

# **DEVELOPMENT ASSESSMENT REPORT – DA042/23 - PROPOSED COMMUNITY BBQ AREA, LOT 40 DP 842893, SAVILLE PARK, WILLIWA STREET PORTLAND NSW 2847**

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## **1. PROPOSAL**

Council is in receipt of a Development Application DA042/23 for a community BBQ area on land known as Lot 40 DP 842893, Saville Park Williwa Street Portland.

The proposal is for a BBQ area consisting of BBQ's, seating area and a shelter. The concrete slab is proposed to have an area of 60m<sup>2</sup> (10m x 6m) and is proposed to be located in the north-eastern corner of Saville Park, adjoining the Portland Touch Football Clubhouse.

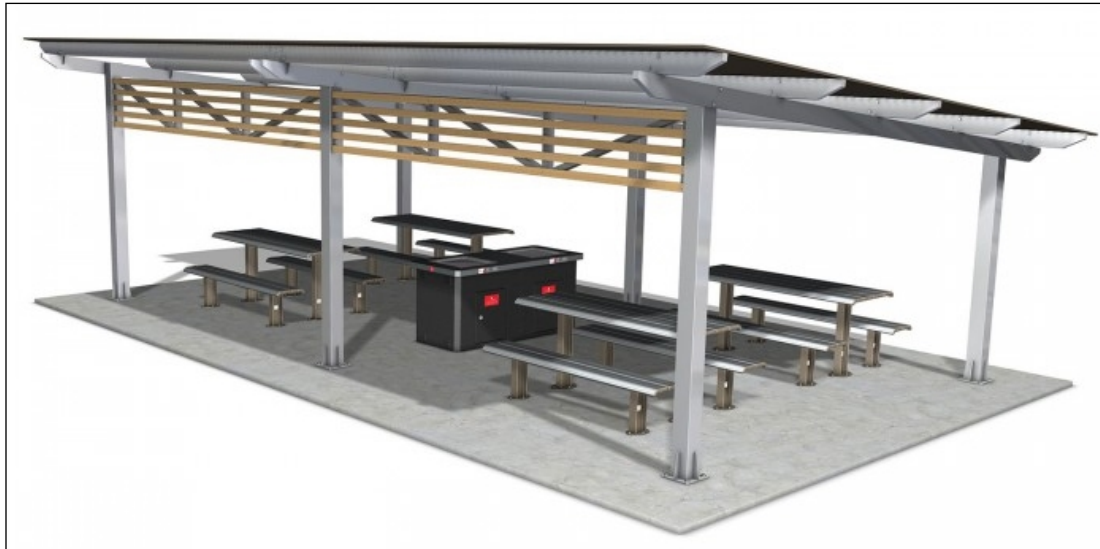
The shelter structure is proposed to be of timber material with a flat colorbond<sup>(TM)</sup> roof. The height of the shelter is proposed to be 2.807m at the front and slope to a height of 2.125m at the rear (facing the pool).

The location of the development is shown on the map below:



The location of the facility is proposed to be approximately 13.5 from the adjoining swimming pool boundary fence and 30m from Williwa Street. The land is relatively flat and contains a drainage easement between the proposed building and the swimming pool fence.

The proposed development is shown in the picture below:



## 2. SUMMARY

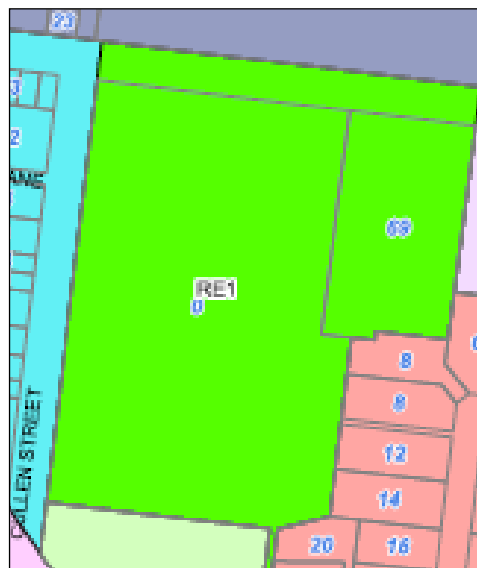
To assess and recommend determination of DA042/23 with recommendation for approval subject to conditions.

## 3. LOCATION OF THE PROPOSAL

Legal Description: Lot 40 DP 842893  
Property Address: Saville Park Williwa Street PORTLAND NSW 2847

**4. ZONING:** The land is zoned RE1 Public Recreation in accordance with the *Lithgow Local Environmental Plan (LEP) 2014*.

The zoning map is shown below:



## 5. PERMISSIBILITY

The development being ancillary to a 'recreation facility (outdoor)', as defined below and permissible under Lithgow Local Environmental Plan 2014, subject to development consent as per the RE1 Zoning table.

***recreation facility (outdoor)** means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).*

### 5.1 POLICY IMPLICATIONS (OTHER THAN DCPs)

#### **Policy 1.2 Acquisition and Disposal of Assets**

This Policy needs to be considered when Council is considering the acquisition and/or development of assets. The Portland Touch Football Association has received a grant for the construction of the building, once this building has been constructed, it will be dedicated to Council for maintenance and management.

#### **Policy 7.6 Development Applications by Councillors and Staff or on Council Owned Land**

This policy requires Development Applications on Council land to be referred to the elected Council for consideration and determination and that no aspect of the development is dealt with under delegated authority. Given Council's management of this land the proposal is reported to Council for determination.

#### **Lithgow Community Participation Plan**

The Lithgow Community Participation Plan applies to all land within the Lithgow Local Government Area (LGA) and prescribes the following types of development as exempt from requiring notification:

#### **2.0 APPLICATIONS FOR WHICH NOTIFICATION WILL NOT BE GIVEN**

- *Any other development of a minor nature that, in the opinion of the assessing officer, does not have the potential to create a negative impact on the amenity of the neighbourhood by way of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise.*

Therefore, no adjoining or adjacent landowners have been notified of the proposal as part of this process.

### 5.2 FINANCIAL IMPLICATIONS

#### **Section 94A (Section 7.12) Development Contributions Plan 2015**

Council's Section 94A (Section 7.12) Development Contributions Plan 2015 does not apply to this development given it is for a shelter and BBQ area at an estimated cost of \$45,000.00, using the below levies:

Estimated cost of development	Levy applicable
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\$0 to \$100,000	0%
\$100,001 to \$200,000	0.5%
\$200,001 and over	1%

## 5.3 LEGAL IMPLICATIONS

### Local Government Act 1993

Saville Park comprises land owned by Council and classified as "community land" in accordance with the provisions of the *Local Government Act 1993*. The proposal has been referred to Council's property officer for comment who has advised there is no impediment to the proposal in the context of public land management requirements under this Act. Saville Park is categorised as "sportsground" under Council's 2013 Generic Plan of Management for community land. The proposed use is consistent with this categorisation and the provisions of the Plan of Management.

### Environmental Planning and Assessment Act 1979

In determining a development application, a consent authority is required to take into consideration the matters of relevance under Section 4.15 of the *Environmental Planning and Assessment Act 1979*. These matters for consideration are as follows:

#### 5.3.1 Any Environmental Planning Instruments

#### *Lithgow Local Environmental Plan 2014*

LEP 2014 – Compliance Check		
Clause		Compliance
<b>Land Use table</b>	RE1 Public Recreation	Yes
<b>5.2</b>	Classification and reclassification of public land	Yes
<b>5.10</b>	Heritage conservation	Yes
<b>7.5</b>	Groundwater vulnerability	Yes

**Comment:** The proposed development is consistent with the zone objectives. The objectives of the zone are:

#### *1 Objectives of zone*

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To maintain or improve the water quality of receiving water catchments.*

The property is owned and managed by Council for the use of public recreation. The development would not impact the recreational settings as the structure is proposed to utilise a small section of land in the north eastern corner of the park. The development is compatible with the surrounding uses being the Portland Swimming Pool and Saville Park recreational users. Water quality would be maintained and not be impacted upon.

### **Clause 5.2 Classification and reclassification of public land**

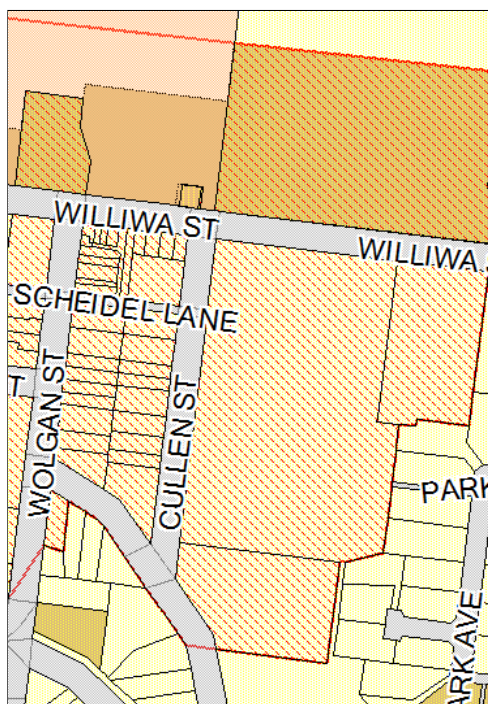
The property is defined as being public land that is utilised by all members of the community. It is operational land that is controlled and managed by Council.

### **Clause 5.10 Heritage Conservation**

Saville Park is located within the Heritage Conservation area under Council's LEP 2014. The Park is located adjacent to the former Portland Cement Works and within proximity to the Portland business centre that contains heritage significant buildings and features.

The proposed facility will contain one storey and have a floor area of approximately 60m<sup>2</sup>. The facility adjoins the swimming pool fence and existing vegetation. The former Portland Cement Works is located adjacent to Williwa Street and Saville Park. Given the size of the former Portland Cement Works and silos, compared to the development, it is unlikely that the heritage significance of the area would be impacted upon. The front of the facility is proposed to face Saville Park with the main Portland business precinct over 100m from the development. Between the development and the heritage buildings is a toilet block and Portland Foodworks and carpark. The colours and materials of the shelter structure of timber with a flat colorbond roof.

Given the size of the development and setback distances, it is unlikely that the development would impact the heritage conservation area. The heritage conservation area is mapped below:



#### **Clause 7.5 Groundwater Vulnerability**

The property is identified as containing ground water vulnerability. Groundwater dependent ecosystems would not be impacted upon by the development as the landscape of the property is proposed to remain and the environment has been previously disturbed. The development is designed, sited and will be managed to avoid any significant adverse environmental impact.

The land is deemed suitable for the proposal and is considered to comply with Council's LEP 2014.

#### ***State Environmental Planning Policy (Resilience and Hazards) 2021***

##### **Chapter 4 Remediation of land**

Council is satisfied that the land is not contaminated under Chapter 4 as the property has been utilised as a sports field for many years. The location of the development has not previously or is currently being used by any activities as specified under Table 1 of the contaminated land planning guidelines.

5.3.2 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

Nil.

5.3.3 Any Development Control Plan

### **Lithgow Council's Development Control Plan 2021**

<b>Development Control</b>	<b>Assessment Comments</b>
<b>Chapter 2 – Site Requirements</b>	
<b>2.2 Site Analysis, Local Character &amp; Context</b>	
2.2.1 Site Selection	The development is permissible in the zone and complies with the zone objectives. The development is consistent with surrounding landuses being for a mixture of uses such as the the Portland Swimming Pool adjoining the Park to the east and the Rural Fire Shed on the other side of the pool, the former Portland Cement Works adjacent to the Park to the North, Portland Business Centre to the West and the Portland Bowling Club and the rear yards of residential dwellings to the south and south east.
2.2.2 Site Analysis & Development Response	<p>The property is located within a heritage conservation area under the Lithgow LEP 2014. Refer to comments later in this report in this regard.</p> <p>The property is bushfire prone however given that the use is non habitable, bushfire requirements are not applicable.</p> <p>The development is for a BBQ area and shelter. As such the development will have minimal impact to the topography of the land or streetscape/character.</p>
2.2.3 Local Character & Context	The development is proposed to be located within an existing streetscape surrounded by a mixture of development uses. The development is

	not expected to have any impact to the character and context of the area.
2.2.4 Visually Prominent Sites	The development has been designed to blend into the existing landform and will have minimal visual impacts to surrounding developments.
2.2.5 Materials	<p>The shelter structure is proposed to be of timber material with a flat colourbond roof. This is considered to suit the surrounding developments.</p> <p>The proposed materials are not reflective and will avoid glare from adjoining or adjacent premises and public places.</p>
<b>2.3 Slope Response &amp; Earthworks</b>	
2.3.1 Slope & Site Design	<p>The proposed development will have no significant impact on soils. There is no reason to believe the site would be affected by contamination. Conditions of consent will be imposed to control erosion and sedimentation impacts on the site and therefore it is considered there will be minimal impacts on soils.</p> <p>The location of the proposed development is relatively flat.</p>
<b>2.6 Vehicle Access &amp; Parking</b>	
2.6.1 Guidelines & Standards	Access to the facility is from Williwa Street. An unformed carpark to service the park and the pool. As such this is adequate for the development.
2.6.2 Vehicle Access & Driveways	Refer to above comment.
2.6.4 Parking Location, Design & Circulation	Refer to above comment.
<b>2.7 Pedestrian Access, Mobility &amp; Safety</b>	
2.7.1 Accessibility	Access from the carparking area to the structure will exist from a pedestrian footpath.
2.7.2 Pedestrians	Refer to above comment.
<b>Development Control</b>	<b>Assessment Comments</b>
<b>Chapter 3 – Natural Environment &amp; Hazards</b>	
<b>3.2 Bush Fire Prone Land</b>	

<i>Note: Section 4.14 of the Environmental Planning and Assessment Act requires a consent authority to be satisfied a development conforms to the specifications and requirements of Planning for Bushfire Protection prior to granting consent.</i>	Part of Saville Park is identified as being within the bushfire prone area. This section is over approximately 250m from the proposed development site. As the development is not for habitable use and the area is cleared around the building structure, it is unlikely that bushfire would impact the development.
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### **3.6 Ground & Surface Water Protection**

	The property is identified as containing ground water vulnerability. Groundwater dependent ecosystems would not be impacted upon by the development as the landscape of the property is proposed to remain and the environment has been previously disturbed. The development is designed, sited and will be managed to avoid any significant adverse environmental impact.
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<b>Development Control</b>	<b>Assessment Comments</b>
<b>Chapter 4 – Heritage &amp; Cultural Conservation</b>	
<b>4.3 General Controls - Development of Heritage Items/Places &amp; within Heritage Conservation Areas</b>	
4.3.1 Design and Character	The development is an open simple structure that is proposed to be located adjoining the swimming pool one side and the Portland Touch Football Building the other. As such given the size and nature of the structure, the development will not impact the design and character of the area.
4.3.2 Scale and Form	Refer to above comments.
4.3.3 Siting and Setbacks	The location of the facility is proposed to be approximately 13.5 from the adjoining swimming pool boundary fence and 30m from Williwa Street. This is satisfactory for the development and will not impact the heritage values in the area.
<b>4.4. Specific Controls - Heritage Conservation Areas</b>	
<b>4.4.10. Portland Heritage Conservation Area "C10"</b>	
1) Street Alignment and Setbacks	The location of the facility is proposed to be approximately 13.5 from the adjoining swimming pool boundary



	fence and 30m from Williwa Street. The development will not impact the character of the area given the size and scale of the development.
2) Height, Form and Scale	Refer to previous comments above.
3) Infill Development	Refer to previous comments above.
4) Materials	<p>The shelter structure is proposed to be of timber material with a flat colourbond roof. This is considered to suit the surrounding developments.</p> <p>The proposed materials are not reflective and will avoid glare from adjoining or adjacent premises and public places.</p>

5.3.4 Any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4?

No.

5.3.5 Any matters prescribed by the regulations that apply to the land

Nil.

5.3.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

**Adjoining Landuse:** The surrounding area is generally for a number of mixed uses, including the Portland Swimming Pool adjoining the Park to the east and the Rural Fire Shed on the other side of the pool, the former Portland Cement Works adjacent to the Park to the North, Portland Business Centre to the West and the Portland Bowling Club and the rear yards of residential dwellings to the south and south east.

Given the location of the development proposed to be located in the north eastern corner of the park, the development would have no overshadowing or privacy impacts. Visual impacts would be minimal given the size of the development in comparison with the surrounding buildings and landscaped features.

The proposal to be consistent with the surrounding land uses and will not cause any land use conflicts.

**Services:** The development will have connections to Council's reticulated water and reticulated sewer services. Additionally, there is access to electricity and telecommunication services nearby. Therefore, it is considered that the proposal will be adequately serviced.

**Context and Setting:** The proposed development will be located within an established recreational area and will have no major impact on the context and setting.

**Heritage:** Saville Park is located within the Heritage Conservation area under Council's LEP 2014. The Park is located adjacent to the former Portland Cement Works and within proximity to the Portland business centre that contains heritage significant buildings and features.

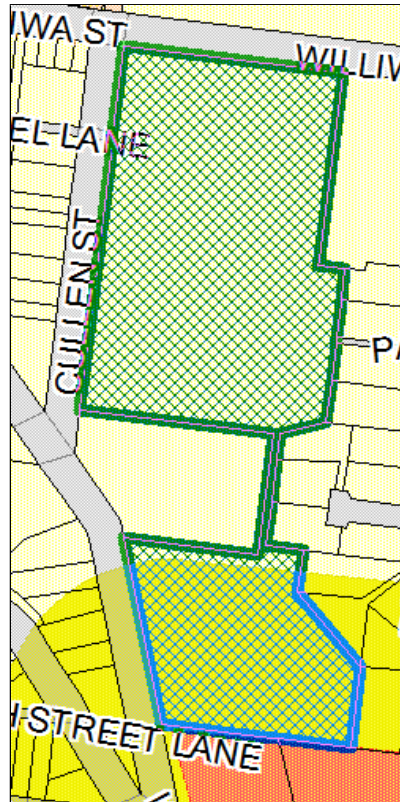
The proposed facility will contain one storey and have a floor area of approximately 60m<sup>2</sup>. The facility adjoins the swimming pool fence and existing vegetation. The former Portland Cement Works is located adjacent to Williwa Street and Saville Park. Given the size of the former Portland Cement Works and silos, compared to the development, it is unlikely that the heritage significance of the area would be impacted upon. The front of the facility is proposed to face Saville Park with the main Portland business precinct over 100m from the development. Between the development and the heritage buildings is a toilet block and Portland Foodworks and carpark. The colours and materials of the shelter structure of timber with a flat colourbond roof.

Given the size of the development and setback distances, it is unlikely that the development would impact the heritage conservation area.

**Social and Economic Impact:** As the proposed development will be generally in keeping with the provisions of the planning instrument and is reasonably compatible with other similar development in the locality, it is expected to have minimal social and economic impact.

**Soils:** The proposed development will have no significant impact on soils. Conditions of consent will be imposed to control erosion and sedimentation impacts on the site and therefore it is considered there will be minimal impacts on soils.

**Natural Hazards:** Part of Saville Park is identified as being within the bushfire prone area. This section is over approximately 250m from the proposed development site. As the development is not for habitable use and the area is cleared around the building structure, it is unlikely that bushfire would impact the development. Council's bushfire map is shown below:



#### 5.3.7 The Suitability of the site for the development

The surrounding land uses are for residential pursuits with the size and nature of the development consistent with those in the surrounding area. The development will have minimal impact to the surrounding amenity. The proposed development complies with the objectives of the zone and the site is considered to be suitable for the proposal.

#### 5.3.8 Any submissions made in accordance with this Act or the Regulations

The proposal was sent to Council's Building Officer, Council's Property and Legal Services Officer and Council's Building & Recreation Facilities Manager for commenting with recommendations detailed below.

#### **COUNCIL'S BUILDING OFFICER**

Reference is made to Council's Building Surveyor's referral received 17 April 2023 in response to Council's Planner's referral dated 5 April 2023.

Council's Building Officer has no objection to the application subject to conditions on the consent. The conditions are detailed under Schedule A.

#### **COUNCIL'S PROPERTY AND LEGAL SERVICES OFFICER**

Lot 40 in DP842893 is owned by Lithgow City Council and therefore does not require consultation with Aboriginal parties or the Crown Lands department.

1. The construction of a community BBQ area at Saville park complies with the permitted uses for Sportsground and General Community Use applicable to the land, as set out in Council's 2013 Generic Plan of Management. Therefore, the proposed development complies with management of the site.

## **COUNCIL'S BUILDING & RECREATION FACILITIES MANAGER**

Preliminary discussion relating to the location and management of the development was discussed onsite with the Portland Touch Football Association prior to the lodgement of the development application.

As such Council's Building & Recreation Facilities Manager has no objection to the application.

### 5.3.9 The public interest

The public interest is best served by the orderly and economic use of land for permissible uses and that does not impact unreasonably on the use and development of surrounding land.

## **6. DISCUSSION AND CONCLUSIONS**

The proposal is considered to generally comply with the relevant provisions of the applicable Environmental Planning Instruments. The proposal is not considered likely to have any significant negative impacts upon the environment or upon the amenity of the locality. As such it is recommended that development consent is issued subject to the conditions outlined below.

## **7. ATTACHMENTS**

Schedule A- Conditions of consent.

## **8. RECOMMENDATION**

**THAT** development application DA 042/23 is approved subject to conditions set out in Schedule A.

Report prepared by: Lauren Stevens

Signed:.....

Dated:.....

Reported to Council on 22 May 2023.

## **REASONS FOR CONDITIONS**

The conditions in Schedule A have been imposed for the following reasons:

- To ensure compliance with the terms of the relevant Planning Instruments
- To ensure no injury is caused to the existing and likely future amenity of the neighbourhood
- Due to the circumstances of the case and the public interest.
- To ensure that adequate road and drainage works are provided.
- To ensure that satisfactory arrangements are made to satisfy the increased demand for public recreation facilities
- To ensure the structural integrity of the development.
- To protect the environment.
- To prevent, minimise, and/or offset adverse environmental impacts.
- To ensure there is no unacceptable impact on the water quality.
- To ensure adequate soil conservation and protect against movement of soil and sediments.

## Schedule A

### Conditions of Consent (Consent Authority)

**Please Note:** It should be understood that this consent in no way relieves the owner or applicant from any obligation under any covenant affecting the land.

#### GENERAL

1. **Approved plans and documentation**

The development is to be undertaken in accordance with the approved plans containing Council's approved development stamp identified in the table below and all associated documentation submitted with the application, except as modified in red by Council and/or any conditions of this consent.

Plan No.	Plan Name	Rev	Date
	Elevations and Details, by Grillex	1	N.D
	Site Plan, by Unknown		N.D

2. **Approved Site Plan**

The development shall be located wholly within the confines of the property boundaries in accordance with the approved site plan.

#### CONDITIONS APPLYING BEFORE WORKS COMMENCE

3. **Regulatory Compliance**

Prior to commencing any construction works, the following requirements of the *Environmental Planning and Assessment Act 1979* are to be complied with:

- a) A principal certifier is appointed in accordance with section 6.6(1) of the Act, and
- b) If the principal certifier is not Council, Council has been notified of the appointment of the principal certifier no later than 2 days before building work commences in accordance with section 6.6(2) of the Act, and
- c) A construction certificate has been issued for the building works in accordance with section 6.7 of the Act, and
- d) Council has been given at least 2 days' notice of the intention to commence building works in accordance with section 6.6(2)(e) of the Act.

4. **Building work requirements**

(1) Any building work undertaken under consent -

- (a) must be carried out in accordance with the requirements of the Building Code of Australia.

5. **Council Land**

Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property controlled by Council which adjoins the site including kerbs, gutters, footpaths, walkways, reserves and the like. Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the applicant's expense.

6. **Easement**

No portion of the community BBQ shelter shall encroach into the easement located along the eastern boundary. The applicant/owner is responsible for identifying the location of the easement prior to work commencing.

7. **Access for people with disabilities**

Access for people with disabilities shall be provided to and within the community BBQ shelter and comply with the Part D3, Building Code of Australia, Australian Standard 1428.1-4: *Design for access and mobility*.

8. **Signage**

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a) Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person can be contacted outside working hours.
- b) Stating that unauthorised entry to the work site is prohibited and
- c) Showing the name, address and telephone number of the principle certifying authority for the work.

The sign/s are to be maintained while the building work and excavation work is being carried out, but must be removed when the work has been completed.

9. **Protection of adjoining areas**

A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin, and must be kept in place until after the completion of works, if the works—

- (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- (b) could cause damage to adjoining lands by falling objects, or
- (c) involve the enclosure of a public place or part of a public place.

10. **Toilet facilities**

- (1) 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.
- (2) Each toilet must—
  - (a) be a standard flushing toilet connected to a public sewer, or
  - (b) have an on-site effluent disposal system approved under the Local Government Act 1993, or
  - (c) be a temporary chemical closet approved under the Local Government Act 1993.

11. **Garbage receptacle**

- (1) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.
- (2) The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.

12. **Run-off and erosion controls**

Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by—

- (a) diverting uncontaminated run-off around cleared or disturbed areas, and
- (b) erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
- (c) preventing the tracking of sediment by vehicles onto roads, and

- (d) stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.

### **CONDITIONS APPLYING DURING THE WORKS**

*Note. The Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Noise Control) Regulation 2008 contain provisions relating to noise.*

**13. Standard hours for construction**

Construction may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday and no construction is to be carried out at any time on a Sunday or a public holiday.

**14. Compliance with plans**

- (1) Works must be carried out in accordance with the plans and specifications to which the development consent relates.
- (2) A copy of the stamped and approved plans, development consent are to be on the site at all times.

**15. Maintenance of site**

- (1) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- (2) Waste materials (including excavation, and construction waste materials) must be managed on the site and then disposed of at a waste management facility.
- (3) 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.
- (4) During construction—
  - (a) all vehicles entering or leaving the site must have their loads covered, and
  - (b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.

**16. Earthworks, retaining walls and structural support**

- (1) Any earthworks (including any structural support or other related structure for the purposes of the development)—
  - (a) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and
  - (b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and
  - (c) that is fill brought to the site—must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the *Protection of the Environment Operations Act 1997*, and
  - (d) that is excavated soil to be removed from the site—must be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005*.
- (2) Any excavation must be carried out in accordance with Excavation Work: Code of Practice (ISBN 978-0-642-785442 [PDF] and ISBN 978-0-642-785459 [DOCX]), published in July 2012 by Safe Work Australia.
- (3) Earthworks (including placement of fill, compaction and batters) shall be undertaken in accordance with AS3798-2007: *Guidelines on earthworks for*



*commercial and residential developments and Part 3.1, Building Code of Australia, Volume 2.*

- (4) Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.
- (5) Retaining walls shall be constructed in accordance with the approved structural plans and specifications.
- (6) Fill imported to the site must be certified as uncontaminated by a Geotechnical Engineer and suitable for the design compaction requirements.

17. **Procedure for critical stage inspections**

While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.

18. **Stormwater and Drainage**

- a) That seepage and surface waters are collected and diverted clear of the building site and onsite waste disposal area by a drainage system. Care is to be taken to ensure that no nuisance is created to adjoining properties.
- b) That the rainwater drains are connected into the stormwater drainage system serving the clubhouse discharging to the street gutter to Council's satisfaction.

21. **Archaeology discovered during excavation**

If any object having interest due to its age or association with the past is uncovered during the course of the work—

- (a) all work must stop immediately in that area, and
- (b) the Office of Environment and Heritage must be advised of the discovery.

*Note. Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the Heritage Act 1997 may be required before further the work can continue.*

22. **Aboriginal objects discovered during excavation**

If any Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work—

- (a) all excavation or disturbance of the area must stop immediately in that area, and
- (b) the Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the *National Parks and Wildlife Act 1974*.

*Note. If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the National Parks and Wildlife Act 1974.*

**CONDITIONS APPLYING BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE**

24. **Occupation Certificate**

Prior to the use/occupation of the structure an Occupation Certificate must be issued by the Principal Certifying Authority.

25. **Works-as-executed plans and any other documentary evidence**

Before the issue of the relevant occupation certificate, the applicant must submit, to the satisfaction of the principal certifier, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works:

- a. All stormwater drainage systems
- b. Compliance of building works and accessible pathway with the Building Code of Australia.

## **ADVISORY NOTES**

### **AN1. Mandatory Building Inspection schedule**

To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:

- a) Pier holes/pad footings before filling with concrete.
- b) Reinforcing steel in position and before concrete is poured (slab, footings, lintels, beams, columns, floors, walls and the like).
- c) Wall and roof framing when external wall and roof cladding is in place and prior to internal linings.
- d) Stormwater drainage between building and discharge point (drainage pipes, soakage pits and the like) prior to covering.
- e) Completion of the development and sign off to all conditions of the consent including landscaping, prior to occupation and use.

At each inspection, erosion and sediment control measures and site management will be inspected.

**Note: forty-eight (48) hours notice shall be given to Council prior to inspections.**

### **AN2. Information to be submitted prior to the issue of the Construction Certificate**

The following plans and specifications shall be submitted to Council for approval prior to the issue of the Construction Certificate:

- a) Structural Plans and specifications from a Professional structural Engineer for footings/slab, steel wall and roof framing for the site specific soil classification, wind and snow load. The design, structural plans and specifications shall reference the importance level of the structures and all relevant Australian Standards and Parts of the current Building Code of Australia.
- b) Plans and specifications demonstrating compliance of access to the Community BBQ Shelter for people with a disability, with the current Building Code of Australia (Volume 1).

### **AN3. Component Certificates**

Component certificates shall be provided to provide evidence to support the use of a material, design or form of construction as meeting a performance requirement (Part A2.2, BCA) or a deemed-to-satisfy provision.

All component certificates must include the following information:

- Property/address details where the works were undertaken and certificate relates.
- Indicate whether the certificate relates to the whole or part of the building.
- Describing the relevant work/building component and how it relates to the property address.
- Referencing the relevant Building Code of Australia clauses and Australian Standards (year of adoption and relevant provisions).
- Name, address, email and phone number and licence details of the person issuing the certificate.
- Details of suitability of the signatory signing off on the works.
- Certificate must be signed and dated.

### **AN4. Snow and Wind Load**

- (1) The property is located in an area subject to snow falls and high winds. Wall and roof construction (including tie downs and bracing) shall be designed and constructed to withstand the site specific ground snow loading and wind load in accordance with the approved structural plans and specifications certified by the Approved Practising Structural Engineer.
- (2) Roof guttering/drainage shall be designed and installed to include appropriated allowance for snow load as per Australian Standard 1170.3.

AN5. **Subterranean Termites**

That the building is to be protected from the attack of subterranean termites by employing construction methods conforming with Australian Standard 3660.1. A durable notice must be permanently fixed to the building in a prominent location (such as the meter box) indicating:

- (i) the method of protection and
- (ii) the date of installation of the system and
- (iii) the installer's or manufacturers recommendations for the scope and frequency of future inspections for termite activity.

**Certification shall be submitted to Council for the termite protection system.**

AN6. **Compaction of fill**

Any filling carried out in accordance with this consent shall maintain a minimum requirement of 98% standard compaction (**compaction certificate to be submitted to the Principal Certifier**).

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300mm rise in vertical height. Test sites shall be located randomly across the fill site with 1 test per 500m<sup>2</sup> (minimum 1 test per 300mm layer) certified by a qualified geotechnical engineer. Alternatively, all footings/piers are to be taken through filled ground to foundation material of uniform adequate bearing pressure in accordance with Structural Engineers requirements.

AN7. **Anchorage of roof cladding**

- (1) That owing to the area being subject to high wind velocities from time to time, every precaution is to be taken to ensure the building and the roof cladding are effectively secured. Manufacturer's details and directions for anchorage and fixing are to be adhered to.
- (2) That the structure is securely bolted at its supports and fixed rigidly at its base.
- (3) That, owing to the area being subject to high wind velocities from time to time, every precaution is to be taken to ensure the building and the roof cladding are effectively secured. Manufacturer's details and directions for anchorage and fixing are to be adhered to.

AN8. **Compliance with Engineering plans and specifications**

The construction of the Community BBQ shelter shall comply with the approved engineering plans and specifications.

AN9. **Requirements prior to Occupation**

Prior to the use/occupation of the structure an Occupation Certificate must be issued by the Principal Certifying Authority.