



Hawkesbury City Council

hawkesbury
local
planning
panel
meeting
minutes

date of meeting: 20 December 2018

location: council chambers

time: 11:30 a.m.

HAWKESBURY LOCAL PLANNING PANEL MEETING

Table of Contents

Meeting Date: 20 December 2018

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
ATTENDANCE		2
SECTION 3 – Reports for Determination		4
Item: 014	CP - DA 0225/18 - Lot 2 DP 575959, Lot 2 DP 560898, Lot 4 DP 561147, Lot 6 DP 560899 - Richmond Pre-School and Senior Citizens Centre 114 March Street Richmond NSW 2756 - (95498)	4
Item: 015	CP - DA0128/18 - Lot 21 DP 1106184 - 20 North Street Windsor NSW 2756	5
Item: 016	CP - DA0293/18 - Lot 50 DP 1035291 Johnson Wing 4 Christie Street Windsor NSW 2756	14

HAWKESBURY LOCAL PLANNING PANEL MEETING

Table of Contents

Meeting Date: 20 December 2018

HAWKESBURY LOCAL PLANNING PANEL MEETING

Minutes: 20 December 2018

Minutes of the Hawkesbury Local Planning Panel Meeting held in Council Chambers, Council Offices, Windsor, on 20 December 2018, commencing at 11:30am.

ATTENDANCE

Present: Alison McCabe, Expert Representative, Chair
David Broyd, Expert Representative
Graham Edds, Community Representative
Michael Harrison, Expert Representative

In Attendance: Grant Davies, Committee Officer
Donna Gibson Building and Development Officer
Ammie Herrington, Governance Officer
Lachlan McClure Building Services Manager
Greg Miles, Building Coordinator
Natalie Piggot Senior Town Planner
William Pillon Senior Town Planner
Nick Powers Town Planner

DECLARATIONS OF INTEREST

The Chairperson asked the Panel if any member needed to declare a pecuniary interest in any of the items on the agenda. There were no declarations of interest.

All clause 4.10 Code of Conduct declaration forms were submitted by the Panel members.

ADDRESS BY INVITED SPEAKERS

The Chairperson advised that persons present in the gallery would be invited to speak at the commencement of the consideration of each item.

The following persons addressed the Panel:

<u>SPEAKERS</u>	<u>ITEM NO./SUBJECT</u>
Barbara Tarnawski (Architect)	014 - DA 0225/18 - Lot 2 DP 575959, Lot 2 DP 560898, Lot 4 DP 561147, Lot 6 DP 560899 - Richmond Pre-School and Senior Citizens Centre 114 March Street Richmond NSW 2756
Rebecca Zerk (Planning Consultant)	015 - DA0128/18 - Lot 21 DP 1106184, 20 North Street, Windsor, NSW 2756
Mr Ben Garrow (Owner)	015 - DA0128/18 - Lot 21 DP 1106184, 20 North Street, Windsor, NSW 2756
Mrs Emma-Jane Garrow (Owner)	015 - DA0128/18 - Lot 21 DP 1106184, 20 North Street, Windsor, NSW 2756

HAWKESBURY LOCAL PLANNING PANEL MEETING

Minutes: 20 December 2018

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

SECTION 3 – Reports for Determination

014 CP - DA 0225/18 - Lot 2 DP 575959, Lot 2 DP 560898, Lot 4 DP 561147, Lot 6 DP 560899 - Richmond Pre-School and Senior Citizens Centre 114 March Street Richmond NSW 2756 - (95498)

Directorate: City Planning

The Panel inspected the subject site and context prior to the public meeting.

Barbara Tarnawski (Architect), speaking for the recommendation, addressed the Panel.

014 RESOLUTION

The Panel unanimously resolved that:

1. That DA0225/18 at Lot 2 DP 575929, Lot 2 DP 560898, Lot 4 DP 561147, Lot 6 DP 560899, Richmond Pre-School and Senior Citizens Centre at 114 March Street, Richmond, for Alterations, Additions, Increase Capacity of Child Care Facility by 8 Children and Tree Removal be deferred for the submission of amended plans that:
 - i. Provide for the retention and ongoing health of trees T1 to T4 inclusive. This will require the relocation of the proposed additions.
2. On receipt of the amended plans, a further report be prepared and submitted to the Hawkesbury Local Planning Panel.

REASONS FOR DEFERRAL:

1. T1 and T4 are in good health; the trees have a high amenity and retention value that contributes to the visual amenity of the area and are worthy of retention.
2. The development as proposed adversely impacts upon this amenity.

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

Item: 015 **CP - DA0128/18 - Lot 21 DP 1106184 - 20 North Street Windsor NSW 2756**

Directorate: City Planning

The Panel inspected the subject site and context prior to the public meeting.

Ms Rebecca Zerk, Mr Ben Garrow and Mrs Emma-Jane Garrow, speaking for the recommendation, addressed the panel.

015 RESOLUTION

The Panel unanimously resolved that:

That development application DA0128/18 at Lot 21 DP 1106184, 20 North Street, Windsor, for the Construction of a Structure Ancillary to the Dwelling, be approved subject to the following conditions:

General Conditions

1. Approved Plans and Supporting Documentation

The development must be carried out generally in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where amended in red on the plans and/or amended by other conditions of consent:

a) Plans Reference:

Drawing Number/Name	Prepared by	Date
Site Plan - Dwg No. DA1 -1186G.4	Graham Zerk	25/09/2018
Floor, Elevation & Section Plan - Dwg No. DA2 -1186G.4	Graham Zerk	25/09/2018

b) Document Reference:

Document Prepared By	Date
Colour Schedule Doc ID 6189753	Graham Zerk 20/03/2018
Waste Management Plan Doc ID 6189755	Graham Zerk 20/03/2018

No works, other than those approved (including raising or lowering of ground levels on the site, or construction of retaining walls on any property boundary) are permitted by this consent.

Note: Details of the development shown in the approved plans and documents referenced are altered in the manner indicated by:

- (i) any amendments made by Council on the approved plans or documents;
- (ii) any notes, markings, or stamps on approved plans or documents; and
- (iii) any conditions contained in this consent.

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

2. Appointment of a Principal Certifying Authority

No work shall commence until:

- a) A Building Construction Certificate is issued by:
 - (i) Council; or
 - (ii) An Accredited Certifier;
- b) A Principal Certifying Authority is appointed for the building/engineering works and the following details relating to the carrying out of the works have been provided:
 - (i) name and licence number of the builder undertaking the construction works; or
 - (ii) name and permit number of the owner-builder (if relevant);
- c) The Principal Certifying Authority has:
 - (i) provided a copy of the notice of its determination to the consent authority, and to Council (within two days after the date of the determination);
 - (ii) notified the person having benefit of the consent of any critical stage inspections and other inspections that it requires to be carried out in relation to the approved work;
 - (iii) notified Council of its appointment (not less than two days before commencement of building work);
- d) The person having benefit of the consent (if not carrying out work as an owner-builder) has:
 - (i) appointed a principal contractor who must hold a 'contractor licence' if any residential building work is involved;
 - (ii) notified the Principal Certifying Authority of the appointment of the principal contractor;
 - (iii) notified the principal contractor of any critical stage inspections or any other inspections that are required to be carried out in relation to the approved work;
- e) At least two days' notice are to be provided to Council of the date on which it is proposed to commence work associated with this development consent.

3. Section 6.16(1) Certificates Required

The accredited certifier shall provide copies of all Section 6.16(1) certificates issued under the *Environmental Planning and Assessment Act 1979* relevant to this development to Council within seven days of issuing the certificate.

Note: A registration fee applies.

4. Prescribed Conditions - Compliance with National Construction Code

All building works must be carried out in accordance with the requirements of the National Construction Code (Building Code of Australia).

Prior to the Issue of Construction Certificate

5. Long Service Levy Payment

The payment of a long service levy as required under Part 5 of the *Building and Construction Industry Long Service Payments Act 1986* is required. Evidence that the levy has been paid, is to be submitted to the Principal Certifying Authority prior to the issue of any Construction Certificate.

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

Note: All building works valued at \$25,000 or above are subject to the payment of a Long Service Levy at the rate of 0.35%. Payments can be made at Long Service Payments Corporation offices or most councils.

6. Driveway Construction - Residential in Council Road Reserve

An 'Agreement Form for Driveways' must be submitted to Council prior to the issue of a Construction Certificate. Evidence of lodgement and payment for this application shall be provided to the Certifying Authority.

The vehicular crossing must:

- a) Have a minimum width of 3.5 metres within the road reserve;
- b) Not interfere with existing public infrastructure;
- c) Have a sealed finish; and
- d) Be constructed in accordance with Council's 'Driveway Specification' and Hawkesbury Development Control Plan 2002 - Appendix E - Civil Works Specification.

Note: The Agreement Form for Driveways and the Driveway Specification are available from Council's website.

7. Driveway Construction - Residential Within Property

A standard residential vehicular driveway must be constructed within the property. The driveway must:

- a) have a minimum width of 3.5 metres within the property;
- b) have a sealed finish; and
- c) be constructed in accordance with Hawkesbury Council's 'Driveway Specification' and Hawkesbury Development Control Plan 2002 - Appendix E - Civil Works Specification.

Details of the driveway are to be included on plans submitted to the Certifying Authority prior to issue of a Construction Certificate.

8. Flood Compatible Construction

All buildings must have flood compatible structural components up to and including the 100 year Average Recurrence Interval (ARI) flood level. The materials used in the construction must be consistent with any structural engineering certificate regarding the ability of the building/structure to withstand the forces of floodwater.

A written specification of the proposed materials to be used shall be provided to the Certifying Authority prior to the issue of a Construction Certificate.

Note: Advice on suitability of materials for use on flood liable land can be found in the publication 'Reducing Vulnerability of Buildings to Flood Damage' (Chapter 4.3 - Construction Materials).

9. Structural Engineers Design - Concrete and Structural Steel

A qualified Structural Engineer's design for all reinforced concrete and structural steel shall be provided to the Certifying Authority prior to issue of Construction Certificate.

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

10. **Structural Engineers Design - Retaining Walls**

Any retaining walls having a height exceeding 600mm proposed in conjunction with the development are required to be designed by a practicing structural engineer.

Details demonstrating compliance with this requirement must be submitted to the Certifying Authority prior to issue of the Construction Certificate.

11. **Council Sewer Authority - Inspection Fees**

Council is the sewer authority for this development. As this development involves connection to the existing sewer system or works in connection to an on-site waste management facility, payment of the prescribed inspection fee is required to be made prior to the issue of a construction certificate. Evidence of this payment must be provided to the Certifying Authority prior to the issue of the Construction Certificate.

Prior to Any Works Commencing on Site

12. **Principal Certifying Authority - Details**

The applicant shall advise Council of the name, address and contact number of the Principal certifier, in accordance with Section 6.6(2) of the *Environmental Planning and Assessment Act 1979*.

13. **Toilet Facilities**

Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet must:

- a) be a standard flushing toilet connected to a public sewer;
- b) be attached to an approved on-site effluent disposal system;
- c) be a temporary chemical closet that is regularly maintained; and
- d) appropriate facilities for the disposal of sanitary items are to be provided within the toilet.

14. **Survey Certificate - Building to be Verified by a Registered Surveyor**

In order to ensure compliance with approved plans, a Survey Certificate, prepared by a Registered Surveyor, including locating any easements affecting the subject land, is to be undertaken:

- a) at the completion of earthworks and prior to the placement of any footings showing the completed level of the building platform and its relationship to the boundaries.

Progress certificates shall be submitted to the Principal Certifying Authority at the time of carrying out relevant progress inspections. Under no circumstances is work allowed to proceed should such survey information be unavailable or reveal discrepancies between the approved plans and the works as constructed.

15. **Notice of Commencement**

No work shall commence until a notice of commencement has been provided to Council. This notice is to be provided not less than two days from the date on which it is proposed to commence work associated with this Development Consent. The notice must also contain:

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

- a) details of the appointment of a Principal Certifying Authority (PCA) providing name, address and telephone number; and
- b) details of the name, address and licence details of the Builder.

16. Prescribed Conditions - Residential Building Work

- a) In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
- b) Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information.
 - (i) In the case of work for which a principal contractor is required to be appointed:
 - the name and licence number of the principal contractor; and
 - the name of the insurer by which the work is insured under Part 6 of that Act.
 - (ii) In the case of work to be done by an owner-builder:
 - the name of the owner-builder; and
 - if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under (b) becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

17. Principal Certifying Authority (PCA) Site Sign

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- a) showing the name, address and telephone number of the Principal Certifying Authority for the work;
- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
- c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

18. Safety Fencing

The site is to be secured by a fence, in accordance with NSW WorkCover requirements, to prevent unauthorised access during the period of all works.

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

19. Erosion and Sediment Control for Minor Development

Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with Landcom's publication 'Managing Urban Stormwater - Soils and Construction (2004)'.

20. Sydney Water - Endorsement of Approved Plans

The approved plans must be submitted to and endorsed by Sydney Water via the 'Sydney Water Tap-in' website to determine whether the development will affect Sydney Water's water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to Sydney Water's website.

Evidence of the building plan approval must be forwarded to the Principal Certifying Authority prior to the commencement of works.

During Construction

21. Construction Hours

Clearing of land, running of machinery, excavation, and/or earthworks, building works and the delivery of building materials shall be carried out between the following hours:

- a) between 7am and 6pm, Mondays to Fridays inclusive;
- b) between 8am and 4pm, Saturdays;
- c) no work on Sundays and public holidays; and
- d) works may be undertaken outside these hours where:
 - (i) the delivery of vehicles, plant or materials is required outside these hours by the Police or other authorities;
 - (ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; and
 - (iii) a variation is approved in advance in writing by Council.

22. Site Management During Construction

- a) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- b) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.
- c) Copies of receipts stating the following must be given to the principal certifying authority:
 - (i) the place to which waste materials were transported;
 - (ii) the name of the contractor transporting the materials; and
 - (iii) the quantity of materials transported off-site and recycled or disposed of.
- d) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

- e) During construction:
 - (i) all vehicles entering or leaving the site must have their loads covered;
 - (ii) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads; and
 - (iii) any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to the public.
- f) At the completion of the works, the work site must be left clear of waste and debris.

Note: In the event it is not possible to keep the footpath or road reserve clear during construction works written approval from Council shall be obtained prior to any closing of the road reserve or footpath area. The closure shall take place in accordance with Council's written approval. The area shall be signposted and such signposting be maintained in a way that ensures public safety at all times.

23. Loading and Unloading During Construction

The following requirements apply.

- a) All loading and unloading associated with construction activity must be accommodated on site.
- b) If, during excavation, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- d) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate approval must be obtained from Council.

24. Critical Stage Inspections

Prior to the commencement of building work and at nominated stages during the construction of the building, a minimum of 48 hours' notice is required to be provided to allow the Principal Certifying Authority to ensure that the critical stage inspections are undertaken.

Note: Critical stage inspections are required to be carried out in accordance with Clause 162A of the *Environmental Planning & Assessment Regulation 2000*.

25. Inspection and Compliance certificates for sewer works

Inspection and Compliance Certificates for sewer works can only be conducted and issued by Council.

In the case of internal and external (house service connection) drainage, the inspection must be conducted by Council's Development Services Branch, please phone (02) 4560 4444 to arrange inspections and payment of required fees.

In all cases inspections must be conducted on the exposed pipes prior to any backfilling including poured concrete or concrete encasement.

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

26. Stormwater Drainage Management

Roofwater (including overflow from water storage vessels) shall be connected to the existing lawful point of discharge.

27. Earthworks - General Requirements

All earthworks on site must comply with the following:

- a) topsoil shall be stripped only from approved areas and shall be stockpiled for re-use during site rehabilitation and landscaping;
- b) once the topsoil has been removed the natural batter should be suitably stepped, scarified or roughened to prevent slipping and the fill is to be keyed in to hold the toe of the fill batter in place;
- c) filling shall comprise either uncontaminated Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM). Contamination certificates for all source material shall be provided to the Principal Certifying Authority prior to placing any fill on site;
- d) a ticketing system is to accompany any material being brought to the site. A register is to be kept on site to cross reference against the source records. An independent site auditor is to be engaged to undertake appropriate certification regarding the monitoring and validation of the fill material imported to the site as being sound, suitable for the proposed use and free of contamination;
- e) where batters exceed a ratio of three horizontal to one vertical, retaining walls, stoneflagging or terracing shall be constructed;
- f) all fill within the site shall be placed in layers not exceeding 300mm thickness and compacted to achieve a minimum dry density ratio of 98% when tested in accordance with Australian Standard AS 1289 - 'Methods of testing soils for engineering purposes unless otherwise specified'; and
- g) all disturbed areas are to be stabilised/revegetated, using a minimum 300mm surface layer of topsoil, as soon as practicable after the completion of filling works.

Note: ENM is defined by the Excavated Natural Material Exemption - NSW Environment Protection Authority.

Prior to Issue of Occupation Certificate

28. Survey Certificate at Completion

A Survey Certificate, prepared by a Registered Surveyor, is to certify the location of the building in relation to the boundaries of the allotment.

The certificate is to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

29. Occupation Certificate - Prior to Commencement of Use

The development shall not be occupied or used prior to the issuing of a Final Occupation Certificate or Interim Occupation Certificate by the Principal Certifying Authority. Where an Interim Occupation Certificate has been issued, only that part of the building to which the Certificate applies may be occupied or used.

A copy of the Occupation Certificate shall be submitted to Council within two days of issue.

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

30. Road Infrastructure - Driveway Construction

The approved vehicular crossing(s) must be constructed prior to issue of an Occupation Certificate.

31. Compliance Certificate - Connection to Council Sewer

A written clearance from Council (as the local sewer authority) that the development is suitably connected to the reticulated sewerage system is required to be submitted to the Principal Certifying Authority prior to the issue of an Interim Occupation Certificate.

Operational Conditions

32. Limitation of Use

The outbuilding shall only be used for the storage of possessions of the owners/occupiers of the land.

Advisory Notes (if applicable)

(i) Dial Before You Dig

Prior to commencement of work, the free national community service 'Dial Before You Dig' shall be contacted on 1100 regarding the location of underground services in order to prevent injury, personal liability and even death. Enquiries should provide the property details and the nearest cross street/road.

(ii) Requirements of 88B Instrument

The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.

REASONS FOR APPROVAL

The Panel considers the proposal is acceptable and it is recommended that the development be approved based on the following grounds:

- The proposal is acceptable having regard to the statutory requirements applying to the development.
- The proposed development adequately satisfies the objectives and provisions of the Hawkesbury Local Environmental Plan 2012 (LEP 2012).
- The proposed works are consistent with the outbuilding requirements of Hawkesbury Development Control Plan 2002 and the application proposes the building close to existing structures on the land.
- The proposal is ancillary to the normal domestic use of the land.

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

Item: 016 **CP - DA0293/18 - Lot 50 DP 1035291 Johnson Wing 4 Christie Street Windsor NSW 2756**

Directorate: City Planning

The Panel inspected the subject site and context prior to the public meeting.

016 RESOLUTION

The Panel unanimously resolved that:

That development application DA0293/18 at Lot 50 DP 1035291, Johnson Wing, 4 Christie Street, Windsor, for Internal Alterations Involving the Provision of Accessible Toilet Facilities, be approved subject to the following conditions:

General Conditions

1. Approved Plans and Supporting Documentation

The development must be carried out generally in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where amended in red on the plans and/or amended by other conditions of consent:

a) Plans Reference:

Drawing Number/Name	Prepared by	Issue No.	Date
Site Plan	Applicant	-	May 2018
Floor Plan	Adopted Plan	-	April 2018

b) Document Reference:

Document	Reference	Prepared By	Date
Waste Management Plan		Urban City Planning	2018
Heritage Impact Statement (2/4 Christie Street, former Johnson Wing, Windsor)	180142	Urban City Planning	May 2018

No works, other than those approved (including raising or lowering of ground levels on the site, or construction of retaining walls on any property boundary) are permitted by this consent.

Note: Details of the development shown in the approved plans and documents referenced are altered in the manner indicated by:

- (i) any amendments made by Council on the approved plans or documents;
- (ii) any notes, markings, or stamps on approved plans or documents; and
- (iii) any conditions contained in this consent.

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

2. Appointment of a Principal Certifying Authority

No work shall commence until:

- a) A Building Construction Certificate is issued by:
 - (i) Council; or
 - (ii) An Accredited Certifier;
- b) A Principal Certifying Authority is appointed for the building/engineering works and the following details relating to the carrying out of the works have been provided:
 - (i) name and licence number of the builder undertaking the construction works; or
 - (ii) name and permit number of the owner-builder (if relevant);
- c) The Principal Certifying Authority has:
 - (i) provided a copy of the notice of its determination to the consent authority, and to Council (within two days after the date of the determination);
 - (ii) notified the person having benefit of the consent of any critical stage inspections and other inspections that it requires to be carried out in relation to the approved work;
 - (iii) notified Council of its appointment (not less than two days before commencement of building work);
- d) The person having benefit of the consent (if not carrying out work as an owner-builder) has:
 - (i) appointed a principal contractor who must hold a 'contractor licence' if any residential building work is involved;
 - (ii) notified the Principal Certifying Authority of the appointment of the principal contractor;
 - (iii) notified the principal contractor of any critical stage inspections or any other inspections that are required to be carried out in relation to the approved work;
- e) At least two days' notice are to be provided to Council of the date on which it is proposed to commence work associated with this development consent.

3. Section 6.16(1) Certificates Required

The accredited certifier shall provide copies of all Section 6.16(1) certificates issued under the *Environmental Planning and Assessment Act 1979* relevant to this development to Council within seven days of issuing the certificate.

Note: A registration fee applies.

4. Occupation Certificate Required Prior to The Use Of The Building

The building/structure shall not be occupied or used prior to the issuing of an Interim or Final Occupation Certificate by the Principal Certifying Authority. Where an Interim Occupation Certificate has been issued, only that part of the building to which the Certificate applies may be occupied or used.

A copy of the Occupation Certificate shall be submitted to Council within two days of its issue.

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

5. Sewer Authority - Hawkesbury City Council

This development falls within the Sewerage Scheme controlled by Council. Therefore Council is the approving authority for all sewer works.

6. Asbestos Removal

If asbestos is encountered during construction or demolition work; measures must be in place in accordance with WorkCover NSW guidelines and the *Occupational Health & Safety Regulation 2001*. Work shall not commence or continue until all the necessary safeguards required by WorkCover NSW are fully in place.

Only contractors who are appropriately licensed for asbestos disposal by WorkCover NSW may carry out the removal and disposal of asbestos from demolition and construction sites.

Prior to commencing demolition of buildings containing asbestos, a commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring 400mm x 300mm shall be erected in a prominent visible position on the site in accordance with Australian Standard AS 1319 - 'Safety Signs for the Occupational Environment'.

The person entitled to act on this consent shall notify adjoining residents in writing five working days prior to the demolition.

Asbestos waste must only be disposed of at a landfill site authorised to receive such waste. All receipts and supporting documentation must be retained in order to verify lawful disposal and are to be made available to Council on request.

7. Prescribed Conditions - Compliance with National Construction Code

All building works must be carried out in accordance with the requirements of the National Construction Code (Building Code of Australia).

Prior to the Issue of Construction Certificate

8. Structural Engineers Design - Concrete and Structural Steel

A qualified Structural Engineer's design for all reinforced concrete and structural steel shall be provided to the Certifying Authority prior to issue of Construction Certificate.

Prior to Any Works Commencing on Site

9. Principal Certifying Authority - Details

The applicant shall advise Council of the name, address and contact number of the Principal certifier, in accordance with Section 6.6(2) of the *Environmental Planning and Assessment Act 1979*.

10. Notice of Commencement

No work shall commence until a notice of commencement has been provided to Council. This notice is to be provided not less than two days from the date on which it is proposed to commence work associated with this Development Consent. The notice must also contain:

- a) details of the appointment of a Principal Certifying Authority (PCA) providing name, address and telephone number; and
- b) details of the name, address and licence details of the Builder.

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

11. Principal Certifying Authority (PCA) Site Sign

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- a) showing the name, address and telephone number of the Principal Certifying Authority for the work;
- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
- c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

12. Demolition - General

All demolition works must be carried out in accordance with the following:

- a) all demolition work shall be carried out strictly in accordance with Australian Standard AS 2601 - 'The Demolition of Structures';
- b) demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover 'Demolition License' and WorkCover 'Class 2' (Restricted) Asbestos License and comply with WorkCover's 'Guide to Working with Asbestos';
- c) site safety/security fencing shall be provided prior to commencement of any work on-site and shall be removed only when all hazards, including site waste, have been removed. The site safety/security fencing shall comply with the following Australian Standards:
 - (i) Demolition Sites - Australian Standard AS 2601 - 'Demolition of structures';
 - (ii) Construction Sites - Australian Standard AS 4687 - 'Temporary fencing and hoardings';
 - (iii) Ongoing Site Safety/Security - Australian Standard AS 1725 - 'Chain-link fabric security fencing and gates';
- d) demolition work shall be carried out only between the hours of 7am to 6pm Mondays to Fridays and 8am to 4pm Saturdays. No work is to be carried out on Sundays or public holidays;
- e) no trees shall be removed from the site unless they are shown for removal on the approved plans, or separately approved by Council;
- f) erosion and sediment control measures shall be installed prior to any demolition works commencing and maintained in accordance with the requirements contained in the Hawkesbury Development Control Plan 2002;
- g) all waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water;
- h) public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council;

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

- i) any materials stored on site must be stored away from any drainage path or easement, natural watercourse;
- j) demolition activity shall not cause damage to or adversely affect the structural integrity of adjoining buildings;
- k) waste must be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation;
- l) no material is to be burnt on site;
- m) details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept on site as evidence of approved methods of disposal and recycling; and
- n) the site shall be grassed or otherwise rendered erosion resistant immediately upon completion of demolition.

13. Demolition - Notice

- a) Notice is to be given to Council of the date on which it is proposed to commence demolition. This notice shall:
 - (i) be given not less than two days before the date on which it is proposed to commence demolition work;
 - (ii) provide details of the name, contact details of the demolisher/contractor undertaking the work;
 - (iii) provide the relevant WorkCover license details of the demolisher/contractor; and
 - (iv) details of the demolisher/contractors current Public Liability/Risk Insurance Policy providing for a minimum cover of \$10 million.
- b) Notice is to be given to adjoining property owners of the date on which it is proposed to commence demolition. This notice shall:
 - (i) be given not less than two days before the date on which it is proposed to commence demolition work;
 - (ii) provide details of the name, contact details of the demolisher/contractor undertaking the work; and
 - (iii) provide the telephone number of WorkCover's Asbestos/Demolition Hotline - 1800 672 718.

14. Demolition - Work Plans

The demolition work shall comply with the provisions of Australian Standard AS 2601 - 'The Demolition of Structures'. The work plans required by Australian Standard AS 2601 - 'The Demolition of Structures' shall be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance shall be submitted to the satisfaction of the Principal Certifying Authority prior to the commencement of works.

During Construction

15. Construction Hours

Clearing of land, running of machinery, excavation, and/or earthworks, building works and the delivery of building materials shall be carried out between the following hours:

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

- a) between 7am and 6pm, Mondays to Fridays inclusive;
- b) between 8am and 4pm, Saturdays;
- c) no work on Sundays and public holidays; and
- d) works may be undertaken outside these hours where:
 - (i) the delivery of vehicles, plant or materials is required outside these hours by the Police or other authorities;
 - (ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; and
 - (iii) a variation is approved in advance in writing by Council.

16. Site Management During Construction

- a) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- b) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.
- c) Copies of receipts stating the following must be given to the principal certifying authority:
 - (i) the place to which waste materials were transported;
 - (ii) the name of the contractor transporting the materials; and
 - (iii) the quantity of materials transported off-site and recycled or disposed of.
- d) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.
- e) During construction:
 - (i) all vehicles entering or leaving the site must have their loads covered;
 - (ii) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads; and
 - (iii) any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to the public.
- f) At the completion of the works, the work site must be left clear of waste and debris.

Note: In the event it is not possible to keep the footpath or road reserve clear during construction works written approval from Council shall be obtained prior to any closing of the road reserve or footpath area. The closure shall take place in accordance with Council's written approval. The area shall be signposted and such signposting be maintained in a way that ensures public safety at all times.

17. Loading and Unloading During Construction

The following requirements apply.

- a) All loading and unloading associated with construction activity must be accommodated on site.
- b) If, during excavation, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

- c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- d) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate approval must be obtained from Council.

18. Critical Stage Inspections

Prior to the commencement of building work and at nominated stages during the construction of the building, a minimum of 48 hours' notice is required to be provided to allow the Principal Certifying Authority to ensure that the critical stage inspections are undertaken.

Note: Critical stage inspections are required to be carried out in accordance with Clause 162A of the *Environmental Planning & Assessment Regulation 2000*.

Operational Conditions

19. Annual Fire Safety Statement

The owner of the building is responsible for the lodgement with Council of an Annual Fire Safety Statement from a competent person so as to confirm the essential fire safety measures required to be provided in the building exist and are being maintained. The Annual Fire Safety Statement shall be issued within 12 months of the issue of the Final Fire Safety Certificate, and then on an annual basis thereafter.

A copy of the Fire Safety Statement obtained and Fire Safety Schedule shall also be:

- a) Forwarded to the Commissioner of Fire and Rescue New South Wales by email to afss@fire.nsw.gov.au; and
- b) Prominently displayed in the building.

Advisory Notes (if applicable)

(i) Approval Authority

This development falls within the Sewerage Scheme controlled by Council, therefore Council is the approval authority for all sewer works.

The applicant must consult with the Waste Management Branch regarding any possible new work or upgrades to existing Council sewer mains related to this application.

(ii) Equitable Access

The applicant shall make themselves aware of the *Discrimination Against People with Disabilities Act (DDA)* and assess their responsibilities and liabilities with regards to the provision of access for all people.

(iii) Acid Sulfate Soils - Monitoring of Excavation During Works

All excavations are to be monitored to ensure that acid sulphur soils are not encountered during works. Signs that may indicate the presence of acid sulphur soils include:

HAWKESBURY LOCAL PLANNING PANEL MEETING

SECTION 3 – Reports for Determination

Minutes: 20 December 2018

- a) change in colour of the soil into grey and green tones;
- b) effervescence;
- c) the release of sulphur smelling gases such as sulphur dioxide or hydrogen sulphide;
and
- d) lowering of the soil Ph by at least one unit.

Should any of the above indicators be present excavation work on the site is to stop and Council is to be notified to determine what action is required to be taken before work may commence.

REASONS FOR APPROVAL

The Panel considers the proposal is acceptable and it is recommended that the development be approved based on the following grounds:

- The proposal is acceptable having regard to the statutory requirements applying to the development.
- The proposed development adequately satisfies the objectives and provisions of the Hawkesbury Local Environmental Plan 2012 (LEP 2012).
- The proposed works are minor and will have no adverse impact on the Heritage significance of the site.

The meeting closed at 12:07pm.

