

MINUTES OF THE NORTHERN REGION JOINT REGIONAL PLANNING PANEL MEETING AT COFFS HARBOUR CITY COUNCIL ON THURSDAY 14 OCTOBER 2010 AT 9:00 AM

PRESENT:

Garry West	Chair
John Griffin	Panel Member
Pamela Westing	Panel Member
Cr Keith Rhoades	Panel Member
Ben Lawson	Panel Member

IN ATTENDANCE

Mark Salter	Director, Land Use, Health and Development, Coffs Harbour City Council
Gilbert Blackburn	Senior Development Planner, Coffs Harbour City Council
Cr Bill Palmer	Councillor, Coffs Harbour City Council

APOLOGY: Nil

The meeting commenced at 8.58am. The Chair welcomed everyone to the meeting of the Panel.

1. Declarations of Interest - Nil

2. Business Items

**ITEM 1 - 2010NTH022 – Coffs Harbour City Council - DA 1294/10 - Commercial
Premises (Three Storeys with Basement Car park), Lot 9, Sec 18, DP 758258,
No. 218 Harbour Drive, Coffs Harbour**

3. Public Submission -

Allen Mitchell made a submission to the panel.

4. Business Item Recommendations

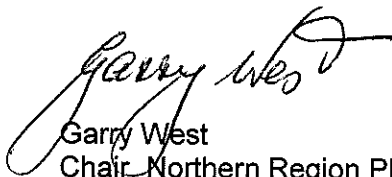
**ITEM 1 - 2010NTH022 – Coffs Harbour City Council - DA 1294/10 - Commercial
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No. 218 Harbour Drive, Coffs Harbour**

Moved Pamela Westing and **seconded** Ben Lawson

That the Panel adopt the Council officer's recommendation to approve the proposal subject to the recommended conditions of consent, as they appear in Appendix B of the Assessment report and attached below.

MOTION CARRIED UNANIMOUSLY

The meeting concluded at 9.07am

A handwritten signature in black ink, appearing to read 'Garry West', with a stylized flourish at the end.

Garry West
Chair, Northern Region Planning Panel
20 October 2010

PART A – ADMINISTRATIVE CONDITIONS

Prescribed Conditions:

1. The proponent shall comply with the prescribed conditions of development approval under Clauses 97A, 98, 98A - E of Environmental Planning and Assessment Regulation 2000 as are of relevance to this development.

Development is to be in accordance with approved plans:

2. The development is to be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent (Development Consent No. 1294/10).
 - Plans 162 DA1, 162 DA2, 162 DA3, 162 DA4, 162 DA5, 162 DA6 of Richard Van Dorp Architects.
 - Statement of Environmental Effects dated 12 June 2010 prepared by Geoff Smyth Consulting, except where amended.
 - Traffic Impact Study of June 2010 prepared by de Groot & Benson Pty Ltd.
 - Correspondence of 17 September 2010 from Geoff Smyth Consulting.
 - Correspondence of 30 August 2010 from de Groot & Benson Pty Ltd.

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

The approved plans and supporting documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

PART B – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Construction Certificate:

3. Construction work on site must not commence until such time as a Construction Certificate has been obtained.

Sediment and Erosion Control:

4. Submission to Council, **prior to issue of the Construction Certificate**, of an Erosion and Sediment Control Plan, together with a management strategy, certified by a qualified Environmental or Engineering Consultant to be in accordance with the Landcom publication *"Managing Stormwater; Soils and Construction"* (the *"Blue Book"*, 4th Edition, 2004). Erosion and sedimentation controls to be implemented, managed and maintained during all development construction works.

During the construction stage a qualified Environmental or Engineering Consultant is to ensure that the erosion and sedimentation controls are appropriate for the site and current stage of construction.

No clearing or stripping works to be undertaken on the site until the Erosion and Sediment Control Plan has been implemented.

Aquifer Interference:

5. No work that will involve aquifer interference is to occur on this site unless authorised to do so by an approval/licence from the NSW Office of Water for aquifer interference under the Water Management Act 2000. . All works that involve aquifer interference are only to occur in accordance with the approval and any conditions to which the approval is subject.

A copy of the relevant approval/licence being forwarded to Council **prior to release of any Construction Certificate** or the commencement of site excavation works.

Waste Management:

6. Details of the waste bin area are to be submitted to Council and approved **prior to release of the construction certificate**. The waste bin area is to be enclosed by a roof and screen in accordance with the provisions of Council's Waste Management Development Control Plan. The enclosure is to accommodate a minimum of 2 x 660 litre bulk waste bins and 1 x 240 litre bulk waste bin (see Waste Management Development Control Plan for dimensions). The enclosure is to be graded and drained to the sewer via a dry basket arrestor. A hose cock is to be provided in the enclosure. The design and materials of the enclosure are to be compatible with the development.

Pre-Construction Dilapidation Report:

7. The proponent is to engage a qualified structural engineer to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of adjoining buildings, infrastructure and roads within 25 metres of the subject site as well as Park Avenue lane between Earl and Gordon Streets. The report shall be submitted to the satisfaction of the Certifying Authority **prior to the issue of the Construction Certificate**.

Stormwater Drainage Details

8. Design details for the acceptance and the disposal of the stormwater drainage to and from the property being submitted to Council and approved **prior to issue of the Construction Certificate**.

Design details are to include consideration of the impact of concentration of stormwater on receiving land parcels.

All works are to be completed by the developer OR other satisfactory arrangements for their completion are to be made with Council prior to occupation of the building.

No work is to be carried out on the Public Road until an application has been made and approval given in writing from Council.

Construction Management Plan:

9. A Construction Management Plan shall be submitted to Council and approved **prior to issue of the Construction Certificate**. The Plan shall address the following matters:

- Contact details of site manager;
- Traffic and pedestrian management including parking of vehicles;
- Waste and recycling management;
- Loading and unloading, including construction zones;
- Measures to ensure sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
- Hoardings and scaffolding, to include as necessary applications under Section 68 of the Local Government Act 1993 to erect same in a public place;
- Traffic movements and routes, particularly for vehicles transporting spoil from excavation of site and vehicles supplying the site with major concrete pours.

The approved plan shall be implemented during construction of the project at all times.

Dust Control

10. Effective measures shall be taken to suppress dust emissions during the course of development, with details of dust control being submitted to Council for approval **prior to issue of the Construction Certificate**.

Water and Sewerage Services:

11. The Construction Certificate (not including the Construction Certificate for demolition) not being released until a Certificate of Compliance pursuant to Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 evidencing that adequate arrangements have been made for the provision of water and sewerage services to and within the development is produced to Council.

Disability Access and Facilities:

12. Access and facilities for disabled persons being provided in accordance with the Building Code of Australia provisions. The developer's attention is drawn to the provisions of the Disability Discrimination Act 1992.

Details are to be submitted **with the application** for the construction certificate.

Sanitary Plumbing and Drainage:

13. A separate application is to be made to Council by the licensed plumber and drainer prior to the commencement of any sanitary plumbing and drainage work on site and **prior to release of the construction certificate**.

All water supply, sanitary plumbing and drainage works are to comply with the relevant provisions of the Local Government (Water, Sewerage and Drainage) Regulation 1993.

Please note that recent changes in State regulations require that suitable temperature control devices be provided in conjunction with any new hot water installations.

PART E – Prior to Issue of Occupation Certificate

Occupation Certificate:

14. The building not being occupied unless authorised to do so by issue of an occupation certificate.

Car Parking:

15. Thirty seven (37) car parking spaces being provided for the development **prior to occupation** of any part of the building. All car parking spaces are to be available for parking at all times during operation of the development.

All car parking and vehicular manoeuvring areas being constructed in accordance with Council's Off-Street Carparking Development Control Plan. Carparking areas are to be maintained in a serviceable condition at all times.

Access & Services:

16. The following works:

- Traffic calming incorporating pedestrian safety measures at the intersection of Park Avenue Lane and Gordon Street;
- Full width footpath for the Harbour Drive frontage of the site;
- Lane construction to full width with kerb, gutter and drainage for the rear frontage of the site;
- Removal of driveway crossover at Harbour Drive and the kerb and gutter being re-instated,
- Line-marking of two car parking spaces at Harbour Drive,

being provided to serve the development with the works conforming with the standards and requirements set out in Council's Development Design and Construction Specifications. These works are to be completed **prior to occupation** of the development unless other arrangements satisfactory to Council for their completion at some other time are made.

No engineering works are to be undertaken until plans and specifications have been approved by Council.

All work is to be at the developer's cost.

Plans and specifications submitted later than six (6) months from the date of development approval shall comply with the Council's Development Design and Construction Specifications current at a date six (6) months prior to such submission.

Post-Construction Dilapidation Report:

17. (1) The proponent shall engage a suitably qualified person to prepare a Post-Construction Dilapidation Report at the completion of the construction works. This report to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.
- (2) The report is to be submitted to the Principal Certifying Authority (PCA). In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:
- a) compare the post-construction dilapidation report with the pre-construction dilapidation report required by this consent, and
 - b) have written confirmation from the relevant authority that there is no structural damage to their infrastructure and roads.
- (3) A copy of this report is to be forwarded to the Council prior to **issue of the occupation certificate**.

Crime Risk Assessment – Safer By Design:

18. Installation of CCTV to cover the front, rear and underground car park of the. The system is to be installed by persons with appropriate qualifications to undertake the work.
19. Lighting in and around the development is to comply with the provisions of AS 1158 Lighting. Light covers should be of a type to reduce opportunity for damage (vandalism).
20. Installation of appropriate directional signage at entry points and driveways (e.g. “employees only”, “warning these premises are under electric surveillance”).
21. Implementation of a graffiti rapid removal control maintenance program.
22. Installation of magnetic door locking systems linked to fire alarms for fire exits.
23. Implementation of access control for the below ground carpark.

PART D DURING CONSTRUCTION

Flooding – Minimum Floor Level & Basement Entry

24. 20.The finished level of the ground floor of the building is to be a minimum of 4.6 metres Australian Height Datum. The basement car parking is to have weir protection at 4.2 metres Australian Height Datum. A registered surveyor's certificate certifying such levels are to be submitted to the Principal Certifying Authority prior to works proceeding beyond ground floor level. Note: Steel inspections and floor timber inspections will not be passed without submission of this required certificate.

Approved Plans – onsite:

25. A copy of the approved plans, specifications and documents incorporating conditions of approval and certifications shall be kept on site at all times during construction.

Liaison Person:

26. The proponent is to appoint a liaison person to consult with affected property occupiers before, and during demolition, excavation and construction activities. A 24 hour contact telephone number is to be provided to adjoining property occupiers at least 48 hours prior to the commencement of any site works.

Hours for Construction:

27. 117.Construction works are to be limited to the following hours:

Monday to Friday	7.00 a.m. - 6.00 p.m.
Saturday	7.00 a.m. - 1.00 p.m. if inaudible from adjoining residential properties, otherwise 8.00 a.m. - 1.00 p.m.

No construction work is to take place on Sunday and Public Holidays.

Construction Noise:

28. Any noise generated during construction of the development is to comply with Australian Standard AS 2436-1981 Guide to Noise Control on Construction and shall not exceed the limits specified in any relevant noise management policy and prepared pursuant to the Protection of the Environment Operations Act 1997, or exceed approved noise limits for the site.

If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the NSW Industrial Noise Policy), 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise objective.

Excavated Material:

29. No site excavation works are to commence until the relevant Construction Certificate has issued. All excavated material is to be deposited at an approved landfill site unless separate Council approval has been obtained for an alternative site.

The exportation of waste (including fill or soil) from the site must be in accordance with the provisions of the Protection of the Environment Operations Act (POEO) 1997 and the Department of Environment and Conservations Environmental Guidelines Assessment, Classification and Management of Non-Liquid Wastes.

Any new information which comes to light during construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to the Council and the Principal Certifying Authority.

Excavation – Aboriginal Objects:

30. Should any aboriginal objects be unexpectedly discovered then all excavations or disturbance to the area is to stop immediately and the NPWS shall be informed in accordance with Section 91 of the National Parks & Wildlife Act 1974.

Construction Signage:

31. A sign indicating the name, address and telephone number of the Principal Certifying Authority, and the name and telephone number of the principal contractor (if any) must be erected in a prominent position on the site and maintained until the building work has been completed. The sign must also state that unauthorised entry to the site is prohibited. The signage must be erected prior to commencement of work.

Acid Sulfate Soils Management:

32. All recommended acid sulfate soils management actions, as specified in the report of the de Groot and Benson Pty Ltd dated 30 August 2010, are to be carried out at all times during excavation works for the proposed development. Records of all testing that are carried out during excavations and of monitoring that has been carried out are to be kept.

PART G – Operational Matters

Loading and Unloading:

33. All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the site at all times. Waste bins may be serviced from the lane.

External Lighting:

34. External lighting shall not spill over onto adjoining properties.

Operational Noise:

35. Any noise generated during operation of the development shall not exceed the limits specified in any relevant noise management policy and prepared pursuant to the Protection of the Environment Operations Act 1997, or exceed approved noise limits for the site. This includes noise from all mechanical systems installed in the building.

Separate Development Consent for Each Use:

36. Separate development consent being obtained from Council for the use and fitout of any of the separate tenancies in the building prior to use and prior to any fitout work commencing.
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