

**MINUTES OF THE HUNTER AND CENTRAL COAST
JOINT REGIONAL PLANNING PANEL
MEETING HELD AT EAST MAITLAND LIBRARY
ON THURSDAY, 15 NOVEMBER 2012 AT 11.30 AM**

PRESENT: Garry Fielding Chair
Jason Perica Panel Member
Clr Bob Geoghegan Panel Member
Kara Krason Panel Member

IN ATTENDANCE: Stephen Punch MCC Principal Planner
Alisa Jane Evans MCC Town Planner

APOLOGIES: Clr Peter Blackmore
David Evans

1. Declarations of Interest - Nil

2. Business Item -

2012HCC015 – Maitland, DA 11-3501, Health Service Facility, 175 Chisholm Road, Ashtonfield

3. Public Submissions -

Doug Sneddon on behalf of the applicant addressed the Panel in favour of the item.

4. The Resolution of the Panel

Moved Kara Krason, **Seconded** Clr Bob Geoghegan, That the Panel adopt the Council officer's recommendation with the addition of a further condition requiring the provision of an additional 33 on-site parking spaces.

MOTION CARRIED UNANIMOUSLY

RESOLUTION

DA 11-3501 for alterations and additions to Maitland Private Hospital on Lot 102, DP 1010923, 175 Chisholm Road Ashtonfield, be approved subject to the conditions of consent set out in the attached schedule with the inclusion of an additional condition requiring the provision of an additional (33) on-site car parking spaces, such additional parking spaces being provided prior to the issue of an Occupation Certificate for the development.

Schedule of Conditions DA 11-3501

Reason for Conditions

The following condition(s) have been applied to the development, subject of this consent, to ensure that the development meets the requirements of the NSW Environmental Planning and Assessment Act 1979, the NSW Environmental Planning and Assessment Regulation 2000, and the various policies and development controls of Maitland City Council and other government agencies relevant to the development being undertaken.

APPROVED PLANS AND DOCUMENTATION

1. The development shall be carried out in accordance with the stamped approved plans and documentation as detailed in the following schedule and any amendments arising through conditions to this consent or as shown in red colour on the plans:

Plan Ref. N°	Sheet N°	Rev N°	Revision Date	Prepared by: (consultant)
Site & Location Plan	DA-01	G	19/09/2012	Health Science Planning Consultants
Existing lower Ground Floor Plan - Consults	DA-05	B	12/04/2012	Health Science Planning Consultants
Existing Ground Floor Plan - Consults	DA-06	A	12/04/2012	Health Science Planning Consultants
Existing Roof Plan	DA-07	A	12/04/2012	Health Science

				Planning Consultants
Existing Ground Floor Plan -Carpark	DA-08	A	12/04/2012	Health Science Planning Consultants
Existing L1 Plan Surgical Wards	DA-09	A	12/04/2012	Health Science Planning Consultants
Existing Roof Plan	DA-10	A	12/04/2012	Health Science Planning Consultants
Existing Ground Floor Plan – Carpark	DA-11	A	12/04/2012	Health Science Planning Consultants
Proposed Lwr Ground Floor Plan – Consults	DA-12	H	16/10/2012	Health Science Planning Consultants
Proposed Ground Floor Plan – Consults	DA-13	H	16/10/2012	Health Science Planning Consultants
Proposed Level 1 Floor Plan – Consults	DA-14	F	16/10/2012	Health Science Planning Consultants
Proposed Roof Plan Consults	DA-15	H	16/10/2012	Health Science Planning Consultants
Proposed Ground Floor plan – 25 Bed Ward	DA-16	E	19/09/2012	Health Science Planning Consultants
Proposed L1 Floor Plan – 25 Bed Ward	DA-17	E	19/09/2012	Health Science Planning Consultants
Proposed Roof Plan – 25 Bed Ward	DA-18	E	19/09/2012	Health Science Planning Consultants
Proposed Ground Level Carpark	DA-19	F	19/09/2012	Health Science Planning Consultants
Existing Elevations Sheet 1	DA-20	A	12/04/2012	Health Science Planning Consultants
Existing Elevations Sheet 2	DA-21	A	12/04/2012	Health Science Planning Consultants
Proposed Elevations Sheet 1	DA-22	F	16/10/2012	Health Science Planning Consultants
Proposed Elevations Sheet	DA-23	D	12/04/2012	Health Science

2				Planning Consultants
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CONTRIBUTIONS & FEES

2. Pursuant to Section 80A(1) of the Environmental Planning and Assessment Act 1979, and the Maitland S94A Levy Contributions Plan 2006, a contribution of \$53,554 shall be paid to the Council.

The above amount may be adjusted at the time of the actual payment, in accordance with the provisions of the Maitland City Council S94A Levy Contributions Plan 2006.

Payment of the above amount shall apply to Development Applications as follows:

- *Building work only - prior to issue of the Construction Certificate.*
- *Subdivision and building work - prior to the issue of the Construction Certificate, or Subdivision Certificate, whichever occurs first.*
- *Where no construction certificate is required - prior to issue of an Occupation Certificate.*

The above "contribution" condition has been applied to ensure that:

- i) Where the proposed development results in an increased demand for public amenities and services, payment towards the cost of providing these facilities/services is made in accordance with Council's adopted contributions plan prepared in accordance with the provisions of section 94A of the Environmental Planning and Assessment Act, 1979.*

NSW RURAL FIRE SERVICE

3. The applicant shall comply with the General Terms of Approval under Section 100B of the *Rural Fires Act 1997*, issued by NSW Rural Fire Service, dated 17 February 2012, Ref.DA12/0152, DA12012581918 JH, attached to this schedule of conditions.

CERTIFICATES

4. Prior to the commencement of works an application for a **Construction Certificate** shall be submitted to, and be approved by, the Accredited Certifier.
5. **Prior to the issue of an Occupation Certificate** all conditions of development consent shall be complied with.

6. Prior to occupation of the building an **Occupation Certificate** shall be issued by the Principal Certifying Authority.
7. **Prior to issue of the Construction Certificate**, a certificate of compliance under Section 50 of the *Hunter Water Act 1991* for this development, shall be submitted to the Accredited Certifier.

LANDSCAPING

8. All landscaped areas of the development shall be established maintained in accordance with the approved landscape plan. The landscaped areas shall be kept free of parked vehicles, stored goods, waste material, and the like.

CARPARKING

9. **Prior to the issue of the Occupation Certificate** an additional thirty three (33) formalised on-site car parking spaces shall be provided in addition to the car parking spaces identified on the approved development application plans.

Notes:

1. *The additional 33 spaces shall be provided in accordance with an approved development application.*
2. *The parking required in association with this development application shall be the baseline parking requirement for the hospital. Any future expansion or intensification of use of the hospital beyond the scope of this development application shall be required to provide additional parking commensurate with parking demand.*
10. The proponent is to prepare and implement a 'construction phase parking management plan' for the approval of Council **prior to the issue of a Construction Certificate**, to minimise adverse impact on nearby residents and the road network.
11. Car parking for the development shall be provided in accordance with the approved plans.

12. All on-site driveways, parking areas and vehicles turning areas shall be constructed as reinforced concrete in accordance with an engineer's design or Councils Manual of Engineering Standards.
13. All parking bays shall be delineated with line-marking and/or signposting.

VEHICLE ACCESS

14. Damage to existing footway and/or kerb and gutter along the frontage of the property, arising from construction activity on the site, shall be reinstated in accordance with Council's standards.

PEDESTRIAN ACCESS

15. Broom finished concrete footpath paving is to be constructed from the existing hospital entry to the proposed consultants' suite entry in accordance with the approved plans and Councils Manual of Engineering Standards.

STORMWATER DRAINAGE

16. Stormwater runoff shall be piped to the existing drainage system.

EROSION CONTROLS

17. The property shall be protected against soil erosion, such that sediment is not carried from the construction site by the action of stormwater, wind or "vehicle tracking".

BUILDING CONSTRUCTION

18. All building work shall be carried out in accordance with the provisions of the Building Code of Australia.
19. All excavations and backfilling shall be executed safely, in accordance with appropriate professional standards and shall be properly guarded and protected to prevent the works from being dangerous to life or property.

20. The applicant shall submit to Council or the Accredited Certifier, "Notice of Commencement" at least two days prior to the commencement of construction works.
21. Hours of Work:
- Unless otherwise approved by Council in writing; all building work associated with this approval shall be carried out between 7.00am and 6.00pm Monday to Fridays and 7.00am to 5.00pm on Saturdays with no work permitted on Sundays or Public Holidays that may cause offensive noise.

SERVICES & EQUIPMENT

22. Upon completion of the building BUT prior to its occupation, a Final Fire Safety Certificate with respect to each critical and essential fire safety measure installed in the building shall be submitted to Council. Such certificates shall be prepared in accordance with Division 4 of Part 9 of the *Environmental Planning and Assessment Regulation, 2000*.
23. At least once in each twelve month period, fire safety statements in respect of each required essential fire safety measure installed within the building shall be submitted to Council. Such certificates are to state that:
- a) The service has been inspected and tested by a person (chosen by the owner of the building) who is competent to carry out such inspection and test; and
 - b) That the service was or was not (as at the date on which it was inspected and tested) found to be capable of operating to a standard not less than that specified in the fire safety schedule for the building).
- Such statements shall be prepared in accordance with Division 5 of Part 9 of the *Environmental Planning and Assessment Regulation, 2000*.
24. A copy of the fire safety schedule and fire safety certificate shall be prominently displayed in the building in accordance with Division 4 of Part 9 of the *Environmental Planning and Assessment Regulation 2000*.
25. A copy of the fire safety schedule and fire safety certificate shall be forwarded to the Commissioner of New South Wales Fire Brigades, in

accordance with Division 4 of Part 9 of the *Environmental Planning and Assessment Regulation, 2000*.

SITE CONSIDERATIONS

26. All excavated and/or filled areas are to be retained or battered and suitably drained so as to prevent any subsidence of the area and constructed so as to deny any flow of water into or around the building or neighbouring buildings or onto neighbouring land.

27. All building refuse on this building site shall be stored in such a manner so as not to cause a nuisance to adjoining properties.

28. If the work:

i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or

ii) involves the enclosure of a public place

a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

29. A sign must be erected in a prominent position on the work:

(i) stating that unauthorised entry to work site is prohibited, and

(ii) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted during work hours.

Any such sign is to be removed when the work has been completed.

This condition does not apply to:

(i) building work carried out inside an existing building, or

(ii) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

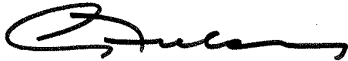
30. Approved toilet facilities are to be provided, at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. The provision of toilet facilities in accordance with this Clause must be completed before any other work is commenced.
31. The site is to be cleared of all building refuse and spoil immediately after completion of the building/structure.
32. No building materials, refuse or spoil is to be deposited on or be allowed to remain on Council's footpath.
33. Suitable and adequate measures are to be applied to restrict public access to the site and building works, materials and equipment.

ADVICES

- A. You are advised that, prior to submitting an application for an **Occupation Certificate** the applicant should ensure that all relevant conditions of development consent have been complied with.
- B. You are advised that in regard to potential soil erosion from the construction site, such pollution of the environment is an offence under the **Protection of the Environment & Operations** (POEO) Act and may incur infringement fines.
- C. You (or the owner) are advised to notify Council in writing, of any existing **damage to the street infrastructure** (including landscaping) along the frontage of the property, prior to commencement of construction. The absence of such notification signifies that no damage exists. Where necessary repairs are carried out by Council, the owner of the property shall be held liable for the cost of those repairs.
- D. You are advised that the issue of this development consent does not amount to a release, variation or modification by Council of any **covenant or easement** applicable to this property and that Council will not be held responsible when action on this consent results in any loss or damage by way of breach of matters relating to title of the property.

- E. You are advised that compliance with the requirements of the **Disability Discrimination Act**, (DDA) applies to works on this site. It should be noted that compliance with the Building Code of Australia does not necessarily meet the requirements of the DDA.

Endorsed by:

A handwritten signature in black ink, appearing to read 'G. Fielding', with a stylized, flowing script.

Garry Fielding
Chair

Hunter & Central Coast Joint Regional Planning Panel
Date: 22 November 2012