

SECTION 375A REGISTER ENTRY

MINUTENO

249/08/2008

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

PF1504/61

REPORT SUBJECT

DEVELOPMENT APPLICATION 23/2008 – FRONT FENCE- 2 LEWIS STREET, COOLAMON

RESOLUTION

RESOLVED:

- 1) That Council refuse Development Application 23/2008 due to the 1.5 metre colorbond fence.
- 2) That Council advise the applicant that a 1.5 metre open pool fence construction would be permitted along Lewis Street and returned to the building setback along Orr Street.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr Seymour, Clr Symons, Clr Todd, Clr Hutcheon, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

INTEREST DECLARED

MINUTENO

250/08/2008

REPORT NO

4.4

SUB REPORT NO

HS5

FILE

PF310/961

REPORT SUBJECT

COMPLYING DEVELOPMENT CONSENT 2008/24 – PROVISION OF SECOND STOVE TO DWELLING

RESOLUTION

RESOLVED that Council permit the inclusion of a second stove in the above mentioned dwelling.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr Seymour, Clr Symons, Clr Todd, Clr Hutcheon, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

INTEREST DECLARED

MINUTENO

251/08/2008

REPORT NO

4.4

SUB REPORT NO

HS6

FILE

PF274

REPORT SUBJECT

DEVELOPMENT APPLICATION 22/2008 – INCREASE IN NUMBER OF DOGS AT BOARDING KENNELS

RESOLUTION

RESOLVED that the General Manager be delegated to assess Development Application 22/2008.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr Seymour, Clr Symons, Clr Todd, Clr Hutcheon, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

INTEREST DECLARED

MINUTENO

253/08/2008

REPORT NO

4.4

SUB REPORT NO

HS8

FILE

PF1560/1

REPORT SUBJECT

CONTAMINATED LAND ASSESSMENT - 23 WADE STREET, COOLAMON

RESOLUTION

RESOLVED that Council accept the report from Aitken Rowe Testing Laboratories Pty Ltd indicating that Lot 41, DP. 734760, 23 Wade Street, Coolamon is suitable for residential development.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr Seymour, Clr Symons, Clr Todd, Clr Hutcheon, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

INTEREST DECLARED

MINUTENO

337/11/2008

REPORT NO

4.4

SUB REPORT NO

HS3

FILE

PF439, H.03-05

REPORT SUBJECT

DEVELOPMENT APPLICATION 29/2008 – 84 FORD STREET, GANMAIN - GANMAIN
MEDICAL CENTRE

RESOLUTION

RESOLVED that Council approve Development Application 29/2008 subject to the following conditions: 337/11/2008

1.The applicant is to obtain an Occupation Certificate pursuant to Section 109C of the EP&A Act 1979, as amended, from either Council or an Accredited Certifying Authority at the completion of the works to certify that works have been completed in accordance with the applicable standards of this consent.

2.For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- a.Footing trenches and reinforcing steel prior to the placement of concrete;
- b.Steel reinforcement to all raft, floor slabs etc. Prior to the placement of concrete;
- c.Damp proof course and weatherproof flashing;
- e.Timber frame and roof frame prior to fixing of cladding or roof covering;
- f.Wet area flashing/shower tray prior to the fixing of wall lining and floor tiles;
- h.Stormwater drainage and,
- j.Completion prior to occupation of the building;

Note:The booking of inspections may be done by telephone (02) 6927 3206

3.Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

4.Provide on site toilet facilities prior to commencement of building work. No inspection will be carried out until an approved toilet is provided.

5.The stormwater being discharged to the roadside gutter, taken through the kerb and the kerb is to be made good or, alternatively, linked to existing stormwater drainage which discharges at the roadside gutter.

6.Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to

items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

7.All framework to comply with the National Timber Framing Code AS 1684 - 1992.

8.The building is to be protected from attack by subterranean termites. A notice showing full details of the termite barrier system complying with AS3660.1 – 1995 is to be submitted to Council BEFORE COMMENCEMENT OF WORK.

9.Clause B1.3(j) of the Building Code of Australia requires that a durable notice must be permanently fixed to the building in a prominent location, such as in a meter box or the like, indicating:

- a.the method of protection; and
- b.the date of installation of the system; and
- c.where a reticulated chemical barrier is used, its life expectancy as listed on the National Registration Authority; and
- d.the need to maintain and inspect the system on a regular basis.

10.Waterproofing of wet areas in the building, viz., bathrooms, shower recesses and the like, must be done either in accordance with AS3740 or a system, which is supported by a current certificate of accreditation.

11.All plumbing and drainage work conducted onsite shall be undertaken by a qualified tradesman. Prior to any work onsite a plumbing and drainage form must be submitted to and the permit approved by Council. A plumbing and drainage form has been provided for your information and a fee is applicable upon submission to Council.

12.The finished floor level shall be a minimum of 150mm above the surcharge gully on the sewer or septic tank and the surcharge gully shall be at least 150mm above the natural ground level.

13.All water services are to be tested in accordance with the NSW Code of Practice, Water Supply (Draft) Clause 11.1.1 and 11.1.2 and inspections called for in accordance with Clause 11.2.

14.It is noted that the proposed building work is within Council's defined Heritage Conservation Area. For this reason you are requested to submit details of the proposed colour scheme to Council, for approval, prior to commencing work on the same.

15.A detailed landscape plan shall be submitted and approved by the Manager of Environmental and Health Services prior to the commencement of work on site. The landscape plan shall be prepared by a suitably qualified person. All landscape works shall be completed in accordance with the approved landscape plan, prior to occupation and maintained thereafter.

16.The applicant shall provide 2 car parking spaces at the rear of the property for use by staff. Full details of this parking area are to be submitted to and approved by Council prior to commencement of work on site.

All driveways, loading areas and carpark areas shall be constructed to a suitably drained waterproof and dustproof surface and clearly defined or linemarked in accordance with the Director of Environmental and Engineering Services.

17.All paved areas shall be kerbed and graded to sumps and drained to a stormwater

pipeline, channel or natural watercourse to Council's satisfaction.

18. Construction work shall take place during normal working hours, namely 7.00a.m. to 5.00 p.m. Mondays to Fridays and 8.00a.m. to 1.00p.m. Saturdays (no work on Sundays or Public Holidays) and in a manner so as not cause a nuisance (by the generation unreasonable noise or other activity) to the owners and/or residents of adjoining properties.

19. All requirements of the Workcover Authority (including the Dangerous Goods Branch) shall be complied with for the duration of all demolition and building work.

20. The lighting of the premises shall be shielded and directed so as not to cause annoyance to the owners or occupiers of adjoining premises or glare to motorists on adjoining or nearby roads.

21. External paths and ground surface adjoining walls of the dwelling being graded away from the dwelling in such a manner so not to cause a nuisance to the building or adjoining lands.

22. Where site conditions require the provision of a retaining wall, all drainage associated with this work shall disperse clear of the building and any other building on site. The retaining wall shall be designed and installed by a suitable qualified person.

23. Artificial lighting and ventilation shall be provided to the building in accordance with the requirements of Part F4 of the Building Code of Australia.

24. Soil erosion and sediment control measures are to be maintained during the entire construction period until disturbed areas are restored by turfing, paving or revegetation.

25. Provision shall be made in the building and onsite for:

a) Access to the building for people with disabilities in accordance with the Building Code of Australia.

b) Toilet facilities for people with disabilities in accordance with the Building Code of Australia, such facilities shall be accessible to persons working in or using the building, and

c) One motor vehicle parking space on the site for the exclusive use of people with disabilities. This parking space must have a direct path to the building and all required accessible areas complying with AS1428.

FIRE SAFETY

26. The building is to comply with the attached Fire Safety Schedule.

Note: The attached schedule supercedes any earlier fire safety schedules and will cease to have effect when any later schedule is issued.

27. The owner shall submit to Council a Final Fire Safety Certificate stating that each essential fire safety measure specified in the current Fire Safety Schedule for the building to which the certificate relates:

a) Has been assessed by a properly qualified person, and

b) Was found, when assessed, to be capable of performing to a standard not less than that required by the current Fire Safety Schedule for the building.

Further, the assessment is to be carried out within a period of three (3) months of the date on which the Final Fire Safety Certificate was issued. The owner of the building shall forward a copy of the Certificate to the NSW Fire Brigades and also prominently display a copy in the building.

Note: A Final Safety Certificate must be provided before a Final Occupation Certificate can be issued for the building.

28. Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with AS 2444. Whilst the building is under construction not less than 1 extinguisher to suite Class A, B and C fires and electrical fires must be provided at all times adjacent to each required exit.

29. An emergency lighting system is to be installed in accordance with AS 2293.1.

30. Exit signs are to be installed over each required exit in accordance with AS 2293.1.

31. The owner shall submit to Council an Annual Fire Safety Statement each twelve months after the Final Safety Certificate was issued.

32. Exit doors are to have a minimum height of 2000mm and a minimum width of 750mm.

33. An exit door must not be blocked at the point of discharge and where necessary, suitable barriers must be provided to prevent vehicles from blocking the exit, or access to it.

34. In a required exit or path of travel to an exit there must be an unobstructed height throughout of not less than 2 metres and an unobstructed width throughout of not less than 1 metre.

35. A door forming part of a required exit must be readily openable without a key from the side that faces a person seeking egress, by a single hand downward action or pushing action on a single device which is located between 900mm and 1200mm from the floor.

36. The southern and northern external walls of the medical centre must have an FRL of 90/90/90. Any opening in the wall must comply with requirements of Clause C3.4 of the Building Code of Australia.

Evidence will need to be provided that the existing boundary walls will meet the minimum FRL required.

37. The early fire hazard indices of materials and assemblies must comply with Specification C 1.10 of the Building Code of Australia.

DEMOLITION

38. The site is to be secured prior to any demolition work so as to protect the interests of public safety and neighbouring property.

39. Explosives shall not be used in the demolition of the building.

40. The deliberate burning of the building and/or demolition material shall not be permitted.

41. Prior to commencement of any demolition work on the site the applicant is to submit to Coolamon Shire Council for approval by Coolamon Shire Council's Executive Manager, Planning and Environmental Services, full details of the proposed methods of disposing of all demolition wastes, including those materials that will be recycled or disposed of at an approved waste management centre.

42. All demolition waste and debris, including that which can be wind blown, shall be contained on site in a suitable container for disposal at an approved Coolamon Shire Council Waste Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project.

Note 1: No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road.

Note 2: The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.

43. No contaminated waste-water or liquid waste is to be discharged into Coolamon Shire Council's stormwater system.

44. The requirements relating to the disposal of asbestos waste are as follows:

(d) Asbestos waste in any form must be disposed of only at a landfill site that may lawfully receive the waste,

(e) Disposal of asbestos waste in any form must be by way of burial,

(f) Before disposal of the asbestos waste, arrangements must be made with the occupier of the landfill site for the purposes of ensuring that the asbestos waste will be covered.

(i) initially to a depth of at least 0.5m and

(ii) finally to a depth of at least 1 metre (in the case of stabilized asbestos waste in bonded matrix) or 3 metres (in the case of asbestos fibre and dust waste) beneath the planned final land surface of the landfill site.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr Seymour, Clr McCann, Clr Beard, Clr Hutcheon, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

INTEREST DECLARED

MINUTENO

338/11/2008

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

PF619/2

REPORT SUBJECT

DEVELOPMENT APPLICATION 10/2007 – RELOCATABLE DWELLING AT LOT 1, SECTION 26, DP. 758428

RESOLUTION

RESOLVED that the condition of consent for a \$10,000 bond to be paid be removed.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr Seymour, Clr McCann, Clr Beard, Clr Hutcheon, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

INTEREST DECLARED

MINUTENO

367/12/2008

REPORT NO

4.4

SUB REPORT NO

HS2

FILE

H.03-05

REPORT SUBJECT

TENDER 2008/4 – CONSTRUCTION OF GANMAIN MEDICAL CENTRE

RESOLUTION

RESOLVED that Council award Contract 2008/4 - Construction of the Ganmain Medical Centre, to GH & LJ Tokley at a total cost of \$227,723 (including GST) due to their extensive use of local contractors and suppliers.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr Seymour, Clr McCann, Clr Beard, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

INTEREST DECLARED

Clr Hutcheon

MINUTENO

368/12/2008

REPORT NO

4.4

SUB REPORT NO

HS3

FILE

PF1115/211

REPORT SUBJECT

DEVELOPMENT APPLICATION 32/2008 – 190 COWABBIE STREET, COOLAMON – CONSTRUCTION OF CARPORT

RESOLUTION

RESOLVED that Development Application 32/2008 be approved subject to the following conditions:

- 1) For the purposes of inspection, twentyfour (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:
 - a) Footings, trenches and reinforcing steel prior to the placement of concrete.
 - b) Steel reinforcement to all raft, floor slabs etc., prior to the placement of concrete.
 - c) Frame and/or roof frame prior to fixing of cladding or roof covering.
 - d) Stormwater drainage.
 - e) Completion.
- 2) Building materials not to be stored on Council footway or nature strip at any time.
- 3) Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, eg: paper, sheets of iron, ridge capping, cement and lime bags and the like.
- 4) The stormwater being discharged to the roadside gutter, taken through the kerb and the kerb is to be made good or, alternatively linked to existing stormwater drainage which discharges to the roadside gutter.
- 5) The carport shall be setback a minimum of 600mm from the Furner road boundary alignment.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr Seymour, Clr McCann, Clr Beard, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan, Clr Hutcheon

VOTES AGAINST

ABSENT

INTEREST DECLARED

MINUTENO

369/12/2008

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

PF984

REPORT SUBJECT

ILLEGAL BUILDING WORK – MATONG HOTEL

RESOLUTION

RESOLVED that:

- 1) The owner of the above mentioned property be fined for carrying on work after being directed to cease the activity.
- 2) Any work on the building will require development consent.
- 3) The existing building be deemed structurally sound prior to any approval being granted, or demolition work undertaken.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr Seymour, Clr McCann, Clr Beard, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan, Clr Hutcheon

VOTES AGAINST

ABSENT

INTEREST DECLARED

MINUTENO

038/02/2009

REPORT NO

4.4

SUB REPORT NO

HS3

FILE

PF935

REPORT SUBJECT

DEVELOPMENT APPLICATION 03/2009 – TELECOMMUNICATIONS FACILITY

RESOLUTION

RESOLVED that Council delegate assessment of the above mentioned Application to the General Manager.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr McCann, Clr Seymour, Clr Hutcheon, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

Clr Beard

INTEREST DECLARED

MINUTENO

112/04/2009

REPORT NO

4.4

SUB REPORT NO

HS3

FILE

G.01-01

REPORT SUBJECT

LANDFILL OPERATIONS WITHIN THE COOLAMON SHIRE

RESOLUTION

RESOLVED:

- 1) That Council commence charging for all waste (except recycling, green waste and black metal) at the tips.
- 2) That Council notify the residents of this change.

3) That Council commence the infrastructure requirements at Landfill sites necessary to commence the charging of waste.

4) That Council close, for the present time, access to Beckom and Matong Landfills.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr Beard, Clr McCann, Clr Seymour, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

Clr Hutcheon, Clr O'Brien

INTEREST DECLARED

MINUTENO

149/05/2009

REPORT NO

4.4

SUB REPORT NO

HS2

FILE

A.05-07

REPORT SUBJECT

SUBDIVISION 03/2009, DEVELOPMENT APPLICATION 07/2009 – SUBDIVISION AND CONSOLIDATION OF LAND BEHIND FORD STREET, GANMAIN

RESOLUTION

RESOLVED:

1) That Council approve Development Application 07/2009 (Subdivision 03/2009) for the creation of eight (8) new lots together with a road reserve subject to conditions in attachments.

2) That the Seal of Council be affixed to all documents associated with the processing of this Subdivision.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr Beard, Clr McCann, Clr Seymour, Clr Hutcheon, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

INTEREST DECLARED

MINUTENO

151/05/2009

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

PF2410

REPORT SUBJECT

DEVELOPMENT APPLICATION 09/2009 – HOME OCCUPATION ART STUDIO

RESOLUTION

RESOLVED that the General Manager be delegated authority to assess Development Application 09/2009.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr Beard, Clr McCann, Clr Seymour, Clr Hutcheon, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

INTEREST DECLARED

MINUTENO

152/05/2009

REPORT NO

4.4

SUB REPORT NO

HS5

FILE

PF1408/1

REPORT SUBJECT

DEVELOPMENT APPLICATION 11/2009 – ST MICHAEL'S SCHOOL

RESOLUTION

RESOLVED that Council delegate assessment of Development Application 11/2009 to the General Manager.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr Beard, Clr McCann, Clr Seymour, Clr Hutcheon, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

INTEREST DECLARED

MINUTENO

153/05/2009

REPORT NO

4.4

SUB REPORT NO

HS6

FILE

P.03-03

REPORT SUBJECT

COOLAMON LEP

RESOLUTION**RESOLVED:**

- 1) That having regard to changed market conditions and the preferences of owners for more flexible zoning, the provisions in the Draft LEP for R5 Large Lot Residential be changed to RU4 Rural Small Holdings.
- 2) That the Executive Manager, Planning & Environmental Services undertake the necessary changes to the Local Environmental Study and Strategic Plan 2007, the LEP 2009 Exhibition Draft and the LEP Maps.

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clr Menzies, Clr Beard, Clr McCann, Clr Seymour, Clr Hutcheon, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST**ABSENT****INTEREST DECLARED****MINUTENO**

184/06/2009

REPORT NO

4.4

SUB REPORT NO

HS6

FILE

PF481

REPORT SUBJECT

DEVELOPMENT APPLICATION 13/2009 – 81 FORD STREET, GANMAIN

RESOLUTION

RESOLVED that Council approve Development Application 13/2009 subject to conditions provided in the attachments.

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clr Menzies, Clr McCann, Clr Seymour, Clr Hutcheon, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST**ABSENT**

Clr Beard

INTEREST DECLARED**MINUTENO**

186/06/2009

REPORT NO

4.4

SUB REPORT NO

HS8

FILE

PF310/0023

REPORT SUBJECT

DEVELOPMENT APPLICATION 12/2001 – SUBDIVISION OF RURAL LAND – REQUEST FOR STAGED DEVELOPMENT

RESOLUTION

RESOLVED:

- 1) That Council approve the staging of Development Application 12/2001.
- 2) That the staged approval be conditioned to ensure that any consent will lapse after a five year period.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr McCann, Clr Seymour, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

Clr Beard

INTEREST DECLARED

Clr Hutcheon

MINUTENO

217/07/2009

REPORT NO

4.4

SUB REPORT NO

HS2

FILE

S.07-12

REPORT SUBJECT

DEVELOPMENT APPLICATION 21/2009 - COOLAMON SKATE PARK

RESOLUTION

RESOLVED that the General Manager be delegated authority to assess Development Application 21/2009 for the proposed Skate Park.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr Beard, Clr McCann, Clr Seymour, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

Clr Hutcheon

INTEREST DECLARED

MINUTENO

219/07/2009

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

PF799/1

REPORT SUBJECT

DEVELOPMENT APPLICATION 14/2009 – 29 WATERVIEW STREET, GANMAIN

RESOLUTION

RESOLVED that Council approve Development Application 14/2009 subject to the conditions listed in the report.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr Beard, Clr McCann, Clr Seymour, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

Clr Hutcheon

INTEREST DECLARED

MINUTENO

220/07/2009

REPORT NO

4.4

SUB REPORT NO

HS5

FILE

PF1102/8

REPORT SUBJECT

DEVELOPMENT APPLICATION 17/2009 – LIGHT INDUSTRIAL FIELD SERVICE CENTRE

RESOLUTION

RESOLVED that assessment of Development Application 17/2009 be deferred until after a meeting with representatives from Country Energy.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr Beard, Clr McCann, Clr Seymour, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

Clr Hutcheon

INTEREST DECLARED

MINUTENO

259/08/2009

REPORT NO

4.4

SUB REPORT NO

HS2

FILE

PF1102/8

REPORT SUBJECT

DEVELOPMENT APPLICATION 17/2009 – LIGHT INDUSTRIAL FIELD SERVICE CENTRE

RESOLUTION

RESOLVED that Council delegate assessment of Development Application 17/2009 to the General Manager.

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clr Seymour, Clr Beard, Clr McCann, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST**ABSENT**

Clr Menzies, Clr Hutcheon

INTEREST DECLARED**MINUTENO**

260/08/2009

REPORT NO

4.4

SUB REPORT NO

HS3

FILE

PF552/1

REPORT SUBJECT

DEVELOPMENT APPLICATION 20/2009

RESOLUTION

RESOLVED that assessment of Development Application 20/2009 be delegated to the General Manager.

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clr Seymour, Clr Beard, Clr McCann, Clr O'Brien, Clr Brill, Clr Glass

VOTES AGAINST**ABSENT**

Clr Menzies, Clr Hutchon

INTEREST DECLARED

Clr Logan

MINUTENO

261/08/2009

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

PF1155

REPORT SUBJECT

DEVELOPMENT APPLICATION 23/2009

RESOLUTION

RESOLVED that Council delegate Development Application 23/2009 to the General Manager.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Seymour, Clr Beard, Clr McCann, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

Clr Menzies, Clr Hutchon

INTEREST DECLARED

MINUTENO

363/11/2009

REPORT NO

4.4

SUB REPORT NO

HS3

FILE

PF619/11

REPORT SUBJECT

DEVELOPMENT APPLICATION 27/2009 – RELOCATABLE DWELLING

RESOLUTION

RESOLVED that Council approve Development Application 27/2009 subject to the following conditions: PROVISION OF SERVICES

1.The block is to be provided with an all-weather access. This access shall be constructed from the existing road network to the property boundary and at no cost to Council. The design, location and construction of this access shall be to the satisfaction of Council's Executive Manager, Engineering & Technical Services. No construction is permitted until submission and approval of the appropriate application.

2.The applicant is required to construct the road access along Lerida Street from Grant Street to the property boundary of Lot 4 Section 26 DP 758428. This road must be located within the road reserve a minimum of 8 metres wide formation, with a 6 metre wide compacted gravel surface, 100mm thick.

All work must be authorized and supervised to the satisfaction of Council's Executive Manager Engineering and Technical Services. A plan showing the location and proposed work must be submitted to and approved by Council prior to any work on the road.

3.The lot shall be provided with electricity at no cost to Council. A letter from Country Energy advising that its requirements have been met shall be sufficient to establish compliance with this condition.

4.The applicant shall make water available to the lot at no cost to Council. This may include any works or charges required by the relevant water authority. A letter from the relevant water authority advising that the requirements have been met shall be

sufficient to establish compliance with this condition.

5. Provision of telephone services shall be provided to the allotment at no cost to Council. Council will require written notification from a recognized telecommunications carrier to confirm that arrangements have been undertaken to satisfy this condition.

6. No trees from the nature strips or road reserves surrounding the property are to be removed without the prior written consent of Council.

7. In accordance with Council Policy the applicant is required to pay \$4,500.00 for connection to Council's sewer main.

8. In order to ensure condition 9 is complied with, the dwelling shall not be located on the property until evidence has been provided to Council that the conditions relating to infrastructure provisions (e.g. power, water, phone & road access) have been met.

DWELLING RELOCATION/CONSTRUCTION

9. The building shall be completed and ready for occupation within six (6) months of being placed on the property.

10. All defective and/or damaged materials are to be replaced to Council's satisfaction.

11. The \$10,000.00 bond will be held by Council until a final inspection has been carried out and an Occupation Certificate has been issued. This will require compliance with all conditions of development consent.

12. The dwelling shall have a minimum front setback of 8 metres from the Lerida Street boundary and a side setback of no less than 900mm from either side boundary.

13. A brick fender wall shall be positioned across the front of the dwelling facing street frontages and returned at least two metres either side. Alternatively a screed of treated timber constructed to a design submitted to and approved by Council prior to commencement of building shall be erected across the front of the dwelling and returned at least two metres either side.

14. For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- a) Footings trenches and reinforcing steel prior to the placement of concrete;
- b) Pier holes prior to the placement of concrete;
- c) Steel reinforcement to all raft, floor slabs etc. prior to the placement of concrete;
- d) Timber frame and/or roof frame prior to fixing of cladding or roof covering;
- e) Wet area flashing/shower tray prior to the fixing of wall lining and floor tiles;
- f) Stormwater drainage;
- g) Completion prior to occupation of the building.

Note: The booking of inspections may be done by telephone (02) 69273206

15. Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be

removed when it is no longer required for the purposes for which it was erected.

16. Building materials not to be stored on Council footway or nature strip at any time.

17. Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

18. Where new or replacement hot water systems are installed, the system must deliver hot water to a maximum of 50 C to all outlets within the building that are to be set aside for personal hygiene.

19. Plumbing and drainage installation and alterations shall be carried out in accordance with the provisions of the NSW Code of Practice for Plumbing and Drainage which adopts the National Plumbing and Drainage Code AS 3500, with NSW variations.

Prior to any plumbing work on site Council must be provided with plumbers details and the proposed plan of servicing the property with sewer.

For the purpose of complying with these standards inspections shall be carried out:

1. When all internal plumbing work is installed and prior to concealment.
2. When all external plumbing work is installed and prior to backfilling.

20. The finished floor level shall be minimum of 150mm above the surcharge gully on the sewer or septic tank and the surcharge gully shall be at least 150mm above the natural ground level.

21. The stormwater is to be discharged to the table drain at the front of the property. The end of the pipe shall be suitably protected.

22. All footings, piers and slabs must comply with the requirements of AS2870. Any change to this standard must require certification by a certified Structural Engineer.

23. Underside of bearers to finish not less than 400 mm above ground level.

24. Sub-floor ventilation shall be provided in accordance with the Building Code of Australia, Part F4.10 and New South Wales F4.10B1.

25. All framework to comply with the National Timber Framing Code AS 1684 – 1992.

26. Prior to the commencement of building works the applicant must submit to Council for approval Structural Engineers drawings prepared by a Practising Structural Engineer of professional status in respect of:

- a. Structural steelwork.
- b. slab design
- c. Roof trusses.
- d. Bracing detail.

27. Provision of:

1. a smoke alarm system complying with Specification E1.7 of the Building Code of Australia; or
2. smoke alarms;
 - a. complying with AS3786 or listed in the SSL Register of Accredited Products; and
 - b. where the building is provided with mains electrical power, connected to the mains

and have a standby power supply; and
c. installed in suitable locations on or near the ceiling in:

i. Any storey containing bedrooms:

* In a Class 1a dwelling:

between each area containing bedroom and the remainder of the dwelling, including any hallway associated with the bedrooms; or

- In each bedroom.

ii. Any storey not containing bedrooms.

UPON COMPLETION A LICENSED ELECTRICIAN CERTIFIES THE INSTALLATION.

28. The building is to be protected from attack by subterranean termites. A notice showing full details of the termite barrier system complying with AS3660.1 – 1995 is to be submitted to Council BEFORE COMMENCEMENT OF WORK.

IT SHOULD BE NOTED THAT:

Council will not permit the use of hand held sprays for treatment beneath slab construction as the effective life of the treatment is limited. To retreat the slab it is necessary to drill holes throughout the slab at 400mm centres and introduce fresh chemical.

29. Clause B1.3(j) of the Building Code of Australia requires that a durable notice must be permanently fixed to the building in a prominent location, such as in a meter box or the like, 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; and

d. the need to maintain and inspect the system on a regular basis.

30. Where the soil conditions require, a retaining wall shall be installed in accordance with an approved structural design. The design shall make adequate provision for drainage and must be submitted and approved by Council prior to any work on site.

31. Upon completion the site should be left level and smooth and have even surfaces free from rubbish and debris.

32. External paths and ground surfaces adjoining walls of the dwelling are to be graded away from the dwelling in such a manner so not to cause a nuisance to the building or adjoining lands.

33. The door to a fully enclosed sanitary compartment must:

a) open outwards

b) slide or

c) be readily removable from the outside of the compartment, unless there is a clear space of at least 1.2 metres between the closet pan within the sanitary compartment and the nearest part of the doorway.

34. This approval is granted for a transportable dwelling only. Any additional sheds or outbuildings will require separate consent from Council prior to construction.

35. Compliance with conditions marked in red on the stamped approved plans.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clr Menzies, Clr Beard, Clr McCann, Clr Seymour, Clr Hutcheon, Clr O'Brien, Clr Brill, Clr Glass, Clr Logan

VOTES AGAINST

ABSENT

INTEREST DECLARED

MINUTENO

407/12/2009

REPORT NO

4.4

SUB REPORT NO

HS5

FILE

PF1390/2

REPORT SUBJECT

COMPLYING DEVELOPMENT CONSENT 2009/2 – DWELLING AT LOT 2, METHUL STREET, COOLAMON

RESOLUTION

RESOLVED that Council vary the setback policy to allow the dwelling to be located 4 metres from the front boundary.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Menzies (Chairman), Seymour, Glass, McCann, Logan, Brill and O'Brien.

VOTES AGAINST

NIL

ABSENT

Clr Beard and Clr Hutcheon.

INTEREST DECLARED

NIL

MINUTENO

075/03/2010

REPORT NO

4.4

SUB REPORT NO

HS3

FILE

PF1325

REPORT SUBJECT

DEVELOPMENT APPLICATION 05/2010 - PROPOSED CARPORT & VERANDAH – LOT 5, DP 5958, 10 LOUGHNAN STREET, COOLAMON

RESOLUTION

1)That approval be granted for the above mentioned proposal on the basis of precedent and uniformity of street frontage.

2)That approval of Development Application 05/2010 be subject to the following conditions:

1.For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required

inspections:-

- a. Pier holes prior to the placement of concrete;
- b. Footings, trenches and reinforcing steel prior to the placement of concrete.
- c. Frame including roof frame prior to fixing of cladding or roof covering;
- d. Stormwater drainage;
- e. Completion.

2. Stormwater shall be discharged to the roadside kerb and gutter. Any penetration of the kerb is to be done so as to not cause any damage to the existing kerb and gutter.

3. The carport shall have a minimum front setback of 5.15 metres from the Loughnan Street boundary and a side setback of no less than 900mm from the western side boundary.

4. Full details indicating the method of attachment of the proposed structures to the existing dwelling are to be submitted prior to the commencement of construction.

5. The building addition or attachment shall not compromise the structural design or integrity of any portion of the existing building.

6. Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on Council's footpath or roadway.

7. Care shall be taken to ensure all existing plumbing and drainage lines are protected from damage during construction. Should any existing pipelines be affected by the building work then they will need to be relaid clear of the building alignment and in accordance with the requirements of Australian Standards 3500. Full details of this work must be submitted to and approved by Council prior to proceeding.

8. All footings shall comply with the requirements of Australian Standards 2870. Any changes to this standard will require Engineer's Certification.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Menzies (Chairman), Seymour, Glass, McCann, Logan, O'Brien, Beard, Hutcheon and Brill.

VOTES AGAINST

nil

ABSENT

nil

INTEREST DECLARED

nil

MINUTENO

076/03/2010

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

PF1102/882

REPORT SUBJECT

DEVELOPMENT APPLICATION 03/2010 – RELOCATABLE DWELLING – LOT 2, DP 876640, DEVLIN STREET, COOLAMON

RESOLUTION

RESOLVED that Council approve Development Application 03/2010 in accordance with Council policy and subject to the following conditions: 76/03/2010

1. The building shall be completed and ready for occupation within six (6) months of being placed on the property.
 2. All defective and/or damaged materials are to be replaced to Council's satisfaction.
 3. The \$10,000.00 bond will be held by Council until a final inspection has been carried out and an Occupation Certificate has been issued. This will require compliance with all conditions of development consent.
 4. The dwelling shall have a minimum front setback of 20 metres from the Devlin Street boundary and a side setback of no less than 900mm from either side boundary.
 5. A brick fender wall shall be positioned across the front of the dwelling facing street frontages and returned at least two metres either side. Alternatively a screed of treated timber constructed to a design submitted to and approved by Council prior to commencement of building shall be erected across the front of the dwelling and returned at least two metres either side.
 6. For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-
 - a. Footings trenches and reinforcing steel prior to the placement of concrete;
 - b. Pier holes prior to the placement of concrete;
 - c. Steel reinforcement to all raft, floor slabs etc. prior to the placement of concrete;
 - d. Timber frame and/or roof frame prior to fixing of cladding or roof covering;
 - e. Wet area flashing/shower tray prior to the fixing of wall lining and floor tiles;
 - f. Stormwater drainage;
 - g. Completion prior to occupation of the building.
- Note: The booking of inspections may be done by telephone (02) 69273206
7. The lot is to be provided with an all-weather access. This access shall be constructed from the existing road network to the property boundary and at no cost to Council. Construction of this access shall be at Council consent after submission and approval of the appropriate application.
 8. Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.
 9. Building materials not to be stored on Council footway or nature strip at any time.
 10. Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.
 11. Where new or replacement hot water systems are installed, the system must deliver hot water to a maximum of 50 C to all outlets within the building that are to be

set aside for personal hygiene.

12.Plumbing and drainage installation and alterations shall be carried out in accordance with the provisions of the NSW Code of Practice for Plumbing and Drainage which adopts the National Plumbing and Drainage Code AS 3500, with NSW variations.

For the purpose of complying with these standards inspections shall be carried out:

- 1.When all internal plumbing work is installed and prior to concealment.
- 2.When all external plumbing work is installed and prior to backfilling.

13.The finished floor level shall be minimum of 150mm above the surcharge gully on the sewer or septic tank and the surcharge gully shall be at least 150mm above the natural ground level.

14.The stormwater is to be discharged to the table drain at the front of the property. The end of the pipe shall be suitably protected.

15.All footings, piers and slabs must comply with the requirements of AS2870. Any change to this standard must require certification by a certified Structural Engineer.

16.Underside of bearers to finish not less than 400 mm above ground level.

17.Sub-floor ventilation shall be provided in accordance with the Building Code of Australia, Part F4.10 and New South Wales F4.10B1.

18.All framework to comply with the National Timber Framing Code AS 1684 – 1992.

19.Prior to the commencement of building works the applicant must submit to Council for approval Structural Engineers drawings prepared by a Practicing Structural Engineer of professional status in respect of:

- a.Structural steelwork.
- b.slab design
- c.Roof trusses.
- d.Bracing detail.

20.Provision of:

1)a smoke alarm system complying with Specification E1.7 of the Building Code of Australia; or

2)smoke alarms;

a)complying with AS3786 or listed in the SSL Register of Accredited Products; and

b)where the building is provided with mains electrical power, connected to the mains and have a standby power supply; and

c)installed in suitable locations on or near the ceiling in:

i)Any storey containing bedrooms:

-In a Class 1a dwelling:

between each area containing bedroom and the remainder of the dwelling, including any hallway associated with the bedrooms; or

-In each bedroom.

ii)Any storey not containing bedrooms.

UPON COMPLETION A LICENSED ELECTRICIAN CERTIFIES THE INSTALLATION.

21.The building is to be protected from attack by subterranean termites. A notice

showing full details of the termite barrier system complying with AS3660.1 – 1995 is to be submitted to Council BEFORE COMMENCEMENT OF WORK.

IT SHOULD BE NOTED THAT:

Council will not permit the use of hand held sprays for treatment beneath slab construction as the effective life of the treatment is limited. To retreat the slab it is necessary to drill holes throughout the slab at 400mm centres and introduce fresh chemical.

22. Clause B1.3(j) of the Building Code of Australia requires that a durable notice must be permanently fixed to the building in a prominent location, such as in a meter box or the like, 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; and
- d. the need to maintain and inspect the system on a regular basis.

23. Where the soil conditions require, a retaining wall shall be installed in accordance with an approved structural design. The design shall make adequate provision for drainage and must be submitted and approved by Council prior to any work on site.

24. Upon completion the site should be left level and smooth and have even surfaces free from rubbish and debris.

25. External paths and ground surfaces adjoining walls of the dwelling are to be graded away from the dwelling in such a manner so not to cause a nuisance to the building or adjoining lands.

26. The door to a fully enclosed sanitary compartment must:

- a) open outwards
- b) slide or
- d) be readily removable from the outside of the compartment, unless there is a clear space of at least 1.2 metres between the closet pan within the sanitary compartment and the nearest part of the doorway.

27. This approval is granted for a transportable dwelling only. Any additional sheds or outbuildings will require separate consent from Council prior to construction.

28. Compliance with conditions marked in red on the stamped approved plans.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Menzies (Chairman), Seymour, Glass, McCann, Logan, O'Brien, Beard, Hutcheon and Brill.

VOTES AGAINST

nil

ABSENT

nil

INTEREST DECLARED

nil

MINUTENO

106/04/2010

REPORT NO

4.4

SUB REPORT NO

HS 2

FILE

PF1646/1

REPORT SUBJECT

149 CERTIFICATE – LOT 129, DP 750847, MARRAR

RESOLUTION

RESOLVED that Council issue the 149 Certificate that will permit the building entitlement to remain

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clrs Menzies (Chairman), Seymour, Glass, McCann, Logan, O'Brien, Hutcheon and Brill.

VOTES AGAINST

nil

ABSENT

Crl G Beard

INTEREST DECLARED

nil

MINUTENO

107/04/2010

REPORT NO

4.4

SUB REPORT NO

HS3

FILE

PF295/2

REPORT SUBJECT

DEVELOPMENT APPLICATION 34/2009

RESOLUTION

RESOLVED that Council require the payment of the Section 94 Contribution to be paid prior to occupancy, or, alternatively, if arrangements can be made that allow the Home Owner Grant to be paid to the Applicant's Solicitor, and that Solicitor guarantees the Section 94 Contribution to Council. 107/04/2010

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clrs Menzies (Chairman), Seymour, Glass, McCann, Logan, O'Brien, Hutcheon and Brill.

VOTES AGAINST

nil

ABSENT

Clr G Beard

INTEREST DECLARED

nil

MINUTENO

108/04/2010

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

PF295/3

REPORT SUBJECT

DEVELOPMENT APPLICATION 07/2010

RESOLUTION

RESOLVED that Development Application 07/2010 be approved subject to the following conditions, which include the amendments as attached.

All aspects of this development shall comply with the Environmental Planning and Assessment Act 1979 and all relevant Acts and Regulations thereunder, together with all Council planning and development policies. In particular all construction and associated building works shall comply with the Building Code of Australia and any applicable Australian Standards thereunder.

1.This consent is granted for the storage only of bulk steel. No approval has been granted, nor implied for the use of this property or buildings for the fabrication or sale (commercial or wholesale) of steel products.

Any change in use of the land or buildings from the approved Statement of Environmental Effects must be submitted for assessment to Council prior to any works or alterations.

2.No approval for any signage associated with the business has been granted by this consent to be located on the property. Any future proposal to provide any signage must be submitted to Council for assessment.

PRIOR TO CONSTRUCTION

3.Full details of the proposed access provisions onto the site, together with all access, parking and manoeuvring areas for traffic shall be submitted to Council for approval prior to construction. These details must include confirmation of traffic volumes, minimum widths of road infrastructure, compaction rates of pavement and drainage provisions. This may include, but not be limited to widening of Canola Way to cater for turning vehicles.

All work must be approved by Council's Executive Manager of Engineering and Technical Services and comply with the RTA road design guide.

4.All work undertaken shall be clear of the power lines (and easements thereof) located on the property.

5.A detailed landscape plan for the whole site shall be submitted to and approved by the Executive Manager of Planning & Environmental Services prior to the commencement of any work on site.

This plan must indicate the location and type of landscaping proposed, together with the method of ensuring the plants can be watered and maintained.

6.Prior to the commencement of building works the applicant must submit to Council for approval Structural Engineers drawings prepared by a Practising Structural Engineer of professional status in respect of the proposed machinery shed. This shall include:

a.Structural steelwork.

- b. Concrete pier and/or slab design.
- d. Bracing detail.

7. Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

8. Provide onsite toilet facilities prior to commencement of building work. No inspection will be carried out until an approved toilet is provided.

CONSTRUCTION

9. For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- a. Footing trenches and reinforcing steel prior to the placement of concrete;
- b. Steel frame and/or roof frame prior to fixing of cladding or roof covering;
- c. Stormwater drainage;
- d. Completion prior to occupation of the building.

Note: The booking of inspections may be done by telephone (02) 69273206

10. Building materials not to be stored on Council footway or nature strip at any time.

11. The stormwater being discharged to the roadside table drain. The end of the stormwater pipe at the table drain shall be suitably protected to avoid damage at the end of the pipe. Alternatively the stormwater can be directed to the existing dam on site.

12. All hardstand areas including paving, concrete etc shall be kerbed and graded to sumps and drained to a stormwater pipeline, channel or natural watercourse to Council's satisfaction.

13. The building must be constructed in accordance with the requirements of Part J of the Building Code of Australia. In particular;

☐ The lighting requirements of the building must comply with Specification J6 of the Building Code of Australia. This specification determines the maximum illuminated power density for the proposed use.

Evidence must be provided to Council indicating compliance with the above condition prior to occupation.

14. Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

15. Construction work shall take place during normal working hours, namely 7.00am to 5.00pm, Mondays to Fridays and 8.00am to 1.00pm, Saturdays (no work on Sundays or Public Holidays) and in a manner so as not cause a nuisance (by the generation unreasonable noise or other activity) to the owners and/or residents of adjoining properties.

16. The building is to be protected from attack by subterranean termites. A notice showing full details of the termite barrier system complying with AS3660.1 – 1995 is to be submitted to Council BEFORE COMMENCEMENT OF WORK.

17. Clause B1.3(j) of the Building Code of Australia requires that a durable notice must be permanently fixed to the building in a prominent location, such as in a meter box or the like, indicating:

- a. the method of protection; and
- b. the date of installation of the system; and
- c. where a reticulated chemical barrier is used, its life expectancy as listed on the National Registration Authority; and
- d. the need to maintain and inspect the system on a regular basis.

18. Plumbing and drainage installation and alterations shall be carried out in accordance with the provisions of the NSW Code of Practice for Plumbing and Drainage which adopts the National Plumbing and Drainage Code AS 3500, with NSW variations.

For the purpose of complying with these standards inspections shall be carried out:

- 1. When all internal plumbing work is installed and prior to concealment.
- 2. When all external plumbing work is installed and prior to backfilling.

19. The finished floor level shall be minimum of 150mm above the surcharge gully on the sewer or septic tank and the surcharge gully shall be at least 150mm above the natural ground level.

20. All requirements of the Workcover Authority (including the Dangerous Goods Branch) shall be complied with for the duration of all building work.

FIRE SAFETY

21. The building is to comply with the attached Fire Safety Schedule.

Note: The attached schedule supercedes any earlier fire safety schedules and will cease to have effect when any later schedule is issued.

22. The owner shall submit to Council a Final Fire Safety Certificate stating that each essential fire safety measure specified in the current Fire Safety Schedule for the building to which the certificate relates:

- a) Has been assessed by a properly qualified person, and
- b) Was found, when assessed, to be capable of performing to a standard not less than that required by the current Fire Safety Schedule for the building.

Further, the assessment is to be carried out within a period of three (3) months of the date on which the Final Fire Safety Certificate was issued. The owner of the building shall forward a copy of the Certificate to the NSW Fire Brigades and also prominently display a copy in the building.

Note: A Final Safety Certificate must be provided before a Final Occupation Certificate can be issued for the building.

23. Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with AS 2444. Whilst the building is

under construction not less than 1 extinguisher to suite Class A, B and C fires and electrical fires must be provided at all times adjacent to each required exit.

24. An emergency lighting system is to be installed in accordance with AS 2293.1.

25. Exit signs are to be installed over each required exit in accordance with AS 2293.1. When an exit is not clearly visible to a person approaching the exit then directional signs must be provided.

26. All exits must not incorporate a step or ramp at any point closer to doorway than the width of the door leaf.

27. In a required exit or path of travel to an exit there must be an unobstructed height throughout of not less than 2 metres and an unobstructed width throughout of not less than 1 metre.

In the path of exit, doors are to have a minimum height of 2000mm and a minimum width of 750mm.

28. An exit door must not be blocked at the point of discharge and where necessary, suitable barriers must be provided to prevent vehicles from blocking the exit, or access to it.

29. A door forming part of a required exit must be readily openable without a key from the side that faces a person seeking egress, by a single hand downward action or pushing action on a single device which is located between 900mm and 1200mm from the floor.

30. The early fire hazard indices of materials and assemblies must comply with Specification C 1.10 of the Building Code of Australia.

31. No point on the floor shall be further than 20 metres from an exit or a point at which travel in different directions to an exit is available. No path of travel to a single exit shall be greater than 40 metres.

GENERAL CONDITIONS

32. The applicant is to obtain an Occupation Certificate pursuant to Section 109C of the EP&A Act 1979, as amended, from Council at the completion of the works to certify that works have been completed in accordance with the applicable standards of this consent.

33. The development shall not interfere with the amenity of the neighbourhood by reason of the omission of noise, vibrations, smell, fumes, smoke, vapour, steam, soot, ash, dust or water waste, waste products or grit, oil or any other form of pollution that may affect the neighbouring amenity.

34. The lighting of the premises shall be shielded and directed so as not to cause annoyance to the owners or occupiers of adjoining premises or glare to motorists on adjoining or nearby roads.

Evidence must be provided to Council indicating compliance with the above condition prior to occupation.

35. External paths and ground surface adjoining walls of the dwelling being graded away from the dwelling in such a manner so not to cause a nuisance to the building or

adjoining lands.

36. Provision shall be made in the building and onsite for:

a) Access to the building for people with disabilities in accordance with the Building Code of Australia.

b) Toilet facilities for people with disabilities in accordance with the Building Code of Australia, such facilities shall be accessible to persons working in or using the building, and in accordance with this requirement.

Amended details are to be submitted to and approved by Council showing the appropriate dimensions of a disabled toilet.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Menzies (Chairman), Seymour, Glass, McCann, Logan, O'Brien, Hutcheon and Brill.

VOTES AGAINST

nil

ABSENT

Clr G Beard

INTEREST DECLARED

nil

MINUTENO

213/07/2010

REPORT NO

4.4

SUB REPORT NO

HS3

FILE

PF2271

REPORT SUBJECT

DEVELOPMENT APPLICATION 12/2010 – LOT 232 DP 750867 BYGOO ROAD
ARDLETHAN – SHED

RESOLUTION

RESOLVED on the motion of Clr O'Brien and seconded by Clr Brill that Council approve the Development Application to construct a shed at the above mentioned property subject to compliance with the Conditions of Approval as set out in the attachments.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Glass, McCann, Logan, Brill, O'Brien, Hutcheon and Beard.

VOTES AGAINST

nil

ABSENT

Clr Menzies

INTEREST DECLARED

Clr Hutcheon declared an interest in this matter on the basis that he sold the applicant the shed. Clr Hutcheon departed the Council Chambers and took no part in discussion or voting.

MINUTENO

216/07/2010

REPORT NO

4.4

SUB REPORT NO

HS6

FILE

PF274

REPORT SUBJECT

DEVELOPMENT APPLICATION 09/2010 – LOT 95, DP 750829, DOUBLEDAY LANE, COOLAMON – EXPANSION OF EXISTING DOG BOARDING KENNELS

RESOLUTION

RESOLVED on the motion of Clr McCann and seconded by Clr Glass that the conditions as presented by the Executive Manager, Planning & Environmental Services be accepted, however, Council delete the requirement for a Section 94 Contribution.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour(Chairman), Glass, McCann, Logan, Brill, O'Brien, Hutcheon and Beard.

VOTES AGAINST

nil

ABSENT

Clr Menzies

INTEREST DECLARED

nil

MINUTENO

217/07/2010

REPORT NO

4.4

SUB REPORT NO

HS6

FILE

PF274

REPORT SUBJECT

DEVELOPMENT APPLICATION 09/2010 – LOT 95, DP 750829, DOUBLEDAY LANE, COOLAMON – EXPANSION OF EXISTING DOG BOARDING KENNELS

RESOLUTION

FURTHER RESOLVED that approval be given for the facility subject to the following conditions:

PRIOR TO APPROVAL

1. Prior to commencement of the operation of the facility to house 50 dogs, amended plans are required to be submitted and approved that clearly identify:

- Proposed location of septic disposal system.
- Location of parking areas for patrons.
- Location of any proposed solid waste disposal pit.
- Position of bunded areas that ensure all stormwater is kept clear and diverted from the exercise yard.
- Landscape details.
- Location of sound proof kennels.

2. Prior to construction of the approved development it is necessary to obtain a

Construction Certificate. A Construction Certificate may be issued either by Council or an appropriately accredited certifier. A separate application, complete with detailed plans and specification must be submitted and approved prior to any work on site.

3. Prior to the approval of a Construction Certificate the applicant must submit to the Accredited Certifier Structural Engineers drawings prepared by a Practising Structural Engineer of professional status in respect of the proposed dog kennels. This shall include:

- a. Structural steelwork.
- b. Concrete pier and/or slab design.
- c. Bracing detail.

OPERATIONAL CONDITIONS

5. The applicant shall carry out all activities associated with the development in accordance with the stamped, approved Statement of Environmental Affects indicating the proposed use and operation of the facility except as varied by these conditions.

6. Development application 10/2010 is for the construction and operation of boarding kennels to house a maximum of 50 dogs at any one time.

7. Management of the facility shall ensure that during peak times and/or high occupancy rates that a person shall be in attendance at all times.

Note: Peak times are defined as during School holidays or over the Christmas period. High occupancy rates is defined as dog numbers in excess of 20 (the previously approved capacity).

8. The design and construction of the boarding kennels shall have regard to the 'Animal Welfare Code of Practice No: 5 – Dogs and Cats in Animal Boarding Establishments'.

In particular the noise from barking dogs must be managed by:

- Limiting external stimulation, eg: by partitioning between kennels or using blinds.
- Holding dogs singularly or in compatible pairs.
- Turning lights off after feeding.
- Siting or screening all kennels so that roadways or neighbouring animals cannot be viewed by dogs.

A copy of this policy has been attached to this consent.

9. The development shall not interfere with the amenity of the neighbourhood by reason of the omission of noise, vibrations, smell, fumes, smoke, vapour, steam, soot, ash, dust or water waste, waste products or grit, oil or any other form of pollution that may affect the neighbouring amenity.

10. All manure and waste from the boarding kennels must be collected and disposed/stockpiled into areas clear of any drainage or runoff areas and outside flood liable land. The stockpiles must be weatherproof and kept free from odour and vermin and disposed of at appropriate times to ensure no nuisance is created.

All solid waste is to be collected daily and stored in suitable vermin proof containers. Disposal of this waste must be at Council's landfill site or into an area designated on the site. This area on site must be for disposal of waste into a covered and sealed trench. Lime must be added weekly into the trench. The trench shall be clear of any drainage line or flood path.

At no time shall the collection, storage or disposal of waste create a nuisance, especially visually or odour, to neighbouring properties.

11. All liquid waste from animals and the cleaning process that occurs within the kennels shall be drained to a septic tank disposal system. This septic tank shall be installed and operated in accordance with the Local Government Act and relevant standards. All details of the disposal system must be submitted to and approved by Council prior to work on site.

A suitable screen shall be provided at the entry into the tank to collect all dog hair/fur and other associated solids from entering the tank.

12. The operation of this facility shall comply with all related legislation including, but not limited to, the Companion Animals Act and the Protection of the Environment Operations (Noise Control) Regulations 2008.

13. The kennels and exercise yard areas shall be bunded to ensure that surface runoff is directed clear of the boarding facilities and associated waste storage areas. All outside exercise yards are to be drained to evaporation ponds.

14. A minimum of two soundproofed holding pens are required for the keeping of distressed and noisy animals. This shall be identified on the amended plans to be submitted to Council.

15. Any change from the existing signage, advertising or notices associated with this development may only be exhibited on the property and be unobtrusive in their nature. Any signage must be submitted to and approved by Council prior to its erection on site.

16. The operation and management of this facility must ensure that no noise nuisance is created by animals barking incessantly. In this regard Council may require at any time during the operation of the facility an acoustic assessment of the property be carried out at the full cost of the applicant.

17. The kennels are to be screened from surrounding dwellings. Physical screens must be provided until such time as vegetation is mature enough to provide full screening. Details of the type and location of this screening must be submitted and approved by Council prior to operation.

CONSTRUCTION CONDITIONS

18. A detailed landscape plan for the whole site shall be submitted to and approved by the Executive Manager of Planning & Environmental Services prior to the commencement of any work on site.

This plan must include:

- The location of all exercise yards.
- The areas that will be using landscaping to screen the facility.
- Indicate the species of trees and shrubs and their location.

All landscape works shall be provided with a water service point to allow for ongoing maintenance.

19. Soil erosion and sediment control measures are to be maintained during the entire construction period until disturbed areas are restored by turfing, paving or revegetation. Topsoil, excavated material, construction and landscaping supplies and onsite debris are to be stockpiled within the erosion containment boundary and shall

not encroach upon the footpath, nature-strip or road. Details of the sediment control measures are to be provided to Council with the Construction Certificate.

20. Construction work shall take place during normal working hours, namely 7.00a.m. to 5.00 p.m. Mondays to Fridays and 8.00a.m. to 1.00p.m. Saturdays (no work on Sundays or Public Holidays) and in a manner so as not cause a nuisance (by the generation unreasonable noise or other activity) to the owners and/or residents of adjoining properties.

21. The internal surface of the kennels shall be constructed of impervious, solid, washable materials. Wall and floor junctions shall be sealed to facilitate cleaning and disinfection.

22. Plumbing and drainage installation and alterations shall be carried out in accordance with the provisions of the NSW Code of Practice for Plumbing and Drainage which adopts the National Plumbing and Drainage Code AS 3500, with NSW variations. Full details of the proposed septic system must be provided to Council and approved prior to any work on site.

For the purpose of complying with these standards inspections shall be carried out:

1. When all internal plumbing work is installed and prior to concealment.
2. When all external plumbing work is installed and prior to backfilling.

23. The stormwater from the kennels must be discharged to rubble pits 600mm X 600mm X 2 metres per downpipe. This disposal area shall be clear of any buildings or exercise yards, septic tank disposal area and boundary.

24. The lot is to be provided with an all-weather access. The existing access shall be upgraded and constructed from the existing road network to the property boundary and at no cost to Council. Construction of this access shall be at Council consent after submission and approval of the appropriate application.

It is recommended that Council's Works Engineer be contacted to ensure compliance with this condition of approval.

25. Off street carparking for patrons is to be provided within the property. A minimum of 3 spaces shall be designated for the collection and dropping of dogs. Full details of the proposed location and construction shall be provided to Council for consent prior to any work on site.

26. All driveways, loading areas and carpark areas shall be constructed to a suitably drained waterproof and dustproof surface and clearly defined or linemarked in accordance with the Executive Manager Engineering & Technical Services.

27. For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- a. Footings trenches and reinforcing steel prior to the placement of concrete;
- b. Steel reinforcement to all raft, floor slabs etc. Prior to the placement of concrete;
- c. Frame and/or roof frame prior to fixing of cladding or roof covering;
- d. Stormwater drainage and absorption trenches;
- e. Completion prior to occupation of the building;

28. Site signage shall apply, and must be erected on the site in a prominent, visible

position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

29. Building materials not to be stored on Council footway or nature strip at any time.

30. Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Glass, McCann, Logan, Brill, O'Brien, Hutcheon and Beard.

VOTES AGAINST

nil

ABSENT

CrI Menzies

INTEREST DECLARED

nil

MINUTENO

284/09/2010

REPORT NO

4.4

SUB REPORT NO

HS7

FILE

P.03-03, P.03-10

REPORT SUBJECT

COOLAMON LOCAL ENVIRONMENTAL PLAN (LEP)

RESOLUTION

RESOLVED on the motion of Clr O'Brien, seconded by Clr Glass that:

- 1) Council provide all submissions to the Department of Planning together with Council's assessment.
- 2) Council re-enforce the need to rezone Area C & D as detailed in the Strategic Plan.
- 3) Council provide all information necessary for a Section 68 report to the Department of Planning to allow the gazettal process to proceed in accordance with the Plan as advertised.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Menzies (Chairman), Seymour, Glass, McCann, Logan, Brill, O'Brien, Hutcheon and Beard.

VOTES AGAINST

nil

ABSENT

nil

INTEREST DECLARED

nil

MINUTENO

285/09/2010

REPORT NO

4.4

SUB REPORT NO

HS8

FILE

P.03-03

REPORT SUBJECT

DEVELOPMENT CONTROL PLANS

RESOLUTION

RESOLVED on the motion of Clr McCann, seconded by Clr Beard that Council adopts the Statement of Intent in relation to the development of a Draft Development Control Plan for the Coolamon Town Centre.

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clrs Menzies (Chairman), Seymour, Glass, McCann, Logan, Brill, O'Brien, Hutcheon and Beard.

VOTES AGAINST

nil

ABSENT

nil

INTEREST DECLARED

nil

MINUTENO

390/12/2010

REPORT NO

4.4

SUB REPORT NO

HS2

FILE

A.05-07

REPORT SUBJECT

SUBDIVISION CERTIFICATE FOR WRIGHT STREET, GANMAIN – DA 07/2009, SUB 03/2009

RESOLUTION

RESOLVED on the motion of Clr Seymour and seconded by Clr Hutcheon that Council issue Subdivision Certificate for the above mentioned property.

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clrs Menzies (Chairman), Seymour, McCann, Logan, Brill, O'Brien, Beard and Hutcheon

VOTES AGAINST

nil

ABSENT

Clr Glass

INTEREST DECLARED

nil

MINUTENO

224/08/2011

REPORT NO

4.4

SUB REPORT NO

HS3

FILE

PF1286/1021

REPORT SUBJECT

DEVELOPMENT APPLICATION 12/2011 – SUBDIVISION 03/2011

RESOLUTION

RESOLVED on the motion of Clr Logan and seconded by Clr Beard that Council approves Development Application 12/2011 subject to the following conditions:

- 1.The Applicant is to obtain from Council a Subdivision Certificate pursuant to Section 109 of the Environmental Planning & Assessment Act 1979. The final Survey Plan and 6 linen copies have to be submitted to Council along with the application for the Subdivision Certificate prior to its lodgement with the Lands Titles Office.
- 2.The proposed plan will be amended showing changes to the land configuration of the proposed lot. Council requires the final subdivision plan that will be approved as part of the Subdivision Certificate to be 60 metres in depth x 38.485 metres wide. This gives the proposed lot a total land area of 2,309m².
- 3.Each allotment in the proposed Subdivision shall be provided with electricity, to an acceptable low voltage standard, at no cost to Council. A letter from Country Energy advising that its requirements have been met shall be sufficient to establish compliance with this condition.
- 4.The Applicant shall make water available to each proposed lot in the Subdivision. This may include any works or charges required by the relevant authority. A letter from the relevant Water Authority advising that the requirements have been met shall be sufficient to establish compliance with this condition.
- 5.The Subdivider shall make arrangements for the inclusion of telephone services to the lots in the Subdivision. Prior to release of the final Plan of Subdivision, the Applicant shall submit to Council written notification from a recognized telecommunications carrier to confirm that arrangements have been made to satisfy this condition.
- 6.All proposed lots to the Subdivision are to be provided with an all weather access. This access shall be constructed from the existing road network to the property boundary and at no cost to Council. Construction of this access shall be at Council consent after submission and approval of the appropriate application.
- 7.Payment to Council of Sewerage Contributions:
In accordance with Council Policy the applicant is required to pay \$4,500 per additional lot created or the cost of providing the sewer infrastructure, whichever is the greater.

In this instance Council shall extend the sewer main in a 150mm (6 inch) pipe from the existing sewer manhole into the new lot. This sewer main shall extend to the proposed property boundaries to provide access to the new allotments.

Any changes to the existing internal sewer network must be undertaken to ensure compliance with AS 3500.

8. Payment to Council of the following contributions pursuant to Section 94 and Section 94b of the Environmental Planning & Assessment Act and the following development contributions plan, prior to the release of the final payment for subdivision.

Section 94 Contribution Plan – Coolamon

Coolamon Peripheral Area – \$2,409 per block x 1 additional allotment – Total of \$2,409.

9. No trees are to be removed from Council's land without the prior permission of Council's Executive Manager, Engineering & Technical Services.

10. Any existing internal infrastructure must be removed or relocated to ensure that no services will be located over proposed boundaries. Any services that cannot be relocated must be provided with an easement on the final linen plan.

11. The final Plan of Subdivision will not be released until all construction works and other applied conditions and requirements have been satisfied or suitable arrangements have been made otherwise with Council.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), McCann, Brill, Glass, O'Brien, Beard, Hutcheon and Logan

VOTES AGAINST

nil

ABSENT

Clr Menzies

INTEREST DECLARED

nil

MINUTENO

225/08/2011

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

PF1244/1

REPORT SUBJECT

ALFRESCO DINING – 117 COWABBIE STREET, COOLAMON

RESOLUTION

RESOLVED on the motion of Clr McCann and seconded by Clr Hutcheon that Council approves the application to place outdoor seating at 117 Cowabbie Street, Coolamon subject to conditions that ensure the above matters are met.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), McCann, Brill, Glass, O'Brien, Beard, Hutcheon and Logan

VOTES AGAINST

nil

ABSENT

Clr Menzies

INTEREST DECLARED

nil

MINUTENO

226/08/2011

REPORT NO

4.4

SUB REPORT NO

HS5

FILE

PF489

REPORT SUBJECT

DEVELOPMENT APPLICATION 10/2011 - 101-103 FORD STREET, GANMAIN

RESOLUTION

RESOLVED on the motion of Clr O'Brien and seconded by Clr Hutcheon that the General Manager be delegated the authority to assess Development Application 10/2011.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), McCann, Brill, Glass, O'Brien, Beard, Hutcheon and Logan

VOTES AGAINST

nil

ABSENT

Clr Menzies

INTEREST DECLARED

nil

MINUTENO

227/08/2011

REPORT NO

4.4

SUB REPORT NO

HS6

FILE

PF1387/2

REPORT SUBJECT

DEVELOPMENT APPLICATION 06/2011 – 80 MANN STREET, COOLAMON

RESOLUTION

RESOLVED on the motion of Clr Beard and seconded by Clr McCann that:

1) Council as the owner of the land subject to this application gives consent for its submission,

2) Council approves Development Application 06/2011 in accordance with the following conditions provided in the attachments.

1. For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- a. Pier holes prior to the placement of concrete;
- b. Footings, trenches and reinforcing steel prior to the placement of concrete.
- c. Frame including roof frame prior to fixing of cladding or roof covering;
- d. Stormwater drainage;
- e. Completion prior to occupation of the building.

2. The stormwater being discharged to the roadside gutter, taken through the kerb and the kerb is to be made good or, alternatively, linked to existing stormwater drainage which discharges at the roadside gutter.

3. The building addition or attachment shall not compromise the structural design or integrity of any portion of the existing building.

4. Building and construction materials, plant, equipment and the like are to be placed or stored on Council's footpath or roadway in a manner that will not endanger the public whilst still permitting safe access and pedestrian movement.

The applicant shall submit to Council a Pedestrian Management Plan that will be proposed for the duration of the building work. This must be submitted and approved by Council prior to any work on site.

5. This building is located in close proximity to a heritage precinct. For this reason the applicant must submit details of any proposed signage together with the external colour scheme to Council, for approval, prior to commencing work on the same.

Should the same colour scheme as the existing building be used then work can commence. Any proposed change from this colour scheme would require the consent of Council.

6. All requirements of the WorkCover Authority shall be complied with for the duration of all building work.

7. It is the responsibility of the applicant to locate and verify the existing underground services.

Care shall be taken to ensure all existing services are protected from damage during construction. The repair to any damage to these services is the responsibility of the applicant. Should any existing pipelines be affected by the building work then they will need to be relaid clear of the building alignment and in accordance with the requirements of the Service Authority. Full details of this work must be submitted to and approved by Council prior to proceeding.

8. All footings shall comply with the requirements of Australian Standards 2870. Any changes to this standard will require Engineer's Certification.

9. Upon completion of the building work the footpath area is to be smooth, even and free from debris or trip hazards. All waste is to be removed from site.

10. The verandah shall be attached to the façade at the same level as the adjoining verandah and the fascia and gutter to be at the same level as the existing adjoining verandah and fascia.

11. The verandah shall be provided with 4 support posts to match the nominal 3 metre spacing of the adjoining verandah.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), McCann, Brill, Glass, O'Brien, Beard, Hutcheon and Logan

VOTES AGAINST

nil

ABSENT

Clr Menzies

INTEREST DECLARED

nil

MINUTENO

262/09/2011

REPORT NO

4.4

SUB REPORT NO

HS3

FILE

PF2533

REPORT SUBJECT

ILLEGAL BUILDING WORKS – 16 WARRI STREET, ARDLETHAN

RESOLUTION

RESOLVED on the motion of Clr Seymour and seconded by Clr O'Brien that:

- 1) Council issue an Order in accordance with S.121B of the EP&A Act requiring the owner of 16 Warri Street, Ardlethan to submit a Development Application for the undertaking of alterations and additions on the dwelling at this address.
- 2) The Development Application be accompanied by an Application for a Building Certificate and a Construction Certificate in order to certify all works undertaken to this point, and to certify all works required in order to complete the dwelling alterations and additions.
- 3) The Application for a Building Certificate be accompanied by a report from a practicing Structural Engineer indicating that the existing structure is adequate and in conformance with the Building Code of Australia.

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clrs Menzies (Chairman), Seymour, McCann, Glass, O'Brien, and Logan

VOTES AGAINST

nil

ABSENT

Clr D Brill, Clr G Beard and Clr B Hutcheon

INTEREST DECLARED

nil

MINUTENO

298/10/2011

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

PF2286/3

REPORT SUBJECT

DEVELOPMENT APPLICATION 16/2011 – GRAINCORP CONTINGENT STORAGE – LOT 4, DP 868022, KAMARAH TANK ROAD, ARDLETHAN

RESOLUTION

RESOLVED on the motion of Clr O'Brien and seconded by Clr Beard that Council approve this Development proposal in accordance with the following conditions of consent:

1.It is noted that this land is also subject of a separate subdivision/boundary adjustment approval (Development Application 16/2011) issued by Council. A final occupation certificate shall not be issued and therefore operation of grain handling operations and storage shall not be conducted on Part Lot 4 DP 868022 until a subdivision certificate has been issued by Council.

2.It is noted that this consent is for Stage 1 (1x 25,000 Tonne Bunker) only. The proposed second bunker is subject to a separate Development Application (Development Application 17/2011).

3.The portion of Lot 4 DP 868022 subjected to the proposed subdivision and Lot 2 DP 712940 shall be consolidated to form one parcel of land.

4.All vehicular movements (enter and exiting) and infrastructure provisions are to be via the existing Lot 2 DP 712940.

5.Through traffic on the Kamarah Tank Road shall not be affected by this development during construction and general operations. Accordingly, internal road signage is required to ensure vehicular movements within the site reflect this requirement.

6.Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

7.Structural Engineers drawings prepared by a Practising Structural Engineer of professional status in respect of:

- a)Structural steelwork.
- b)Slab design
- c)Roof trusses.
- d)Bracing detail.

8.For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- a.Footing trenches and reinforcing steel prior to the placement of concrete;
- b.Stormwater drainage;
- c.Completion prior to occupation of the building

9.All hardstand areas including compacted road base, paving, concrete etc. shall be kerbed and graded to sumps and drained to borrow pit/retention dam located in the south-eastern corner of the site as indicated on the stamped approved plans.

All amendments must be approved by Council's Executive Manager of Engineering and Technical Services prior to the commencement of construction.

10. Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

11. Construction work shall take place during normal working hours, namely 7.00a.m. to 5.00 p.m. Mondays to Fridays and 8.00a.m. to 1.00p.m. Saturdays (no work on Sundays or Public Holidays) and in a manner so as not cause a nuisance (by the generation unreasonable noise or other activity) to the owners and/or residents of adjoining properties.

12. All requirements of the WorkCover Authority (including the Dangerous Goods Branch) shall be complied with for the duration of all building work.

13. The development shall not interfere with the amenity of the neighbourhood by reason of the omission of noise, vibrations, smell, fumes, smoke, vapour, steam, soot, ash, dust or water waste, waste products or grit, oil or any other form of pollution that may affect the neighbouring amenity.

14. During times of unavoidable airborne dust emission through vehicle movement and grain storage operations, the applicant shall provide and make available on-site a water cart capable of providing sufficient dust suppression.

15. The lighting of the premises shall be shielded and directed so as not to cause annoyance to the owners or occupiers of adjoining premises or glare to motorists on adjoining or nearby roads.

Evidence must be provided to Council indicating compliance with the above condition prior to occupation.

16. All waste generated on-site through grain storage operations shall be handled and disposed of in a manner approved by Council's Executive Manager Planning & Environmental Services.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Menzies (Chairman), Seymour, McCann, Glass, O'Brien, Brill, Beard, Hutcheon and Logan

VOTES AGAINST

nil

ABSENT

nil

INTEREST DECLARED

nil

MINUTENO

299/10/2011

REPORT NO

4.4

SUB REPORT NO

HS5

FILE

PF482

REPORT SUBJECT

PROPOSED CHANGE OF USE FROM COMMERCIAL TO RESIDENTIAL – 83 FORD STREET, GANMAIN

RESOLUTION

RESOLVED on the motion of Clr Logan and seconded by Clr Brill that the matter be deferred to the November Meeting of Council pending Council taking an expanded Community Consultation. The results of that consultation to be submitted in the November Agenda.

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clrs Menzies (Chairman), Seymour, McCann, Glass, O'Brien, Brill, Beard, Hutcheon and Logan

VOTES AGAINST

nil

ABSENT

nil

INTEREST DECLARED

nil

MINUTENO

330/11/2011

REPORT NO

4.4

SUB REPORT NO

HS2

FILE

PF1647/1, PF1647/2

REPORT SUBJECT

DEVELOPMENT APPLICATION 22/2011, SUBDIVISION 05/2011

RESOLUTION

RESOLVED on the motion of Clr Seymour and seconded by Clr Logan that Council approve the proposed boundary adjustment of the lands identified as Lot 1, DP 634687 and Lot 2, DP 634687 in accordance with the following conditions of consent:

1)The applicant is to obtain from Council a subdivision certificate pursuant to Section 109 of the Environmental Planning and Assessment Act 1979. The final survey plan and 6 linen copies are to be submitted to Council along with the application for the subdivision certificate prior to its lodgement with the Lands Titles Office.

2)Proposed Lot 12 excluding the road and trig reserve must be a minimum of 200 hectares.

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clrs Menzies (Chairman), Seymour, McCann, Glass, O'Brien, Brill, Hutcheon and Logan.

VOTES AGAINST

nil

ABSENT

Clr G Beard

INTEREST DECLARED

Clr Hutcheon declared a non-pecuniary interest due to his personal relationship to the

applicant

MINUTENO

332/11/2011

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

PF482

REPORT SUBJECT

DEVELOPMENT APPLICATION 15/2011 – PROPOSED CHANGE OF USE FROM COMMERCIAL TO RESIDENTIAL – 83 FORD STREET, GANMAIN

RESOLUTION

RESOLVED on the motion of Clr McCann and seconded by Clr Logan that the application be refused as it is not in the public interest due to the following reasons:

- 1.The site being located in the heart of the business district is not suitable for residential development.
- 2.The use of the site for residential purposes will weaken the business centre and sterilize the site from future commercial use.
- 3.There is no need for residential development on the site.
- 4.The proposal to use all of the site for residential purposes will conflict with the existing commercial uses in the vicinity of the site and Council's desire to retain a distinct commercial precinct.
- 5.The proposed development will have an unacceptable impact on the heritage value of the property and the streetscape.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Menzies (Chairman), Seymour, McCann, Glass, O'Brien, Brill, Hutcheon and Logan.

VOTES AGAINST

nil

ABSENT

Clr G Beard

INTEREST DECLARED

nil

MINUTENO

371/12/2011

REPORT NO

4.4

SUB REPORT NO

HS6

FILE

PF483

REPORT SUBJECT

DEVELOPMENT APPLICATION – 84 FORD STREET, GANMAIN

RESOLUTION

RESOLVED on the motion of Clr Beard and seconded by Clr O'Brien that the General Manager be delegated authority to assess the above mentioned Development Application once the notification period has ceased.

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clrs Menzies (Chairman), McCann, Glass, O'Brien, Brill, Hutcheon, Logan and Beard

VOTES AGAINST

nil

ABSENT

Clr J Seymour

INTEREST DECLARED

nil

MINUTENO

073/03/2012

REPORT NO

4.4

SUB REPORT NO

HS9

FILE

PF1140

REPORT SUBJECT

FRONT FENCE - 59 BRUCE STREET SOUTH, COOLAMON – LOT 1, DP 120359

RESOLUTION

RESOLVED on the motion of Clr O'Brien and seconded by Clr Seymour that Council proceed with the Order for the removal of the sections of fence that are forward of the building line.

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clrs Menzies (Chairman), Seymour, McCann, Logan, Brill, O'Brien and Glass.

VOTES AGAINST

nil

ABSENT

Clr Beard & Hutcheon

INTEREST DECLARED

nil

MINUTENO

134/05/2012

REPORT NO

4.4

SUB REPORT NO

HS5

FILE

PF482

REPORT SUBJECT

PROPOSED CHANGE OF USE – COMMERCIAL TO 2 RESIDENTIAL UNITS & 2 COMMERCIAL SHOPFRONTS – 81-83 FORD STREET GANMAIN (CONTINUED)

RESOLUTION

RESOLVED on the motion of Clr Beard and seconded by Clr Brill that Council approve the application to change the use of 81-83 Ford Street, Ganmain, to 2 residential units and 2 commercial shopfronts subject to conditions of development consent.

DETAILS OF CONDITIONS

The development shall be undertaken in accordance with the plans and supporting documentation lodged in respect of this application except where varied by the following conditions.

All aspects of this development shall comply with the Environmental Planning and Assessment Act 1979 and all relevant Acts and Regulations there under, together with all Council planning and development policies. In particular all construction and associated building works shall comply with the Building Code of Australia and any applicable Australian Standards there under.

PRIOR TO CONSTRUCTION

1) Prior to construction of the approved development it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued either by Council or an appropriately accredited certifier. A separate application, complete with detailed plans and specification must be submitted and approved prior to any work on site.

For this particular development the specification must include information and evidence on the proposed method of fire rating (commencing at the footing and finishing to the underside of the non-combustible roof covering) the dividing walls and ceilings between the proposed commercial and residential units, and the neighbouring commercial buildings. Reference is made to the Fire Safety conditions as described below.

2) Structural Engineers drawings prepared by a Practising Structural Engineer of professional status are to be provided in respect of:

- a) Structural steelwork.
- b) Slab design
- c) Roof trusses.
- d) Bracing detail.

3) Architectural plans indicating compliance with the Building Code of Australia, with specific regard to ceiling heights (Part F3.1), lighting and ventilation (Part F4).

4) A certification from a suitably qualified professional in respect to the developments compliance with Section J of the Building Code of Australia, which specifically relates to Energy Efficiency.

5) Amended plans of the front building facade addressing the following items with respect to Heritage:

- a. Restoration of the existing awning structure including fascia and drainage;
- b. Heritage paint colour scheme to external walls (required for all elevations);
- c. Retain and make good existing ceramic tiles;
- d. Revised design of the entrances to include the traditional pairs of doors similar to those on the Senior Citizens Centre;
- e. Revised retained shop fronts to show all the glazed elements being retained except for the two pairs of doors;

f. Revised sections to show the top lights being retained but blanked off behind to allow construction of the new floor and ceiling

NOTE: These plans will then require Council approval following comment from Council's Heritage Advisor.

6) Signage, advertising or notices associated with this development (specifically the commercial shop fronts) must be submitted to and approved by Council prior to its erection on site and before a Construction Certificate is issued.

DURING CONSTRUCTION

7) For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- i. Footings;
- ii. Slab and other Steel Reinforcement;
- iii. Frame (including subfloor where applicable);
- iv. Wet area waterproofing;
- v. Stormwater;
- vi. Final prior to occupation.

8) Construction work shall take place during normal working hours, namely 7.00a.m. to 5.00 p.m. Mondays to Fridays and 8.00a.m. to 1.00p.m. Saturdays (no work on Sundays or Public Holidays) and in a manner so as not cause a nuisance (by the generation unreasonable noise or other activity) to the owners and/or residents of adjoining properties.

9) All requirements of the Workcover Authority (including the Dangerous Goods Branch) shall be complied with for the duration of all demolition and building work.

10) Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

11) Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

12) Care shall be taken to ensure all existing plumbing and drainage lines are protected from damage during construction. Should any existing pipelines be affected by the building work then they will need to be re-laid clear of the building alignment and in accordance with the requirements of Australian Standards 3500. Full details of this work must be submitted to and approved by Council prior to proceeding.

13) Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on Council's footpath or roadway.

14) All framework to comply with the National Timber Framing Code AS 1684 – 2006.

15) Where new or replacement hot water systems are installed, the system must deliver hot water to a maximum of 50 C to all outlets within the building that are to be set aside for personal hygiene.

16) Plumbing and drainage installation and alterations shall be carried out in accordance with the provisions of the NSW Code of Practice for Plumbing and Drainage which adopts the National Plumbing and Drainage Code AS 3500, with NSW variations.

For the purpose of complying with these standards inspections shall be carried out:

- 1) When all internal plumbing work is installed and prior to concealment.
- 2) When all external plumbing work is installed and prior to backfilling.

PRIOR TO OCCUPANCY

17) The applicant is to obtain an Occupation Certificate pursuant to Section 109C of the EP&A Act 1979, as amended, from either Council or an Accredited Certifying Authority at the completion of the works to certify that works have been completed in accordance with the applicable standards of this consent.

18) Sub-floor ventilation shall be provided in accordance with the National Construction Code (formerly the Building Code of Australia), Part F4.10 and New South Wales F4.10B1.

19) Construction of the internal stairs of the residential units is to comply with D2.13 of the Building Code of Australia.

20) Stormwater shall be discharged to the roadside kerb and gutter. Any penetration of the kerb is to be done so as to not cause any damage to the existing kerb and gutter.

Alternatively, the stormwater may be connected to the existing stormwater drainage that discharges to the roadside kerb and gutter.

21) External paths and ground surface adjoining walls of the dwelling being graded away from the dwelling in such a manner so not to cause a nuisance to the building or adjoining lands.

22) The building is to be protected from attack by subterranean termites. A notice showing full details of the termite barrier system complying with AS3660.1 – 1995 is to be submitted to Council BEFORE COMMENCEMENT OF WORK.

IT SHOULD BE NOTED THAT:

Council will not permit the use of hand held sprays for treatment beneath slab construction as the effective life of the treatment is limited. To retreat the slab it is necessary to drill holes throughout the slab at 400mm centres and introduce fresh chemical.

23) Clause B1.3(j) of the National Construction Code (formerly the Building Code of Australia) requires that a durable notice must be permanently fixed to the building in a prominent location, such as in a meter box or the like, 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; and
- d. the need to maintain and inspect the system on a regular basis.

24) The door to a fully enclosed sanitary compartment must:

- i) open outwards
- ii) slide or
- iii) be readily removable from the outside of the compartment, unless there is a clear space of at least 1.2 metres between the closet pan within the sanitary compartment and the nearest part of the doorway.

25) With regards to the commercial shop fronts, provision shall be made in the building and onsite for:

- i) Access to the building for people with disabilities in accordance with the National Construction Code (formerly the Building Code of Australia).
- ii) Toilet facilities for people with disabilities in accordance with the National Construction Code (formerly the Building Code of Australia), such facilities shall be accessible to persons working in or using the building, and in accordance with this requirement.

26) Minimum facilities must be provided to each of the commercial shop fronts in accordance with the following:

Water Closet Urinal Washbasin

Male---

Female---

Disabled 1 Unisex facility including a washbasin & shelf

27) The floor/ceiling and wall spaces between each unit and shopfront are to incorporate sound insulation in accordance with Part F5.4 and F5.5 of the Building Code of Australia.

FIRE SAFETY – GENERAL/STRUCTURAL

28) The early fire hazard indices of materials and assemblies must comply with Specification C1.10 of the Building Code of Australia.

29) The common walls between the neighbouring premises, and the wall separating Unit 1 & Shop 1 from Unit 2 & Shop 2, must achieve an FRL of 90/90/90 in accordance with Specification C1.1 of the Building Code of Australia. Evidence of this is to be provided prior to the commencement of construction.

30) Internal walls and ceilings separating the residential units from the shopfronts are to achieve an FRL of 60/60/60 in accordance with Specification C1.1 of the Building Code of Australia. Evidence of this is to be provided prior to the commencement of construction.

31) The internal doorways separating the residential units from the commercial shopfronts are to be self-closing, tight-fitting solid core doors, not less than 35mm thick.

32) The floor/ceiling separating the floor of the residential units from the commercial shopfronts below must:

- a) Be a floor/ceiling system incorporating a ceiling which has a resistance to the incipient spread of fire to the space above itself of not less than 60mins; OR
- b) Have an FRL of at least 30/30/30; OR
- c) Have a fire protective covering on the underside of the floor, including beams

incorporated in it, if the floor is of a combustible material.

FIRE SAFETY – COMMERCIAL SHOPFRONTS

33)The owner shall submit to Council a Final Fire Safety Certificate stating that each essential fire safety measure specified in the current Fire Safety Schedule for the building to which the certificate relates:

- i)Has been assessed by a properly qualified person, and
- ii)Was found, when assessed, to be capable of performing to a standard not less than that required by the current Fire Safety Schedule for the building.

Further, the assessment is to be carried out within a period of three (3) months of the date on which the Final Fire Safety Certificate was issued. The owner of the building shall forward a copy of the Certificate to the NSW Fire Brigades and also prominently display a copy in the building.

Note: A Final Safety Certificate must be provided before a Final Occupation Certificate can be issued for the building.

34)The building is to comply with the attached Fire Safety Schedule.

Note: The attached schedule supersedes any earlier fire safety schedules and will cease to have effect when any later schedule is issued.

35)The owner shall submit to Council an Annual Fire Safety Statement each twelve months after the Final Safety Certificate was issued.

36)Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with AS 2444. Whilst the building is under construction not less than 1 extinguisher to suite Class A, B and C fires and electrical fires must be provided at all times adjacent to each required exit.

37)Exit signs are to be installed over each required exit in accordance with AS 2293.1.

38)Exit doors are to have a minimum height of 2000mm and a minimum width of 750mm.

39)An exit door must not be blocked at the point of discharge and where necessary, suitable barriers must be provided to prevent vehicles from blocking the exit, or access to it.

40)In a required exit or path of travel to an exit there must be an unobstructed height throughout of not less than 2 metres and an unobstructed width throughout of not less than 1 metre.

FIRE SAFETY – RESIDENTIAL UNITS

41)Provision of:

1)A smoke alarm system complying with Specification E2.2a of the Building Code of Australia; or

2)Smoke alarms;

- a) complying with AS3786 or listed in the SSL Register of Accredited Products; and
- b) where the building is provided with mains electrical power, connected to the mains and have a standby power supply; and
- c) installed in suitable locations on or near the ceiling in:

- i) Any storey containing bedrooms between each area containing bedroom and the remainder of the dwelling, including any hallway associated with the bedrooms; or
- ii) In each bedroom; and
- iii) Any storey containing bedrooms.

UPON COMPLETION A LICENSED ELECTRICIAN CERTIFIES THE INSTALLATION.

GENERAL CONDITIONS

42) This approval does not imply consent for any strata, community title or subdivision. Any such proposal will require a separate application to be assessed by Council.

43) The rear storage sheds and carports shall not be used for industrial, commercial or residential purposes without prior consent of Council.

FOR & ON BEHALF OF COOLAMON SHIRE COUNCIL:

Signature:

Name: Tony Donoghue
Executive Manager Planning & Environment

Date: 17 May 2012

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Menzies (Chairman), Seymour, McCann, Logan, Brill, O'Brien, Glass, Beard and Hutcheon

VOTES AGAINST

nil

ABSENT

nil

INTEREST DECLARED

nil

MINUTENO

135/05/2012

REPORT NO

4.4

SUB REPORT NO

HS6

FILE

PF1208/2113

REPORT SUBJECT

REQUEST FOR TEMPORARY OCCUPANCY - CDC 2010/53 – LOT 25 DP 1131536, 19 ORR STREET, COOLAMON)

RESOLUTION

RESOLVED on the motion of Clr Beard and seconded by Clr Seymour that Council approve the request from Mr & Mrs Fuller for temporary occupancy of a caravan at 19 Orr Street Coolamon for a period of 6 months effective from the date of this meeting (17th May, 2012).

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clrs Menzies (Chairman), Seymour, McCann, Logan, Brill, O'Brien, Glass, Beard and Hutcheon

VOTES AGAINST

nil

ABSENT

nil

INTEREST DECLARED

nil

MINUTENO

136/05/2012

REPORT NO

4.4

SUB REPORT NO

HS7

FILE

PF1228/5

REPORT SUBJECT

APPLICATION FOR ALFRESCO DINING – COOLAMON HOTEL, CORNER OF COWABBIE & WADE STREETS, COOLAMON

RESOLUTION

RESOLVED on the motion of Clr Hutcheon and seconded by Clr McCann that Council delegate assessment of the proposal to the General Manager for the use of the footpath for alfresco dining purposes at the Coolamon Hotel pending advice from the NSW Police Licensing Sergeant and taking into consideration the matters raised in subsequent correspondence from Council's Heritage Advisor, Mr David Scobie, correspondence from the adjoining landholder, and subject to the following conditions being enforced:

- 1) Compliance with advice received from the Licensing Sergeant;
- 2) Compliance with advice given by the Heritage Advisor;
- 3) That changes to the colours and branding of the café barriers may only be done so with at the full discretion of Council;
- 4) No additional signage is to be erected without the full consent of Council;
- 5) A minimum clear pedestrian access path of 1.8m is to be maintained at all times;
- 6) The applicant is to provide Council with a copy of the businesses public liability insurance policy (being for a minimum \$20,000,000 and noting Council's interest in the footpath area);
- 7) That non-permanent fixtures (i.e. tables, chairs, etc.) be removed outside hours of use and stored appropriately within the premises;

8)That the area be maintained in a clean and tidy state at all times;

9)Should the applicant wish to have the current street bin removed, it shall be replaced by a new bin receptacle that compliments the heritage style of the premises. The new bin would be positioned in a location agreed to by the applicant and Council;

10)That it is the responsibility of the premises to ensure the protection of patrons with regard to traffic movement on the adjoining road; and

11)That the alfresco dining area operates only within the hours of 8.00am to 5.00pm. Any changes to these times will be at the full discretion of Council.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Menzies (Chairman), Seymour, McCann, Logan, Brill, O'Brien, Glass, Beard and Hutcheon

VOTES AGAINST

nil

ABSENT

nil

INTEREST DECLARED

nil

MINUTENO

172/06/2012

REPORT NO

4.4

SUB REPORT NO

HS6

FILE

PF1337/2

REPORT SUBJECT

DEVELOPMENT APPLICATION 14/2012 – "COOLGRASS" MUSIC EVENT

RESOLUTION

RESOLVED on the motion of Clr Hutcheon and seconded by Clr Seymour that authority be delegated to the General Manager to assess the Development Application.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Menzies (Chairman), Seymour, McCann, Logan, Brill, O'Brien, Glass and Hutcheon

VOTES AGAINST

Nil

ABSENT

Clr G Beard

INTEREST DECLARED

MINUTENO

333/11/2012

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

PF 310.0023

REPORT SUBJECT

DEVELOPMENT APPLICATION 25/2012 - RELOCATABLE DWELLING - LOT 12, DP 1042424, "WESTBROOK", 2909 COOLAMON ROAD, COOLAMON

RESOLUTION

RESOLVED on the motion of Clr Hutcheon and seconded by Clr White that Council approve the application to relocate a dwelling to Lot 12, DP 1042424, "Westbrook", 2909 Coolamon Road, Coolamon, subject to compliance with the following conditions of consent:RELOCATABLE DWELLING

- 1.The building shall be completed and ready for occupation within six (6) months of being placed on the property.
- 2.All defective and/or damaged materials are to be replaced to Council's satisfaction.
- 3.The \$10,000.00 bond will be held by Council until a final inspection has been carried out and an Occupation Certificate has been issued. This will require compliance with all conditions of development consent.
- 4.A brick fender wall shall be positioned across the front of the dwelling facing street frontages and returned at least two metres either side. Alternatively a screed of treated timber constructed to a design submitted to and approved by Council prior to commencement of building shall be erected across the front of the dwelling and returned at least two metres either side.
- 5.The lot is to be provided with an all-weather access. This access shall be constructed from the existing road network to the property boundary and at no cost to Council. Construction of this access shall be at Council consent after submission and approval of the appropriate application.
- 6.The applicant shall make water available to the allotment at no cost to Council. This may include any works or charges required by the relevant water authority. A letter from the relevant water authority advising that the requirements have been met shall be sufficient to establish compliance with this condition.
- 7.The proposed dwelling shall be provided with electricity, to an acceptable low voltage standard, at no cost to Council. A letter from Essential Energy advising that its requirements have been met shall be sufficient to establish compliance with this condition.
- 8.The proposed dwelling shall be provided with telephone services. Prior to the granting of occupancy, the developer shall submit to Council written notification from a recognized telecommunications carrier to confirm that arrangements have been undertaken to satisfy this condition.
- 9.Only one dwelling is permitted to exist upon Lot 12 DP 1042424 at any one time. Therefore prior to occupation of the dwelling being permitted, the applicant is to provide evidence of the proposed Lot 1 of Development Application 12/2001 being registered with NSW Land & Property Information as a separate allotment.

SITE MANAGEMENT

- 10.Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on Council's footpath or roadway.

11. Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

12. Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

13. The stormwater is to be discharged to rubble pits 600mm X 600mm X 2 metres per downpipe. This disposal area shall be clear of the building, septic tank disposal area and boundary.

14. External paths and ground surfaces adjoining walls of the dwelling being graded away from the dwelling in such a manner so not to cause a nuisance to the building or adjoining lands.

STRUCTURAL

15. For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- vi. Concrete footings & piers prior to the pouring of concrete;
- vii. Frame (including subfloor and reattachment where applicable);
- viii. Wet area waterproofing;
- ix. Stormwater;
- x. Final prior to occupation.

16. All framework to comply with the National Timber Framing Code AS 1684 – 2006.

17. Prior to the commencement of building works the applicant must submit to Council for approval Structural Engineers drawings prepared by a Practising Structural Engineer of professional status in respect of:

- a. Structural steelwork.
- b. Slab design
- c. Roof trusses.
- d. Bracing detail.

18. The underside of the bearers are to finish not less than 400 mm above ground level.

19. Sub-floor ventilation shall be provided in accordance with the Building Code of Australia, Part F4.10 and New South Wales F4.10B1.

20. The building is to be protected from attack by subterranean termites. A notice showing full details of the termite barrier system complying with AS3660.1 – 1995 is to be submitted to Council BEFORE COMMENCEMENT OF WORK.

IT SHOULD BE NOTED THAT:

Council will not permit the use of hand held sprays for treatment beneath slab construction as the effective life of the treatment is limited. To retreat the slab it is necessary to drill holes throughout the slab at 400mm centres and introduce fresh

chemical.

21. Clause B1.3(j) of the Building Code of Australia requires that a durable notice must be permanently fixed to the building in a prominent location, such as in a meter box or the like, indicating:

e) the method of protection; and

f) the date of installation of the system; and

g) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority; and

h) the need to maintain and inspect the system on a regular basis.

HEALTH & AMENITY

22. Provision of:

1. a smoke alarm system complying with Specification E1.7 of the Building Code of Australia; or

2. smoke alarms;

d) complying with AS3786 or listed in the SSL Register of Accredited Products; and

e) where the building is provided with mains electrical power, connected to the mains and have a standby power supply; and

f) installed in suitable locations on or near the ceiling in:

i. Any storey containing bedrooms:

* In a Class 1a dwelling:

between each area containing bedroom and the remainder of the dwelling, including any hallway associated with the bedrooms; or

- In each bedroom.

ii Any storey not containing bedrooms.

UPON COMPLETION A LICENSED ELECTRICIAN CERTIFIES THE INSTALLATION.

23. Where new or replacement hot water systems are installed, the system must deliver hot water to a maximum of 50 C to all outlets within the building that are to be set aside for personal hygiene

24. A continuous balustrade or other barrier must be provided if a landing of 1 metre or greater is created by the proposed structure. Any balustrade or barrier that may be required shall be constructed in accordance with Part 3.9.2 of the Building Code of Australia (Vol.2) – Balustrades.

25. The door to a fully enclosed sanitary compartment must:

a) open outwards

b) slide or

d) be readily removable from the outside of the compartment, unless there is a clear space of at least 1.2 metres between the closet pan within the sanitary compartment and the nearest part of the doorway.

PLUMBING & DRAINAGE

26. Full details of the proposed onsite sewage management system (i.e. septic) are to be provided to Council for approval prior to the commencement of works.

27. Plumbing and drainage installation and alterations shall be carried out in accordance with the provisions of the NSW Code of Practice for Plumbing and Drainage which adopts the National Plumbing and Drainage Code AS 3500, with NSW

variations.

For the purpose of complying with these standards inspections shall be carried out:

1. When all internal plumbing work is installed and prior to concealment.
2. When all external plumbing work is installed and prior to backfilling.

28. The finished floor level shall be minimum of 150mm above the surcharge gully on the sewer or septic tank and the surcharge gully shall be at least 150mm above the natural ground level.

MISCELLANEOUS

29. Full structural details of the proposed shed are to be provided to Council for approval prior to the commencement of the sheds construction.

30. The shed shall not be used for industrial, commercial or residential purposes without prior consent of Council.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Logan, Beard, White, Huxtable, Maslin, Hutcheon and McCann.

VOTES AGAINST

Nil

ABSENT

Clr Brill

INTEREST DECLARED

Nil

MINUTENO

335/11/2012

REPORT NO

4.4

SUB REPORT NO

HS6

FILE

(PF 1143/02)

REPORT SUBJECT

DEVELOPMENT APPLICATION 27/2012 – CHANGE OF USE: SERVICED APARTMENTS - LOTS 2-3, DP 841719, 73 BRUCE STREET, COOLAMON

RESOLUTION

RESOLVED on the motion of Clr McCann and seconded by Clr Beard that Council delegate assessment of Development Application 27/2012 to the General Manager.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Logan, Beard, White, Huxtable, Maslin, Hutcheon and McCann.

VOTES AGAINST

Nil

ABSENT

Clr Brill

INTEREST DECLARED

Nil

MINUTENO

360/12/2012

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

PF1313/03

REPORT SUBJECT

DEVELOPMENT APPLICATION 31/2012 - RELOCATABLE DWELLING AND SUBDIVISION

RESOLUTION

RESOLVED on the motion of Clr Logan and seconded by Clr Maslin that Council delegate assessment of Development Application 31/2012 to the General Manager subject to conditions of consent determined following the completion of the notification period.

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clrs Seymour (Chairman), Logan, Beard, White, Maslin and Brill, Clr Hutcheon
PRESENT:Clrs Seymour (Chairman), Logan, Beard, White, Maslin and Brill.

VOTES AGAINST

Nil

ABSENT

Clr McCann, Clr Huxtable,

INTEREST DECLARED**MINUTENO**

361/12/2012

REPORT NO

4.4

SUB REPORT NO

HS5

FILE

PF1352

REPORT SUBJECT

DEVELOPMENT APPLICATION 30/2012 - ALTERATIONS TO EXISTING RESIDENCE, CARPORT AND SHED

RESOLUTION

RESOLVED on the motion of Clr Beard and seconded by Clr White that Council approve Development Application 30/2012 subject to conditions of consent that ensure full compliance with the Building Code of Australia; that the corner of the allotment be kept clear of fencing; and all landscaping be limited to low groundcovers or similar to ensure maximum visibility is maintained.

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clrs Seymour (Chairman), Logan, Beard, White, Maslin and Brill,

VOTES AGAINST

Nil

ABSENT

Clr McCann, Clr Huxtable,

INTEREST DECLARED

Clr Hutcheon

MINUTENO

106/04/2013

REPORT NO

4.4

SUB REPORT NO

HS6

FILE

PF1571/112

REPORT SUBJECTDEVELOPMENT APPLICATION 06/2013 – 4 RESIDENTIAL UNITS - LOTS 3-4, DP 836550,
20 LOUGHNAN STREET, COOLAMON**RESOLUTION**

RESOLVED on the motion of Clr Huxtable and seconded by Clr McCann that Council approve Development Application 06/2013 subject to the following conditions: The development shall be undertaken in accordance with the plans and supporting documentation lodged in respect of this application except where varied by the following conditions.

All aspects of this development shall comply with the Environmental Planning and Assessment Act 1979 and all relevant Acts and Regulations thereunder, together with all Council planning and development policies. In particular all construction and associated building works shall comply with the Building Code of Australia and any applicable Australian Standards thereunder.

PRIOR TO CONSTRUCTION

1. Prior to construction of the approved development it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued either by Council or an appropriately accredited certifier. A separate application, complete with detailed plans and specification must be submitted and approved prior to any work on site.

2. Prior to the issuing of a Construction Certificate the following items are required by Council for approval:

i. A BASIX Certificate. At all times during construction, and upon completion, the building must comply with the requirements of the BASIX Certificate. This certificate includes ongoing use and maintenance of the building.

At completion of the building work and prior to the granting of an occupation certificate, the applicant shall provide certification from an appropriately qualified person that all work necessary was completed in accordance with the BASIX Certificate.

Any proposed amendment to this plan must be submitted together with an amended BASIX Certificate and approved by Council before any work can occur.

ii. Structural Engineers drawings prepared by a Practising Structural Engineer of professional status in respect of:

- a. Structural steelwork.
- b. Slab design

- c. Roof trusses.
- d. Bracing detail.

3. The applicant must provide details of the proposed kerb and gutter to Wallace Street along the land that bounds the subject development.

This is to be constructed to Coolamon Shire Council's Standards for kerb and gutter construction. Full details are to be submitted to and approved by Council's Manager Engineering and Environmental Services prior to any Construction Certificate being issued.

4. The following design elements are to be incorporated into the proposed development. These include:

i. Road access & internal driveway:

- ☐ A minimum access width of 5.0m is required.
- ☐ All driveway areas are to be of a concrete finish.

NOTE: The proposed vehicular access from the road network to the property boundary is the responsibility of the developer and is to be constructed at no cost to Council. All work undertaken between the driveway and the property boundary is to be done in accordance with Council's specifications, with inspections undertaken by Council's Executive Manager Engineering & Technical Services where required.

ii. Kerb and gutter and associated road shoulder work:

Provision of a detailed design for Council consideration and approval prior to the commencement of construction. The design should incorporate the following aspects:

- ☐ A maximum fall of 4% from the existing road seal.
- ☐ Minimum 200mm DGB20 base material.
- ☐ Design of carriageway to be approximately 12.2m, aligned with the southern section.
- ☐ Standard barrier kerb & gutter design as per Council's standard requirements.

iii. Stormwater drainage and disposal

- ☐ All stormwater is to be discharged to Wallace Street through the proposed kerb. No stormwater is permitted to be discharged into the rear laneway.
- ☐ Each individual unit shall discharge its own stormwater runoff separately to ensure adequate drainage is maintained, and to eliminate any flows to neighbouring units and/or premises. No sharing of stormwater pipes between multiple units is permitted.
- ☐ Stormwater catchment measures are to be put in place on the internal driveway to prevent inundation of Unit 4.

DURING CONSTRUCTION – SITE MANAGEMENT

5. Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

6. Construction work shall take place during normal working hours, namely 7.00a.m. to 5.00 p.m. Mondays to Fridays and 8.00a.m. to 1.00p.m. Saturdays (no work on Sundays or Public Holidays) and in a manner so as not cause a nuisance (by the generation unreasonable noise or other activity) to the owners and/or residents of adjoining properties.

7.The development shall not interfere with the amenity of the neighbourhood by reason of the omission of noise, vibrations, smell, fumes, smoke, vapour, steam, soot, ash, dust or water waste, waste products or grit, oil or any other form of pollution that may affect the neighbouring amenity.

8.Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

9.Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on Council's footpath or roadway.

10.Where the soil conditions require, a retaining wall shall be installed in accordance with an approved structural design. The design shall make adequate provision for drainage and must be submitted and approved by Council prior to any work on site.

DURING CONSTRUCTION – STRUCTURAL WORKS

11.For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- i.Footing;
- ii.Slab and other Steel Reinforcement;
- iii.Frame (including subfloor where applicable);
- iv.Wet area waterproofing;
- v.Stormwater;
- vi.Final prior to occupation.

12.All framework to comply with the National Timber Framing Code AS 1684 – 2006.

13.Plumbing and drainage installation and alterations shall be carried out in accordance with the provisions of the NSW Code of Practice for Plumbing and Drainage which adopts the National Plumbing and Drainage Code AS 3500, with NSW variations.

For the purpose of complying with these standards inspections shall be carried out:

- 1.When all internal plumbing work is installed and prior to concealment.
- 2.When all external plumbing work is installed and prior to backfilling.

DURING CONSTRUCTION – CIVIL WORKS

14.All excavation works undertaken upon Council roads and laneways are to be undertaken following consultation with Council, and following the provision of the appropriate traffic management plans.

All backfilling of excavation work upon roads and laneways is to be undertaken using suitable a road-base material, compacted in layers (maximum layer depth of 300mm), with all re-establishment of pavement and seal to be at the developers expense.

15.Upon completion of the works, the nature strip is to be re-established to the requirements as specified by Council's Facilities Maintenance Officer.

The completed nature strip is to consist of a smooth and even surface free of obstructions or trip hazards.

COMMUNITY TITLE SUBDIVISION

16. The final plan of the proposed Community Title Subdivision is to be submitted to, and approved by Council prior to the occupancy of any dwelling unit associated with this development.

17. Payment of Sewerage Contributions:

i. In accordance with Council policy the applicant is required to pay \$4500.00 per additional unit. In this case there will be three (3) additional units to the existing ratable assessments. This is a total cost of \$13,500.00

18. Each dwelling allotment within the community title shall be provided with the following services to a standard as specified by the relevant authority, including:

i. Electricity, to an acceptable low voltage standard, at no cost to Council. A letter from Essential Energy advising that its requirements have been met shall be sufficient to establish compliance with this condition.

ii. Water, which may include any works or charges required by Goldenfields Water County Council. A letter from Goldenfields Water advising that the requirements have been met shall be sufficient to establish compliance with this condition.

iii. Telephone services. Prior to the release of the final plan of subdivision, the applicant shall submit to Council written notification from a recognised telecommunications carrier to confirm that arrangements have been undertaken to satisfy this condition.

19. The final plan of community title will not be released until all construction work and other applied conditions and requirements have been satisfied or suitable arrangements have been made with Council.

PRIOR TO OCCUPANCY

20. The applicant is to obtain an Occupation Certificate pursuant to Section 109C of the EP&A Act 1979, as amended, from either Council or an Accredited Certifying Authority at the completion of the works to certify that works have been completed in accordance with the applicable standards of this consent.

21. All dwellings units shall be connected to Council's sewer network located to the rear lane of the subject site.

22. No access to the site has been approved from the rear lane. All entry and exit from the site shall be from Loughnan Street.

23. External paths and ground surface adjoining walls of the dwelling being graded away from the dwelling in such a manner so not to cause a nuisance to the building or adjoining lands.

24. Provision of:

1. a smoke alarm system complying with Specification E1.7 of the Building Code of Australia; or

2. smoke alarms;

a. complying with AS3786 or listed in the SSL Register of Accredited Products; and

b. where the building is provided with mains electrical power, connected to the mains

and have a standby power supply; and
c. installed in suitable locations on or near the ceiling in:

i. Any storey containing bedrooms:

* In a Class 1a dwelling:

between each area containing bedroom and the remainder of the dwelling, including any hallway associated with the bedrooms; or

In each bedroom.

ii. Any storey not containing bedrooms.

UPON COMPLETION A LICENSED ELECTRICIAN CERTIFIES THE INSTALLATION.

25. The building is to be protected from attack by subterranean termites. A notice showing full details of the termite barrier system complying with AS3660.1 – 1995 is to be submitted to Council BEFORE COMMENCEMENT OF WORK.

IT SHOULD BE NOTED THAT:

Council will not permit the use of hand held sprays for treatment beneath slab construction as the effective life of the treatment is limited. To retreat the slab it is necessary to drill holes throughout the slab at 400mm centres and introduce fresh chemical.

26. Clause B1.3(j) of the Building Code of Australia requires that a durable notice must be permanently fixed to the building in a prominent location, such as in a meter box or the like, 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; and

d. the need to maintain and inspect the system on a regular basis.

27. Where new or replacement hot water systems are installed, the system must deliver hot water to a maximum of 50 C to all outlets within the building that are to be set aside for personal hygiene.

28. The finished floor level of each unit shall be minimum of 150mm above the surcharge gully on the sewer, and each surcharge gully shall be at least 150mm above the natural ground level.

29. The door to a fully enclosed sanitary compartment must:

a) open outwards

b) slide or

c) be readily removable from the outside of the compartment, unless there is a clear space of at least 1.2 metres between the closet pan within the sanitary compartment and the nearest part of the doorway.

30. All buildings must be provided with appropriate street numbering, this shall include the internal dwellings. Appropriate signage must be provided indicating the street numbers to the internal units to allow easy identification for Emergency Services. Details of providing this information must be submitted and approved by Council prior to granting Occupation Certificate.

31. Each dwelling must be provided with adequate outdoor clothes drying facilities. These facilities must be adequately screened from the street and have good solar access.

32.Light and ventilation to all areas of each dwelling shall comply with the requirements of the Building Code of Australia (Housing Provisions).

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour, Huxtable, White, Brill, Maslin, Logan, McCann, Beard

VOTES AGAINST

Nil

ABSENT

Clr Hutcheon

INTEREST DECLARED

Nil

MINUTENO

157/06/2013

REPORT NO

4.4

SUB REPORT NO

HS8

FILE

PF2302/5

REPORT SUBJECT

ILLEGAL BUILDING WORKS – 10 ARIAH STREET, ARDLETHAN

RESOLUTION

RESOLVED on the motion of Clr Beard and seconded by Clr Huxtable that Council issue an Order under Section 121B of the Environmental Planning & Assessment Act 1979 requiring:

1)All works undertaken without Council consent to be the subject of a 149(A) Building Certificate application, with all structural works required to be certified by a practicing Structural Engineer; and

2)An application for a Development Application and Construction Certificate be lodged as a means of certifying the parts of the structure that are yet to be completed.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour, Logan, Brill, Huxtable, Maslin, Beard, White and Hutcheon.

VOTES AGAINST

No

ABSENT

Clr D McCann

INTEREST DECLARED

No

MINUTENO

158/06/2013

REPORT NO

4.4

SUB REPORT NO

HS9

FILE

PF2313, 2314, 2315, 2316

REPORT SUBJECT

DEMOLITION ORDER: LOT B, DP 386657 & LOT 14, SECTION 1, DP 758028 – 50-56 ARIAH STREET, ARDLETHAN

RESOLUTION

RESOLVED on the motion of Clr Beard and seconded by Clr Maslin that the report be received.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour, Logan, Brill, Huxtable, Maslin, Beard, White and Hutcheon.

VOTES AGAINST

No

ABSENT

Clr D McCann

INTEREST DECLARED

No

MINUTENO

306/11/2014

REPORT NO

4.4

SUB REPORT NO

HS5

FILE

PF2327/5

REPORT SUBJECT

DEVELOPMENT APPLICATION 35/2014: ARDLETHAN BOWLING CLUB – TEMPORARY CLUBHOUSE

RESOLUTION

RESOLVED on the motion of Clr Beard and seconded by Clr Maslin that Council delegate assessment of Development Application 35/2014 to the General Manager.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Hutcheon, Brill, White, Maslin, Huxtable. McCann, Clr Logan and Clr Beard.

VOTES AGAINST

NIL

ABSENT

NIL

INTEREST DECLARED

NIL

MINUTENO

332/12/2014

REPORT NO

4.4

SUB REPORT NO

HS6

FILE

PF1003407

REPORT SUBJECT

DEVELOPMENT APPLICATION 56/2014 – COVERED WALKWAY AT ST PETERS UNITING CHURCH COOLAMON

RESOLUTION

RESOLVED on the motion of Clr Hutcheon and seconded by Clr White that Council approve Development Application 56/2014 subject to the following conditions:

The development shall be undertaken in accordance with the plans and supporting documentation lodged in respect of this application except where varied by the following conditions.

All aspects of this development shall comply with the Environmental Planning and Assessment Act 1979 and all relevant Acts and Regulations thereunder, together with all Council planning and development policies. In particular all construction and associated building works shall comply with the Building Code of Australia and any applicable Australian Standards thereunder.

1. Prior to the commencement of construction, the applicant is to provide a proposed colour scheme to Council for approval.

2. The proposed walkway structure shall observe the following setbacks:

(1) 1m if incorporating a 3m (w) x 3m (d) x 3m (height to eave) "tower" design feature that reflects the architectural design elements of the main church building. Refer to attached image for further details.

(2) 4m where no additional design features are incorporated.

NOTE: Should the applicant proceed with (1), the applicant will be required to provide an amended plan for approval indicating this design feature.

3. The roof pitch of the proposed covered walkway will be required to reflect the existing roof pitch of the main church building. Amended plans indicating this design feature are required to be submitted to Council for approval prior to the commencement of construction.

4. All mature trees located onsite and on the adjoining public footpath are to be retained. Minor trimming is permissible to facilitate construction of the covered walkway.

5. For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- i. Footing;
- ii. Slab and other Steel Reinforcement;
- iii. Frame (including subfloor where applicable);
- iv. Stormwater;
- v. Final prior to occupation.

6. Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on Council's footpath or roadway.

7. Stormwater shall be discharged to the roadside kerb and gutter. Any penetration of the kerb is to be done so as to not cause any damage to the existing kerb and gutter.

Alternatively, the stormwater may be connected to the existing stormwater drainage that discharges to the roadside kerb and gutter.

8.Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Hutcheon, White, Maslin, Huxtable, McCann, and Logan.

VOTES AGAINST

NIL

ABSENT

Clr D Brill and Clr G Beard.

INTEREST DECLARED

NIL

MINUTENO

333/12/2014

REPORT NO

4.4

SUB REPORT NO

HS7

FILE

PF1001254

REPORT SUBJECT

SIGNAGE – BARTY'S CFE

RESOLUTION

RESOLVED on the motion of Clr Hutcheon and seconded by Clr McCann that:

- 1)Council require the owner to remove the unauthorised signage located on the side of the verandah of 109 Cowabbie Street; and
- 2)That the owner submits to Council details of any replacement signage prior to erection/application.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Hutcheon, White, Maslin, Huxtable, McCann, and Logan.

VOTES AGAINST

NIL

ABSENT

Clr D Brill and Clr G Beard.

INTEREST DECLARED

NIL

MINUTENO

63/03/2015

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

PF1166 & RT1001165

REPORT SUBJECT

DEVELOPMENT APPLICATION 10/2015 – CHANGE OF USE: FIRE STATION TO FIRE MUSEUM – LOT 1 DP 1099329 – 46 LOUGHNAN STREET COOLAMON

RESOLUTION

RESOLVED on the motion of Clr McCann and seconded by Clr Logan that Council approves Development Application 10/2015 subject to the following conditions of consent:

The development shall be undertaken in accordance with the plans and supporting documentation lodged in respect of this application except where varied by the following conditions.

All aspects of this development shall comply with the Environmental Planning and Assessment Act 1979 and all relevant Acts and Regulations thereunder, together with all Council planning and development policies. In particular all construction and associated building works shall comply with the Building Code of Australia and any applicable Australian Standards thereunder.

GENERAL

- 1.The development shall not interfere with the amenity of the neighbourhood by reason of the omission of noise, vibrations, smell, fumes, smoke, vapour, steam, soot, ash, dust or water waste, waste products or grit, oil or any other form of pollution that may affect the neighbouring amenity.
- 2.Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.
- 3.Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.
- 4.Care shall be taken to ensure all existing plumbing and drainage lines are protected from damage during construction. Should any existing pipelines be affected by the building work then they will need to be re-laid clear of the building alignment and in accordance with the requirements of Australian Standards 3500. Full details of this work must be submitted to and approved by Council prior to proceeding.
- 5.Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on Council's footpath or roadway.
- 6.Stormwater shall be discharged to the roadside kerb and gutter. Any penetration of the kerb is to be done so as to not cause any damage to the existing kerb and gutter.
- 7.The door to a fully enclosed sanitary compartment must:
 - i.open outwards
 - ii.slide or

iii.be readily removable from the outside of the compartment, unless there is a clear space of at least 1.2 metres between the closet pan within the sanitary compartment and the nearest part of the doorway.

8.Any disable ramps and handrails shall be installed in accordance with Australian Standard 1428.1- 2009 Design for Access and Mobility, Part 1: General Requirements for Access – New Building Work.

9.Provision shall be made in the building and onsite for:

i.Access to the building for people with disabilities in accordance with the National Construction Code (formerly the Building Code of Australia).

ii.Toilet facilities for people with disabilities in accordance with the National Construction Code (formerly the Building Code of Australia), such facilities shall be accessible to persons working in or using the building, and in accordance with this requirement.

iii.One motor vehicle parking space on the site for the exclusive use of people with disabilities. This parking space must have a direct path to the building and all required accessible areas complying with AS1428.

10.Braille and tactile signage must comply with AS 1428.1 and Specification D3.6 of the Building Code of Australia.

11.Signage in accordance with AS1428.1 must be provided for accessible unisex sanitary facilities to identify if the facility is suitable for left or right handed use.

12.The building must be provided with tactile ground surface indicators at the path of travel meeting a vehicular way adjacent to the principal public entrance to a building, where there is no kerb or kerb ramp at that point. Any tactile ground surface indicators required must comply with AS 1428.4.1.

13.The applicant is to obtain an Occupation Certificate pursuant to Section 109C of the EP&A Act 1979, as amended, from either Council or an Accredited Certifying Authority at the completion of the works to certify that works have been completed in accordance with the applicable standards of this consent.

FIRE SAFETY

14.The early fire hazard indices of materials and assemblies must comply with Specification C1.10 of the Building Code of Australia.

15.The owner shall submit to Council a Final Fire Safety Certificate stating that each essential fire safety measure specified in the current Fire Safety Schedule for the building to which the certificate relates:

16.Has been assessed by a properly qualified person, and

17.Was found, when assessed, to be capable of performing to a standard not less than that required by the current Fire Safety Schedule for the building.

i.Further, the assessment is to be carried out within a period of three (3) months of the date on which the Final Fire Safety Certificate was issued. The owner of the building shall forward a copy of the Certificate to the NSW Fire Brigades and also prominently display a copy in the building.

ii.Note: A Final Safety Certificate must be provided before a Final Occupation Certificate can be issued for the building.

18.The building is to comply with the attached Fire Safety Schedule.

i.Note: The attached schedule supersedes any earlier fire safety schedules and will cease to have effect when any later schedule is issued.

19.The owner shall submit to Council an Annual Fire Safety Statement each twelve months after the Final Safety Certificate was issued.

20.Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with AS 2444. Whilst the building is under construction not less than 1 extinguisher to suite Class A, B and C fires and electrical fires must be provided at all times adjacent to each required exit.

21.Exit signs are to be installed over each required exit in accordance with AS 2293.1.

22.All exits must not incorporate a step or ramp at any point closer to the doorway than the width of the door leaf.

23.Exit doors are to have a minimum height of 2000mm and a minimum width of 750mm.

24.An exit door must not be blocked at the point of discharge and where necessary, suitable barriers must be provided to prevent vehicles from blocking the exit, or access to it.

25.In a required exit or path of travel to an exit there must be an unobstructed height throughout of not less than 2 metres and an unobstructed width throughout of not less than 1 metre.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Hutcheon, Huxtable, McCann, Logan, Brill, Beard and Maslin.

VOTES AGAINST

Nil

ABSENT

Clr White

INTEREST DECLARED

Nil

MINUTENO

160/06/2013

REPORT NO

4.4

SUB REPORT NO

HS11

FILE

PF272/2

REPORT SUBJECT

APPLICATION FOR TEMPORARY RESIDENCY (DA17/2013) - LOT 42, DP 1110170, CORNER DOUBLEDAY & WATTLE LANES, COOLAMON

RESOLUTION

RESOLVED on the motion of Clr White and seconded by Clr Brill that approval be granted for the construction of a 12x13m shed together with a six month temporary occupancy subject to conditions of development consent that were tabled at the meeting and listed below:

General Conditions

- 1.The lot is to be provided with an all-weather access. This access shall be constructed from the existing road network to the property boundary and at no cost to Council. Construction of this access shall be at Council consent after submission and approval of the appropriate application.
- 2.The lot shall be provided with electricity, to an acceptable low voltage standard, at no cost to Council. A letter from Essential Energy advising that its requirements have been met shall be sufficient to establish compliance with this condition.
- 3.The applicant shall make mains water available to the lot. This may include any works or charges required by the relevant water authority. A letter from the relevant water authority advising that the requirements have been met shall be sufficient to establish compliance with this condition.
- 4.The applicant shall make arrangements for the provision of telephone services to the lot. The applicant shall submit to Council written notification from a recognised telecommunications carrier to confirm that arrangements have been undertaken to satisfy this condition.

Conditions to be complied with during Construction

5.For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- i)Footing;
- ii)Slab and other Steel Reinforcement;
- iii)Frame (including subfloor where applicable);
- iv)Wet area waterproofing;
- v)Stormwater;
- vi)Final prior to occupation.

6.Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

7.Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on Council's footpath or roadway.

8.Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

9.Plumbing and drainage installation and alterations shall be carried out in accordance with the provisions of the Plumbing Code of Australia (with NSW

variations), which adopts the Australian Standard AS3500 – Plumbing & Drainage.

For the purpose of complying with these standards inspections shall be carried out:

1. When all internal plumbing work is installed and prior to concealment.
2. When all external plumbing work is installed and prior to backfilling.

10. Full details of the proposed On-Site Sewage Management System (i.e. septic tank) and associated effluent disposal specifications are to be provided to Council for approval prior to the commencement of construction.

11. The finished floor level shall be minimum of 150mm above the surcharge gully on the sewer or septic tank and the surcharge gully shall be at least 150mm above the natural ground level.

12. The stormwater is to be discharged to the table drain at the front of the property, with the end of the pipe being suitably protected.

Alternatively, the stormwater may be discharged to rubble pits 600mm X 600mm X 2 metres per downpipe. This disposal area shall be clear of the building, septic tank disposal area and boundary.

13. The building is to be protected from attack by subterranean termites. A notice showing full details of the termite barrier system complying with AS3660.1 – 1995 is to be submitted to Council BEFORE COMMENCEMENT OF WORK.

IT SHOULD BE NOTED THAT:

Council will not permit the use of hand held sprays for treatment beneath slab construction as the effective life of the treatment is limited. To retreat the slab it is necessary to drill holes throughout the slab at 400mm centres and introduce fresh chemical.

14. Clause B1.3(j) of the Building Code of Australia requires that a durable notice must be permanently fixed to the building in a prominent location, such as in a meter box or the like, 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; and
- d) the need to maintain and inspect the system on a regular basis.

Conditions Relating to Temporary Residential Occupation of the Shed

15. The approval to utilise the shed as a temporary residence is valid for a period of 6 months from the date of the consent. Any extension to this timeframe will be at the full discretion of Council.

16. The temporary residence must contain the following fixtures:

- i) Kitchen (including a sink and cooking facilities);
- ii) Laundry facilities;
- iii) A bath and/or a shower;
- iv) A toilet and hand basin.

17. All timber framework is to comply with the National Timber Framing Code AS 1684 – 2006.

18. Provision of:

- 1.A smoke alarm system complying with Specification E1.7 of the Building Code of Australia; or
- 2.Smoke alarms;
 - a)complying with AS3786 or listed in the SSL Register of Accredited Products; and
 - b)where the building is provided with mains electrical power, connected to the mains and have a standby power supply; and
 - c)installed in suitable locations on or near the ceiling in:
 - i)Any storey containing bedrooms:
 - * In a Class 1a dwelling:
 - between each area containing bedroom and the remainder of the dwelling, including any hallway associated with the bedrooms; or
 - In each bedroom.
 - ii)Any storey not containing bedrooms.

UPON COMPLETION A LICENSED ELECTRICIAN CERTIFIES THE INSTALLATION.

19.Where new or replacement hot water systems are installed, the system must deliver hot water to a maximum of 50 C to all outlets within the building that are to be set aside for personal hygiene.

20.The door to a fully enclosed sanitary compartment must:

- a)Open outwards
- b)Slide or
- c)Be readily removable from the outside of the compartment, unless there is a clear space of at least 1.2 metres between the closet pan within the sanitary compartment and the nearest part of the doorway.

Prior to Completion

21.The applicant is to obtain an Occupation Certificate pursuant to Section 109C of the EP&A Act 1979, as amended, from either Council or an Accredited Certifying Authority at the completion of the works to certify that works have been completed in accordance with the applicable standards of this consent.

22.In accordance with the requirements of the Coolamon Local Environmental Plan 2011, the existing shed is to be made uninhabitable by removal of any laundry facilities and the kitchen sink/cooking facilities upon completion of the proposed dwelling.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour, Logan, Brill, Huxtable, Maslin, Beard, White

VOTES AGAINST

No

ABSENT

Clr D Mc Cann

INTEREST DECLARED

Clr B Hutcheon

MINUTENO

210/08/2013

REPORT NO

4.4

SUB REPORT NO

HS5

FILE

PF2492/55

REPORT SUBJECT

DEVELOPMENT APPLICATION 20/2013 – GRAIN HANDLING & RAIL LOADING FACILITY
RAIL LEASE (PROPOSED LOT 2 DP 819718) – RAILWAY STREET ARDLETHAN

RESOLUTION

RESOLVED on the motion of Clr McCann and seconded by Clr Hutcheon that Council approves Development Application 20/2013 subject to the following conditions:

PRIOR TO CONSTRUCTION

1. Prior to construction of the approved development it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued either by Council or an appropriately accredited certifier. A separate application, complete with detailed plans and specification must be submitted and approved prior to any work on site.

These plans must include Certified Structural Engineers drawings prepared by a Practising Structural Engineer of professional status in respect of:

- a. Structural steelwork
- b. Footing/slab design
- c. Silo, elevator and hopper design
- d. Tie-down and bracing detail

2. Full details of the proposed upgrade to Railway Street and the right of access carriageway are to be submitted to Council's Executive Manager, Engineering & Technical Services prior to the issuing of a Construction Certificate.

SITE MANAGEMENT

3. The development shall not interfere with the amenity of the neighbourhood by reason of the omission of noise, vibrations, smell, fumes, smoke, vapour, steam, soot, ash, dust or water waste, waste products or grit, oil or any other form of pollution that may affect the neighbouring amenity.

4. Stormwater (including run-off from downpipes and hardstand areas) shall be discharged clear of the proposed structures and existing rail infrastructure, and in a manner that does not cause disruption to neighbouring and/or adjoining land uses. All associated drainage infrastructure shall be suitably protected.

5. All areas associated with on-site grain handling shall be fenced with a 2.4m high man proof security fence. No work is to commence on-site until the fence has been erected and inspected by Council.

6. The proposed development shall comply with the requirements of Transport for NSW and the rail transport operator of the Country Regional Network. All such requirements shall be lodged with and approved by Council prior to an Occupation Certificate being granted.

7. The operation of all machinery on-site must at all times comply with the NSW Industrial Noise Policy (1999), in which case the noise generated by the machinery or other such items would be considered unacceptable if it exceeds the background noise level (LAeq) by 5 dB.

8. All vehicles entering and leaving the site shall do so in a forward direction, as indicated on the plan of traffic management. Any proposed alterations may only be done so following approval by Council.

9. The internal manoeuvring and unloading areas associated with the grain handling operation shall be constructed to a suitably drained, waterproof and dustproof surface, with appropriate measures undertaken to ensure dust suppression is maintained.

10. A detailed waste management plan is to be provided to Council for approval prior to the commencement of on-site operations. The plan should detail how waste generation will be minimised and how waste material will be dealt with (including any contaminated grain).

DURING CONSTRUCTION

11. All requirements of the Workcover Authority (including the Dangerous Goods Branch) shall be complied with for the duration of all building and construction works.

12. Construction work shall take place during normal working hours, namely 7.00 a.m. to 5.00 p.m. Mondays to Fridays and 8.00a.m. to 1.00p.m. Saturdays (no work on Sundays or Public Holidays) and in a manner so as not cause a nuisance (by the generation unreasonable noise or other activity) to the owners and/or residents of adjoining properties.

13. For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- i. Footing;
- ii. Slab and other Steel Reinforcement;
- iii. Frame;
- iv. Stormwater;
- v. Final prior to occupation.

14. Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on Council's footpath or roadway.

15. Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

16. Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

PRIOR TO OCCUPATION

17. The applicant is to obtain an Occupation Certificate pursuant to Section 109C of the EP&A Act 1979, as amended, from either Council or an Accredited Certifying Authority at the completion of the works to certify that works have been completed in accordance with the applicable standards of this consent.

FIRE SAFETY

18. The owner shall submit to Council a Final Fire Safety Certificate stating that each essential fire safety measure specified in the current Fire Safety Schedule for the

building to which the certificate relates:

- i. Has been assessed by a properly qualified person, and
- ii. Was found, when assessed, to be capable of performing to a standard not less than that required by the current Fire Safety Schedule for the building.

Further, the assessment is to be carried out within a period of three (3) months of the date on which the Final Fire Safety Certificate was issued. The owner of the building shall forward a copy of the Certificate to the NSW Fire Brigades and also prominently display a copy in the building.

Note: A Final Safety Certificate must be provided before a Final Occupation Certificate can be issued for the building.

19. The building is to comply with the attached Fire Safety Schedule.

Note: The attached schedule supersedes any earlier fire safety schedules and will cease to have effect when any later schedule is issued.

20. The owner shall submit to Council an Annual Fire Safety Statement each twelve months after the Final Safety Certificate was issued.

21. Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with AS 2444. Whilst the building is under construction not less than 1 extinguisher to suite Class A, B and C fires and electrical fires must be provided at all times adjacent to each required exit.

MISCELLANEOUS CONDITIONS

22. This approval only provides consent for the use of the site as a bulk grain handling and rail loading facility. Any additional use (including the use of the site for the loading of containers onto rail) or structures that are not indicated on the stamped approved plans will require additional consent from Council.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Logan, Brill, Huxtable, White, McCann and Hutcheon.

VOTES AGAINST

Nil

ABSENT

Clrs Beard & Maslin

INTEREST DECLARED

Nil

MINUTENO

REPORT NO

SUB REPORT NO

FILE

REPORT SUBJECT

RESOLUTION

VOTES WHERE RECORDED

VOTES IN FAVOUR

VOTES AGAINST

ABSENT

INTEREST DECLARED

MINUTENO

212/08/2013

REPORT NO

4.4

SUB REPORT NO

HS7

FILE

(PF1648/)

REPORT SUBJECT

LOT 1, DP 869499, KINILIBAH, MCINTYRES LANE, MARRAR

RESOLUTION

RESOLVED on the motion of Clr Brill and seconded by Clr McCann that Council advise the owner that a dwelling permit still exists on the above mentioned land.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Logan, Brill, Huxtable, White, McCann and Hutcheon.

VOTES AGAINST

Nil

ABSENT

Clrs Beard & Maslin

INTEREST DECLARED

Nil

MINUTENO

242/09/2013

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

PF838/03

REPORT SUBJECT

DEVELOPMENT APPLICATION 22/2013 – NATIONAL BROADBAND NETWORK TOWER (DALY INTERNATIONAL) - LOT 94 DP 750834, 48 DULLAH ROAD, GANMAIN

RESOLUTION

RESOLVED on the motion of Clr McCann and seconded by Clr White that Council approve Development Application 22/2013 subject to conditions as listed below:

1)Prior to construction of the approved development it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued either by Council or an appropriately accredited certifier. A separate application, complete with detailed plans and specification must be submitted and approved prior to any work on site.

2)The development is to be provided with its own independent an all-weather access. This access shall be constructed from the existing road network to the property boundary and at no cost to Council. Construction of this access shall be at Council consent after submission and approval of the appropriate application.

NOTE: The site plan (Drawing No: 6CLM-51-03-GANM-C2) indicates access is proposed via an existing access serving the neighbouring water tower. Council considers this proposal unacceptable and inconsistent with Council Policy. Council will therefore require that an independent access be constructed in accordance with the above condition of consent.

3)The developer is required to consult with the local water supply authority prior to the commencement of construction to ensure that any existing sub-surface water supply infrastructure is identified and subsequently protected throughout the construction period.

4)For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- i.Footing;
- ii.Slab and other Steel Reinforcement;
- iii.Frame (including subfloor where applicable);
- iv.Stormwater;
- v.Final prior to occupation.

5)Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on Council's footpath or roadway.

6)The stormwater is to be discharged to the table drain at the front of the property. The end of the pipe shall be suitably protected.

7)Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

8)The development shall not interfere with the amenity of the neighbourhood by reason of the omission of noise, vibrations, smell, fumes, smoke, vapour, steam, soot, ash, dust or water waste, waste products or grit, oil or any other form of pollution that may affect the neighbouring amenity.

9)Construction work shall take place during normal working hours, namely 7.00am to 5.00pm Mondays to Fridays and 8.00am to 1.00pm Saturdays (no work on Sundays or Public Holidays) and in a manner so as not cause a nuisance (by the generation unreasonable noise or other activity) to the owners and/or residents of adjoining properties.

10)The applicant is to obtain an Occupation Certificate pursuant to Section 109C of the EP&A Act 1979, as amended, from either Council or an Accredited Certifying Authority at the completion of the works to certify that works have been completed in accordance with the applicable standards of this consent.

11)Reference is made to the Australian Civil Aviation Safety Authority advisory circular for the Reporting of Tall Structures (April 2005). The owner/developer will be required to provide evidence that all necessary reporting has been undertaken prior to occupancy being granted.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Logan, Brill, Huxtable, White, McCann, Hutcheon, Beard and Maslin.

VOTES AGAINST

Nil

ABSENT

Nil

INTEREST DECLARED

MINUTENO

262/10/2013

REPORT NO

4.4

SUB REPORT NO

HS2

FILE

PF1624/53; PF1003506

REPORT SUBJECT

DEVELOPMENT APPLICATION 34/2013 – NATIONAL BROADBAND NETWORK TOWER (DALY INTERNATIONAL) - LOT 77, DP 750847, HARE STREEMARRAR

RESOLUTION

RESOLVED on the motion of Clr McCann and seconded by Clr Logan that Council approves Development Application 34/2013 subject to the following conditions
1.Prior to construction of the approved development it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued either by Council or an appropriately accredited certifier. A separate application, complete with detailed plans and specification must be submitted and approved prior to any work on site.

2.The developer is required to consult with the local water supply authority prior to the commencement of construction to ensure that any existing sub-surface water supply infrastructure is identified and subsequently protected throughout the construction period.

3.For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- i.Footing;
- ii.Slab and other Steel Reinforcement;
- iii.Frame (including subfloor where applicable);
- iv.Stormwater;
- v.Final prior to occupation.

4. Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on Council's footpath or roadway.
5. The stormwater is to be discharged to the table drain at the front of the property. The end of the pipe shall be suitably protected.
6. Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.
7. The development shall not interfere with the amenity of the neighbourhood by reason of the omission of noise, vibrations, smell, fumes, smoke, vapour, steam, soot, ash, dust or water waste, waste products or grit, oil or any other form of pollution that may affect the neighbouring amenity.
8. Construction work shall take place during normal working hours, namely 7.00a.m. to 5.00 p.m. Mondays to Fridays and 8.00a.m. to 1.00p.m. Saturdays (no work on Sundays or Public Holidays) and in a manner so as not cause a nuisance (by the generation unreasonable noise or other activity) to the owners and/or residents of adjoining properties.
9. The applicant is to obtain an Occupation Certificate pursuant to Section 109C of the EP&A Act 1979, as amended, from either Council or an Accredited Certifying Authority at the completion of the works to certify that works have been completed in accordance with the applicable standards of this consent.
10. Reference is made to the Australian Civil Aviation Safety Authority advisory circular for the Reporting of Tall Structures (April 2005). The owner/developer will be required to provide evidence that all necessary reporting has been undertaken prior to occupancy being granted.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Logan, Brill, White, McCann, Hutcheon, Beard and Maslin.

VOTES AGAINST

Nil

ABSENT

Clr Huxtable

INTEREST DECLARED

MINUTENO

282/11/2013

REPORT NO

4.4

SUB REPORT NO

HS3

FILE

B.05-03

REPORT SUBJECT

RELOCATED DWELLING

RESOLUTION

RESOLVED on the motion of Clr McCann and seconded by Clr Maslin that Council amends the existing policy to provide the following additional requirements:

1) That Council requires all relocatable and transportable dwellings located in the identified zone to be provided with a brick fender wall with an appropriately designed footing around the perimeter of the dwelling.

2) That all Development Applications relating to relocatable and transportable dwellings must be provided with a Basix Certificate.

3) That all proposed relocatable and transportable dwellings located in the designated areas are required to be approved by Council. All others can be assessed under delegated authority by the General Manager, provided no objections are received during the notification process.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Logan, Brill, White, McCann, Hutcheon, Beard, Maslin and Huxtable

VOTES AGAINST

Nil

ABSENT

Nil

INTEREST DECLARED

MINUTENO

283/11/2013

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

PF1155

REPORT SUBJECT

DEVELOPMENT APPLICATION 35/2013 – UNDERCOVER OUTDOOR AREA - LOT 1, DP 911683 & LOT 2, DP 529070 – 160 COWABBIE STREET, COOLAMON

RESOLUTION

RESOLVED on the motion of Clr Beard and seconded by Clr Maslin that Council approves the application subject to the following conditions of consent:

The development shall be undertaken in accordance with the plans and supporting documentation lodged in respect of this application except where varied by the following conditions.

Prior to Construction:

- 1) Prior to construction of the approved development it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued either by Council or an appropriately accredited certifier. A separate application, complete with detailed plans and specification must be submitted and approved prior to any work on site.
- 2) Amended Plans for Stages 2 and 3 are to be submitted to Council for approval prior to the commencement of construction. These plans shall incorporate additional design considerations for the proposed roofline, and are to specifically feature hip ends and/or a Dutch gable, or a combination of both design features. Additional design considerations may be considered by Council's Deputy General Manager, Planning &

Environment.

3) A timeline of the proposed construction phases incorporating each stage of the development shall be submitted to Council's Deputy General Manager, Planning & Environment prior to the commencement of construction. The timeline should give a clear indication as to the anticipated commencement and completion dates of each stage.

During Construction:

4) For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- i) Footing;
- ii) Slab and other Steel Reinforcement;
- iii) Frame (including roof trusses where applicable);
- iv) Stormwater;
- v) Final prior to occupation.

5) Construction work shall take place during normal working hours, namely 7.00a.m. to 5.00 p.m. Mondays to Fridays and 8.00a.m. to 1.00p.m. Saturdays (no work on Sundays or Public Holidays) and in a manner so as not cause a nuisance (by the generation unreasonable noise or other activity) to the owners and/or residents of adjoining properties.

6) Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

7) Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on Council's footpath or roadway.

8) Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

9) Care shall be taken to ensure all existing plumbing and drainage lines are protected from damage during construction. Should any existing pipelines be affected by the building work then they will need to be re-laid clear of the building alignment and in accordance with the requirements of Australian Standards 3500. Full details of this work must be submitted to and approved by Council prior to proceeding

10) All timber framework is to comply with the National Timber Framing Code AS 1684 – 2006.

11) The building addition or attachment shall not compromise any existing termite barrier. All new work must ensure that the integrity of the existing termite barrier is maintained at all times.

12) The building addition or attachment shall not compromise the structural design or integrity of any portion of the existing building.

Following Construction:

13)The stormwater is to be discharged to the kerb and gutter at the front of the property. Alternatively, stormwater may be discharged to the rear lane, with the end of the pipe shall be suitably protected.

14)The applicant is to obtain an Occupation Certificate pursuant to Section 109C of the EP&A Act 1979, as amended, from either Council or an Accredited Certifying Authority at the completion of the works to certify that works have been completed in accordance with the applicable standards of this consent.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Logan, Brill, White, McCann, Beard, Maslin and Huxtable.

VOTES AGAINST

Nil

ABSENT

Nil

INTEREST DECLARED

Clr B Hutcheon

MINUTENO

REPORT NO

SUB REPORT NO

FILE

REPORT SUBJECT

RESOLUTION

VOTES WHERE RECORDED

VOTES IN FAVOUR

VOTES AGAINST

ABSENT

INTEREST DECLARED

MINUTENO

313/12/2013

REPORT NO

4.4

SUB REPORT NO

HS7

FILE

PF1391/1

REPORT SUBJECT

DEVELOPMENT APPLICATION 36/2013 – COOLAMON MEN’S SHED PROPOSAL - LOT 5 SEC 26 DP 758277 – 42-44 METHUL STREET SOUTH, COOLAMON

RESOLUTION

RESOVLED on the motion of Clr Brill and seconded by Clr Beard that Council delegate assessment of Development Application 36/2013 to the General Manager.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Logan, Brill, White, McCann, Hutcheon, Beard, Maslin and Huxtable

VOTES AGAINST

Nil

ABSENT

Nil

INTEREST DECLARED

MINUTENO

32/02/2014

REPORT NO

4.4

SUB REPORT NO

HS7

FILE

PF1255

REPORT SUBJECT

DEVELOPMENT APPLICATION 01/2014 – CHANGE OF USE FROM STORAGE TO RETAIL - LOT 1, DP 303459, 63 COWABBIE STREET, COOLAMON

RESOLUTION

RESOLVED on the motion of Clr McCann and seconded by Clr Beard that Council approve Development Application 01/2014 subject to the following conditions of consent:

The development shall be undertaken in accordance with the plans and supporting documentation lodged in respect of this application except where varied by the following conditions.

All aspects of this development shall comply with the Environmental Planning and Assessment Act 1979 and all relevant Acts and Regulations thereunder, together with all Council planning and development policies. In particular all construction and associated building works shall comply with the Building Code of Australia and any applicable Australian Standards thereunder.

GENERAL CONDITIONS

1. The development shall not interfere with the amenity of the neighbourhood by reason of the omission of noise, vibrations, smell, fumes, smoke, vapour, steam, soot, ash, dust or water waste, waste products or grit, oil or any other form of pollution that may affect the neighbouring amenity.

2.This consent is valid for the purposes of conducting a business from within the subject premises only. No consent has been given or implied for the use of the Cowabbie Street pedestrian footway for the storage or display of goods for sale.

HERITAGE

The subject building/site is listed within the Coolamon LEP 2011 as being located within a heritage conservation area. For the purposes of this development the following conditions are to be adhered to except where varied with subsequent approval by Council and/or Council's Heritage Advisor:

3.The applicant must submit to Council details of any exterior alterations such as the provision of windows and/or doors, prior to commencing work on the same.

4.Signage, advertising or notices associated with this development must be submitted to and approved by Council prior to its erection on site.

DURING CONSTRUCTION

5.For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- i.Footings;
- ii.Slab and other Steel Reinforcement;
- iii.Frame (including subfloor where applicable);
- iv.Wet area waterproofing;
- v.Stormwater;
- vi.Final prior to occupation and the commencement of business.

6.Construction work shall take place during normal working hours, namely 7.00am to 5.00pm, Mondays to Fridays and 8.00am to 1.00pm, Saturdays (no work on Sundays or Public Holidays) and in a manner so as not cause a nuisance (by the generation unreasonable noise or other activity) to the owners and/or residents of adjoining properties.

7.All requirements of the Workcover Authority (including the Dangerous Goods Branch) shall be complied with for the duration of all demolition and building work.

8.Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

9.Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

10.Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on Council's footpath or roadway.

11.All framework to comply with the National Timber Framing Code AS 1684 – 2006.

12.Where new or replacement hot water systems are installed, the system must deliver hot water to a maximum of 50 C to all outlets within the building that are to be

set aside for personal hygiene.

13.Plumbing and drainage installation and alterations shall be carried out in accordance with the provisions of the NSW Code of Practice for Plumbing and Drainage which adopts the National Plumbing and Drainage Code AS 3500, with NSW variations.

For the purpose of complying with these standards inspections shall be carried out:

- 1.When all internal plumbing work is installed and prior to concealment.
- 2.When all external plumbing work is installed and prior to backfilling.

PRIOR TO OCCUPANCY

14.The applicant is to obtain an Occupation Certificate pursuant to Section 109C of the EP&A Act 1979, as amended, from either Council or an Accredited Certifying Authority at the completion of the works to certify that works have been completed in accordance with the applicable standards of this consent.

15.Construction of the internal stairs of the residential units are to comply with D2.13 of the Building Code of Australia.

16.Stormwater shall be discharged to the roadside kerb and gutter. Any penetration of the kerb is to be done so as to not cause any damage to the existing kerb and gutter.

Alternatively, the stormwater may be connected to the existing stormwater drainage that discharges to the roadside kerb and gutter.

17.External paths and ground surface adjoining walls of the dwelling being graded away from the dwelling in such a manner so not to cause a nuisance to the building or adjoining lands.

18.The building is to be protected from attack by subterranean termites. A notice showing full details of the termite barrier system complying with AS3660.1 – 1995 is to be submitted to Council BEFORE COMMENCEMENT OF WORK.

IT SHOULD BE NOTED THAT:

Council will not permit the use of hand held sprays for treatment beneath slab construction as the effective life of the treatment is limited. To retreat the slab it is necessary to drill holes throughout the slab at 400mm centres and introduce fresh chemical.

19.Clause B1.3(j) of the National Construction Code (formerly the Building Code of Australia) requires that a durable notice must be permanently fixed to the building in a prominent location, such as in a meter box or the like, 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; and
- d.the need to maintain and inspect the system on a regular basis.

20.The door to a fully enclosed sanitary compartment must:

- i.open outwards
- ii.slide or
- iii.be readily removable from the outside of the compartment, unless there is a clear space of at least 1.2 metres between the closet pan within the sanitary compartment and the nearest part of the doorway.

21. Provision shall be made in the building and onsite for:

i. Access to the building for people with disabilities in accordance with the National Construction Code (formerly the Building Code of Australia).

ii. Toilet facilities for people with disabilities in accordance with the National Construction Code (formerly the Building Code of Australia), such facilities shall be accessible to persons working in or using the building, and in accordance with this requirement.

22. Minimum facilities must be provided to each of the commercial shopfronts in accordance with the following:

Water Closet Urinal Washbasin

Male---

Female---

Disabled 1 Unisex facility including a washbasin & shelf

23. All access ways, parking and manoeuvring areas associated with the development are to be provided with an all-weather dust-free surface. Details of how the applicant proposes to achieve this must be submitted to and approved by Council.

FIRE SAFETY

24. The early fire hazard indices of materials and assemblies must comply with Specification C1.10 of the Building Code of Australia.

25. The common wall on the southern elevation between the neighbouring premises and the subject premises must achieve an FRL of 90/90/90 in accordance with Specification C1.1 of the Building Code of Australia. Evidence of this is to be provided prior to the commencement of construction.

26. The owner shall submit to Council a Final Fire Safety Certificate stating that each essential fire safety measure specified in the current Fire Safety Schedule for the building to which the certificate relates:

i. Has been assessed by a properly qualified person, and

ii. Was found, when assessed, to be capable of performing to a standard not less than that required by the current Fire Safety Schedule for the building.

Further, the assessment is to be carried out within a period of three (3) months of the date on which the Final Fire Safety Certificate was issued. The owner of the building shall forward a copy of the Certificate to the NSW Fire Brigades and also prominently display a copy in the building.

Note: A Final Safety Certificate must be provided before a Final Occupation Certificate can be issued for the building.

27. The building is to comply with the attached Fire Safety Schedule.

Note: The attached schedule supersedes any earlier fire safety schedules and will cease to have effect when any later schedule is issued.

28. The owner shall submit to Council an Annual Fire Safety Statement each twelve months after the Final Safety Certificate was issued.

29. Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with AS 2444. Whilst the building is under construction not less than 1 extinguisher to suite Class A, B and C fires and electrical fires must be provided at all times adjacent to each required exit.

30. Exit signs are to be installed over each required exit in accordance with AS 2293.1.

31. Exit doors are to have a minimum height of 2000mm and a minimum width of 750mm.

32. An exit door must not be blocked at the point of discharge and where necessary, suitable barriers must be provided to prevent vehicles from blocking the exit, or access to it.

33. In a required exit or path of travel to an exit there must be an unobstructed height throughout of not less than 2 metres and an unobstructed width throughout of not less than 1 metre.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour, Logan, Beard, White, Brill, Huxtable, Hutcheon and McCann.

VOTES AGAINST

ABSENT

Clr Maslin

INTEREST DECLARED

MINUTENO

33/02/2014

REPORT NO

4.4

SUB REPORT NO

HS8

FILE

PF675/1, C.04-0

REPORT SUBJECT

PROPOSED TEMPORARY USE OF GANMAIN ANGLICAN CHURCH HALL FOR FAMILY DAY CARE - LOT 61, DP 1111377, CORNER OF MENANGLE AND LANGHAM STREETS, GANMAIN

RESOLUTION

RESOLVED on the motion of Clr Logan and seconded by Clr Huxtable that Council permit temporary use of the Ganmain Anglican Hall for Family Day-Care Services for a maximum period of 6 months once Council staff are satisfied that all requirements of Wagga Wagga Regional Family Day Care and those relating to occupant safety have been addressed. These are to specifically include the provision of:

1) Exit Lights installed in accordance with AS2293.1;

2) A fire blanket installed in accordance with the requirements of Wagga Wagga Regional Family Day Care; and

3) Smoke detectors installed in accordance with the requirements of Wagga Wagga Regional Family Day Care.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour, Logan, Beard, White, Brill, Huxtable, Hutcheon and McCann.

VOTES AGAINST

ABSENT

Clr Maslin

INTEREST DECLARED

MINUTENO

219/08/2014

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

P.03-02

REPORT SUBJECT

DEVELOPMENT APPLICATION 39/2014

RESOLUTION

CONSTRUCTION OF 4 GRAIN BUNKERS - LOT 76, DP 750847 – CORNER LYNE STREET & EASTICKS LANE, MARRAR

In 2011 a new Local Environmental Plan was gazetted for the Coolamon Shire Council Local Government Area. This document is considered the peak strategic planning document for the Shire and was developed following a lengthy consultation period with the wider community.

In order to provide guidance for development that is permissible under the LEP, Council Staff have drafted a Development Control Plan. A copy of the plan is distributed with the information papers for Councillor's information. Specifically the DCP provides more detailed controls for specific development types, issues and places that are suited to the Coolamon Shire and the Community's desire and outcomes as shaped by the Coolamon Local Environmental Study and the Strategic Plan 2010. Attachment No. 12

A new DCP is needed for several reasons. These include:

1) Integration with the new LEP

The new DCP will be needed to ensure that the DCP and LEP are consistent in controls and terminology.

2) Updating controls

The existing Development Control Plan dates back to the early 1990's and was adopted around the same time as the previous LEP. Accordingly the current document does not reflect the changes in development pressure and opportunities that have arisen since that time.

3) Improved Development Outcomes

Many higher impact land uses and areas of the Coolamon Shire that have significant development or significant development opportunities do not have appropriate or consistent controls.

4)Transparency

Many of Councils existing Development Controls are based on Council resolutions and policies and need to be consolidated into a central DCP where they are easier to find and understand.

5)Best Practice

This is also an opportunity to ensure planning controls align with Best Practice and current legislative policy, to ensure that they are achieving the desired development outcomes set out in adopted land use strategies, and to make development assessment more efficient and less difficult.

Some existing controls have been retained where suitable. However, this process is an ideal opportunity to review the effectiveness of the controls and, where appropriate make corrections or amendments.

The process for preparing and adopting a Development Control Plan is legislated under Part 3 of the Environmental Planning & Assessment Regulation 2000. The key to this process is ensuring that a strict level of public participation is adhered to. This includes giving public notice in a local newspaper as well as putting the document on public exhibition at places throughout the Shire during the exhibition period. Under Clause 18 of the Regulation, a minimum of 28 days is required for public exhibition. During the exhibition period members of the public may wish to make a submission regarding the draft plan. Any submission must be considered by the Council prior to approving and subsequently adopting the plan.

Should Council choose to approve and adopt the draft Plan following the period of exhibition and consideration of any submissions, a public notice must be made in a local newspaper within 28 days of the decision being made. A Development Control Plan then comes into affect once this notice has been given.

Recommendation

That Council endorse the draft Development Control Plan to enable the Public exhibition period to commence.

RESOLVED on the motion of Clr McCann and seconded by Clr Brill that Council endorse the draft Development Control Plan to enable the Public exhibition period to commence.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Logan, Brill, Beard, White, McCann and Maslin

VOTES AGAINST

NIL

ABSENT

Clr Hutcheon, Clr Huxtable

INTEREST DECLARED

NIL

MINUTENO

251/09/2014

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

PF392/502, PF310/801

REPORT SUBJECT

DWELLING ENTITLEMENTS - LOT 2-3 DP 838070 – 3923 CANOLA WAY & BRUSHWOOD SOUTH ROAD, BRUSHWOOD

RESOLUTION

Recently Council received an application for a Planning Certificate under Section 149 (2) of the Environmental Planning & Assessment Act 1979 for Lot 3 DP 838070 – 3923 Canola Way & Lot 2 DP 838070 – Brushwood South Rd, Brushwood. As part of each application Council is required to determine whether or not a dwelling entitlement exists for each parcel of land. Both parcels are currently vacant land in the RU1 – Primary Production zone.

☐ Council staff have attempted to make a determination however there are a number of reasons that complicate the ability to provide an answer. The purchaser of the land has since written to Council seeking clarification on the matter. A copy of the letter has been attached. Attachment No. 11

In the letter the correspondent notes that checks had been made with Council as to whether a dwelling entitlement existed. It should be noted that at no point has a formal answer been provided, and that all previous correspondence was informal, advising that any potential dwelling entitlements would need to be confirmed via the lodging of a development application.

The most significant complication on this matter revolves around when the land was granted development consent to subdivide, and when the land was actually registered with the Lands Department. This is best summarised by the following timeline:

- 1) Approval to subdivide was granted in January/February 1993.
- 2) The subdivision certificate for this land was signed by Council on 4 March 1993.
- 3) In accordance with the Coolamon LEP 2011, the existing holding date stands at 31 December 1993.
- 4) The subdivision was not registered with the Lands Department until the 5 April 1994.
- 5) Council's first LEP came into force in 1995.
- 6) The current LEP was gazetted in February 2011.

Clause 4.2B of the Coolamon Local Environmental Plan 2011 states that development consent must not be granted for the erection of a dwelling house on vacant land in the RU1 zone unless the land is:

- a) A lot that is at least the minimum lot size specified for that land by the Lot Size Map, or
- b) A lot created before this Plan commenced and on which the erection of a dwelling house was permissible immediately before that commencement, or
- c) A lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision had been registered before that commencement, or

d) An existing holding.

With regards to the above, the following assessments have been made:

- In accordance with (a), both parcels are under the minimum lot size for this zone which is currently 200 hectares. Lot 3 is 48.37 hectares whilst Lot 2 is 40.21 hectares; therefore this subclause cannot be used to gain a dwelling entitlement on the subject land.
- Under (b), the wording “this Plan” refers to the current LEP (i.e. the Coolamon LEP 2011). Whilst the lot was created before the commencement of the Plan, the erection of a dwelling would not have been permissible, as the final amendment of the previous LEP (i.e. the Coolamon LEP 1995) also required a minimum 200 hectares; therefore this subclause cannot be used to gain a dwelling entitlement on the subject land.
- Subclause (c) appears to imply that if a subdivision was approved by Council before “this Plan” commenced, and if the subdivision had been registered before the commencement date then a dwelling entitlement would stand.
- The land is not considered an existing holding under (d), as the land was registered with the Lands Department after the existing holding date; therefore this subclause cannot be used to gain a dwelling entitlement on the subject land.

The key difference between clause (b) & (c) is the use of the term “immediately”, which does not appear in (c).

This therefore suggests that a dwelling entitlement on each parcel is likely to exist if:

- i. The land was approved by Council for subdivision at any point prior to the gazettal of the Coolamon LEP 2011, and
- ii. At the time of approval a dwelling was permissible on the land (which was the case for rural land with a minimum size of 40 hectares under the applicable pre-LEP Coolamon Interim Development Order in 1993).

Summary

In considering the assessment made above, it appears that a dwelling entitlement exists on each of the above mentioned land parcels.

Should Council consider that a dwelling entitlement exists then the new owner of the land may wish to formalise the matter and ensure the entitlement remains by submitting a development application for each parcel of land. Any subsequent approval would remain valid for a period of 5 years.

From a practical perspective, when the land was subdivided it was intended that each parcel of land would be capable of supporting a dwelling. The existence of a clause such as 4.2B (3) (c) of the Coolamon LEP 2011 seems to support this perspective. The question would ultimately be why else would this clause exist?

Recommendation

- 1) Council respond to the applicant advising that any formal assessment and subsequent approval would be solely reliant upon the submission of a Development Application; and
- 2) Council delegate the assessment of any application received proposing a dwelling

on Lot 3, DP 838070, 3923 Canola Way and Lot 2, DP 838070, Brushwood South Rd, Brushwood to the General Manager.

NOTE: This action will require a division of Council.

RESOLVED on the motion of Clr Huxtable and seconded by Clr Hutcheon that:

1) Council respond to the applicant advising that any formal assessment and subsequent approval would be solely reliant upon the submission of a Development Application; and

2) Council delegate the assessment of any application received proposing a dwelling on Lot 3, DP 838070, 3923 Canola Way and Lot 2, DP 838070, Brushwood South Rd, Brushwood to the General Manager.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Hutcheon, Brill, White, Maslin and Huxtable.

VOTES AGAINST

NIL

ABSENT

Clr McCann, Clr Logan and Clr Beard.

INTEREST DECLARED

NIL

MINUTENO

273/10/2014

REPORT NO

4.3

SUB REPORT NO

HS3

FILE

PF1001948

REPORT SUBJECT

DEVELOPMENT APPLICATION 39/2014 – CONSTRUCTION OF 4 GRAIN BUNKERS - LOT 76, DP 750847 – CORNER LYNE STREET & EASTICKS LANE, MARRAR

RESOLUTION

RESOLVED on the motion of Clr Beard and seconded by Clr White that Council approves Development Application 39/2014 subject to the following conditions of consent:

The development shall be undertaken in accordance with the plans and supporting documentation lodged in respect of this application except where varied by the following conditions.

All aspects of this development shall comply with the Environmental Planning and Assessment Act 1979 and all relevant Acts and Regulations thereunder, together with all Council planning and development policies. In particular all construction and associated building works shall comply with the Building Code of Australia and any applicable Australian Standards thereunder.

Prior to Construction

1. The applicant is to liaise with Council's Executive Manager, Engineering & Technical Services in relation to contributing (via either financial or other means) to the upgrade of the intersection of Easticks Lane and Lyne Street to enable suitable manoeuvrability for heavy vehicles.

During Construction

2. Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

3. Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

4. Construction work shall take place during normal working hours, namely 7.00a.m. to 5.00 p.m. Mondays to Fridays and 8.00a.m. to 1.00p.m. Saturdays (no work on Sundays or Public Holidays) and in a manner so as not cause a nuisance (by the generation unreasonable noise or other activity) to the owners and/or residents of adjoining properties.

5. All loading/unloading and manoeuvring areas shall be of a suitably constructed pavement with provision for a drained, dustproof surface in accordance with Council Engineering Standards.

6. All hardstand areas including compacted road base, paving, concrete etc. shall be kerbed and graded to sumps and drained to the proposed borrow pit/retention dam located on the western boundary of the site as indicated on the stamped approved plans.

All amendments must be approved by Council's Executive Manager of Engineering and Technical Services prior to the commencement of construction.

7. All requirements of the WorkCover Authority (including the Dangerous Goods Branch) shall be complied with for the duration of all building work.

Use of the Site

8. All heavy vehicles using the site must approach and depart via Lyne Street using Canola Way/York Street from the north or Easticks Lane from the south. Through heavy vehicle traffic from Marrar North Road/See Street via Hare Street, Webb Street or Don Street will not be permitted. The applicant will be responsible for ensuring the provision of adequate signage approved by Council's Executive Manager, Engineering & Technical Services in this regard.

9. The development shall not interfere with the amenity of the neighbourhood by reason of the omission of noise, vibrations, smell, fumes, smoke, vapour, steam, soot, ash, dust or water waste, waste products or grit, oil or any other form of pollution that may affect the neighbouring amenity.

10. During times of unavoidable airborne dust emission through vehicle movement and grain storage operations, the applicant shall provide and make available on-site a water cart capable of providing sufficient dust suppression. The water cart shall be made available and used at all areas utilised by the site

11. The lighting of the premises shall be shielded and directed so as not to cause annoyance to the owners or occupiers of adjoining premises or glare to motorists on adjoining or nearby roads.

Evidence must be provided to Council indicating compliance with the above condition prior to occupation.

12. All waste generated on-site through grain storage operations shall be handled and disposed of in a manner approved by Council's Manager Planning & Environmental Services.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Hutcheon (Chairman), Brill, White, Huxtable, Logan and Beard.

VOTES AGAINST

nil

ABSENT

Clr Seymour, Clr McCann and Clr Maslin.

INTEREST DECLARED

NIL

MINUTENO

274/10/2014

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

A.05-07

REPORT SUBJECT

GANMAIN AGED UNITS – LOT 5, SECTION 3, DP 3786 & LOT 2, DP 1174105

RESOLUTION

RESOLVED on the motion of Clr White and seconded by Clr Dennis that Council proceed with the process of subdivision of Lot 5, Section 3, DP 3786 and Lot 2, DP 1174150 with the intention of providing Low Income Aged Housing.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Hutcheon (Chairman), Brill, White, Huxtable, Logan and Beard.

VOTES AGAINST

NIL

ABSENT

Clr Seymour, Clr McCann and Clr Maslin.

INTEREST DECLARED

NIL

MINUTENO

305/11/2014

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

A.05-07, SC11

REPORT SUBJECT

GANMAIN UIT5

RESOLUTION

RESOLVED on the motion of Clr McCann and seconded by Clr Maslin that .

1)Council supports the proposed variation to Clause 4.1 of the Coolamon Local Environmental Plan 2011 to permit the Subdivision of Lot 5 Section 53 DP 3786 and Lot 2 DP 1174150 for the purpose of providing Low Income Aged Housing, and

2)That Council seeks the concurrence of the Director-General of the NSW Department of Planning and Environment to vary Clause 4.1 of the Coolamon Local Environmental Plan 2011 for the purposes of providing Low-Income Aged Housing on the land currently known as Lot 5 Section 53 DP 3786 and Lot 2 DP 1174150.

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clrs Seymour (Chairman), Hutcheon, Brill, White, Maslin, Huxtable. McCann, Clr Logan and Clr Beard.

VOTES AGAINST

NIL

ABSENT

NIL

INTEREST DECLARED

NIL

MINUTENO

82/04/2015

REPORT NO

4.4

SUB REPORT NO

HS3

FILE

RT1001246 & RT1001247

REPORT SUBJECT

DEVELOPMENT APPLICATION 07/2015 – CHEESE PRODUCTION & RETAIL – LOT 1 DP 1099329 – 87-93 COWABBIE STREET COOLAMON

RESOLUTION

RESOLVED on the motion of Clr McCann and seconded by Clr Hutcheon that Council approve Development Application 07/2015 subject to the following conditions of consent:

The development shall be undertaken in accordance with the plans and supporting documentation lodged in respect of this application except where varied by the following conditions.

All aspects of this development shall comply with the Environmental Planning and Assessment Act 1979 and all relevant Acts and Regulations thereunder, together with all Council planning and development policies. In particular all construction and

associated building works shall comply with the Building Code of Australia and any applicable Australian Standards thereunder.

PRIOR TO CONSTRUCTION

1) Prior to completion, the applicant shall consolidate Lots 10 & 11 DP 866258 & Lot 1 DP 983895. Consolidation will ensure that:

- a) No building associated with the premises occupies multiple allotments;
- b) The northern wall on the proposed cheese factory building will not be required to obtain a Fire Resistance Level 90/90/90;
- c) The required Exit on the northern wall of the proposed cheese factory building discharges into open space.

All work necessary to undertake this condition shall meet the necessary standards and policies of the Coolamon Shire Council and the NSW Office of Land & Property Information. Evidence of this work being completed must be provided to Council before the granting of a Final Occupation Certificate.

2) Structural Engineers drawings prepared by a Practising Structural Engineer of professional status are to be provided in respect of:

- a) Structural steelwork.
- b) Slab design
- c) Roof trusses.
- d) Bracing detail.

3) A certification from a suitably qualified professional in respect to the developments compliance with Section J of the Building Code of Australia, which specifically relates to Energy Efficiency.

4) Signage, advertising or notices associated with this development (specifically the commercial shop fronts) must be submitted to and approved by Council prior to its erection on site and before a Construction Certificate is issued.

DURING CONSTRUCTION

5) Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

6) For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- i. Footings;
- ii. Slab and other Steel Reinforcement;
- iii. Frame (including subfloor where applicable);
- iv. Wet area waterproofing;
- v. Stormwater;
- vi. Final prior to occupation.

7) Construction work shall take place during normal working hours, namely 7.00am to 5.00pm Mondays to Fridays and 8.00am to 1.00pm Saturdays (no work on Sundays or Public Holidays) and in a manner so as not cause a nuisance (by the generation unreasonable noise or other activity) to the owners and/or residents of adjoining

properties.

8)The development shall not interfere with the amenity of the neighbourhood by reason of the omission of noise, vibrations, smell, fumes, smoke, vapour, steam, soot, ash, dust or water waste, waste products or grit, oil or any other form of pollution that may affect the neighbouring amenity.

9)In accordance with the Plumbing and Drainage Act 2011 and the regulations thereunder, the person responsible for the plumbing and drainage works is required to submit the following documentation to Council:

- a)A Notice of Work prior to commencement;
- b)A Certificate of Compliance upon completion of the work; and
- c)A Sewer Service Diagram upon completion of the work and prior to a final inspection being carried out by Council.

NOTE: The Act also requires that a copy of the Certificate of Compliance and the Sewer Service Diagram be supplied to the owner of the premises upon completion of the works.

10)All requirements of the Workcover Authority (including the Dangerous Goods Branch) shall be complied with for the duration of all demolition and building work.

11)Demolition or removal of any existing buildings, or its parts shall be carried out in a manner so that the risk of injury to the health and safety of site personnel and public persons will be minimised. Identify and locate service supply mains – Water, Electricity and notify controlling Authority to disconnect such services prior to demolition.

12)For the duration of any work on site, the Builder must maintain a copy of the specification, stamped approved plans, copy of Development Consent and Construction Certificate on site.

13)At all times during construction the site shall be provided with adequate fencing and barricades to restrict any access to the site by the public.

14)Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

15)Where site conditions require the provision of a retaining wall, all drainage associated with this work shall disperse clear of the building and any other building on site. The retaining wall shall be designed and installed by a suitably qualified person.

16)Care shall be taken to ensure all existing plumbing and drainage lines are protected from damage during construction. Should any existing pipelines be affected by the building work then they will need to be re-laid clear of the building alignment and in accordance with the requirements of Australian Standards 3500. Full details of this work must be submitted to and approved by Council prior to proceeding.

17)Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on Council's footpath or roadway.

18)All framework to comply with the National Timber Framing Code AS 1684 – 2006.

19)Where new or replacement hot water systems are installed, the system must

deliver hot water to a maximum of 50 C to all outlets within the building that are to be set aside for personal hygiene.

20) All water services are to be tested in accordance with the requirements of the Plumbing Code of Australia.

21) Plumbing and drainage installation and alterations shall be carried out in accordance with the provisions of the NSW Code of Practice for Plumbing and Drainage which adopts the National Plumbing and Drainage Code AS 3500, with NSW variations.

For the purpose of complying with these standards inspections shall be carried out:

1. When all internal plumbing work is installed and prior to concealment.
2. When all external plumbing work is installed and prior to backfilling.

PRIOR TO OCCUPANCY

22) The applicant is to obtain an Occupation Certificate pursuant to Section 109C of the EP&A Act 1979, as amended, from either Council or an Accredited Certifying Authority at the completion of the works to certify that works have been completed in accordance with the applicable standards of this consent.

23) Stormwater shall be discharged to the roadside kerb and gutter. Any penetration of the kerb is to be done so as to not cause any damage to the existing kerb and gutter.

24) The building is to be protected from attack by subterranean termites. A notice showing full details of the termite barrier system complying with AS3660.1 – 1995 is to be submitted to Council BEFORE COMMENCEMENT OF WORK.

IT SHOULD BE NOTED THAT:

Council will not permit the use of hand held sprays for treatment beneath slab construction as the effective life of the treatment is limited. To retreat the slab it is necessary to drill holes throughout the slab at 400mm centres and introduce fresh chemical.

25) Clause B1.3(j) of the National Construction Code (formerly the Building Code of Australia) requires that a durable notice must be permanently fixed to the building in a prominent location, such as in a meter box or the like, 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; and
- d. the need to maintain and inspect the system on a regular basis.

26) The door to a fully enclosed sanitary compartment must:

- i. open outwards
- ii. slide or
- iii. be readily removable from the outside of the compartment, unless there is a clear space of at least 1.2 metres between the closet pan within the sanitary compartment and the nearest part of the doorway.

27) All wet areas including shower rooms, slop hopper or sanitary compartments must be water-resistant or waterproof in accordance with AS 3740 and the requirements of F1.7 of the Building Code of Australia.

28) All rooms must be provided with light and ventilation in accordance with Part F4 of the Building Code of Australia.

29) Mechanical exhaust ventilation is to be provided to the staff sanitary and wash facilities and the Factory Production Room as per the requirements of Part 4.5 of the Building Code of Australia (Vol. 1 – Class 2 to Class 9 Buildings).

30) Any disabled access ramps and handrails shall be installed in accordance with Australian Standard 1428.1- 2009 Design for Access and Mobility, Part 1: General Requirements for Access – New Building Work.

31) The building must be provided with tactile ground surface indicators at the path of travel meeting a vehicular way adjacent to the principal public entrance to a building, where there is no kerb or kerb ramp at that point. Any tactile ground surface indicators required must comply with AS 1428.4.1.

32) Provision shall be made in the building and onsite for:

i. Access to the building for people with disabilities in accordance with the National Construction Code (formerly the Building Code of Australia).

ii. Toilet facilities for people with disabilities in accordance with the National Construction Code (formerly the Building Code of Australia), such facilities shall be accessible to persons working in or using the building, and in accordance with this requirement.

iii. One motor vehicle parking space on the site for the exclusive use of people with disabilities. This parking space must have a direct path to the building and all required accessible areas complying with AS1428.

33) Braille and tactile signage must comply with AS 1428.1 and Specification D3.6 of the Building Code of Australia.

34) Signage in accordance with AS1428.1 must be provided for accessible unisex sanitary facilities to identify if the facility is suitable for left or right handed use.

FOOD HANDLING & TRADE WASTE REQUIREMENTS

35) The kitchen and any other section of the building to be used for the preparation, storage or sale of food, together with all finished surfaces, equipment and appliances in that section, shall be constructed and be of a type that is strictly in accordance with the provisions of the Food Act 2003, as amended, the Regulations made thereunder, and the Australian Standard AS4674 – 2004 Construction and Fit Out of Food Premises.

36) All food preparation areas are to be provided with separate basins used solely for the purpose of hand washing. Hot and cold running water is to be provided through a single mixing spout. Soap and paper towels are to be provided to each of these hand wash basins.

37) The kitchen must be provided with a kitchen exhaust hood complying with AS/NZS 1668.1 and AS 1668.2 where:

a) Any cooking apparatus has:

i. A total maximum electrical power input exceeding 8kW; or

ii. A total gas power input exceeding 29MJ/h; or

38) The development is to comply with the requirements of the NSW Office of Water's 'Liquid Trade Waste Regulation Guidelines'. Specifically this will require, but may not be limited to:

- i. The provision of a minimum 1,000 litre grease trap for the collection and removal of all oils, fats and grease from the premises prior to entering the Council's sewerage network. Details of the grease trap and its location must be submitted to and approved by Council prior to the commencement of any plumbing work.
- ii. Dry Basket Arrestors in the sinks and floor wastes of all areas associated with cheese and food preparation and production.

SAFETY – GENERAL/STRUCTURAL

39) The early fire hazard indices of materials and assemblies must comply with Specification C1.10 of the Building Code of Australia.

40) The common walls between the subject premises and the neighbouring premises, must achieve an FRL of 90/90/90 in accordance with Specification C1.1 of the Building Code of Australia. Evidence of this is to be provided prior to the commencement of construction.

In particular, the Southern wall of the building shall be constructed of material that has a FRL of 90/90/90. Evidence of compliance with the method of FRL must be provided to Council.

FIRE SAFETY – COMMERCIAL AREA

41) The owner shall submit to Council a Final Fire Safety Certificate stating that each essential fire safety measure specified in the current Fire Safety Schedule for the building to which the certificate relates:

- i. Has been assessed by a properly qualified person, and
- ii. Was found, when assessed, to be capable of performing to a standard not less than that required by the current Fire Safety Schedule for the building.

Further, the assessment is to be carried out within a period of three (3) months of the date on which the Final Fire Safety Certificate was issued. The owner of the building shall forward a copy of the Certificate to the NSW Fire Brigades and also prominently display a copy in the building.

Note: A Final Safety Certificate must be provided before a Final Occupation Certificate can be issued for the building.

42) The building is to comply with the attached Fire Safety Schedule.

Note: The attached schedule supersedes any earlier fire safety schedules and will cease to have effect when any later schedule is issued.

43) The owner shall submit to Council an Annual Fire Safety Statement each twelve months after the Final Safety Certificate was issued.

44) A fire hydrant system must be provided to service the building. This can be by way of existing Goldenfields County Council network provided it complies with AS 2419. Certification of the hydrant system must be provided with the final Fire Safety Schedule.

45) A fire hose reel is to be provided not more than 4 metres from a required exit door and located so that the nozzle of the fully extended fire hose reel will reach every part of the floor.

46)The fire hose reel is to comply with AS 1221 and AS 2441 and Clause E1.4 of the Building Code of Australia.

47)Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with AS 2444. Whilst the building is under construction not less than 1 extinguisher to suite Class A, B and C fires and electrical fires must be provided at all times adjacent to each required exit.

48)Exit signs are to be installed over each required exit in accordance with AS 2293.1.

49)An emergency lighting system is to be installed in accordance with AS 2293.1.

50)All exits must not incorporate a step or ramp at any point closer to the doorway than the width of the door leaf.

51)Exit doors are to have a minimum height of 2000mm and a minimum width of 750mm.

52)An exit door must not be blocked at the point of discharge and where necessary, suitable barriers must be provided to prevent vehicles from blocking the exit, or access to it.

53)In a required exit or path of travel to an exit there must be an unobstructed height throughout of not less than 2 metres and an unobstructed width throughout of not less than 1 metre.

54)The exit path in the rear storage/ loading area must be clearly defined by way of a painted exclusion zone on the floor to ensure it is not blocked or hindered by storage requirements.

55)An exit door that is power operated must:

- Be able to be opened manually under a force of not more than 110N if there is a malfunction or failure in the power source; and
- Open automatically if there is a power failure to the door or on the activation of a fire or smoke alarm anywhere in the fire compartment served by the door.

56)A door forming part of a required exit must be readily openable without a key from the side that faces a person seeking egress, by a single hand downward action or pushing action on a single device which is located between 900mm and 1200mm from the floor.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Hutcheon, Huxtable, McCann, Logan, Brill, Beard, Maslin and White

VOTES AGAINST

NIL

ABSENT

NIL

INTEREST DECLARED

NIL

MINUTENO

111/05/2015

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

RT1000942

REPORT SUBJECT

DEVELOPMENT APPLICATION 03/2013 – REFURBISHMENT, RENOVATION & PARTIAL RECONSTRUCTION OF HOTEL – LOT 4 SECTION 6 DP 758657 – FARMERS HOME HOTEL MATONG STREET MATONG

RESOLUTION

RESOLVED on the motion of Clr Hutcheon and seconded by Clr Beard that:

1) Council defer its determination on a building certificate until such time as an updated structural engineers certification has been provided confirming that the building in its present state (i.e. no earlier than May 2015) is structurally adequate; and that

2) Development Application 03/2013 be approved subject to the following conditions of consent:

The development shall be undertaken in accordance with the plans and supporting documentation lodged in respect of this application except where varied by the following conditions.

All aspects of this development shall comply with the Environmental Planning and Assessment Act 1979 and all relevant Acts and Regulations thereunder, together with all Council planning and development policies. In particular all construction and associated building works shall comply with the Building Code of Australia and any applicable Australian Standards thereunder.

PRIOR TO CONSTRUCTION

1. Prior to construction of the approved development it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued either by Council or an appropriately accredited certifier. A separate application, complete with detailed plans and specification must be submitted and approved prior to any work on site.

2. Amended plans shall be submitted for approval by Council prior to the commencement of works specifically to include an additional room for short-term accommodation that is accessible for people with a disability (together with accessible shower and toilet facilities on the same level).

NOTE: Also refer to Condition 34.

3. Prior to the commencement of works, a certification from a practicing structural engineer is to be provided to Council confirming that the building in its present state (i.e. no earlier than May 2015) is structurally adequate.

4. Full details of the proposed onsite-sewage management system (i.e. the septic), including tank and effluent disposal details, are to be provided to Council for approval prior to the commencement of construction.

5. Structural Engineers drawings prepared by a Practicing Structural Engineer of

professional status are to be provided in respect of:

- a) Structural steelwork.
- b) Slab design
- c) Roof trusses.
- d) Bracing detail.

6. A certification from a suitably qualified professional in respect to the developments compliance with Section J of the Building Code of Australia, which specifically relates to Energy Efficiency.

7. Due to the building being listed as having local heritage significance, any change of colour or building material used on the external façade, all signage, advertising and/or notices associated with this development (including corporate brandings) must be submitted to and approved by Council prior to its application or erection on site and before a Construction Certificate is issued.

DURING CONSTRUCTION

8. Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

9. For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- i. Footings;
- ii. Slab and other Steel Reinforcement;
- iii. Frame (including subfloor where applicable);
- iv. Wet area waterproofing;
- v. Stormwater;
- vi. Final prior to occupation.

10. Construction work shall take place during normal working hours, namely 7.00am to 5.00pm, Mondays to Fridays and 8.00am to 1.00pm, Saturdays (no work on Sundays or Public Holidays) and in a manner so as not cause a nuisance (by the generation unreasonable noise or other activity) to the owners and/or residents of adjoining properties.

11. The development shall not interfere with the amenity of the neighbourhood by reason of the omission of noise, vibrations, smell, fumes, smoke, vapour, steam, soot, ash, dust or water waste, waste products or grit, oil or any other form of pollution that may affect the neighbouring amenity.

12. In accordance with the Plumbing and Drainage Act 2011 and the regulations thereunder, the person responsible for the plumbing and drainage works is required to submit the following documentation to Council:

- a. A Notice of Work prior to commencement;
- b. A Certificate of Compliance upon completion of the work; and
- c. A Sewer Service Diagram upon completion of the work and prior to a final inspection being carried out by Council.

NOTE: The Act also requires that a copy of the Certificate of Compliance and the Sewer Service Diagram be supplied to the owner of the premises upon completion of the works.

13. All requirements of the Workcover Authority (including the Dangerous Goods Branch) shall be complied with for the duration of all demolition and building work.

14. Demolition or removal of any existing buildings, or its parts shall be carried out in a manner so that the risk of injury to the health and safety of site personnel and public persons will be minimised. Identify and locate service supply mains – Water, Electricity and notify controlling Authority to disconnect such services prior to demolition.

15. For the duration of any work on site, the Builder must maintain a copy of the specification, stamped approved plans, copy of Development Consent and Construction Certificate on site.

16. At all times during construction the site shall be provided with adequate fencing and barricades to restrict any access to the site by the public.

17. Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

18. Where site conditions require the provision of a retaining wall, all drainage associated with this work shall disperse clear of the building and any other building on site. The retaining wall shall be designed and installed by a suitably qualified person.

19. Care shall be taken to ensure all existing plumbing and drainage lines are protected from damage during construction. Should any existing pipelines be affected by the building work then they will need to be re-laid clear of the building alignment and in accordance with the requirements of Australian Standards 3500. Full details of this work must be submitted to and approved by Council prior to proceeding.

20. Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on Council's footpath or roadway.

21. All framework to comply with the National Timber Framing Code AS 1684 – 2006.

22. Where new or replacement hot water systems are installed, the system must deliver hot water to a maximum of 50 C to all outlets within the building that are to be set aside for personal hygiene.

23. All water services are to be tested in accordance with the requirements of the Plumbing Code of Australia.

24. Plumbing and drainage installation and alterations shall be carried out in accordance with the provisions of the NSW Code of Practice for Plumbing and Drainage which adopts the National Plumbing and Drainage Code AS 3500, with NSW variations.

For the purpose of complying with these standards inspections shall be carried out:

1. When all internal plumbing work is installed and prior to concealment.
2. When all external plumbing work is installed and prior to backfilling.

PRIOR TO OCCUPANCY

25. The applicant is to obtain an Occupation Certificate pursuant to Section 109C of the EP&A Act 1979, as amended, from either Council or an Accredited Certifying Authority at the completion of the works to certify that works have been completed in accordance with the applicable standards of this consent.

26. As a Licensed Premises serving alcohol and potentially providing gaming opportunities, the development is to comply with all requirements of the NSW Office of Liquor, Gaming & Racing. Evidence of such compliance shall be provided to Council prior to occupancy being granted.

27. All stormwater shall be discharged to the roadside kerb and gutter. Any penetration of the kerb is to be done so as to not cause any damage to the existing kerb and gutter.

28. The building is to be protected from attack by subterranean termites. A notice showing full details of the termite barrier system complying with AS3660.1 – 1995 is to be submitted to Council BEFORE COMMENCEMENT OF WORK.

IT SHOULD BE NOTED THAT:

Council will not permit the use of hand held sprays for treatment beneath slab construction as the effective life of the treatment is limited. To retreat the slab it is necessary to drill holes throughout the slab at 400mm centres and introduce fresh chemical.

29. Clause B1.3(j) of the Building Code of Australia requires that a durable notice must be permanently fixed to the building in a prominent location, such as in a meter box or the like, 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; and
- d. the need to maintain and inspect the system on a regular basis.

30. The door to a fully enclosed sanitary compartment must:

- i. open outwards
- ii. slide or
- iii. be readily removable from the outside of the compartment, unless there is a clear space of at least 1.2 metres between the closet pan within the sanitary compartment and the nearest part of the doorway.

31. All wet areas including shower rooms, slop hopper or sanitary compartments must be water-resistant or waterproof in accordance with AS 3740 and the requirements of F1.7 of the Building Code of Australia.

32. All rooms must be provided with light and ventilation in accordance with Part F4 of the Building Code of Australia.

33. Any disabled access ramps and handrails shall be installed in accordance with Australian Standard 1428.1- 2009 Design for Access and Mobility, Part 1: General Requirements for Access – New Building Work.

34. The building must be provided with tactile ground surface indicators at the path of travel meeting a vehicular way adjacent to the principal public entrance to a building, where there is no kerb or kerb ramp at that point. Any tactile ground surface indicators required must comply with AS 1428.4.1.

35. Provision shall be made in the building and onsite for:

- i. Access to the building for people with disabilities in accordance with the Building Code of Australia).
- ii. Toilet facilities for people with disabilities in accordance with the Building Code of Australia, such facilities shall be accessible to persons working in or using the building, and in accordance with this requirement.
- iii. One motor vehicle parking space on the site for the exclusive use of people with disabilities. This parking space must have a direct path to the building and all required accessible areas complying with AS1428.

36. In accordance D3.1 of the Building Code of Australia, at least 1 room for short-term accommodation is to be made accessible. This shall also include access on the same storey to accessible shower and toilet facilities.

37. Braille and tactile signage must comply with AS 1428.1 and Specification D3.6 of the Building Code of Australia.

38. Signage in accordance with AS1428.1 must be provided for accessible unisex sanitary facilities to identify if the facility is suitable for left or right handed use.

FOOD HANDLING & TRADE WASTE REQUIREMENTS

39. The kitchen and any other section of the building to be used for the preparation, storage or sale of food, together with all finished surfaces, equipment and appliances in that section, shall be constructed and be of a type that is strictly in accordance with the provisions of the Food Act 2003, as amended, the Regulations made thereunder, and the Australian Standard AS4674 – 2004 Construction and Fit Out of Food Premises.

40. All food preparation areas are to be provided with separate basins used solely for the purpose of hand washing. Hot and cold running water is to be provided through a single mixing spout. Soap and paper towels are to be provided to each of these hand wash basins.

41. The kitchen must be provided with a kitchen exhaust hood complying with AS/NZS 1668.1 and AS 1668.2 where:

- a. Any cooking apparatus has:
 - i. A total maximum electrical power input exceeding 8kW; or
 - ii. A total gas power input exceeding 29MJ/h; or

42. The development is to comply with the requirements of the NSW Office of Water's 'Liquid Trade Waste Regulation Guidelines'. Specifically this will require, but may not be limited to:

The provision of a minimum 1,000 litre grease trap for the collection and removal of all oils, fats and grease from the premises prior to entering the on-site sewage management system (i.e. the septic). Details of the grease trap and its location must be submitted to and approved by Council prior to the commencement of any plumbing work.

OCCUPANT SAFETY – CONSTRUCTION REQUIREMENTS

43. The floor/ceiling separating the upper and lower storeys must:

- a. Be a floor/ceiling system incorporating a ceiling which has a resistance to the incipient spread of fire to the space above itself of not less than 60mins; OR
- b. Have an FRL of at least 30/30/30; OR
- c. Have a fire protective covering on the underside of the floor, including beams incorporated in it, if the floor is of a combustible material.

44. Internal doorways separating the residence from the upper-storey public corridor, and doorways separating each room used for short-term accommodation, are to be self-closing, tight-fitting solid core doors, not less than 35mm thick.

45. Construction of the stairways are to comply with D2.13 of the Building Code of Australia.

46. A continuous balustrade or other barrier must be provided along the side of any stairway, corridor, verandah, deck or balcony if:

- a. It is not bounded by a wall; and
- b. Its level above the surface beneath is more than 1m.

NOTE: Construction of the balustrade/barrier must be in accordance with D2.16 of the Building Code of Australia.

47. The space below the internal stairway must not be enclosed to form a cupboard or other enclosed space unless:

- a. The enclosing walls and ceilings have an FRL of not less than 60/60/60; and
- b. Any access doorway to the enclosed space is fitted with a self-closing -/60/30 fire door.

48. A window opening must be provided with protection, if the floor below the window is 2m or more above the surface beneath for any bedroom within the building.

Where the lowest level of the window opening is less than 1.7m above the floor, a window opening, as required above, must comply with the following:

- a. The openable portion of the window must be protected with –
 - i. A device capable of restricting the window opening; or
 - ii. A screen with secure fittings.
- b. A device or screen as required by (a) must –
 - i. Not permit a 125mm sphere to pass through the window opening or screen; and
 - ii. Resist an outward horizontal action of 250 N against the window restrained by a device or screen protecting the opening; and
- c. Have a child resistant release mechanism if the screen or device is able to be removed, unlocked or overridden.

A barrier with a height not less than 865mm above the floor is required to an openable window –

- a. In addition to window protection, when a child-resistant release mechanism is required as per above; and
- b. Where the floor below the window is 4m or more above the surface beneath if the window is not covered as per above.

Such a barrier must not permit a 125mm sphere to pass through it, and must not have any horizontal or near horizontal elements between 150mm and 760mm above the floor that facilitate climbing.

49. The early fire hazard indices of materials and assemblies must comply with Specification C1.10 of the Building Code of Australia.

OCCUPANT SAFETY – GENERAL FIRE SAFETY REQUIREMENTS

50. The owner shall submit to Council a Final Fire Safety Certificate stating that each essential fire safety measure specified in the current Fire Safety Schedule for the building to which the certificate relates:

- i. Has been assessed by a properly qualified person, and
- ii. Was found, when assessed, to be capable of performing to a standard not less than that required by the current Fire Safety Schedule for the building.

Further, the assessment is to be carried out within a period of three (3) months of the date on which the Final Fire Safety Certificate was issued. The owner of the building shall forward a copy of the Certificate to the NSW Fire Brigades and also prominently display a copy in the building.

Note: A Final Safety Certificate must be provided before a Final Occupation Certificate can be issued for the building.

51. The building is to comply with the attached Fire Safety Schedule.

Note: The attached schedule supersedes any earlier fire safety schedules and will cease to have effect when any later schedule is issued.

52. The owner shall submit to Council an Annual Fire Safety Statement each twelve months after the Final Safety Certificate was issued.

53. A fire hydrant system must be provided to service the building. This can be by way of existing Goldenfields County Council network provided it complies with AS 2419. Certification of the hydrant system must be provided with the final Fire Safety Schedule.

54. A fire hose reel is to be provided not more than 4 metres from a required exit door and located so that the nozzle of the fully extended fire hose reel will reach every part of the floor.

The fire hose reel is to comply with AS 1221 and AS 2441 and Clause E1.4 of the Building Code of Australia.

55. Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with AS 2444. Whilst the building is under construction not less than 1 extinguisher to suite Class A, B and C fires and electrical fires must be provided at all times adjacent to each required exit.

56. Exit signs are to be installed over each required exit in accordance with AS 2293.1.

57. An emergency lighting system is to be installed in accordance with AS 2293.1 and E4.2 of the Building Code of Australia.

58. Provision of:

1. A smoke alarm system complying with Specification E2.2a of the Building Code of Australia; or

2.Smoke alarms;

a)complying with AS3786 or listed in the SSL Register of Accredited Products; and
b)where the building is provided with mains electrical power, connected to the mains and have a standby power supply; and

c)installed in suitable locations on or near the ceiling in

i.Any storey containing bedrooms between each area containing bedroom and the remainder of the dwelling, including any hallway associated with the bedrooms; or

ii.In each bedroom; and

iii.Any storey containing bedrooms.

UPON COMPLETION A LICENSED ELECTRICIAN CERTIFIES THE INSTALLATION.

59.All exits must not incorporate a step or ramp at any point closer to the doorway than the width of the door leaf.

60.Exit doors are to have a minimum height of 2000mm and a minimum width of 750mm.

61.An exit door must not be blocked at the point of discharge and where necessary, suitable barriers must be provided to prevent vehicles from blocking the exit, or access to it.

62.In a required exit or path of travel to an exit there must be an unobstructed height throughout of not less than 2 metres (1980mm in any doorway) and an unobstructed width throughout of not less than 1 metre.

63.The exit path in the rear storage/ loading area must be clearly defined by way of a painted exclusion zone on the floor to ensure it is not blocked or hindered by storage requirements.

64.A door forming part of a required exit must be readily openable without a key from the side that faces a person seeking egress, by a single hand downward action or pushing action on a single device which is located between 900mm and 1200mm from the floor.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Hutcheon, McCann, Logan, Beard, Maslin and White.

VOTES AGAINST

Nil

ABSENT

Clr Huxtable, Clr Brill

INTEREST DECLARED

Nil

MINUTENO

133/06/2015

REPORT NO

4.4

SUB REPORT NO

HS3

FILE

P.03-02, SC298

REPORT SUBJECT

DEVELOPMENT CONTROL PLAN

RESOLUTION

RESOLVED on the motion of Clr Maslin and seconded by Clr White:

- 1) That Council adopt the Coolamon Development Control Plan 2015.
- 2) That the Coolamon Development Control Plan 2015 take effect as of Monday 6th July 2015.
- 3) That a Notice be placed in the Temora Independent newspaper on Friday, 3rd July, 2015 notifying of the decision and the commencement date.

VOTES WHERE RECORDED**VOTES IN FAVOUR**

Clrs Seymour (Chairman), Hutcheon, Huxtable, Maslin, Logan, Brill and White.

VOTES AGAINST

NIL

ABSENT

Clr Beard, Clr McCann

INTEREST DECLARED

NIL

MINUTENO

134/06/2015

REPORT NO

4.4

SUB REPORT NO

HS4

FILE

RT100232

REPORT SUBJECT

DEVELOPMENT APPLICATION 50/2015 – 2 x 1500 TONNNE OVER RAIL BINS FOR DIRECT LOADING OF TRAINS – LOT 10 DP819656 – 51 KAMARAH TANK ROAD ARDLETHA (

RESOLUTION

RESOLVED on the motion of Clr Huxtable and seconded by Clr White that Council approve Development Application 50/2015 subject to the following conditions of consent:

The development shall be undertaken in accordance with the plans and supporting documentation lodged in respect of this application except where varied by the following conditions.

All aspects of this development shall comply with the Environmental Planning and Assessment Act 1979 and all relevant Acts and Regulations thereunder, together with all Council planning and development policies. In particular all construction and associated building works shall comply with the Building Code of Australia and any applicable Australian Standards thereunder.

PRIOR TO CONSTRUCTION

1. Prior to construction of the approved development it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued either by Council or an appropriately accredited certifier. A separate application, complete with detailed plans and specification must be submitted and approved prior to any work on site.

Prior to the commencement of building works the applicant must submit to Council for approval Structural Engineers drawings prepared by a Practising Structural Engineer of professional status in respect of:

- a. Structural steelwork.
- b. Slab design
- c. Roof trusses.
- d. Bracing detail.

SITE MANAGEMENT

2. The development shall not interfere with the amenity of the neighbourhood by reason of the omission of noise, vibrations, smell, fumes, smoke, vapour, steam, soot, ash, dust or water waste, waste products or grit, oil or any other form of pollution that may affect the neighbouring amenity.

3. Stormwater (including run-off from downpipes and hardstand areas) shall be discharged clear of the proposed structure and existing rail infrastructure, and in a manner that does not cause disruption to neighbouring and/or adjoining land uses. All associated drainage infrastructure shall be suitably protected.

4. The proposed development shall comply with the requirements of Transport for NSW and the rail transport operator of the Country Regional Network. All such requirements shall be lodged with and approved by Council prior to an Occupation Certificate being granted.

5. The operation of all machinery on-site must at all times comply with the NSW Industrial Noise Policy (1999), in which case the noise generated by the machinery or other such items would be considered unacceptable if it exceeds the background noise level (LAeq) by 5 dB.

6. All vehicles entering and leaving the site shall do so in a forward direction, as indicated on the plan of traffic management. Any proposed alterations may only be done so following approval by Council.

7. The internal manoeuvring and unloading areas associated with the grain handling operation shall be constructed to a suitably drained, waterproof and dustproof surface, with appropriate measures undertaken to ensure dust suppression is maintained.

8. A detailed waste management plan is to be provided to Council for approval prior to the commencement of on-site operations. The plan should detail how waste generation will be minimised and how waste material will be dealt with (including any contaminated grain).

DURING CONSTRUCTION

9. All requirements of the Workcover Authority (including the Dangerous Goods Branch) shall be complied with for the duration of all building and construction works.

10. Construction work shall take place during normal working hours, namely 7.00am

to 5.00pm, Mondays to Fridays and 8.00am to 1.00pm, Saturdays (no work on Sundays or Public Holidays) and in a manner so as not cause a nuisance (by the generation unreasonable noise or other activity) to the owners and/or residents of adjoining properties.

11) For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- i) Footing;
- ii) Slab and other Steel Reinforcement;
- iii) Frame;
- iv) Stormwater;
- v) Final prior to occupation.

12. Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on Council's footpath or roadway.

13. Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

14. Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

PRIOR TO OCCUPATION

15. The applicant is to obtain an Occupation Certificate pursuant to Section 109C of the EP&A Act 1979, as amended, from either Council or an Accredited Certifying Authority at the completion of the works to certify that works have been completed in accordance with the applicable standards of this consent.

FIRE SAFETY

16. The owner shall submit to Council a Final Fire Safety Certificate stating that each essential fire safety measure specified in the current Fire Safety Schedule for the building to which the certificate relates:

- i) Has been assessed by a properly qualified person, and
- ii) Was found, when assessed, to be capable of performing to a standard not less than that required by the current Fire Safety Schedule for the building.

Further, the assessment is to be carried out within a period of three (3) months of the date on which the Final Fire Safety Certificate was issued. The owner of the building shall forward a copy of the Certificate to the NSW Fire Brigades and also prominently display a copy in the building.

Note: A Final Safety Certificate must be provided before a Final Occupation Certificate can be issued for the building.

17.The building is to comply with the attached Fire Safety Schedule.

Note: The attached schedule supersedes any earlier fire safety schedules and will cease to have effect when any later schedule is issued.

18.The owner shall submit to Council an Annual Fire Safety Statement each twelve months after the Final Safety Certificate was issued.

19.Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with AS 2444. Whilst the building is under construction not less than 1 extinguisher to suite Class A, B and C fires and electrical fires must be provided at all times adjacent to each required exit.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Hutcheon, Huxtable, Maslin, Logan, Brill and White.

VOTES AGAINST

NIL

ABSENT

Clr Beard, Clr McCann

INTEREST DECLARED

NIL

MINUTENO

135/06/2015

REPORT NO

4.4

SUB REPORT NO

HS5

FILE

RT1002365

REPORT SUBJECT

DEVELOPMENT APPLICATION 48/2015 – RECONSTRUCTION OF BOWLING CLUB – LOT 1 DP829675 – 29 ARIAH STREET ARDLETHAN

RESOLUTION

RESOLVED on the motion of Clr Logan and seconded by Clr White that development shall be undertaken in accordance with the plans and supporting documentation lodged in respect of this application except where varied by the following conditions:

All aspects of this development shall comply with the Environmental Planning and Assessment Act 1979 and all relevant Acts and Regulations thereunder, together with all Council planning and development policies. In particular all construction and associated building works shall comply with the Building Code of Australia and any applicable Australian Standards thereunder.

GENERAL

1.At the completion of the new permanent Clubhouse, the structure subject to DA approval 35/2014 (i.e. the Interim Clubhouse) will revert to being a storage shed with a Building Code of Australia classification of 10(a) – non-habitable structure.

2. Structural Engineers drawings prepared by a Practising Structural Engineer of professional status are to be provided in respect of:

- e) Structural steelwork.
- f) Slab design
- g) Roof trusses.
- h) Bracing detail.

3. This structure is located in an area that is subject to flooding. The floor level of the structure must be a minimum of 500mm above the 100 Year ARI Flood Level.

An indication marker provided by a suitably accredited surveyor must be located within visible proximity of the new structure clearly indicating the 100 Year ARI Flood Level and the proposed floor level. This finished floor level is to be at least 201.87m AHD (i.e. 500mm above the 100 Year ARI Flood Level).

4. As a Licensed Premises serving alcohol and providing gaming opportunities, the development is to comply with all requirements of the NSW Office of Liquor, Gaming & Racing.

5. A certification from a suitably qualified professional in respect to the developments compliance with Section J of the Building Code of Australia, which specifically relates to Energy Efficiency.

6. The site that is subject to the proposed development is located within the Aria Street heritage conservation area, as per the Coolamon Local Environmental Plan 2011. Accordingly, all external construction materials, colours, and signage is to be submitted to Council for approval prior to the commencement of construction.

7. Full details of the proposed septic disposal system are to be submitted to Council for approval prior to the commencement of construction. These details shall be inclusive of the type of system, proposed location, disposal area and method of disposal.

DURING CONSTRUCTION

8. Site signage shall apply, and must be erected on the site in a prominent, visible position, stating that unauthorised entry to the site is not permitted. It should show the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours. Any structures erected to meet requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

9. For the purpose of inspection, twenty-four (24) hours notice must be given to the Principal Building Surveyor in respect of the following works for reasons of required inspections:-

- vi. Footing;
- vii. Slab and other Steel Reinforcement;
- viii. Frame (including subfloor where applicable);
- ix. Stormwater;
- x. Final prior to occupation.

10. Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on Council's footpath or roadway.

11. Construction work shall take place during normal working hours, namely 7.00am to 5.00pm Mondays to Fridays and 8.00am to 1.00pm Saturdays (no work on Sundays)

or Public Holidays) and in a manner so as not cause a nuisance (by the generation unreasonable noise or other activity) to the owners and/or residents of adjoining properties.

12. The development shall not interfere with the amenity of the neighbourhood by reason of the omission of noise, vibrations, smell, fumes, smoke, vapour, steam, soot, ash, dust or water waste, waste products or grit, oil or any other form of pollution that may affect the neighbouring amenity.

13. For the duration of any work on site, the Builder must maintain a copy of the specification, stamped approved plans, copy of Development Consent and Construction Certificate on site.

14. At all times during construction the site shall be provided with adequate fencing and barricades to restrict any access to the site by the public.

15. Provision shall be made on site for the proper storage and disposal of waste such that no builder's waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. paper, sheets of iron, ridge capping, cement and lime bags and the like.

16. Where site conditions require the provision of a retaining wall, all drainage associated with this work shall disperse clear of the building and any other building on site. The retaining wall shall be designed and installed by a suitably qualified person.

SAFETY – GENERAL/STRUCTURAL

17. The early fire hazard indices of materials and assemblies must comply with Specification C1.10 of the Building Code of Australia.

PLUMBING & DRAINAGE CONDITIONS

18. Minimum facilities must be provided in accordance with the following:

WC Urinal Washbasin

Male 3/2/4

Female 5/4

Disabled 1 Unisex facility including a washbasin & shelf

Note: In accordance with Part F2.6, a urinal may be either an individual stall or wall hung urinal, or each 600mm length of a continuous urinal trough, or a closet pan used in place of a urinal.

19. Where new or replacement hot water systems are installed, the system must deliver hot water to a maximum of 50 C to all outlets within the building that are to be set aside for personal hygiene.

20. In accordance with the Plumbing and Drainage Act 2011 and the regulations thereunder, the person responsible for the plumbing and drainage works is required to submit the following documentation to Council:

d. A Notice of Work prior to commencement;

e. A Certificate of Compliance upon completion of the work; and

f. A Sewer Service Diagram upon completion of the work and prior to a final inspection being carried out by Council.

NOTE: The Act also requires that a copy of the Certificate of Compliance and the Sewer Service Diagram be supplied to the owner of the premises upon completion of the works.

21.Plumbing and drainage installation and alterations shall be carried out in accordance with the provisions of the Plumbing Code of Australia (with NSW variations), which adopts the Australian Standard AS3500 – Plumbing & Drainage.

For the purpose of complying with these standards inspections shall be carried out:

- 1)When all internal plumbing work is installed and prior to concealment.
- 2)When all external plumbing work is installed and prior to backfilling.

22.The finished floor level shall be minimum of 150mm above the surcharge gully on the sewer or septic tank and the surcharge gully shall be at least 150mm above the natural ground level.

FOOD HANDLING & TRADE WASTE REQUIREMENTS

23.The development is to comply with the requirements of the NSW Office of Water's 'Liquid Trade Waste Regulation Guidelines'. Specifically this will require, but may not be limited to:

- i.The provision of a minimum 1,000 litre grease trap for the collection and removal of all oils, fats and grease from the premises prior to entering the onsite sewage management system (i.e. septic). Details of the grease trap and its location must be submitted to and approved by Council prior to the commencement of any plumbing work.
- ii.Dry Basket Arrestors in the sinks and floor wastes of all areas associated with cheese and food preparation and production.

24.The kitchen and any other section of the building to be used for the preparation, storage or sale of food, together with all finished surfaces, equipment and appliances in that section, shall be constructed and be of a type that is strictly in accordance with the provisions of the Food Act 2003, as amended, the Regulations made thereunder, and the Australian Standard AS4674 – 2004 Construction and Fit Out of Food Premises.

25.All food preparation areas are to be provided with separate basins used solely for the purpose of hand washing. Hot and cold running water is to be provided through a single mixing spout. Soap and paper towels are to be provided to each of these hand wash basins.

26.The kitchen must be provided with a kitchen exhaust hood complying with AS/NZS 1668.1 and AS 1668.2 where:

- b)Any cooking apparatus has:
 - iii.A total maximum electrical power input exceeding 8kW; or
 - iv.A total gas power input exceeding 29MJ/h; or

FIRE SAFETY CONDITIONS

27.The owner shall submit to Council a Final Fire Safety Certificate stating that each essential fire safety measure specified in the current Fire Safety Schedule for the building to which the certificate relates:

- iii.Has been assessed by a properly qualified person, and
- iv.Was found, when assessed, to be capable of performing to a standard not less than

that required by the current Fire Safety Schedule for the building.

Further, the assessment is to be carried out within a period of three (3) months of the date on which the Final Fire Safety Certificate was issued. The owner of the building shall forward a copy of the Certificate to the NSW Fire Brigades and also prominently display a copy in the building.

Note: A Final Safety Certificate must be provided before a Final Occupation Certificate can be issued for the building.

28.The building is to comply with the attached Fire Safety Schedule.

Note: The attached schedule supersedes any earlier fire safety schedules and will cease to have effect when any later schedule is issued.

29.The owner shall submit to Council an Annual Fire Safety Statement each twelve months after the Final Safety Certificate was issued.

30.Exit doors are to have a minimum height of 2000mm and a minimum width of 750mm.

31.An exit door must not be blocked at the point of discharge and where necessary, suitable barriers must be provided to prevent vehicles from blocking the exit, or access to it.

32.In a required exit or path of travel to an exit there must be an unobstructed height throughout of not less than 2 metres and an unobstructed width throughout of not less than 1 metre.

33.A door forming part of a required exit must be readily openable without a key from the side that faces a person seeking egress, by a single hand downward action or pushing action on a single device which is located between 900mm and 1200mm from the floor.

34.A fire hydrant system must be provided to service the building. This can be by way of existing Goldenfields County Council network provided it complies with AS 2419. Certification of the hydrant system must be provided with the final Fire Safety Schedule.

35.A fire hose reel is to be provided not more than 4 metres from a required exit door and located so that the nozzle of the fully extended fire hose reel will reach every part of the floor.

The fire hose reel is to comply with AS 1221 and AS 2441 and Clause E1.4 of the Building Code of Australia.

36.Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with AS 2444. Whilst the building is under construction not less than 1 extinguisher to suite Class A, B and C fires and electrical fires must be provided at all times adjacent to each required exit.

37.Exit signs are to be installed over each required exit in accordance with AS 2293.1.

38.An emergency lighting system is to be installed in accordance with AS 2293.1.

39.An exit door that is power operated must:

- Be able to be opened manually under a force of not more than 110N if there is a malfunction or failure in the power source; and
- Open automatically if there is a power failure to the door or on the activation of a fire or smoke alarm anywhere in the fire compartment served by the door.

PRIOR TO OCCUPATION

40.The applicant is to obtain an Occupation Certificate pursuant to Section 109C of the EP&A Act 1979, as amended, from either Council or an Accredited Certifying Authority at the completion of the works to certify that works have been completed in accordance with the applicable standards of this consent.

41.Stormwater shall be discharged to the roadside kerb and gutter. Any penetration of the kerb is to be done so as to not cause any damage to the existing kerb and gutter.

42.The building is to be protected from attack by subterranean termites. A notice showing full details of the termite barrier system complying with AS3660.1 – 1995 is to be submitted to Council BEFORE COMMENCEMENT OF WORK.

IT SHOULD BE NOTED THAT:

Council will not permit the use of hand held sprays for treatment beneath slab construction as the effective life of the treatment is limited. To retreat the slab it is necessary to drill holes throughout the slab at 400mm centres and introduce fresh chemical.

43.Clause B1.3(j) of the National Construction Code (formerly the Building Code of Australia) requires that a durable notice must be permanently fixed to the building in a prominent location, such as in a meter box or the like, 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; and
- d.the need to maintain and inspect the system on a regular basis.

44.The door to a fully enclosed sanitary compartment must:

iv.open outwards

v.slide or

vi.be readily removable from the outside of the compartment, unless there is a clear space of at least 1.2 metres between the closet pan within the sanitary compartment and the nearest part of the doorway.

45.All wet areas including shower rooms, slop hopper or sanitary compartments must be water- resistant or waterproof in accordance with AS 3740 and the requirements of F1.7 of the Building Code of Australia.

46.A continuous balustrade or other barrier must be provided if a landing of 1 metre or greater is created by the proposed structure. Any balustrade or barrier that may be required shall be constructed in accordance with Part 3.9.2 of the National Construction Code (formerly the Building Code of Australia) (Vol.2) – Balustrades.

47.All rooms must be provided with light and ventilation in accordance with Part F4 of the Building Code of Australia.

48.Any disabled access ramps and handrails shall be installed in accordance with Australian Standard 1428.1- 2009 Design for Access and Mobility, Part 1: General

Requirements for Access – New Building Work.

49. The building must be provided with tactile ground surface indicators at the path of travel meeting a vehicular way adjacent to the principal public entrance to a building, where there is no kerb or kerb ramp at that point. Any tactile ground surface indicators required must comply with AS 1428.4.1.

50. Provision shall be made in the building and onsite for:

iv. Access to the building for people with disabilities in accordance with the National Construction Code (formerly the Building Code of Australia).

v. Toilet facilities for people with disabilities in accordance with the National Construction Code (formerly the Building Code of Australia), such facilities shall be accessible to persons working in or using the building, and in accordance with this requirement.

vi. One motor vehicle parking space on the site for the exclusive use of people with disabilities. This parking space must have a direct path to the building and all required accessible areas complying with AS1428.

51. Braille and tactile signage must comply with AS 1428.1 and Specification D3.6 of the Building Code of Australia.

52. Signage in accordance with AS1428.1 must be provided for accessible unisex sanitary facilities to identify if the facility is suitable for left or right handed use.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Hutcheon, Huxtable, Maslin, Logan, Brill and White.

VOTES AGAINST

NIL

ABSENT

Clr Beard, Clr McCann

INTEREST DECLARED

NIL

MINUTENO

184/08/2015

REPORT NO

4.4

SUB REPORT NO

HS3

FILE

S.16-03, SC499

REPORT SUBJECT

WALLACE/MIRROOL STREET (HORNBY) SUBDIVISION

RESOLUTION

RESOLVED on the motion of Clr Beard and seconded by Clr White: 184/08/2015

1) That Council amend Development Applications 22/2006 & 23/2006 in accordance with the attached Plan #1, and

2) That Council commence negotiations with Goldenfields Water in regards to

determining and paying remaining headworks charges, and

3)That Council's be exempted from paying Section 94 Contributions for DA 22/2006 and DA 23/2006 (as amended) in return for the construction and ongoing maintenance of the required road and stormwater drainage, and

4)That Council defer the naming of the internal road until a future meeting.

VOTES WHERE RECORDED

VOTES IN FAVOUR

Clrs Seymour (Chairman), Huxtable, Maslin, Logan, Brill, White and Beard.

VOTES AGAINST

NIL

ABSENT

Clr Hutcheon, Clr McCann

INTEREST DECLARED

NIL