



<b>Plan No./ Supporting Document</b>	<b>Version</b>	<b>Prepared by</b>	<b>Dated</b>
<b>Site Plan B</b>	-	<b>DEX Consulting Pty Ltd</b>	<b>11 / 3 / 10</b>
<b>Floor Plan</b>	-	<b>DEX Consulting Pty Ltd</b>	<b>11 / 3 / 10</b>
<b>Side Elevations</b>	-	<b>DEX Consulting Pty Ltd</b>	<b>11 / 3 / 10</b>
<b>Elevations B</b>	-	<b>DEX Consulting Pty Ltd</b>	<b>11 / 3 / 10</b>

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 shall be kept on site at all times while work is being undertaken.

- 2 **Design Changes: Amended plans required**  
The design of the development is to be modified as set out in the following table. Amended plans and specifications incorporating the following design amendments shall be incorporated in the plans and specifications submitted with the application for a Construction Certificate:

<b>Design Amendment</b>	<b>Reason for Amendment</b>
(a) Remove from the floor plan laundry and kitchen facilities including any plumbing that would make conversion achievable.	To bring the proposal into compliance with Council's Flood Risk Management Policy

- 3 **Compliance with Building Code of Australia**  
The proposed works must comply with the Building Code of Australia.
- 4 This consent does not permit commencement of any works  
This consent does not permit commencement of any works. Works shall not 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 **Structural Certificate for design – BCA**  
Prior to the issue of a Construction Certificate, structural details and a Structural Certificate for Design by a qualified practicing structural engineer and in accordance

with Clause A2.2 (a)(iii) of the Building Code of Australia (applicable to Class 2-9 buildings) and Clause 1.2.2 (iii) of Volume 2 of the BCA (applicable to Class 1 and 10 buildings) must be submitted to the satisfaction of Council (where Council is the Certifying Authority).

**6 Flood Planning Level for new buildings – structural certification required**

The application for a Construction Certificate is to include plans and specifications that indicate the building has been designed so that all structural members will be capable of withstanding flood forces and the impact of any flotsam (carried by floodwaters) likely to occur for a range of floods up to and including the probable maximum flood estimated for the site. (Refer to the NSW Government's Floodplain Management Manual for guidance on structural design of buildings in flood prone areas). Velocities to be adopted for the calculation of forces created by flood waters and debris loading are to be at least three (3) times the velocities determined in Council's current Flood Management Study for a 1:100 year flood. For the purpose of this assessment the 1 in 100 year flood level may be assumed to be 4.55m AHD.

The plans and specifications are to be prepared by a suitably qualified and practising engineer. Such plans and specifications must be approved as part of the Construction Certificate.

**7 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 No. 303954S, dated 31 March 2010. The Plans submitted for approval with the Construction Certificate shall 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.

**8 Acid sulfate soil assessment required**

A Construction Certificate shall not be issued until an acid sulfate soil assessment has been undertaken, the assessment has been submitted to Council for approval and Council has approved any measures needed for the management of those soils. This assessment shall be in accordance with *Development Control Plan No. 30 – Acid Sulfate Soils* and the *Acid Sulfate Soil Manual (NSW ASSMAC 1998)*.

**9 Water Supply Section 68 approval required**

An approval under Section 68 of the Local Government Act 1993 to carry out water supply work shall be obtained from Council. All water design shall be endorsed by the

**Manager of Macleay Water.**

- 10 On-site sewage management facility Section 68 approval required**  
Prior to the issue of a Construction Certificate, an approval under Section 68 of the Local Government Act 1993 for on-site effluent disposal shall be obtained from Council. The application is to include details and plans of the upgrading of the existing treatment unit and disposal area, allowing for the increased capacity of five (5) bedrooms. The proposal is to comply with the requirements of Australian Standard *AS 1547-2000: On-site Domestic-Wastewater Management* and any other relevant guidelines.
- 11 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**

- 12 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.
- 13 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.
- 14 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) m<sup>2</sup>.

- 15 Erosion and sediment measures in accordance with Councils guidelines**  
Erosion and sedimentation controls are to be in place in accordance with the Council's adopted standard.

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

- 16 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**

- 17 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.

- 18 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).
- 19 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 buildings ground floor level will be constructed at or no more than 100mm above 5.05 metres AHD in

accordance with the development consent.

- 20 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.
- 21 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.
- 22 Maintenance of sediment and erosion control measures**  
Sediment and erosion control measures must be maintained at all times in accordance with Council's adopted standard 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.**

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

- 23 Water to be connected**  
Water supply shall be connected to the premises in accordance with the approval granted under Section 68 of the *Local Government Act 1993*.
- 24 Rural stormwater disposal**  
Stormwater shall be collected and disposed of in a controlled manner such that stormwater flows are:
- a clear of buildings and infrastructure;
  - b clear of effluent disposal areas;
  - c not concentrated so as to cause soil erosion;
  - d not directly to a watercourse; and
  - e not onto adjoining land.
- 25 On-site effluent management system must be completed**  
The on-site effluent management system shall be completed in accordance with approved plans and current specifications and standards. The system shall not be used and/or operated until a Council Officer has inspected the system and authorised its use.
- 26 Fire detection and alarm system required**  
A fire detection and alarm system shall 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.

- 27 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.
- 28 Rectification of any damages**  
The final Occupation Certificate will not be issued until Council is satisfied that all infrastructure is maintained/repaired 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.
- 29. Occupation Certificate to be submitted**  
An Occupation Certificate must be obtained from the Principal Certifying Authority and a copy submitted to Council prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

**C That in the event the specified amended plans are not received within 14 days of Council's written request or written advice of the applicants intention to submit the amended plans, that the application be refused for the following reasons:**

- 1 The proposal is contrary to the objectives of Council's Flood Risk Management Policy which seeks to minimise potential impacts of flooding by restricting additional dwellings on flood prone land.**
- 2 The proposal is likely to create an undesirable precedent resulting in an unacceptable risk to life due to the increased demand on limited emergency services resources, due to a lack of a suitable evacuation route.**
- 3 The applicant has failed to demonstrate that a variation to Council's Policy is in the public interest, having regard to the circumstances of the case.**

**MOVED:**

*Moved: Cl. Hayes  
Seconded: Cl. Powell*

**That this matter be deferred until clarification is made and councillors are better informed.**

**The MOTION was PUT to the Meeting and was LOST.**

**MOVED:**

*Moved: Cl. Campbell  
Seconded: Cl. Gribbin*

**A That consent be granted subject to the following conditions:**

**PARAMETERS OF THIS CONSENT**

- 1 Development is to be in accordance with approved plans  
The development shall 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.**

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- 28. Occupation Certificate to be submitted**  
An Occupation Certificate must be obtained from the Principal Certifying Authority and a copy submitted to Council prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.
- 29 That payment of contributions be required in accordance with Council's Section 94 and Section 64 Contribution Plans and Council's Developer Servicing Plan.**

An Amendment was **MOVED**:

*Moved: Cl. Green  
Seconded: Cl. Hayes*

That the Director's recommendation be adopted.

The **AMENDMENT** was **PUT** to the Meeting and was **LOST**.

A Division resulted in the following votes.

**F = Voted For**  
**A = Voted Against**

Bowell	<b>A</b>	Campbell	<b>A</b>	Green	<b>F</b>	Gribbin	<b>A</b>	Hayes	<b>F</b>	Saul	<b>A</b>
Snowsill	<b>A</b>	Walker	<b>A</b>								

**2010. 246 The MOTION was PUT to the MEETING and was CARRIED.**

A Division resulted in the following votes.

**F = Voted For**  
**A = Voted Against**

Bowell	<b>A</b>	Campbell	<b>F</b>	Green	<b>A</b>	Gribbin	<b>F</b>	Hayes	<b>A</b>	Saul	<b>F</b>
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Snowsill	F	Walker	F
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**Councillor Hayes lodged a notice of rescission in relation to the forgoing resolution.**

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