

<b>110</b>	Heritage 1850380	Off Armidale Road	Bellbrook Cemetery
<b>111</b>	Heritage 1850138	21-23 Oreen St, Bellbrook	St James, Anglican Church
<b>112</b>	Heritage 1850301	28-30 Oreen Street, Bellbrook	St Patricks Catholic Church
<b>Hickeys Creek</b>			
<b>116</b>	Heritage 1850352	492 Hickeys Creek Road	Masons House
<b>117</b>	Heritage 1850351	502 Hickeys Creek Road	The Bales (now residence)
<b>118</b>	Heritage 1850349 1850350	506 Hickeys Creek Road	Millbank School & Residence
<b>119</b>	Heritage 1850061	522 Hickeys Creek Road	Millbank Hall
<b>120</b>	Heritage 1850385	Armidale Road	Hickeys Creek Uniting Church. <b>Owner has objected to listing.</b>
<b>121</b>	Heritage 1850382	Tom's Gully Road	Tom's Gully Cemetery
<b>122</b>	Heritage 1850362	17-21 Factory Road, Toorooka	Toorooka Butter Company

**At this stage 12.10p.m the Meeting adjourned for Luncheon and upon resumption at 1.00p.m all present at the adjournment were in attendance with the addition of Councillor Bowell.**

**The Works Committee proceeded to inspect the following sites;**

<b>Collombatti</b>			
<b>179</b>	Heritage 1850386	Collombatti Road	Collombatti Hall
<b>Frederickton</b>			
<b>175</b>	Heritage 1850107	Macleay Street, Frederickton	Boat ramp & KSC Park
<b>176</b>	Heritage 1850089	1-5 Pacific Highway, Frederickton	Butter Factory
<b>177</b>	Heritage 1850065	1 Great North Road, Frederickton	War Memorial
<b>178</b>	Heritage 1850105	15-33 Great North Road	Frederickton Cemetery
<b>Grassy Head / Stuarts Point</b>			
	Heritage 1850440	Grassy Head	Millington Avenue
	Heritage 1850441	Grassy Head	Wharf site below Razorback
	Heritage 1850442	Grassy Head to Stuarts Point	Grassy Head Walk
	Heritage 1850359	Stuarts Point Road	Kinki Cemetery
	Heritage 1850452	Stuarts Point	Ships Wharf site

	Heritage 1850453	Stuarts Point	Ballast Rocks
	Heritage1 850455	Stuarts Point	Henessys Sawmill
	Heritage1 850461	Stuarts Point	Old Hall
	Heritage1 850456	Stuarts Point	Stuarts Point Reserve
<b>South West Rocks</b>			
<b>154</b>	Heritage 1850368	Gregory Street, SWR	Catholic Church
<b>155</b>	Heritage 1850030	Gregory Street, SWR	Old School Building - <b>owner has objected to listing.</b>
<b>156</b>	Heritage 1850068	1 Gregory Street, SWR	School of Arts
<b>157</b>	Heritage 1850025	21-23 Livingstone Street, SWR	Pacific Guest House
<b>158</b>	Heritage 1850369	Livingstone Street, SWR	Entrance Gates
<b>159</b>	Heritage 1850378	Livingstone Street & Memorial Ave, SWR	Norfolk Pine Trees
<b>160</b>	Heritage 1850367	Horseshoe Bay Reserve, behind Kiosk	Monument
<b>161</b>	Heritage 1850375	11 High St SWR	Block of Flats (Aquarius) <b>Owner has objected to listing.</b>
<b>162</b>	Heritage 1850374	27-33 Memorial Ave, SWR	Residences
<b>163</b>	Heritage 1850373 1850379	4 & 6 Paragon Avenue, SWR	Residences - <b>owner has objected to listing.</b>
<b>164</b>	Heritage 1850372	25-27 Paragon Avenue, SWR	Range's Retreat - <b>owner has objected to listing.</b>
<b>165</b>	Heritage 1850032	Landsborough Street, SWR	Brighton Park
<b>166</b>	Council 21070	Lot1, DP862328 Phillip Drive South West Rocks 2431	Roadside area – adjacent to Country Club
<b>171</b>	Council 19884	Lot100 DP854441 Bullocks Quarry Road, Arakoon	Bullocks Quarry
<b>Jerseyville</b>			
<b>146</b>	Heritage 1850449	2930 SWR Road, Jerseyville	Perrot's House
<b>147</b>	Heritage 1850450	Spencers Creek	Spencers Creek Bridge
<b>148</b>	Heritage 1850446	Cnr Main Street & SWR Road, Jerseyville	Old Gaol House
<b>149</b>	Heritage 1850444	8 Main Street, Jerseyville	School Residence
<b>150</b>	Heritage 1850445	10 Main Street, Jerseyville	Old School House
<b>151</b>	Heritage 1850443	30-32 Main Street, Jerseyville	Residence
<b>152</b>	Heritage 1850447	Main Street, Jerseyville	Jerseyville Wharf

<b>153</b>	Heritage 1850448	Main Street, Jerseyville	Fishing Fleet tie-off
<b>174</b>	Heritage 1850360	1194 Pacific Highway	Bellimbopinni School

**At 4.53pm the Works Committee returned to the Civic Centre for its deliberations and Councillor Walker joined the Meeting.**

**2006. W6**

**RESOLVED:**

*Moved: Cl. Sowter  
Seconded: Cl. Walker*

**That item 84 be brought forward and dealt with immediately.**

**84 PROPOSED DWELLING LOT2 DP749884 POINT PLOMER ROAD  
FILE: T6-05-94 TJN {Folio No. 320511}**

**20 W7**

**RESOLVED:**

*Moved: Cl. Sowter  
Seconded: Cl. Walker*

**That the application be approved subject to the following conditions:**

- 1. The development referred to in this application is to be carried out substantially in accordance with the approved development plans as modified by any conditions of this consent.**
- 2. the pool house and tennis pavilion is not approved for or to be used for human habitation, industrial or commercial purposes. It is to be used ancillary to the dwelling house by people residing on site.**
- 3. This consent has been issued on the basis that Council has been appointed as the Principal Certifying Authority and Council has accepted the appointment and will be issuing the construction certificate.**
- 4. This consent does not permit commencement of any works. Works are not to commence until such time as a Construction Certificate has been obtained and the appointment of a Principal Certifying Authority.**
- 5. A Construction Certificate shall not be issued until all relevant conditions of this consent have been complied with.**
- 6. Two days prior to commencing Notice of Commencement of Building or Subdivision work and Appointment of Principal Certifying Authority is to be submitted to Council.**
- 7. The buildings are not to be occupied until all conditions of Council's consent have been complied with to the satisfaction of Council and an Occupation Certificate has been obtained.**
- 8. before the commencement of site works, demolition or building, the following activities must be completed:**

- (a) Installation of soil erosion and sedimentation control devices.
- (b) Installation of safety fencing / hoardings between the property and the street
- (c) Protection barriers for existing trees
- (d) Installation of builder's toilets
- (e) Installation of signage in prominent, visible position including:
  - "Unauthorised site entry is prohibited"
  - Name and phone number of builder or other responsible person for contact outside working hours.

9. Approval is subject to the condition that the builder or person who does the residential building work Complies with the applicable requirements of Part 6 of the Home building Act 1989 whereby a person must not contract to do any residential building work unless a contract of insurance that Complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy Council that they have complied with the applicable requirements of Part 6.

Details are to be submitted to Council prior to work commencing.

10. before work commences, the Council must be informed in writing of the name and contractor licence number of the licensee who has been contracted to do or intends to do the work.
11. All excavation and backfilling are to be executed safely and in accordance with appropriate professional standards, and are to be properly guarded and protected to prevent them from being dangerous to life or property.
12. Compliance with the Building Code of Australia.
- All building work must be carried out in accordance with the requirements of the (BCA).
- A construction certificate shall not be issued until the Principal Certifying Authority (PCA) is satisfied that the plans and specifications comply with the BCA.
13. A Survey Report is to be submitted on completion of the slab to ensure the location of the building is in accordance with the approval issued.
14. Means of implementation of the BASIX certificate are to be submitted prior to release of the construction certificate. Namely how it is proposed to collect all stormwater runoff within the proposed dam.
15. The hours of operation of the construction are to be confined to 7.00 a.m. to 6.00 p.m., Mondays to Fridays, and 7.00 a.m.

to 12 noon, Saturdays.

16. Building materials are not to be stored within the road reserve or any other public place.
17. Excavated material from the site is not to be placed within the road reserve or any other public place.
18. Construction of a vehicular access from the road formation to the property boundary in accordance with Council's Standard for Access to Rural Properties. Applicant is to consult Council's Sustainable Development Services Department for requirements before commencing construction.
19. Engineering details for the driveway are to be submitted and approved prior to release of the Construction Certificate.
20. Submission of a survey showing the location, height, and crown area of all trees within the required asset protection zone (as identified by conditions 26 and 27) for consideration of Council prior to release of the Construction Certificate. Any hollow bearing or potential hollow bearing trees within the area are to be identified by a suitably qualified ecological consultant.

**Planning for Bushfire Protection 2001.**

21. Construction shall comply with AS 3959 - 1999 level 2 "Construction of Buildings in Bushfire Prone Areas".
22. The structure shall incorporate gutterless roofing or leafless guttering to prevent the build up of flammable material.
23. Roller doors, tilt-a-doors and the like shall be sealed to prevent entry of embers into the structure.
24. In recognition of the potentially unreliable reticulated water supply in the area a 5,000litre dedicated water supply tank shall be provided. A 65mm store fitting and ball or gate valve shall be installed in the tank.
25. Access shall comply with section 4.3.2 Planning for Bushfire Protection 2001.
26. The property around the dwelling on the western side to a distance of 25metres shall be maintained as an Inner Protection Area (IPA) as outlined within section 4.2.2 in Planning for Bushfire Protection.
27. The property around dwelling on the northern, eastern and southern sides to a distance of 30 metres shall be maintained as an Inner Protection Area (IPA) and 10metres shall be maintained as an Outer Protection Area (OPA) as outlined within section 4.2.2 in Planning for Bushfire Protection 2001.
28. Prior to issue of the Construction Certificate, an Integrated

Property Management Plan (IPMP) shall be submitted, and approved by Council. The IPMP shall be prepared by a suitably qualified consultant, and shall incorporate the recommendations of the following specialists reports submitted with the application:

- a) EPBC Act 1999 - MNES, Threatened Species Act 1995, SEPP 44 - Koala Habitat Assessments by Darkheart Eco-Consultancy dated January 2004,
  - b) Bushfire Protection Assessment by Conacher Travers dated April 2004.
29. The IPMP shall be certified by each author of the specialist reports as achieving the recommendations contained therein.
30. The IPMP shall, in particular, include:
- a) The identification of the need to remove any hollow bearing or potential hollow bearing trees identified by the survey required by Condition 20, in order to achieve the bushfire protection recommendations. Where there is an identified need to remove any of these trees, the IPMP shall incorporate any additional ameliorative measures recommended by Darkheart Eco-Consultancy (or a suitably qualified ecologist).
  - b) The identification of the limit of clearing required to provide the asset protection zone, and ensure that no clearing beyond this occurs.
  - c) Compensatory vegetation planting of the lower cleared section of the site.
  - d) Retention of the paperbark forest along the drainage line including plantings to extend along the drainage line to the eastern boundary of the lot, and shall include the planting of Forest Red Gum.
  - e) Onsite effluent disposal to be designed to be located as far as practical from the drainage line.
  - f) Surface water run-off from the house site and access road to be directed to appropriate silt traps before entering the drainage line.
  - g) Management of disposal of any cleared vegetation from the site to minimise any impacts on retained vegetation.
31. Implementation of the IPMP prior to the issue of the occupation certificate.
32. The site is to be managed at all times in accordance with the IPMP.
33. Prior to issue of the Occupation Certificate, it will be necessary to create a suitable restricted as to user on the title of the lot
- a) Prohibiting the keeping of dogs
  - b) Requiring management of the site in accordance with the approval Integrated Property Management

**Plan.**

Such restriction shall nominate Kempsey Shier Council as the sole party to vary or modify and be in a form that binds successive owners.

36. Payment of a cash contribution towards the provision of additional open space in accordance with Council's Section 94 Plan for Outdoor Recreation at the rate of \$410 for dwellings on lots which have not been previously paid in accordance with Council's Section 94 Plan prior to issue of the Construction Certificate.

A copy of Council's Section 94 Contribution Plan may be inspected at Council's offices, corner Elbow and Tozer Streets, West Kempsey.

**Advices**

37. All contractors engaged in construction works involving the disturbance to subsurface sediments should be advised of their legal requirements with regard to Aboriginal cultural materials. Under the terms of the National Parks and Wildlife Act 1974 it is illegal for any person to knowingly disturb, deface, damage or destruction of an 'Aboriginal object' without first obtaining written consent to do so from the Department of Environment and Conservation. Should any materials thought to be of Aboriginal origin be detected during any stage of construction, work must immediately cease in their locality. Appropriate management advice should then be sought from both the DEC Northern Zone Cultural Heritage Unit at Coffs Harbour and the Kempsey LALC and Dunghutti Elders Council. Work should not resume in the subject locality until formal written clearance has been given by these organizations.

Councillors Hunt, Green and Gribbin recorded their votes against the foregoing Resolution.

**KEMPSEY SHIRE DRAFT HERITAGE STUDY****FILE: 138**

{Folio No. \*}

**MOVED:**

*Moved: Cl. McWilliam  
Seconded: Cl. Bowell*

That the Heritage Listed items on the Draft Heritage Study where owners have objected be deleted from the Draft Study.

2006. W8

**RESOLVED:**

*Moved: Cl. Gribbin  
Seconded: Cl. \**

**That the MOTION be PUT.**

**The MOTION was PUT to the Meeting and was LOST.**

<b>COUNCIL OPERATIONAL LAND</b> <b>FILE: 840</b>	<b>{Folio No. * }</b>
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**2006: W9**

**RESOLVED:**

*Moved: Cl. Hunt*

*Seconded: Cl. Sowter*

**That consideration of the usage of Council's operational land be deferred for determination at Council's Extraordinary meeting on 20<sup>th</sup> June 2006.**



**CONCLUSION**

**There being no further business the Meeting terminated at 5.41pm.**

