

IN ATTENDANCE

Councillors W J Polglase (Mayor), L F Beck (Deputy Mayor), Cr G B Bell, M R Boyd, R D Brinsmead, B J Carroll, S Dale, D M Holdom, H James, G J Lawrie, J F. Murray.

Also present were Dr John Griffin (General Manager), Mr Reg Norvill (Executive Manager-Office of the General Manager), Mr Mike Rayner (Director Engineering Services), Mr Noel Hodges (Director Planning & Environment Services), Mr Don Buckley (Director Environment & Community Services), Mr Brian Donaghy (Manager Administration Services/Public Officer) and Mrs Maree Morgan (Minutes Secretary)

PRAYER

The meeting opened with a Prayer by Council's Chaplain, Father Harry Reuss.

*Almighty and everliving God, give wisdom and understanding,
to the members of the Tweed Shire Council.
Teach them in all things to seek first your honour and glory.
May they perceive what is right
have courage to pursue it,
and grace to accomplish it,
through Jesus Christ our Lord. Amen.*

*God our Creator,
when you speak there is light and life.
Fill us with your Holy Spirit
so that we may listen to one another,
speak the truth in love,
and bear much fruit in the service of your kingdom;
through Jesus Christ our Lord. Amen.*

APOLOGIES

Nil.

DISCLOSURE OF INTEREST

Nil.

SUSPENSION OF STANDING ORDERS

294 RESOLUTION:

Councillor H James
Councillor M R Boyd

RESOLVED that Standing Orders be suspended to deal with an unfinished Community Access Item.

Voting - Unanimous

RESUMPTION OF STANDING ORDERS

295 RESOLUTION:

Councillor J F Murray
Councillor G B Bell

RESOLVED that Standing Orders be resumed.

Voting - Unanimous

ITEMS TO BE MOVED FROM ORDINARY TO CONFIDENTIAL - CONFIDENTIAL TO ORDINARY

Nil.

ITEMS DEFERRED

[ID] [OGM] 2004/2008 Management Plan and 2004/2005 Budget

This item is the subject of a further replacement report at Item 1 of this Agenda and was dealt with at Minute No 296.

REPORTS FROM EXECUTIVE MANAGER - OFFICE OF THE GENERAL MANAGER

1 Replacement Report 2004/2008 Management Plan and 2004/2005 Budget

296 RESOLUTION:

Councillor G J Lawrie
Councillor G B Bell

RESOLVED that :-

1. The Draft 2004/2008 Management Plan/Budget be adopted and placed on public exhibition for 28 days from 15 May 2004.
2. The proposed community consultation and feedback process be applied to provide the opportunity for all ratepayers to participate and make submissions.
3. Submissions received be considered by Council at its Meeting of 16 June 2004 with the view to adopting the Management Plan/Budget.
4. An application be made to the Minister for Local Government for a variation to general income of 4% for a period of seven (7) years for the purpose of allocating \$932,000 in the first year, being \$466,000 for sealing rural roads which contain school bus routes and \$466,000 for asset management - improvements to roadworks \$316,000, drainage \$100,000 and footpaths \$50,000.
5. An application be made to the Minister for Local Government for a variation of 0.43% above the allowable limit to raise \$109,000 for a Special Rate in the Casuarina Beach locality.
6. An "*opinion*" in accordance with Section 495(2) of the Local Government Act 1993 has been formed on the Special Rates proposed to be levied in 2004/2005.

AMENDMENT

Councillor M R Boyd
Councillor S M Dale

PROPOSED that:-

1. The Draft 2004/2008 Management Plan/Budget be adopted and placed on public exhibition for 28 days from 15 May 2004.
2. The proposed community consultation and feedback process be applied to provide the opportunity for all ratepayers to participate and make submissions.
3. Submissions received be considered by Council at its Meeting of 16 June 2004 with the view to adopting the Management Plan/Budget.
4. An application be made to the Minister for Local Government for a variation to general income of 2% for a period of seven (7) years for the purpose of allocating \$466,000 in the first year, being \$233,000 for sealing rural roads which contain school bus routes and \$233,000 for asset management - improvements to roadworks \$158,000, drainage \$50,000 and footpaths \$25,000.

The Amendment was **Lost**

Voting For

Cr Boyd
Cr Dale
Cr James

Voting Against

Cr Polglase
Cr Beck
Cr Bell
Cr Brinsmead
Cr Carroll
Cr Holdom
Cr Lawrie
Cr Murray

The Motion was **Carried**

Voting For

Cr Polglase
Cr Beck
Cr Bell
Cr Brinsmead
Cr Carroll
Cr Holdom
Cr Lawrie
Cr Murray

Voting Against

Cr Boyd
Cr Dale
Cr James

ORDERS OF THE DAY

- 1 **[NOR] [DS] Development Application DA03/1851 for Construction of a Public Road and Relocation of a Water Main at Lot 490 DP 47021, Lot 500 DP 727420, Lot 312 DP 755701 Tweed Coast Road, Kingscliff**

NOTICE OF RESCISSION:

297 RESOLUTION:

Councillor M R Boyd
Councillor H James

RESOLVED that Council's resolution at Minute 268 of the meeting held on 5 May 2004 being:

"...that the Council accepts, in principle, Development Application DA03/1851 for the permanent realignment of the road through Lot 490 and requests the Director Planning & Environment brings forward to the next meeting conditions of approval for the consideration of Council."

be rescinded.

RESOLUTION:

Councillor L F Beck
Councillor G B Bell

RESOLVED that an extension of 2 minutes be granted to Councillor G J Lawrie.

Voting - Unanimous

298 RESOLUTION:

Councillor M R Boyd
Councillor B J Carroll

RESOLVED that an extension of 2 minutes be granted to Councillor H James.

Voting For

Cr Polglase
Cr Bell
Cr Boyd
Cr Brinsmead
Cr Carroll
Cr Dale
Cr Holdom
Cr James
Cr Lawrie
Cr Murray

Voting Against

Cr Beck

299 RESOLUTION:

Councillor B J Carroll
Councillor S M Dale

RESOLVED that an extension of 2 minutes be granted to Councillor M R Boyd.

Voting For

Cr Polglase
Cr Bell
Cr Boyd
Cr Brinsmead
Cr Carroll
Cr Dale
Cr Holdom
Cr James
Cr Lawrie
Cr Murray

Voting Against

Cr Beck

The Motion was **Lost**

Voting For

Cr Boyd
Cr Carroll
Cr Dale
Cr Holdom
Cr James

Voting Against

Cr Polglase
Cr Beck
Cr Bell
Cr Brinsmead
Cr Lawrie
Cr Murray

2 [NOR] [ID] [EC] Development Application DA 03/0080 for Construction of a Single Dwelling at Lot 6 DP 577427 No 513 Carool Road, Carool

NOTICE OF RESCISSION:

300 RESOLUTION:

Councillor H James
Councillor S M Dale

RESOLVED that Council's resolution at Minute 270 of the meeting held on 5 May 2004 being:

"...that Development Application DA03/0080 for a single dwelling at Lot 6 DP 577427, No. 513 Carool Road, Carool be approved, subject to the following conditions:

1. a) *The dwelling shall be acoustically treated against intrusive noise from the dog kennels such that the level of intrusive noise does not exceed a measured noise level of 30 dB(A) when measured in any sleeping area, dedicated lounges or other habitable spaces inside the dwelling. For this purpose a minimum noise exposure level of 55 dB(A) (adjusted) at the external wall facing the dog kennels of the dwelling shall be adopted.*

b) *In accordance with Clause 2.1 of the Deed of Compromise:*

- *Excavate the house site so as to reduce its level to the 276 AHD contour line. Details of the location of the house site and the area to be excavated are contained in the plan attached and marked "A".*
- *Construct an earth mound two metres in height, in the area shaded in red on the plan attached and marked "A1", so as to prevent a visual and noise direct line of site from the boarding kennels owned by "Bulke".*
- *Heavily vegetate the mound referred to in "A1" with native trees and vegetation.*
- *Prior to the commencement of construction of the house register a restriction as to user over the title to Lot 6 in deposited plan 577427 in favour of the land owned by "Bulke" a covenant the terms of which will be: "the registered proprietor for the time being of Lot 6 in DP 577427 will make no complaint against the kennels being conducted upon Lot 4 in deposited plan 873622, so long as noise levels measured to Australian Standards 1055 do not exceed 55dba within the approved building envelope at Lot 6 DP 577427."*

2. *The applicant shall be required to provide certified details to and receive approval of Council for the design, type and Sound Transmission Class/ Weighted Sound Reduction Index (STC/Rw) ratings of the construction materials to be used in acoustically treating the dwelling against intrusive noise from the dog kennels prior to the issue of the construction certificate. Mechanical ventilation shall be provided in accordance with the provisions of the Building Code of Australia where necessary to achieve required indoor design noise levels.*
3. *Certification is to be provided to the satisfaction of Council's Director Environment and Community Services from a suitably qualified acoustic engineer certifying that the dwelling has been acoustically treated to prevent intrusive noise from the dog kennels in compliance with the provisions of conditions of approval. Such certification shall be provided prior to the occupation of the dwelling.*

GENERAL

4. *The development shall be completed in accordance with the plans approved by Council and the Statement of Environmental Effects, except where varied by these conditions of consent.*
[GEN0020]
5. *The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia.*
[GEN0120]

6. *The erection of a building in accordance with a development consent must not be commenced until:*
- (a) *a construction certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or an accredited certifier, and*
 - (b) *the person having the benefit of the development consent has:*
 - (i) *appointed a principal certifying authority for the building work, and*
 - (ii) *notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and*
 - (b1) *the principal certifying authority has, no later than 2 days before the building work commences:*
 - (i) *notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and*
 - (ii) *notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and*
 - (b2) *the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:*
 - (i) *appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and*
 - (ii) *notified the principal certifying authority of any such appointment, and*
 - (iii) *unless that person is the principal contractor, notified the principal contractor of any critical stage inspection and other inspections that are to be carried out in respect of the building work.*

[GEN0150]

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

7. *The footings and floor slab are to be designed by a practising Structural Engineer after consideration of a soil report from an accredited soil testing laboratory and shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a construction certificate.*

[PCC0160]

PRIOR TO COMMENCEMENT OF WORK

8. *The building is to be protected from attack by termites by approved methods in accordance with the provisions of Australian Standard AS 3660.1, and:*
- (i) Details of the proposed method to be used are to be submitted to and approved by the Principal Certifying Authority prior to start of works; and*
 - (ii) Certification of the works performed by the person carrying out the works is to be submitted to the PCA; and*
 - (iii) A durable notice must be permanently fixed to the building in a prominent location, such as in the electrical meter box indicating:-*
 - (A) the method of protection; and*
 - (B) the date of installation of the system; and*
 - (C) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and*
 - (D) the need to maintain and inspect the system on a regular basis.*

Note: *Underslab chemical treatment will not be permitted as the only method of treatment unless the area can be retreated without major disruption to the building.*

[PCW0050]

9. *A temporary builder's toilet is to be provided prior to commencement of work at the rate of one (1) closet for every twenty (20) persons or part of twenty (20) persons employed at the site. Each toilet provided must be:-*
- (a) a standard flushing toilet connected to a public sewer, or*
 - (b) if that is not practicable, an accredited sewage management facility approved by the council, or*
 - (c) if that is not practicable, any other sewage management facility approved by the council.*

[PCW0060]

10. **Where prescribed by the provisions of the Environmental Planning and Assessment Amendment (Quality of Construction) Act 2003, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:**
- (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 site is prohibited.*

Any such 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.

[PCW0070]

11. *Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least **2 days** prior to work commencing.*

[PCW0090]

12. *Prior to the commencement of works on the site all required erosion and sedimentation control measures are to be installed and operational to the satisfaction of the Principal Certifying Authority.*

In addition to these measures an appropriate sign is to be clearly displayed on the most prominent position of the sediment fence or erosion control device which promotes awareness of the importance of the erosion and sediment controls provided.

Please note that this sign is to remain in position for the duration of the project.

[PCW0280]

13. *Residential building work:*

(1) *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) *in 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 number of the owner-builder permit.*

(2) *If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (1) 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.*

[PCW0290]

DURING CONSTRUCTION

14. *All building work (other than work relating to the erection of a temporary building) 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).*

[DUR0010]

15. *The builder must provide an adequate trade waste service to ensure that all waste material is contained, and removed from the site for the period of construction.*
[DUR0080]
16. *Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.*
[DUR0130]
17. *The principal certifying authority is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the principal certifying authority via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.*
[DUR0170]
18. *All work associated with this approval is to be carried out so as not to cause a nuisance to residents in the locality from noise, water or air pollution.*
[DUR0870]
19. *Construction site work including the entering and leaving of vehicles is to be restricted to between 7.00 am and 7.00 pm Monday to Saturday and no work on Sundays or public holidays.*
[DUR0900]
20. *All new residential dwellings (and extensions comprising over 50% of the original floor area) are to fully comply with Councils Energy Smart Housing Policy (DCP39). In order to comply with DCP39 consideration must be given to the building envelope, orientation, insulation, ventilation, thermal mass and zoning.*
[DUR1000]
21. *Council is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:*
a. *internal drainage, prior to slab preparation;*
b. *water plumbing rough in, and/or stackwork prior to the erection of brick work or any wall sheeting;*
c. *external drainage prior to backfilling.*
d. *completion of work.*
[DUR1020]
22. A. *A plumbing permit is to be obtained from Council prior to commencement of any plumbing and drainage work.*
B. *The whole of the plumbing and drainage work is to be completed in accordance with the requirements of the NSW Code of Practice for Plumbing and Drainage.*
[DUR1030]

23. *Overflow relief gully is to be located clear of the building and at a level not less than 150mm below the lowest fixture within the building and 75mm above finished ground level.*

[DUR1130]

24. *The finished floor level of the building should finish not less than 225mm above finished ground level.*

[DUR1150]

25. *All new hot water installations shall deliver hot water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding:-*

- * 43.5⁰C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and*
- * 50⁰C in all other classes of buildings.*

A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of works.

[DUR1160]

26. *In the event that Council is not utilised as the inspection/Certifying authority, within seven (7) days of building works commencing on the site a Compliance Certificate in the prescribed form is to be submitted to Council together with the prescribed fee, by the nominated principal certifying authority to certify the following:*

- i. All required erosion and sedimentation control devices have been installed and are operational.*
- ii. Required toilet facilities have been provided on the site.*
- iii. A sign has been erected on the site identifying:*
 - Lot number*
 - Builder*
 - Phone number of builder or person responsible for site.*
- iv. All conditions of consent required to be complied with prior to work commencing on the site have been satisfied.*
- v. That the licensee has complied with the provisions of Section 98(1)(b) of the Environmental Planning and Assessment Amendment Regulations 2000.*

[DUR1200]

27. *Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired to the satisfaction of the Director of Engineering Services prior to the issue of a Subdivision Certificate and/or prior to any use or occupation of the buildings.*

[DUR1210]

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

28. *In the event that Council is not utilised as the inspection/certifying authority, prior to occupation of the building a Compliance Certificate in the prescribed form is to be submitted to Council from the nominated principal certifying authority, together with the prescribed fee, to certify that all work has been completed in accordance with the approved plans and specifications, conditions of Consent and the relevant provisions of the Building Code of Australia.*

[POC0020]

USE

29. *The existing dwelling is not to be used for any habitable purpose on occupation of the new dwelling.*

[USE0060]

30. *The existing dwelling shall be made uninhabitable, on occupation of the new dwelling, by the removal of the kitchen.*

[USENS01]

S68 WASTE TREATMENT DEVICE

31. *The on site sewage management system proposed for the above site is approved subject to the following additional special conditions.*

- i. All sanitary plumbing and drainage work is done in accordance with the requirements of the local sewage authority or the Local Government (Water, Sewerage and Drainage) Regulation 1993. No alterations or additions are permitted without the express approval of Council.*
- ii. All effluent arising from an aerated waste treatment system must not be permitted to discharge into any natural waterway or stormwater drain.*
- iii. A minimum total area of 300 square metres of landscaped area should be provided for the specific purpose of receiving the effluent from the aerated septic tank. Full details of the proposed landscaping plan including; type and depth of soil; retaining and filling; grading; type of shrubs; depth of pinebark; and any other relevant information must be submitted to scale on the site plan. Details of the irrigation system including sizes and types of fittings must also be provided.*
- iv. Effluent from an aerated waste treatment system must not be permitted to discharge into any natural waterway or stormwater drain.*
- v. An aerated waste treatment system must not be installed in such a way that it can contaminate any domestic water supply.*
- vi. All distribution lines of the irrigation system must be buried to a minimum depth of 100mm below finished ground level.*
- vii. All irrigation equipment must be installed in such a way that it will not be readily subject to damage.*
- viii. All irrigation pipework and fittings must comply with AS 2698 Plastic pipes and fittings for irrigation and rural applications; and*
 - a. standard household hose fittings may not be used.*

- b. the irrigation system may not be capable of being connected to the mains water supply.*
- ix. Effluent from aerated waste treatment system must be disposed of under a mulch bed*
- x. The land application area must not be used to grow vegetables or fruit for human consumption.*
- xi. The land application area may be divided into two or more areas.*
- xii. Additional land application areas may be used only with the written prior approval of Council.*
- xiii. Soaker hoses and standard household sprinklers and attachments must not be used for the irrigation of aerated waste treatment systems effluent.*
- xiv. The irrigation system must be operated in such a way as to prevent any run-off of effluent from the land application area.*
- xv. The land application area should be landscaped by terracing and filling or retaining and filling so as to provide a relatively level area to the satisfaction of Council.*
- xvi. All effluent land application areas must be completely prepared or landscaped to the satisfaction of Council before:
 - a. in the case of a new dwelling, occupation of the dwelling*
 - b. in any case, commissioning of the aerated waste treatment system.**
- xvii. Within the effluent irrigation area there must be at least two warning signs that comply with AS1319 and have:
 - a. a green background*
 - b. 20 millimetre high capital lettering in black or white, and*
 - c. the words "RECLAIMED EFFLUENT - NOT FOR DRINKING - AVOID CONTACT"**
- xviii. The aerated waste treatment system unit shall be maintained by a service agent approved by Council."*

be rescinded.

Voting - Unanimous

301 AMENDMENT

Councillor H James
Councillor B J Carroll

RESOLVED that That Development Application DA03/0080 for a single dwelling at Lot 6 DP 577427, No. 513 Carool Road, Carool be approved, subject to the following conditions:-

1. The dwelling shall be acoustically treated against intrusive noise from the dog kennels such that the level of intrusive noise does not exceed a measured noise level of 30 dB(A) when measured in any sleeping area,

dedicated lounges or other habitable spaces inside the dwelling. For this purpose a minimum noise exposure level of 55 dB(A) (adjusted) at the external wall facing the dog kennels of the dwelling shall be adopted.

- Excavate the house site so as to reduce its finished level to the 276m AHD contour line. Details of the location of the house site and the area to be excavated are contained in the plan prepared by McLauchlan Surveying dated 30/4/2004 and number 30134.
 - Construct an earth mound two metres in height, in the general area outlined and marked "A1" on plan number 30134, prepared by McLauchlan Surveying and dated 30/4/04, so as to prevent a visual and noise direct line of sight from the boarding kennels at Lot 1 in DP 873622.
 - Heavily vegetate the mound outlined and marked "A1" on plan number 30134, prepared by McLauchlan Surveying and dated 30/4/04 with native trees and vegetation.
 - Prior to the issue of a Construction Certificate, the owner of Lot 6 in DP 577427 shall register a restriction as to user over the title to Lot 6 DP 577427 in favour of Lot 1 in DP 873622 in the form of a covenant, the terms of which will be: "the registered proprietor for the time being of Lot 6 in DP 577427 will make no complaint against the kennels being conducted upon Lot 1 in DP 873622, so long as noise levels measured to Australian Standard 1055 do not exceed 55 dBA within the approved building envelope at Lot 6 DP 577427".
2. The applicant shall be required to provide certified details to and receive approval of Council for the design, type and Sound Transmission Class/Weighted Sound Reduction Index (STC/Rw) ratings of the construction materials to be used in acoustically treating the dwelling against intrusive noise from the dog kennels prior to the issue of the construction certificate. Mechanical ventilation shall be provided in accordance with the provisions of the Building Code of Australia where necessary to achieve required indoor design noise levels.
3. Certification is to be provided to the satisfaction of Council's Director Environment and Community Services from a suitably qualified acoustic engineer certifying that the dwelling has been acoustically treated to prevent intrusive noise from the dog kennels in compliance with the provisions of conditions of approval. Such certification shall be provided prior to the occupation of the dwelling.

GENERAL

4. The development shall be completed in accordance with the plans approved by Council and the Statement of Environmental Effects, except where varied by these conditions of consent. [GEN0020]
5. The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia. [GEN0120]
6. The erection of a building in accordance with a development consent must not be commenced until:
- (a) a construction certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or an accredited certifier, and
 - (b) the person having the benefit of the development consent has:
 - (i) appointed a principal certifying authority for the building work, and
 - (ii) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
 - (b1) the principal certifying authority has, no later than 2 days before the building work commences:
 - (i) notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
 - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
 - (b2) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
 - (ii) notified the principal certifying authority of any such appointment, and
 - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspection and other inspections that are to be carried out in respect of the building work.

[GEN0150]

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

7. The footings and floor slab are to be designed by a practising Structural Engineer after consideration of a soil report from an accredited soil testing laboratory and shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a construction certificate.

[PCC0160]

PRIOR TO COMMENCEMENT OF WORK

8. The building is to be protected from attack by termites by approved methods in accordance with the provisions of Australian Standard AS 3660.1, and:
- (i) Details of the proposed method to be used are to be submitted to and approved by the Principal Certifying Authority prior to start of works; and
 - (ii) Certification of the works performed by the person carrying out the works is to be submitted to the PCA; and
 - (iii) A durable notice must be permanently fixed to the building in a prominent location, such as in the electrical meter box indicating:-
 - (A) the method of protection; and
 - (B) the date of installation of the system; and
 - (C) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
 - (D) the need to maintain and inspect the system on a regular basis.

Note: Underslab chemical treatment will not be permitted as the only method of treatment unless the area can be retreated without major disruption to the building.

[PCW0050]

9. A temporary builder's toilet is to be provided prior to commencement of work at the rate of one (1) closet for every twenty (20) persons or part of twenty (20) persons employed at the site. Each toilet provided must be:-
- (a) a standard flushing toilet connected to a public sewer, or
 - (b) if that is not practicable, an accredited sewage management facility approved by the council, or
 - (c) if that is not practicable, any other sewage management facility approved by the council.

[PCW0060]

10. **Where prescribed by the provisions of the Environmental Planning and Assessment Amendment (Quality of Construction) Act 2003**, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (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 site is prohibited.

Any such 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.

[PCW0070]

11. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least **2 days** prior to work commencing.

[PCW0090]

12. Prior to the commencement of works on the site all required erosion and sedimentation control measures are to be installed and operational to the satisfaction of the Principal Certifying Authority.

In addition to these measures an appropriate sign is to be clearly displayed on the most prominent position of the sediment fence or erosion control device which promotes awareness of the importance of the erosion and sediment controls provided.

Please note that this sign is to remain in position for the duration of the project.

[PCW0280]

13. Residential building work:

(1) 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) in 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 number of the owner-builder permit.

(2) If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (1) 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.

[PCW0290]

DURING CONSTRUCTION

14. All building work (other than work relating to the erection of a temporary building) 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).

[DUR0010]

15. The builder must provide an adequate trade waste service to ensure that all waste material is contained, and removed from the site for the period of construction. [DUR0080]
16. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council. [DUR0130]
17. The principal certifying authority is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the principal certifying authority via the notice under Section 81A of the Environmental Planning and Assessment Act 1979. [DUR0170]
18. All work associated with this approval is to be carried out so as not to cause a nuisance to residents in the locality from noise, water or air pollution. [DUR0870]
19. Construction site work including the entering and leaving of vehicles is to be restricted to between 7.00 am and 7.00 pm Monday to Saturday and no work on Sundays or public holidays. [DUR0900]
20. All new residential dwellings (and extensions comprising over 50% of the original floor area) are to fully comply with Councils Energy Smart Housing Policy (DCP39). In order to comply with DCP39 consideration must be given to the building envelope, orientation, insulation, ventilation, thermal mass and zoning. [DUR1000]
21. Council is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
- a. internal drainage, prior to slab preparation;
 - b. water plumbing rough in, and/or stackwork prior to the erection of brick work or any wall sheeting;
 - c. external drainage prior to backfilling.
 - d. completion of work. [DUR1020]
22. A. A plumbing permit is to be obtained from Council prior to commencement of any plumbing and drainage work.
B. The whole of the plumbing and drainage work is to be completed in accordance with the requirements of the NSW Code of Practice for Plumbing and Drainage. [DUR1030]
23. Overflow relief gully is to be located clear of the building and at a level not less than 150mm below the lowest fixture within the building and 75mm above finished ground level. [DUR1130]
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24. The finished floor level of the building should finish not less than 225mm above finished ground level.

[DUR1150]

25. All new hot water installations shall deliver hot water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding:-

- * 43.5⁰C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and
- * 50⁰C in all other classes of buildings.

A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of works.

[DUR1160]

26. In the event that Council is not utilised as the inspection/Certifying authority, within seven (7) days of building works commencing on the site a Compliance Certificate in the prescribed form is to be submitted to Council together with the prescribed fee, by the nominated principal certifying authority to certify the following:

- i. All required erosion and sedimentation control devices have been installed and are operational.
- ii. Required toilet facilities have been provided on the site.
- iii. A sign has been erected on the site identifying:
 - Lot number
 - Builder
 - Phone number of builder or person responsible for site.
- iv. All conditions of consent required to be complied with prior to work commencing on the site have been satisfied.
- v. That the licensee has complied with the provisions of Section 98(1)(b) of the Environmental Planning and Assessment Amendment Regulations 2000.

[DUR1200]

27. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired to the satisfaction of the Director of Engineering Services prior to the issue of a Subdivision Certificate and/or prior to any use or occupation of the buildings.

[DUR1210]

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

28. In the event that Council is not utilised as the inspection/certifying authority, prior to occupation of the building a Compliance Certificate in the prescribed form is to be submitted to Council from the nominated principal certifying authority, together with the prescribed fee, to certify that all work has been completed in accordance with the approved plans and specifications, conditions of Consent and the relevant provisions of the Building Code of Australia.

[POC0020]

USE

29. The existing dwelling is not to be used for any habitable purpose on occupation of the new dwelling.

[USE0060]

30. The existing dwelling shall be made uninhabitable, on occupation of the new dwelling, by the removal of the kitchen.

[USENS01]

S68 WASTE TREATMENT DEVICE

31. The on site sewage management system proposed for the above site is approved subject to the following additional special conditions.

- i. All sanitary plumbing and drainage work is done in accordance with the requirements of the local sewage authority or the Local Government (Water, Sewerage and Drainage) Regulation 1993. No alterations or additions are permitted without the express approval of Council.
- ii. All effluent arising from an aerated waste treatment system must not be permitted to discharge into any natural waterway or stormwater drain.
- iii. A minimum total area of 300 square metres of landscaped area should be provided for the specific purpose of receiving the effluent from the aerated septic tank. Full details of the proposed landscaping plan including; type and depth of soil; retaining and filling; grading; type of shrubs; depth of pinebark; and any other relevant information must be submitted to scale on the site plan. Details of the irrigation system including sizes and types of fittings must also be provided.
- iv. Effluent from an aerated waste treatment system must not be permitted to discharge into any natural waterway or stormwater drain.
- v. An aerated waste treatment system must not be installed in such a way that it can contaminate any domestic water supply.
- vi. All distribution lines of the irrigation system must be buried to a minimum depth of 100mm below finished ground level.
- vii. All irrigation equipment must be installed in such a way that it will not be readily subject to damage.
- viii. All irrigation pipework and fittings must comply with AS 2698 *Plastic pipes and fittings for irrigation and rural applications*; and
 - a. standard household hose fittings may not be used.
 - b. the irrigation system may not be capable of being connected to the mains water supply.
- ix. Effluent from aerated waste treatment system must be disposed of under a mulch bed

- x. The land application area must not be used to grow vegetables or fruit for human consumption.
- xi. The land application area may be divided into two or more areas.
- xii. Additional land application areas may be used only with the written prior approval of Council.
- xiii. Soaker hoses and standard household sprinklers and attachments must not be used for the irrigation of aerated waste treatment systems effluent.
- xiv. The irrigation system must be operated in such a way as to prevent any run-off of effluent from the land application area.
- xv. The land application area should be landscaped by terracing and filling or retaining and filling so as to provide a relatively level area to the satisfaction of Council.
- xvi. All effluent land application areas must be completely prepared or landscaped to the satisfaction of Council before:
 - a. in the case of a new dwelling, occupation of the dwelling
 - b. in any case, commissioning of the aerated waste treatment system.
- xvii. Within the effluent irrigation area there must be at least two warning signs that comply with AS1319 and have:
 - a. a green background
 - b. 20 millimetre high capital lettering in black or white, and
 - c. the words "RECLAIMED EFFLUENT - NOT FOR DRINKING - AVOID CONTACT"
- xviii. The aerated waste treatment system unit shall be maintained by a service agent approved by Council.

[SEP0010]

Voting - Unanimous

There being no further business the Meeting terminated at 7.25pm



Minutes of Meeting Confirmed by Council

at Meeting held

I hereby certify that I have authorised the affixing of my electronic signature to the previous pages numbered 1 to 22 of these Minutes

Chairman