

Minutes for this meeting will be confirmed at the Ordinary Committee Meeting to be held in the Council Chambers, Council Administration Building, on 4 November 2004 commencing at 5.00pm



**COFFS HARBOUR CITY COUNCIL**  
**ORDINARY MEETING**  
**(PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE)**  
**COUNCIL CHAMBERS**  
**COUNCIL ADMINISTRATION BUILDING**  
**COFF AND CASTLE STREETS, COFFS HARBOUR**  
**21 OCTOBER 2004**

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**COFFS HARBOUR CITY COUNCIL**

**ORDINARY MEETING**

**(PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE)**

**21 OCTOBER 2004**

Mayor and Councillors

**NOTICES OF MOTION**

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**COMPLETION OF HOGBIN DRIVE**

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**Purpose:**

I hereby give notice of my intention to move:

*"That Council appoint a steering committee (such committee to comprise several councillors, staff and community representatives) to meet as required and report back to Council's first meeting in February 2005 on the available options of funding the completion of Hogbin Drive."*

**Acting General Manager's comments:**

Council has in the last six months continued lobbying both the State and Federal government for funding to enable the completion of Hogbin Drive as part of Council's road network system. This initiative will relieve traffic congestion on the highway.

Traffic modelling reinforces the need for the construction of the remaining section of Hogbin Drive. It is estimated Hogbin Drive could carry up to 24,000 vehicles per day in 2011. If not constructed, 62,500 vehicles per day would remain on the Pacific Highway.

All parties have agreed to the importance of this alternative to the Pacific Highway. It is advised that Council staff are about to pursue government agencies for relevant approvals and input following the EIS review of July 2001.

Approvals, construction process and commencement dates are reliant upon the successful funding.

**cont'd**

## **Completion Of Hogbin Drive (cont'd)**

It is suggested the makeup of the committee could be;

Councillors,  
State and Federal Local Members  
Community representatives,  
Roads and Traffic Authority  
Council staff.

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## **REVIEW OF CARPARKING IN THE CITY**

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### **Purpose:**

Cr Hogbin has given notice of his intention to move:

*"That Council appoint a steering committee (such committee to comprise several Councillors, staff and community representatives) to meet as required and report back to Council's first meeting in February 2005 on all the presently available car parking spaces in the CBD, together with the various timing limits and usage thereof. Arising from this committee's work, a report should be furnished on options for Council to consider to:*

- a) provide for better utilisation of existing parking facilities, and/or*
- b) if deemed necessary, options to provide additional parking spaces."*

### **Acting General Manager's comment:**

Prior to the City Centre revitalisation, 3,988 parking spaces were available within the 21 streets of the CBD precinct. Considerable time and effort was spent on parking issues by the community based Strategic Planning Group which was responsible for the City Centre Strategic Plan.

The revitalisation project has increased parking to 4,531 spaces with varying restrictions both on street and off street.

The Committee could address the issues of utilisation together with the ongoing problem of security.

## GENERAL MANAGER'S REPORT

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### 18 MID NORTH COAST GROUP OF COUNCILS - RESOURCE SHARING THROUGH STRATEGIC ALLIANCE PROJECT

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#### **Purpose:**

To inform Council of the progress of the resource sharing project being undertaken by the Group.

#### **Description of Item:**

Following the formalising of the Memorandum of Understanding between the Mid North Coast Group of Councils, action has been taken to undertake a review of how resource sharing has taken place across the Councils and to define the opportunities that may be available for the future.

With the assistance of consultant, Ken Gainger, Gainger Management Services, the review has highlighted the following:

- some resource sharing partnerships are in place, ie, waste, water
- generally localised to adjoining councils
- opportunities for further resource sharing include focus areas of:
  - Works
  - IT/GIS
  - Human Resources
  - Town Planning
  - plus some additional resource sharing options

#### **Consultation:**

The consultant's brief was to consult with all councils on existing arrangements and future opportunities. Extensive discussions have taken place.

Investigations of examples of resource sharing across local government was also undertaken as a benchmark and for application. A copy of the executive summary has been included in the Councillors' envelope.

#### **Sustainability Assessment:**

As the Councils move forward and address opportunities to resource share, each project will be addressed as to the impacts on sustainability.

#### **Related Policy and / or Precedents:**

Council resolved to become a party to the Memorandum of Understanding of the Mid North Coast Group of Councils at its meeting held on 20 May 2004.

cont'd

## **18 Mid North Coast Group Of Councils - Resource Sharing Through Strategic Alliance Project (cont'd)**

### **Statutory Requirements:**

Section 355(a) provides that a function of a council may be exercised jointly by a council and another council or councils for adoption and signing.

### **Issues:**

The Councils met on the 22 September 2004 to address the report and resolved:

- (a) That the Mid North Coast Group of Councils endorse the report and its recommendation presented.
- (b) That all member Councils be requested to formally endorse the Strategic Alliance Project in principle.
- (c) That the workshops for the five identified areas be undertaken utilising the services of Ken Gainger and that the outcome of this be reported to the next meeting of the Mid North Coast Group of Councils.

The workshops referred to in (c) have continued during the fortnight commencing 11 October. It is expected that the next meeting of the Group be held on the 19 November will deal with the further report as phase two of the project.

### **Implementation Date / Priority:**

The in principle endorsement by Council will be advised to the Group.

### **Recommendation:**

- 1. That the report on the progress of the Resource Sharing through Strategic Alliance Project by the Mid North Coast Group of Councils be noted.**
- 2. That Coffs Harbour City Council formally endorse in principle the Strategic Alliance proposal and the Group be advised.**

## PLANNING, ENVIRONMENT & DEVELOPMENT DEPARTMENT REPORTS

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### PED37 DEVELOPMENT APPLICATION 2011/04 - PROPOSED DWELLING - LOT 286, DP 726506, BARK HUT ROAD, WOOLGOOLGA

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#### Purpose:

This report describes Development Application (DA) 2011/04 for the construction of a new dwelling at Lot 286, DP 726506, Bark Hut Road, Woolgoolga.

Whilst the application is for a conventional dwelling to be constructed on a rural banana lot, the application is of a complex nature due to the past subdivision history of the parent property and the associated dwelling entitlement.

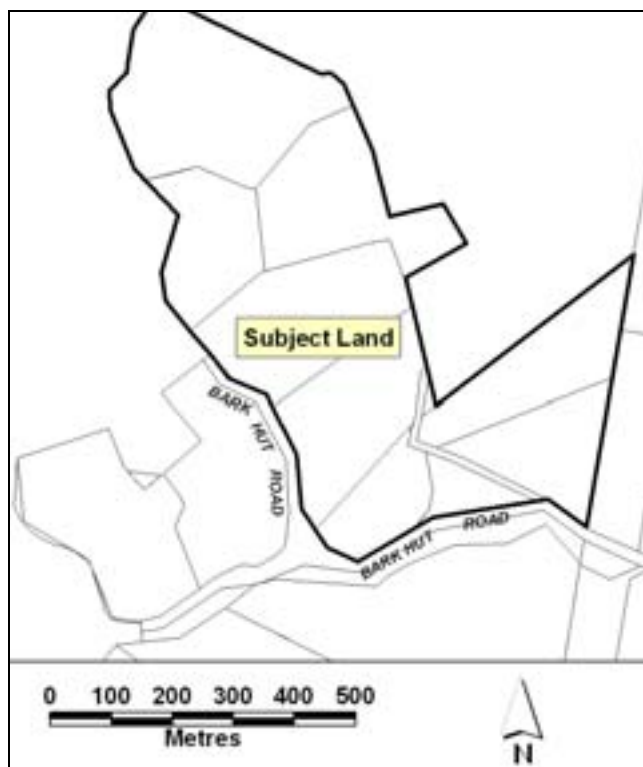
Further, an appeal concerning this application has been lodged with the Land and Environment Court. The appeal is based on Council's non-decision on the application within the statutory 40-day determination period; the application thereby constituting a deemed refusal.

Legal advice has been provided in relation to the application.

Conditional approval of the application is recommended.

#### Description of Item:

##### History of the Creation of Lot 286, DP 726506 and Subsequent Dwelling Entitlement



Plan - Lots 278-286, DP 726506

cont'd

## **Ped37 Development Application 2011/04 - Proposed Dwelling - Lot 286, Dp 726506, Bark Hut Road, Woolgoolga (cont'd)**

- Council records show that Lot 275 DP47056 (grandparent allotment – 48.168ha) was the subject of a Crown subdivision registered on 21 July 1988 that separated the block into five individual allotments (Lots 287-291 DP726505).
- Lot 291 DP726505 (parent allotment – 36.14ha) was then subject to a further Crown subdivision registered on 21 December 1988 to create a further nine allotments (Lots 278-286 DP 726506), one of which – Lot 286 DP726506 (2.29ha in area) is the subject of the current Development Application.
- MBT Lawyers have provided documented legal opinion stating that any one of the lots created under the above Crown subdivisions has a dwelling entitlement.

### **Sustainability Assessment:**

- **Environment**

The application for a new dwelling on the rural lot is satisfactory in terms of environmental impacts.

- **Social**

No adverse social impacts will result from approval of the dwelling on the rural lot. The issue of fairness and inequity in application of the dwelling entitlement should be addressed in the new Settlement Strategy for the Rural 1A zoned lands.

- **Economic**

#### **Broader Economic Implications**

In approving a dwelling on this lot, other lots in the Crown subdivision will be denied a dwelling entitlement and consequently will be adversely impacted from an economic viewpoint. From a broader view, Council needs to address this economic inequity as part of the new Settlement Strategy for the Rural 1A zoned lands.

#### **Management Plan Implications**

There are no financial implications in relation to Council's Management Plan

### **Consultation:**

Staff have met with all affected landowners on two occasions in an attempt to resolve the issue in an equitable manner. Various options have been discussed, as mentioned in this report under the heading "Implications of approving the application", however, a mutually accepted outcome was proving difficult to achieve. Council staff have also held discussions with solicitors acting on behalf of the applicant, and the other affected landowners.

**cont'd**

## **Ped37 Development Application 2011/04 - Proposed Dwelling - Lot 286, Dp 726506, Bark Hut Road, Woolgoolga (cont'd)**

### **Related Policy and / or Precedents:**

The documents accord with current Council policy.

### **Statutory Requirements:**

- **Section 79C Evaluation**

Section 79C of the Environmental Planning and Assessment Act 1979 specifies the matters which a consent authority must consider when determining a development application. The consideration of matters is limited in so far as they must be of relevance to the particular application being examined.

The Section 79C evaluation is appended to this report (Appendix A), and provides a detailed assessment of the application.

Recommended conditions of consent for this application are also appended to this report (Appendix B).

- **Relevant Statutory Instruments**

- North Coast Regional Environmental Plan (REP)
- Coffs Harbour City Local Environmental Plan (LEP) 2000
- Rural Lands Development Control Plan (DCP)

### **Issues:**

The issue relates to the entitlement to construct a dwelling on a group of former banana lease allotments zoned Rural 1A Agriculture located on Bark Hut Road Woolgoolga with land areas ranging from 2.2ha to 5ha.

Development Application 2011/04 for a dwelling on one of the lots (Lot 286 DP726506) has been received by Council. The lodgment of the application was the result of legal advice suggesting that one dwelling entitlement is applicable to any one of 13 lots originally created from two separate Crown subdivisions undertaken in 1988. Four lots have since either been consolidated or involved in a boundary alteration, with the resulting total number of lots still in contention for a dwelling entitlement being nine.

The land subject to the current application is zoned Rural 1A Agriculture, and is 2.29ha in area. The minimum sized allotment for a dwelling in the 1A zone is 6ha (if used for banana growing). Should the application be approved, this will extinguish the dwelling entitlement applicable to any of the nine properties.

Council has previously provided written advice to some of the property owners of these lots that a dwelling entitlement does not exist.

**cont'd**



## **Ped37 Development Application 2011/04 - Proposed Dwelling - Lot 286, Dp 726506, Bark Hut Road, Woolgoolga (cont'd)**

The Development Application currently before Council can be conditionally approved, however the approval of the application may cause a backlash from the other relevant landholders. Council has been advised by the applicant's solicitor that an appeal has been lodged with the Land and Environment Court. The other landholders involved have also advised that they are assessing their legal options. Correspondence to this effect has been received from a solicitor acting on behalf of the other landholders.

### **Current Position with Respect to the Development Application**

The DA for the dwelling (DA 2011/04) satisfies relevant legislative requirements.

Legal advice suggests that a dwelling entitlement exists for one of the lots created under the Crown subdivisions (that comprised Lots 278-286 DP 726506). This dwelling entitlement can be applied to Lot 286 DP 726506, the lot which is the subject of this application. There is no legal justification not to apply the entitlement to this lot.

Should the appeal to the Land and Environment Court be contested, a decision is likely to be in favour of the applicant. Consequently conditional approval of the application is recommended.

### **Implications of Approving the Application**

Implications associated with the approval of the DA include:

1. Potential for compensation claims in respect of previous advice given by Council concerning dwelling entitlements. On this aspect, Council's Risk Coordinator has been briefed.
2. The need for consultation with all affected landowners with the view to resolving the issue of dwelling entitlements equitably. Staff have met with affected landowners and their legal representatives on two occasions. Options discussed at these meetings included:
  - Determine the application currently with Council – if approved, dwelling entitlement extinguished.
  - Accept Development Applications for dwellings on the remaining properties with SEPP objections (Note that SEPP 1 has a limited lifespan).
    - It is unlikely that SEPP 1 objections would be supported by DIPNR.
  - Rezone the properties to allow the construction of dwellings / subdivision:
    - Cost – LES required, LEP preparation etc,
    - Time – 1-2 years to rezone,
    - Probably would not be supported by DIPNR
  - Property consolidation to create lots over 6ha (this option was not well received by the landholders).

Another option determined by the group themselves at the meeting was to pool all of the land together and lodge an application for a community title subdivision. However the sum of all the land involved is such that one or two lots would have to be sacrificed, which was an aspect of the idea that was also not well received.

**cont'd**

## **Ped37 Development Application 2011/04 - Proposed Dwelling - Lot 286, Dp 726506, Bark Hut Road, Woolgoolga (cont'd)**

The group were advised to engage a consultant to assess the various planning issues involved with a potential solution.

The meetings demonstrated that a cooperative solution to the matter was difficult to achieve.

### **Strategic Implications Related to this Development Scenario**

DIPNR has advised that there are other similar lots created by the Crown for purposes such as banana growing. Therefore, there is the potential for a similar situation to arise.

Council, at its meeting of 19 August 2004, in considering a report on the Rural Lands Strategic Plan - Non Statutory Assessment, resolved that it prepare a new Settlement Strategy for the Rural 1A zoned lands. The issue and impact of Crown created lots and dwelling entitlements in general as they apply to the whole of the Local Government Area, should form part of this new strategy.

### **Summary**

Legal advice has been received which discloses that, as a result of a Crown subdivision of land undertaken in 1988, one dwelling entitlement exists between nine current properties (one entitlement for nine lots carried over from the larger "parent" lot).

Council has received a development application 2011/04 to construct a dwelling on one of the nine lots (Lot 286 DP 726506).

The application satisfies normal statutory and technical requirements.

The applicant has lodged an appeal for a deemed refusal of this application, in order to protect the applicant's interest in the matter.

Approval of the application would extinguish the dwelling entitlements on other lots.

Council is unlikely to successfully defend the appeal to the Land and Environment Court.

Other affected landowners are not supportive of the approval of this application.

Council may be exposed to a future claim(s) in terms of previous advice provided in relation to the affected lots that were created via the Crown subdivision.

Whilst approval of the application is recommended and is the appropriate course of action, it is acknowledged that this decision may be seen as being unfair and inequitable to other affected landowners.

Council must determine the application according to law.

Council should address the situation of Crown subdivisions and resulting dwelling entitlements in the new Settlement Strategy for the Rural 1A zoned lands.

**cont'd**

**Ped37 Development Application 2011/04 - Proposed Dwelling - Lot 286, Dp 726506, Bark Hut Road, Woolgoolga (cont'd)**

**Implementation Date / Priority:**

The matter will be actioned immediately following Council's resolution.

**Recommendation:**

- 1. That Development Application 2011/04 for a dwelling at Lot 286 of 726506 Bark Hut Road Woolgoolga be approved subject to standard and special conditions as appended to the report (Appendix B).**
- 2. That funding be sought, in the 2005 Management Plan Process, to enable preparation of a report on the relevant issues in undertaking a city-wide study to investigate dwelling entitlements. The report should consider the implications of preparing an amendment to LEP2000; assessing the impact of any changes to the provisions regarding dwelling entitlements on rural lands which currently do not enjoy such entitlements.**
- 3. That persons who have made submissions to the application be advised of Council's decision.**

S Sawtell  
Acting General Manager

## **Attachments:**

## **Appendix A**

### **Section 79C Evaluation Development Application No. 2011/04**

#### **Proposal**

The development application proposes to construct a three-bedroom dwelling house on the subject property, which is also currently used for banana growing purposes.

#### **Building Design**

The dwelling house is proposed to be a single level pole home utilising weatherboard cladding, colourbond roofing and aluminium windows and sliding doors.

The dwelling house has been designed such that it can achieve the minimum 3.5 star energy efficiency requirement under the Nat HERS system. In terms of aesthetics, the dwelling is considered satisfactory and will not have a detrimental impact on the rural landscape of the area.

#### **Building Location**

The dwelling house is proposed to be located relatively centrally on the 2.2ha property in terms of side boundaries, and is set back 25 metres from the front boundary. There are no other dwellings within 350 metres of the proposed location of the house. The dwelling house is located a minimum of 60 metres from banana growing activities on adjacent properties.

#### **Water Supply**

The proposal includes provision of a 40,000-litre water tank.

#### **Effluent Disposal**

The proposal includes provision for a 3,000-litre septic tank and associated effluent drain field. The site has been soil tested for contamination, slope stability and effluent disposal capabilities, and the tests provided satisfactory results for all of these areas of concern.

#### **Access and Parking**

The site is accessed by Bark Hut Road. This is a public road that is bitumen sealed up to the subject property. Internal driveways and car parking comply with Council requirements.

#### **Vegetation and Habitat**

The site is one of a group of properties used for banana growing purposes. As such the subject property contains no significant vegetation.

Council's Koala Plan of Management shows that Tertiary Koala Habitat exists to the south of the site on properties on the opposite side of Bark Hut Road. This proposal will not have a detrimental impact on the adjacent Tertiary Koala Habitat.

## **Bushfire Hazard**

The application was referred to the Coffs Harbour Rural Fire Service for advice. The Rural Fire Service has responded with appropriate conditions of approval.

## **Other Issues**

The site is not affected by acid sulphate soils and is not considered to be significant in terms of heritage and conservation.

## **Summary**

The development proposal complies with legislative requirements and the dwelling house is satisfactory in terms of its design and location on the property.

### **(a) the provisions of:**

#### **(i) any environmental planning instrument, and**

- **Environmental Planning and Assessment Act**

The development is proposed within an established banana plantation on vacant rural land. No native vegetation is proposed for removal, and it is considered that a dwelling will not have a significant effect on any threatened species, populations or ecological communities, or their habitats, in terms of section 5 of the Act.

- **North Coast Regional Plan 2000**

This Plan does not have any clauses of relevance to the development proposal.

- **Coffs Harbour City Local Environmental Plan (LEP) 2000**

The site is included in the Rural 1A Agriculture Zone under LEP 2000. The proposed use is defined as a *'dwelling-house'* and is permissible with consent in the 1A zone.

The development complies with the requirements of all relevant clauses of the LEP.

#### **(ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and**

No draft EPI's apply to the development site.

#### **(iii) any development control plan, and**

- **Rural Lands Development Control Plan (DCP)**

The dwelling house proposed for the site complies with the requirements of this Development Control Plan.

#### **(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,**

Clause 92 of the Environmental Planning and Assessment Regulation 2000 provides that the document titled "NSW Coastal Policy 1997: A Sustainable Future for the New South Wales Coast" is to be considered in the determination of a development application. The policy does not apply to this area.

**(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,**

The development is likely to have a minimal impact on the local natural and built environment. However, as discussed earlier in this report, the approval of this application would extinguish the dwelling entitlement applicable to only one of nine allotments. This may have an effect on the potential property prices in the immediate area (although only one allotment holds the dwelling entitlement). Local social impacts may also be felt for this same reason, as evidenced by the two meetings mentioned earlier held between Council staff and affected landowners.

**(c) the suitability of the site for the development,**

Legal opinion confirms that a dwelling entitlement exists for any one of nine existing allotments including the lot subject to this application.

The application includes all relevant documentation, certification and complies with Council's relevant guidelines and requirements.

The site is therefore considered suitable for the proposed development.

**(d) any submissions made in accordance with this Act or the regulations,**

According to Council's Notification Development Control Plan, the application was not required to be advertised or notified.

**(e) the public interest**

In broad terms, the development is not considered contrary to the public interest. However, as mentioned earlier in this report, one dwelling entitlement exists between nine properties, and the allocation of the entitlement essentially relies on a *'first in best dressed'* basis.

For the purposes of deciding this application, there are no issues of a public interest nature that would prevent the approval of this development application.

**Development Application No. 2011/04**

**Schedule of Conditions**

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**Inspection:**

1. Building works being inspected by the Principal Certifying Authority at the following stages of construction, with adequate notice (48 hours) being given to the Principal Certifying Authority prior to inspection:
  - a) Commencement / footings and slabs prior to pouring concrete.
  - b) Floor, wall and roof framing prior to lining, water plumbing and external cladding completed.
  - c) Sanitary drainage prior to backfilling (Council inspection only).
  - d) Stormwater drainage.
  - e) Wet area waterproofing.
  - f) Prior to occupation.

**Additional Details or Applications:**

2. Structural engineer's details prepared and certified by a practising structural engineer for all reinforced concrete and structural members are to be submitted to the Principal Certifying Authority **prior to the commencement of work**.
3. The design wind classification for the site has been assessed as N3 under the provisions of Australian Standard AS 4055. All elements of the building are to be constructed to meet this criteria, with the following details being submitted to the Principal Certifying Authority **prior to the commencement of framework**:
  - (a) Tie down requirements.
  - (b) Roof bracing layout.
  - (c) Wall bracing layout.
4. Detailed plans of roof trusses indicating type and positions of trusses, design wind classification, manufacturer's name, stress grade of timber used, and method of bracing and fixing trusses are to be submitted to the Principal Certifying Authority **prior to the commencement of roof framework**.
5. A separate application is to be submitted for the proposed septic tank. The septic system is to be approved by Council **prior to issue of any Construction Certificate**.

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**Development Application No. 2011/04**

**Schedule of Conditions**

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6. Prior to the issue of a **Construction Certificate**, certification from an accredited consultant\* is to be provided to Council to the effect that the development is to achieve a 3.5 star NatHERS (Nation Wide Housing Energy Rating Scheme) rating or better.

\* = a consultant who is accredited by the NSW House Energy Rating Management Body.

**Certification:**

7. An automatic fire detection and alarm system is to be installed in the building in accordance with the Fire Safety Provisions of the Building Code of Australia Housing Provisions.

Written certification shall be submitted from the electrical installer prior to occupation confirming compliance with the above provisions.

8. A Termite Management System is to be provided in accordance with the provisions of Part 3.1.3 of the Building Code of Australia.
- A  **durable notice**  must be permanently fixed to the inside of the meter box and is to provide details listed under A1 Appendix A of Australian Standard AS 3660.1-2000.
  - A  **certificate of installation**  from the installer is to be submitted to the Principal Certifying Authority and is to provide details listed under A2 Appendix A of Australian Standard AS 3660.1-2000.

**Note - Concrete slabs used as a termite barrier shall be constructed in accordance with Australian Standard AS 2870.**

9. Written certification shall be submitted from the plumber to the Principal Certifying Authority prior to occupation confirming that the hot water tempering valve/s have been installed in accordance with the Hot Water Installation Provisions of Australian Standard AS 3500 Part 4 and the New South Wales Code of Practice – Plumbing and Drainage.
10. A certificate is to be submitted to the Principal Certifying Authority from the installer, prior to occupation, certifying that waterproofing to wet areas has been completed in accordance with the requirements of the Health and Amenity Provisions of the Building Code of Australia and Australian Standard AS 3740-1994 "Waterproofing of Wet Areas Within Residential Buildings".



**Development Application No. 2011/04**

**Schedule of Conditions**

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11. Glazing materials used in the building are to be selected in accordance with the provisions of Australian Standard AS 1288 "SAA Glass Installation Code" and shall comply with the requirements of Australian Standard AS 2208 "Safety Glazing Materials for Use in Buildings (Human Impact Considerations)" as required by the Building Code of Australia.

Windows shall be constructed to comply with Australian Standard AS 1288 or Australian Standard AS 2047. Written certification shall be submitted to Council prior to occupation inspection to confirm that glazing selection, manufacture and installation has been completed in accordance with the relevant Australian Standards for the job specific project.

12. Written certification is to be submitted prior to occupation inspection to confirm that energy efficiency measures required to achieve a minimum 3.5 star rating have been implemented.

**Construction:**

13. The installation of protective balustrades complying with the provisions of Clause D2.16 of the Building Code of Australia, having a minimum height of 1 metre.

Where wire rope balustrades are proposed a structural engineers certificate shall be submitted to demonstrate that the design complies with the relevant requirements of the Building Code of Australia.

14. Hot water system(s) provided within the development is/are to comply with the requirements of Council's "Energy Efficiency Information Sheet".

All kitchen and hand basin taps and washing machine(s) is/are to be fitted with flow restrictors and all showerheads are to be AAA rated (low flow).

All toilets are to be dual flush systems.

**Sediment & Erosion Control:**

15. Where excavation works or removal of vegetation is to take place on the site, control measures in accordance with Council's Erosion & Sediment Control Policy and Practice for Building & Development Sites to prevent the erosion of soil are to be undertaken at each appropriate construction stage.

**Development Application No. 2011/04**

**Schedule of Conditions**

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**Signage:**

16. A sign indicating the name, address and telephone number of the Principal Certifying Authority, and the name and telephone number of the principal contractor (if any) must be erected in a prominent position on the site and maintained until the building work has been completed. The sign must also state that unauthorised entry to the site is prohibited. The signage must be erected prior to commencement of work.

**Bushfire Protection:**

17. Certification must be submitted from the licensed builder/owner builder prior to occupation to confirm that the building has been constructed to comply with Australian Standard AS 3959 - 1999 level 2 "*Construction of Buildings in Bushfire Prone Areas*".
18. The structure shall incorporate gutterless roofing or leafless guttering to prevent the build up of flammable material.
19. In recognition that no reticulated water supply exists, a 10,000 litre dedicated water supply tank shall be provided and a minimum of 3kW (5hp) petrol or diesel powered pump. A 65mm storz fitting and ball or gate valve shall be installed in the tank.
20. Fire appliances must be able to get within five metres of the dedicated fire fighting water tank. If the tank is in ground, it should be fitted with a 200mm x 200mm childproof access hole.
21. Access shall comply with Section 4.3.2 in "*Planning for Bushfire Protection 2001*".
22. The property around the dwelling to a distance of 30 metres or to the boundaries shall be maintained as an "*Inner Protection Area*" as outlined within Section 4.2.2 in "*Planning for Bushfire Protection 2001*". All bananas within this distance must be removed.

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