



MINUTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL

25 September 2012 commencing at 9.02am.

1.1 Proposed Drag Racing at Kempsey Airport File: T6-10-232

1412	RBP
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SUMMARY

Reporting that Council has received a Development Application for drag-racing at the Kempsey Airport for which objections have been received.

Applicant: Four Aces Drag Racing Club Incorporated
 Subject Property: Lot 1 DP1144474, Airport Road, Aldavilla
 Zone: 1(a1) (Rural "A1" Zone)

2012. 281 RESOLVED: *Moved: Cl. Green
Seconded: Cl. Williams*

A That consent be granted subject to the following conditions:

PARAMETERS OF THIS CONSENT

- 1 This consent permits the use of the Airport to conduct one (1) only event. This consent is valid for a period of two years from the date of consent. A separate application will be required to conduct any additional event.**
- 2 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.**

Plan No./ Supporting Document	Version	Prepared by	Dated
Layout Plan (Project No. 1855/11) Sheet No. S01 in set [01]	Issue 2	Dennis Partners	20/04/11

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.

- 3 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 of the EPA Regulation 2000, 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 The event approved under the terms of this consent is limited to a single drag racing event, being not more than one (1) day only.**

The event is restricted to be between 9:00am and 3:30pm. A noise free period between 12.00noon to 1.00pm shall be observed.

All buildings (temporary or otherwise) and/or works associated with the development are to be removed from the land immediately upon the expiration of this period, up to a maximum of two (2) days after the event. The event operator must return the landform of the subject land to the predevelopment state and suitably re-vegetate and regrade the land.

- 5 Any vehicle participating in any racing event or accessing the airport runway for any reason must be a C-Class vehicle road registered by the NSW Roads & Maritime Service (RMS).**

Vehicles which are not C-Class or do not hold a current RMS road registration (such as purpose built dragsters) are permitted on the site for the purpose of visual display (i.e. "show and shine") events only.

- 6 A separate application is to be submitted to, and approved by, Council prior to the erection of any advertisements or advertising structures, other than those approved by this consent or permitted without the consent of Council.**

- 7 Council shall be notified in writing of the proposed date of the drag racing event not less than three (3) months prior to the drag racing event. The event shall not proceed unless Council has provided its written agreement that all relevant conditions of this consent have been met and that the nominated date is acceptable.**

- 8 Prior to the commencement of the drag racing event, evidence shall be provided to Council indicating that public liability insurance cover for a minimum of \$20,000,000 has been obtained. Council shall be nominated as a co-insured party on the policy and must provide its written agreement confirming that Council is adequately covered against any claim for liability, prior to agreeing to permit the event to proceed.**

- 9 Submission of a detailed Plan of Management (in a single document) to Council not less than three (3) months prior to the nominated date of the event incorporating the means of complying with all conditions of consent including the following:**

- a) **An Event Management Plan including the installation, operation and decommissioning providing for the following:**

- i) **Measures to prevent potential conflict with aircraft and air traffic, whether taking off or landing, ensuring aircraft and air traffic is given priority. In this regard, it will be necessary to provide the written advice from Civil Aviation Safety Authority (CASA) that such measures are satisfactory.**
- ii) **Details of how the event will be managed, including how the races are to be conducted and how it is proposed to protect the safety of competitors, officials and spectators. In this regard it will be necessary to provide the written advice from Australian National Drag Racing Authority (ANDRA) that such measures are satisfactory.**
- iii) **Details of spectator management measures, including provision of adequate portable toilet facilities (not less than 15), security, traffic and parking control, seating, first aid, provision of drinking water, lost children, etc.);**
- iv) **Details of Vendor and stall management including exact numbers and locations, including the written advice of the NSW Food Authority that all relevant requirements have been met. The applicant/proponent shall ensure that stalls selling food comply with the requirements of the "Food Handling Guidelines for Temporary Events". This includes the free drinking water which is to be provided by the event operator.**
- v) **Any drinking water shall comply with *Australian Drinking Water Guidelines* and the *Food Act 2003*. Specific details on the supply and/or bottling of the water shall be provided to and approved by Council prior to the commencement of the event;**
- vi) **Proof of receipt of all licenses and approvals from other agencies and organisation; and**
- vii) **A contingency plan in the event of heavy rain.**
- viii) **Details indicating that access and facilities for persons with disabilities are in accordance with AS 1428.1 - *Design for Access and Mobility* and Part D3 of the *Building Code of Australia*.**
- ix) **Details of the means of ensuring that the maximum number of spectators is limited to not more than two thousand (2,000) people.**
- x) **Details of the means of separating spectators from other areas or the airport.**
- xi) **Details on the keeping of a complaints register which shall be kept and maintained by the proponent/applicant and be available for viewing by an Authorised Officer of Council upon request. All complaints must be recorded in the register and must include relevant details such as the nature of the complaint, time, date and person making the**

complaint and contact details of person making the complaint.

- xii) Details of the number and location of security staff.

AND

b) An Emergency Management Plan endorsed by ANDRA detailing emergency measures (including preventative and response) for not less than the following emergency situations:

- i) Injury (both minor and serious) to any person (including competitors, spectators, staff and volunteers) and First Aid;
- ii) Accidents/crashes of vehicles during races;
- iii) Spillage and clean-up procedures for all fuels, oils and any other chemicals stored on the site;
- iv) Localised fire and explosion (i.e.: car fires, oil and fuel fires, stall fires, garbage fires, etc., and explosions whether or not resulting from such fires);
- v) Bush fire in accordance with *Planning for Bushfire Protection 2006*; and
- vi) Storage of fuel including design and installation of any fuel tanks and their bunding/spill containment in accordance with AS1940, AS4452, and the requirements of the NSW WorkCover Authority.
- vii) The Emergency Management Plan shall provide for the following emergency services to be onsite for the duration of the event:
 - NSW Police Force;
 - Ambulance Service of NSW;
 - NSW Rural Fire Service.

AND

c) A Waste Management Plan prepared in accordance with the Department of Environment and Conservation guidelines *Waste Wise Events Guide*. The plan must incorporate:

- i) Measures to separate recyclable materials and describe the methods for collection of waste containers from the site;
- ii) Measures to address post-event waste management on the runway to remove any foreign objects; and
- iii) Measures to address post-event waste management within the road reserves of Old Aerodrome Road and Airport Road.

- iv) **Details for an on-site garbage storage area to be located so as to be readily accessible from within the site and serviceable by the waste collector from the adjoining road.**

AND

- d) **A Traffic Management Plan prepared by a suitably qualified person and endorsed by the Local Traffic Committee, detailing the proposed treatment of traffic at the following intersections:**

- i) **Armidale Road / Sherwood Road intersection;**
- ii) **Sherwood Road / Old Aerodrome Road intersection;**
- iii) **Sherwood Road / Airport Road intersection;**
- iv) **Old Aerodrome Road driveway into the site; and**
- v) **Airport Road driveway into the site.**

- e) **The Traffic Management Plan must have consideration for:**

- i) **The "Special Events Transport Management Plan" requirements of the RTA's "Guide to Traffic & Transport Management for Special Events, Ver.3.4, 2006" for a Class 3 event;**
- ii) **Local traffic not associated with the drag racing event;**
- iii) **Method of restricting parking on Council's road reserves in the area;**
- iv) **The impacts of the traffic increase based on the maximum number of patrons permitted to attend the event, being 2000 spectators plus competitors and officials;**
- v) **Variances in treatments dependant on time of day (i.e. traffic heading towards the airport in the morning and back towards Kempsey in the afternoon); and**
- vi) **Appropriate signage to advise road users of the event and subsequent changes in traffic conditions.**

AND

- f) **A Carparking Management Plan prepared by a suitably qualified person detailing:**

- i) **Vehicular access;**
- ii) **Parking arrangements;**
- iii) **Turning circles/manoeuvring within the site in accordance with AS2890.1;**
- iv) **Provisions for direction by marshals on the day; and**

- v) **Methods of ensuring all spectator, participant and staff vehicular parking is confined to the parking area within the site and not on either Airport Road or Old Aerodrome Road.**

AND

- g) **A Noise Monitoring Plan prepared by a suitably qualified person detailing:**
 - i) **The method for determining background noise levels and operational noise levels at the closest affected residences on Airport Road and Old Aerodrome Road.**
 - ii) **The means for ensuring engine tuning, warm-up and/or revving of vehicle engines will be strictly controlled and limited to that required for each upcoming race only with no running or revving of engines for show or display purposes.**
 - iii) **The means for ensuring that all competing vehicles have mufflers which meet the Confederation of Australian Motor Sport noise specification and that the noise levels generated by each competing vehicle meets Australian National Drag Racing Association noise limits.**
 - iv) **The means for ensuring that the use and operation of the Public Address (P.A.) system is limited to announcements about race events and emergency/procedural announcements only.**
 - v) **Provisions for a noise report prepared by a suitably qualified person which details the results of the noise monitoring conducted during the event to be forwarded to Council within twenty-eight (28) days after the event.**

The event shall not proceed unless Council has provided its written advice that the Plan of Management is satisfactory.

The event shall be strictly in accordance with the approved Plan of Management.

- 10 Prior to the commencement of the drag racing event a Dilapidation Report prepared by a suitably qualified person shall be provided to Council detailing the pre-event condition of the runway pavement, wearing course, associated infrastructure north-east of the taxiway, access point off Old Aerodrome Road, main Airport access road, terminal parking area, spectator parking area and competitor staging area. The report shall include photographs. This report shall have regard in particular (but not limited to) the existing state of the grooves in the AC pavement and the existing smoothness for the existing runway. This report shall be prepared at no cost to Council.**
- 11 Within fourteen (14) days of the event a Dilapidation Report prepared by a suitably qualified person shall be provided to Council detailing the post event condition of the runway pavement, wearing course, associated infrastructure north-east of the taxiway, access point off Old Aerodrome Road, main Airport access road, terminal parking area, spectator parking area and competitor staging area. The report shall include photographs. This report shall have regard**

in particular (but not limited to) the existing state of the grooves in the AC pavement and the existing smoothness for the existing runway. This report shall be prepared at no cost to Council.

- 12 The proponent shall be responsible for the repair of any damage to the airport runway, any other airport infrastructure, roads, kerb and gutters, footpaths, driveway crossovers or other assets caused as a result of the drag racing event. In this regard, a cash bond of \$250,000 must be paid to Council prior to the commencement of the drag racing event as guarantee against damage to Council land and infrastructure during the drag racing event.

This bond will be held until Council is satisfied that the 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 infrastructure.

- 13 Prior to the commencement of the drag racing event the event manager shall pay the following fees to Council:

- a) Daily rental for the usage of the aerodrome of \$2,000 per event day;
- b) \$500 towards the cost of staff to monitor the event; and
- c) Any other fees required to cover the cost of any Council equipment, including but not limited to, signage, barricades and rubbish bins.

- 14 Prior to the commencement of the drag racing event a physical barrier is to be provided across the full road frontage of the property to Old Aerodrome Road suitable to prevent vehicular access at locations other than the approved driveway. Prior consent for the required works must be obtained from Council pursuant to Section 138 of the *Roads Act 1993* where works within the road reserve are necessary. Any required application is to be submitted to Council not less than 3 months prior to the nominated date of the event.

- 15 All properties immediately adjoining the subject land and within a two (2) kilometre radius which have a dwelling are to be given written notice of the nominated date of the approved event at least four (4) weeks prior to staging of the event. Copies of correspondence are to be provided to Council.

- 16 No burn-outs shall be permitted at any time.

- 17 No alcohol shall be permitted to be possessed or consumed for the duration of the event.

- 18 Any and all temporary structures shall be erected in accordance with any relevant standard and shall be certified by a structural engineer prior to its use.

- 19 Sediment and erosion controls shall be installed in accordance with Council's Guidelines for Sediment and Erosion Control to capture and filter all stormwater draining from all areas disturbed by this event. Energy dissipaters shall be installed to prevent the treated stormwater from souring and eroding the outlet points. These

sediment and erosion controls shall be left in place until all areas are stabilised by vegetation. One all areas have been stabilised these sediment and erosion controls shall be removed at no cost to Council.

- 20 No liquids of other materials shall be applied to the runway at any time. This includes, but is not limited to, any material used to increase or decrease grip or traction, such as chemical traction compounds.

The only exception to this requirement is liquids or materials applied specifically for the purpose of cleaning the surface of the runway (such as sand on oil and fuel spills) and then only strictly in accordance with the approved Emergency Management Plan.

- 21 Any existing tenant of the Airport or any other person accessing the airport for aircraft related purposes shall not be charged for entry, or prohibited entry, to the airport grounds. Such persons must be admitted to the site free of charge. The means of identifying such persons shall be provided to Council not less than 3 months prior to the nominated date of the event.

- 22 Spectators and participants shall be restricted to the hatched area shown on the approved plan marked "mowed area – access permitted". This area shall be physically separated from the remainder of the airport grounds for the duration of the event. No spectators or participants shall be permitted in any other area of the airport at any time.

- 23 Overnight accommodation is not permitted on the site, including camping in tents, cars or otherwise.

ADVICE

- a) There are a number of other authorities from which approval must be gained prior to operating a motorsport event on a public airport, including but not limited to:

- Civil Aviation Safety Authority (CASA);
- Australian National Drag Racing Authority (ANDRA);
- Confederation of Australian Motor Sport (CAMS);
- NSW Government Office of Communities – Sport & Recreation;
- Council's Infrastructure department and its Aerodrome Operation Support (AOS) consultant.

Any action that is needed to gain any such approvals is the sole responsibility of the applicant/event organiser.

- b) Further information and online registration of food stalls and premises can be found at www.foodauthority.nsw.gov.au
- c) Council's agreement to provide owners consent to the lodging of any Development Applications to permit additional future events will be contingent upon compliance with the terms of this consent.

- B That the objectors be notified of Council's decision.**

A Division resulted in the following votes.

F = Voted For
A = Voted Against

Campbell	F	Green	F	Gribbin	F	Kesby	A
Morris	A	Patterson	F	Saul	A	Williams	F

1.2 Two Storey Dwelling File: T6-12-235

1412	RBP
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SUMMARY

Reporting that Council has received an application for a two storey dwelling for which objections have been received.

REPORT DETAILS

Applicant: Mr W & Mrs S Perry
 Subject Property: Lot 95 DP1036461, 2 Grandview Place, South West Rocks
 Zone: 2 (a) (Residential "A" Zone)

Proposed Development

Reporting that a Development Application has been received to build a two storey dwelling for which 3 objections have been received that requires a variation to Council's Height of Buildings Policy.

2012. 282 RESOLVED: *Moved: Cl. Green*
Seconded: Cl. Gribbin

A That Development Application T6-12-235 be approved subject to the following conditions:

PARAMETERS OF THIS CONSENT

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
12-359 SH 1 / 1		Paul Smith Building Design	24 August 2012
12-359 sheets 1/2 and 2/2	A	Paul Smith Building Design	25 August 2012

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 a) 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;
- b) 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 of the EP & A Regulation 2000, 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 Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
- a) In the case of work for which a principal contractor is required to be appointed:
 - i) The name and licence number of the principal contractor; and
 - ii) The name of the insurer by which the work is insured under Part 6 of that Act.
 - b) In the case of work to be done by an owner-builder:
 - i) The name of the owner-builder; and
 - ii) If the owner-builder is required to hold an owner-builder permit under that Act, the numbers of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

- 4 Construction shall comply with Mid Coast Planning for Bush Fire Report dated July 2012 AS3959-2009 (BAL 12.5) 'Construction of Buildings in bushfire prone areas'.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE FOR THE SITE

- 5 A certificate from a professional Geotechnical Engineer is to be provided to the Principal Certifying Authority, certifying that:
- a) 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;
 - b) The civil engineering works will not be affected by landslip or subsidence either above or below the works;
 - c) Adequate drainage has been provided with appropriate considerations given to groundwater constraints.

6 The application for a Construction Certificate is to include plans and specifications that indicate retaining walls or other approved methods of preventing movement of the soil, where any excavation or filled area has been approved via this development consent to exceed 600mm in height. Adequate provision must be made for drainage in the design of the structures.

7 The application for Construction Certificate is to include plans detailing building materials used. Specifically roofing materials must be low tone and non-reflective finish. Such plans and specifications must be approved as part of the Construction Certificate.

8 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. 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.

9 Submit drawings that specify the constructions requirements contained within Midcoast Building and Environmental Bushfire Assessment Report dated July 2012.

Construction of buildings in bushfire-prone areas - further details required. The application for a Construction Certificate is to include details indicating the construction of the building to Level BAL 12.5 construction as defined in AS 3959-2009 - *Construction of buildings in bushfire-prone areas*. In addition, the plans must include the following:

- a) **Window protection;**
- b) **Subfloor space enclosure;**
- c) **Fire-retardant/treated timber species to be used; and**
- d) **Vents and weepholes protection.**

Such plans and specifications must be approved as part of the Construction Certificate.

10 The developer and/or contractor must produce evidence to the Principal Certifying Authority of public liability insurance cover for a minimum of \$20 million. Council is to be nominated as an interested party on the policy.

11 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 State Government Levy and is subject to change.

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

12 Details are to be submitted to Council for approval for the disposal of the excavated material prior to the release of the Construction Certificate.

13 The applicant is to nominate the haulage route for disposal of overburden, including where it is proposed to place the material and submit details to Council prior to release of the Construction Certificate.

14 Submit engineering details of the pre-treatment storm water disposal system prior to issue of the Construction Certificate.

15 Prior to the issue of a Construction Certificate, structural details and a Structural Certificate for Design by a qualified practising structural engineer and in accordance with Part 1.2 (a)(iii) of the Building Code of Australia (applicable to class 1 – 10 building) must be submitted with the construction certificate.

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

16 All care is to be taken to ensure the safety of the public in general, road users, pedestrians and adjoining property. The public liability insurance cover, for a minimum of \$10 million, is to be maintained for the duration of the construction of the development. Council is to be nominated as an interested party on the policy. Council is not held responsible for any negligence caused by the undertaking of the works.

17 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.

- 18 Building work that involves residential building work (within the meaning of the Home Building Act 1989) must not be carried out unless the Principal Certifying Authority:**
- a) In the case of work to be done by a licensee under that Act:**
 - i) Has been informed in writing of the licensee's name and contractor licence number; and**
 - ii) Is satisfied that the licensee has complied with the requirements of Part 6 of that Act, or**
 - b) In the case of work to be done by any other person:**
 - i) Has been informed in writing of the licensee's name and contractor licence number; and**
 - ii) Has been informed in writing of the person's name and owner-builder permit number; or**
 - iii) Has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of that Act, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.**

Note: The amount referred to in paragraph (b) (iii) is prescribed by regulations under the Home Building Act 1989. As at the date on which this Regulation was gazetted that amount was \$5,000. As those regulations are amended from time to time, so that amount may vary.

A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that part.

- 19 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.

- 20 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.**

- 21 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.**

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH DURING CONSTRUCTION

- 22 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).**
- 23 The Design Engineer must supervise the excavation works.**
- 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 a.m. to 6 p.m.**
 - b) Saturday, from 8 a.m. to 1 p.m.**
- No construction work is to take place on Sundays or Public Holidays.**
- 25 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.**
- 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 Sediment and erosion control measures in accordance with the approved Erosion and Sedimentation Control Plan must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.**

28 Measures must be put in place to control stormwater runoff. These control measures must be in place prior to the commencement of works so as to prevent soil erosion and the transport of sediment from the site into either:

- a) Adjoining land;**
- b) Natural drainage courses;**
- c) Constructed drainage systems; or**
- d) Waterways.**

All disturbed areas must be stabilised and revegetated. Turfing or another approved seeding method must be undertaken in each part of the development within seven days of completion of earthworks. Topsoil must be preserved for site revegetation.

29 If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- a) Must preserve and protect the adjoining building from damage;**
- b) If necessary, must underpin and support the building in an approved manner; and**
- c) Must, at least seven days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.**

The owner of the adjoining allotment of land, public road or any other public place is not to be held liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the public road, any other public place or the adjoining allotment of land.

30 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.

31 Water efficient devices, with a AAA rating, must be installed throughout the building, including:

- a) Pressure limiting valves;**
- b) Dual flush toilet systems; and**
- c) Water efficient shower nozzles.**

All new hot water systems are to have a minimum rating of 3.5 stars.

- 32 Survey Certificate is to be submitted prior to completion of floor slabs to determine boundary setbacks.
- 33 Survey Certificate is to be submitted upon completion of the garage floor slab to ensure that the finished floor height is at or below RL 12.5 metres A.H.D.
- 34 Survey Certificate is to be submitted upon completion of the roof framing prior to covering to ensure that the ridge height is at or below RL 20.7 metres A.H.D.

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

- 35 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.
- 36 A driveway is to be constructed from the property boundary to the proposed car space/s in accordance with the approved plans.
- 37 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.
- 38 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 1a building.
- 39 An inspection must be undertaken by the local water authority prior to the covering of the works specified below:
 - a) Sanitary plumbing and drainage;
 - b) Potable water supply plumbing;
 - c) Completion of all plumbing and drainage works;
 - d) Rainwater supply;
 - e) Re-claimed water supply.

The local water supply authority requires a minimum of 24 hours notice to undertake the inspection. You will need to quote your Development Application number and property description to arrange your inspection.

B That the objectors be advised of Council's decision.

A Division resulted in the following votes.

F = Voted For

A = Voted Against

Campbell	F	Green	F	Gribbin	F	Kesby	F
Morris	F	Patterson	F	Saul	F	Williams	F