

# MINUTES OF THE NORTHERN REGION PLANNING PANEL MEETING HELD AT RAY WALSH HOUSE TAMWORTH REGIONAL COUNCIL ON THURSDAY 11 FEBRUARY 2010 AT 3:30PM

## PRESENT:

Garry West	Chair
John Griffin	Panel Member
Pam Westing	Panel Member
Paul Durant	Panel Member
Russel Webb	Panel Member

## IN ATTENDANCE

Catherine Pyne	Team Leader, Development Assessment
Alison McGaffin	Director, Environment, Planning and Economic Development

## APOLOGIES: NIL

1. The meeting commenced at 3:35pm The Chair welcomed everyone to the meeting and gave an overview regarding the Northern JRPP.

## 2. Declarations of Interest

**Russel Webb:** as a Councillor sitting on the panel addressing Items 1 and 2 in relation to Council owned land and in relation to Item 2 a Council prepared development application. Further, in relation to Item 2, as a member of the Councils Sports Working Group.

**Paul Durant:** as a Councillor sitting on the panel addressing Items 1 and 2 in relation to Council owned land and in relation to Item 2 a Council prepared development application. Further, in regards to Item 2, as a member of the Councils Sports Working Group.

The Chair ruled the declarations were of a non-pecuniary nature that should not preclude their participation in the meeting.

## 3. Business Items

**ITEM 1**      **2009NTH017:** Tamworth DA-0294/2010: Bunning's Warehouse, 1 Lockheed Street, Taminda.

## 4. Public Submission

Andrew O'Neill (on behalf of applicant) spoke in favour of the application.

## 5. Business Item Recommendations

**MOVED** John Griffin, seconded by Pam Westing, moved to approve the proposal, subject to the recommended conditions in Council's report, as they appear below:

## **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) Car parks 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 line marking) 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 manoeuvring 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.

### **MOTION CARRIED UNANIMOUSLY**

## **6. Business Items**

**ITEM 2**      **2010NTH001:** Tamworth DA-0293/2010: Indoor Sports Centre - Greg Norman Drive, Hillvue.

## **7. Public Submission**

Kellie Johnston: spoke in favour of the application and suggested expanding the current proposal.

## **8. Business Item Recommendations**

### **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. Erosion and sediment controls for the construction works are to be installed and authorised before any site works begin, and be maintained effectively for the duration of the construction works.
3. 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.
4. 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.
5. 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.

6. 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.
7. 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. In this regard, consideration of the following aspects shall be included:-
  - Inclusion of the species recommended in the *Flora and Fauna Impact Assessment Report for the Proposed Australian Equine and Livestock Centre and Associated Residential Development* prepared by North West Ecological Services, January 2006 and the Addendum dated January 2010.
  - Treatment of the southern elevation of the building, in relation to its visibility from the New England Highway.

#### **Prior to Issue of a Construction Certificate**

8. 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.
9. 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;

10. Detailed engineering drawings specific to the works, 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) Carpark and internal road construction;
- (ii) Signs and Line marking; and
- (iii) Stormwater Construction.

The engineering drawings 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.

11. 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).

12. Prior to construction of the commercial kitchen and food sales areas, a plan will be required to be submitted and approved by Council detailing its layout, including location of all equipment, sink locations and wall, floor and ceiling construction details.

## **General**

13. 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.
14. 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.
15. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
16. The five (5) recommendations of the Hunter Acoustics Report must be adopted by the Applicant in the construction and operation of the development.

## **Stormwater**

17. 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:-

- (i) The surface stormwater discharging from the stage 1 car park is to be directed to the underground stormwater system, specifically Pit 9 and/or Pit 21 located in AELEC Road in accordance with Tamworth Regional Council Drawing No. 18219;
- (ii) All roof waters from the development site are to be discharged to a new underground stormwater system to be constructed by the developer, denoted as Roof Stormwater Line 6, inclusive of Pits 65, 64, 53, 62 and 61, in accordance with Tamworth Regional Council Drawing Nos. 18224 and 18225.

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;
  - (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.
18. An easement shall be obtained over Lot 1, DP 1092556 (AELEC Property) in favour of Lot 3, DP 1092556 (Indoor Sports Centre development site) in the location of the underground stormwater system for Roof Stormwater Line 6 in accordance with Tamworth Regional Council Drawing No. 18224.

#### *Traffic and Parking*

19. 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.
20. All parking 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.
21. 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.
22. The driveway from AELEC Road to the stage 1 car park shall be constructed in accordance with Council's 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 driveway shall be at right angles to AELEC Road;
  - (ii) The 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.

- (iii) The driveway shall have adequate pavement depth to accommodate the likely traffic generated from the development and shall be paved. The paving shall consist of either asphaltic concrete, concrete or interlocking pavers.

- 23. All internal driveways, parking areas and vehicle turning areas are to be designed in accordance with the requirements of AS2890.1-2004 "Parking Facilities – Off Street Parking".
- 24. Provision is to be made for the parking of buses in the location marked as "Stage 2 Carpark". It is confirmed that provision for formal bus parking is to be incorporated into the design for Stage 2 works/activities, and will be assessed at the time of the subsequent development application.

### **During Construction**

- 25. 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.

- 26. The drainage service is to be provided with at least one overflow gully - the top level of which shall not be less than 150mm below the floor level of the building and not less than 75mm above the finished ground level to provide for sewerage surcharge outside the building in case of a blockage in the sewer main.
- 27. To ensure the safety of workers on site and the public, all excavations and backfilling are to be executed safely and in accordance with appropriate professional standards and, properly guarded and protected to prevent them from being dangerous to property or life.
- 28. A site rubbish enclosure shall be provided on the site for the period of the proposed construction works.
- 29. In accordance with the recommendations of the Archaeological Survey, prepared by Patrick Gaynor and dated January 2006, a member of the Tamworth Local Aboriginal Land Council shall be present on-site during the stripping of topsoil to confirm no items of aboriginal heritage significance are unearthed.
- 30. 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.
- 31. The applicant 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.
- 32. 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.

33. 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.
34. 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.
35. AELEC Road, internal roads within the precinct and the surrounding sporting fields are not to be used for construction purposes or placing of building materials (without prior consent) to ensure safe and unobstructed access for motorists and pedestrians.

Any damage caused to AELEC Road and associated infrastructure in the vicinity of the development site during building operations shall be rectified to the satisfaction of Council to ensure the integrity of the road infrastructure is maintained in an acceptable standard.

### *Inspections*

36. When building works have reached the following stages an inspection is to be arranged by contacting Council's Customer Service Centre by phoning 67554 555 (or by Facsimile 6755 4499) by 4:00pm the day before the inspection is required. Please advise Council if the work will not be ready at the appointed time. Failure to do so may incur an additional inspection fee.
  - (i) Pier holes, pads or bulk piers before concrete is poured;
  - (ii) Trenches with reinforcement steel in position;
  - (iii) Concrete slabs with reinforcement in position;
  - (iv) Framework before fixing of internal linings;
  - (v) Wet area flashings before laying tiles (or other finish);
  - (vi) Storm water drainage prior to backfilling trenches or covering;
  - (vii) Construction of the driveway between the roadway and the property boundary before placing concrete or laying paving; and
  - (viii) Final inspection of the development.
37. 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.
38. Inspections are required to be carried out by Council for works as specified below:-
  - (i) Storm water drainage infrastructure prior to backfilling trenches;
  - (ii) Internal roads and car park areas, prior to sealing.

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

### **Prior to Occupation**

39. To ensure that the required fire safety measures are provided in accordance with the buildings use and operate in accordance with the appropriate standards, the owner must cause a copy of a Fire Safety Certificate (Form 15) to be given to the Council and the Commissioner of the NSW Fire Brigades prior to occupation in relation to the Fire Safety

Measures required to be installed in the building. A copy of the Fire Safety Certificate including the current Fire Safety Schedule is to be prominently displayed in the building. Thereafter, the owner must cause Council to be given such a certificate at least once in each period of twelve (12) months after the first certificate.

40. 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.

An occupation certificate may not be issued until the completion of all ancillary components to the development, including:

- Landscaping
- Car parking, access and manoeuvring roads
- Completion of utility infrastructure in relation to water, sewer and stormwater drainage arrangements

41. A Plan of Waste Management is to be submitted for approval by Council prior to the commencement of operations. The Plan is to include details of waste storage and collection procedures so as to achieve safe and hygienic conditions.
42. Prior to the issue of an Occupation Certificate, documentary evidence is to be submitted to confirm that the Proposed Transmission Line Easement identified in DP 635278 has been removed from the Land Title for Lot 3, DP 1092556.

### **Continued Operations**

43. The sealing of all vehicular parking and manoeuvring areas is to be maintained at all times.
44. The pavement markings of all vehicular parking areas are to be maintained at all times.
45. 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.
46. To ensure that the required parking and associated driveways 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 respectively and under no circumstances are such areas to be used for the storage of goods or waste materials.
47. Once the Complex has been in operation for twelve (12) months, a Traffic Management Review is to be undertaken which gives consideration to the cumulative traffic impacts within the Tamworth Regional Recreation Precinct. The Review is to include anecdotal data of operations, present conclusions on any issues that become apparent, and make recommendations for both amendments to the Traffic Management Plan and remedial actions required.

**MOVED** Russel Webb, seconded by Pam Westing, moved to approve the proposal, subject to the recommended conditions in Council's report, as they appear below:

### **MOTION CARRIED UNANIMOUSLY**

The meeting concluded at 4:30pm

Endorsed by

A handwritten signature in blue ink that reads "Garry West". The signature is written in a cursive style with a large, looping 'G' and a stylized 'W'.

Garry West  
Chair, Northern Region Planning Panel  
19<sup>th</sup> February 2010