flushing toilet connected to a public sewer, or if connection to a public sewer is not available, to an onsite sewage management system approved by Council, or to an approved temporary chemical water closet.

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12. Consent from Council must be obtained for all works within the road reserve pursuant to Section 138 of the Roads Act 1993. Three (3) copies of engineering construction plans must accompany the application for consent for works within the road reserve. Such plans are to be in accordance with Council's Adopted Engineering Standard.
13. A sign or signs must be erected before the commencement of the work in a prominent position at the frontage to the site:
 - a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - c) stating that unauthorised entry to the work site is prohibited.

The sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed. No sign is to have an area in excess of one (1) m².

14. Sediment and erosion control measures must be installed in accordance with Council's guidelines before any demolition, building or construction work commences.
15. Three (3) sets of structural engineers details prepared and certified by a practicing structural engineer detailing all reinforced concrete and structural members shall be submitted to the principal certifier for consideration fourteen (14) days prior to the commencement of that particular stage of work.
16. The PCA shall be notified of the commencement of works not less than two (2) days prior to the date of any works commencing. The form for notice of commencement of work and appointment of Principal Certifying Authority shall be completed in full with all relevant information provided.
17. An identification survey prepared by a registered surveyor is to be undertaken prior to any works commencing. The survey is to ensure the siting of the proposed building and associated retaining works in relation to adjacent boundaries and any easements are in accordance with the development consent.

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| THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH DURING CONSTRUCTION |
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18. Details of roof trusses, tie down and roof bracing are to be submitted prior to commencement of any building work on the site.
19. Details of wall bracing to be carried out in accordance with Australian Standard 1684-2006 are to be submitted prior to commencement of work.
20. All Plumbing, Water Supply and Sewerage Works are to be installed and operated in accordance with the Local Government Act 1993, the National Construction Code (NCC) Volume 3, Plumbing Code of Australia and AS/NZS 3500 Parts 0-5, the approved plans (any notations on those plans) and the approved specifications.

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21. The Principal Certifying Authority (PCA) is to ensure that the plans submitted for approval with the Construction Certificate include all of the BASIX Certificate commitments indicated in BASIX certificate 9070155, dated 12 March 2018.
22. All necessary works are to be undertaken to control dust pollution from the site. These works must include, but are not limited to:
 - a) Restricting topsoil removal;
 - b) Regularly and lightly watering dust prone areas (note: prevent excess watering as it can cause damage and erosion);
 - c) alter or cease construction work during periods of high wind;
 - d) erect green or black shadecloth mesh or similar products 1.8m high around the perimeter of the site and around every level of the building under construction.
23. Alter or cease construction work during periods of high wind.
24. Construction works must not unreasonably interfere with the amenity of the neighbourhood. In particular construction noise, when audible on adjoining residential premises, can only occur:
 - a) Monday to Friday, from 7 am to 6 pm.
 - b) Saturday, from 8 am to 1 pm.

No construction work is to take place on Sundays or Public Holidays.

25. Construction noise is to be limited as follows:
 - a) For construction periods of four (4) weeks and under, the L10 noise level measured over a period of not less than fifteen (15) minutes when the construction site is in operation must not exceed the background level by more than 20dB(A).
 - b) For construction periods greater than four (4) weeks and not exceeding twenty-six (26) weeks, the L10 noise level measured over a period of not less than fifteen (15) minutes when the construction site is in operation must not exceed the background level by more than 10dB(A).
26. Sediment and erosion control measures must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.
27. All builders rubbish is to be contained on the site in a 'Builders Skips' or an enclosure. Building materials are to be delivered directly onto the property. Footpaths, road reserves and public reserves are to be maintained clear of rubbish, building materials and all other items.
28. Glazing materials used in the building are to be selected in accordance with the provisions of Australian Standard AS 1288 SAA Glass Installation Code and must comply with the requirements of Australian Standard AS 2208 "Safety Glazing Materials for Use in Buildings (Human Impact Considerations)" as required by the Building Code of Australia.
29. Windows must be constructed to comply with Australian Standard AS 1288 or Australian Standard AS 2047. Written certification must be submitted to principal

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certifier prior to occupation inspection to confirm that glazing selection, manufacture and installation has been completed in accordance with the relevant Australian Standards for the job specific project.

30. Stormwater must be collected and disposed of to the kerb and gutter via a suitably manufactured kerb adaptor. Drainage lines within the road reserve must be sewer class or other approved equivalent. All drainage works are to be installed by a suitably qualified person and in accordance with the requirements of AS/NZS 3500.3:2003 - Plumbing and drainage, Part 3: Stormwater drainage.

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| <p>THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH PRIOR TO OCCUPATION OF THE BUILDING</p> |
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31. All of the works shown on the plans and granted by this consent, including any other consents that are necessary for the completion of this development, are to be completed and approved by the relevant consent authority/s prior to the issue of an Occupation Certificate.
32. A sealed driveway is to be constructed from the edge of the road formation to the property boundary in accordance with the Roads Act consent.
33. Sewer and water supply is to be connected to the premises in accordance with an approval granted under Section 68 of the Local Government Act 1993.
34. Sediment and erosion control measures must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.

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| <p>THE FOLLOWING CONDITIONS MUST BE COMPLIED WITH AT ALL TIMES</p> |
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35. The studio must not be utilised or converted into separate self-contained residential occupancies. This development consent only permits the dwelling and studio to be strictly in accordance with the use depicted in the approved floor plans.