

JRPP No:	Item 2 (2009NTH017)
DA No:	DA0294/2010
PROPOSED DEVELOPMENT	BUNNINGS WAREHOUSE, 1 LOCKHEED STREET, TAMINDA
APPLICANT:	Bunnings Group
REPORT BY:	Tamworth Regional Council
CONTACT:	Catherine Pyne
TELEPHONE:	6581 8538

Assessment Report and Recommendation

EXECUTIVE SUMMARY:

Reason for Consideration by Joint Regional Planning Panel:

The application has been referred to the Joint Regional Planning Panel pursuant to clause 13B(2) of the State Environmental Planning Policy (Major Development) 2005 as:-

- The owner of land on which the proposed development is to be carried out is Tamworth Regional Council; and
- The project has a capital investment value exceeding \$5 million.

Brief Description of Proposal:

The development application seeks approval to the placement of land fill and construction of a building to be used for the purpose of a “Bunnings Warehouse” outlet. The submitted plans are attached to this report as Annexure 1.

Compliance with Planning Controls:

The site is zoned 3(c) Business Development pursuant to the Tamworth Local Environmental Plan 1996. The proposal falls within the definitions of “bulky goods sales room or showroom”, “retail plant nursery” and “shop”, all of which are permissible within this zone, with development consent. The proposal is consistent with the zone objective which is to enable specialised retail uses that require a large floor area close to the Town centre.

Consultation:

The application was advertised and notified in accordance with Council’s Development Control Plan No. 20 – Advertising/Notification of Development Applications. No submissions were received.

Assessment Milestones:

The following table contains information in relation to the timeframes and milestones associated with the application, which are pertinent to the Environmental Planning & Assessment legislative provisions.

Date/s	Milestone	Comments
14/12/2009	Application lodged	Clock started 2 days later (16/12/2009)
21/12/2009 to 18/01/2010	Exhibition period	Council offices closed from 25/12/2009 to 01/01/2010 inclusive
17/12/2009	Referral to RTA under SEPP(I)07	21 day response due 07/01/2010
23/12/2009	Additional information request	Clock paused
29/01/2010	Additional information supplied	Clock restarted
11/02/2010	Determination anticipated	Clock stopped

In summary, the current projected timeframe for the determination of this application is 22 days.

Recommendation:

It is recommended that DA0294/2010 be approved subject to the conditions contained in Attachment 3.

Annexures:

- Annexure 1 Plans
- Annexure 2 DA0322/2010 Subdivision Plan
- Annexure 3 Draft Conditions

1 Proposal

The proposal seeks consent to the development of a “Bunnings Warehouse” on the subject land. To achieve the appropriate site levels relevant to stormwater drainage arrangements, the application includes placement of fill to raise the levels for the main car park by between 300mm and 700mm and to achieve a building floor level of 374.2m AHD (which represents 500mm above the 1 in 20 year flood level). Additionally, the development includes the required amenities (staff toilets and administration offices), landscaping and on-site car parking (437 spaces).

The development has an overall area of 16206m², as described below.

- Main Warehouse (8861m²)
- Timber trade sales (2470m²)
- Main entry to warehouse area (78m²)
- Outdoor nursery (2090m²)
- Bagged goods canopy (nursery) (850m²)
- Bulk trade (949m²)
- Landscape yard (908m²)

The Statement of Environmental Effects nominates that development approval is sought for:-

- *Use of the site for “bulky goods sales room or showroom” and retail plant nursery” purposes, as defined by the LEP;*
- *Carrying out of bulk earthworks to achieve a Finished Floor Level (FFL) above the 1 in 20 year Flood Level;*
- *Erection of a “bulky goods sales room or showroom” building (Bunnings Warehouse) for use by Bunnings, including warehouse / sales area, timber sales / yard area, outdoor nursery, café, playground and ancillary offices and amenities;*
- *Construction and occupation of the proposed Bunnings Warehouse;*
- *Signage on the Bunnings Warehouse;*
- *Ancillary car parking area, landscaping and site works; and*
- *Removal of the existing trees located on the southern and northern boundaries.*

2 Site Description

The subject land comprises Proposed Lot 10 in a subdivision of Lot 3, DP 217032. A development application for the subdivision has been lodged, and development consent is imminent. The applicant has requested that the application for the Bunnings Warehouse be determined on the basis that the subdivision will be registered prior to any development consent becoming operational, as provided for under Section 80(3) of the Environmental Planning & Assessment Act 1979.

Proposed Lot 10 has an area of 4.282 hectares, and has frontage to public roads on all sides: Jewry Street, Lockheed Street, Beaufort Street and Wirraway Street (which will be constructed as a component of the subdivision creating the lot).

The plan of subdivision proposing creation of the development site is the subject of Development Application No.0322/2010. A copy of the plan is attached to this Report as Annexure 2.

Proposed Lot 10 does not contain any buildings, and having previously been used as football fields is grassed. The application nominates that the few trees to the perimeter of the site (maximum of 20 trees of varying maturity) are to be removed.

Diagram 1 below identifies the location of the site relevant to adjacent properties.

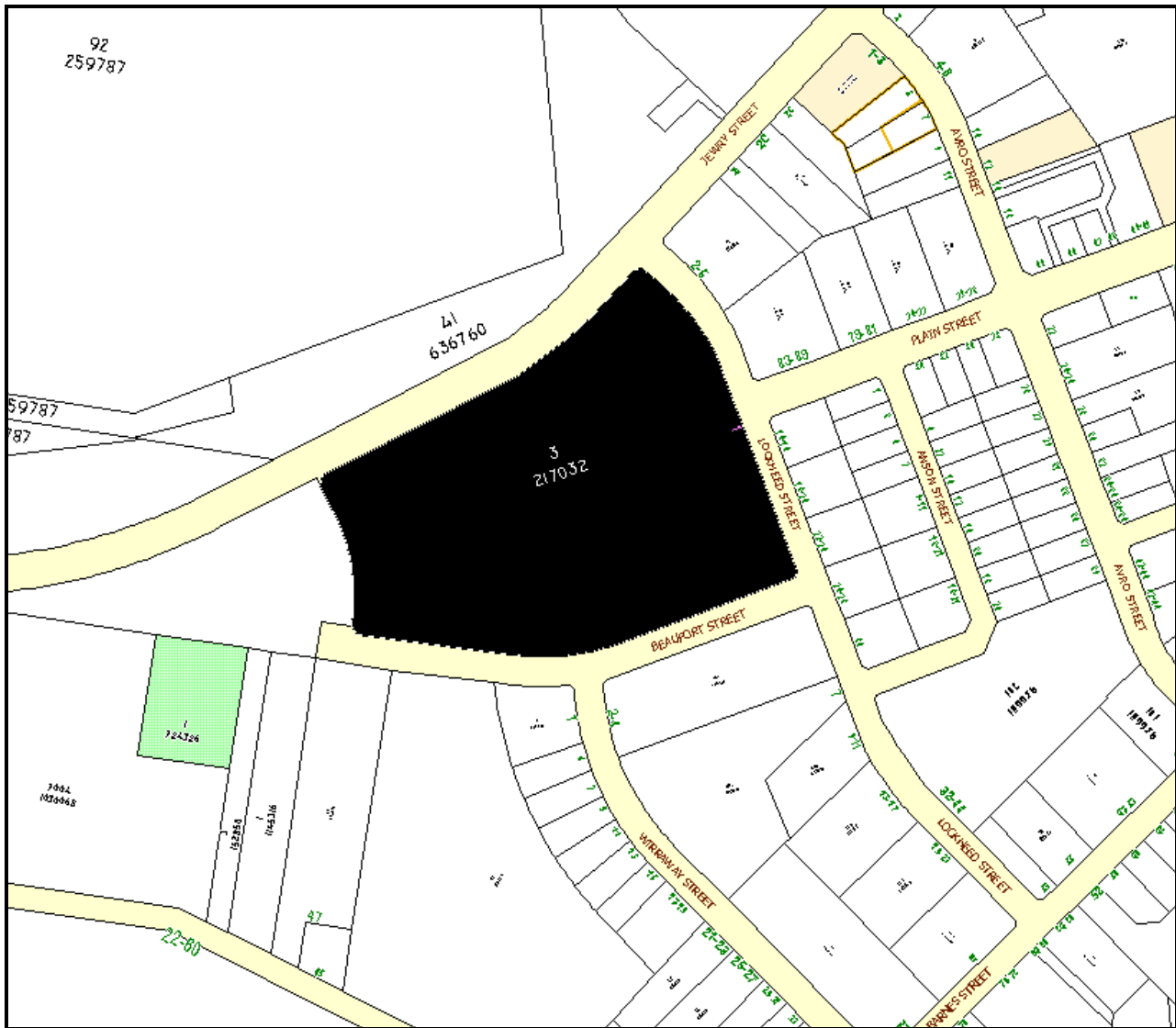


Diagram 1 – Locality Plan

3 Referrals

The application was referred to the Roads and Traffic Authority pursuant to the operation of *State Environmental Planning Policy (Infrastructure) 2007*. The 21-day period for their reply expired on 7 January 2010.

Response from the RTA was received on 1 February 2010. Further comments concerning access, parking and traffic implications are made in Section 4 of this Report.

Internal referrals were also made to internal Council specialists: Development Engineer; Building Inspector; Environment & Health Officer; Horticultural Manager; and, Water Enterprises Engineer.

Their responses are contained within the relevant sections of this Report.

4 Environmental Planning and Assessment Act 1979

In determining a development application, the consent authority must take into consideration matters referred to in Section 79C(1) of the Environmental Planning & Assessment Act 1979 as are of relevance to

the development. The following section of this report summarises the relevant matters for consideration and provides a planning response.

Section 79C(1)(a)(i) any environmental planning instrument

State Environmental Planning Policies

State Environmental Planning Policy No.55 – Remediation of Land

Clause 7 of SEPP55 specifies that the consent authority must give consideration as to the whether land is contaminated before giving consent to any development application.

A Preliminary Site Contamination Report was prepared in October 2009 by Ellis Environmental Services, and submitted in support of the development application. It concludes that no site contamination is likely to be present in the area under consideration.

State Environmental Planning Policy No.64 – Advertising and Signage

- (1) This Policy aims:
- (a) to ensure that signage (including advertising):
 - (i) is compatible with the desired amenity and visual character of an area, and
 - (ii) provides effective communication in suitable locations, and
 - (iii) is of high quality design and finish, and
 - (b) to regulate signage (but not content) under Part 4 of the Act, and
 - (c) to provide time-limited consents for the display of certain advertisements, and
 - (d) to regulate the display of advertisements in transport corridors, and
 - (e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

The Statement of Environmental Effects provides appropriate responses to the Assessment Criteria provided in Schedule 1 to the Policy.

State Environmental Planning Policy (Infrastructure) 2007

Clause 104 of the Policy identifies requirements for developments identified in Schedule 3 to be referred to the Roads and Traffic Authority (RTA) and for the consent authority to take into account any submission made in response to the 21 day notification period. Response from the RTA was received on 1 February 2010, which indicates that the RTA has no objection to the proposed development as it is not considered to have a significant impact on the classified road network.

In additional to the consultation requirement, the Policy also specifies that consideration must be given to:-

- (i) the accessibility of the site, including:-
 - (a) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and
 - (b) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and
- (ii) any potential traffic safety, road congestion or parking implications of the development.

Further comments concerning access, parking and traffic implications are made in Section 4 of this Report.

State Environmental Planning Policy (Major Development) 2005

The purpose of this Policy is to identify development for which regional panels are to exercise specified consent authority functions.

In this case, the proposal comprises development nominated in clause 13B(2) of the Policy, and therefore, the Joint Regional Planning Panel is the consent authority for the application.

Regional Environmental Plans

There are no regional environmental plans that apply to the land.

Local Environmental Plans

The subject land is zoned 3(c) Business Development pursuant to the provisions of the Tamworth Local Environmental Plan 1996. The proposal comes within the range of three definitions - "bulky goods sales room or showroom", "retail plant nursery" and "shop". The first two are identified as permissible uses, with development consent, in the development control table for Zone 3(c) Business Development. The land use of a "shop" is specified as a prohibited land use, unless ancillary to development permitted in the zone or catering to the local needs of the area.

The definition has been applied to the café component of the development, which is clearly ancillary to the primary use of the premises as a "bulky goods sales room or showroom" and "retail plant nursery". The café will service customers and staff.

The general objective of this zone is to enable a mix of business and warehouse uses, and specialised retail uses that require a large floor area, in locations that are close to, and that support the viability of centres.

The proposal satisfies the objective in that the development is a retail use that requires a large floor area, and the nature of the development is such that a significant proportion of the operation is directed to public sales instead of trade. It is for this reason that Bunnings seek to establish close to the Tamworth CBD and in a location that is accessible and central to the broader Tamworth urban area.

Section 79C(1)(a)(i) any draft environmental planning instrument that is or has been placed on public exhibition

The Draft Tamworth Regional Local Environmental Plan 2009 was exhibited from 14 July to 25 August 2009. Under the Draft Plan, the land is proposed to be zoned B5 Business Development. The development includes uses which may be defined as "bulky goods premises", "food and drink premises", "landscape and garden supplies" and "timber and building supplies", all landuses that are permitted with development consent in the B5 zone.

The zone objective for Zone B5 Business Development is the same as that for Zone 3(c) Business Development under the Tamworth LEP 1996, which has been satisfied.

The Draft Plan provides a maximum Floor Space Ratio of 1:1 for this site, which is satisfied.

Section 79C(1)(a)(iii) any development control plan

Tamworth Development Control Plan No. 1 – Traffic and Parking Guidelines

This Plan provides guidance to the number of parking spaces required to support different forms of development, the associated design guidelines, and promotes safe and efficient use of traffic and parking facilities.

A “*Traffic Impact Assessment*” was prepared by Better Transport Futures and submitted in support of the development application. It concludes that “*traffic and access arrangements for the proposed development proposal are satisfactory, subject to detailed design and approval by Council.*”

In relation to the relevant assessment criteria contained within the Plan, a planning response is provided.

7.1 Calculation of parking requirements

Using the parking rates assigned to specific landuses, as provided in Appendix 1 to the Plan, 344 car parking spaces are required to service the development. The proposal includes provision for 457 on-site car parking spaces, including trailer bays (double length spaces) and disabled spaces located adjacent to store entry points.

The proposed on-site car parking provisions are considered satisfactory.

11.0 Loading/Unloading requirements

The nature of this operation relies on B-double delivery vehicles being able to access the site. The design of the proposal is such that a clear separation is made between the delivery vehicles and others, specifically customers, accessing the site. B-doubles will manoeuvre in a one-way flow through the rear of the site off Wirraway Street. Designated unloading zones are clearly delineated within the Goods Inward Yard.

12.1 Access to the site

With all delivery vehicles being directed to the Wirraway Street site access, two other combined entry/exit points to the site are proposed, in Lockheed Street and Beaufort Street. This arrangement is supported from a traffic management and traffic safety perspective.

12.2 Sight distances

The position of the access points provides clear sight distances for vehicles entering and leaving the site.

12.3 Entrance/exit to the site

The arrangements meet the design guidelines in terms of the widths and number of access points. The submitted plans identify pavement markings and median islands which extend into the public road reserve. This has been the subject of a request for further information from the applicant, who has confirmed that these components will be contained within the development site.

A condition should be included to reinforce this requirement.

12.4 Angle of vehicle crossings

The vehicle crossings for the public parking areas are all provided at right angles to the site boundaries. The crossing to the rear delivery access is angled to permit the smooth entry of B-Double size delivery vehicles. As this area will not be used by the public, and Wirraway Street will not contain any more than very minor pedestrian flows, the arrangements are considered satisfactory.

12.5 Location of parking areas

The parking areas are consistent with the design guidelines.

12.6 Parking Space and aisle dimensions

The Traffic Impact Assessment Report notes that the layout of the car parking meets the provisions of AS2890.

12.7 Special Requirements

Parking spaces for disabled persons are appropriately located adjacent to entry points to the various store components.

Designated trailer parking bays are also provided in the vicinity of the Timber Sales/Bulk Trade Area. The configuration of the car parking layout provides opportunity for additional trailer parking area, if required.

12.8 Width of Internal Roads

Complies, all aisle widths are designated as 7.2 metres, well in excess of the minimum 6.0 metres width required by the Plan.

12.9 Pavement Design

Complies, appropriate conditions may be imposed to identify the necessity for the hardstanding areas to be maintained.

12.10 Landscape Design

The submitted plans incorporate landscaping into the parking areas. Council's Manager of Horticulture reviewed the planting schedule and provided the following comments:—

- The car park trees will require protection from vehicle impact;
- The car park trees, at 6 metres height, will provide minimal shade;
- *Acer negundo* will not perform well in the extreme hot conditions of a Tamworth summer, and has prolific seed and sucker growth; and
- Root guards should be installed on all tree plantings.

In summary, the landscaping details are inadequate to allow approval to be granted to this component. While the overall landscaping principles are acceptable, much further detail, and consideration of appropriate species, planting densities and methodology is required. It is considered that this detail should be submitted and approved by Council prior to the issue of a Construction Certificate for the building works.

12.22 Visual Guidance

Appropriate conditions may be imposed to specify the installation of appropriate signage and pavement markings.

Tamworth Development Control Plan No. 9 – Outdoor Lighting Guidelines

The Statement of Environmental Effects claims compliance with the required standards. A condition may be imposed which specifies that certification that the external lighting associated with the development will meet the Plan is to be submitted prior to issue of the Construction Certificate for any building works.

Tamworth Development Control Plan No. 18 – Interim Flood Management Guidelines

The subject land is identified as being subject to inundation by floodwaters and therefore as being subject to the provisions of this Plan. However, the completed Taminda levee provides protection to the subject land during a 1 in 100 year flood event, with a 1.0 metre freeboard.

Consequently, no further consideration needs to be given to the Plan.

Tamworth Development Control Plan No. 20 – Advertising/Notification of Development Applications

The application was both advertised and notified to adjoining property owners. The usual exhibition period of fourteen (14) days was extended, commencing on 21 December 2009 and closing on 18 January 2010, due to its coincidence with the School Holiday Period. This is usual practice.

The exhibition was undertaken in accordance with the provisions of the Plan.

Section 79C(1)(a)(iia) any planning agreement

None apply.

Section 79C(1)(a)(iv) the regulations (to the extent that they prescribe matters for the purpose of this paragraph)

There are no matters applicable to this application.

Section 79C(1)(b) the likely impacts of the development

The development is considered to be satisfactory in terms of its scale, built form and landuse. The applicant seeks a site on which to develop a much larger operation than the existing store, within close proximity of the City Centre.

Context and Setting

The development site is on the fringe of the existing Taminda (Tamworth Industrial Area) precinct. The proposal will provide a transition from the existing uses which are more industrial in nature, to the south and east of the site, to the recreational precinct opposite in Jewry Street which is designated for establishment of the Tamworth Regional Racing Precinct. Land to the west was also zoned B5 Business Development in accordance with the Taminda Revitalisation and Economic Development Strategy.

Access, transport and traffic

A Traffic Impact Assessment has been prepared and submitted in support of the development application. As acknowledged, Tamworth Regional Council commissioned an Independent Traffic Study, as a component of the Taminda Revitalisation and Economic Development Strategy. This Study was prepared by GHD.

The conclusions of the GHD Study are at odds with the Better Transport Futures Study in terms of the suitability of the Jewry Street/Lockheed Street intersection.

Based on the traffic movements proposed to be generated by the Bunnings Development, Council's Development Engineer has concluded that it will be necessary for a roundabout to be installed at this intersection to achieve the appropriate level of service. Additionally, as the Wirraway Street/Jewry Street intersection will be primarily for the purpose of Bunnings Delivery vehicles, a Modified "Type B" Right Turn Treatment will be required for this intersection.

Otherwise, the access, parking and traffic implications of the proposal are satisfactory, and may be confirmed by the imposition of conditions specifying such matters as pavement markings, signage, landscaping arrangements, and the like.

Public Domain

Not relevant to this application.

Utilities

It is important to reiterate that the applicant has sought consent to the development on the basis of a "deferred commencement consent", subject to the registration of the plan of subdivision creating the development site. Provisions of the utility services of water, sewer, stormwater drainage, electricity and telecommunications will all be required in conjunction with the subdivision of the land.

The development as proposed will require some additional works specific to its requirements and these should be considered beyond the general servicing requirements of the subdivision.

Council's Development Engineer and Water Enterprises Engineer have reviewed the proposal. The utility services of sewer, water and stormwater drainage are available to the development. Appropriate conditions relating to extension of the services have been identified.

Heritage

There are no items of the environmental heritage identified in the locality that would be affected by the proposed development.

Other land resources

The use of this land for the intended purpose is appropriate and consistent with the Strategic Investigation which comprises the Taminda Revitalisation and Economic Development Strategy.

Water

The Statement of Environmental Effects notes that Bunnings have a Water Sustainability Policy which reduces water usage by such measures as: rainwater harvesting; hand watering of plants; and, waterless urinals.

Soils

Potential land contamination and geotechnical investigations were undertaken as part of the site planning and accompany the Statement of Environmental Effects. These do not identify any issues of poor soil quality.

Air and Microclimate

It will be necessary to implement appropriate measures for the construction phase, particularly as the development involves site filling. This may be addressed by requiring a Construction Management Plan to be submitted and approved, prior to the commencement of any site works.

Once completed, the operational phase of the undertaking will not pose any further issues in relation to air quality and microclimatic conditions.

Flora and fauna

The site has largely been cleared of shrubs and trees to allow its use for sporting fields. There are some trees to the perimeter of the development site (fewer than 20) that will have to be removed to facilitate site filling and construction. The landscaping plan proposes significant tree planting which will compensate for the removal of these trees.

The sparse nature of the existing trees and the activity previously conducted at the site leads to a conclusion that these do not provide a habitat that requires further investigation.

Waste

Suitable arrangements for waste collection and storage have generally been noted. A condition may be imposed which specifies that a Waste Management Plan be prepared and submitted for Council's approval, prior to the occupation of the building.

Energy

Section J of the Building Code of Australia applies to the development. This requires that consideration be given to energy efficiency as a component of the Construction Certificate documentation.

Noise and Vibration

The land filling and compaction requirements will result in further noise and vibration impacts than that normally expected in conjunction with construction activities. This issue should be addressed as a component of the Construction Management Plan, including mitigation and restoration measures where identified as necessary. The Construction Management Plan will have to be submitted and approved prior to the commencement of works on the site.

Technological hazards

There are no known technological hazards that affect this site, or require any further consideration.

Safety, security and crime prevention

Council has a Protocol with the Oxley Local Area Command of the New South Wales Police Force in relation to the implementation of Crime Prevention Through Environmental Design (CEPTED) principles. With changes in nominated staff and availability of officers, the present arrangements involve the notification of all new development applications to the Crime Prevention officer based at Tamworth Police Station. Applications that the Officer wishes to review are "called up".

This application was not requested.

Social impact in the locality

It is not anticipated that the proposal will have any social impact on the locality, primarily due to the nature of the development and the characteristic of the neighbourhood.

Economic impact in the locality

The development is likely to represent a significant positive economic impact on the locality. Apart from the construction investment in the Precinct, the nature of the development has the potential to create flow-on activity for other construction and manufacturing businesses.

Site design and internal design

The site has been designed to maximise the exposure/profile of the development to the Jewry Street frontage, while segregating delivery and customer traffic and providing clear and easy access and parking facilities to the premises. The integration of landscaping to both the perimeter of the site and throughout the large car parking area result in a development that is both functional and attractive.

Construction

Some conditions have been identified to manage the construction impacts, in terms of hours of activity and appropriate signage and site management. It has been identified that a Construction Management Plan will be required to deal with other construction impacts, such as dust, noise, vibration, erosion and sediment control and waste management.

Cumulative impacts

There are no cumulative impacts that would warrant refusal of the applicant. Those impacts that have been identified can be successfully managed by the imposition of appropriate conditions and site/construction management.

Section 79C(1)(d) any submissions

The development application was publicly advertised and adjoining landowners informed of the proposal. No submissions were received in response to the public exhibition processes.

Section 79C(1)(e) the public interest

There are no matters of the public interest that require any further comment.

4 Recommendation

The application has been assessed in accordance with the requirements of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000. The evaluation demonstrates that the proposal is satisfactory in terms of the matters for consideration identified in the legislation.

It is recommended that the proposal be granted conditional development consent.

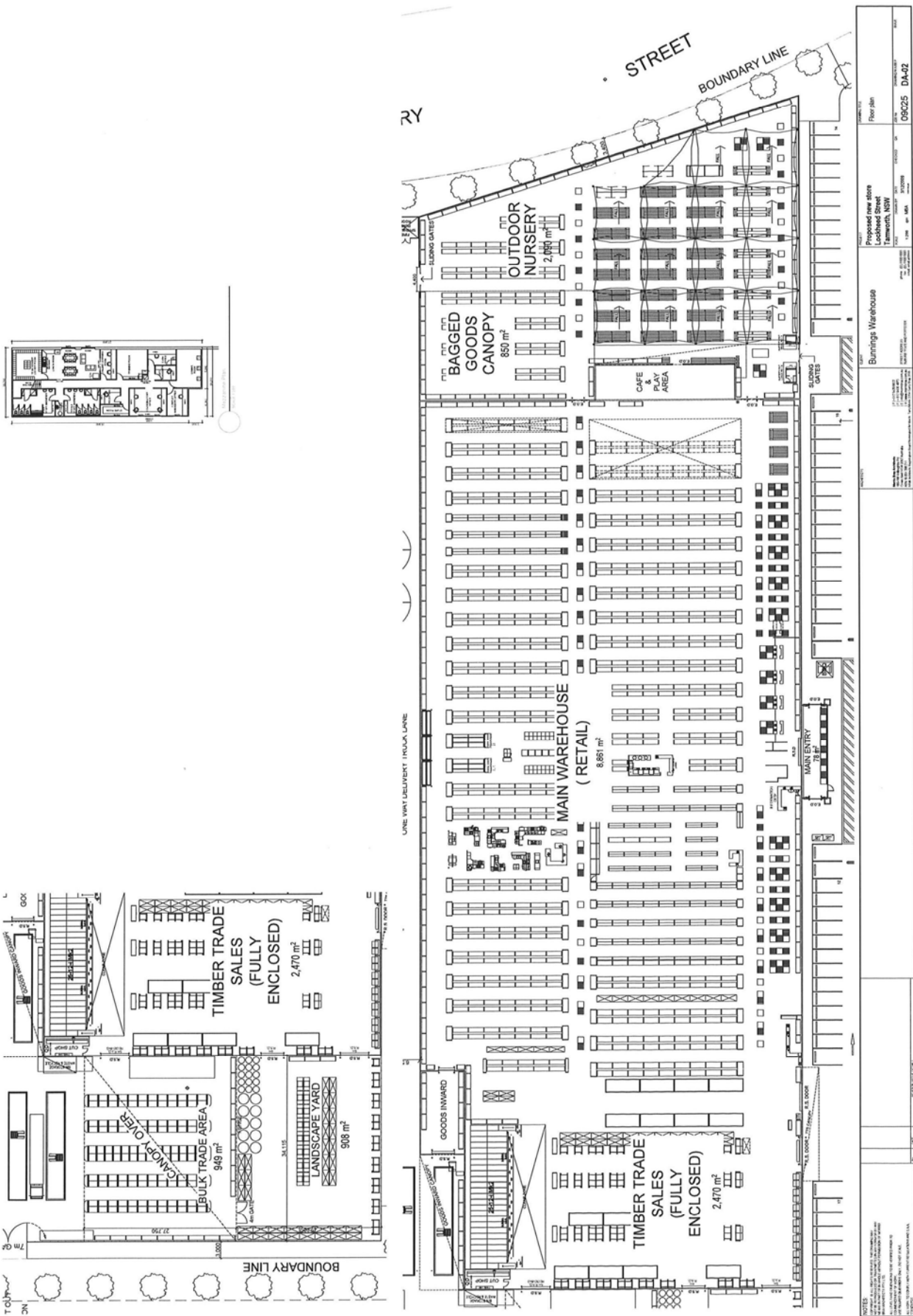
Catherine Pyne
Team Leader Development Assessment

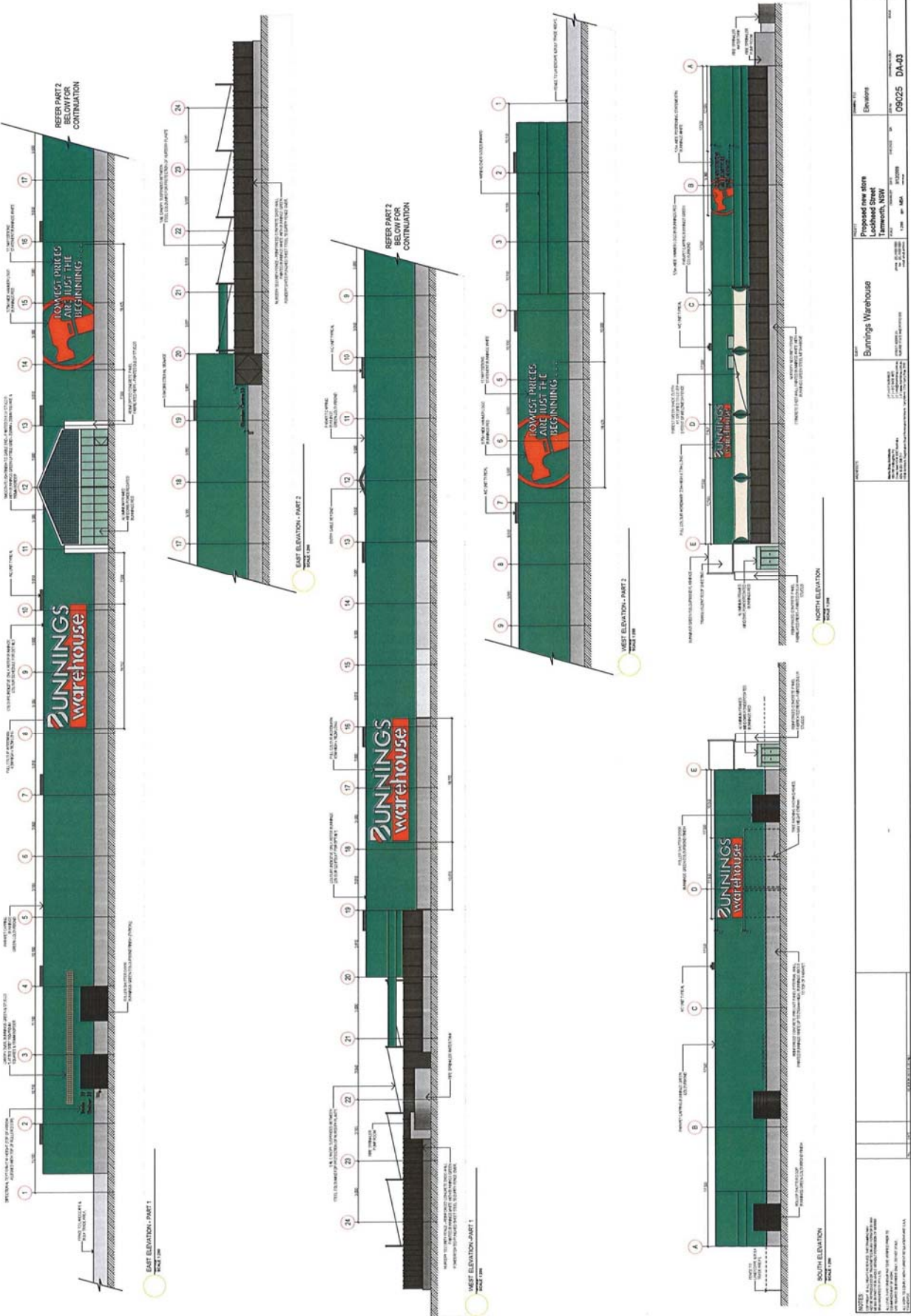
Alison McGaffin
Director, Environment, Planning and
Economic Development

3 February 2010

Annexure 1 – Development Plans

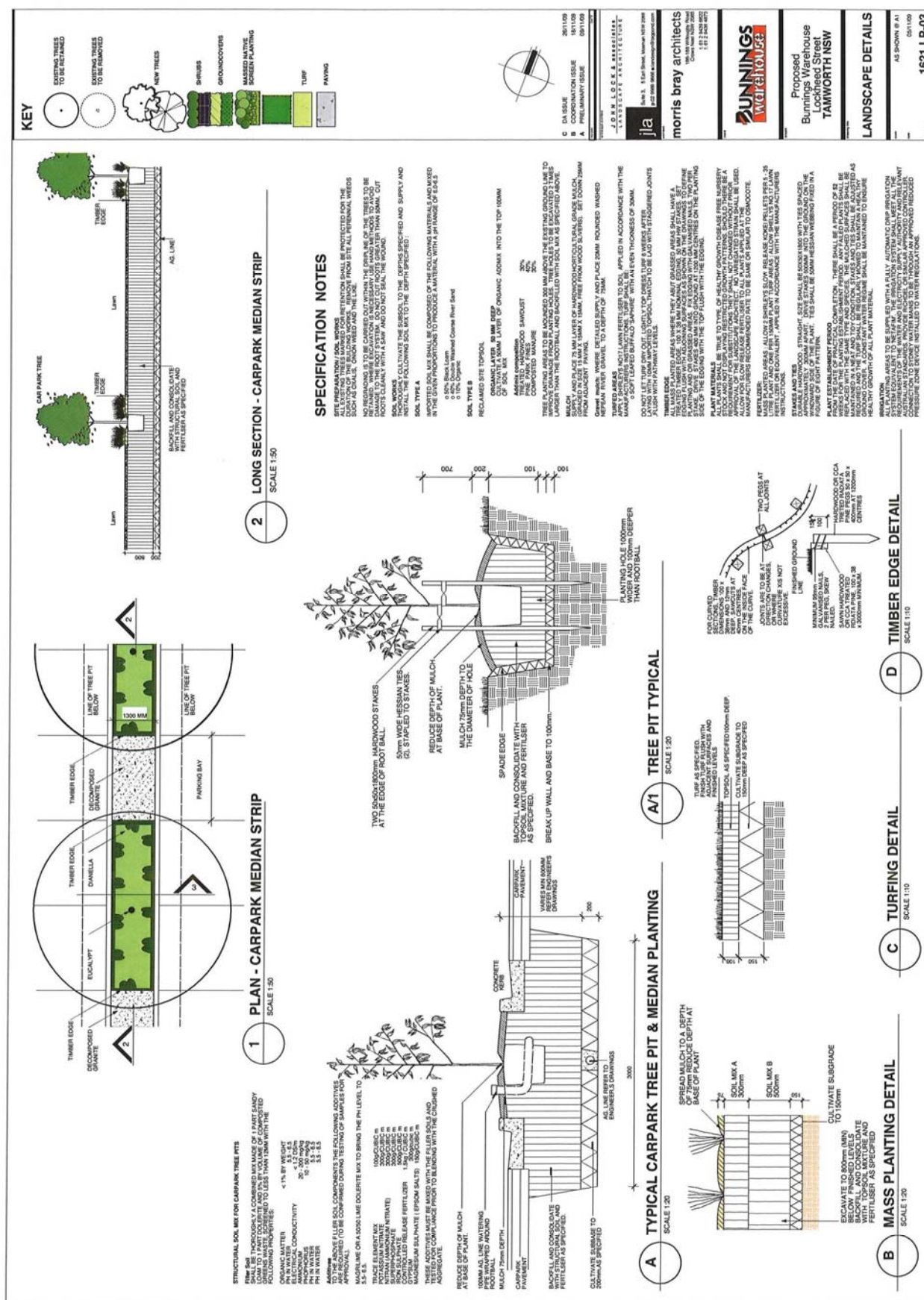






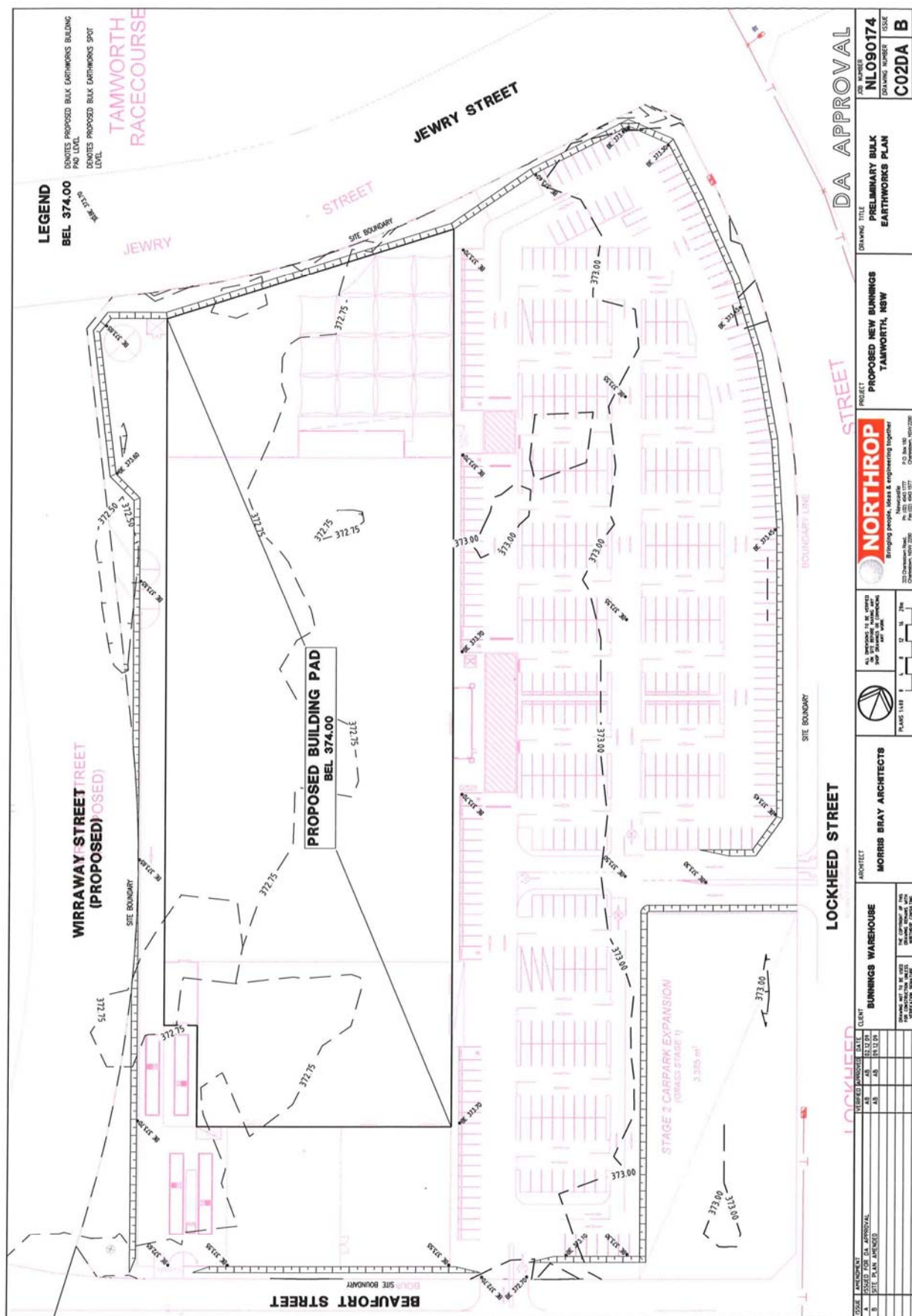


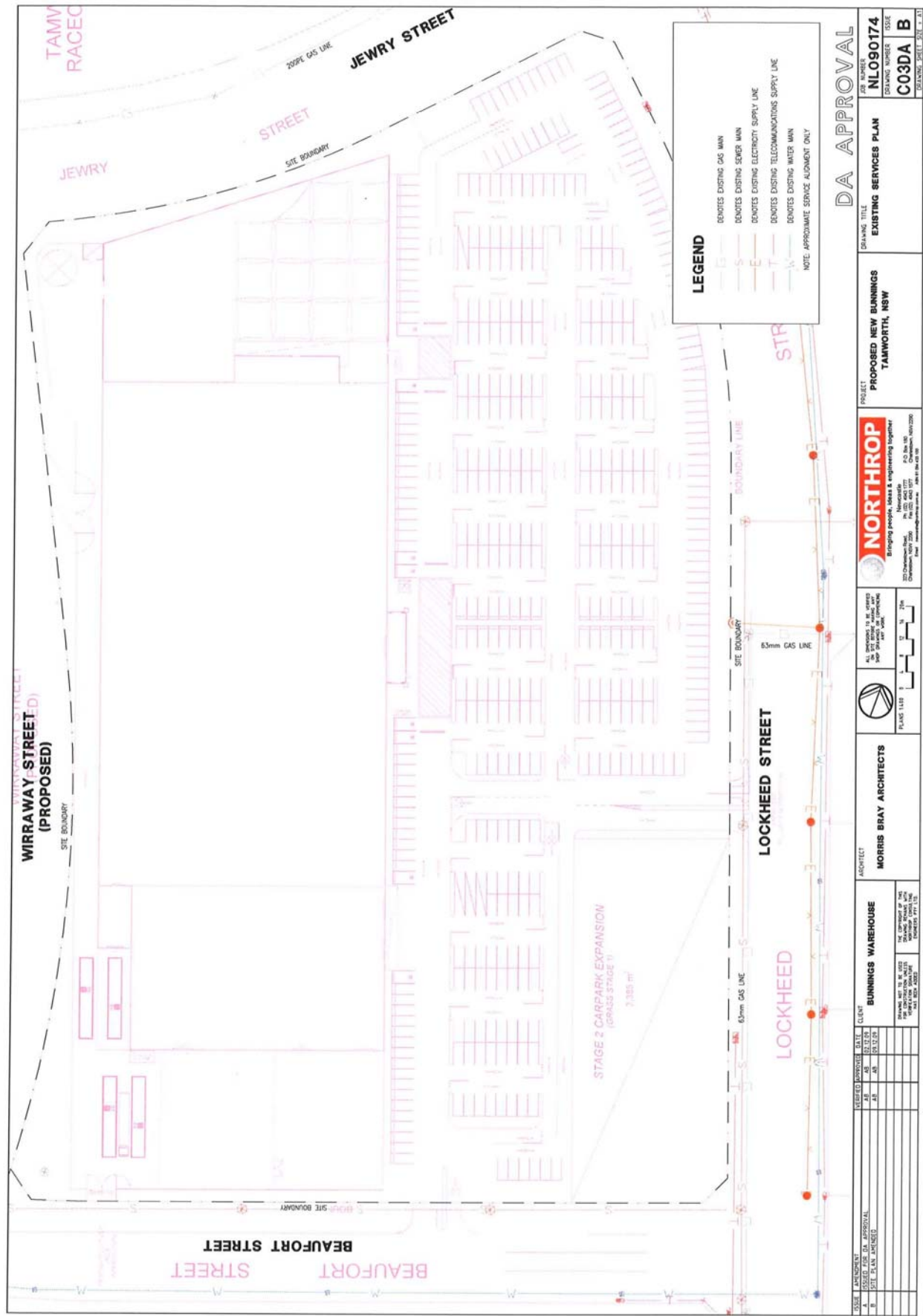




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NOTES:

- DIMENSIONS AND AREAS ARE APPROXIMATE ONLY AND ARE SUBJECT TO FINAL SURVEY.
- THIS PROPOSAL IS SUBJECT TO THE FORMAL APPROVAL OF TAMWORTH REGIONAL COUNCIL.
- EASEMENTS MAY NEED TO BE CREATED OVER PARTS OF LOT No.s 10 & 11.
- THE LAND IS CURRENTLY ZONED 1(a) FUTURE INVESTIGATION IN THE TAMWORTH LOCAL ENVIRONMENTAL PLAN 1996.

TAMWORTH RACECOURSE

JEWRY STREET

LOCKHEED STREET

PLAIN STREET

ANSON STREET

BEAUFORT STREET

WIRRAWAY STREET

CEMETERY

LOT 3 DP 217032

LOT 10 4.282 ha

LOT 11 2.973 ha

LOT 87 DP 235870

LOT 94 DP 238386

LOT 95 DP 569043

LOT 1 DP 633198

LOT 2 DP 633198

LOT 4 DP 217032

LOT 63

LOT 64

LOT 65

LOT 66

LOT 67

LOT 82 DP 235779

LOT 212 DP 874503

LOT 1 DP 568907

REFERENCE L1488

DATE 27th NOVEMBER, 2008

DATUM LEVEL BOOK -

SHIRE/CITY TAMWORTH REGIONAL

LOCALITY TAMINDA

PARISH CALALA

COUNTY PARRY

SCALE A1 0 10 20 30 40 50 1:1000
A3 0 20 40 60 80 100 1:2000

PROJECT PLAN OF PROPOSED SUBDIVISION OF LOT 3 IN DP 217032

CLIENT TAMWORTH REGIONAL COUNCIL

BROWN & KRIPPNER PTY. LTD.
CONSULTANTS IN SURVEYING, TOWN PLANNING
CIVIL ENGINEERING DESIGN AND PROJECT MANAGEMENT
84 BRISBANE STREET, TAMWORTH 2340
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DRAWING No. 1488A01 SHEET 1 OF 1 SHEETS VER. A

CHECKED	JW	REGISTERED SURVEYOR
DRAWN	JC	
DESIGN		
INITIALS	DATE	

DATE	REVISION	INITIAL ISSUE	REMARKS
27 NOV 08	A		

Annexure 3 – Proposed Conditions

Deferred Commencement Matter

Prior to this consent becoming operational, and as provided for by Section 80(3) of the Environmental Planning & Assessment Act 1979, documentary evidence is to be submitted which confirms registration of the Land Title for Proposed Lot 10 in a Subdivision of Lot 3, DP 217032 pursuant to Development Application No.0322/2010.

Prior to Work Commencing

1. Pursuant to s.81A of the Act, the following matters must be satisfied prior to the commencement of work:-
 - (i) obtain a construction certificate from either Council or an accredited certifier; and
 - (ii) appoint a Principal Certifying Authority (and advise Council of the appointment, if it is not the Council).
2. A licensed plumber and/or drainer shall obtain a permit prior to the commencement of work of water supply and/or sanitary plumbing and drainage.
3. A sign is to be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out stating that unauthorised entry to the work site is prohibited and showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours. The sign is to be removed when the work has been completed. This condition does not apply to building work carried on inside an existing building, or building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is carried out.
4. Toilet facilities are to be provided, prior to the commencement of work, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out.

Facilities are to be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be a standard flushing toilet, and must be connected to a public sewer. If connection to a public sewer is not practicable, then the toilet is to be connected to an accredited sewage management facility approved by the council. If connection to a public sewer or an accredited sewage management facility is not practicable, then connection to some other sewage management facility approved by the council is required.

5. Traffic Control Plans are to be prepared by a certified and approved person in accordance with AS1742.3-1996 and the Road and Traffic Authority's current version of the "Traffic Control at Worksites" Manual.
6. An Erosion and Sediment Control Management Plan shall be prepared by suitably qualified persons, for approval by Council, prior to the commencement of any construction.

Erosion and sediment controls for the construction works are to be installed and approved by Council before any site works begin, and maintained effectively for the duration of the construction works.

7. A Traffic Management Plan (TMP) shall be prepared by suitably qualified persons which specifically address the haulage route, expected tonnages and vehicle sizes with regard to the importation of fill required for the development. The TMP shall be submitted to Council and approved prior to the commencement of any construction works. The nominated haulage route/s are to be located away from residential areas and school zones where possible.
8. A site specific Earthworks Plan shall be prepared by a suitably qualified and experienced geotechnical engineer in order to determine the most appropriate and suitable procedure for earthworks operations for the allotment filling required to raise the site to the required subgrade levels. This report shall include drawings/specifications which shall clearly indicate the depth and location of proposed filling. Matters to be taken into consideration in the report include drainage, fill material standards, compaction standards, dust control and impact on adjacent lands.

The Earthworks Plan shall be submitted to and approved by Council prior to the commencement of any works.

9. A minimum of one (1) weeks notice, in writing, of the intention to commence works on public land is required to be given to Council together with the name of the principal contractor and any major subcontractors engaged to carry out the works.
10. The contractors engaged on the development must maintain public liability insurance cover to the minimum value of \$20 million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Documentary evidence of the currency of the policy shall be provided to Council prior to the commencement of work and upon request, during the progress of the work.
11. Prior to construction of the café and food production areas a plan will be required to be submitted and approved by Council detailing the layout of the café, including location of equipment, all sink locations, and wall, floor and ceiling construction details.
12. Pursuant to Section 68 of the Local Government Act 1993, the following approvals must be obtained from Council prior to the issue of a Construction Certificate:-
 - (i) Carry out water supply works;
 - (ii) Carry out sewerage works;
 - (iii) Carry out stormwater drainage work; and
 - (iv) Dispose of waste into a sewer of the Council (Trade Waste).
13. Prior to landscape works commencing, a Landscape Design Plan shall be submitted and approved. The Plan is to include details of species, planting densities, methodology and placement.

Prior to Issue of a Construction Certificate

14. A compliance certificate under Section 306 of the Water Management Act 2000 must be obtained from the Council (as the local water supply authority) prior to the issue of a Construction Certificate. All infrastructure design, including engineering drawings and construction specifications for water and sewer supply (prepared in accordance with Council's Engineering Guidelines for Subdivisions and Developments), must be approved and payments for water and sewer headworks contributions made prior to the issue of the compliance certificate.

15. An Erosion and Sediment Control Management Plan prepared in accordance with the relevant sections of the Department of Housing Manual "Soil and Water Management for Urban Development", and Council's current Engineering Guidelines for Subdivisions and Developments shall be submitted to and approved by Council with the application for Construction Certificate.

The plan shall include :

- (i) Measures to prevent site vehicles tracking sediment and other pollutants from the development site;
- (ii) Dust control measures;
- (iii) Control structures such as sediment basins, sediment fences and sediment traps to trap sediment and allow filtered water to pass through;
- (iv) Safety measures for temporary and permanent water bodies including fencing and maximum batter slopes;
- (v) Contingencies in the event of flooding.

The erosion and sediment control measures shall be provided to avoid damage to the environment during construction and are to be maintained throughout the construction of the development.

16. Detailed engineering drawings specific to the works and prepared in accordance with Council's Engineering Guidelines for Subdivisions and Developments, are required for the following, as a minimum, to ensure all works are designed and constructed in accordance with recognised and accepted standards and guidelines:-

- (i) Stormwater drainage;
- (ii) Carparks and internal roads;
- (iii) Roundabout construction at the intersection of Jewry Street and Lockheed Street;
- (iv) Intersection upgrade at Jewry Street and Wirraway Street;
- (v) Erosion and Sedimentation Control;

The engineering drawings including stormwater drainage calculations shall be submitted to Council for approval prior to the issue of a Construction Certificate.

All engineering drawings and specifications are to be certified by a Chartered Professional Engineer or a registered Consultancy.

17. A pavement design report, including geotechnical test results, for the roundabout at the intersection of Jewry Street and Lockheed Street and the intersection upgrade at Jewry Street and Wirraway Street, shall be prepared that demonstrates compliance with the Australian Road Research Board" Special Report 41" and shall be submitted for approval by Council to ensure that the minimum requirements of Council's Engineering Guidelines for Subdivisions and Developments have been met.
18. Prior to issue of a construction certificate, certification shall be submitted which confirms that all external lighting satisfies the provisions of Tamworth Development Control Plan No. 9 – Guidelines for Outdoor Lighting and AS4282: Control of the obtrusive effects of outdoor lighting.
19. Prior to the issue of a construction certificate, a Construction Management Plan is to be submitted and approved by Council. The plan is to identify the methodology of managing all construction impacts, including those generated from the fill placement and building works.

General

20. The development must be carried out in accordance with the Development Application and accompanying plans, drawings and other documents as amended by conditions of this consent.
21. All proposed building, site works or property improvement indicated on the submitted plans or otherwise required under the terms of this consent shall be completed prior to occupation of the premises to ensure compliance with the provisions of the Environmental Planning and Assessment Act, 1979.
22. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
23. To restrict entry of termites to the timber structure of the building, the building is to be protected from subterranean termites in accordance with Building Code of Australia except that a hand-sprayed chemical barrier will not be accepted unless a reticulation system is incorporated in accordance with Council's Policy. Council is to be informed of the proposed method of protection and, where applicable, should be supplied with certification from the installer.
24. The Developer is responsible for any costs relating to minor alterations and extensions of existing roads, drainage and Council services for the development.

Stormwater

25. All roof water and surface stormwater discharging from the proposed development site, buildings and works must be conveyed by underground pipe drains complying with AS3500.3 to the satisfaction of Council. No effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system.

In this regard, stormwater discharge from the site shall be as follows and generally in accordance with the Concept Stormwater and Levels Plan (C01_DA) provided with the Development Application:-

- (i) The surface stormwater discharging from the carpark, access driveway and loading dock areas are to be directed to the underground drainage system within Jewry Street, Beaufort Street and Wirraway Street. Water quality treatment devices shall be required for the development for runoff derived onsite prior to discharge from the site and connection to Council's underground drainage system. (Note: The underground stormwater infrastructure in Jewry Street, Beaufort Street and Wirraway Street shall be constructed as part of the subdivision of land under a separate Development Consent.);
- (ii) A purpose built underground treatment tank collecting runoff from the outdoor garden area in the warehouse shall be constructed and located at the north eastern end of the site; and
- (iii) All roof waters from the development site are to be collected and stored for reuse (irrigation and washdown) in a new underground reuse tank to be located at the north eastern corner of the site.

The stormwater discharge drainage system must be constructed to comply with the following requirements as a minimum:-

- (i) All plumbing within the site must be carried out in accordance with relevant provisions of Australian Standard AS/NZS 3500.3 – 2003 Plumbing and Drainage – Stormwater Drainage;
- (ii) Temporary down pipes shall be connected as soon as the roof has been covered so as to not cause a nuisance to adjoining properties;
- (iii) All surface flow paths must have a practical and satisfactory destination with due consideration to erosion and sediment control during all stages of development; and
- (iv) Any interruption to the natural overland flow of stormwater drainage which could result in the disruption of amenity, or drainage or deterioration to any other property is not permitted.

Traffic and Parking

- 26. All internal driveways, parking areas, loading bays and vehicular turning areas to be constructed with a base course of adequate depth to suit design traffic, being sealed with either asphaltic concrete, concrete or interlocking pavers and being properly maintained to facilitate the use of vehicular access and parking facilities and to minimise any associated noise and dust nuisance. Full details of compliance are to be included on the plans accompanying the Construction Certificate application.
- 27. Vehicle crossings shall be provided at the following locations and in accordance with the plans submitted with the Development Application:-
 - (i) Lockheed Street for ingress and egress to the carpark;
 - (ii) Beaufort Street for ingress and egress to the carpark;
 - (iii) Wirraway Street for ingress only to the “goods inward yard”; and
 - (iv) Beaufort Street for egress only from the “goods inward yard”.
- 28. Vehicle crossings shall be constructed in accordance with Council’s current Engineering Guidelines for Subdivisions and Developments to the satisfaction of the Responsible Authority, before the use is commenced or building occupied and shall comply with the following:-
 - (i) The alignment of the driveways across the verge in Lockheed Street and Beaufort Street shall be at right angles to the kerb;
 - (ii) The alignment of the driveway across the verge in Wirraway Street shall be designed such that vehicles travelling north along Wirraway Street are prevented from accessing the site;
 - (iii) Any proposed vehicular crossing shall have satisfactory clearance to any drainage pit, power pole or telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the Developer’s expense;
 - (iv) The vehicle crossings shall have adequate pavement depth to accommodate the likely traffic generated on the lot and shall be paved. The paving shall consist of either asphaltic concrete, concrete or interlocking pavers; and
 - (v) The footpath from the back of the kerb and gutter to the property boundary shall be between 2% and 6% falling to the kerb line. The design of the driveway shall be undertaken to ensure that the access is suitable for all types of vehicles.

29. All parking and loading bays shall be permanently marked out on the pavement surface and being clearly indicated by means of appropriate signs to facilitate the orderly and efficient use of onsite parking and loading/unloading facilities.
30. All traffic management facilities (including medians and linemarking) are to be contained within the development site.
31. The direction of traffic movement within the site shall be clearly indicated by means of suitable signs and pavement markings to ensure that clear direction is provided to the drivers of vehicles entering and leaving the premises in order to facilitate the orderly and efficient use of on-site parking and driveway access and in the interest of traffic safety and convenience.

Roads

32. A new roundabout shall be constructed at the intersection of Jewry Street and Lockheed Street to cater for the increased traffic demand at this location as a result of the development.
33. The intersection of Jewry Street and Wirraway Street shall be upgraded to a Modified "Type B" Right Turn treatment as per the ATTACHED plan to cater for the traffic demand at this location as a result of the development.

Allotment Filling

34. All allotment filling shall meet the requirements of AS3798 (as amended) – Guidelines on Earthworks for Commercial and Residential Developments.
35. Certification of the allotment filling shall be provided by a geotechnical testing authority registered under NATA. The testing authority shall be required to certify whether the fill complies with the requirements of AS3798 (as amended) – Guidelines on Earthworks for Commercial and Residential Developments, as controlled fill.
36. Where allotment filling has been carried out, the Works-As-Executed (WAE) plans shall indicate the contours prior to and after filling and also the compaction test results.

Site Levels to Mitigate against Flooding

37. In accordance with the engineering report submitted with the Development Application, the proposed levels for the main carpark are to be between 300mm and 700mm above the existing ground levels.
38. In accordance with the engineering report submitted with the Development Application, the proposed building floor level of the warehouse is to be 374.20m AHD which corresponds to 500mm above the 1 in 20 year peak flood and is higher than the 1 in 100 year peak flood. (374.10m AHD)

During Construction

39. Work on the project shall be limited to the following hours to prevent unreasonable disturbance to the amenity of the area:-

Monday to Friday – 7.00am to 5.00pm;

Saturday – 8.00am to 1.00pm if audible on other residential premises, otherwise 7.00am to 5.00pm;

No work to be carried out on Sunday or Public Holidays if it is audible on other residential premises.

The builder shall be responsible to instruct and control his sub-contractors regarding the hours of work.

40. A site rubbish enclosure shall be provided on the site for the period of the proposed construction works.
41. A copy of the current stamped approved engineering construction plans and specification must be kept on site for the duration of the works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.
42. The Developer shall ensure that dust suppression is undertaken to the satisfaction of the Responsible Authority, in the form of constant water spraying or other natural based proprietary dust suppressant, to ensure that dust caused by any vehicles moving within the site does not cause a nuisance to surrounding properties.
43. Stockpiles of topsoil, sand, aggregates, spoil or other material shall be stored clear of any natural drainage path, constructed drainage systems, easement, water bodies, or road surface and located wholly within the site with measures in place to prevent erosion or movements of sediment in accordance with the approved erosion and sediment control management plan.
44. All spillage of materials, as a result of delivery or handling, must be removed as soon as practicable and placed into suitable receptacles for reclamation or disposal in a manner that does not cause pollution of the environment.
45. Open and piped drains, gutters, roadways and access ways shall be maintained free of sediment for the duration of the work. When necessary, roadways shall be swept and drains and gutters cleaned of sediment build up.
46. The footpath and/or road reserve is not to be used for construction purposes or placing of building materials (without Council's prior consent) to ensure safe and unobstructed access for pedestrians and motorists. Where necessary, application may be made by contacting Council's Development and Approvals Division.
47. All works undertaken on a public road are to be maintained in a safe condition at all times. Council may at any time and without prior notification make safe any such works it considers unsafe and recover all reasonable costs incurred from the Developer.
48. Any damage caused to the road pavement, kerb and guttering and /or footpath during building operations shall be rectified by the Developer or the builder to the satisfaction of Council to ensure the integrity of Council's road infrastructure is maintained to an acceptable standard.

49. Traffic Management measures as a result of the works are to be maintained at all times in accordance with the approved Traffic Control Plans and Traffic Management Plans.

Inspections

50. As a consent authority under the Water Management Act 2000, the following inspections are required to be carried out by Council. Where Council is not the Principal Certifying Authority, an additional fee for each inspection will apply.
- (i) Underfloor drainage under hydrostatic test prior to covering;
 - (ii) Internal stackwork under hydrostatic test prior to covering;
 - (iii) Hot and cold water plumbing under pressure test prior to covering;
 - (iv) Sanitary drainage (under hydrostatic test) prior to backfilling trenches or covering;
 - (v) The installation of the Trade Waste Facility prior to backfilling or covering; and
 - (vi) Final inspection of all plumbing and drainage works.
51. It is required that a Principal Certifying Authority (PCA) be appointed to undertake all critical stage inspections as prescribed under the Environmental Planning and Assessment Regulations, 2000. The owner may appoint either the Council or an accredited certifier to be the PCA.
52. Inspections are required to be carried out by Council for works as specified below:-
- (i) Stormwater drainage infrastructure prior to backfilling trenches;
 - (ii) Road pavement prior to sealing;

Please note that Council requires a minimum of 24 hours notice to undertake inspections.

Prior to Occupation

53. 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 (or part of the building in the case of alterations and additions) shall not be occupied or used until -
- (a) it is completed in accordance with the approval and the principal certifying authority has completed a satisfactory final inspection; or
 - (b) the principal certifying authority gives written permission to allow the building to be occupied or used before it is completed.
54. One A1 set of approved construction drawings for the roundabout at the intersection of Jewry Street and Lockheed Street and the intersection upgrade at Jewry Street and Wirraway Street, shall be amended to show the "work-as-executed" and submitted to Council. The drawings shall be revision/version "W" and be certified by a Registered Surveyor or a Chartered Professional Civil Engineer.

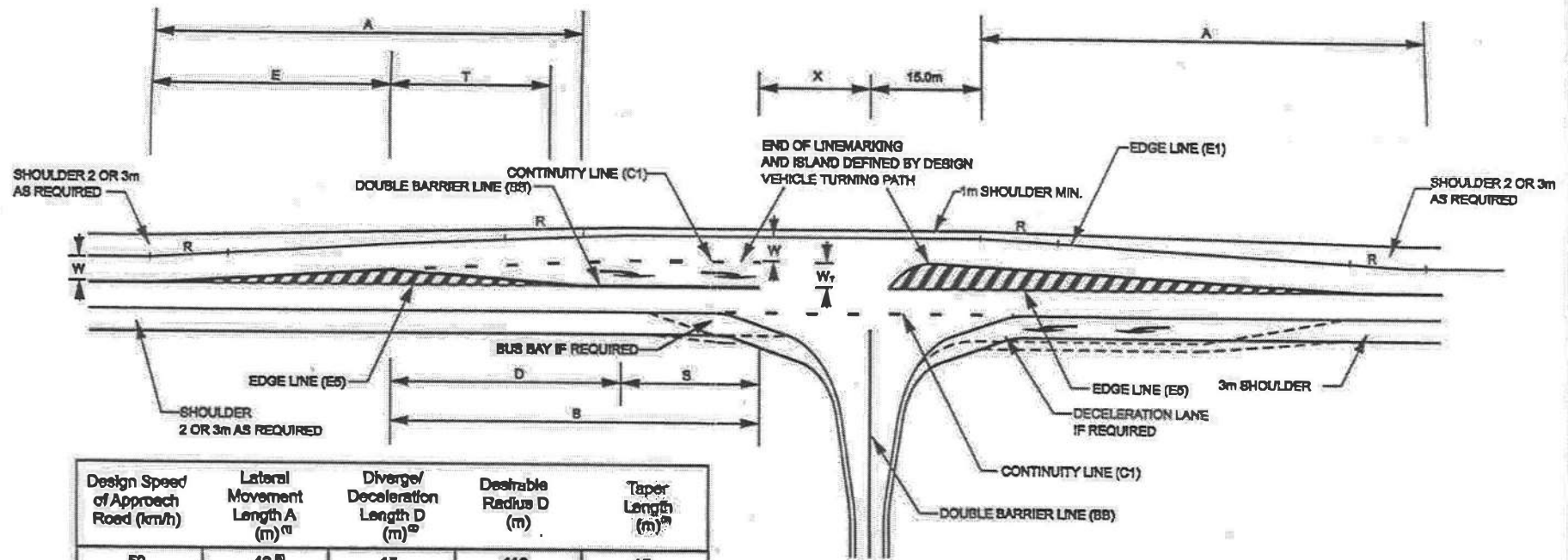
An 'AutoCAD' file of the "work-as-executed" plans shall be submitted to Council to upload into Council's Geographic Information System.

A 'pdf' version of the "work-as-executed" plans shall also be submitted to ensure that adequate electronic records are maintained of community infrastructure.

Continued Operations

55. The sealing of all vehicular parking, manoeuvring and loading and unloading areas is to be maintained at all times.
56. The pavement markings of all vehicular parking areas and directional pavement markings is to be maintained at all times.
57. All vehicular movement to and from the site shall be in a forward direction to ensure that the proposed development does not give rise to vehicle reversing movements on or off the public road with consequent traffic accident potential and reduction in road efficiency.
58. To ensure that the required car parking areas, associated driveways and maneuvering areas are able to function efficiently for their intended purpose, they shall be maintained clear of obstruction and be used exclusively for the purposes of car parking and vehicle access and under no circumstances are such areas to be used for the storage of goods or waste materials.

MODIFIED 'TYPE B' RIGHT-TURN TREATMENT



Design Speed of Approach Road (km/h)	Lateral Movement Length A (m) ^a	Diverge/Deceleration Length D (m) ^a	Desirable Radius D (m)	Taper Length (m) ^a
50	40 ^a	15	110	15
60	50 ^a	25	175	15
70	60	35	240	20
80	65	45	280	20
90	75	55	350	25
100	85	70	425	30
110	95	85	500	30
120	100	100	600	35

- (1) Based on a diverge rate of 1m/sec and a turn lane width of 3.0m. Increase lateral movement length if turn lane width >3.0m. If the through road is on a tight horizontal curve, increase lateral movement length so that a minimal decrease in speed is required for the through movement.
- (2) Based on a 20% reduction in through road speed at the start of the taper to a stopped condition using a value of deceleration of 3.5m/s². Adjust for grade.
- (3) Based on a turn lane width of 3.0m.
- (4) Where Type 2 road trains are required, minimum A=80m.

RPMs AS PER RTA GUIDELINES.

W = Nominal through lane width (m) (incl. widening for curves)
W = Nominal width of turn lane (m)
(incl. widening for curves based on the design turning vehicle) = 3.0m minimum
B = Total length of auxiliary lane including taper, diverge/deceleration and storage (m)
E = Distance from start of taper to 2.0m width (m) = $(AWt) \times 2$
S = Storage length to cater for design turning vehicle (m)
T = Taper length (m) = $\frac{0.33 \times V \times Wt}{3.8}$
V = Through operating speed (km/h)
X = Distance based on design vehicle turning path, typically 10-15m

SCALES NOT TO SCALE		RTA PROJECT DESIGN TECHNICAL SERVICES RTA OPERATIONS	ROADS AND TRAFFIC AUTHORITY OF NSW MODEL DRAWINGS		FILE No. Standard Drawings.dgn	PRINTED DATE \$DATES	SHEET No. MD
MODIFIED 'TYPE B' RIGHT-TURN TREATMENT		MODIFIED 'TYPE B' RIGHT-TURN TREATMENT		REGISTRATION NUMBER		MODIFIED 'TYPE B' RIGHT-TURN TREATMENT	