



MINUTES OF THE DEVELOPMENT CONTROL UNIT MEETING

HELD AT COUNCIL CHAMBERS, BREESE PARADE, FORSTER

ON THURSDAY, 1 OCTOBER 2009

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Minutes of the Development Control Unit Meeting of the Great Lakes Council held at the Council Chambers, Breese Parade, Forster on 1 October 2009 commencing at 2pm.

PRESENT

J McWilliams (Chairperson), Director Planning & Environmental Services - Glenn Handford, Manager Design & Investigation - Kumar Kuruppu, , Manager Development Assessments - Wayne Burgess, Manager Building Assessments - Gary Mead.

IN ATTENDANCE

Admin Officer - Yvette Ellis (Minute Taker).

APOLOGIES

Director Engineering Services - Ron Hartley.

52 RESOLUTION

That the apology from Director Engineering Services - Ron Hartley be accepted.

ADOPTION OF MINUTES OF MEETING

53 RESOLUTION

That the Minutes of the Development Control Unit Meeting of 24 September 2009, copies of which were distributed among the Committee members, be taken as read and confirmed as a true record of proceedings subject to the following amendment:

Recommendation for Item 3 on page 13 (Minute No. 48) be amended to read:

Delete A and B, and incorporate deferred commencement conditions A1 and A2 into the development consent conditions, and requiring the details to be provided prior to the issue of the Construction Certificate, and delete reference to deferred commencement conditions in conditions 34 and 35.

DECLARATIONS OF PECUNIARY & NON-PECUNIARY CONFLICTS OF INTEREST

Nil.

CONSIDERATION OF OFFICERS' REPORTS:

DIRECTOR PLANNING AND ENVIRONMENTAL SERVICES

1 PES - Extensions to Existing Dwelling - DA48/2010 - 65 Lake Street, Forster

Index: DA48/2010 & PK 5776
Author: Senior Building Surveyor - Bruce Arkle
DCU Meeting: 1 October 2009

Manager Building Assessments drew the committee's attention to a typographical error on page 8 wherein 3:1 should read 0.3:1.

RECOMMENDATION:

That development application No. 48/2009 to carry out alterations and additions to an existing dwelling and to erect a fence 1.5m high along the Hadley Street frontage at Lot 36 DP21258 No 65 Lake Street Forster is approved subject to the following conditions.

The following condition/s have been applied to ensure that the development complies with the provisions of the Environmental Planning and Assessment Act and Regulations and Policies of Council:

1. The development being carried out in accordance with the details set out in the Development Application unless otherwise amended by these conditions of consent.
 2. The building works are to be inspected during construction, by the principal certifying authority (or other suitably qualified person on behalf of the principal certifying authority subject to the provisions of the Environmental Planning and Assessment Act 1979 and Regulation 2000) to verify compliance with this consent and the standards of construction detailed in the Building Code of Australia, at not less than the following stages prior to proceeding to the subsequent stages of construction:
 - a) Commencement of works.
 - b) Pier holes before they are filled with concrete.
 - c) Footings.
 - d) Steel reinforcement.
 - e) Steel columns/beams.
 - f) Framework including floor, wall and roof framing prior to fixing of internal lining.
 - g) Stormwater drains.
 - h) Wet area flashing prior to covering in.
 - i) Final.
 3. Work on any building shall not commence until a Construction Certificate, complying in all respects with the provisions of the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the Building Code of Australia, has been issued.
 4. Development must be completed in accordance with Basix Certificate No A55109 unless otherwise amended prior to the issue of a final Occupation Certificate.
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5. It is a condition of approval that all building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA).
6. Submission of a Damage Bond Application Form and payment of a bond in the amount of \$1,110.00 payable for the purpose of funding repairs to any damage that may be occasioned to Council assets by activities/works associated with the construction of the development approved by this consent and ensuring Council standards and specifications are complied with. The bond shall be paid to Council prior to the issue of any Construction Certificate that may be issued for any component of the development.

A final inspection will be carried out by Council's responsible officer and the bond (minus the administration fee) will be considered for refund:

1. Once all works, including landscaping, driveway construction, turfing, etc, have been completed; AND
2. Following issue of an Occupation Certificate by the Principal Certifying Authority for the development; or
3. Upon application for the release of the subdivision.

A fee will be deducted from the bond to cover administration costs as follows:

- \$110.00 for developments up to the value of \$400,000.

The Damage Bond is reviewed periodically and therefore the fee and bond amount payable shall be determined from Council's current fees and charges document at the time of lodgement of the Damage Bond.

7. Building work that involves residential building work (within the meaning of the Home Building Act, 1989) must not be carried out unless the principal certifying authority:
 - a) in the case of work to be done by a licensed contractor:
 - i) has been informed in writing of the licensee's name and contractor number; and
 - ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act (in relation to insurance policies); or
 - b) in the case of work to be done by any other person:
 - i) has been informed of the person's name and owner-builder permit number; or
 - ii) has been given a declaration, signed by the owner of the land, that states that the market cost of the labour and materials involved in the work does not exceed \$5,000.
8. Structural drawings prepared by a suitably qualified and experienced Structural Engineer being submitted to and approved by the principal certifying authority prior to the issue of a construction certificate. The plans shall detail:
 - a) All reinforced concrete floor slabs and/or beams or raft slab (having due regard to the possible differential settlement of the cut and fill areas.
 - b) Footings of the proposed structure.
 - c) Structural steel beams/columns.

Where it is proposed to use driven timber piles as part of any building footing system, the following certification from a professional engineer shall be provided prior to a footing inspection:

- i) The durability class (and/or chemical treatment grade) of all piles used within the footing system; and
- ii) That the driven piles have achieved the required bearing capacity.

9. Toilet facilities are to be provided at the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site:

- a) Each toilet provided must be a standard flushing toilet and must be connected to MidCoast Water's sewer; and
- b) The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

10. Public access to the site and building works, materials and equipment on the site is to be restricted, when building work is not in progress or the site is unoccupied.

The public safety provisions must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

11. All demolition work is to be carried out in accordance with the provisions of Australian Standard AS2601-1991 : The Demolition of Structures, as in force 1 July 1993.

All utility services are to be disconnected to the requirements of the relevant authorities.

12. All asbestos waste is to be removed, handled, transported and disposed of in accordance with the requirements of WorkCover.

13. Any asbestos waste shall be delivered to the waste facility in heavy duty sealed polyethylene bags. The bags are to be marked "Caution Asbestos" with letters 40mm high. Forty-eight (48) hours notice must be given to the waste facility prior to disposal.

14. All demolition or excavated material is to be removed from the site and disposed of at an approved or licensed waste facility.

15. The additions to the building are not to be occupied until fully completed in accordance with the approved plans and conditions of development consent.

16. Roof material shall be of a subdued low-reflective colour installed in accordance with the manufacturer's details. The colour of the roofing material is to be approved by Council prior to the issue of any Construction Certificate (unpainted metal, zincalume, white or off-white materials are not acceptable).

17. The external surfaces of dwelling are to be constructed of dark toned, low reflective materials.

18. A sign is required to be erected in a prominent position on any work site on which building or demolition work is being carried out. The sign shall indicate:

- a) The name, address and telephone number of the principal certifying authority for the work; and
- b) The name of the principal contractor and a telephone number at which that person may be contacted outside of working hours; and
- c) The sign must state that unauthorised entry to the work site is prohibited.

Any such sign is to be removed when the work has been completed.

19. Buildings to be set out by a Registered Surveyor to ensure compliance with this consent, and the approved plan/s, and a copy of plan to be supplied to the principal certifying authority prior to the pouring of any concrete slabs / placement of flooring materials.

The following condition/s have been applied to ensure that reasonable levels of health, safety and amenity for the occupants of the building, neighbouring properties and the locality are maintained after the erection of the proposed building:

20. Building materials, sand or waste materials shall not be placed on the footway or road reserve at any time.

The following conditions have been applied to ensure that adequate drainage is provided from the premises and to maintain adequate levels of health and amenity in the locality:

21. Stormwater shall be discharged to the existing stormwater drainage system.
22. External paths and ground surfaces are to be graded and drained away from the building and adjoining premises in such a manner so as not to result in the entry of water into a building or cause a nuisance.

The following condition/s have been applied to ensure compliance with the Building Code of Australia (BCA) and relevant Standards established by the Environmental Planning and Assessment Act 1979 and Regulations:

23. Timber framing members shall comply with the relevant provisions of AS1684 - Residential Timber Framed Construction Code.
24. Install in the building an automatic fire detection and alarm system, complying with the Building Code of Australia, being connected to the mains electrical power supply and having a standby power supply.
25. The proposed building or addition is to be protected from the infestation of termites in accordance with the Building Code of Australia and AS3660. Details of the method of protection are to be specified prior to the issue of a construction certificate. Upon completion of the building work, a durable notice must be permanently fixed to the building in a prominent location, such as a meter box or the like, indicating:
 - a) the method of protection;
 - b) the date of installation of the system;
 - c) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
 - d) the installer's or manufacturer's recommendations for the scope and frequency of future inspections for termite activity.

The following condition/s have been applied to ensure compliance with Council's Erosion and Sediment Control Policy:

26. All erosion and sediment control measures undertaken on the site shall be undertaken to conform to the specifications and standards contained in Council's guidelines.
27. An Erosion and Sediment Control Plan (ESCP) shall be prepared by the applicant (or applicant's agent) prior to a construction certificate being issued.
28. Stormwater from roof areas shall be linked to a Council approved stormwater disposal system immediately before placement of any roofing materials.
29. Vehicular access shall be controlled so as to prevent the tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is muddy.

30. The site shall be landscaped with all disturbed ground being stabilised against erosion to Council's satisfaction within 30 days of completion of building works.

54 RESOLUTION

That that the above recommendation be adopted.

2 PES - Timber Deck - DA533/2009 - 2/70 The Southern Parkway, Forster

Index: DA533/2009 & PK34153

Author: Development Assessment Planner - David Koppers

DCU Meeting: 1 October 2009

RECOMMENDATION:

- A: That a Penalty Infringement Notice be issued on the owner of the premises for carrying out building work without the prior approval of Council.
- B: It is recommended that DA 533/2009 which proposes a timber deck on Lot 2 SP 75346 – 2/70 The Southern Parkway, FORSTER, NSW be approved subject to the attached conditions:

The following condition/s have been applied to ensure that the development complies with the provisions of the Environmental Planning and Assessment Act and Regulations and Policies of Council:

1. The development must be in accordance with the STAMPED PLANS the application form and on any supporting information received with the application, except as may be amended by the following conditions and as may be shown in red on the attached plans.
 2. Work on any building shall not commence until a Construction Certificate, complying in all respects with the provisions of the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the Building Code of Australia, has been issued.
 3. It is a condition of approval that all building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA).
 4. The building works are to be inspected during construction, by the principal certifying authority (or other suitably qualified person on behalf of the principal certifying authority subject to the provisions of the Environmental Planning and Assessment Act 1979 and Regulation 2000) to verify compliance with this consent and the standards of construction detailed in the Building Code of Australia. Inspections shall be carried out as required by Section 162A of the EP&A Regulation 2000.
 5. The applicant shall provide details with the construction certificate as to how termite barriers are to be provided and maintained along the existing building.
 6. Compliance with the following conditions imposed by the NSW Rural Fire Service under Section 79BA of the Environmental Planning and Assessment Act 1979:
 - a) At the commencement of building works and in perpetuity the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bushfire Protection 2006' and the NSW Rural Fire Service document 'Standards for asset protection zones'.
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- b) To aid in fire fighting activities, unobstructed pedestrians access to the rear of the property shall be provided and maintained at all times.
- c) Construction of the deck will be to Level 2 Construction as outlined in AS 3959-1999.

Details are to be submitted from an appropriately qualified person demonstrating compliance with the above conditions, prior to the issue of the Construction Certificate.

7. A sign is required to be erected in a prominent position on any work site on which building or demolition work is being carried out. The sign shall indicate:
 - a) The name, address and telephone number of the principal certifying authority for the work; and
 - b) The name of the principal contractor and a telephone number at which that person may be contacted outside of working hours; and
 - c) The sign must state that unauthorised entry to the work site is prohibited.

Any such sign is to be removed when the work has been completed.

55 RESOLUTION

That the above recommendation be adopted with the following amendments:

- Delete recommendation A, as the committee took into consideration the cost of rebuilding the deck and the circumstances of the case.
- Add condition 8 to read as follows:
Conditions of consent are to be satisfied within three months of the date of this consent.

3 PES - Applications by Council - DA102/2010 - Resource Recovery and Waste Management Facility - Lot 127 Pacific Highway, Bulahdelah

Index: DA102/2010 & PK36590

Author: Development Assessment Planner – Joanne Dunkerley

DCU Meeting: 1 October 2009

RECOMMENDATION:

It is recommended that the information be noted and that the application be assessed by Council staff.

56 RESOLUTION

That the above recommendation be adopted.

MEETING CLOSURE

The meeting closed at 2.10pm.

CHAIRPERSON
