

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

27 July 2016, commencing at 5.30 PM

Held in the Hilltops Council, Harden Chamber, 3 East Street, Harden

ATTENDANCE

Administrator W Tuckerman

STAFF

A McMahan General Manager
D Aber Deputy General Manger
J Jordan Chief Financial Officer
D Wymer Director of Operations
C Filmer Director Planning and Environment Services
S Langman Director Planning
G Armstrong Acting Executive Director Corporate and Community

PUBLIC FORUM

James Walton - on behalf of John White, Allied Grain Systems regarding Item - 16/46 2016/DA-00061 Industrial Shed, 41 Rockdale Road, Young.

APOLOGIES

16/58 RESOLVED:

T Drowley, Director Corporate Services

That the apology be accepted

Moved and declared carried by: Administrator W Tuckerman

SYMPATHY EXPRESSIONS

16/59 RESOLVED:

That Council staff and members of the public be upstanding for a minute silence to express our sympathy on the passing of;

**Judith Donohoe; Thelma Gorham; Doreen Ware; James Brennan; Ella Pigram;
Lila Irving; Phillip Paton; Annie Taylor; Peter Crane; Warren Cashen;
Marjorie Goddard; Dorothy Gee; Leslie Hampton; Paul Uskert;
Aaron Hockham; Moreen Dawe; Gerald Galvan; Francis Henry;
Thomas Morgan; Roger Mountain; Joyce Downs**

Moved and declared carried by: Administrator W Tuckerman

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DECLARATIONS OF INTEREST - CONFLICT OF INTEREST

Administrator Wendy Tuckerman declared no declaration of interest and no conflict of interest

Sharon Langman - Item - 16/46 2016/DA-00061 Industrial Shed, 41 Rockdale Road, Young – declaration of interest – objector.

CONFIRMATION OF MINUTES

16/60 RESOLVED:

That the minutes of the Ordinary Meeting of Council held on 22 June 2016 be confirmed as a true and accurate record.

Moved and declared carried by: Administrator W Tuckerman

16/61 RESOLVED:

That the minutes of the Extraordinary Meeting of Council held on 13 July 2016 be confirmed as a true and accurate record.

Moved and declared carried by: Administrator W Tuckerman

BUSINESS ARISING – MINUTES

- ***Southern Slopes Noxious Plants Authority – proposal drafted and meeting with staff in the near future***
- ***Independent assessment panel – offers to 4 potential candidates – panel to be formed and meeting to be held in the near future***

GENERAL MANAGERS REPORT

16/37 – JOINT REGIONAL PLANNING PANEL – SOUTHERN, INTERIM NOMINEES & PROPOSAL TO FILL VACANCIES IN LONGER TERM

16/62 RESOLVED: that Council;

1. ***Appoint Mr Chris Berry (Yass Valley Council) and Mr Bill West (Cowra Council) as the interim Hilltops Council local representatives to the NSW Joint Regional Planning Panel. This appointment is to last as long as it***

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takes to recruit and appoint delegates from within the wider Hilltops Council region;

- 2. Conduct an Expression of Interest process within the Hilltops Council area calling for nominees with suitable experience or background to sit as local members of the NSW-JRPP – Southern; and*
- 3. The results of the EOI process be reported back to Council for determination of the final delegates for appointment.*

Moved and declared carried by: Administrator W Tuckerman

16/38 – DEVELOPMENT APPLICATIONS STATISTICS

16/63 RESOLVED:

That Council receive and note the status and processing times for development applications, as at 30 June 2016.

Moved and declared carried by: Administrator W Tuckerman

16/39 – DEVELOPMENT APPLICATION NO. 017/2016 – SUBDIVISION (ONE INTO TWO LOTS), ALTERATIONS AND ADDITIONS TO THE EXISTING DWELLING, DEMOLITION OF AN EXISTING SHED AND CONSTRUCTION OF A NEW DWELLING AT LOT 1 DP15826, 28 DRY STREET, BOOROWA

16/64 RESOLVED: that Council;

- 1. Approve Development Application 017/2016 on for a subdivision (one into two lots), demolition of an existing shed, the construction of a new dwelling on resulting Lot 2, and alterations and additions to the existing dwelling at Lot 1 DP15826, 28 Dry Street, Boorowa, subject to the following conditions:*

GENERAL

- 1. The development shall be generally in accordance with DA 017-2016 submitted by the applicant on 14 April 2016 and in accordance with the supporting documentation submitted with that application, including, but not limited to, the following:*

Subdivision plans prepared by CPC Land Development Consultants P/L			
Reference No.	Revision/ Issue	Name of Plan	Date
18297	A	Subdivision of Lot 1 DP15826, Pudman and Dry Street, Boorowa	2 nd Mar, 2016
Plans for the new dwelling prepared by KM Seccombe			

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Reference No.	Revision/ Issue	Name of Plan	Date
166/5961	Sheet 4 of 4	Site/Locality Plan	March 2016
166/5961	Sheet 3 of 4	North Elevation, East Elevation, South Elevation, West Elevation, Section	March 2016
166/5961	Sheet 1 of 4	Floor Plan	March 2016
Plans for the alterations and additions to the existing dwelling prepared by KM Seccombe			
Reference No.	Revision/ Issue	Name of Plan	Date
166/5968	Sheet 4 of 4	Site Plan	June 2016
166/5968	Sheet 3 of 4	West Elevation, Section	June 2016
166/5968	Sheet 2 of 4	North Elevation, East Elevation, South Elevation	June 2016
166/5968	Sheet 1 of 4	Floor Plan	June 2016
Statement of Environmental Effects prepared by Wade Anthony and dated 7th April 2016.			

as modified by any conditions of this consent.

- No revisions shall be made to the plans or development without written approval of Council, upon lodgement of a modification application, pursuant to section 96 of the Environmental Planning and Assessment Act 1979.*

Plans and consent on site

- A copy of the approved and certified plans, specifications and documents incorporating conditions of approval shall be kept on site at all times and shall be readily available for perusal by any officer of Council.*

PRESCRIBED CONDITIONS

- All building work must be carried out in accordance with the requirements of the Building Code of Australia and relevant Australian Standards.*

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5. **The builder or person who does the residential building work must comply with the applicable requirements of Part 6 of the Home Building Act 1989. This requirement may be satisfied by the provision of an Owner/Builder permit or Home Owner's Warranty Insurance prior to commencement of construction.**
6. **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, showing:**
 - (a) **the name, address and telephone number of the principal certifying authority for the work, and**
 - (b) **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.**
7. **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.**
8. **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 (where it is not Boorowa Council) has given Council written notice of the following information:**
 - a) **in the case of work for which a principal contractor is required to be appointed:**
 - (i) **the name and licence number of the principal contractor, and**
 - (ii) **the name of the insurer by which the work is insured under Part 6 of that Act,**
 - b) **in the case of work to be done by an owner-builder:**
 - (i) **the name of the owner-builder, and**
 - (ii) **if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.**

PRIOR TO ANY WORK COMMENCING ON SITE

Construction Certificate

9. **Prior to any works commencing on site, the person having the benefit of this consent must obtain a construction certificate for:**
 - a. **The subdivision; and**
 - b. **The construction of the new dwelling; and**
 - c. **The alterations and additions to the existing dwelling.**

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10. **The following information must be submitted for assessment prior to a Construction Certificate being issued for the new dwelling and alterations and additions to the existing dwelling:**
- a. **A copy of the home warranty insurance certificate or owner builder permit for the development must be provided prior to the issue of a Construction Certificate.**
 - b. **A site classification report (geotechnical report) shall be provided for the development site.**
 - c. **Details from a suitably qualified and practicing Structural Engineer shall be provided in regard to:**
 - d. **footings/piers (to be designed in accordance with the site classification);**
 - e. **reinforced concrete slabs (to be designed in accordance with the site classification);**
 - f. **retaining walls;**
 - g. **structural steelwork;**
 - h. **truss, frame, wall bracing and tie-down requirements (these may be provided prior to the frame inspection).**

Sediment and erosion control

11. **Appropriate erosion and sedimentation controls shall be implemented before earthworks and construction commence, and maintained during construction as required, to prevent material moving off-site.**
12. **The applicant shall ensure that any cut or fill on site is appropriately graded, drained or retained and drained as necessary.**

NOTE: Any graded land that slopes toward a neighbouring property shall incorporate dish or surface drains to divert water to a sump and then be piped to the kerb and gutter in Pudman Street.

Waste Container

13. **A suitable waste container capable of holding blowable type building waste must be made available on the building site during the course of construction. Building waste such as paper, plastic, cardboard, sarking etc. must be regularly cleaned up and placed in the waste container so that it cannot be blown off the building site and litter the locality.**

Dial Before You Dig

14. **All Dial Before You Dig maps must be referred to prior to undertaking any excavations or other digging, and all Dial Before You Dig requirements must be complied with at all times.**

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Builders' Toilet

15. **Before commencing building operations, water closet accommodation must be provided to Council's satisfaction. A chemical toilet may be used on the site or alternatively the site may be provided with temporary closet accommodation connected to Council's sewer where sewer is available and operational. In no circumstances will pit toilets or similar be accepted by Council.**

SUBDIVISION

General

16. **The final plan of subdivision (linen plan) will not be released until such time as the requirements of all conditions of this consent have been carried out.**
17. **All engineering design and construction work shall be undertaken in accordance with relevant standards including Council's "Engineering Guidelines for Subdivision and Developments", Australian Standards, AustRoads, the Water Reticulation Code of Australia and The Sewerage Code of Australia current at the time of the Construction Certificate being issued.**

Prior to Commencing Work for the subdivision

18. **Prior to commencing any works in the road reserve, the person having the benefit of this consent shall lodge an "Application for Works in a Council Road Reserve" under Section 138 of the Roads Act 1993 and shall submit the following details:**
 - a. **A current public liability insurance certificate with a minimum cover of \$20 million;**
 - b. **Current Plant / vehicle insurances; and**
 - c. **A certified traffic control plan for the proposed works.**

Prior to the issue of a construction certificate for subdivision

19. **Prior to the issue of a construction certificate for the approved subdivision, engineering drawings for the drainage of sewerage shall be submitted to Council's Engineering Department for approval in accordance with the Sewerage Code of Australia.**
 - a. **The design is to include details for the construction of 150mm sewerage main within the proposed sewerage easement and construction of a new manhole at the junction with Council's existing sewer main in Dry Street.**

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20. **Prior to the issue of a construction certificate for the approved subdivision, engineering drawings associated with the drainage of stormwater shall be submitted to Council's Engineering Department for approval.**
- a. **The design is to include an inter-allotment drainage line and easement to service both of the proposed lots, and that discharges into the kerb & gutter in Dry Street.**
21. **Prior to the issue of a construction certificate for the approved subdivision, the person having the benefit of this consent shall pay contributions consistent with Council's Section 64 Water Servicing Plan per additional equivalent tenement (ET) created. The contributions are payable at the ET rate nominated in Council's Management Plan at the time of payment. One ET is created by this development.**
22. **Prior to the issue of a construction certificate for the approved subdivision, the person having the benefit of this consent shall pay contributions consistent with Council's Section 64 Sewer Servicing Plan per additional equivalent tenement (ET) created. The contributions are payable at the ET rate nominated in Council's Management Plan at the time of payment. One ET is created by this development.**

Compliance certificates for the subdivision

23. **A compliance certificate shall be obtained from Council following inspection at the following stages of construction:**
- a. **Completion of property access;**
 - b. **Stormwater**
 - i. **Completion of stormwater drainage lines – prior to backfilling;**
 - c. **Sewer**
 - i. **Completion of sewer main and lot sewer ties– prior to backfilling;**
 - ii. **Completion of construction of sewer manhole**
 - d. **Other**
 - i. **Practical completion;**
 - ii. **Refund of bond(s).**
24. **At the time of each inspection, the fee applicable to development inspections as stated in Council's Management Plan, shall be paid to Council.**

Power

25. **Power shall be provided to, and within, the subdivision in the form of an underground service, in accordance with the requirements of Essential Energy.**

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Gas and telephone

26. *Written confirmation is required from the authorities that control gas and telephone, stating that these services are available to each allotment created, or that satisfactory arrangements have been made to augment them as required.*

Water

27. *Council's existing water main shall be extended to facilitate connection of each allotment proposed to Council's system, at full cost to the developer, with minimum service standards of 6 litres per minute per connection with a pressure range between 20 and 90 metres head. The water service shall be provided to Council's standards and satisfaction.*
Note: if the Council main is existing and currently in use (i.e. a "live" main') Council must undertake the works at full cost to the developer. An application can be made by contacting Council.

Sewer

28. *Council's existing sewer main shall be extended to facilitate connection of each allotment to Council's sewerage system, at full cost to the developer and to Council's standards and satisfaction.*

Access

29. *Each lot is to be supplied with a property vehicular access from the road to the property boundary, constructed to the following minimum standards:*
- a. Minimum of 3.0 metres wide;*
 - b. Maximum trafficable width of 5.0 metres wide at the kerb;*
 - c. Minimum of 50 mm. thick gravel base;*
 - d. 100mm thick concrete (25 MPA with SL72 mesh), or alternative approved all weather pavement;*
 - e. Cut and fill batters within the road verge shall be graded to a maximum of 1 in 8;*
 - f. Constructed at least 6m from the tangent point of the kerb at any intersection;*
 - g. The surrounding soil shall be made flush with the new driveway and reseeded; and*
 - h. Where applicable Saw cut the existing kerb and gutter, and construct a concrete vehicle crossing and make flush.*
30. *The access to new Lot 2 is to be constructed at least 1m from the adjacent power pole in Pudman Street.*

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31. **No property access shall be constructed over any water service or sewer tie.**
32. **No access to new Lot 1 shall be provided off Dry Street.**
33. **Any damage to Council's road, footpath or kerb and gutter caused by the construction is to be repaired at the full cost of the developer and to Council's satisfaction.**

Street trees

34. **Written approval shall be gained from Council for the removal of any street tree required by this development.**
35. **Any and all street trees that are damaged and/or removed in the course of this development shall be replaced by the person having the benefit of this consent, entirely at their cost, and to Council's specifications and satisfaction.**

Stormwater

36. **Each allotment within the subdivision is required to have its own stormwater drainage connection to a Council approved stormwater system.**

Footpaths

37. **A 1500mm wide concrete footpath shall be constructed along the frontage of the subject property in Dry Street, to Council's specifications and satisfaction.**
38. **A 1500mm wide concrete footpath shall be constructed along the frontage of the subject property in Pudman Street, to Council's specification and satisfaction.**

Note: Construction of the footpath may be deferred, subject to an appropriate bond being lodged with Council for this work.

39. **Where the footpath forms part of the vehicle driveway access, the concrete thickness shall be a minimum of that relevant to the type of dwelling/development proposed.**

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Easements

40. **Minimum 2.5m wide easements shall be created on the final plan of survey, centred on the new sewer and stormwater mains passing through private property.**
41. **An easement/restriction as to user is to be created over the shared retaining wall on the boundary between new Lot 1 and new Lot 2. The easement/restriction as to user is to detail ongoing management responsibilities over the shared retaining wall.**

Street address

42. **New Lot 2 shall be legally identified as 29A Pudman Street, Boorowa.**
43. **The address of new Lot 2 shall be clearly provided to the Pudman Street frontage and be located inside the property boundary.**

Prior to the issue of a subdivision certificate

44. **Prior to the issue of a subdivision certificate, evidence of the creation of all necessary easements shall be provided to Council and be to Council's satisfaction.**
45. **Prior to the release of the subdivision certificate, written confirmation from an electricity authority shall be submitted to Council, stating that suitable arrangements for the supply of electricity have been made to each allotment within the subdivision.**
46. **Prior to the release of the subdivision certificate, a bank guarantee, or cash bond, equivalent to 5% of the value of the whole of the engineering works, shall be lodged with Council as a performance bond.**

Note: This bond shall be held for a period of twelve months from the later of the date of linen plan release from Council or the practical completion of the engineering works.

47. **Prior to the release of a subdivision certificate, a survey plan shall be submitted to Council, showing the location of all structures/buildings on the property with respect to boundaries of the allotments. Any dividing boundary shall be located so as to comply with the setback and fire-rating requirements of the Building Code of Australia, with respect to the various structures/buildings.**

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DEMOLITION

48. *The existing shed on site shall be demolished prior to construction of the approved new dwelling commencing.*
49. *Demolition of the subject building shall be carried out in accordance with the requirements of Australian Standard AS2601 The Demolition of Structures.*
50. *The demolisher shall comply with the requirements of the Occupational Health and Safety (OHS) Act 2000 and its subordinate documents, and shall prepare and maintain on-site, a safe work method statement in accordance with the OHS Act 2000 and the OHS Regulations 2001.*
51. *Precautions shall be taken in accordance with the requirements of the WorkCover Authority of NSW in respect of:*
 - a. *Protection of site workers and the public; and*
 - b. *Asbestos handling and disposal where applicable.*
52. *Suitable measures shall be taken to ensure that there is no adverse effect to occupants of adjoining buildings and the public by the generation of dust and noise;*
53. *Adequate and satisfactory arrangements shall be made to ensure the disposal of any rubbish generated and such arrangements are in compliance with Council's policies on rubbish and waste disposal.*
54. *It is the responsibility of the person having the benefit of this consent to notify the adjoining neighbours two (2) days prior to commencing work of the intention to carry out demolition works. The notification shall detail the type of machinery to be utilised, hours of operation, likely duration of works, and safety measures taken to protect property and persons from damage.*
55. *No materials, goods, equipment, machinery, etc, shall be placed on Council's footpath, or any other public area, during the demolition phase, unless the approval of Council has been previously obtained.*
56. *Appropriate erosion and sedimentation controls shall be implemented, before demolition commences, and during demolition as required, and shall be well maintained to prevent material moving off-site.*

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Asbestos Removal

57. ***A WorkCover licensed contractor must undertake removal of more than 10 square metres of any bonded asbestos. Removal of any friable asbestos must only be undertaken by a contractor that holds a current friable asbestos removal licence.***
58. ***Removal of any asbestos must be undertaken in compliance with the requirements of WorkCover. Refer to their publication "Your Guide to Working with Asbestos."***
59. ***Demolition sites that involve the removal of any asbestos must display a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm erected in a prominent visible location of the site.***
 - a. ***The sign is to be erected prior to the commencement of demolition works and is to remain in place until such time as all asbestos has been removed from the site to an approved waste facility.***
60. ***All asbestos laden waste must be disposed of at an approved waste disposal depot. (Refer to the EPA or Waste Service NSW for details of sites).***

CONDITIONS TO BE MET DURING CONSTRUCTION

Hours of construction

61. ***Work on the project shall be limited to the following hours:***
 - a. ***Monday to Friday: 7.00am to 6.00pm***
 - b. ***Saturday: 8.00am to 5.00pm***
 - c. ***No work to be carried out on Sundays or Public Holidays.***

Storage of Building Materials

62. ***There shall be no storage of building materials, plant or equipment on the road, footway or reserve areas without the prior consent of Council.***

Excavation and Retaining Walls

63. ***Excavated and filled areas must be graded, drained and retained to the satisfaction of Council, prior to occupation, in accordance with the Building Code of Australia. Retaining walls greater than 1 metre in height are to be designed by a structural engineer and the specifications submitted to and approved by Council prior to construction commencing.***

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Erosion and Sedimentation Control

64. **All practical measures must be taken to ensure erosion and subsequent sediment movement off-site does not occur.**
- a) **In particular a silt fence or equivalent must be provided downhill from the cut and fill area [or any other disturbed area]. Such fence must be regularly inspected and cleaned out and or repaired as is necessary and all collected silt must be disposed of to the satisfaction of Council.**
 - b) **Unnecessary disturbance of the site [e.g. excessive vehicular access] must not occur.**
 - c) **All cuts and fills must be stabilised or revegetated as soon as possible after the completion of site earthworks.**
65. **Should the distance from the closest wall of the excavation to a property boundary (adjoining private property or a public area) be less than the deepest part of the excavation, then the person causing the excavation to be made shall:**
- a. **preserve and protect the adjoining property, building or land from damage as a result of the excavation;**
 - b. **if necessary underpin and support any building or public land.**
 - c. **If protection of adjacent property or public land is required in accordance with the above condition, details shall be submitted to council prior to the issuing of the Construction Certificate.**

Street Drainage Clearance

66. **To prevent obstruction of the street drainage system the kerb, gutter and footpath adjoining the site must be kept clear of soil and debris during the course of construction.**
67. **Soil or other substitute materials shall not be place in the street gutter to provide access to the allotment.**
68. **Stockpiles of sand, gravel, soil and the like shall be located to ensure that the material:**
- a. **does not spill onto the road pavement; and**
 - b. **is not placed in drainage lines or water courses, and cannot be washed into these areas.**
- If soil or other materials are spilled accidentally onto the road or gutter, they shall be removed prior to the completion of the day's work.**

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Glazing Materials

69. **Glazing materials shall be selected and installed in accordance with AS 1288-1989 Australian Standard "Glass in Buildings – Selection and Installation".**

BASIX Commitments

70. **Pursuant to section 97A(3) of the Environmental Planning & Assessment Regulation 2000, all the commitments listed in the relevant BASIX certificates for the development shall be fulfilled at the milestones listed and maintained. Any milestone used to meet BASIX certificate requirements shall be certified in writing by the applicant and supplied to Council.**

71. **In accordance with the requirements of the BASIX provisions under the NSW Environmental Planning and Assessment Act 1979, you are advised that the following details will need to**

72. **be provided during the course of construction/conversion. These may include, but are not limited to, certification or manufacturers specifications of the following:**

- a. **Details on the rainwater tank including size, volume and applicable standards or watermark compliances;**
- b. **Manufacturers specifications for all insulation products including batts, wrap, sisalation or the like;**
- c. **Glaziers certificate on the nature of the window, glass specification and applicable ratings;**
- d. **All plumbing fittings and fixtures (taps, showerheads, washing machines, dishwashers, etc) that are required to have a star (water efficiency) rating;**
- e. **All hot water devices installed and their ratings;**
- f. **All electrical installations including lighting, heating or related devices;**
- g. **All air handling systems including air conditioning, heating, solid fuel heating or similar.**

NOTE: Each elements paperwork/certification must be provided at the applicable inspection or immediately after installation. Further, No occupation of the dwelling will be permitted unless all BASIX measures are completed, satisfied and documentary evidence of same supplied to Council.

73. **Roof waters shall be conveyed from appropriate areas of the dwelling roof to the designated rainwater tank. The rainwater tank shall be plumbed to the applicable fixtures within the house (as required on the BASIX Certificate) in strict accordance with the National Plumbing and Drainage Standard AS 3500.**

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Backflow Prevention

74. *Where town reticulated water is available, and the rainwater tanks are an augmentation of that supply, strict compliance with AS 3500 (National Plumbing and Drainage Code) is required having regard to cross connection prevention.*

Hot Water Outlets

75. *All new hot water installations shall deliver hot water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding 50oC. Hot water temperatures at 50oC or higher are still acceptable at all other fixtures eg. Laundry tub and kitchen sink. Temperature control devices or equipment used to achieve the maximum hot water temperature shall ensure continuous flow and shall be fail safe in design. Temperature control devices shall be installed in a location that minimises any opportunity for being interfered or tampered with.*

Sanitary Compartment Doors

76. *In accordance with the BCA (Housing Provisions), a door must:*
- a. *open outwards; or*
 - b. *slide; or*
 - c. *be readily removable from the outside of the sanitary compartments, unless there is a clear space of at least 1.2 metres between the closet pan within the sanitary compartment and the nearest part of the doorway.*

Ventilation

77. *Adequate ventilation is to be provided to all sanitary compartments in accordance with the BCA. Where mechanical ventilation is used to bathrooms or laundries, such exhausted air is to be directed to the exterior of the building, not into the roof space, unless eaves or roofs are suitably vented.*

Exhaust Fans

78. *Exhaust fans over stoves must not discharge into a roof space. The fan must be taken to the outside air through the roof or the wall.*

Fire Safety and Essential Services – Smoke Alarms

79. *A suitable automatic fire detection and alarm or smoke detection and alarm system must be installed in the dwelling in accordance with:*
- a. *The Building Code of Australia, and*

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- b. **Complying with AS.3786 – Self Contained Smoke Alarms or listed in the SSL Register of Accredited Products – Fire Protection Equipment.**
- c. **The smoke alarm system shall be installed in suitable locations on or near the ceiling, and must be connected to the mains electrical power supply and must have a standby (battery backup) power supply.**

80. **The smoke alarm installers certification must be completed and returned to Council prior to occupation of the building**

Fencing to the street frontages

81. **Fencing forward of the front building line shall be:**
- a. **an open style (incorporating pickets, vertical stiles, slats or palings); or**
 - b. **vegetative screening/ plantings, no greater than 1.2m in height.**

82. **No solid panel fences shall be constructed on either the Dry or Pudman Street frontages.**

COMPLIANCE CERTIFICATES

83. **Building and associated works are to be inspected during construction to ensure compliance with conditions of development consent and the Building Code of Australia. Compliance certificates [and therefore inspections] are required at the following stages:**

Stage	Building works to be certified as complying with development consent and Building Code of Australia	Conditions to be complied with
Piers / Footings	Pier holes (engineer's details may be required), membrane placement, formwork, reinforcement in place	All relevant conditions
Internal sanitary drainage	All drainage is installed in accordance with AS 3500; charged with water & no leaks detected	All relevant conditions
Concrete slab	Membrane placement, formwork, reinforcement in place (Engineers details may be required)	All relevant conditions

General Manager

Administrator

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Stage	Building works to be certified as complying with development consent and Building Code of Australia	Conditions to be complied with
Concrete slab	Membrane placement, formwork, reinforcement in place (Engineers details may be required)	All relevant conditions
Frame/pre-sheet	Wall and roof framing, bracing, tie down, wall ties, flashings	All relevant conditions
Wet areas	Water proof membranes	All relevant conditions
Sewerage & stormwater drainage	All drainage is installed in accordance with AS 3500	All relevant conditions
Final	Building works and associated development have been constructed in accordance with the development consent and construction certificate	All relevant conditions

Notes on inspections and compliance certificates:

- If Council is the appointed Prescribed Certifying Authority (PCA) for this project, a minimum twenty-four (24) hours' notice must be given to Council to make an inspection of the work.**
- The above table does not specify inspections that may be required in conjunction with approvals under section 68 of the Local Government Act, 1993, eg connection to sewer, on-site sewage management device (septic). At least 24 hours' notice must be given to Council for inspections associated with such approvals.**

FINAL OCCUPATION CERTIFICATE

- 84. A final Occupation (Completion) Certificate must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an occupation certificate, the Principle Certifying Authority must be satisfied that the requirements of section 109H of the Environmental Planning and Assessment Act 1979 have been satisfied.**
- 85. To ensure that the building work is completed in accordance with the approval and is in a safe and healthy condition for use by the occupants, the building shall not be occupied or used until: -**
- It is completed in accordance with the approval and Council or an Accredited Certifier has issued a final Occupation Certificate; or**

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- b. Council or an Accredited Certifier gives written permission to allow the building to be occupied or used before it is completed through the issue of an Interim Occupation Certificate.**

Moved and declared carried by: Administrator W Tuckerman

16/40 – 2016/DA-00075 – DWELLING (STAGED) – 62 SADS LANE, MONTEAGLE

16/65 RESOLVED:

That Council approve, subject to concurrence from the Department of Planning & Environment, the Clause 4.6 variation of the development standard contained in Clause 6.1 of the Young LEP 2010, relating to the minimum lot size for the erection of a dwelling, in respect of the following application:

- **Application No.:** 2016/DA-00075,
- **Property:** Lot 15 DP 754609, 62 Sads Lane, Monteagle
- **Development:** Staged development for a dwelling (new) - Stage 1 - establishment of dwelling building envelope; Stage 2 - erection of a dwelling (subject to a further development application).

Moved and declared carried by: Administrator W Tuckerman

16/41 – CASH AND INVESTMENTS

16/66 RESOLVED:

That the Statement of cash and investments as at 30 June 2016 be received.

Moved and declared carried by: Administrator W Tuckerman

16/42 – VOLUNTARY PLANNING AGREEMENT BETWEEN SIBELCO AUSTRALIA LTD AND HILLTOPS COUNCIL

16/67 RESOLVED:

That the General Manager and Administrator sign the voluntary planning agreement on behalf of Council.

Moved and declared carried by: Administrator W Tuckerman

General Manager

Administrator

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16/43 – GRAIN HARVEST MANAGEMENT SCHEME

16/68 RESOLVED:

That Council defer participation in the New South Wales Class 3 Grain Harvest Management Scheme Mass Exemption (Notice) 2016 (No. 1) until its concerns are adequately addressed regarding;

- a. Participating grain receivers in the local area; and***
- b. No restriction on the supply chain of the grain transport limiting it to 'on farm to grain receiver' are satisfactorily addressed***

Moved and declared carried by: Administrator W Tuckerman

16/44 – YOUNG AERODROME FORWARD PLAN

16/69 RESOLVED: that Council;

- a) further investigate the historical arrangements made for the ownership of the Crown land under the closed road across the Young aerodrome land;***
- b) receive a further report on the matter if the land is required to be purchased; and***
- c) permit the licensing of land under hangars along the previous alignment of the Crown Road reserve adjacent to the northern boundary of lot 233 DP754575 with the annual licence fee set at the minimum rate, when the land issues are resolved.***

Moved and declared carried by: Administrator W Tuckerman

16/45 – REQUEST TO LEASE COUNCIL LAND – MOBILE FOOD VENDOR SITE – LYNCH STREET CARPARK YOUNG

16/70 RESOLVED: that Council;

- 1. Decline to enter into a lease for the subject land for the purposes of a mobile food stand; and***
- 2. Surrender development consent 2005/DA-00114 in order that the matter may now be finalised.***

Moved and declared carried by: Administrator W Tuckerman

Sharon Langman leaves room at 6.00pm – declaration of interest

General Manager

Administrator

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16/46 – 2016/DA-00061 – INDUSTRIAL SHED – 41 ROCKDALE ROAD, YOUNG

16/71 RESOLVED:

That Council deferred to a further meeting of Council

Moved and declared carried by: Administrator W Tuckerman

Sharon Langman returns to room at 6.03pm

CORRESPONDENCE FOR ATTENTION

16/72 RESOLVED:

That the balance of correspondence be noted.

Moved and declared carried by: Administrator W Tuckerman

COUNCIL COMMITTEE REPORTS

16/73 RESOLVED:

That the balance of the committee reports be noted.

Moved and declared carried by: Administrator W Tuckerman

CLOSED COUNCIL

16/47 – EXCLUSION OF THE PRESS AND PUBLIC

16/74 RESOLVED:

- 1. That Council resolve into Closed Council to consider business identified, together with any late reports tabled at the meeting.*
- 2. That pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.*
- 3. That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.*

Moved and declared carried by: Administrator W Tuckerman

General Manager

Administrator

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ITEM 1: LEGAL MATTER

This item is classified CONFIDENTIAL under section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege

ITEM 2: COMMERCIAL MATTER

This item is classified CONFIDENTIAL under section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it,

ITEM 3: COMMERCIAL MATTER

This item is classified CONFIDENTIAL under section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it,

Moved and declared carried by: Administrator W Tuckerman

General Manager

Administrator

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GENERAL MANAGERS CLOSED REPORTS

16/48 – LEGAL MATTER – COURT ORDERS 13/11021 & 13/11022

16/75 RESOLVED:

That Council instruct Bradley Allen Love to serve a bankruptcy notice on the appellant in respect of the outstanding costs orders, in order to recover those monies owed to it under Orders 13/11021 & 13/11022 of the Land & Environment Court.

Moved and declared carried by: Administrator W Tuckerman

16/49 – WASTE CONTRACTS

16/76 RESOLVED:

That Council; for reasons detailed in the report, that Council pursuant to Clauses 5 & 6 of each respective Contract, offer a twelve-month extension only to all four Contracts.

Moved and declared carried by: Administrator W Tuckerman

16/50 – CONTRACT VARIATION YOUNG CONVEYANCE SEWERAGE MAIN

16/77 RESOLVED: that Council;

- 1. Increase the budget for the construction of the Young Conveyance Sewer main to \$5,271,938.00; and***
- 2. The additional fund of \$275,000 be allocated from the Young Sewage Local Fund.***

Moved and declared carried by: Administrator W Tuckerman

16/78 RESOLVED:

That Council move out of closed.

Moved and declared carried by: Administrator W Tuckerman

NEXT MEETING

The next meeting of Council is scheduled to be on Wednesday, 27 August 2016, commencing at 5.30pm.

TERMINATION

There being no further business the meeting closed 610pm.

General Manager

Administrator