

Friday 25 June 2010

To: Lindsay McGavin
From: Denise Galle
Subject: Development Application DA09/0635.07 - amendment to development consent 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
Reference: DA09/0635.07

14979

[DAMemo]

S96 Modification Assessment Report

Background

On 8 March 2010 Council approved DA09/0635. The approval was for a warehouse with partial demolition of an existing factory and retention of offices and amenities. The warehouse did not have any internal pits or a weighbridge as the use being sought was strictly for a warehouse only with no other specific use being mentioned.

On 11 March 2010 Council received DA10/0133 (a JRPP Application) that seeks approval for the change of use of the subject warehouse building into a waste management facility. As part of this application the applicant sought approval for the introduction of internal pits (that would be erected below ground level) and a weighbridge to be used in conjunction with the waste management facility. As part of the JRPP process the panel undertook a site visit on 12 May 2010 and witnessed that the proposed pits were in fact already being constructed without development approval.

A private certifier (Simon Dwyer of Buildit Certification) issued a Construction Certificate (CC10/0236) in association with DA09/0635. However, the approved CC plans show the pits as proposed within DA10/0133 which are yet to be approved.

This matter was raised with the applicant and the private certifier and consequently Council has received this current S96 application in an attempt to rectify unauthorised works and ensure a lawful way forward for the project in its entirety. In conjunction with this S96 the applicant has lodged amended plans in regard to DA10/0133 to ensure the two applications are consistent with one another.

The Proposal

On 19 May 2010 Council received the current S96 Application which specifically seeks approval for the following additions to the approved warehouse building:

1. *Two (2) internal pits of 1.2m depth;*
2. *The provision of a transformer and pad adjacent to the Morton Street frontage;*
3. *The installation of a weighbridge between the building and western property boundary including a third pit of 1m deep;*
4. *Realignment of plan Grid A 500mm towards the northern boundary with corresponding 500mm reduction between Grid A & B (note overall building length and setbacks have not altered);*
5. *Minor amendment the to north elevation, through the relocation of small 1.2m by 1.2m precast opening (refer highlighted area on drawing WD20.1)*

These amendments would necessitate changes to the existing determination by way of changes to:

- Condition 1 in regards to the applicable plans,
- Conditions 7 and 12 and 36 in regard to parking, and
- New conditions for
 - compliance with a revised acid sulfate soils management plan;
 - a Construction Certificate detailing the proposed pits and any other changes resulting from this S96;
 - a Building Certificate for the unauthorised works constructed to date;
 - a new easement over the pad mount infrastructure, and
 - a trade waste application in association with the pits.

CONSIDERATIONS UNDER SECTION 96 & 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979:

96 (1A) of the Act relates to modifications involving minimal environmental impact. It specifies that a consent authority may, on application being made by the applicant modify the consent if:

- (a) *it is satisfied that the proposed modification is of minimal environmental impact, and*
- (b) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (c) *it has notified the application in accordance with:*
 - (i) *the regulations, if the regulations so require, or*
 - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) *it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

S96 (3) further states that in determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 79C (1) as are of relevance to the development the subject of the application.

Minimal Environmental Impact

The applicant has stated that

It is our view that the proposed modification falls within the provisions of Section 96(1)(a) as the proposed changes are minor in scale and will not result in any significant environmental impacts (which have not already been assessed by Council) as demonstrated in this submission.

The proposed modifications are considered consistent with the proposed use of Warehouse. In this regard the proposed internal pits are to be used to secure elevated racking and storage systems, while the external weighbridge is to check truck loads prior to dispatch. It is noted the final tenant of the warehouse is still unknown and it is requested Council maintain condition 2 of the development consent for submission of a first use application. For further detail Council is directed to the amended plans under Appendix A & E.

Having regard to the proposed amendments, it is submitted that the threshold question is satisfied on the basis that;

- The development remains as previously proposed, a Warehouse for storage and distribution purposes with all modifications consistent with Warehousing use;*
- No change will result to the scale or intensity of the use over and above that previously investigated and approved;*
- The proposed amendments do not raise any significant environmental issues which have not already been investigated with the previous assessment of the proposal; and*
- The buildings appearance will remain essentially the same as originally approved.*

It is noted the proposed modification includes the construction of three (3) pits, one with a depth of 1m and two (2) with a depth of 1.2m. The proposed pits will result in excavations to 1.650m AHD and 1.590m AHD respectively. HMC (environmental consultants for the project) have been consulted regarding the proposed pits and it has been determined dewatering is not required for there construction.

To establish the impact of the additional components of the proposed development the application was forwarded to Council's Building Surveyor, Council's Development Engineer, and Council Environmental Health Officer.

Council's Building Surveyor raised no objection to the proposed changes but has recommended additional conditions as follows:

- # Within 30 days from the approval of DA09/0635.07 the applicant is to obtain a Building Certificate for the construction and earthworks/foundations already undertaken on the pits.
- # A Construction Certificate is to be issued for all additional works as approved by DA09/0635.07 prior to any further works commencing on the variations.

These conditions have been incorporated into the below recommendation.

Council's Development Engineer raised no objection to the proposed Section 96.

The access, parking and manoeuvrability all remain unchanged, however, condition 7 is redundant as new parking plans were submitted to Council to ensure compliance with these conditions. The new plans will be better referenced in revised Condition 1A as per the recommendation. In addition Conditions 12 and 36 can be amended to delete reference for the need for car parking amendments as the new plans are now referenced in Condition 1A.

The stormwater drainage remains unchanged. However, the application was referred to Council's Trade Officer to review whether the pits require drainage mechanisms be built into them. Peter Haywood responded by stating that the proposed new pits as part of the S96 will definitely need a Trade Waste approval and that it will be the applicants responsibility that they are built to suitable size requirements to facilitate any future water management facility. Accordingly appropriate conditions of consent have been recommended as part of this assessment to require the applicant to lodge a trade waste application in association with this DA.

The proposed new pad mount transformer requires the introduction of a new easement and accordingly a new condition of consent is recommended.

Council's Environmental Health Officer has reviewed the proposal and advised that the introduction of the proposed pits as part of this application raises no issues with acid sulfate soils (provided the application is conditioned to comply with the revised acid sulfate soils management plan) or dewatering. The pits are proposed to a maximum depth of 1.2m (a 1.7m depth for excavation works for the construction of the pits) and the applicant has demonstrated that these works will not trigger dewatering.

In addition the excavation for the pits is proposed outside the area of known site contamination and therefore no additional conditions or assessment is required.

From a planning perspective the additional works will constitute minimal environmental impact and can be approved by way of the proposed S96 Application.

Substantially the Same Development

Having regard for this criteria the applicant has provided that the proposed variations result in substantially the same development on the basis that the changes are very minor in nature and do not alter the scale or intensity of the original approved proposal.

The more difficult test is to establish whether the additional works (pits and weighbridge) can reasonably be considered in association with a warehouse when in fact Council knows they are better suited to the proposed (but not yet approved waste treatment facility). In this regard Council can not prove that a normal warehouse would not benefit from a weighbridge or internal pits and therefore the applicants argument that such facilities can reasonably be associated with a warehouse are justified.

Therefore, the proposed modifications would still result in substantially the same development as that originally approved (that being a warehouse in an industrial area) and can therefore be dealt with via S96 (1A) of the Act.

Relevant Section 79C(1) Matters

In considering an application to modify development consent Council must have regard to Section 79 of the Act.

The above assessment has reviewed the application against the relevantly applicable legislation including the Tweed LEP 2000, Tweed DCP, SEPP 71, and SEPP 55. Appropriate conditions of consent have been recommended accordingly.

Submissions

The S96(1a) was not required to be publically advertised or notified to local residents.

Recommendation

Having assessed the S96 Application against the applicable controls, the application is considered to warrant conditional approval and accordingly the following changes to the consent are required.

Delete Condition 1 and replace with new condition 1A as follows:

- 1A The development shall be completed in accordance with the original Statement of Environmental Effects except where varied by the approved S96 DA09/0635.07 and Plan No's as follows:
- 1295-WD10.1 Issue H – Site Plan, prepared by Lightwave Architecture and dated 18 May 2010;
 - 1295-WD10.2 Issue F – Floor Plan, prepared by Lightwave Architecture and dated 18 May 2010;
 - 1295-WD20.1 Issue F – Elevations, prepared by Lightwave Architecture and dated 17 June 2010;
 - 1295-WD20.2 Issue F – Elevations, prepared by Lightwave Architecture and dated 17 June 2010;
 - 1295-WD30.1 Issue F – Section A, prepared by Lightwave Architecture and dated 18 May 2010;
 - 1295-WD30.2 Issue D – Section B, prepared by Lightwave Architecture and dated 18 May 2010; and
 - 1295-WD40.1 Issue D – Details (weighbridge), prepared by Lightwave Architecture and dated 18 May 2010,
- except where varied by the conditions of this consent.

[GEN0005]

Insert new condition 1B as follows:

- 1B All works shall comply with the Amended Acid Sulfate Soil Management Plan, prepared by HMC may 2010 (2009.082).

Insert new condition 1C as follows:

- 1C A Construction Certificate is to be issued for all additional works as approved by DA09/0635.07 prior to any further works commencing on the variations.

Insert new condition 1D as follows:

- 1D Within 30 days from the approval of DA09/0635.07 the applicant is to obtain a Building Certificate for the construction and earthworks/foundations already undertaken on the pits.

Insert new condition 1E as follows:

- 1E Within 30 days from the approval of DA09/0635.07 the applicant is to liaise with Council's Water and Waste Water Connections Officer in regards to obtaining a Trade Waste Approval for the internal pits.

Any pollutant discharge greater than or differing from domestic usage is to submit to Council an application for a Trade Waste Licence. This application is to be approved by the General Manager or his delegate prior to any discharge to sewer being commenced. A trade waste application fee will be applicable in accordance with Councils adopted Fees and Charges.

The pits are then to be constructed in accordance with any conditions imposed on the respective Trade Waste Approval.

Delete Condition 7

Delete Condition 12 and replace with new condition 12A as follows:

12A 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.

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]

Delete Condition 36 and replace with new condition 36A as follows:

36A 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.

[DUR0085]

Insert new condition 72A as follows:

72A Prior to the issue of an Occupation Certificate, documentary evidence shall be provided to Council to confirm the registration of an appropriately sized easement encompassing the proposed pad-mount and associated infrastructure, benefiting Country Energy and its successors.

[POCSN01]

In addition to the above amendments to the consent it is further recommended that the contractor and owner be issued with a Penalty Infringement Notice (PIN) for the unauthorised earthworks. This PIN should be attached to two respective letters that state as follows:

"Please find attached a Penalty Infringement Notice for unauthorised earthworks at the above mentioned address.

The earthworks were in association with pits that were proposed as part of DA10/0133 which has not yet been approved.

Council notes that the pits have now been incorporated into DA09/0635.07 and that an approval for these pits has now been approved thus enabling you to proceed with the pits as previously commenced in accordance with the conditions of consent.

However, as the works were clearly started without the appropriate development consent the attached Penalty Infringement Notice has been issued.

Should you have any further enquiries in relation to this matter please contact Council's Denise Galle on 02 6670 2459"

Memo

The contractor's details are:

Attention Wes Ross
Solo Resource Recovery
PO Box 1427
KINGSCLIFF NSW 2487

The owners details are:

LC Investments (Australia) PLC
PO Box 385
SOMERTON VIC 3062



Denise Galle
Development Assessment Unit

RECOMMENDATION APPROVED

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

Signed: _____

Lindsay McGavin

Dated: _____

29.6.10

Council Reference: DA09/0635.07 LN14979
Your Reference:



TWEED
SHIRE COUNCIL

29 June 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

Section 96 Application DA09/0635.07 - amendment to development consent 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

I refer to your application regarding the above and enclose herewith Amended Consent DA09/0635. The consent has been amended as follows: -

Condition No. 1 is to be deleted and new Condition No. 1A is to be inserted to read as follows:

- 1A. The development shall be completed in accordance with the original Statement of Environmental Effects except where varied by the approved S96 DA09/0635.07 and Plan No's as follows:
- 1295-WD10.1 Issue H – Site Plan, prepared by Lightwave Architecture and dated 18 May 2010;
 - 1295-WD10.2 Issue F – Floor Plan, prepared by Lightwave Architecture and dated 18 May 2010;
 - 1295-WD20.1 Issue F – Elevations, prepared by Lightwave Architecture and dated 17 June 2010;
 - 1295-WD20.2 Issue F – Elevations, prepared by Lightwave Architecture and dated 17 June 2010;
 - 1295-WD30.1 Issue F – Section A, prepared by Lightwave Architecture and dated 18 May 2010;
 - 1295-WD30.2 Issue D – Section B, prepared by Lightwave Architecture and dated 18 May 2010; and
 - 1295-WD40.1 Issue D – Details (weighbridge), prepared by Lightwave Architecture and dated 18 May 2010,

except where varied by the conditions of this consent.

[GEN0005]

New Condition No. 1B is to be inserted to read as follows:

- 1B. All works shall comply with the Amended Acid Sulfate Soil Management Plan, prepared by HMC may 2010 (2009.082).

New Condition No. 1C is to be inserted to read as follows:

- 1C. A Construction Certificate is to be issued for all additional works as approved by DA09/0635.07 prior to any further works commencing on the variations.

New Condition No. 1D is to be inserted to read as follows:

- 1D. Within 30 days from the approval of DA09/0635.07 the applicant is to obtain a Building Certificate for the construction and earthworks/foundations already undertaken on the pits.

New Condition No. 1E is to be inserted to read as follows:

- 1E. Within 30 days from the approval of DA09/0635.07 the applicant is to liaise with Council's Water and Waste Water Connections Officer in regards to obtaining a Trade Waste Approval for the internal pits.

Any pollutant discharge greater than or differing from domestic usage is to submit to Council an application for a Trade Waste Licence. This application is to be approved by the General Manager or his delegate prior to any discharge to sewer being commenced. A trade waste application fee will be applicable in accordance with Council's adopted Fees and Charges.

The pits are then to be constructed in accordance with any conditions imposed on the respective Trade Waste Approval.

Condition No. 7 is to be deleted.

Condition No. 12 is to be deleted and new Condition No. 12A is to be inserted to read as follows:

- 12A. 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.

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]

Condition No. 36 is to be deleted and Condition No. 36A is to be inserted to read as follows:

- 36A. 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.

[DUR008]

New Condition No. 72A is to be inserted to read as follows:

- 72A Prior to the issue of an Occupation Certificate, documentary evidence shall be provided to Council to confirm the registration of an appropriately sized easement encompassing the proposed pad-mount and associated infrastructure, benefiting Country Energy and its successors.

[POCSN01]

For further information regarding this matter please contact Denise Galle on (02) 66702459.

Yours faithfully



Lindsay McGavin

Manager Development Assessment

Enc

AMENDED CONSENT ISSUED 29/6/2010

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. DELETED

1A. The development shall be completed in accordance with the original Statement of Environmental Effects except where varied by the approved S96 DA09/0635.07 and Plan No's as follows:

- 1295-WD10.1 Issue H – Site Plan, prepared by Lightwave Architecture and dated 18 May 2010;
- 1295-WD10.2 Issue F – Floor Plan, prepared by Lightwave Architecture and dated 18 May 2010;
- 1295-WD20.1 Issue F – Elevations, prepared by Lightwave Architecture and dated 17 June 2010;
- 1295-WD20.2 Issue F – Elevations, prepared by Lightwave Architecture and dated 17 June 2010;
- 1295-WD30.1 Issue F – Section A, prepared by Lightwave Architecture and dated 18 May 2010;

- 1295-WD30.2 Issue D – Section B, prepared by Lightwave Architecture and dated 18 May 2010; and
 - 1295-WD40.1 Issue D – Details (weighbridge), prepared by Lightwave Architecture and dated 18 May 2010,
- except where varied by the conditions of this consent.

[GEN0005]

- 1B. All works shall comply with the Amended Acid Sulfate Soil Management Plan, prepared by HMC may 2010 (2009.082).
- 1C. A Construction Certificate is to be issued for all additional works as approved by DA09/0635.07 prior to any further works commencing on the variations.
- 1D. Within 30 days from the approval of DA09/0635.07 the applicant is to obtain a Building Certificate for the construction and earthworks/foundations already undertaken on the pits.
- 1E. Within 30 days from the approval of DA09/0635.07 the applicant is to liaise with Council's Water and Waste Water Connections Officer in regards to obtaining a Trade Waste Approval for the internal pits.

Any pollutant discharge greater than or differing from domestic usage is to submit to Council an application for a Trade Waste Licence. This application is to be approved by the General Manager or his delegate prior to any discharge to sewer being commenced. A trade waste application fee will be applicable in accordance with Councils adopted Fees and Charges.

The pits are then to be constructed in accordance with any conditions imposed on the respective Trade Waste Approval.

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. **DELETED**

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. **DELETED**

- 12A. 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.

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

[PCC02 (r)]

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

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 details 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.

[PCW0005]

29. The erection of a building in accordance with a development consent must not be commenced until:
- (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.
- [PCW0215]
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.
- [PCW0225]
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:
- (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. DELETED.

- 36A. 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.

[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.
[POCNS0]
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]
- 72A. Prior to the issue of an Occupation Certificate, documentary evidence shall be provided to Council to confirm the registration of an appropriately sized easement encompassing the proposed pad-mount and associated infrastructure, benefiting Country Energy and its successors.

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
B	ISSUE FOR CONSTRUCTION	15.03.2010
C	S96 APPLICATION	13.05.2010
D	S96 APPLICATION	18.05.2010

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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 3660.1 and Part 17 of the Health Regulation 1996
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 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 1668 Part 2
Tactile signage to satisfy AS1428.1 to be provided to all disabled facilities
Provide R45 acoustic separation between all floors and wet area ceilings
Tactile 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 co-ordinate certificate of occupancy with Building Certifier

Matthew Acton

CLIENT
Proposed Warehouse Development
35 Morton Street
Chinderah

PROJECT
Details

THE AMENDED PLAN REFERRED TO IN MODIFIED DEVELOPMENT CONSENT No. 049/06/55-07 APPROVED PURSUANT TO SEC 95 OF E.P.A. ACT 1979

29 JUN 2010

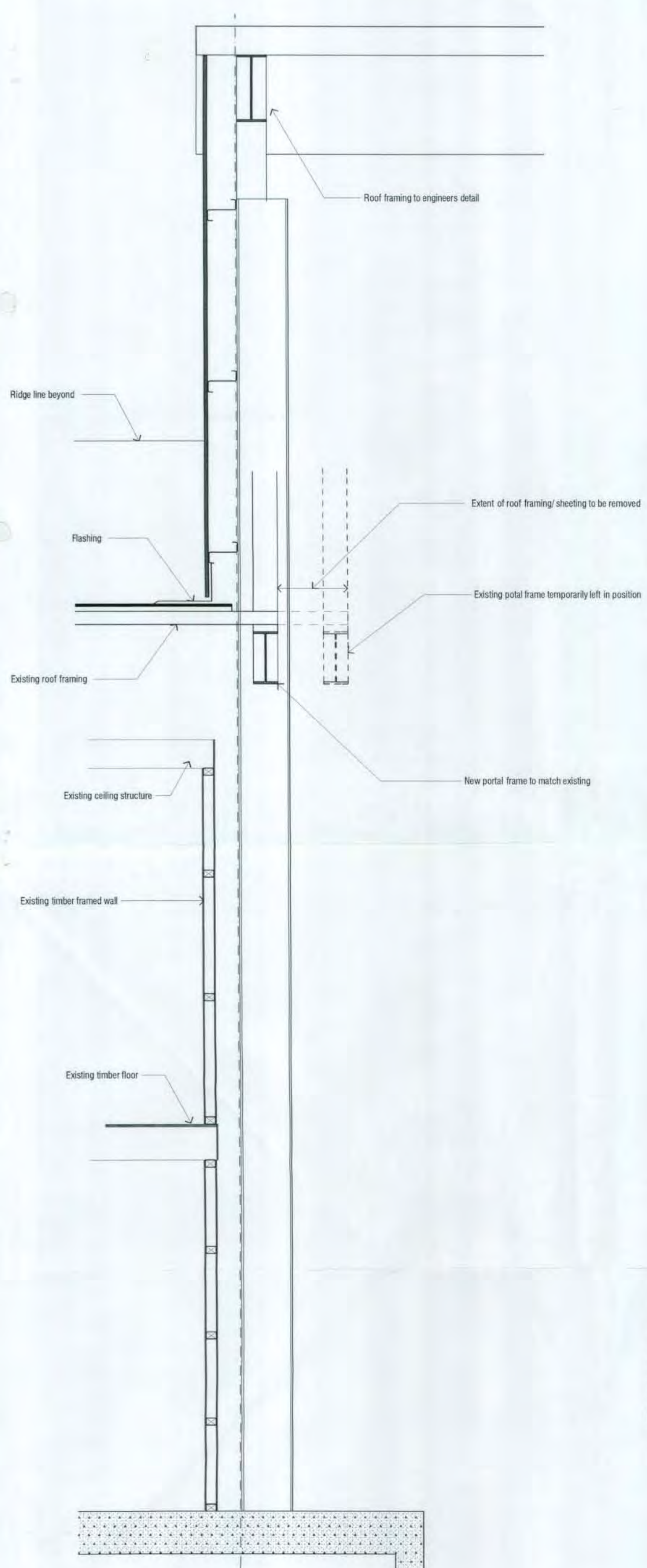
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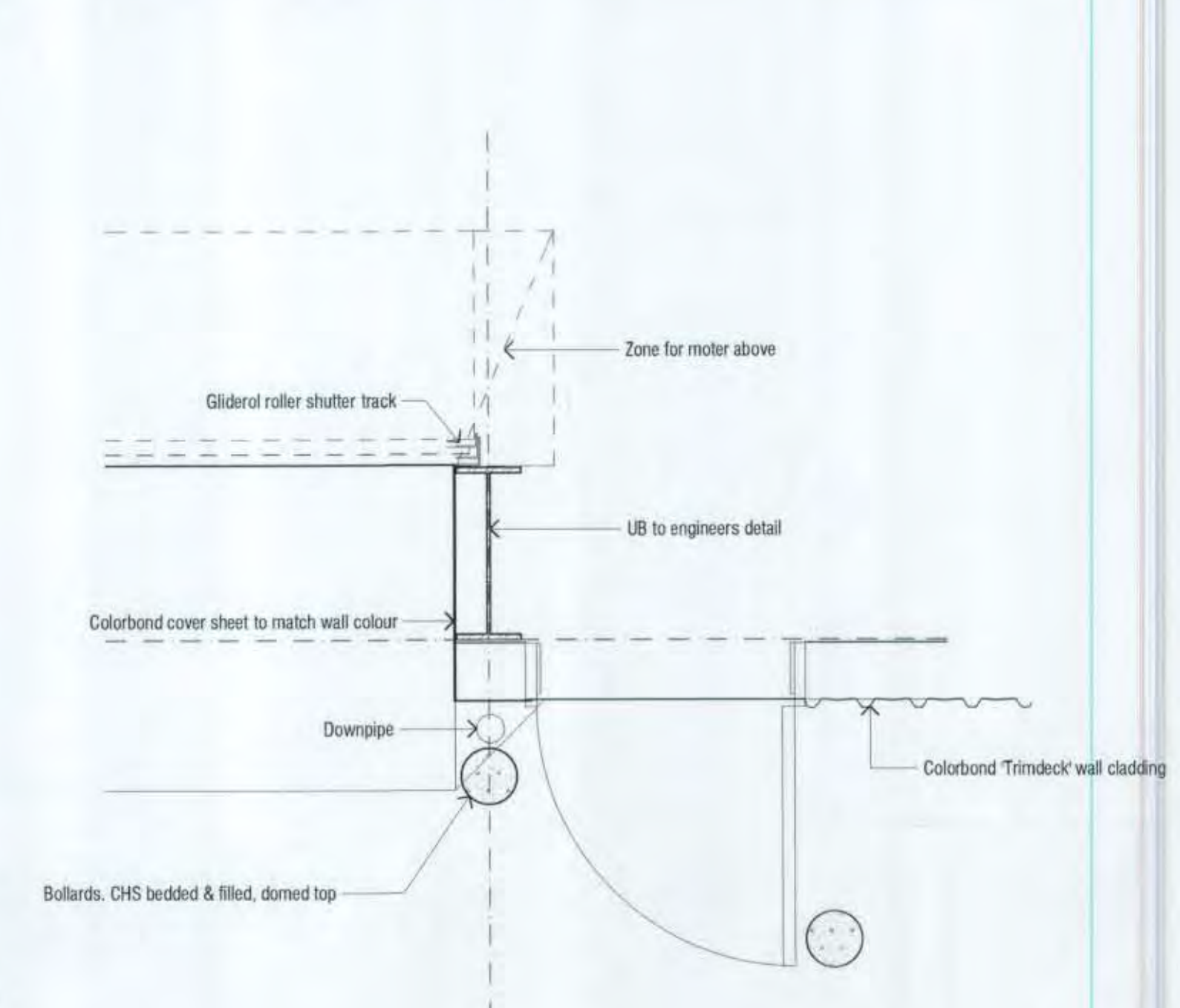
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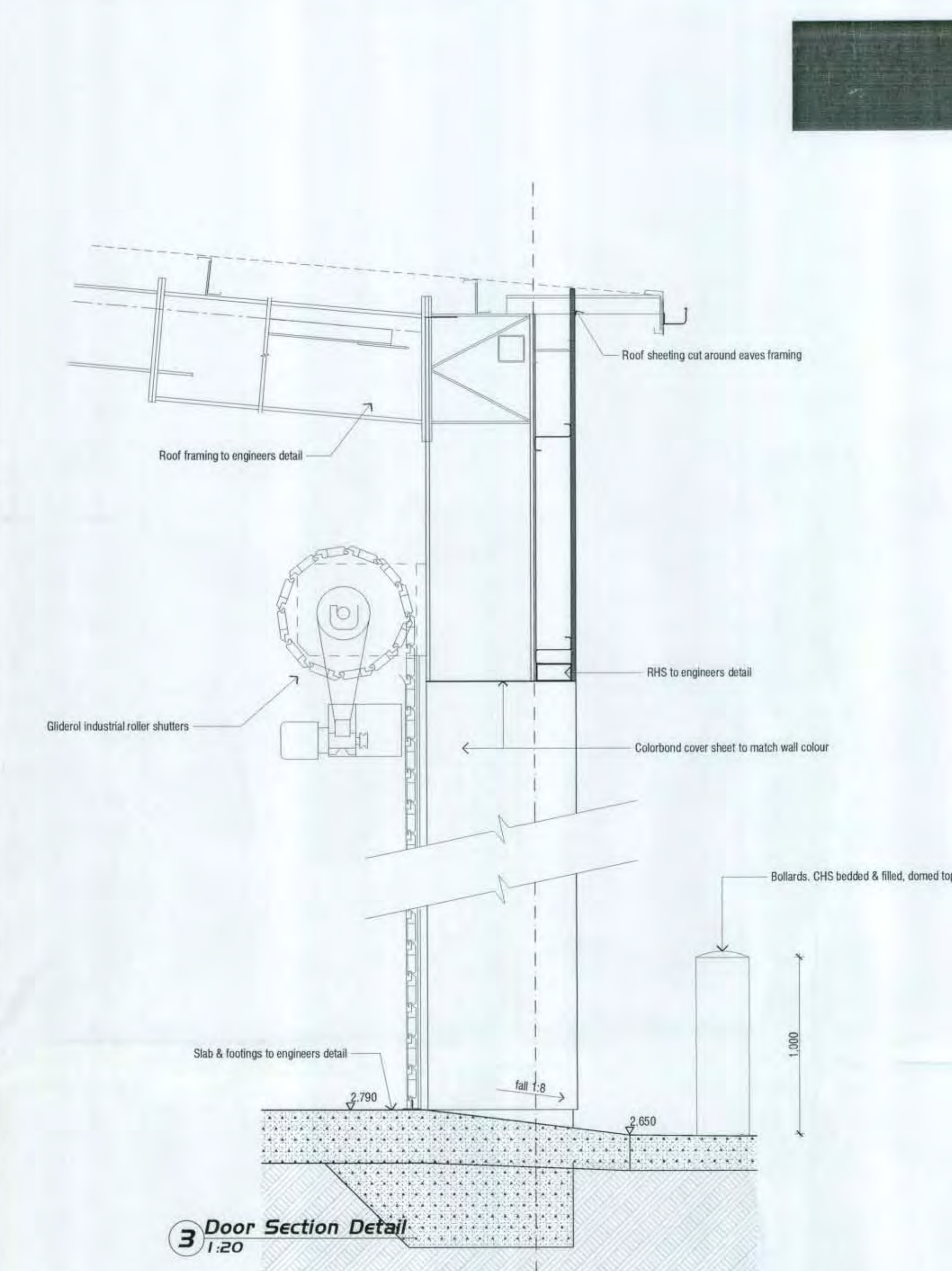
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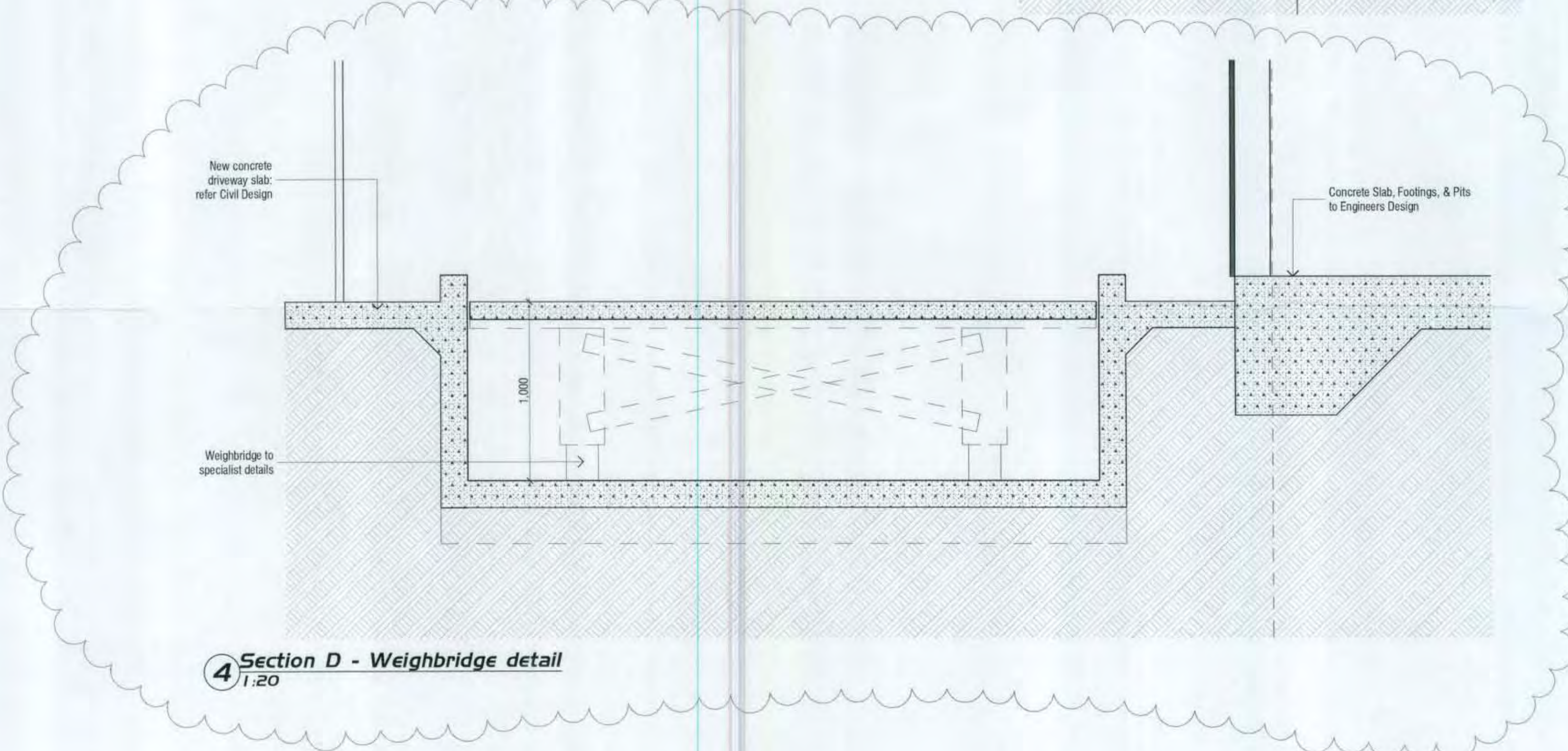
1 Section C 1:20



2 Door Plan Detail 1:20



3 Door Section Detail 1:20



4 Section D - Weighbridge detail 1:20

Issue	Amendment	Date
A	ISSUE FOR TENDER	11.12.2009
B	ISSUE FOR CONSTRUCTION	15.03.2010
C	S96 APPLICATION	13.05.2010
D	S96 APPLICATION	18.05.2010

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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 3680.1 and Part 17 of the Health Regulation 1996
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 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 1668 Part 2
Tactile signage to satisfy AS1428.1 to be provided to all disabled facilities
Provide Rwa5 acoustic separation between all floors and wet area ceilings
Tactile 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 co-ordinate certificate of occupancy with Building Certifier

GENERAL NOTES

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 Certifier

Matthew Acton

**Proposed Warehouse Development
35 Morton Street
Chinderah**

Section B
TO IN MODIFIED DEVELOPMENT CONSENT
No. D/2009/0636 - C.7 APPROVED
PURSUANT TO SEC. 88 OF E.P.A. ACT 1979

29 JUN 2010

SIGNED

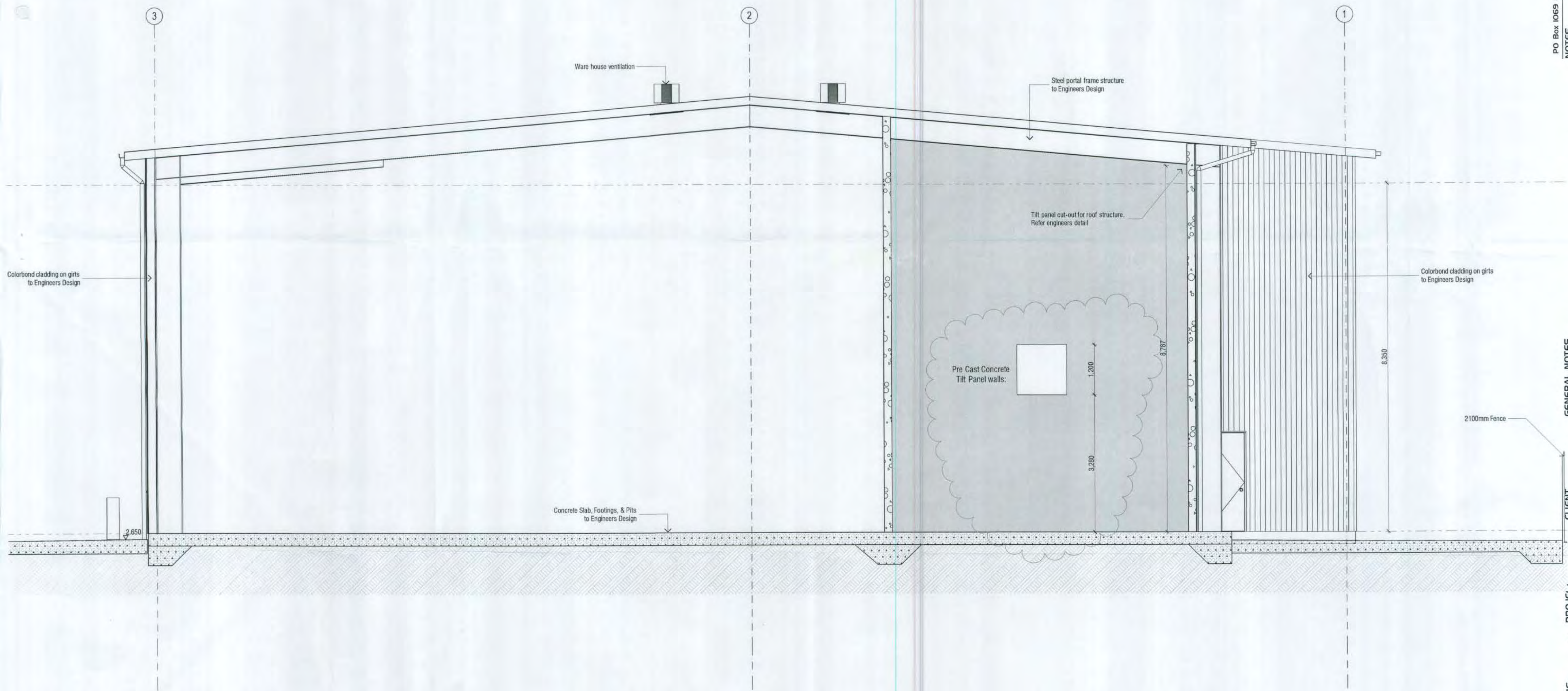
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Section B
1:50

Issue	Amendment	Date
A	ISSUE FOR TENDER	11.12.2009
B	ISSUE FOR CONSTRUCTION	15.03.2010
C	PITS LOWERED	16.04.2010
D	PITS MOVED	29.04.2010
E	S96 APPLICATION	13.05.2010
F	S96 APPLICATION	18.05.2010

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40.1

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GENERAL NOTES

- Contractor to confirm all dimensions, levels and general site conditions prior to construction. Location of existing services to be located prior to commencement of works.
- Dimensions take precedence over scale
- Timeline protection required in accordance with AS1369 Part 17 of the Health Regulation 1999
- Gearing to be installed to satisfy the requirements of AS12888 and AS 2047
- Full height gearing to be permanently marked
- Unit entry doors to be 35mm solid core self closing with ground filled steel frame
- Door and door hardware to satisfy D219-D221
- Stairs, balconies and handrails to comply with the Building Code of Australia D213-D217
- Ramps and handrails to comply with AS1426
- Provide Mechanical Ventilation to internal bathrooms and laundries in accordance with AS 1668 Part 2
- Tackle/gearing to satisfy AS1428.1 to be provided to all disabled facilities
- Provide RWA acoustic separation between all floor and ceiling linings
- Tackle/indicators are to be provided in accordance with AS1428.4
- Services penetrations in slabs and party walls must maintain the 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

GENERAL NOTE

Matthew Acton

**Proposed
Warehouse
Development
35 Morton Street
Chinderah**

1000

Section A

THIS IS THE AMENDED PLAN REFERRED
TO IN MODIFIED DEVELOPMENT CONSEN
No. DA04/0635 OT APPROVE
PURSUANT TO SEC. 96 OF E.P.A. ACT 1979

29 JUN 2010

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SIGNED: _____

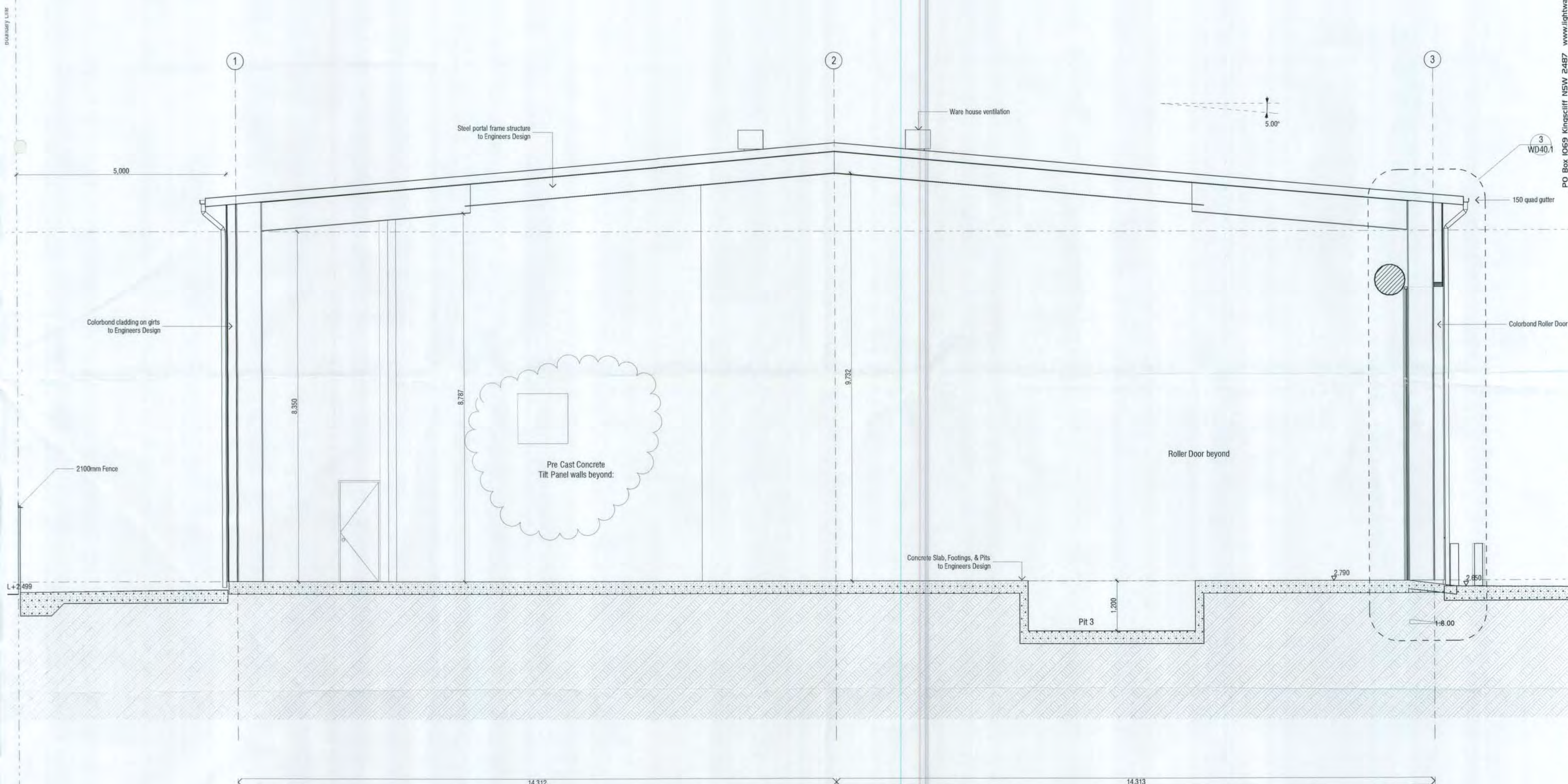
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Section A
1:50

Issue	Amendment	Date
A	ISSUE FOR TENDER	11.12.2009
B	ISSUE FOR CONSTRUCTION	15.03.2010
C	GRID 'A' MOVED	16.04.2010
D	S96 APPLICATION	13.05.2010
E	S96 APPLICATION	18.05.2010
F	COLOURS AMENDED	17.06.2010

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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 3680.1 and Part 17 of the Health Regulation 1996.
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 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 1688 Part 2.
Tactile signage to satisfy AS1428.1 to be provided to all disabled facilities.
Provide Rwa45 acoustic separation between all floors and wet area ceilings.
Tactile 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 co-ordinate certificate of occupancy with Building Certifier.

Matthew Acton

CLIENT
PROJECT
Proposed Warehouse Development
35 Morton Street
Chinderah

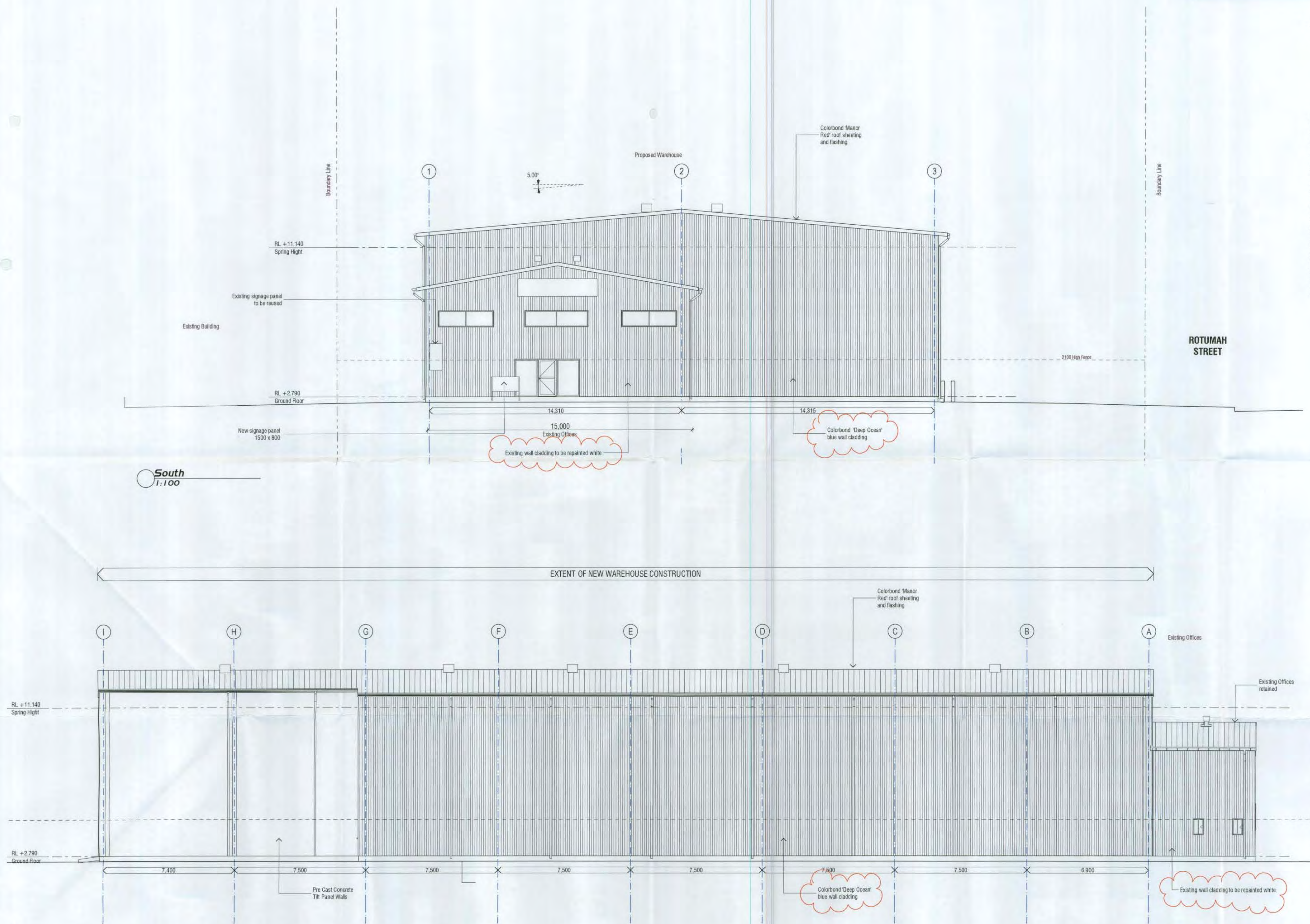
Elevations
TO IN MODIFIED DEVELOPMENT CONSENT
No. 100/100-07 APPROVED
PURSUANT TO SEC. 96 OF E.P.A. ACT 1979

29 JUN 2010

DRAWING
SIGNED

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

1295 WD20.2 F
Job. No. Dwg. No. Issue. No.



Issue	Amendment	Date
A	ISSUE FOR TENDER	11.12.2009
B	ISSUE FOR CONSTRUCTION	15.03.2010
C	GRID 'A' MOVED	16.04.2010
D	S96 APPLICATION	13.05.2010
E	S96 APPLICATION	18.05.2010
F	COLOURS AMENDED	17.06.2010

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

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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 3660.1 and Part 17 of the Health Regulation 1996
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 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 1668 Part 2
Tactile signage to satisfy AS1428.1 to be provided to all disabled facilities
Provide Row45 acoustic separation between all floors and wet area ceilings
Tactile 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
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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 Certifier

Matthew Acton

CLIENT
Proposed Warehouse Development
35 Morton Street Chinderah

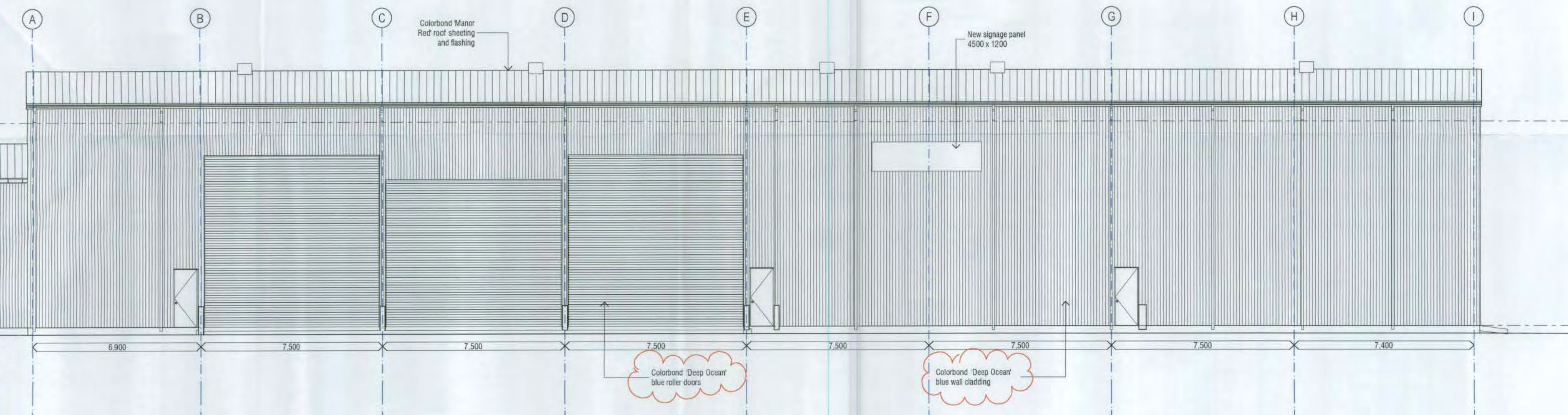
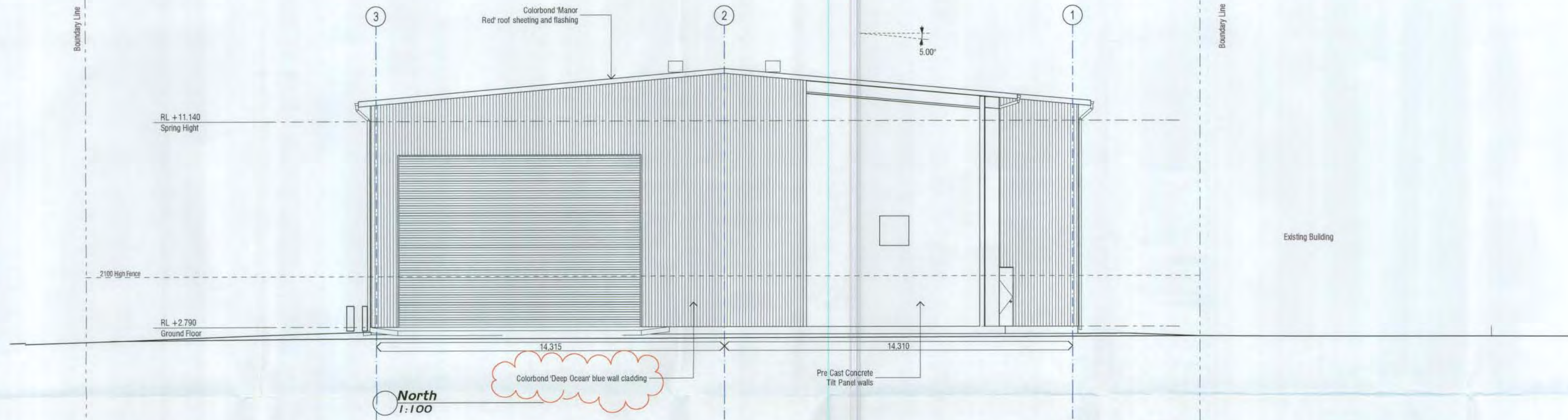
PROJECT
Elevations
TO IN MODIFIED DEVELOPMENT CONSENT
No. DCP/10/007
APPROVED
PURSUANT TO SEC. 88 OF E.P.A. ACT 1979
29 JUN 2010

DRAWING
SIGNED
Date
December 2009

Scale 1:100
Design AF Drawn AF/PT

1295 WD20.1 F
Job No. Dwg. No. Issue No.

ROTUMAH STREET



East
1:100

Issue	Amendment	Date
A	ISSUE FOR TENDER	11.12.2009
B	ISSUE FOR CONSTRUCTION	15.03.2010
C	GRID 'A' MOVED. PITS LOWERED	16.04.2010
D	PITS SIZE AND LOCATION AMENDED	29.04.2010
E	S96 APPLICATION	13.05.2010
F	S96 APPLICATION	18.05.2010

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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 3660.1 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 30mm solid core self closing with pro 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 1688 Part 2.

Tactile signage to satisfy AS1428.1 to be provided to all disabled facilities.

Provide Rse45 acoustic separation between all floors and wet area ceilings.

Tactile 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 co-ordinate certificate of occupancy with Building Certifier.

GENERAL NOTES

Matthew Acton

CLIENT

Proposed Warehouse Development
35 Morton Street
Chinderah

PROJECT

Floor Plan (D PLAN REFERRED TO IN MODIFIED DEVELOPMENT CONSENT No. DA09/06365 - C7) APPROVED PURSUANT TO SEC. 88 OF E.P.A. ACT 1979

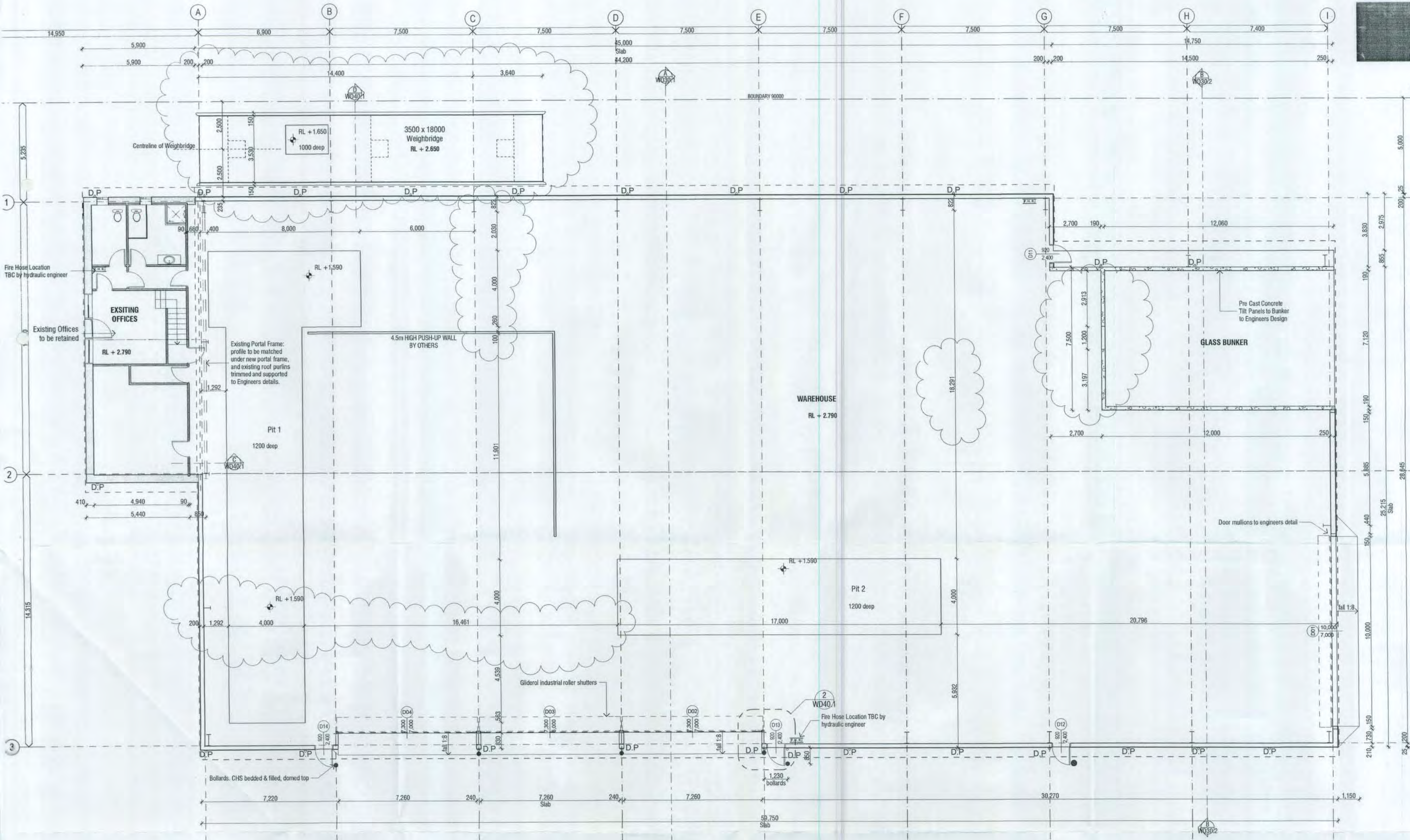
29 JUN 2010

DRAWING

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

1295 WD10.2 F
Job No. Dwg. No. Issue No.

NOTE:
Internal pits 1 and 2 and proposed weighbridge subject to S96 approval



Issue	Amendment	Date
A	ISSUE FOR TENDER	11.12.2009
B	PARKING REVISED	22.02.2010
C	ISSUE FOR CONSTRUCTION	15.03.2010
D	DISABLED CAR PARK ADDED	22.03.2010
E	GRID 'A' MOVED	16.04.2010
F	PITS SIZE AND LOCATION AMENDED	29.04.2010
G	S96 APPLICATION	13.05.2010
H	S96 APPLICATION	18.05.2010

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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.

Permit protection required in accordance with AS 3660.1 and Part 17 of the Health Regulation 1996.

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 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 1669 Part 2.

Tactile signage to satisfy AS1428.1 to be provided to all disabled facilities.

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

Tactile 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.

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Matthew Acton

CLIENT

Proposed Warehouse Development
35 Morton Street
Chinderah

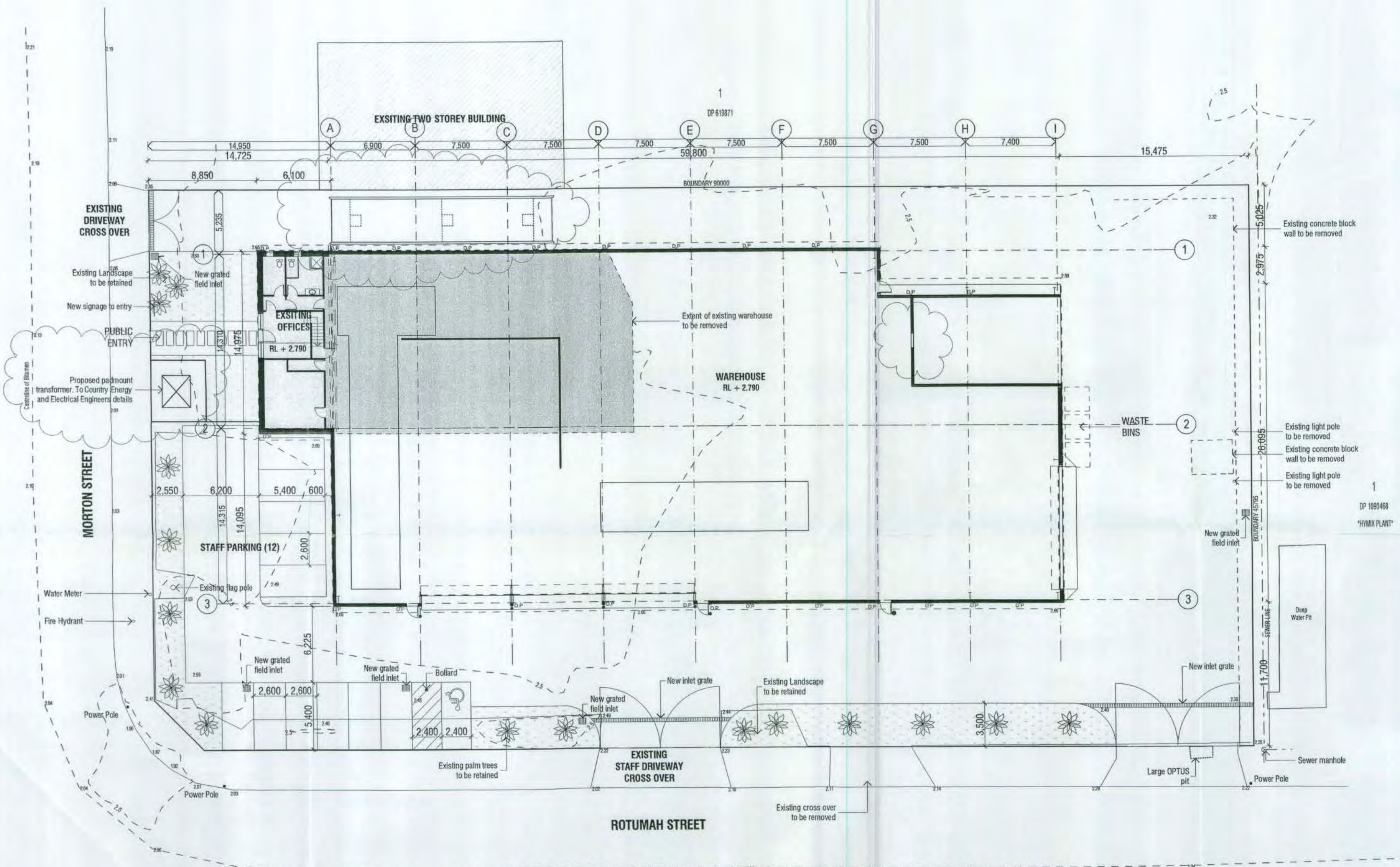
PROJECT

Site Plan
THIS IS A MODIFIED PLAN REFERRED TO IN MODIFIED DEVELOPMENT CONSENT No. DA09/06/26-07 APPROVED PURSUANT TO SEC. 56 OF E.P.A. ACT 1979

DRAWING

Scale: 1:200 Date: December 2009
Design: AF Drawn: AF/PT

1295 WDI.01 H
Job. No. Dwg. No. Issue. No.



Site Plan
1:200

Site Statistics
Lot No. 2
DP 619871
Corner of Morton and Rotumah Street
Chinderah

Site Area: 4112.7m²
Site Cover: 1981.6m² 48.2%
GFA: 1762.2m²

NOTE:
Internal pits 1 and 2 and proposed weighbridge subject to S96 approval