

THE FOLLOWING CONDITIONS MUST BE COMPLIED WITH PRIOR TO ISSUE OF A SUBDIVISION CERTIFICATE

2. Plan of Subdivision

An application for a Subdivision Certificate must be made on the approved form. The Subdivision Certificate fees, in accordance with Council's adopted schedule of fees and charges, must accompany such application. Seven (7) copies of the plan of subdivision are to be submitted with the application for a subdivision certificate. The location of all buildings and/or other permanent improvements including fences and internal access driveways/roads must be indicated on 1 of the copies.

3. Certificate for pipes, access driveways, etc. within easements

A certificate from a registered surveyor is to be submitted to Council certifying that all pipelines, structures, access driveways and/or services are located wholly within the relevant easements.

4. On-site sewage management facility Section 68 approval required

An approval under Section 68 of the Local Government Act 1993 for on-site effluent disposal for the system on existing lot 1111 must be obtained from Council.

THE FOLLOWING CONDITIONS MUST BE COMPLIED WITH AT ALL TIMES

5. NSW Rural Fire Service

The following conditions have been imposed by the NSW Rural Fire Service under the integrated development provisions of the Environmental Planning and Assessment Act, 1979 and the Rural Fires Act 1997.

Asset Protection Zones

The intent of measure is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building.

- a. At the issue of subdivision certificate and in perpetuity, the land surrounding the existing dwelling on Lot 5, to a distance of 20 metres, shall be maintained as an asset protection zone (APZ) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Access

The intent of measures for property access is to provide safe access to/from the public road system for fire fighters providing property protection during a bush fire and for occupants faced with evacuation.

- b. Property access for both lots shall comply with section 4.1.3 (2) of 'Planning for Bush Fire Protection 2006'.

Landscaping

- c. Landscaping around all habitation buildings is to comply with the principals of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

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. The plans for the required Construction Certificate are to provide for relocation of the dwellings so as to avoid the need to remove the *Melaleuca quinquenervia* (broad-leaved paperbark) located adjacent to the unformed laneway.**
- 3. Compliance with Building Code of Australia and insurance**
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.

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.**
- 4. This consent does not permit commencement of any works**
This consent does not permit commencement of any works. Works are not to commence until such time as a Construction Certificate has been obtained and the appointment of a Principal Certifying Authority.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE FOR BUILDING WORKS

- 5. Engineer's Details**
Engineer' details for all footings, foundations, reinforced concrete slabs, structural components and details of cut and fill are to be submitted to Council prior to the issue of a Construction Certificate. The Engineer's details are to be prepared in accordance with Council's Development Control Plan No. 36. The Engineer's details are to be prepared by an appropriately qualified and experienced Engineer.
- 6. Firewall separation details required**
Details of the fire wall separation between the units are required demonstrating compliance with the *Building Code of Australia – Part 3.7* prior to the issue of a construction certificate. The details are to be prepared by a suitably qualified, adequately experienced and currently practicing professional.
- 7. Garage details required**
Details of the garage are required demonstrating compliance with the *Building Code of Australia – Part 3.7* prior to the issue of a construction certificate. The details are to be prepared by a

suitably qualified, adequately experienced and currently practicing professional.

- 8. Consent required for works within the road reserve**
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.
- 9. Geotechnical Report required – Engineering Works**
A certificate from a professional Geotechnical Engineer is to be provided to the Principal Certifying Authority, certifying that:
 - the design of the civil engineering works, including retaining walls and/or cut & fill batters, has been assessed as structurally adequate in accordance with the relevant Australian Standards;
 - the civil engineering works will not be affected by landslip or subsidence either above or below the works;
 - adequate drainage has been provided with appropriate considerations given to groundwater constraints; and
 - that the fill will be suitable for its intended purpose of building works.
- 10. Reticulated sewer supply**
Prior to the issue of a Construction Certificate design details and specifications for the provision of reticulated sewer supply to the site are to be submitted to Council.

The plans are to clearly demonstrate:

- That there is no nett increase in demand for sewerage on the Hat Head sewerage system during peak load periods;
 - Justification of ET calculation and flows from the system;
 - The type of system (including make and model), including adequate design detail;
 - Management of such system, including the establishment of any required easements or restrictions and maintenance; and
 - In the case of any onsite disposal, sufficient detail to demonstrate that the proposed effluent disposal system complies with AS1547-2000 and *Environment & Health Protection Guidelines: Onsite Sewage Management for Single Households (1998)*.
- 11. Water and Sewerage Section 68 approval required**
Prior to the issue of a Construction Certificate approvals under Section 68 of the Local Government Act 1993 to carry out water supply work and sewerage work shall be obtained from Council.

All water and sewer design shall be endorsed by the Manager of Macleay Water.

12. **On-site stormwater detention approval required**
Stormwater drainage is to be designed to direct all water to a Council approved drainage system at pit HHP J34 to prevent discharge runoff onto adjoining land. The drainage system is to be designed for 1 in 20 year storm event. On-site stormwater detention is required, restricting stormwater discharge to the pre-development runoff rate, for a 1 in 5 year storm event. This system must be designed in accordance with AS/NZS 3500.3:2003 - *Plumbing and drainage, Part 3: Stormwater drainage*. The design is to ensure all stormwater onsite is accounted for, including runoff from both units, the shed, and the driveway. All piped drainage lines over adjoining land are to be located within drainage easements. All costs are the responsibility of the proponent.

An approval is to be obtained under Section 68 of the Local Government Act 1993 to *carry out stormwater drainage work*.

The engineering plans and specifications are to be designed by a qualified practising Civil Engineer. The Civil Engineer is to be a corporate member of the Institution of Engineers Australia or is to be eligible to become a corporate member and have appropriate experience and competence in the related field.

Engineering plans and specifications are to be submitted in triplicate and must include details in accordance with Appendix C of AS/NZS 3500.3:2003 - *Plumbing and drainage, Part 3: Stormwater drainage*.

The plans must be in compliance with Council's Adopted Engineering Standard.

13. **Compliance with BASIX Certificate**
The Principal Certifying Authority (PCA) is to ensure that the proposed development is constructed in accordance with the requirements of BASIX Certificate 262146M, dated 7 August 2009. 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.

14. **Sediment and erosion measures required**
The application for a Construction Certificate is to include plans and specifications that indicate the measures to be employed to control erosion and loss of sediment from the site. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises must be undertaken through the installation of erosion control devices such as catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams, and sedimentation basins. Stabilisation of any cut or filled area using endemic grass species is to be undertaken as soon as practically possible. The sediment and erosion control plan is to be designed

in accordance with the requirements of the Landcom Blue Book, "Soils and Construction -Managing Urban Stormwater".

The sediment and erosion control plan is to be prepared by a qualified practising Civil Engineer. The Civil Engineer is to be a corporate member of the Institution of Engineers Australia or is to be eligible to become a corporate member and have appropriate experience and competence in the related field.

The plans must be in compliance with Council's current Council's Adopted Engineering Standard. Such plans and specifications must be approved as part of the Construction Certificate.

15. Contribution to be paid towards provision or improvement of amenities or services prior to the issue of a Construction Certificate.

The particulars of the contributions levied pursuant to Section 94 of the Act are set out in the following table:

The specific public amenity or service in respect of which the condition is imposed.	The contributions plan under which the condition is imposed	Date of contributions plan
Outdoor Recreation	Outdoor Recreation 2001	September 2001
Section 94 – Project Administration	Project Administration	10 August 2007

The above plans may be viewed during office hours at the Council Customer First Centre located at 22 Tozer Street West Kempsey.

Contributions set out in the following Schedule are to be paid to Council prior to the issue of a Construction Certificate. The following contributions are current at the date of this consent. The contributions payable will be adjusted in accordance with the relevant plan and the amount payable will be calculated on the basis of the contribution rates that are applicable at the time of payment. The contribution rates for specific dates are available from Council offices during office hours. Payments will only be accepted by cash or bank cheque.

Schedule of Contributions pursuant to Section 94 of the Environmental Planning and Assessment Act 1979

Public amenity or service	Unit type	No. of Units	Contribution Rate (Amount per Unit)	Contribution Levied	Date until which Contribution rate is applicable
Outdoor Recreation	ET	1	\$549.00	\$549.00	30 Jun 2010
Subtotal				\$549.00	
S94 Administration	6% of total Section 94 charge applicable			\$32.90	30 Jun 2010
TOTAL				\$581.90	

- 16. Application for a Certificate of Compliance**
Submission of an application for a Certificate of Compliance pursuant of Section 305 of the Water Management Act 2000 and the lodgement of a Certificate of Compliance indicating that the requirements of Section 306 of the Water Management Act 2000 have been met, prior to the issue of the Construction Certificate.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH PRIOR TO ANY BUILDING OR CONSTRUCTION WORKS COMMENCING

- 17. Date of Commencement**
Council shall be notified of the commencement of works not less than two (2) days prior to any works commencing. The two (2) day notification to Council must be in writing and specify the date of commencement.
- 18. Public liability insurance**
The developer and/or contractor must produce evidence to the Principal Certifying Authority of public liability insurance cover for a minimum of \$10 million. Council is to be nominated as an interested party on the policy.
- 19. Plumbing Permit**
The plumber must obtain a Plumbing Permit at least two (2) working days prior to commencing work in accordance with the Local Government Act and the NSW Code of Practice for Plumbing and Drainage. The proponent must ensure the plumber has obtained a Plumbing Permit prior to commencing work on the site.
- 20. Site construction sign required**
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;
 - 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.

- 21. Erosion & sediment measures in accordance with the approved Erosion and Sediment Control Plan**
Erosion and sedimentation controls are to be in place in accordance with the approved Erosion and Sediment Control Plan.

Additionally the enclosed sign, to promote the awareness of the importance of maintenance of sediment and erosion controls, is to be clearly displayed on the most prominent sediment fence or erosion control device for the duration of the project.

Note: Council may impose on-the-spot fines of up to \$600 for non-compliance with this condition.

22. Toilet facilities

Toilet facilities are to be provided, at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be a toilet connected to an accredited sewage management system approved by the Council.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH DURING CONSTRUCTION

23. Construction times

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.

24. Limiting construction noise

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 20 dB(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 10 dB(A).**

25. Construction dust suppression

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; and**
- d. erect green or black shade-cloth mesh or similar products 1.8m high around the perimeter of the site and around every level of the building under construction.**

26. Survey of building floor height required

A survey certificate prepared by a registered surveyor is to be submitted to the Principal Certifier upon completion of the floor slab formwork, before concrete is poured, to ensure the building will be constructed in accordance with the development consent.

27. Glazing requirements

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.

Windows must be constructed to comply with Australian Standard AS 1288 or Australian Standard AS 2047. Written certification must be submitted to Council 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.

28. Plumbing Standards and requirements

All Plumbing, Water Supply and Sewerage Works are to be installed and operated in accordance with the Local Government Act 1993, the NSW Code of Practice for Plumbing and Drainage and AS/NZS 3500 Parts 0-5, the approved plans (any notations on those plans) and the approved specifications.

29. Builders rubbish to be contained on site

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.

30. Maintenance of sediment and erosion control measures

Sediment and erosion control measures must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.

Note: Council may impose on-the-spot fines of up to \$600 for non-compliance with this condition.

Demolition

31. Removal of asbestos

All asbestos wastes associated with demolition/renovation works are to be disposed of in accordance with the requirements of the Workcover Authority. The applicant/owner is to produce documentary evidence that this condition has been met. Council requires 48 hours notice prior to disposal at Council's waste depot.

32. Standards for demolition work

All demolition works are to be undertaken in accordance with the provision of Australian Standard AS 2601-2001 *The Demolition of Structures*. Prior to demolition, all services are to be disconnected and capped off.

No work is to be commenced in regard to the demolition or removal of the building until such time as the appropriate fees for disconnection of water and sewerage services are paid to Council where such services are no longer required. The sewer drainage system is to be appropriately sealed to prevent ingress of water and debris into the Council's main. Arrangements are to be made with Council for the withdrawal of the garbage services and collection of the waste bins.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH PRIOR TO OCCUPATION OF THE BUILDING

- 33. Works to be completed**
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.
- 34. Sewer and water to be connected**
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.
- 35. Rainwater tank requirements**
Rainwater tank/tank-stand installations are to be structurally sound, and in accordance with manufacturers detail and/or Guidelines for Plumbing Associated with *Rainwater Tanks in Urban Areas*. Overflow from the tank is to be diverted to the existing stormwater system, or disposed of in a manner not to cause nuisance to neighbouring properties or degradation of land.
- 36. Fire detection and alarm system required**
A fire detection and alarm system must be installed and maintained within the building. Such system must comply with the Building Code of Australia (BCA) Part 3.7.2.2 requirements for a Class 1b building.
- 37. Site to be landscaped**
The site must be landscaped in accordance with the approved landscape plan, including stabilisation of any cut or filled area using endemic grass species as soon as practically possible.

In additional to the vegetation to be planted as per the approved landscape plan, one (1) paper bark species endemic to the area is to be planted within the property. The tree to be planted shall have advanced growth, being a minimum of 45 litres in pot size. The plant shall be planted prior to the issue of an Occupation Certificate
- 38. Submission of an arborists report prepared by a suitable qualified person indication the means of ensuring that the proposed building and hardstand areas will not result in damage to any trees on site, including root zones.**
- 39. Rectification of any damages**
The final Occupation Certificate will not be issued until Council is satisfied that all infrastructure is maintained/repared to pre development conditions and that no further work is to be carried

out that may result in damage to Council's roads, footpaths etc. Evidence is to be provided to Council indicating the pre development condition of the surrounding public land and infrastructure. Such evidence must include photographs. The proponent will be held responsible for the repair of any damage to roads, kerb and gutters, footpaths, driveway crossovers or other assets caused as a result of construction works under this consent.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH AT ALL TIMES

40. NSW Rural Fire Service

The following conditions have been imposed by the NSW Rural Fire Service under the integrated development provisions of the Environmental Planning and Assessment Act, 1979 and the Rural Fire Act 1997.

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of building are below critical limits and to prevent direct flame contact with a building.

1. At the commencement of building works and in perpetuity the property around the building shall be managed as follows as outlined within Section 4.1.3 and Appendix 5 of "Planning for Bushfire Protection 2006" and the NSW Rural Fire Service's document "Standards for Asset Protection zones":

- The whole property should be maintained as an inner protection area, in perpetuity of the development.

The intent measure is to provide sufficient space for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants.

2. To allow for emergency service personnel and residents to undertake property protection activities, a defensible space that permits unobstructed pedestrian access is to be provided around the building.

Water and utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

- Reticulated or bottled gas is to be installed and maintained in accordance with *Australian Standard AS/NZS 1596-2002: The Storage and Handling of LP Gas* and the requirements of the relevant authorities. Metal piping is to be used.

Access

The intent of measures for property access is to provide safe access to/from the public road system for fire fighters providing

property protection during a bush fire and for occupants faced with evacuation.

3. Property access roads shall comply with Section 4.1.3 (2) of "Planning for Bush Fire Protection 2006". The property access is to be suitable for fire-fighting vehicle movements being not less than six (6) metres wide with a head-clearance of four (4) metres.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack.

- New construction shall comply with *Australian Standard AS 3959-1999* "Construction of Bushfire Protection 2006".

4. All fencing shall be non-combustible.

Landscaping

5. Landscaping of the site is to comply with the principals of Appendix 5 of "Planning for Bush Fire Protection 2006".

6. Maintain cleared building perimeter for fire fighting purposes

To allow for emergency service personnel and residents to undertake property protection activities, a defensible space that permits unobstructed pedestrian access is to be provided around the building.

ADVICE:

- a) Contributions for Water and Sewer Services prior to this issue of a Certificate of Compliance
Contributions set out in the following table are to be paid to Council prior to the issue of a Certificate of Compliance. Contributions are levied in accordance with Council's Kempsey Shire Council Macleay Water DSP for Water & DSP Sewage Services dated July 2006. The Plans may be viewed during office hours at Council's Offices.

The contributions payable will be adjusted in accordance with relevant plan and the amount payable will be calculated on the basis of the contribution rates that are applicable at the time of payment. Payments will only be accepted by cash or bank cheque.

The Certificate of Compliance under Section 306 of the Water Management Act 2000, identifying payment of the contributions, is to be provided to the Principal Certifying Authority.

Public service	No. of Equivalent Tenements	Contribution Rate (Amount per ET)	Contribution Levied	Date until which Contribution rate is applicable
Water	1 ET	\$8,146	\$8,146	30 Jun 2010

Public service	No. of Equivalent Tenements	Contribution Rate (Amount per ET)	Contribution Levied	Date until which Contribution rate is applicable
Sewer	1 ET	\$6,872	\$6,872	30 Jun 2010
TOTAL			\$15,018	

- b) **Shed not used for human habitation**
The shed must not be used for human habitation, commercial or industrial purposes.

A DIVISION ON THE FOREGOING DECISION RESULTED IN THE FOLLOWING;

F = Voted For
A = Voted Against

Bowell	F	Campbell	F	Green	F	Hayes	F	Saul	F	Snowsill	F	Sproule	F
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URGENT TELECOMMUNICATIONS TOWER
LATE 157 YARRABEE ROAD, KUNDABUNG
BUSINESS FILE: T6-09-343

2010. 63 RESOLVED: *Moved: Cl. Green*
Seconded: Cl. Hayes

1. That this item be dealt with at this council meeting as it is deemed by the Mayor to be urgent business and a determination on this application is needed urgently.
2. That while this matter was listed for a Works Committee inspection, due to the urgent nature that the inspection be by way of council viewing the site at this meeting through aerial photographs available on google earth.

2010. 64 RESOLVED: *Moved: Cl. Green*
Seconded: Cl. Hayes

That development application T6-09-343 be approved subject to the conditions prescribed below:

PARAMETERS OF THIS CONSENT

1. **Development is to be in accordance with approved plans.**

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

Plan No. / Supporting Document	Version	Prepared by	Dated
Site Detail Survey	-	Sureline Geomatics Spatial Solutions	12 October 2009
Site Access and Locality Plan	-	Sureline Geomatics Spatial Solutions	12 October 2009
Site Setout Plan	-	Sureline Geomatics Spatial Solutions	12 October 2009
Site Elevation Plan	-	Sureline Geomatics Spatial Solutions	12 October 2009

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. **Compliance with Building Code of Australia**
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.

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.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE FOR BUILDING WORKS

3. This consent does not permit commencement of any works
This consent does not permit commencement of any works. Works are not to commence until such time as a Construction Certificate has been obtained and the appointment of a Principal Certifying Authority.
4. **Engineer's details**

Structural Engineer's Details for the lattice tower, all antennas, the maintenance shed, the reinforced concrete slab and all cut and fill are to be submitted to Council prior to the issue of a Construction Certificate.

5. Geotechnical Report required – Engineering Works

A certificate from a professional Geotechnical Engineer is to be provided to the Principal Certifying Authority, certifying that:

- **the design of the civil engineering works, including retaining walls and/or cut & fill batters, has been assessed as structurally adequate in accordance with the relevant Australian Standards;**
- **the civil engineering works will not be affected by landslip or subsidence either above or below the works;**
- **adequate drainage has been provided with appropriate considerations given to groundwater constraints.**
- **that the fill will be suitable for its intended purpose of building works.**

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH PRIOR TO ANY BUILDING OR CONSTRUCTION WORKS COMMENCING

6. Date of Commencement

Council shall be notified of the commencement of works not less than two (2) days prior to any works commencing. The two (2) day notification to Council must be in writing and specify the date of commencement.

7. Site construction sign required

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;**
- 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.

8. Erosion & sediment measures in accordance with the approved Erosion and Sediment Control Plan

Erosion and sedimentation controls are to be in place in accordance with the approved Erosion and Sediment Control Plan.

Additionally the enclosed sign, to promote the awareness of the importance of maintenance of sediment and erosion controls, is to

be clearly displayed on the most prominent sediment fence or erosion control device for the duration of the project.

Note: Council may impose on-the-spot fines of up to \$600 for non-compliance with this condition.

9. **Toilet facilities**
Toilet facilities are to be provided, at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be a toilet connected to an accredited sewage management system approved by the Council.
10. **Public liability insurance**
The developer and/or contractor must produce evidence to the Principal Certifying Authority of public liability insurance cover for a minimum of \$10 million. Council is to be nominated as an interested party on the policy.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH DURING CONSTRUCTION

11. **Construction times**
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.
12. **Limiting construction noise**
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 20 dB(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 10 dB(A).
13. **Construction dust suppression**
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 shade cloth mesh or similar products 1.8m high around the perimeter of the site and around every level of the building under construction.

14. Builders rubbish to be contained on site
 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.

15. Maintenance of sediment and erosion control measures
 Sediment and erosion control measures must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.

Note: Council may impose on-the-spot fines of up to \$600 for non-compliance with this condition.

16. No filling around trees
 No soil or fill material is to be placed within the drip-line of a tree so as to cause changes in surface level by more than 50mm from the existing level and such soil is not to be compacted. Such soil fill must not be finer than that being covered in situ, e.g. clay must not be placed over loam soil.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH AT ALL TIMES

17. Demolition of tower upon decommissioning
 At the completion of the life of the tower (decommissioning of the tower and associated infrastructure) the development will be dismantled or demolished and removed in full from the subject site.

A DIVISION ON THE FOREGOING DECISION RESULTED IN THE FOLLOWING;

F = Voted For
A = Voted Against

Bowell	F	Campbell	F	Green	F	Hayes	F	Saul	F	Snowsill	F	Sproule	F
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