

DELEGATED AUTHORITY DEVELOPMENT APPLICATION REPORT

DA No. DA09/0635

DATE 24/02/2010 12:24:00 PM

PROPERTY DESCRIPTION:

Lot 2 DP 619871, No. 35-37 Morton Street CHINDERAH

APPLICANT:

LC Investments (Australia) PLC
C/- Planit Consulting Pty Ltd
PO Box 1623
KINGSCLIFF NSW 2487

PROPOSAL:

The applicant seeks approval for a warehouse with partial demolition of existing factory and retention of offices and amenities.

The new warehouse will be approximately 29.1m wide x 60m long x 11.25m high, using a steel portal frame clad with metal sheeting. The total floor area for the proposal is 1762m², resulting in a site cover of 48.2%.

The new warehouse is to be connected to the existing ancillary office and amenities which form part of the existing 'factory' building. All other parts of the existing factory building are to be removed. A demolition plan has been submitted in this regard.

The proposal incorporates two (2) access points off Rotumah Street and one (1) access point off Morton Street, along with car parking provisions adjacent to the office area. Vehicle turning paths have been provided for the access points.

The development application was lodged as a warehouse, with no known use at lodgement date. It has since come to Council's knowledge that the applicant will be lodging a separate application for use of the warehouse as a Waste Transfer Station (WTS) for recycling purposes. Note: assessment of this application has been based on the development as a 'Warehouse' rather than a WTS.

DEFINITION AS PER EPI:

Warehouse

BUILDING
CLASSIFICATION:

8 - Factory

SITE DETAILS:

The subject site is a corner allotment, 4113m² in area with a 41.7m frontage to Morton Street to the south and an 86m frontage to Rotumah Street to the east. Site improvements include an existing factory unit and associated office / toilet facilities, 443m² in area. The building is surrounded by a concrete hardstand area covering the majority of the site, which is largely void of vegetation apart from limited landscaping along the perimeter of the street frontages.

HISTORY:

D89/0193 – approval was granted in March 1989 for the erection of a cement storage silo as an addition to an existing concrete batching plant.

D97/0463 – approval was granted in February 1988 for the erection of carports for the storage of caravans and an associated caretakers residence.

K98/0102 – approval was granted in October 1998 for industrial development.

K98/0130 – approval was granted in December 1998 for a 2 lot industrial subdivision (lapsed).

K00/0170 – approval was granted in March 2000 for additions to an existing factory.

DA06/0246 – approval was granted in May 2006 for a depot/workshop in an existing factory.

RECOMMENDATION:

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



Assessing Officer

Colleen Forbes

Date: 2 March 2010

RECOMMENDATION APPROVED

Determined by me in accordance with
authority delegated by the General
Manager dated 14 May 2007

Signed:



Rowena Michel

Dated:

4 March 2010

ASSESSMENT UNDER SECTION 79(C)(1) OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

(a)(i) The Provisions of any Environmental Planning Instrument

Tweed Local Environmental Plan 2000

Zoning:-	4(a) Industrial
Development Defined as:-	Warehouse
Permissibility:-	Permissible with Consent (Item 2)

Specific Clauses:-

Clause 11 - Zone objectives

The primary objectives for zone 4(a) Industrial is to provide land primarily for industrial development; and facilitate economic activity and employment generation.

The proposed warehouse is considered to be consistent with the specific zone objectives, in that it will incorporate industrial development and provide employment opportunities.

Clause 15 - Essential Services

The subject site is located within the established Chinderah Industrial Estate. As such, connection to essential services is available.

Clause 16 - Height of Building

The site is covered by a three (3) storey height limit. The proposed development incorporates a single storey building, 11.25m in height. Pursuant to the provisions of the LEP, the warehouse is technically defined as two (2) storey (*commercial development above 5m in height*), which is compliant with Clause 16.

Clause 17 - Social Impact Assessment

As the subject site is within an existing industrial area, no negative impact is envisaged as a result of the proposed warehouse.

Clause 35 - Acid Sulfate Soils

The subject site is mapped as Class 3 on Council's mapping system. Council's Environmental Health Unit has provided comment in this regard, which is discussed in greater detail later in this report.

Other Specific Clauses

Clause 4 – Aims of the Plan

Clause 4 illustrates that the aims of the TLEP 2000 are to give effect to the desired outcomes, strategic principles, policies and actions of the Tweed Shire 2000+ Strategic Plan. The proposed development is considered to meet the provisions of Clause 4.

Clause 5 – Ecologically Sustainable Development

The TLEP aims to promote development that is consistent with the four principles of ecologically sustainable development, being *the precautionary principle, intergenerational equity, conservation of biological diversity and ecological integrity and improved valuation, pricing and incentive mechanisms*.

The proposed development is considered to meet the provisions of Clause 5 of the LEP.

Clause 8 – Consent Considerations

This clause specifies that the consent authority may grant consent to development (other than development specified in Item 3 of the table to clause 11) only if:

- (a) it is satisfied that the development is consistent with the primary objective of the zone within which it is located, and*
- (b) it has considered that those other aims and objectives of this plan (the TLEP) that are relevant to the development, and*
- (c) it is satisfied that the development would not have an unacceptable cumulative impact on the community, locality or catchment that will be affected by its being carried out or on the area of Tweed as a whole.*

In this instance, the proposed development is considered to meet the objectives of the 4(a) zone and is therefore complies with Clause 8(a).

Other relevant clauses of the TLEP have been considered elsewhere in this report, and it is considered that the proposal generally complies with the aims and objectives of each.

With regard to clause 8(c), the proposed warehouse is not considered to have an unacceptable cumulative impact on the locality or the community as a whole.

Clause 34 – Flooding

The objectives of Clause 34 are to minimise any future potential flood damage by ensuring that only appropriate compatible development occurs on flood liable land and minimise the adverse effect of flooding on the community.

Flooding issues are discussed in detail later in this report.

Clause 39A – Bushfire Protection

The objective of Clause 39A is to minimise bushfire risk to built assets and people and to reduce bushfire threat to ecological assets and environmental impacts.

As the site is located within a bushfire prone area, the application was forwarded to the local branch of the Rural Fire Services for comment. Their recommendations are noted below in this report.

STATE ENVIRONMENTAL PLANNING POLICIES (IF APPLICABLE TICK BOX AND PROVIDE COMMENTS AT END)

- ☐ SEPP No. 1 - Development Standards
- ☐ SEPP No. 4 - Development Without Consent & Miscellaneous Complying Development
- ☐ SEPP No. 6 - Number of Storeys in a Building
- ☐ SEPP No. 14 - Coastal Wetlands
- ☐ SEPP No. 15 - Rural Landsharing Communities
- ☐ SEPP No. 21 - Caravan Parks
- ☐ SEPP No. 22 - Shops and Commercial Premises
- ☐ SEPP No. 26 - Littoral Rainforests
- ☐ SEPP No. 30 - Intensive Agriculture
- ☐ SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)
- ☐ SEPP No. 33 - Hazardous and Offensive Development
- ☐ SEPP No. 36 - Manufactured Home Estates
- ☐ SEPP No. 44 - Koala Habitat Protection
- ☐ SEPP No. 50 - Canal Estate Developments
- ☒ SEPP No. 55 - Remediation of Land
- ☐ SEPP No. 62 - Sustainable Aquaculture
- ☐ SEPP No. 64 - Advertising and Signage
- ☐ SEPP No. 65 - Design Quality of Residential Flat Development
- ☒ SEPP No. 71 - Coastal Protection
- ☐ SEPP (Major Development) 2005
- ☐ SEPP (Housing for Seniors or People with a Disability) 2004
- ☐ SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- ☐ SEPP (Building Sustainability Index: BASIX) 2004
- ☐ SEPP (Infrastructure) 2007
- ☐ SEPP (Temporary Structures) 2007
- ☐ SEPP (Rural Lands) 2008
- ☐ SEPP (Exempt and Complying Development Codes) 2008
- ☐ SEPP (Affordable Rental Housing) 2009

Comment

State Environmental Planning Policy No. 55 – Remediation of Land

As noted in detail below, the applicant's consultant and Council's Environmental Health Officers have reviewed the proposal in terms of contamination issues. The applicant's report concludes that no remediation of the site is required, subject to 88b restrictions and buffers around the location of the former underground petroleum storage system. Council's Environmental Health Unit has raised no objections to the conclusions made in the report and has applied relevant conditions. Therefore it is concluded that the SEPP does not apply in this instance.

State Environmental Planning Policy No. 71 – Coastal Protection

SEPP 71 applies to land within the 'coastal zone' which is defined as having the same meaning as in the *Coastal Protection Act 1979*. The subject land is located within the coastal zone and the provisions of SEPP 71 therefore apply to the proposed development.

Clause 8 of the Policy details sixteen matters for consideration for land within the Coastal Zone. The application is considered to adequately satisfy the matters for consideration. Specifically, the proposed development is considered compatible with the intent for the development of the locality.

North Coast Regional Environmental Plan 1988 (NCREP 1988) (if applicable tick box and provide comments at the end)

- ☐ Clause 12: Impact on agricultural activities
- ☐ Clause 15: Rivers, streams and wetlands
- ☐ Clause 18: Extractive industry
- ☐ Clause 18A: Mineral sands mining

- ☐ Clause 29A: Natural areas and water catchment
- ☒ Clause 32B: Coastal Lands
- ☐ Clause 33: Coastal hazard areas
- ☐ Clause 36: Heritage items, generally
- ☐ Clause 36A: Heritage items of state & regional significance
- ☐ Clause 36B: Heritage items of regional significance
- ☐ Clause 36C: Conservation areas of state & regional significance
- ☐ Clause 36D: Advertising heritage applications
- ☐ Clause 43: Residential development
- ☒ Clause 47: Principles for Commercial and Industrial Development
- ☐ Clause 51: Directors concurrence for tall buildings
- ☐ Clause 66: Adequacy of community and welfare services
- ☐ Clause 75: Tourism development
- ☐ Clause 76: Natural tourism areas
- ☐ Clause 81: Development adjacent to the ocean or a waterway
- ☐ Clause 82: Sporting fields or specialised recreation facilities

In accordance with **Clause 32B** of the NCREP, the proposal is considered to be generally consistent with the relevant provisions of the NSW Coast Government Policy and the Coastline Management Manual. The development is not adjacent to any beaches and will not impeded public access to the neighbouring open space area. Accordingly, the proposal fully complies with this clause of the REP.

Clause 47 of NCREP 1988 relates to principles for commercial and industrial development. Before granting consent for industrial development, the REP requires Council to take into consideration the principle that land used for such development should be located where it can be adequately serviced by the transport system and is accessible from urban areas. The subject site is within the Chinderah Industrial area, which is located in close proximity to an off/on ramp of the Pacific Motorway, enabling easy access for large delivery vehicles, delivering and transporting manufactured products to and from the site. Therefore, Clause 47 is considered satisfied.

(a)(ii) The Provisions of any Draft Environmental Planning Instrument

Exhibited Draft Local Environmental Plan (list any plan/s & provide comments)

Draft Tweed LEP 2010

Under the Draft LEP 2010, the subject site has a similar zoning to the current LEP 2000 in that the 4(a) Industrial land is zoned IN1 – General Industrial. The proposed development would be defined as "Warehouse or Distribution Centre", which is a sub-child grouping of the Storage Premises (child) land use within the Industrial (parent) land use. A Warehouse or distribution centre is permissible with consent within the IN1 General Industry zone.

Clause 4.3 of the Draft LEP 2010 relates to height of buildings and refers to the Height of Buildings Map. This map identifies maximum building height of 10m, which differs from the current 3 storey height limit under LEP 2000. Despite the proposal not meeting the height provisions of the Draft LEP due to its maximum height of approx 11.84m (building height of 11.25m plus fill over existing ground level), the proposal is considered to be acceptable in this instance due to the building being consistent with other industrial type building within the same industrial estate, which surrounded by undeveloped industrial zoned land.

Exhibited Draft State Environmental Planning Policies or Regional Environmental Plan/s

In what ways does the draft impact on the proposal?

There are no applicable SEPP's or REP's.

Development Control Plans (if applicable tick box and provide comment at end of list)

WHOLE OF SHIRE

- ☐ A1-Residential and Tourist Development Code (DCP6)
- ☒ A2-Site Access and Parking Code (DCP2)
- ☒ A3-Development of Flood Liable Land (DCP5)
- ☒ A4-Advertising Signs Code (DCP15)
- ☐ A5-Subdivision Manual (DCP16)
- ☐ A6-Biting Midge and Mosquito Control (DCP25)
- ☐ A7-Child Care Centres (DCP26)
- ☐ A8-Brothels Policy (DCP31)
- ☐ A9-Energy Smart Homes Policy (DCP39)
- ☐ A10-Exempt and Complying Development (DCP40)
- ☐ A11-Public Notification of Development Proposals (DCP42)
- ☐ A13-Socio-Economic Impact Assessment (DCP45)

SPECIFIC SITES

- ☐ B1-Terranora (DCP1)
- ☐ B2-Tweed Heads (DCP18)
- ☐ B3-Banora Point West- Tweed Heads South (DCP3)
- ☐ B4-West Kingscliff (DCP9)
- ☐ B5-Casuarina Beach (DCP11)
- ☐ B6-Murwillumbah West (DCP14)
- ☐ B7-Cobaki Lakes (DCP17)
- ☐ B8-Keith Compton Drive (DCP19)
- ☐ B9-Tweed Coast Strategy (DCP51)
- ☐ B10-Koala Beach (DCP21)
- ☐ B11-Seaside City
- ☐ B12-Fraser Drive, Banora Point (DCP24)
- ☐ B15-Seabreeze Estate, Pottsville (DCP38)
- ☐ B17-Planning Controls - Friday Island, Bogangar (DCP52)
- ☐ B19-Bogangar / Cabarita Beach Locality Plan (DCP50)
- ☐ B20-Uki Village
- ☐ B22-Murwillumbah Town Centre

Comment

Development Control Plan No. A2 – Site Access & Parking Code

In terms of site access, Council's Development Engineer has noted the following:

'The existing allotment is accessed from both Morton Street and Rotumah Street with 1 access from Morton Street and 2 accesses from Rotumah Street. The proposed development will have 1 access from Morton Street and 2 accesses from Rotumah Street. However, the most northern existing access to Rotumah Street is to be removed and a new access is proposed to Rotumah Street at the northern boundary of the development'.

Although truck turning templates have been provided so as to indicate that large rigid vehicles and semi trailers can enter / exit the site, the proposed development does not elaborate on the proposed use of the warehouse building. As such, Council has been unable to determine whether the access configuration is suitable for a particular use. Such detailed assessment will have to be undertaken for a future "first use" development application. In any case, Council's Development Engineer has noted that adequate manoeuvrability is available for the proposed development.

Use	Rate	Required	Less 20% ESD reduction
Staff	1 space / staff member	8 staff = 8 spaces	6.4 spaces
Customer	1 space / 300m ² GFA	1762.2 / 300 = 5.87 spaces	4.70 spaces
		TOTAL	11.1 spaces = 12 spaces

With regard to car parking provisions for a warehouse, the revised design generates twelve (12) spaces, pursuant to the provisions of DCP A2. The proposed development has indicated a total of 13 car spaces within the site. This entails 11 spaces off the Rotumah Street access point (adjacent to the offices) and an additional 2 spaces adjacent to the Morton Street access point.

However, detailed assessment of the parking provisions revealed that the 2 spaces off the Morton Street access do not provide adequate turning space (a 6.2m aisle width is required – only 5.235m is available for turning purposes). As such, the 2 separate spaces are not supported, requiring the relocation of 1 space elsewhere on site.

The applicant was advised about the 2 separate spaces not being supported. Rather than providing amended plans, the applicant has requested that Council mark the site plan in red, as necessary. This is considered to be acceptable in this instance given the urgency of determining the application. As a result, the plans have been marked up in red relocating one of the spaces to the proposed 6 spaces fronting Rotumah Street. It appears that there is sufficient room in that area to allow 1 additional space, without impact upon the turning path for the LVR turning path. A condition of consent has been applied requiring detail of the carparking configuration to be approved prior to the issue of a construction certificate. The relocation of the additional space brings the total of approved car spaces to 12, which is compliant with the relevant DCP A2 provisions for warehouses.

Development Control Plan No. A3 - Development of Flood Liable Land

The subject site has an existing ground level ranging from RL 2.19m AHD in the east to RL 2.33m AHD in the west. Council's mapping system indicates that the entire site is flood liable in that it has a design flood level of RL 3.2m AHD. The existing building pad is at RL 2.79m AHD and the warehouse design proposes to maintain this finished floor level.

Council's DCP A3 requires the site to be filled to the centre line of the adjacent road unless alternative stormwater drainage is provided and filling is for drainage purposes only. The applicant's engineers have noted that the site is above the centre line of the adjacent streets. They have proposed minor filling of the site (0.41m) for internal purposes to allow for grading of existing drainage pipes to the Rotumah Street carriageway.

The Engineering Impact report also refers to DCP A3's limit of 50% of the site for development purposes in high flow areas. Council's mapping indicates that the site is classified as low velocity flood storage. The applicant has noted that the proposed development incorporates 48.2% site coverage, which... 'will not restrict flood flow as there are clear areas maintained around the perimeter of the building of 5m minimum to the property boundary'. The applicant has also noted that flood free storage can be provided above the design flood level of RL 3.2m AHD and that the building will be constructed from materials that are flood compatible. Council's Development Engineer has no objection to the proposal with regard to flooding, subject to conditions of consent.

In light of the above assessment, the proposed development is considered to meet the provisions of DCP A3.

Development Control Plan No. A4 – Advertising Signs Code

Although the proposal incorporates several signage areas over various elevations of the building, no detail has been provided to date. In light of the requirement for a first use application to be lodged, assessment of signage is not considered relevant at this stage. A condition of consent has been applied in this regard.

(a)(iv) Any Matter Prescribed by the Regulation (Clause 92, 92A 93 & 94)

Primary matters

Specific Considerations

- Clause 92(a) Government Coastal Policy

Does the policy apply and if so what are the implications?

Comment

The proposed development is not considered to compromise the objectives of the Coastal Policy.

- Clause 92(b) Applications for demolition

What are the implications of Australian Standard AS 2601-1991?

Comment

Council's Building Services Unit has applied relevant conditions of consent, requiring the demolition of the existing building to be carried out in accordance with AS2601.

- Clause 93 Fire Safety Considerations

Is the application for a change of use of an existing building?

☒ No

- Clause 94 Buildings to be upgraded

Is the application for rebuilding, alteration, enlargement or extension of an existing building?

☒ Yes

Council's Building Services Unit has applied an applicable condition of consent to ensure that essential fire safety measures have been designed and installed, pursuant to the provisions of Clause 94.

(b) The Likely Impacts of that Development, including Impact on both the Natural and Built Environment, and Social and Economic Impacts in the Locality

(Provided below is a list of matters to be used as a guide in assessing the impacts of the development. Tick the significant matters relevant to the application and provide comments below. This list is not inclusive and any other matters relevant to the application should also be listed and assessed. Matters not ticked are considered satisfactory in terms of the application)

- ☒ Context and Setting
- ☒ Access, Transport and Traffic
- ☐ Public Domain
- ☐ Utilities
- ☐ Heritage
- ☐ Farmland of State or Regional significance (Section 117(2) Direction 14 dated 30 September 2005 (Refer to Council resolution of 25 July 2006)
- ☐ Other Land Resources
- ☐ Water
- ☒ Soils
- ☐ Air and Microclimate
- ☐ Flora and Fauna
- ☒ Waste
- ☐ Energy
- ☒ Noise and Vibration
- ☐ Natural Hazards
- ☐ Technological Hazards
- ☐ Social Impact in Locality
- ☐ Economic Impact in Locality

- ☐ Site Design and Internal Design
- ☐ Construction
- ☐ Cumulative Impacts
- ☐ Crime prevention
- ☐ Impact on Oyster Industry (refer to NSW Government Oyster Industry Sustainable Aquaculture Strategy 2006)

List any other matters considered relevant

Demolition

The proposed development incorporates the demolition of the existing factory building on the site, keeping the existing ancillary office and amenities component of the development. The applicant has provided a Demolition Plan, which details the methods proposed to remove the existing industrial shed from the site. The plan notes that all materials will be handled, treated and disposed of in accordance with WorkCover and Australian Standards, with material that cannot be recycled to be disposed of at Council's Stott's Creek landfill. Appropriate conditions of consent have been applied.

Assessment of matters identified above

Context and Setting

The proposed development is not considered to have any significant impact upon any adjoining properties. Given the property is located within a well-established industrial area, the proposal is considered reasonable and appropriate for the locality.

Access, Transport & Traffic

The Chinderah Industrial area is located in close proximity to an off/on ramp of the Pacific Motorway, enabling easy access for large delivery vehicles, delivering and transporting manufactured products to and from the site. The actual number of vehicles frequenting the site is unknown at this stage. A condition of consent has been applied requiring a first use development application be lodged. Traffic impact can be assessed in detail at that time. Despite not knowing actual traffic numbers, the fact that the access to the Motorway is surrounded by industrial land means that impact from vehicles is unlikely to result from the proposed development.

Waste

The application was supported by a Preliminary Waste Management Plan, which primarily covered the general operational phase of the warehouse (refuse and recycling bins etc). Council's Waste Operation Officer has assessed the management plan with no objection, subject to applicable conditions of consent including the provision of a Construction Waste Management Plan. Since then, the applicant has submitted a demolition plan. Council's Waste Operation Officer has reviewed the Demolition Plan and found it to be satisfactory in terms of the methods of demolition and disposal of materials.

Noise / Amenity

Council's Environmental Health Unit provided the following comment:

'The site has been utilised previously for industrial purposes, such as construction of 'manufactured homes' and a concrete plant. There is no history of amenity impacts or noise complaints about the previous operations. It is considered unlikely that unacceptable amenity impacts will result from the establishment of a new industrial building within the existing highly active industrial estate'.

The issue of hours of operation was raised with the applicant, with the response being that the proposed building was for general warehouse purposes. No known uses were identified at that stage. As a result, a condition has been applied requiring the first use of the development to lodge a development application. Hours of operation can be assessed at that stage. Council's Environmental Health Unit was satisfied with that outcome.

In terms of landscaping, the applicant has indicated on the site plan where landscaping will be provided. Although some of the existing landscaping (approx 44m²) will be lost to accommodate the parking provisions along the Rotumah Street frontage, additional landscaping (in the order of 220m²) has been proposed around the perimeter of the site. Although the loss of landscaping along the Rotumah Street frontage is not ideal, the overall landscaping is considered to be an improvement from the existing amenity of the subject site. Appropriate conditions of consent have been applied in this regard.

Acid Sulfate Soils

The subject site is classified as Class 3 Acid Sulfate Soils, which requires an ASSMP for works beyond 1m below the natural ground surface. The applicant has stated that the proposal will not incorporate works 1m below natural

ground level; therefore an ASSMP is not required. It is also noted that the proposal incorporates 0.41m of fill, which further reducing the chances of exposing acid sulfate soils. Nevertheless, Council's Environmental Health Unit has applied a condition of consent prohibiting the exposure or disturbance of acid sulfate soils.

(c) The Suitability of the Site for the Development

(Provided below is a list of matters to be used as a guide in considering the suitability of the site for the development. Tick the significant matters relevant to the application and provide comments below. This list is not inclusive and any other matters relevant to the application should also be listed and assessed. Matters not ticked are considered satisfactory in terms of the application)

- ☐ Surrounding Land Uses/Development
- ☐ Availability of Utilities & Services
- ☐ Ambient Noise Levels
- ☒ Natural Hazards including Flooding, Tidal Inundation, Subsidence, Slip, Mass Movement and Bushfire
- ☐ Soil Characteristics
- ☐ Site Orientation
- ☐ Topography
- ☒ Contamination
- ☐ Site Drainage
- ☐ Resource Value
- ☐ Fauna or Flora
- ☐ Effluent Disposal
- ☐ Farmland of State or Regional significance (Section 117(2) Direction 14 dated 30 September 2005)

List any other matters considered relevant

There are no other matters considered relevant.

Assessment of matters identified above

Natural Hazards including Flooding, Tidal Inundation, Subsidence, Slip, Mass Movement and Bushfire

As noted above, the site is subject to flooding. Detailed assessment has been undertaken in this regard, with appropriate conditions of consent applied. The application was also forwarded to Rural Fire Services, as the site is located within a bush fire prone area. As the site is in an established area and is a cleared site, the RFS has approved the proposed development, subject to conditions in relation to water / utilities and design / construction measures particularly in regard to ember protection.

Contamination

The application did not originally provide any contamination assessment. Preliminary assessment by Council's Environmental Health Unit concluded the following:

'Notes on Council file DA3560/120 Pt1 indicate that an underground fuel storage tank previously existed on the site. It appears that the tank was removed however no record exists of soil or groundwater testing to demonstrate the suitability of the site for the proposed use. Several previous DAs have been processed on the basis that the former tank location would be concrete capped and undisturbed – the location of the former tank and the concrete capping can be clearly identified on site.

Due to the extent of works proposed under the current application (removal of structures, concrete capping, filling and construction) it is considered necessary that the applicant have a Preliminary Contaminated Land Assessment prepared by a suitably qualified person and submitted for consideration. Based on the level of site disturbance necessary to achieve the proposed development, it is considered highly likely that those CL investigations will include both soil and groundwater testing/investigation'.

As a result, the applicant provided a Preliminary Site Contamination Report (HMC, January 2010), which confirmed that an underground petroleum storage system (UPSS) was removed from the site in 1988. The report concludes that no site remediation work is required and that the site is suitable for the proposed use, subject to recommendations relating to: regular groundwater monitoring; remediation of any soil excavated within 5m of the former UPSS; and an 88b restriction of excavation in a 5m buffer around the UPSS.

An assessment of that report by Council's Environmental Health Unit concluded that further detail (in the form of a risk assessment) was required. In particular, the assessment had to address:

- *potential risk of total petroleum hydrocarbons contaminating groundwater, migrating off site and causing harm to human health or the environment;*
- *justification for not conducting further testing of soil and groundwater at depths below 3m to determine the vertical extent and concentration of potential contamination;*
- *risk of accumulation of explosive gases in enclosed spaces or basements;*
- *confirm that the site does not need to be dewatered; and*
- *acknowledge that that neither National Environment Protection Council or current Department of Climate Change and Water Policy provide investigation criteria for total petroleum hydrocarbons in relation to environmental criteria.*

The applicant provided a response to the above issues, with Council's Environmental Health Unit noting the following:

'The response is considered satisfactory in terms of establishing that there is minimal potential risk to human health and the environment from the former underground petroleum storage system. The development is deemed satisfactory, subject to the conditions'.

(d) Any Submissions made in Accordance with the Act or Regulations

Public Submissions Comment

The proposed development did not require public notification, therefore, no submissions were received.

Public Authority Submissions Comment

NSW Rural Fire Services

Based on an assessment of the plans and documents relating to the proposal and an inspection of the site, the NSW Rural Fire Services has recommended approval, subject to the attached conditions.

- NOTE:**
- (1) *If the development is likely to directly or indirectly impact upon State Significant Farmland as referred to in the "Northern Rivers Farmland Protection Project, Final Map 2005 (Section 117(2) Direction), then the application will need to be referred to the Regional Office of the Department of Primary Industry for comment (Council resolution of 25/7/2006)***
 - (2) *If the development may affect a priority oyster aquaculture area or oyster aquaculture outside such an area the application will require referral to the Director General of the Department of Primary Industry in accordance with NSW Oyster Industry Sustainable Aquaculture Strategy 2006.***

The proposed development is not likely to impact upon State Significant Farmland or any priority oyster aquaculture area's. As such, referral to the DPI was not required.

(e) The Public Interest

In assessing public interest, consideration should be given to any government interests and community interests having regard to any policy statements, planning studies, guidelines, management plans, advisory documents, public meetings and enquiries held, public submissions, public health and safety etc. Attached as appendix 1 is a list of documents which may be of relevance. This list is by no means inclusive).

Assessment

Subject to the proposed conditions of consent, the proposal generally complies with all applicable provisions and is considered to be in accordance with the public interest, with no significant impacts anticipated for the general locality.

Section 94 Contributions Plan (tick if relevant)

<input type="checkbox"/>	Plan No. 1	Banora Point West/Tweed Heads South
<input type="checkbox"/>	Plan No. 2	Banora Point West Drainage Scheme
<input checked="" type="checkbox"/>	Plan No. 4	Tweed Road Contribution Plan
<input type="checkbox"/>	Plan No. 5	Open Space Contribution
<input type="checkbox"/>	Plan No. 6	Street Tree Planting in Residential Areas
<input type="checkbox"/>	Plan No. 7	West Kingscliff
<input type="checkbox"/>	Plan No. 10	Cobaki Lakes Public Open Space & Community Facilities
<input type="checkbox"/>	Plan No. 11	Shirewide Library Facilities
<input type="checkbox"/>	Plan No. 12	Bus Shelters
<input type="checkbox"/>	Plan No. 13	Eviron Cemetery
<input type="checkbox"/>	Plan No. 14	Rural Road Upgrading, Mebbin Springs Subdivision, Kyogle Road, Kunghur
<input type="checkbox"/>	Plan No. 15	Developer Contributions for Community Facilities
<input type="checkbox"/>	Plan No. 16	Emergency Facilities (Surf Lifesaving)
<input checked="" type="checkbox"/>	Plan No. 18	Council Administration Offices & Technical Support Facilities
<input type="checkbox"/>	Plan No. 19	Casuarina Beach/Kings Forest
<input type="checkbox"/>	Plan No. 20	Public Open Space at Seabreeze Estate
<input type="checkbox"/>	Plan No. 21	Terranora Village Estate - Open Space and Community Facilities
<input type="checkbox"/>	Plan No. 22	Cycleways
<input type="checkbox"/>	Plan No. 23	Offsite Parking
<input type="checkbox"/>	Plan No. 25	SALT Open Space and Associated Car Parking
<input type="checkbox"/>	Plan No. 26	Shirewide/Regional Open Space
<input type="checkbox"/>	Plan No. 27	Tweed Heads Master Plan - Local Open Space/Streetscaping
<input type="checkbox"/>	Plan No. 28	Seaside City

Applicable contributions have been applied for Water, Sewer, TRCP and Council Admin using the additional floor area created by the proposed development. See file for breakdown of contributions.

Consideration of Section 5A of the Environmental Planning & Assessment Act, 1979

Having considered the eight points listed in Section 5A of the Environmental Planning & Assessment Act, 1979, it is considered the proposal - **Is Not Likely** - (Is Likely/Is Not Likely) to have a significant effect on threatened species, populations or ecological communities, or their habitat.

APPENDIX 1

USEFUL DOCUMENTS RELEVANT TO ASSESSMENT UNDER SECTION 79(C)(1) OF THE Environmental Planning & Assessment Act, 1979

Volume One

- * **Tweed Shire Council Strategic Plan**
- * **Tweed Heads 2000+**
A Strategy for the Tweed Heads Central Area, Tweed Shire Council
- * **Social Plan - Tweed Shire 1996**
Community Directions for the Tweed. Tweed Shire Council 1996
- * **Infrastructure Provision: Tweed Development Program**
Tweed Shire Council
- * **Residential Development Strategy**
Tweed Shire Council
- * **Draft Open Space and Recreation Strategy**
Tweed Shire Council
- * **North Coast Urban Planning Strategy Into the 21st Century**
NSW Government: Department of Planning
- * **Chinderah Local Environmental Study**
The GeoLINK Group
- * **Cudgen Nature Reserve Plan of Management**
NSW National Parks and Wildlife Service
- * **Pottsville Village Strategy: October 1998**
Tweed Shire Council

Volume Two

- * **Managing Land Contamination: Planning Guidelines SEPP55 - Remediation of Land, 1998**
Department of Urban Affairs and Planning & EPA
- * **Environmental Management Guidelines for Solid Waste Landfills (draft 1994)**
Environment Protection Authority
- * **Contaminated Land Policy**
Tweed Shire Council
- * **DIPMAC Sites: Guidelines for Consultants Reporting on Contaminated Sites**
Environment Protection Authority
- * **DIPMAC Guidelines for Assessing Developments within 200 metres of Cattle Tick Dip Sites**
Prepared for Cattle Dip Site Management Committee
- * **Rabbit Farming: Planning and Development Control Guidelines**
NSW Agriculture
- * **Koala Habitat Atlas: Project No. 4, Tweed Coast**
Prepared for Tweed Shire Council
- * **Rural Settlement Guidelines: Guidelines for Rural Settlement on the North Coast of NSW**
Department of Urban Affairs and Planning
- * **Planning for Bush Fire Protection: A guide for land use planners, etc. May 1991**
Department of Bush Fire Services

- * **Tourism Development Near Natural Areas: Guidelines for the North Coast**
Department of Planning
- * **Tweed Shire Council: Policy on Road Naming**
Tweed Shire Council
- * **Tweed Shire Council: Policy on Development in Flight Path**
Tweed Shire Council

Volume Three

- * **Australian Water Quality Guidelines for Fresh and Marine Waters. November 1992**
Australia and NSW Environment Conservation Council
- * **Coastline Management Manual**
NSW Government
- * **Tweed River Water Quality Review**
WBM Oceanics Australia
- * **Tweed River Estuary Bank Management Plan, November 1998**
Tweed River Manager Plan Advisory Committee
- * **Estuary Management Plan: Cudgen, Cudgera and Mooball Creeks, August 1997**
Tweed Shire Council & WBM Oceanics Australia
- * **Cobaki Broadwater Management Plan, 1998**
Tweed Shire Council
- * **Terranora Broadwater Management Plan, 1994**
Tweed Shire Council
- * **Upper Tweed Estuary Management Plan**
Tweed Shire Council
- * **Floodplain Development Manual**
NSW Government

Volume Four

- * **Tweed Vegetation Management Plan: Report & Appendices: July 1999**
Prepared for Tweed Shire Council
- * **Tweed Shire Council: Landscape Evaluation Report, November 1995**
Catherine Brouwer Landscape Architect
- * **Tweed Coast Littoral Rainforest Draft (SEPP26) Management Plan**
Prepared for Tweed Shire Council

Ministerial Directions

Section 76A	Kings Beach Koala Beach Artificial Waterways Extractive Industries
Section 94A	Development Contributions - SEPP5 development

Council Reference: DA09/0635
Your Reference:



TWEED
SHIRE COUNCIL

8 March 2010

Customer Service | 1300 292 872 | (02) 6670 2400

LC Investments (Australia) Plc
C/- Planit Consulting Pty Ltd
PO Box 1623
KINGSCLIFF NSW 2487

tsc@tweed.nsw.gov.au
www.tweed.nsw.gov.au

Fax (02) 6670 2429
PO Box 816
Murwillumbah NSW 2484

Please address all communications
to the General Manager

ABN: 90 178 732 496

Dear Sir/Madam

**Development Application DA09/0635 - warehouse with partial
demolition of existing factory and retention of offices and
amenities at Lot 2 DP 619871; No. 35-37 Morton Street
CHINDERAH**

14979
[DAConsent]

I refer to your Development Application regarding the above, and enclose herewith
Development Consent No. DA09/0635.

Your attention, in particular, is drawn to Condition Nos. 13 and 15 of the attached Consent,
which requires the payment of applicable contributions prior to the issue of a construction
certificate.

For further information regarding this matter please contact Colleen Forbes on (02) 6670
2596.

Yours faithfully

Rowena Michel
Co-ordinator Development Assessment

Enc

NOTICE NO. DA09/0635
Environmental Planning and Assessment Act 1979

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

To: LC Investments (Australia) Plc
C/- Planit Consulting Pty Ltd
PO Box 1623
KINGSCLIFF NSW 2487

Pursuant to Section 81(1)(a) of the Act, notice is hereby given of the determination by the Tweed Shire Council of Development Application No. **DA09/0635** relating to land described as:-

Lot 2 DP 619871; No. 35-37 Morton Street CHINDERAH

to be developed in accordance with plans and details submitted for the purpose of –

WAREHOUSE WITH PARTIAL DEMOLITION OF EXISTING FACTORY AND RETENTION OF OFFICES AND AMENITIES

The Development Application has been determined by the granting of consent subject to the conditions described below:-

GENERAL

1. The development shall be completed in accordance with the Statement of Environmental Effects and Plan No's: **1295-WD10.1 Issue A – Site Plan** (as amended in red); **1295-WD10.2 Issue A – Floor Plan**; **1295-WD20.1 Issue A - Elevations**; **1295-WD20.2 Issue A – Elevations**; and **1295-WD30.2 Issue A – Section B**, prepared by Lightwave Architecture and dated 11 December 2009, except where varied by the conditions of this consent.

[GEN0005]
2. Submission of a further Development Application for the first use of the warehouse is required, such to be approved by Council prior to its use or occupation.

[GEN0055]
3. Advertising structures/signs to be the subject of a separate development application (where statutorily required).

[GEN0065]
4. The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia.

[GEN0115]
5. Approval is given subject to the location of, protection of, and/or any necessary approved modifications to any existing public utilities situated within or adjacent to the subject property.

[GEN0135]

6. The development is to be carried out in accordance with Councils Development Design and Construction Specifications.

[GEN0265]

7. The two (2) car spaces adjacent to the Morton Street access point are not approved. They are to be removed and replaced with appropriate landscaping.

[GENNS01]

8. The Development is to be carried out in accordance with the approved Waste Management Plan and Construction / Demolition Plan approved by Council.

NOTE: During the construction phases it is the responsibility of the site manager to ensure that the above management measures are inspected and maintained on a daily basis.

[GENNS02]

9. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.
10. Roller doors, tilt-a-doors and other such doors shall be sealed to prevent the entry of embers into the building.
11. The building shall include protection against bush fires by undertaking the following:
 - Openable window(s) are to be screened with aluminium, bronze or corrosion resistant steel mesh with a maximum aperture size of 1.8mm. Screens shall be placed over the openable part of the window to prevent the entry of embers.
 - External doors are to be sealed with draft excluders to prevent the entry of embers.

[GENNS03]

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

12. The developer shall provide twelve (12) parking spaces including parking for the disabled in accordance with Tweed Shire Council Development Control Plan Part A2 - Site Access and Parking Code.

Note: The two spaces adjacent to the Morton Street access are to be removed and an additional space is to be located adjacent to the proposed six spaces on the Rotumah Street frontage (as amended in red on the approved site plan).

Full design detail of the proposed parking and manoeuvring areas including integrated landscaping shall be submitted to Tweed Shire Council and approved by the General Manager or his delegate prior to the issue of a construction certificate.

[PCC0065]

13. Section 94 Contributions

Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 Plan.

Pursuant to Clause 146 of the Environmental Planning and Assessment Regulations, 2000, a Construction Certificate shall NOT be issued by a Certifying Authority unless all Section 94 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" signed by an authorised officer of Council.

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT.

These charges include indexation provided for in the S94 Plan and will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.

A copy of the Section 94 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.

- (a) Tweed Road Contribution Plan:
 31.657 Trips @ \$861 per Trips \$27257
 (\$782 base rate + \$79 indexation)
 S94 Plan No. 4
 Sector6_4
- (b) Extensions to Council Administration Offices
 & Technical Support Facilities
 0.6596 ET @ \$1759.9 per ET \$1160.83
 (\$1759.9 base rate + \$0 indexation)
 S94 Plan No. 18

[PCC0215]

14. Section 94 Contributions

Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 Plan.

Pursuant to Clause 146 of the Environmental Planning and Assessment Regulations, 2000, a Construction Certificate shall NOT be issued by a Certifying Authority unless all Section 94 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" signed by an authorised officer of Council.

These charges will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.

A copy of the Section 94 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.

Heavy Haulage Component

Payment of a contribution pursuant to Section 94 of the Act and the Heavy Haulage (Extractive materials) provisions of Tweed Road Contribution Plan No. 4 - Version 5 prior to the issue of a construction certificate. The contribution shall be based on the following formula:-

$$\text{\$Con}_{\text{TRCP - Heavy}} = \text{Prod.} \times \text{Dist} \times \text{\$Unit} \times (1 + \text{Admin.})$$

where:

$\text{\$Con}_{\text{TRCP - Heavy}}$ heavy haulage contribution

and:

Prod.	projected demand for extractive material to be hauled to the site over life of project in tonnes
Dist.	average haulage distance of product on Shire roads (trip one way)
\$Unit	the unit cost attributed to maintaining a road as set out in Section 7.2 (currently 5.4c per tonne per kilometre)
Admin.	Administration component - 5% - see Section 6.6

[PCC0225/PSC0185]

15. A **certificate of compliance** (CC) under Sections 305, 306 and 307 of the Water Management Act 2000 is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.

Pursuant to Clause 146 of the Environmental Planning and Assessment Regulations, 2000, a Construction Certificate shall **NOT** be issued by a Certifying Authority unless all Section 64 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" and a "Certificate of Compliance" signed by an authorised officer of Council.

Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

Water DSP5:	1.319 ET @ \$10709 per ET	\$14125.20
Sewer Kingscliff:	1.319 ET @ \$5146 per ET	\$6787.60

These charges to remain fixed for a period of twelve (12) months from the date of this consent and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

[PCC0265]

16. **Prior** to the issue of a Construction Certificate, a cash bond or bank guarantee (unlimited in time) shall be lodged with Council for an amount based on 1% of the value of the works as set out in Council's fees and charges at the time of payment.

The bond may be called up at any time and the funds used to rectify any non-compliance with the conditions of this consent which are not being addressed to the satisfaction of the General Manager or his delegate.

The bond will be refunded, if not expended, when the final Subdivision/Occupation Certificate is issued.

[PCC0275]

17. In accordance with Section 109F(i) of the Environmental Planning and Assessment Act 1979 (as amended), a construction certificate for SUBDIVISION WORKS OR BUILDING WORKS shall NOT be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided.

[PCC0285]

18. All imported fill material shall be from an approved source. Details of the source of fill, description of material, proposed use of material, documentary evidence that the fill material is free of any contaminants and haul route shall be submitted to Tweed Shire Council and approved by the General Manager or his delegate, prior to the issue of a construction certificate.

[PCC0465]

19. A detailed plan of landscaping is to be submitted and approved by Council's General Manager or his delegate prior to the issue of a Construction Certificate. The landscaping shall incorporate groundcovers and shrubs to enable a screening effect of the proposed warehouse building. The plant species shall contain no noxious or environmental weed species and have a minimum 80% of total plant numbers comprised of local native species.

[PCC0585]

20. For drainage purposes only, the land will be required to be filled to the approximate level of the centreline of the adjacent road unless adequate alternative stormwater drainage is provided. Site filling and associated drainage is to be designed to address drainage on the site as well as existing stormwater flows onto or through the site, and minimising the impact of filling on local drainage. Detailed engineering plans of fill levels and perimeter drainage shall be submitted for Council approval.

[PCC0675]

21. Application shall be made to Tweed Shire Council under Section 138 of the Roads Act 1993 for works pursuant to this consent located within the road reserve. Application shall include engineering plans and specifications for the following required works: -

- Construction of a new driveway access in accordance with Council's "Driveway Access to Property – Part 1 – Design Specification".
- Modification / upgrading of the existing driveway accesses from Morton Street and Rotumah Street such that it complies with Council's "Driveway Access to Property – Part 1 – Design Specification".
- Construction of kerb and guttering and associated shoulder bitumen sealing along the full frontage of the subject site.
- Provisions for service infrastructure.

Twenty four (24) hours notice is to be given to Council's Engineering & Operations Division before placement of concrete to enable formwork to be inspected. Failure to do so may result in rejection of the works and its reconstruction.

The above mentioned engineering plan submission must include copies of compliance certificates relied upon and details relevant to but not limited to the following: -

- Road works
- Stormwater drainage
- Water and sewerage works
- Sediment and erosion control plans
- Location of all services/conduits
- Traffic control plan

[PCC0895]

22. Permanent stormwater quality treatment shall be provided in accordance with the following:

- (a) The Construction Certificate Application shall include a detailed stormwater management plan (SWMP) for the occupational or use stage of the development prepared in accordance with Section D7.07 of Councils *Development Design Specification D7 - Stormwater Quality*.
- (b) Permanent stormwater quality treatment shall comply with section 5.5.3 of the Tweed Urban Stormwater Quality Management Plan and Councils Development Design Specification D7 - Stormwater Quality.
- (c) The stormwater and site works shall incorporate water sensitive design principles and where practical, integrated water cycle management.
- (d) Specific Requirements to be detailed within the Construction certificate application include:
- (e) Shake down area along the haul route immediately before the intersection with the road reserve.
- (f) Runoff from all hardstand areas, (including car parking and hardstand landscaping areas and excluding roof areas) must be treated to remove oil and sediment contaminants prior to discharge to the public realm. All permanent stormwater treatment devices must be sized according to Council's Development Design Specification D7 – *Stormwater Quality*, Section D7.12. Engineering detail of the proposed devices, including maintenance schedules, shall be submitted with a s68 Stormwater Application for approval prior to issue of a Construction Certificate.
- (g) Roof water does not require treatment, and should be discharged downstream of treatment devices, or the treatment devices must be sized accordingly.

[PCC1105]

23. A construction certificate application for works that involve any of the following:-

- connection of a private stormwater drain to a public stormwater drain
- installation of stormwater quality control devices
- erosion and sediment control works

will not be approved until prior separate approval to do so has been granted by Council under S68 of the Local Government Act.

- a) Applications for these works must be submitted on Council's standard s68 stormwater drainage application form accompanied by the required attachments and the prescribed fee.
- b) Where Council is requested to issue a construction certificate for civil works associated with a subdivision consent, the abovementioned works can be incorporated as part of the construction certificate application, to enable one single approval to be issued. Separate approval under section 68 of the LG Act will then NOT be required.

[PCC1145]

24. Erosion and Sediment Control shall be provided in accordance with the following:

- (a) The Construction Certificate Application must include a detailed erosion and sediment control plan prepared in accordance with Section D7.07 of *Development Design Specification D7 - Stormwater Quality*.
- (b) Construction phase erosion and sediment control shall be designed, constructed and operated in accordance with *Tweed Shire Council Development Design Specification D7 - Stormwater Quality* and its Annexure A - "Code of Practice for Soil and Water Management on Construction Works".

[PCC1155]

25. Medium density/integrated developments will be required to provide a single bulk water service at the road frontage. Individual metering beyond this point shall be managed by occupants. Application for the bulk metre shall be made to the supply authority detailing the size in accordance with NSW Code of Practice - Plumbing and Drainage and BCA requirements.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act, 2000 to be certified by an Accredited Certifier.

[PCC1185]

26. An application shall be lodged together with any prescribed fees including inspection fees and approved by Tweed Shire Council under Section 68 of the Local Government Act for any water, sewerage, on site sewerage management system or drainage works including connection of a private stormwater drain to a public stormwater drain, installation of stormwater quality control devices or erosion and sediment control works, prior to the issue of a construction certificate.

[PCC1195]

27. Prior to the issue of a construction certificate the location of the former underground petroleum storage system, including a 5m horizontal buffer shall be surveyed and included in a draft Section 88B restriction to user, which restricts excavation or disturbance of soils material or removal of soil from the surveyed area. The draft Section 88B instrument shall contain a provision that it may not be extinguished or altered except with the consent of council. The wording of the draft Section 88B instrument is to be submitted to and approved by the General Manager or delegate prior to the issue of a construction certificate.

[PCCNS01]

PRIOR TO COMMENCEMENT OF WORK

28. The proponent shall accurately locate and identify any existing sewer main, stormwater line or other underground infrastructure within or adjacent to the site and the Principal Certifying Authority advised of its location and depth prior to commencing works and ensure there shall be no conflict between the proposed development and existing infrastructure prior to start of any works.
29. The erection of a building in accordance with a development consent must not be commenced until: [PCW0005]
- (a) a construction certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or an accredited certifier, and
 - (b) the person having the benefit of the development consent has:
 - (i) appointed a principal certifying authority for the building work, and
 - (ii) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
 - (c) the principal certifying authority has, no later than 2 days before the building work commences:
 - (i) notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
 - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
 - (d) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
 - (ii) notified the principal certifying authority of any such appointment, and
 - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspection and other inspections that are to be carried out in respect of the building work.
30. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least **2 days** prior to work commencing. [PCW0215]
31. **Where prescribed by the provisions of the Environmental Planning and Assessment Regulation 2000**, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out: [PCW0225]
- (a) showing the name, address and telephone number of the principal certifying authority for the work, and

- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

[PCW0255]

32. All imported fill material shall be from an approved source. Prior to commencement of filling operations details of the source of the fill, nature of material, proposed use of material and confirmation that further blending, crushing or processing is not to be undertaken shall be submitted to the satisfaction of the General Manager or his delegate.

Once the approved haul route has been identified, payment of the Heavy Haulage Contribution calculated in accordance with Section 94 Plan No 4 will be required prior to commencement of works.

[PCW0375]

33. Prior to commencement of work on the site all erosion and sedimentation control measures are to be installed and operational including the provision of a "shake down" area where required to the satisfaction of the Principal Certifying Authority.

In addition to these measures the core flute sign provided with the stormwater approval under Section 68 of the Local Government Act is to be clearly displayed on the most prominent position of the sediment fence or erosion control device which promotes awareness of the importance of the erosion and sediment controls provided.

This sign is to remain in position for the duration of the project.

[PCW0985]

34. Where any existing sewer junctions are to be disused on the site, the connection point shall be capped off by Council staff. Applications shall be made to Tweed Shire Council and include the payment of fees in accordance with Councils adopted fees and charges prior to commencing any building works.

[PCW1135]

DURING CONSTRUCTION

35. All proposed works are to be carried out in accordance with the conditions of development consent, approved management plans, approved construction certificate, drawings and specifications.

[DUR0005]

36. The provision of twelve (12) off street car parking spaces including parking for the disabled where applicable. The layout and construction standards to be in accordance with Tweed Shire Council Development Control Plan, Part A2 - Site Access and Parking Code.

Note: The two spaces adjacent to the Morton Street access are to be removed and an additional space is to be located adjacent to the proposed six spaces on the Rotumah Street frontage (as amended in red on the approved site plan).

[DUR0085]

37. Construction and/or demolition site work including the entering and leaving of vehicles is limited to the following hours, unless otherwise permitted by Council: -

Monday to Saturday from 7.00am to 6.00pm

No work to be carried out on Sundays or Public Holidays

The proponent is responsible to instruct and control subcontractors regarding hours of work.

[DUR0205]

38. All reasonable steps shall be taken to muffle and acoustically baffle all plant and equipment. In the event of complaints from the neighbours, which Council deem to be reasonable, the noise from the construction site is not to exceed the following:

A. Short Term Period - 4 weeks.

LAeq noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 20dB(A) at the boundary of the nearest likely affected residence.

B. Long term period - the duration.

LAeq noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 15dB(A) at the boundary of the nearest affected residence.

[DUR0215]

39. All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate was made).

[DUR0375]

40. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.

[DUR0395]

41. All demolition work is to be carried out in accordance with the provisions of Australian Standard AS 2601 "The Demolition of Structures" and to the relevant requirements of the WorkCover NSW, Occupational Health and Safety Regulation 2001.

The proponent shall also observe the guidelines set down under the Department of Environment and Climate Change publication, "A Renovators Guide to the Dangers of Lead" and the Workcover Guidelines on working with asbestos.

[DUR0645]

42. The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house, building or structure is strictly prohibited.

[DUR0815]

43. No soil, sand, gravel, clay or other material shall be disposed of off the site without the prior written approval of Tweed Shire Council General Manager or his delegate.

[DUR0985]

44. The surrounding road carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material from the roadway will be at the Developers expense and any such costs are payable prior to the issue of a Subdivision Certificate/Occupation Certificate. [DUR0995]
45. All work associated with this approval is to be carried out so as not to impact on the neighbourhood, adjacent premises or the environment. All necessary precautions, covering and protection shall be taken to minimise impact from: -
- Noise, water or air pollution
 - dust during filling operations and also from construction vehicles
 - material removed from the site by wind
- [DUR1005]
46. All practicable measures must be taken to prevent and minimise harm to the environment as a result of the construction, operation and, where relevant, the decommissioning of the development. [DUR1025]
47. Provision to be made for a flood free storage area for stock and equipment susceptible to water damage. All building materials used below Council's design flood level (RL 3.2m AHD) must not be susceptible to water damage. [DUR1395]
48. Subject to the requirements of the local electricity authority, all electrical wiring, power outlets, switches, etc, should, to the maximum extent possible be located above the design flood level. All electrical wiring installed below the design flood level shall be provided with earth leakage devices. [DUR1415]
49. Where the construction work is on or adjacent to public roads, parks or drainage reserves the development shall provide and maintain all warning signs, lights, barriers and fences in accordance with AS 1742 (Manual of Uniform Traffic Control Devices). The contractor or property owner shall be adequately insured against Public Risk Liability and shall be responsible for any claims arising from these works. [DUR1795]
50. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired in accordance with Councils Development Design and Construction Specifications prior to the issue of a Subdivision Certificate and/or prior to any use or occupation of the buildings. [DUR1875]
51. Where the kerb is to be removed for driveway laybacks, stormwater connections, pram ramps or any other reason, the kerb must be sawcut on each side of the work to enable a neat and tidy joint to be constructed. [DUR1905]
52. During construction, a "satisfactory inspection report" is required to be issued by Council for all works required under Section 138 of the Roads Act 1993. The

proponent shall liaise with Councils Engineering and Operations Division to arrange a suitable inspection.

- [DUR1925]
53. The builder must provide an adequate trade waste service to ensure that all waste material is contained, and removed from the site for the period of construction/demolition.
- [DUR2185]
54. A garbage storage area shall be provided in accordance with Council's **"Code for Storage and Disposal of Garbage and Other Solid Waste"**.
- [DUR2195]
55. The site shall not be dewatered, unless written approval to carry out dewatering operations is received from the Tweed Shire Council General Manager or his delegate.
- [DUR2425]
56. All waters that are to be discharged from the site shall have a pH between 6.5 and 8.5 and suspended solids not greater than 50mg/l. The contractor shall nominate a person responsible for monitoring of the quality of such discharge waters on a daily basis and the results recorded. Such results shall be made available to Council's Environmental Health Officer(s) upon request.
- [DUR2435]
57. During construction, a "satisfactory inspection report" is required to be issued by Council for all s68h2 permanent stormwater quality control devices, prior to backfilling. The proponent shall liaise with Councils Engineering and Operations Division to arrange a suitable inspection.
- [DUR2445]
58. 'House' drainage lines affected by the proposal are to be relocated to Council's satisfaction. Prior to the relocation of any plumbing and drainage lines, a plumbing permit and the relevant plumbing permit fee is to be submitted to Council. Inspection of drainage works prior to covering is required
- [DUR2565]
59. Acid sulfate soils shall not be exposed or disturbed.
- [DURNS01]
60. Where disturbance of any materials in the location of the former underground petroleum storage system including a 5m horizontal buffer is required for construction works all excavation shall be supervised by a suitably qualified environmental consultant and all materials reinterred within the location of the former underground petroleum storage system. The area shall be capped with concrete or similar material.
- [DURNS02]
61. Upon the commencement of construction works on the site groundwater monitoring shall be commenced and completed in accordance with Appendix 1 Groundwater Monitoring Program of the Preliminary Site Contamination Report, HMC January 2010, except that any detection of total petroleum hydrocarbons above the level of recording shall be reported to Council within 30 days of receipt of the laboratory results, along with a report from a suitably qualified person assessing the results against relevant standards and associated environmental risk.

[DURNS03]

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

62. Prior to issue of an occupation certificate, all works/actions/inspections etc required at that stage by other conditions or approved management plans or the like shall be completed in accordance with those conditions or plans. [POC0005]
63. Prior to the issue of an Occupation Certificate a defect liability bond (in cash or unlimited time Bank Guarantee) shall be lodged with Council.
The bond shall be based on 5% of the value of the civil works approved under Section 138 of the Roads Act and Section 68 of the Local Government Act as set out in Councils Fees and Charges current at the time of payment which will be held by Council for a period of 6 months from the date on which the Occupation Certificate is issued. It is the responsibility of the proponent to apply for refund following the remedying of any defects arising within the 6 month period. [POC0165]
64. A person must not commence occupation or use of the whole or any part of a new building or structure (within the meaning of Section 109H(4)) unless an occupation certificate has been issued in relation to the building or part (maximum 25 penalty units). [POC0205]
65. The building is not to be occupied or a final occupation certificate issued until a fire safety certificate has been issued for the building to the effect that each required essential fire safety measure has been designed and installed in accordance with the relevant standards. [POC0225]
66. All landscaping work is to be completed in accordance with the approved plans prior to any use or occupation of the building. [POC0475]
67. Prior to the issue of an occupation certificate, the applicant shall produce a copy of the "satisfactory inspection report" issued by Council for all works required under Section 138 of the Roads Act 1993. [POC0745]
68. Redundant road pavement, kerb and gutter or foot paving including any existing disused vehicular laybacks/driveways or other special provisions shall be removed and the area reinstated to match adjoining works in accordance with Councils Development Design and Construction Specifications. [POC0755]
69. Council's standard "Asset Creation Form" shall be completed (including all quantities and unit rates) and submitted to Council. Written approval from Councils General Manager or his delegate must be issued prior to the issue of an Occupation Certificate. [POC0865]
70. Prior to the issue of an occupation certificate, the applicant shall produce a copy of the "satisfactory inspection report" issued by Council for all s68h2 permanent stormwater quality control devices. [POC0985]

71. Prior to issue of an occupation certificate a statement shall be provided by the environmental consultant which conforms that the site has been monitored during construction works and all materials excavated in the identified former underground petroleum storage tank area were reinterred in accordance with Council's requirements.

[POCNS01]

72. Prior to the issue of an occupation certificate, the restriction to user (which restricts excavation or disturbance of soils material or removal of soil from the surveyed area of the subject site), is to be submitted for registration under Section 88B of the Conveyancing Act.

[POCNS02]

USE

73. The use to be conducted so as not to cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust and odours or the like.

[USE0125]

74. All externally mounted air conditioning units and other mechanical plant or equipment are to be located so that any noise impact due to their operation which may be or is likely to be experienced by any neighbouring premises is minimised. Notwithstanding this requirement all air conditioning units and other mechanical plant and or equipment is to be acoustically treated or shielded where considered necessary to the satisfaction of the General Manager or his delegate such that the operation of any air conditioning unit, mechanical plant and or equipment does not result in the emission of offensive or intrusive noise.

[USE0175]

75. All externally mounted artificial lighting, including security lighting, is to be shielded to the satisfaction of the General Manager or his delegate where necessary or required so as to prevent the spill of light or glare creating a nuisance to neighbouring or adjacent premises.

[USE0225]

76. All plant and equipment installed or used in or on the premises: -

- (a) Must be maintained in a proper and efficient condition, and
- (b) Must be operated in a proper and efficient manner.

In this condition, "plant and equipment" includes drainage systems, infrastructure, pollution control equipment and fuel burning equipment.

[USE0315]

The reasons for the imposition of conditions are to minimise any adverse impact the development may cause and to give effect to the objectives of the Environmental Planning and Assessment Act, 1979.

The application was determined on:

4 March 2010

The consent to operate from:

8 March 2010

The consent to lapse on 8 March 2015 unless commenced prior to that date.

RIGHT OF APPEAL

If you are dissatisfied with this decision Section 97 of the Environmental Planning and Assessment Act, 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

Signed on behalf of the Tweed Shire Council



Rowena Michel, Co-ordinator Development Assessment
8 March 2010

Issue	Amendment	Date
A	ISSUE FOR TENDER	11.12.2009

PO Box 1069 Kingscliff NSW 2487 www.lightwave.com.au

Contractors are to verify all dimensions on site before commencing any work or producing any shop drawings. These drawings are protected by the laws of copyright and may not be copied or reproduced or copied in any form or by any means (graphic, electronic or mechanical, including photocopying) without the written permission of Lightwave Corporation Pty Ltd. Any license, expressed or implied, to use this document for any purpose whatsoever is restricted to the terms of the written agreement between Lightwave Corporation Pty Ltd and the instructing party.

GENERAL NOTES

Contractor to confirm all dimensions, levels and general site conditions prior to construction. Locations of existing services to be located prior to commencement of works.

Dimensions take precedence over scale.

Termite protection required in accordance with AS 3600.1 and Part 17 of the Health Regulation 1995.

Cladding to be installed to satisfy the requirements of AS 1593 and AS 2047.

Full height glazing to be permanently marked.

Unit entry doors to be 35mm solid core self closing within groud filled steel frame.

Door and door hardware to satisfy D2 15-02 21.

Stairs, balustrades and handrails to comply with the Building Code of Australia D2 13-02 17.

Ramps and handrails to comply with AS 1428.

Provide Mechanical Ventilation to internal bathrooms and showers in accordance with AS 1658 Part 2.

Tackle signage to satisfy AS 1428.1 to be provided to all disabled facilities.

Provide R45 acoustic separation between all floors and wet area ceilings.

Tackle indicators are to be provided in accordance with AS 1428.4.

Service penetrations at slabs and party walls must maintain the fire integrity of the wall/floor.

Waterproofing of 'wet areas' (bathrooms and laundries) to comply with Building Code of Australia clause F1.7 and AS 3740.

Damp-proofing required to satisfy BCA F1.5-F1.10.

Refer to engineers drawings for detailed information regarding structure, hydraulics, and survey.

Refer to Development Approval conditions to ensure compliance. Contractor to co-ordinate a certificate of occupancy with Building Certifier.

Matthew Acton

AMENDED BY S. 96
APPLICATION No. DA09/0635.07
DATED 29/4/10

Proposed Warehouse Development
35 Morton Street
Chinderah

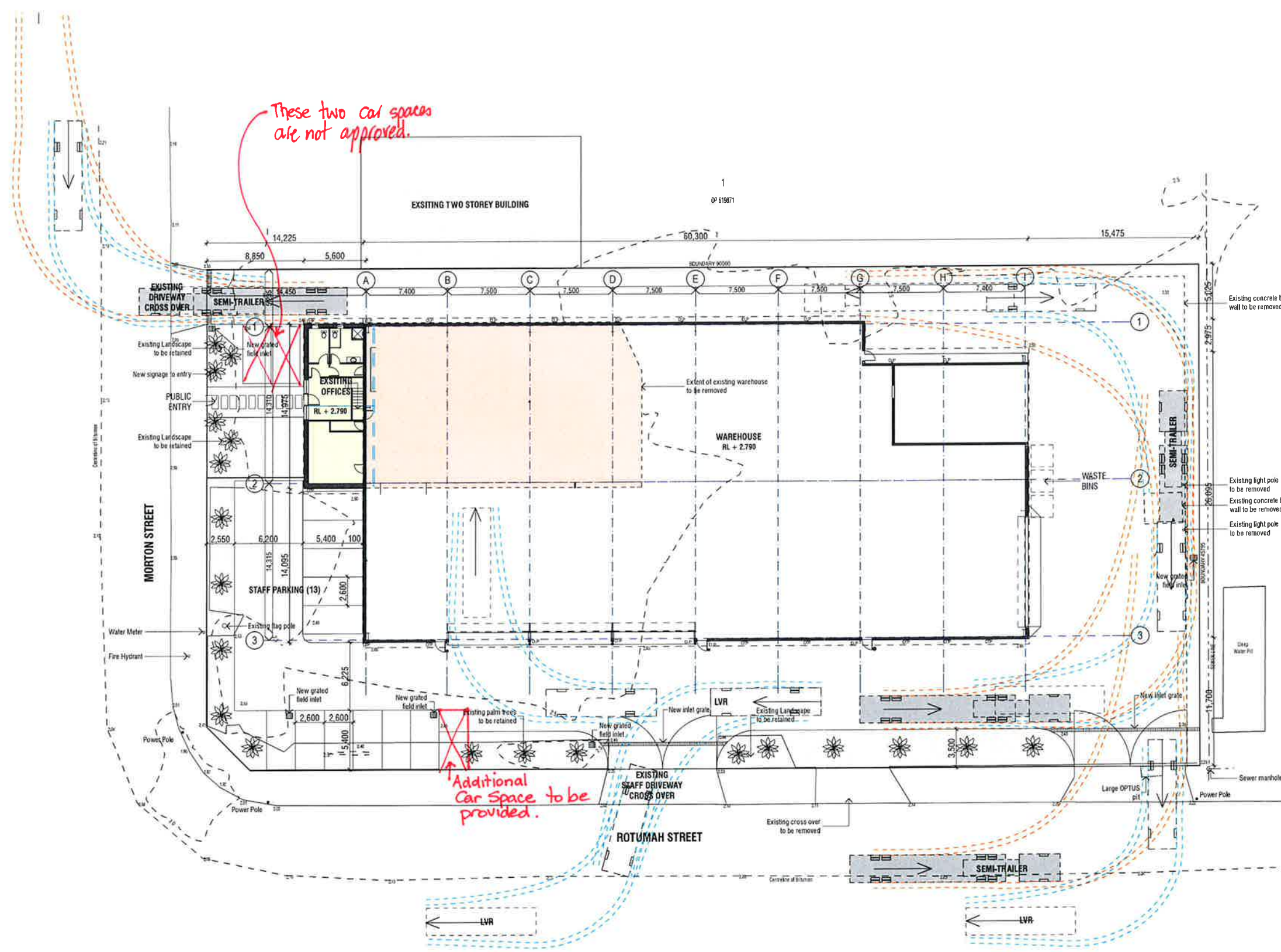
THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA09/0635

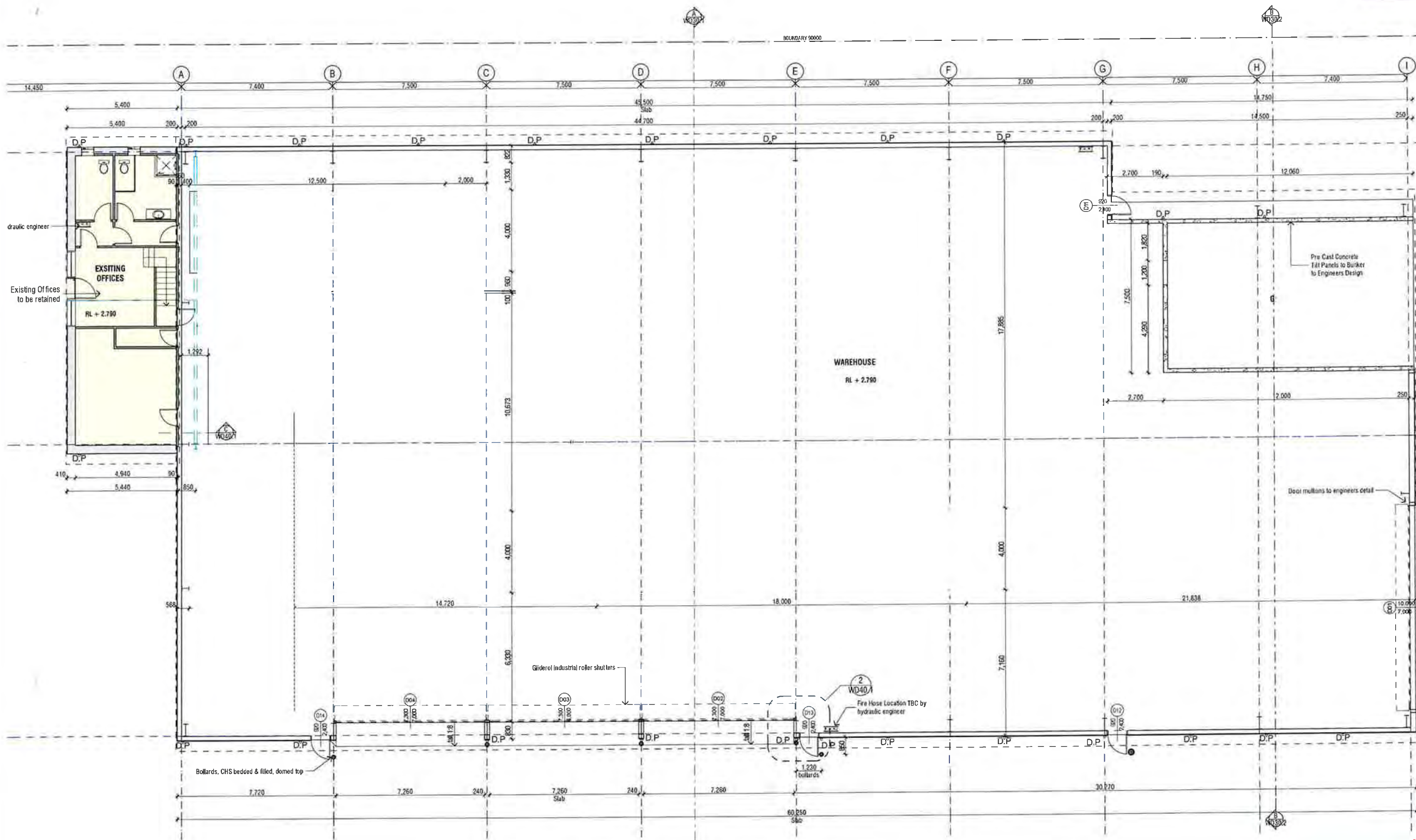
8 MAR 2010

SIGNED: *[Signature]*
Scale: 1:200 Date: December 2009
Design: AF Draw: AF/PT
1295 WDIOI A

Site Plan
1:200

Statistics
1 No. 2
619871
rner of Morton and Rotumah Street
inderah
Area: 4112.7m²
Cover: 1981.6m² 48.2%
A: 1762.2m²





Issue	Amendment	Date
A	ISSUE FOR TENDER	11.12.2009

PO Box 1069 Kingscliff NSW 2487 www.lightwave.com.au

NOTES

Contractors are to verify all dimensions on site before commencing any work or producing any shop drawings. These drawings are protected by the laws of copyright and may not be copied or reproduced or copied in any form or by any means (graphic, electronic or mechanical, including photocopying) without the written permission of Lightwave Corporation Pty Ltd. Any license, expressed or implied, to use this document for any purpose whatsoever is restricted to the terms of the written agreement between Lightwave Corporation Pty Ltd and the instructing party.

GENERAL NOTES

Contractor to confirm all dimensions, levels and general site conditions prior to construction. Locations of existing services to be located prior to commencement of works.
Dimensions take precedence over scale.
Termite protection required in accordance with AS 3602.1 and Part 17 of the Health Regulation 1996.
Glazing to be installed to satisfy the requirements of AS 1288 and AS 2047.
Full height glazing to be permanently marked.
Unit entry doors to be 35mm solid core self closing within groud filled steel frame.
Door and door hardware to satisfy D2 19-D2 21.
Stairs, balustrades and handrails to comply with the Building Code of Australia D2 13-D2 17.
Ramps and handrails to comply with AS 1428.
Provide Mechanical Ventilation to internal bathrooms and laundries in accordance with AS 1559 Part 2.
Tackle systems to satisfy AS 1428.1 to be provided to all disabled facilities.
Provide R4.5 acoustic separation between all floors and wet areas ceilings.
Tackle indicators are to be provided in accordance with AS 1428.4.
Services penetrations in slabs and party walls must maintain the fire integrity of the wall/floor.
Waterproofing of 'wet areas' (bathrooms and laundries) to comply with Building Code of Australia clause F1.7 and AS 3740.
Damp-proofing required to satisfy BCA F1.9-F1.10.
Refer to engineers drawings for detailed information regarding structure, hydraulics, and survey.
Refer to Development Approval conditions to ensure compliance. Contractors to co-ordinate certificate of occupancy with Building Certifier.

GENERAL NOTES

AMENDED BY S. 96 Matthew Acton

APPLICATION No. DA09/0635/07

DATED 29/6/10

CLIENT
Proposed Warehouse Development
35 Morton Street
Chinderah

PROJECT
Floor Plan

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA09/0635/07

8 MAR 2010

SIGNED: *[Signature]*

Issue	Amendment	Date
A	ISSUE FOR TENDER	11.12.2009

PO Box 1069 Kingscliff NSW 2487 www.lightwave.com.au

Contractors are to verify all dimensions on site before commencing any work or producing any shop drawings. These drawings are protected by the laws of copyright and may not be copied or reproduced or copied in any form or by any means (graphic, electronic or mechanical, including photocopying) without the written permission of Lightwave Corporation Pty Ltd. Any license, expressed or implied, to use this document for any purpose whatsoever is restricted to the terms of the written agreement between Lightwave Corporation Pty Ltd and the instructing party.

GENERAL NOTES

Contractor to confirm all dimensions, levels and general site conditions prior to construction. Locations of existing services to be located prior to commencement of works.
Dimensions take precedence over scale.
Termite protection required in accordance with AS 3602.1 and Part 17 of the Health Regulation 1995.
Glazing to be installed to satisfy the requirements of AS1288 and AS 2047.
Full height glazing to be permanently marked.
Unit entry doors to be 35mm solid core self closing within grout filled steel frame.
Door and door hardware to satisfy 02.19.02.21.
Stairs, balustrades and handrails to comply with the Building Code of Australia 02.13.02.17.
Ramp and handrails to comply with AS1428.
Provide Mechanical Ventilation to internal bathrooms and laundries in accordance with AS 1668 Part 2.
Tackle signage to satisfy AS1428.1 to be provided to all disabled facilities.
Provide R45 acoustic separation between all floors and wall area ceilings.
Tackle partitions are to be provided in accordance with AS1428.4.
Service penetrations in slabs and party walls must maintain the fire integrity of the wall/floor.
Waterproofing of 'wet areas' (bathrooms and laundries) to comply with Building Code of Australia clause F1.7 and AS3740.
Damp-proofing required to satisfy BCA F1.9 F1.10.
Refer to engineering drawings for detailed information regarding structure, hydraulics and survey.
Refer to Development Approval conditions to ensure compliance. Contractor to co-ordinate certificate of occupancy with Building Certifier.

GENERAL NOTES

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA09/0635

8 MAR 2010

SIGNED: *Matthew Acton*

Matthew Acton
AMENDED BY S. 80

APPLICATION No. DA09/0635.07
DATE 29/6/10

Proposed Warehouse Development
35 Morton Street
Chinderah

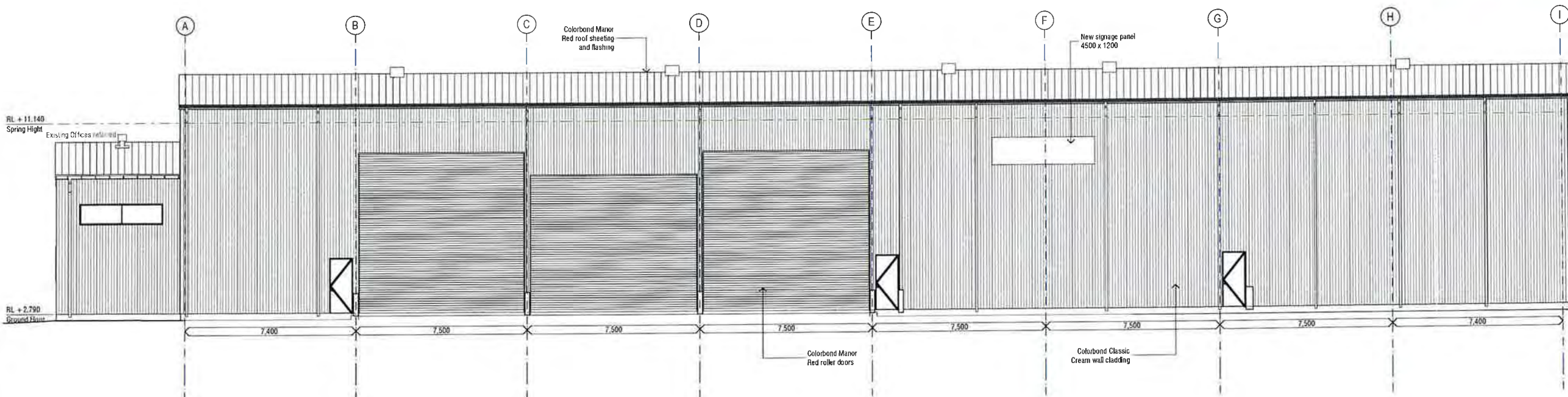
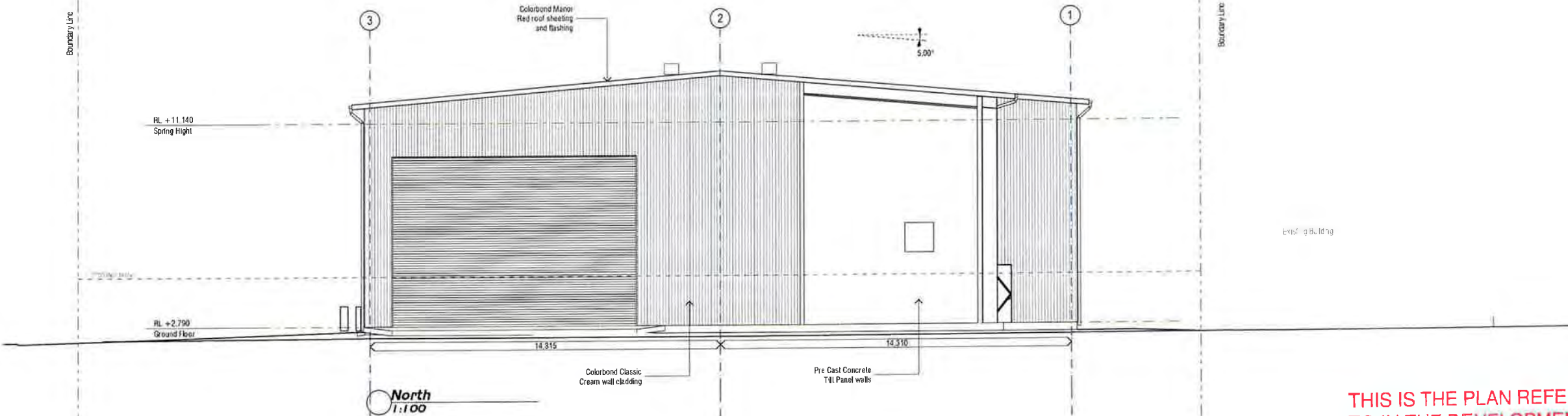
Elevations

DRAWING

Scale 1:100 Date December 2009
Design AF Drawn AF/PT

1295 WD20.1 A

ROTUMAH STREET



East
1:100

Contractors are to verify all dimensions on site before commencing any work or producing any shop drawings. These drawings are protected by the laws of copyright and may not be copied or reproduced or copied in any form or by any means (graphic, electronic or mechanical, including photocopying) without the written permission of Lightwave Corporation Pty Ltd. Any license, expressed or implied, to use this document for any purpose whatsoever is restricted to the terms of the written agreement between Lightwave Corporation Pty Ltd and the instructing party.

GENERAL NOTES

Contractor to confirm all dimensions, levels and general site conditions prior to construction. Locations of existing services to be located prior to commencement of works.
Dimensions take precedence over scale.
Termite protection required in accordance with AS 3602.1 and Part 17 of the Health Regulation 1996.
Cladding to be installed to satisfy the requirements of AS 1566 and AS 2047.
Full height glazing to be permanently marked.
Unit entry doors to be 35mm solid core self closing with groud filled steel frame.
Door and door hardware to satisfy D2 19-D2 21.
Stairs, balustrades and handrails to comply with the Building Code of Australia D2 13-D2 17.
Stairs and handrails to comply with AS 1428.
Provide Mechanical Ventilation to internal bathrooms and laundries in accordance with AS 1566 Part 2.
Fridge signage to satisfy AS 1428.1 to be provided to all disabled facilities.
Provide R45 acoustic separation between all floors and wet area ceilings.
Fridge and laundries are to be provided in accordance with AS 1428.4.
Services penetrations in slabs and party walls must maintain the fire integrity of the wall/floor.
Waterproofing of wet areas (bathrooms and laundries) to comply with Building Code of Australia clause F1 7 and AS 3740.
Damp proofing required to satisfy BCA F1 8/F1 10.
Refer to engineers drawings for detailed information regarding structure, hydraulics, and survey.
Refer to Development Approval conditions to ensure compliance. Contractor to co-ordinate certificate of occupancy with Building Certificate.

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT NO. DA09/0635

8 MAR 2010

SIGNED: *Matthew Acton*

AMENDED BY S. 98 Matthew Acton

APPLICATION NO. DA09/0635.07

DATED 29/6/10

Proposed Warehouse Development
35 Morton Street
Chinderah

Elevations

Scale: H100 Date: December 2009

Design: AF Drawn: AF/PT

1295 WD20.2 A

West
1:100

South
1:100

Existing Building

Existing signage panel to be reused

RL +11.140
Spring Height

RL -2.790
Ground Floor

New signage panel
1500 x 800

5.00°

Proposed Warehouse

Colorbond Manor
Red roof sheeting
and flashing

Boundary Line

ROTUMAH STREET

14,310

15,000
Existing Office

14,315

Colorbond Classic
Cream wall cladding

EXTENT OF NEW WAREHOUSE CONSTRUCTION

Colorbond Manor
Red roof sheeting
and flashing

Existing Office

Existing Offices
retained

1.140
Height

1.790
LEL floor

7,480

Pre Cast Concrete
Tilt Panel Walls

7,500

7,500

7,500

7,500

7,500

7,500

7,500

7,500

7,500

7,500

7,480

Colorbond Classic
Cream wall cladding

Issue	Amendment	Date
A	ISSUE FOR TENDER	11.12.2009

PO Box 1069 Kingscliff NSW 2487 www.lightwave.com.au

Contractors are to verify all dimensions on site before commencing any work or producing any shop drawings. These drawings are protected by the laws of copyright and may not be copied or reproduced or copied in any form or by any means (graphic, electronic or mechanical including photocopying) without the written permission of Lightwave Corporation Pty Ltd. Any license, expressed or implied to use this document for any purpose whatsoever is restricted to the terms of the written agreement between Lightwave Corporation Pty Ltd and the instructing party.

GENERAL NOTES

Contractor to confirm all dimensions, levels and general site conditions prior to construction. Locations of existing services to be located prior to commencement of works.

Dimensions take precedence over scale.

Termite protection required in accordance with AS 3600.1 and Part 17 of the Health Regulation 1995.

Glazing to be installed to satisfy the requirements of AS 1288 and AS 2047.

Full height glazing to be permanently marked.

Unit entry doors to be 35mm solid core self closing with groud filled steel frame.

Door and door hardware to satisfy D2.19-D2.21.

Stairs balustrades and handrails to comply with the Building Code of Australia D2.13-D2.17.

Ramps and handrails to comply with AS1428.

Provide Mechanical Ventilation to internal bathrooms and laundries in accordance with AS 1559 Part 2.

Tackle egress to satisfy AS1428.1 to be provided to all disabled facilities.

Provide R45 acoustic separation between all floors and wet areas ceilings.

Tackle indicators are to be provided in accordance with AS1428.4.

Services penetrations in slabs and party walls must maintain the fire integrity of the wall/floor.

Waterproofing of wet areas (bathrooms and laundries) to comply with Building Code of Australia clause F1.7 and AS3740.

Damp-proofing required to satisfy BCA F1.9-F1.10.

Refer to engineers drawings for detailed information regarding structure, hydraulics and survey.

Refer to Development Approval conditions to ensure compliance. Contractor to coordinate certificate of occupancy with Building Certifier.

Matthew Acton

AMENDED BY S. 96

APPLICATION No. DAC9/0635 07

DATED 29/6/10

Proposed Warehouse Development
35 Morton Street
Chinderah

Section B

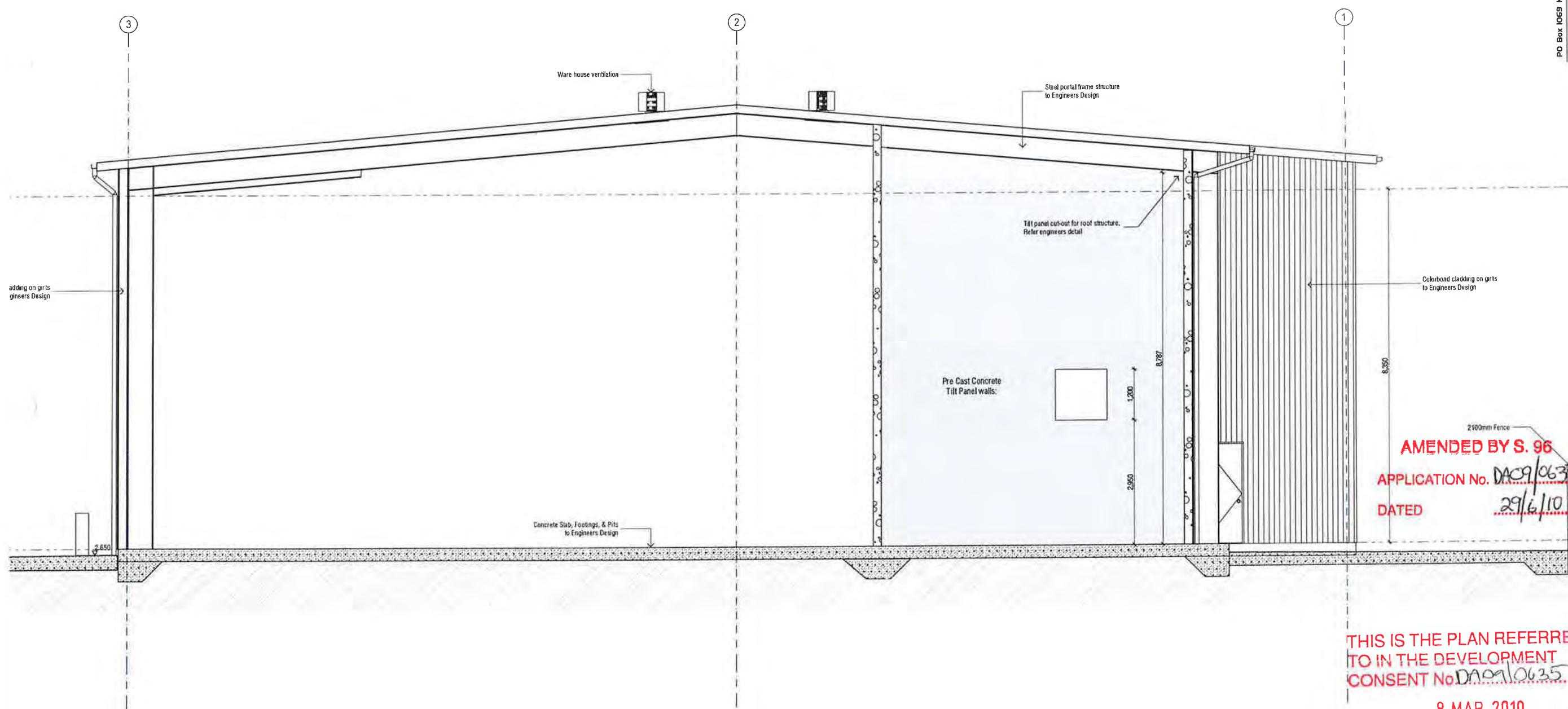
THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT
CONSENT No. DAC9/0635

8 MAR 2010

SIGNED: *Matthew Acton*

Scale 1:50 Date December 2009
Drawn AF/PT

1295 WD30.2 A



Section B
1:50