

JOINT REGIONAL PLANNING PANEL (Northern Region)

JRPP No	2012NTH007
DA Number	821/12
Local Government Area	Coffs Harbour City Council
Proposed Development	Public Administration Building – Police Station (2 storeys); Court House (4 storeys); and Kiosk. Development to include demolition works, tree removal, site remediation and earthworks, substation, landscaping and carparking
Street Address	2-16 Beryl Street and No. 18 June Street, Coffs Harbour
Applicant	NSW Department of Attorney General and Justice
Number of Submissions	14
Recommendation	Approval with Conditions
Report by	Mark Hannon, Coffs Harbour City Council

JOINT REGIONAL PLANNING PANEL REPORT

DEVELOPMENT ASSESSMENT REPORT DEVELOPMENT APPLICATION NO. 821/12

**Public Administration Building – Police Station (2 storeys); Court House (4 storeys); and Kiosk. Development to include demolition works, tree removal, site remediation and earthworks, substation, landscaping and carparking
Part Lot 107 and Part Lot 112, DP 752817, Lot 7026, DP 1059118 and Lot 1, DP 1178196, No. 2-16 Beryl Street and No. 18 June Street, Coffs Harbour**

Purpose of this report:

This report provides an assessment of Development Application No. 821/12 for a public administration building, kiosk and ancillary works at 2-16 Beryl Street and 18 June Street, Coffs Harbour.

As the application is for Crown Development with a capital investment value of more than \$5 million (Schedule 4A of the Environmental Planning and Assessment Act 1979 and State Environmental Planning Policy (State and Regional Development) 2011) determination of the application is to be made by the Northern Joint Regional Planning Panel. The development has a capital investment value of \$53,792,442.00 excluding GST.

Conditional approval of the Development Application is recommended.

- Property House Numbers
- Land Parcels
- Road Names
- Roads
- Creeks
- Bedrock Extent
- State Forest
- National Parks



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Projected Coordinate System - GDA 1994, MGA Zone 56

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- Property House Numbers
- Land Parcels
- Road Names
- Roads
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- Bedrock Extent
- State Forest
- National Parks
- 2009 10cm



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Projected Coordinate System- GDA 1984, UTM Zone 56

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The Site:

The site is located on the northern corner of Beryl Street and the Pacific Highway. The site also has a small frontage to June Street. The site has an area of 2.738 hectares.

The site is Crown land and is currently occupied by Forests NSW. There is a small remnant forestry plantation in the north eastern part of the site.

The site is bounded by residential housing to the west, industrial uses to the north, residential and commercial uses to the south and the Coffs Harbour Showground and adjoining Caravan Park to the east.

The site is situated near to the Coffs Central Business District, being approximately 200 metres north of the Coff Street/Pacific Highway intersection.

Existing developments adjoining the site are generally single storey and situated on small land parcels.

Footpaths are located on both sides of the Pacific Highway however no footpaths are located in Beryl Street or June Street.

The proposal:

The proposed development comprises:

- Police Station building – a full local area command facility with forensic services (3064m² GFA).
- Court House building – two local Courts and two jury Courts with associated support facilities (4391m² GFA).
- Kiosk (19m² GFA).
- Site works – demolition remediation, landscaping (including forecourt public art installation).
- On site car parking – 11 secure spaces for the judiciary including 1 accessible space (for use by visitors or staff by arrangement) – 37 secure spaces for Police vehicles including 5 spaces for Police visitors and 2 contractor spaces – 4 spaces for Police first response vehicles and 3 accessible spaces (90 degrees to Beryl Street) – total 55 spaces.
- Employment numbers – up to 103 at the Police Station for a major shift (noting that the major shift will commence at 75 (ie. existing major shift numbers transferred from the current Moonee Street facility) and up to 20 permanent staff at the Court House, noting that Court sittings will increase visitor numbers to 100.

The Court House building has a maximum height of 19.6 metres and the Police Station 12.2 metres.

Access to this development was initially proposed via new driveways off June and Beryl Streets, and utilising the existing Beryl Street / Highway T intersection. Subsequently the application was amended (in October 2012) to propose a roundabout on the Beryl Street / Marjorie Street / Police compound site entrance and the provision of traffic signals at the Beryl Street / Highway T intersection.

The development occupies the eastern portion of the site, with the western part to remain vacant under this Development Application *“to accommodate additional Government facilities, thereby strengthening the site and providing it with a clear identity as a Government Services precinct”*.

Attachment A details plans of the proposal.

Architectural Design:

A design review panel was appointed in 2010 to oversee the project's master planning and DA design plans. The Panel has endorsed the design.

The Design Statement provides:

Architectural Design Statement:

"The Coffs Harbour Justice Precinct has been designed to fulfil the civic responsibilities of the site as a gateway to Coffs Harbour and to symbolise the role of justice institutions in a contemporary community.

The verdant forecourt at the corner of the Pacific Highway and Beryl Street announces the site to the city and acknowledges the tropical context. A corner marker – envisaged as a large scale sculptural element – will contain the NSW Police insignia to ensure that passing traffic (both north bound and south bound) will be aware of the location of the Police Station.

The forecourt also contains a small kiosk located close to the Pacific Highway side. The kiosk will provide light refreshments to the staff and visitors to the court house and police station and is an important element in creating a calm and respectful setting for the institutions. The scale of the forecourt will provide sufficient space for a number of different (perhaps adversarial) groups of people waiting to enter the court house. Shade will be provided by both existing trees (a mango and jacaranda) and new trees.

The design of the court house fulfils its symbolic and civic role in the precinct and the community, reflecting current and anticipated judicial practices. The embrace of the existing grove of eucalyptus trees in the north eastern corner of the site by the primary public spaces determined the curved form of the building. Views to the trees are available from all public circulation areas. These areas will be naturally ventilated for approximately half the year, through a combination of floor level grilles, high level shafts and mid level glazed louvers.

On the ground floor of the courthouse, there will be a multi-purpose room which opens out to a secure courtyard. The ensemble of spaces is designed to provide for current and anticipated judicial rituals, including tribunals and therapeutic justice.

Four other court rooms will be provided on the two upper levels, supported by special purpose rooms and rooms for agencies using the court house on sitting days. Judicial chambers are located on the top floor adjacent to a louvered plant room.

Outlook and natural light will be enjoyed by all court rooms and the majority of spaces.

The police station defines the western face of the forecourt while the cranked rectangular prism traces the line of Beryl Street, behind the significant blackbutt tree.

Vehicular entry to the large scale vehicular compound of the police station and shared custody wing (which sits between the station and the court house) is from the north. The vehicular entry path, which encircles the existing rubber tree at the northern edge of the site, diverts to the east towards the basement ramp of the court house.

The police station presents as a relatively simple rectilinear form to the public realm. The rising profile of its western face and vertical rhythm of solid and void, created by deeply set slot-like openings provide a dynamic counterpoint to the larger, curved form of the court house and its horizontal bands of glass and copper-like metal panels. The anodized panels will vary in colour and have an overlapped profile which will provide a strong pattern of light and shade.

The entry to the court house will be defined and sheltered by a curvaceous awning. Facing the highway above the awning is a glazed screen which projects beyond the main face of the building. This screen of printed glass will carry a symbolic image of the court house (yet to be selected).

The colours of the metal panels have been based on an analysis of the natural elements of the Coffs Harbour region; the copper/red and green of the blackbutt tree, the sandstone and basalt of the geology. A sandstone base wall ties together the court house and the police station and defines the edges of the forecourt."

Site Planning History:

There is community debate as to the appropriateness of the proposal being developed at this site. It is relevant to consider the planning history of the site in this regard.

- The subject site was previously zoned 4A Industrial under the Coffs Harbour City Local Environmental Plan 2000.
- In 2009/10 Council, in collaboration with the then Department of Planning's City Taskforce, undertook the preparation of Local Environmental Plan Amendment No. 47 for the Coffs Harbour City Centre area. This planning area covered the CBD, connecting east to the Jetty and north to Park Beach Plaza, and included the subject site.

The subject site was mapped as one of eight (8) key sites, identified for significant redevelopment potential in this planning area. During this planning process the State Government endorsed the Beryl Street site for future State Infrastructure use. Whilst development of this particular site for State public administration purposes was not considered optimal (with such a use considered more appropriate for the CBD), the LEP Amendment made provision for this use following representations from the State Government that it was unable to locate land suitable for such a facility within the core CBD area.

The Coffs Harbour City Centre Local Environmental Plan 2011 (Amendment 47) was formally made in November 2011.

- In 2011 Council undertook a Review of the Coffs Harbour Business Centres Hierarchy as a precursor to and in support of the City-wide Standard Instrument Local Environmental Plan process. This review made a number of recommendations to strengthen the existing Business Centres Hierarchy – designed to protect the primacy of the CBD, including changes to the recent Coffs Harbour City Centre Local Environmental Plan 2011 in relation to the planning controls for the subject site.

Key strategic findings of the Business Centres Hierarchy (BCH) Review included:

- The Business Centres Hierarchy is both appropriate and extremely important for long term growth of Coffs Harbour as a regional city so as to ensure that centres outside of the City Centre CBD do not detract from the primacy of the CBD.
- The existing CBD lacks critical mass and additional development in this location is important to enable it to achieve the vitality and vibrancy of a regional centre.
- The CBD generally has a low intensity of development and is able to accommodate considerable additional retail and office development.
- The existing Business Centres Hierarchy should be reinforced and strengthened by modifying draft LEP 2011 (the City wide LEP under preparation at that time) and the associated Development Control Plan controls.

In respect of the subject site the BCH Review proposed that the provisions of the Coffs Harbour City Centre LEP 2011 be changed to not allow a public administration building to be developed at this site due to the economic impact of developing such a project at this particular site.

Council resolved that the BCH Review findings be used to inform changes to the City Wide draft LEP.

- Council at its meeting of 23 February 2012 resolved to seek a Certificate under Section 65 of the Environmental Planning & Assessment Act 1979 to allow draft Coffs Harbour LEP 2012 (City-wide) to be exhibited. The effect of this decision was that the statutory planning controls of the Coffs Harbour City Centre LEP 2011, that recognise the subject site for redevelopment for public administration building use, including specific height and floor space ratio controls for such a development, were removed in this draft City-wide LEP.

The Section 65 Certificate was received from the Department on 29 August 2012. The Certificate was conditional – requiring Council to amend the additional permitted uses map and schedule of the draft LEP to enable use of the B6 zoned part of the subject site for the proposed development of State Infrastructure with specific height and FSR controls.

Development control planning for this site has been complex – the Coffs Harbour City Centre LEP 2011 endorsing the development of a public administration building at this key site with specific height and FSR controls; the Business Centres Hierarchy Review (BCHR) rejecting such a development by recommending the removal of those height and FSR controls; the preliminary draft City-wide Coffs Harbour LEP 2012 reaffirming the recommendations of the BCHR review but the exhibited draft City-wide Coffs Harbour LEP 2012 reaffirming the site specific height and FSR controls, facilitating the proposal. The draft City-wide Coffs Harbour LEP 2012 came off exhibition on 26 October 2012.

It is important to note that the relevant statutory planning instruments – the Coffs Harbour City Centre LEP 2011 and the City-wide Draft Coffs Harbour LEP 2012 currently permit development for the purpose of public administration buildings at the site with consent. The application is, accordingly, evaluated under these planning instruments.

Consultation:

The application has been through two periods of community consultation. For the community consultation period 3rd July 2012 to 19th July 2012 three submissions (including one late submission) were received. For the community consultation period 25th October 2012 to 11th November 2012 (in response to the amendment to the application) eleven submissions were received.

The application was referred to the NSW Office of Environment and Heritage, NSW Police, NSW Environment Protection Authority, and to the NSW Roads and Maritime Services for review and comment. The application was referred to Council's Access Advisory Committee. The application was also referred to a number of Council's technical sections for review and comment.

The content of Agency responses, the Access Advisory Committee response and Council's technical sections advice is considered in the Section 79C evaluation (appended to this report) and, where relevant, is considered in the issues section of this report.

Statutory Requirements:

- **Section 79C Evaluation:**

Section 79C of the Environmental Planning & Assessment Act 1979, specifies the matters which a consent authority must consider when determining a development application. The consideration of matters is limited in so far as they must be of relevance to the particular application being examined.

The Section 79C evaluation is appended to this report and provides a detailed assessment of the application.

- **Relevant Statutory Instruments:**

The following environmental planning instruments are relevant to the assessment of this application:

- Environmental Planning and Assessment Act 1979
- Mid North Coast Regional Strategy.
- SEPP 55 – Remediation of Land.
- SEPP 71 – Coastal Protection.
- SEPP (State and Regional Development) 2011.
- SEPP (Infrastructure) 2007.
- Coffs Harbour City Centre LEP 2011.
- Draft Coffs Harbour City LEP 2012.

These instruments are considered in detail in the Section 79C assessment appended to this report as Attachment B.

The following development control plan is also relevant for assessment of the application:

- Coffs Harbour City Centre Development Control Plan 2011.

This plan is considered in the Section 79C assessment appended to this report.

Section 89 of the Environmental Planning & Assessment Act 1979 provides that a consent authority (other than the Minister) must not refuse a Crown Development Application except with the approval of the Minister, or impose a condition on a development consent except with the approval of the Minister or the applicant.

This process has been followed in the processing of the application and is addressed later in this report.

Attachment C details a zoning map of the site (Coffs Harbour City Centre LEP 2011).

Issues:

Access to the site:

The submitted application relied upon the existing road network for access to the site – the primary vehicle access to the site from June Street, with secondary access from Beryl Street. The application was then amended to include traffic signals, with pedestrian crossings, at the Highway and Beryl Street intersection and a roundabout at the intersection of Beryl Street, Marjorie Street and the driveway to the Police compound.

The site access arrangements have been endorsed by the Roads and Maritime Services. A consequence of the signalized intersection is that it may result in the redistribution of traffic accessing the Highway from the local road network – increasing the traffic on Beryl Street. Phasing of the signals will influence the degree of induced traffic generated by the proposed traffic signals at the Beryl Street / Highway intersection.

Access to the site is considered to be suitable.

Suitability of the site for a public administration building:

The proposal to establish a joint government facility or government services precinct in Coffs Harbour has been on the agenda for several years, driven by the following considerations:

- Sub-standard and inadequate government accommodation for current operations.
- No alternative quality accommodation within Coffs Harbour.
- Population growth will require a commensurate increase in service provision by government agencies.
- Consolidation of current government accommodation will enable better service delivery.
- A joint facility will enable an economy of scale making best use of the site and the realisation of existing surplus sites.
- Existing police and court facilities are considered high risk in relation to day-to-day operations.

The State Government has identified the subject site as being suitable for a number of reasons including its locational attributes, the site's area, the site's technological and natural hazards, its accessibility and servicing arrangements. This site is also a State Government asset.

The site is located at the northern entry to the Coffs Central Business District. The Beryl Street corner of the site is 140 metres distant from the northern edge of the CBD and 500 metres from Harbour Drive (the CBD Centre).

The site is recognised for the development of a public administration building under the Coffs Harbour City Centre LEP 2011 and the draft Coffs Harbour City LEP 2012.

Parking:

The submitted development application proposes 55 on-site parking spaces: 11 for the justice precinct in the court house basement (including 1 accessible space for use by staff or visitors - by arrangement), 37 for police vehicles in the police compound, 4 spaces for police first response vehicles off Beryl Street and 3 accessible spaces off Beryl Street.

Other than the 4 accessible spaces all spaces are for the judiciary and police operational vehicle parking. That is, apart from the accessible spaces no staff or client or visitor parking is proposed on the site under the submitted application.

Two parking studies form part of the application. The second study has referenced parking demand from the existing Coffs Harbour police station and court house. This study has indicated a demand for 51 police/court operational spaces, 47 police/court staff parking spaces and 50 visitor/court user parking spaces. It has also identified a demand for a further 50 jury duty parking spaces for the times potential jurors are at court for selection (estimated at 1 day a month). That is, there is an overall demand for 198 spaces of which 55 will be provided on site. This means a shortfall of 143, or 93 if the one day a month potential jurors parking demand is removed from the calculation. The application proposes to offset the on-site shortfall by on-street parking in proximity to the site.

The parking study indicates the availability of 233 spaces in Everingham Place, Beryl Street, Marjorie Street and Anne street and 296 spaces in more distant streets at Plantation Avenue, Prince James Avenue, Coral Avenue, Marcia Street and June Street. All streets mentioned are within a 400 metre radius of the site. The study also references the availability of up to 1039 spaces located within the CBD public carpark that may be used by all day visitors to the facility.

The carparking justification is further supported by the proponent in that:

- The proposed approach is consistent with the NSW Government Integrated Land Use & Transport Policy Package 2002. Principle 8 of the guidelines associated with the package is "Manage parking supply". The aim of this principle is: "to use the location, supply and availability of parking to discourage car use. Prominent, plentiful, cheap and unrestricted parking encourages people to drive; public transport becomes a less attractive alternative. Large parking areas are often unsightly and reduce amenity."
- Due to security considerations the level of car parking at Court Houses is restricted.
- The site has good accessibility to public transport.
- The development is well placed to implement a Workplace Travel Plan.

The parking justification is based on a number of assumptions: it is reliant on a workplace travel plan to be prepared for the Court House that Jury Duty Notice jurors be recommended to use public transport (when this may not be used); it is reliant on on-street parking (when the streets relied upon have no footpaths, some with no kerb and guttering, raising pedestrian safety concerns); it is reliant on on-street parking availability within a 400 metre radius of the site (when physical walking distances to the Beryl Street entry to the facility from these streets are up to 800 metres); it is reliant on some of the all day users of the facility using CBD public parking areas (when these areas are unlikely to be used due to their distance from the site); it promotes public transport usage to lower travel demand to the site (when the local public system is insufficiently developed); it justifies no public on-site parking in proximity to the Court House due to security concerns (when there is opportunity to provide parking, west of the Police Station, well removed from the Court House).

The development, whilst on the fringe of the CBD is not situated within the CBD. Consequently it should not rely upon off-site infrastructure, such as local streets and public parking areas, for its operation and function. Users of this facility expect reasonable access to parking situated in reasonable proximity to the building entries. Reliance on on-street parking to satisfy parking demand will impact on the amenity of the adjacent residential streets as well as conflict with the parking and traffic demands of nearby existing industrial and commercial operations.

This parking issue has been negotiated with the applicant. It is accepted that there is fair and reasonable planning argument not to require the development to accommodate parking for what are considered to be atypical parking scenarios such as the approximately once each month jurors' selection days and for larger trials or high profile case days. The applicant has agreed to the provision of a temporary hardstand area to accommodate 93 vehicles in the western portion of the site. The recommended consent condition requires this change to the development proposal. The reason that the area is proposed as a "temporary" hardstand area is that the western portion of the site will ultimately be developed, and as such accommodating vehicles on that part of the site is an interim measure until that time. Future development in the western portion would need to accommodate the Police Station and Court House parking - be that at-grade, basement or deck parking.

Height:

The Court House proposes a maximum height of 19.6 metres and the Police Station 12.2 metres. The Coffs Harbour City Centre LEP 2011 provides specific height controls for this site, up to 19 metres for the B6 zone and up to 15.5 metres for the IN1 zone.

The Court House building exceeds the height controls by 0.6 metres. This exceedance is considered in the Section 79C evaluation as an "exception to a development standard" of the City Centre LEP 2011.

This minor height exceedance is supported having regard to the Court House building's design, the building footprint, relationship to adjoining development and retained on-site vegetation.

The western part of the site:

The western part of the site has been flagged to accommodate additional government facilities in the future.

This part of the site will be cleared of existing structures and will be remediated in accordance with an approved site Remedial Action Plan. Some works including stormwater management, perimeter landscaping, sediment and erosion controls and fencing are required for this area.

As detailed in the "parking" issue in this report, part of the western portion of the site will be constructed as a temporary hardstand area, accessed off Beryl Street, with capacity for 93 vehicles.

Site Voluntary Remediation Agreement:

The Environment Protection Authority entered into a voluntary remediation agreement (on 17 March 2003) with BP Australia Pty Ltd under the Contaminated Land Management Act 1997.

The agreement was in response to a fuel leak from the adjoining service station and covers the BP Service Station, the subject site and part of the Highway road reserve (near the BP Service Station).

Remediation works were undertaken in response to the fuel contamination and a sparge and monitoring wells were installed on the subject site to manage and monitor the remediation activities.

The proposed development footprint is clear of the area subject to this agreement (the area is located in the north eastern corner) and development works in this part of the site (landscaping, landform modification, pathways, drainage works and services) are unlikely to affect the area the subject of the agreement. The recommended consent conditions cover this site constraint consideration in terms of workplace safety during construction activity and appropriate certification as to its suitability for use before the development is occupied.

Process:

The development application has been evaluated having regard to relevant statutory requirements and is considered suitable for conditional approval.

In accordance with the provisions of Section 89 of the Environmental Planning & Assessment Act 1979 draft conditions of consent were referred to the applicant for approval.

The applicant has concurred with the recommended conditions contained in Attachment D to this report.

Summary:

The proposed police station and court house development will provide vastly improved judicial and police facilities for the Coffs Harbour region. The proposal is a major development for the City.

The development design, access, parking, footprint, landscaping and public forecourt works respond positively to the Pacific Highway / Beryl Street corner site that is situated at the northern entry to the Central Business District.

The site is recognised for the development of a public administration building (police station and court house) under the Coffs Harbour City Centre Local Environmental Plan 2011 and the draft Coffs Harbour City Local Environmental Plan 2012.

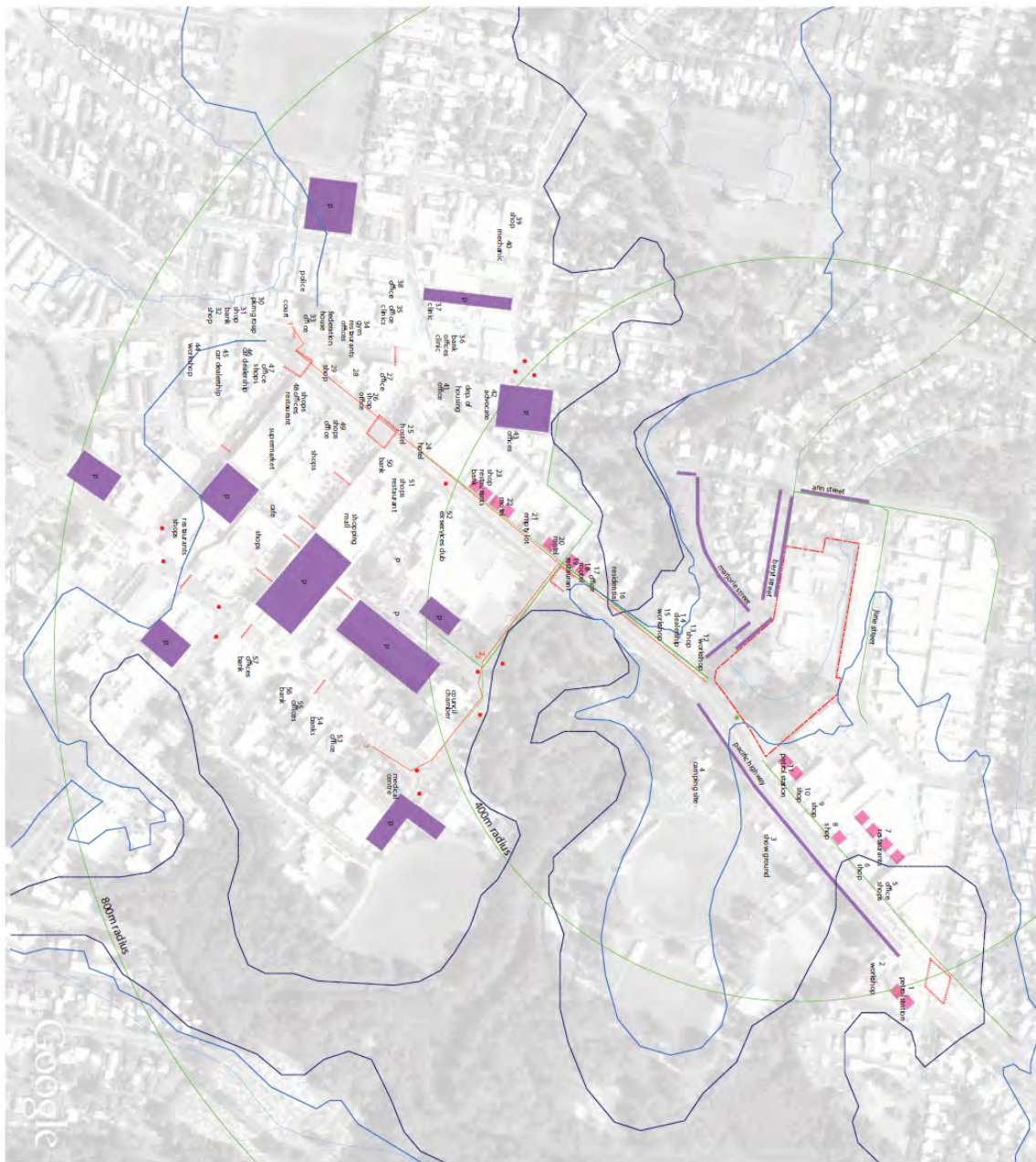
The development application has been subject to two periods of public notification, review by a number of government agencies and comprehensive assessment by Council staff. Matters raised by agencies and persons that made submissions in relation to the development application, together with relevant statutory planning controls, have been taken into consideration in the evaluation process.

The applicant has endorsed the recommended consent conditions as required by planning legislation. The development application is supported for conditional approval.

Recommendation:

- 1. That Development Application No. 821/12 for a Public Administration Building – Police Station (2 storeys); Court House (4 storeys); and Kiosk. Development to include demolition works, tree removal, site remediation and earthworks, substation, landscaping and carparking on Part Lot 107 and Part Lot 112, DP 752817, Lot 7026, DP 1059118 and Lot 1, DP 1178196, No. 2-16 Beryl Street and No. 18 June Street, Coffs Harbour be approved subject to conditions in Attachment D.**
- 2. That persons who have made submissions on the application be informed of this determination.**

Plans of the Proposal



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Approved by:	Date:

Approved:	DJ	2/7/04/12
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Client App no. 41:	AG	27/04/12
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NOT TO BE USED
FOR CONSTRUCTION

FOR CONSIDERATION

Final user:
Coffee Habebur Inc. and Coffee Product

COLLETTA AND JACOBSON • JOURNAL OF CLIMATE

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Site Study

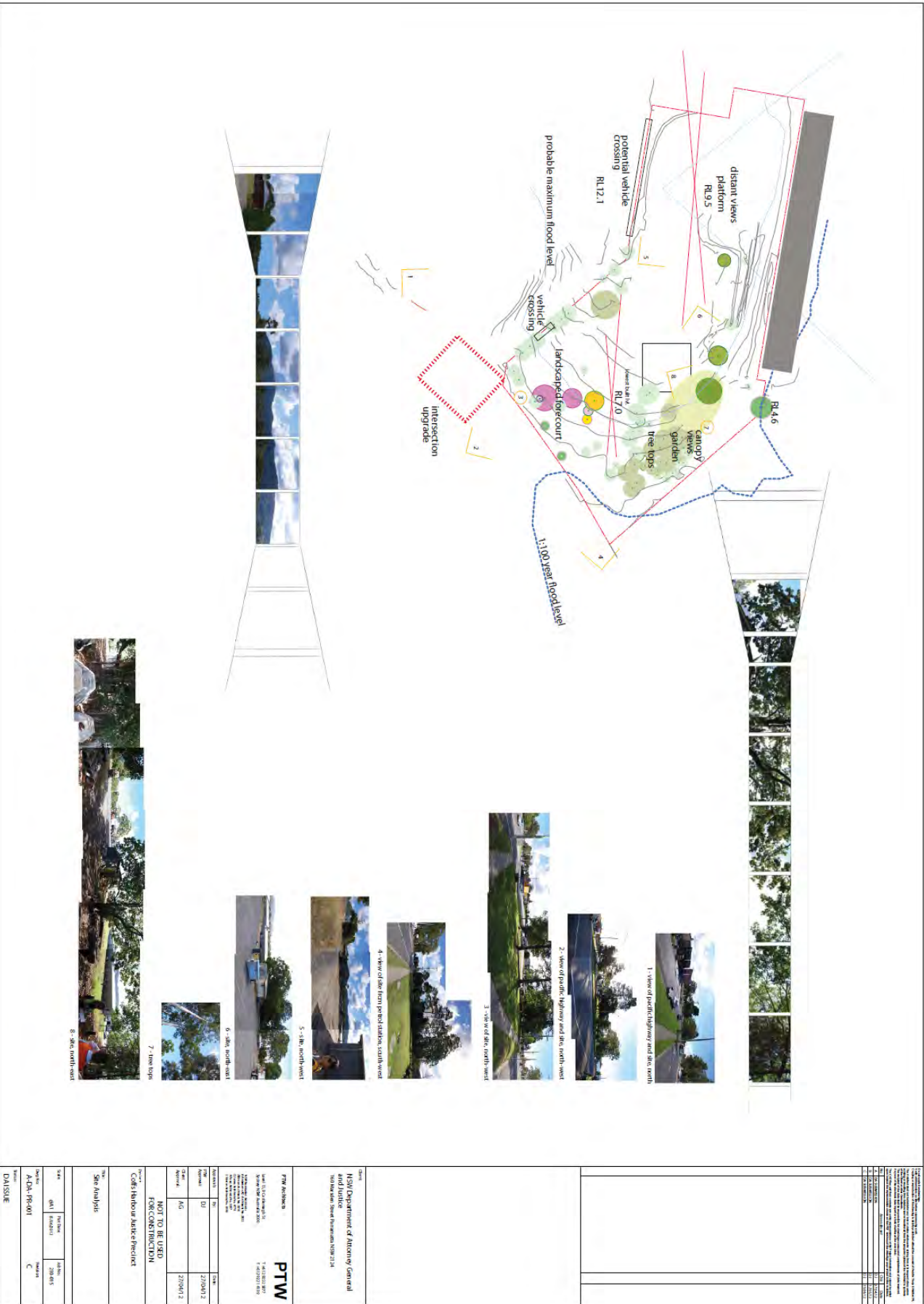
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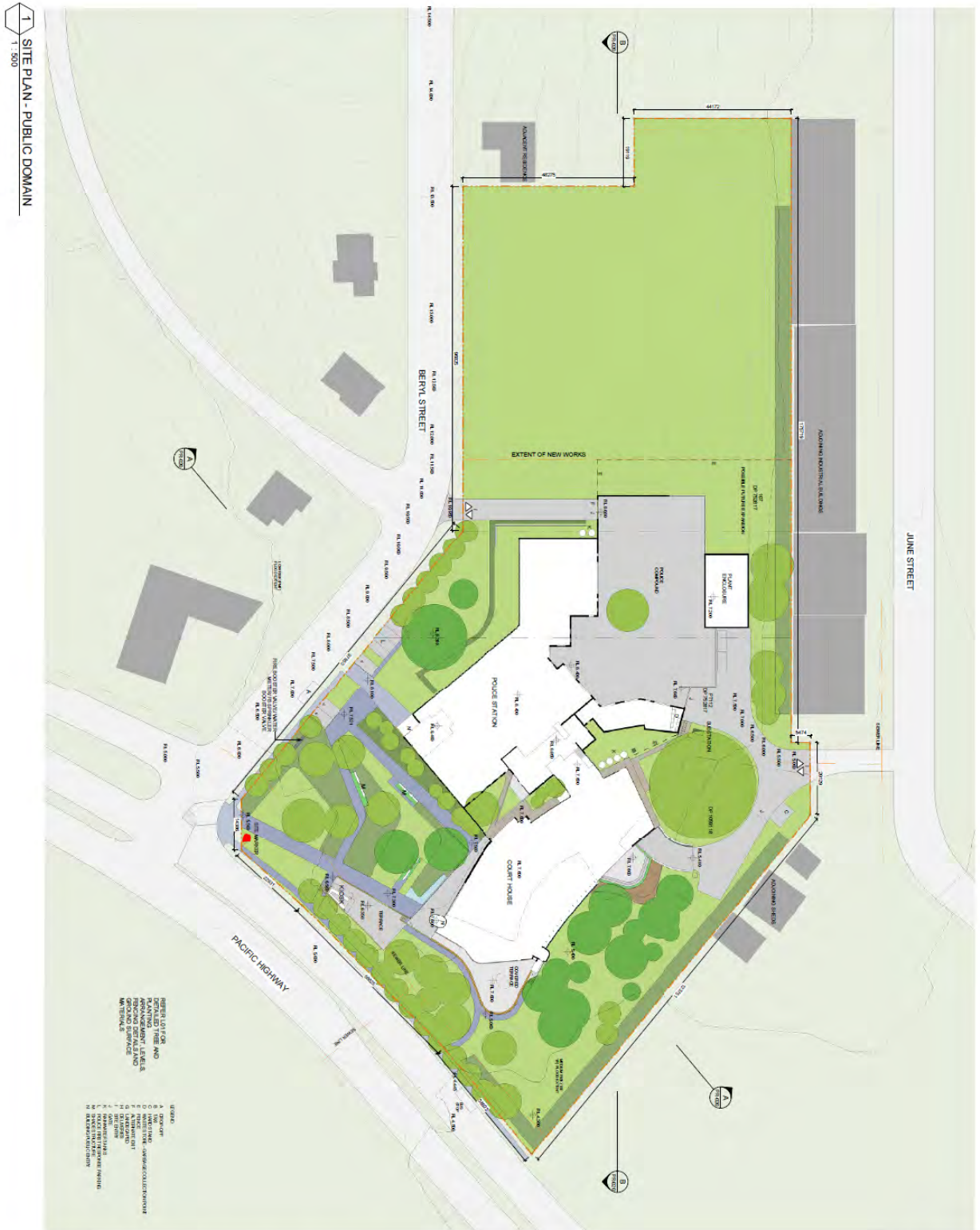
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DAISSUE





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Label 12, 9 Cambridge Dr
Dorset, 2038 Australia 2000
T +612 9238 5677
F +612 9221 4130

10. The amount of a function f at an element x of A is denoted $f(x)$. A function f from A to B is a function f from A to B if and only if $f(x) \in B$ for all $x \in A$. A function f from A to B is a function f from A to B if and only if $f(x) \in B$ for all $x \in A$. A function f from A to B is a function f from A to B if and only if $f(x) \in B$ for all $x \in A$.

Approved	By:	Date:
DAI		27/04/2020

Client Approval	AG	27 MAY 12
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NOT TO BE USED

FOR CONSTRUCTION

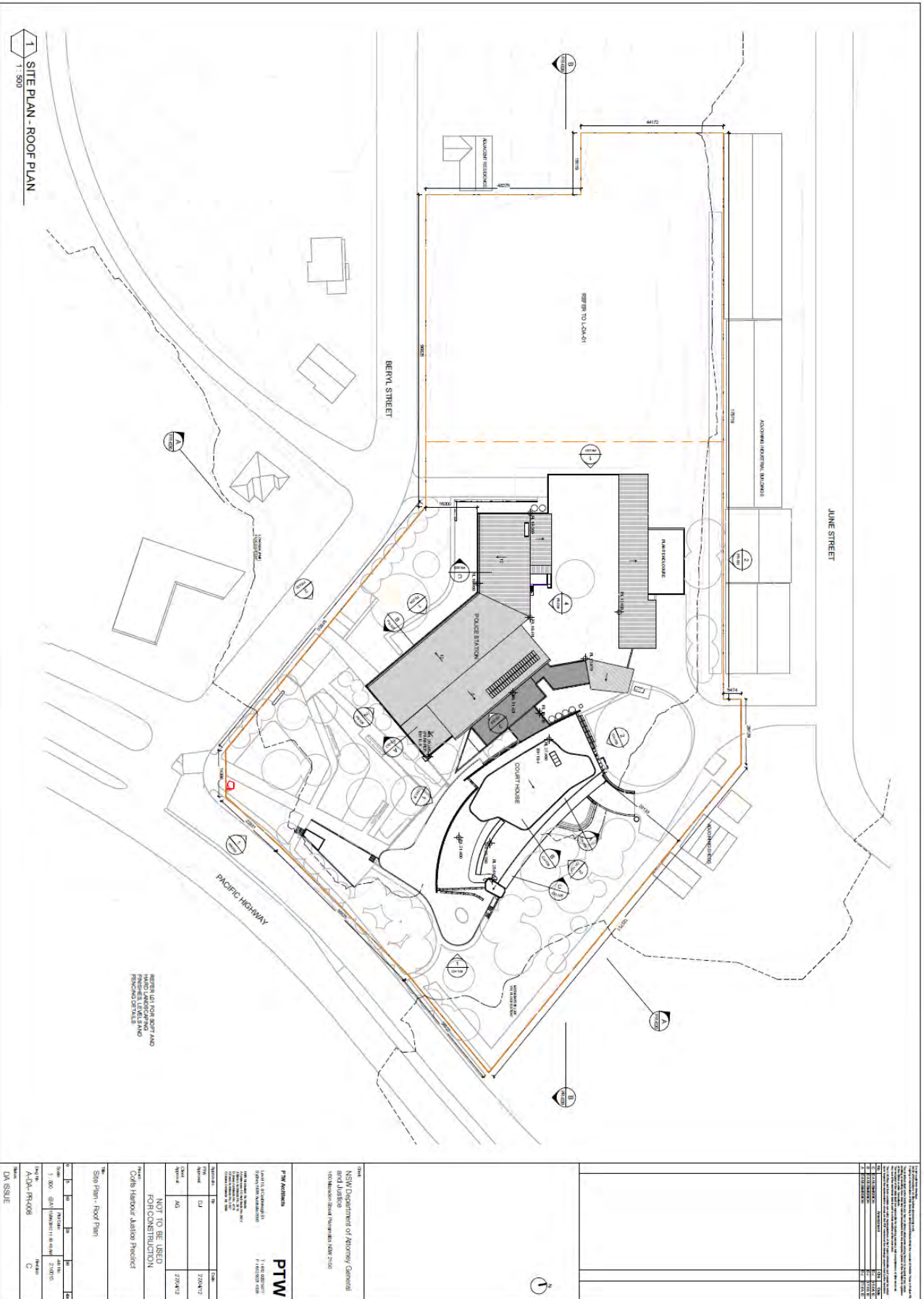
Product
Cofis Harbour Justice Precinct

<p> Title: Site Plan - Public Domain </p>
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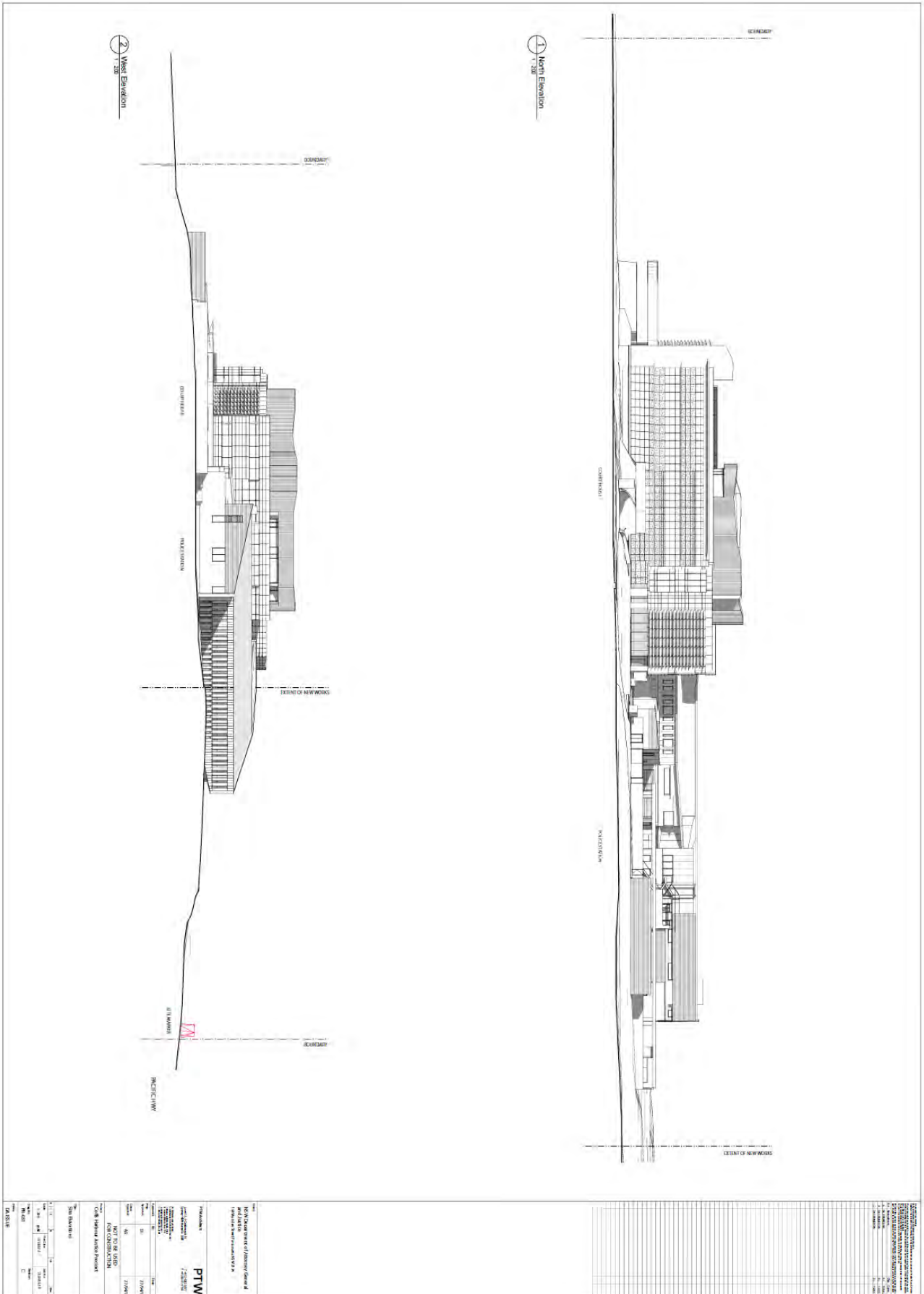
A-DA-PR-002	D
DAISSUE	





1 SITE DEMOLITION PLAN
1 : 500

[illegible][illegible]





1 Pacific Highway Elevation
1 : 200



2 Beryl Steel Elevation
1 : 200

[illegible]

NSW Department of Attorney General
and Justice
100 Market Street, NSW 2000

PTW

For more information, contact
 1-800-368-5868

1. **Author's name:** [Name]
 2. **Author's address:** [Address]
 3. **Author's phone:** [Phone]
 4. **Author's email:** [Email]
 5. **Author's website:** [Website]

27 Nov 87	10	1000000
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Is the response	NO	27/04/17
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Coffs Harbour Australia Product

5. *Staphylococcus aureus*

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Case	Case
PR-030	C

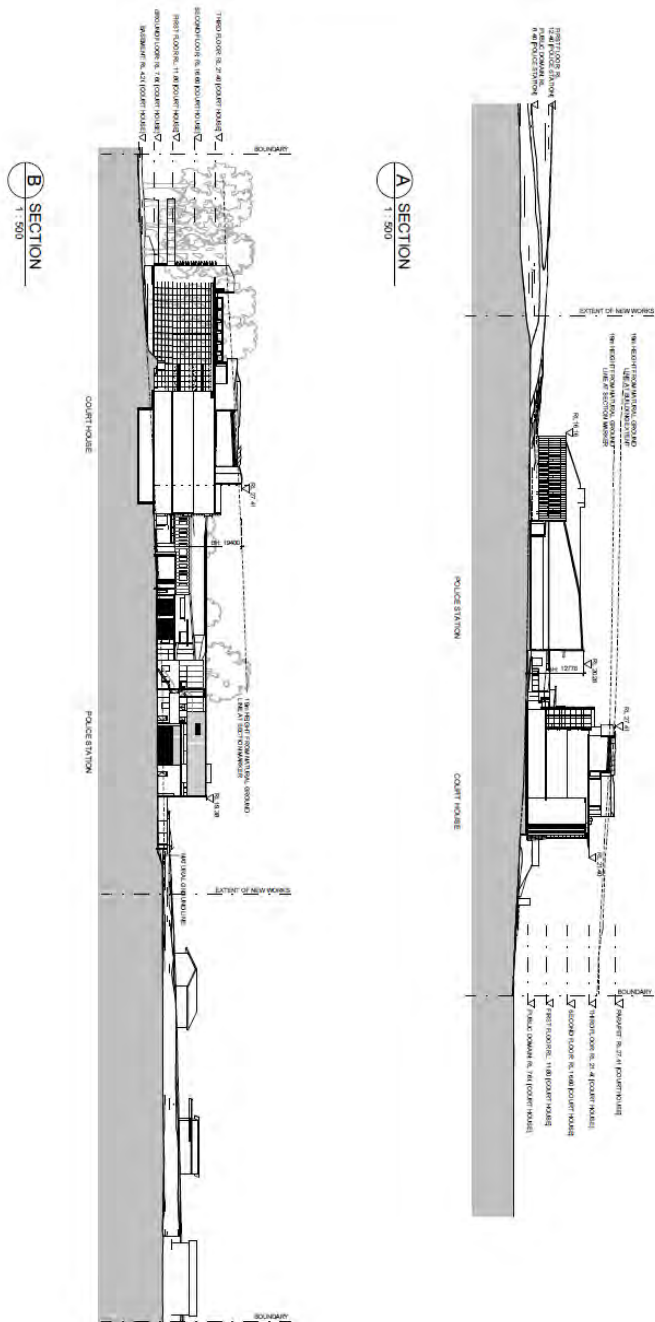


Table 2 Mean duration of exposure to various types of radiation among the 100 subjects

Exposure	Mean (SD)	95% CI
Overall exposure	1.7 (1.6)	0.9-2.5
Ionizing radiation	0.1 (0.1)	0.0-0.2
Non-ionizing radiation	1.6 (1.6)	0.8-2.4
Electromagnetic fields	1.7 (1.6)	0.9-2.5

Note: SD = standard deviation; 95% CI = 95% confidence interval.

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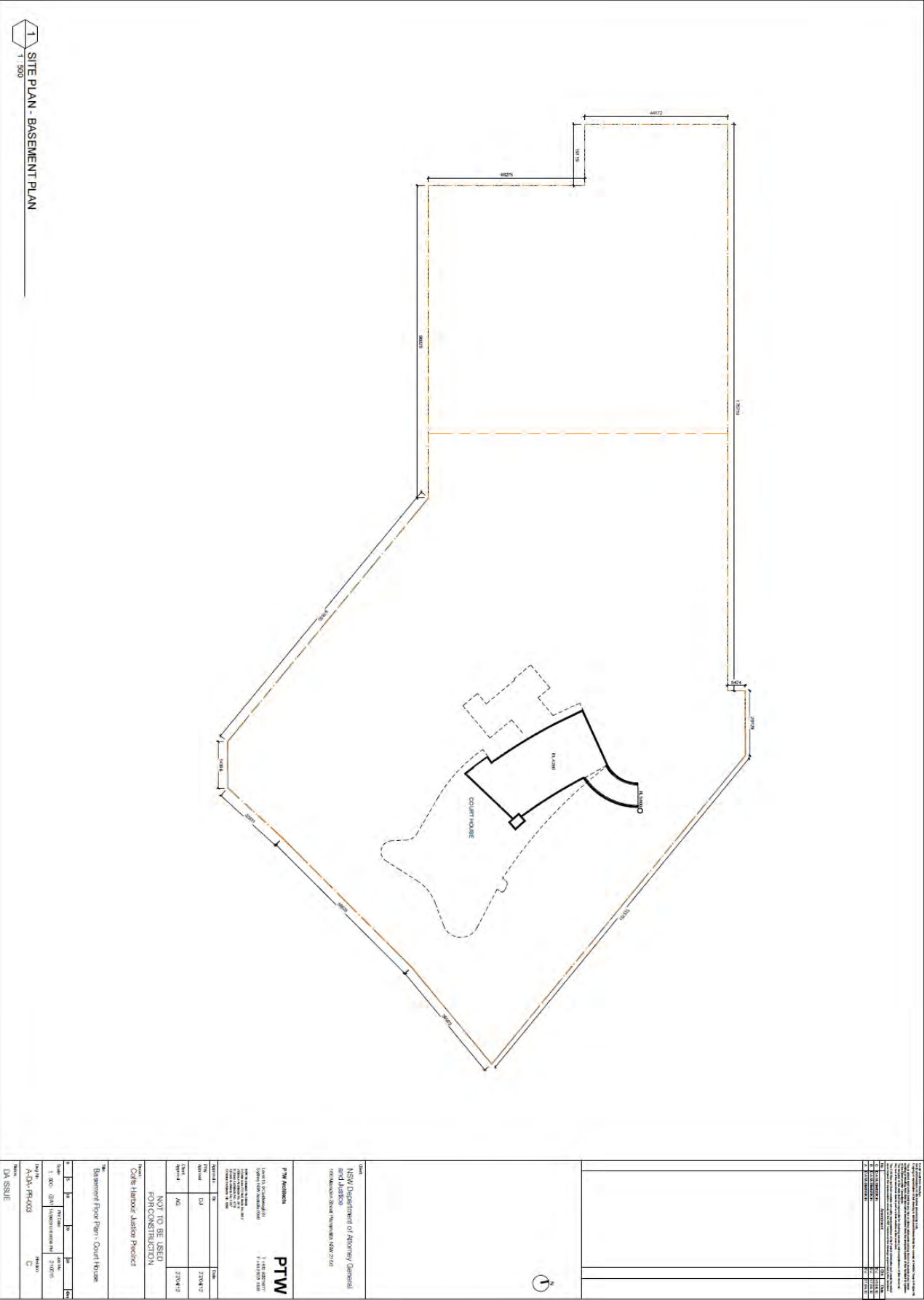
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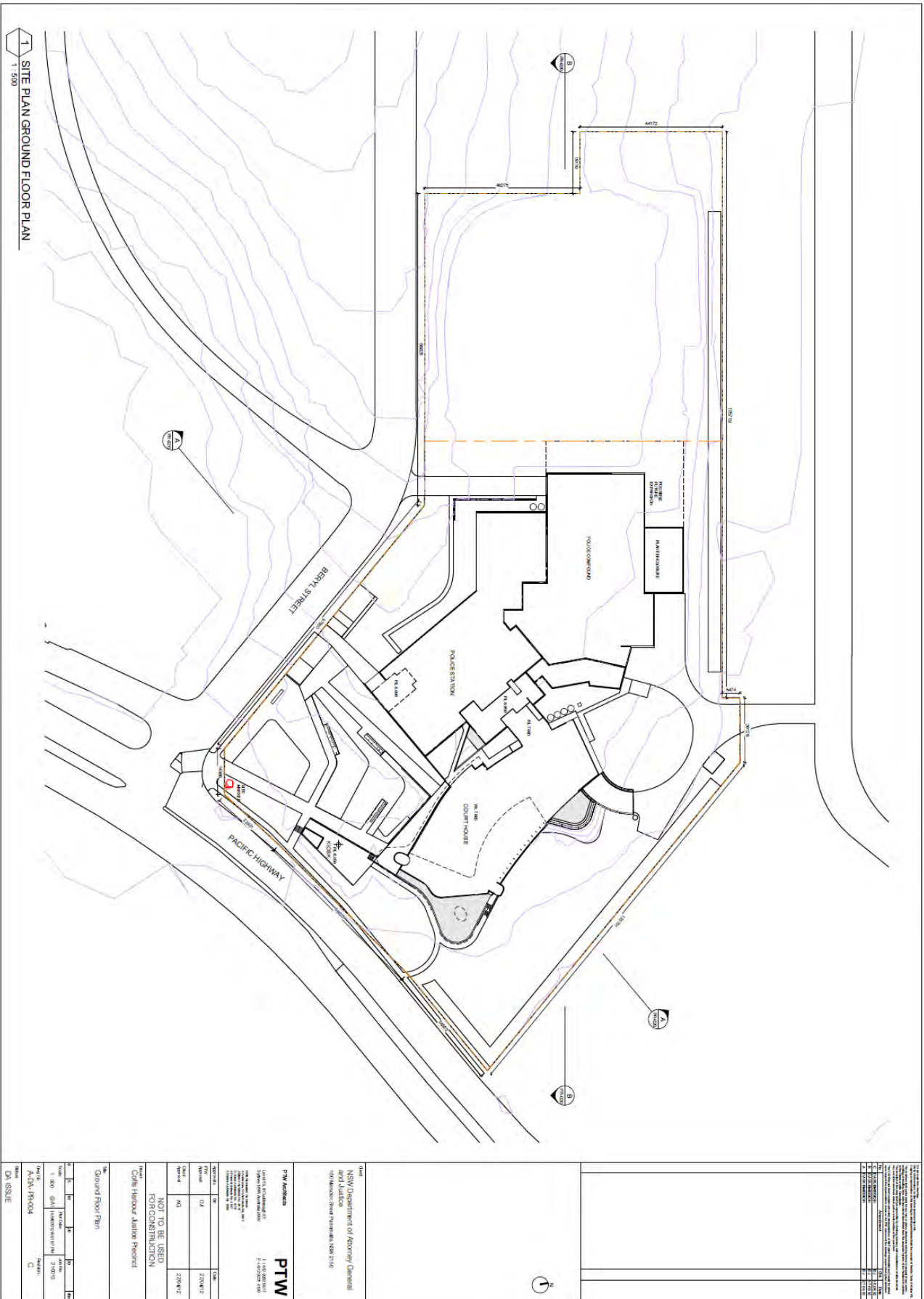
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Chief approved	AG	20N492

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FOR CONSTRUCTION

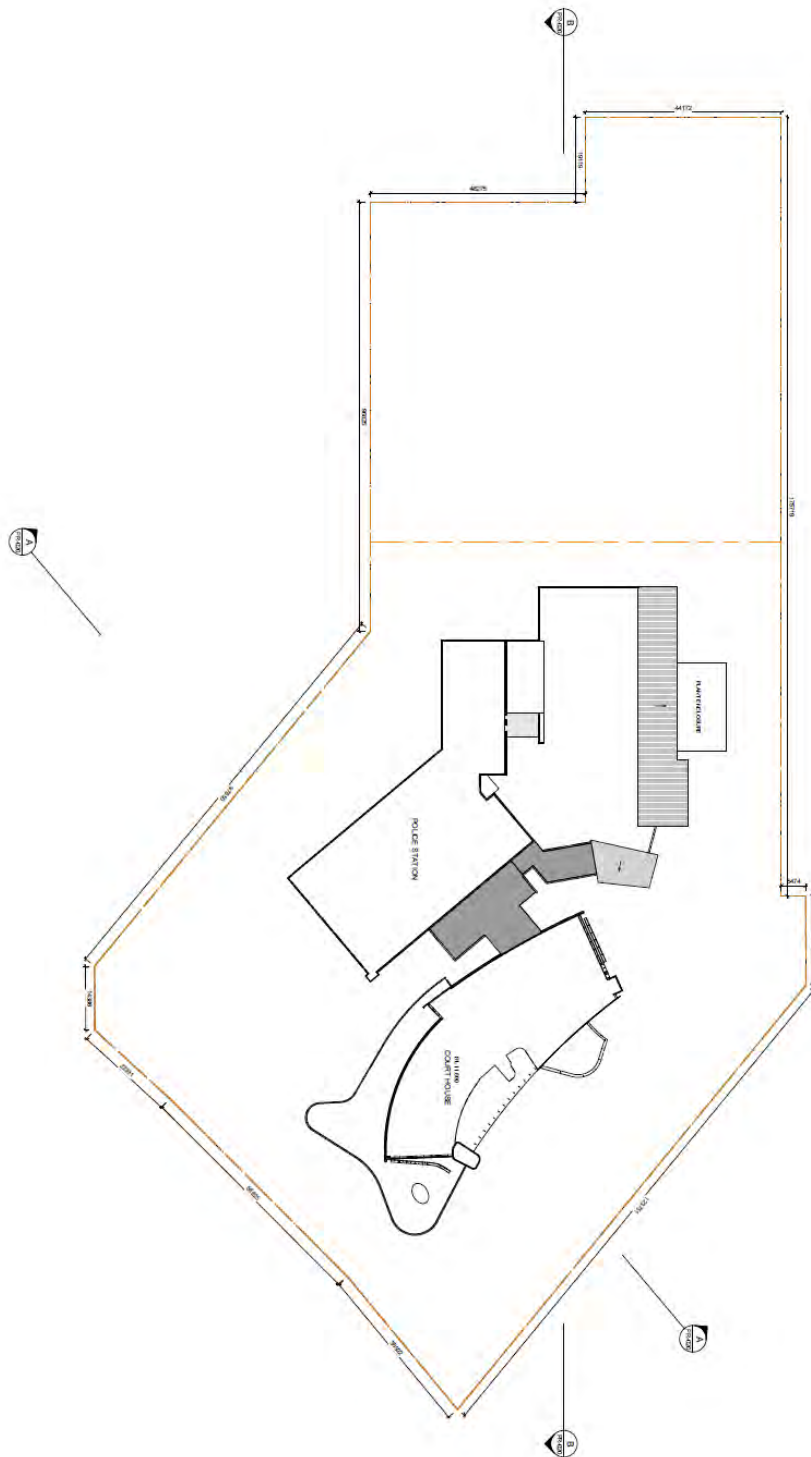
Project:
CofE Harbour Justice Precinct

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A-D-A-PH-020				C	
DATE					
DWG ISSUE					





1 SITE PLAN - FIRST FLOOR PLAN
1:500



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100 Macquarie Street, Sydney NSW 2100
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PTW Architects
100 Macquarie Street, Sydney NSW 2100
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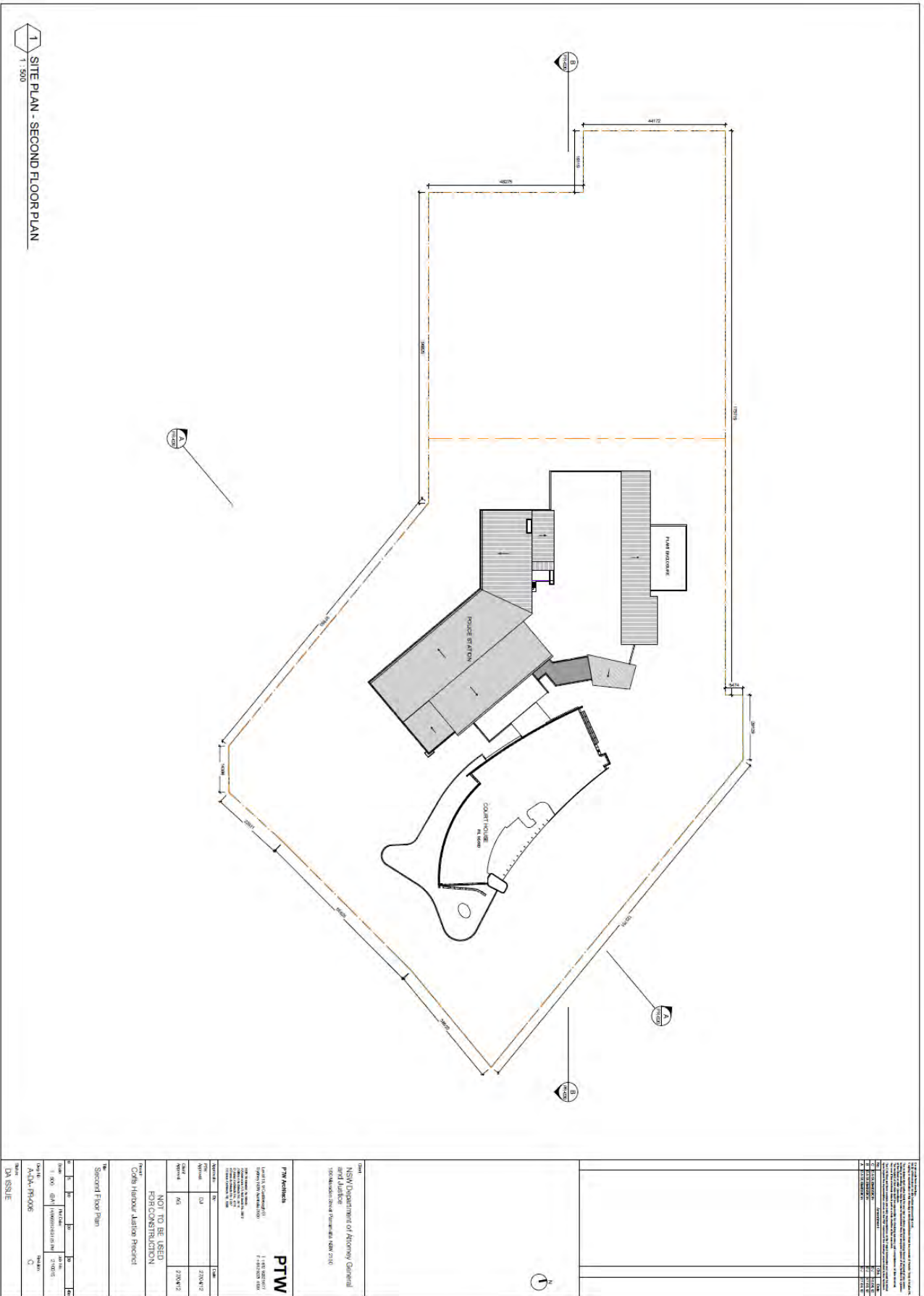
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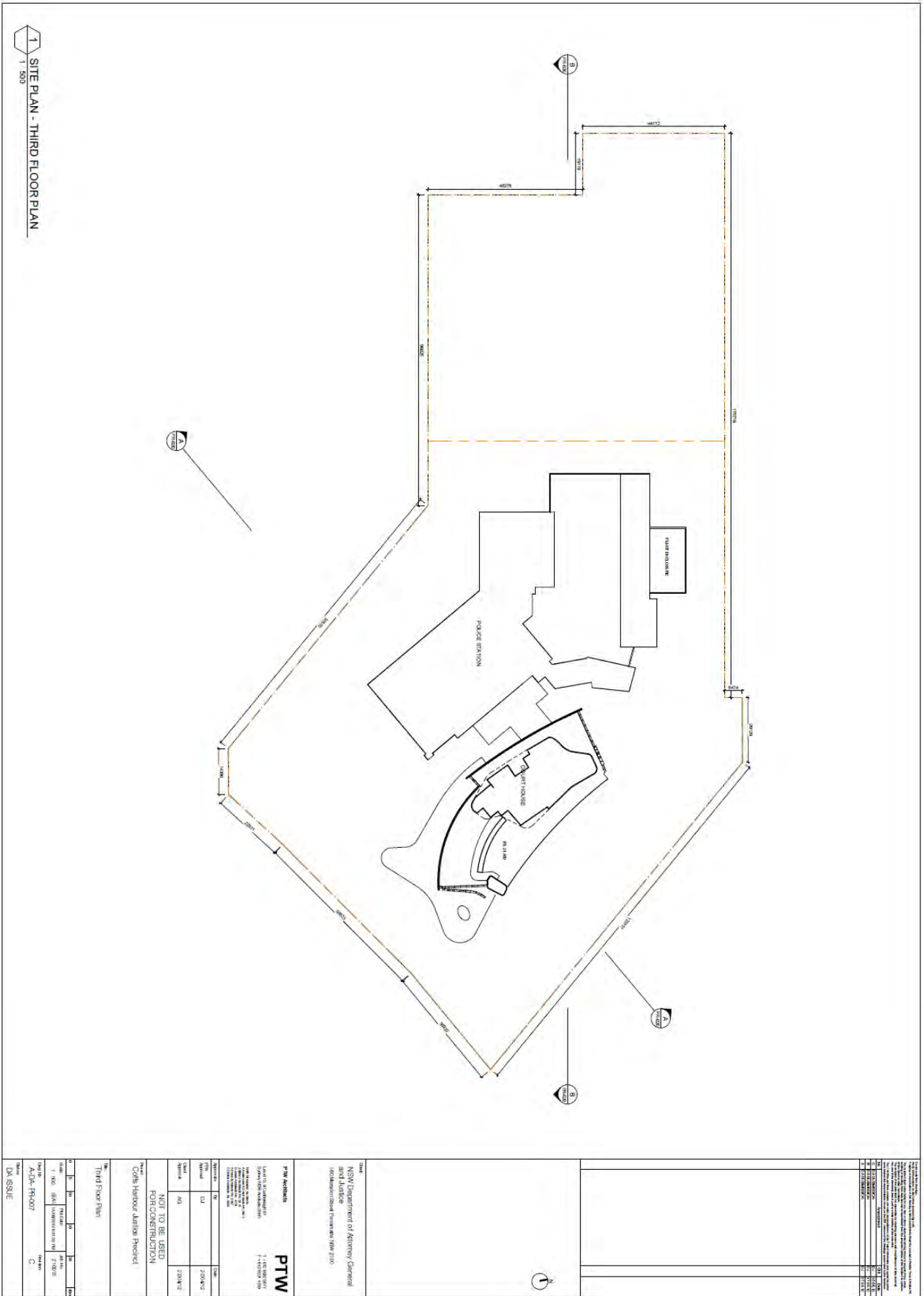
Code Harbour Justice Precinct

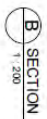
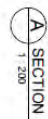
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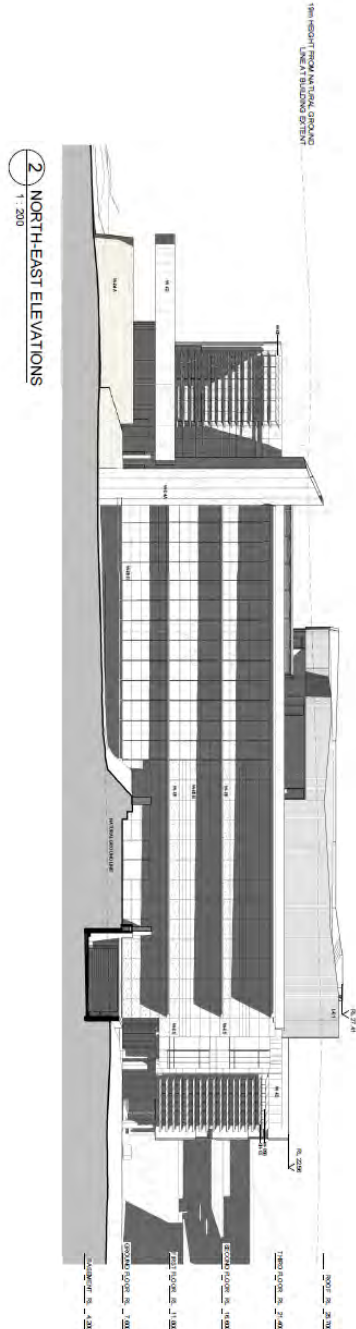
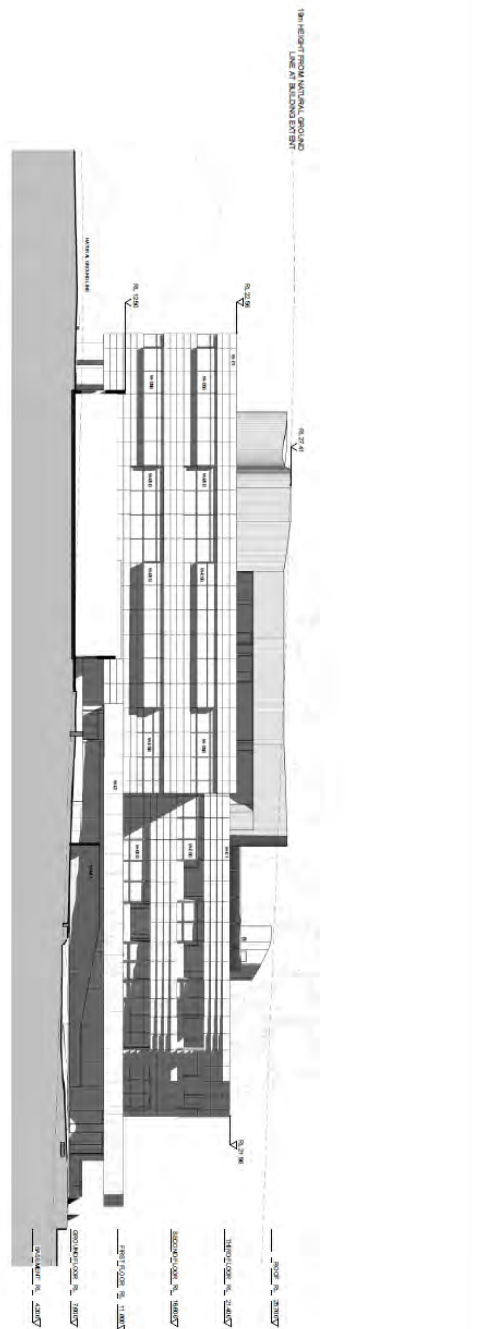
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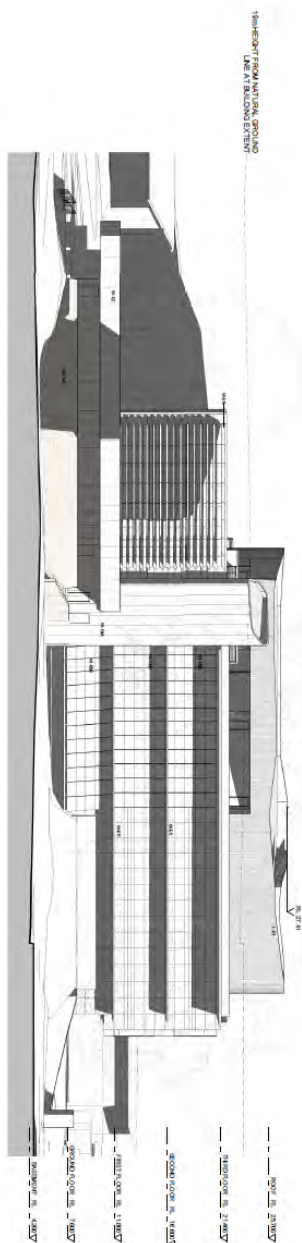




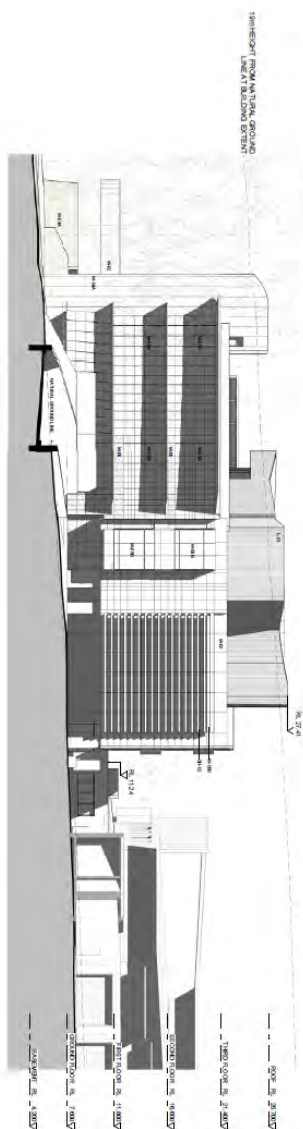
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Type					
Sections - Court House					
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Page No.	A-D-A-Ch-I-106				
Date	C				
DA ISSUE					



Client NSW Department of Attorney General and Justice 100 Macquarie Street, Macquarie NSW 2100		PTW Architects 14/151 Sydney Road Sydney NSW 2000 Phone: 02 9231 1111 Fax: 02 9231 1112 Email: info@ptw.com.au www.ptw.com.au		PTW 14/151 Sydney Road Sydney NSW 2000 Phone: 02 9231 1111 Fax: 02 9231 1112 Email: info@ptw.com.au www.ptw.com.au	
Project Ochs Harbour Justice Precinct		Not to be used for construction		Title Elevations - Court House	
Drawn 1:200		Scale 1:200		Date 20/03/2013	
Author A.C.A.-CH-107		C		Status DA ISSUE	

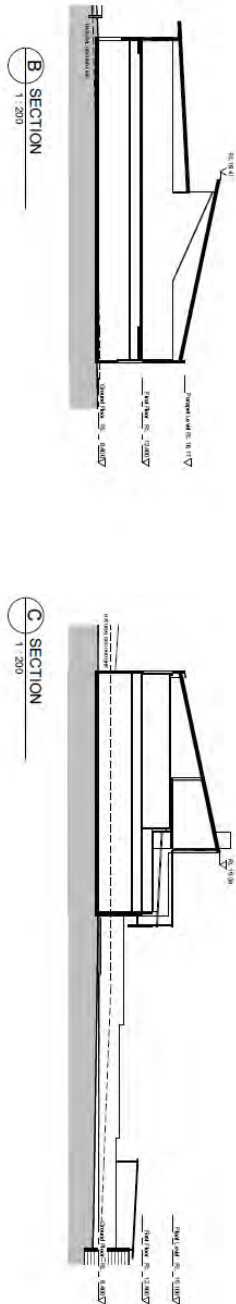
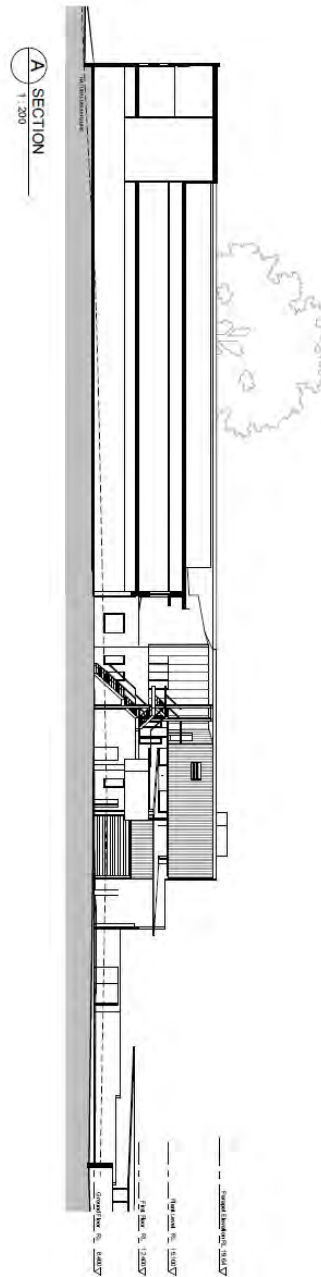


1 EAST ELEVATION
1:200



2 NORTH ELEVATION
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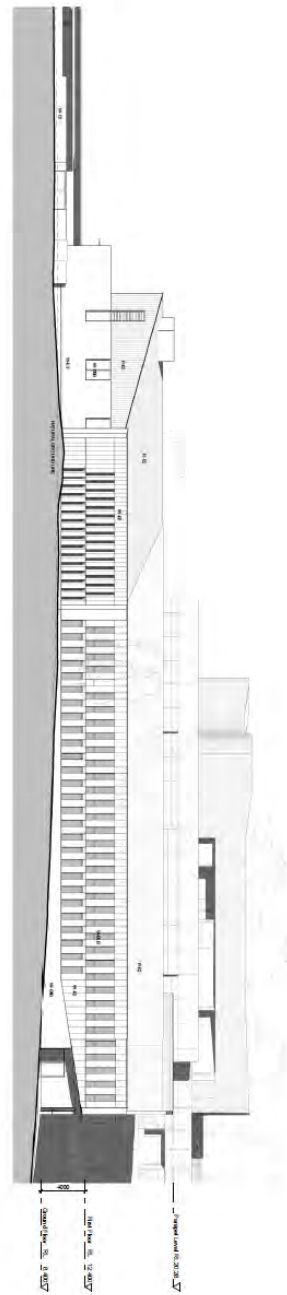
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Project
Coffs Harbour Justice Project

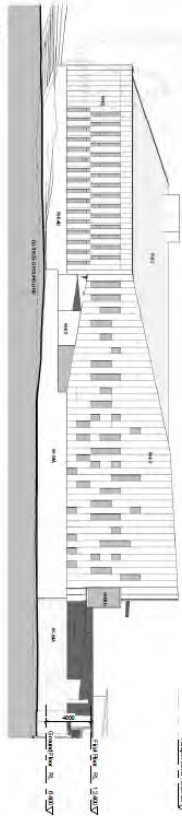
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Activity-13-2923	6
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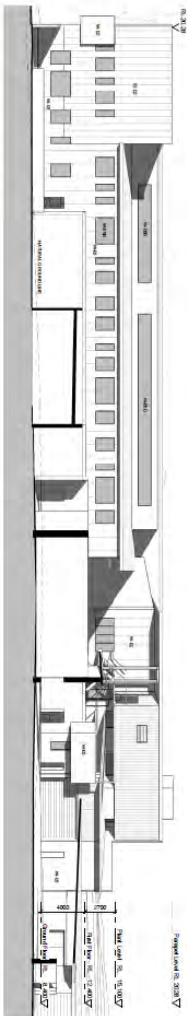
1 SOUTH WEST ELEVATION
1:200



2 SOUTH EAST ELEVATION
1 : 200



4 NORTH ELEVATION
1 : 200



3 NORTH EAST ELEVATION
1 : 200

Fig.	Parameter	Q1	Q3	Q45
A	3.5-4.5 (mmol/L)	2.7	3.5	4.5
B	4.5-5.5 (mmol/L)	3.7	4.5	5.5
C	5.5-6.5 (mmol/L)	4.7	5.5	6.5
D	6.5-7.5 (mmol/L)	5.7	6.5	7.5

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Panel
Coffs Harbour Justice Precinct

Table Police Station Elevations

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Order #				Paid Date	add date	
V. 2000	(PA)			10/06/2017	2:50:00	

DA ISSUE

Section 79C Assessment
Development Application 821/12

- a. the provisions of,
- i. any environmental planning instrument, and

- ***Mid North Coast Regional Strategy***

The Mid North Coast Regional Strategy is an overarching planning document which guides Councils in setting regional parameters for future strategic planning. The Strategy supports the growth and redevelopment of Coffs Harbour as a regional centre. The proposed development for a public administration building the Police Station and Court House facility is consistent with the objectives outlined in the Strategy.

- ***State Environmental Planning Policy No. 55 – Remediation of Land***

An environmental site assessment was submitted with the application. This report identified issues of concern from a site contamination perspective. A Remedial Action Plan has been received which accords with the NSW EPA Guidelines. Accordingly appropriate conditions of consent are required to ensure satisfactory remediation, validation and reporting occurs prior to occupation.

Part of the site is subject to a Voluntary Remediation Agreement...located in the north eastern part, and related to a contamination incident from the adjoining BP service station. Parties to the agreement are the EPA and BP. A sparge and monitoring wells are located on the subject site, and are to remain in situ. Consequently the consent is conditioned for the development to have regard to this infrastructure in terms of design changes, demolition, construction, landscaping, services, and to include OH&S considerations during the demolition and construction phases of the project and certification as to the site's suitability for use before the development is occupied.

- ***State Environmental Planning Policy (State and Regional Development) 2011***

Pursuant to Clause 20 and 21 of this Policy determination of development applications that are of a class or description included in Schedule 4A of the EP&A Act 1979 is made by a Joint Regional Planning Panel (JRPP).

The proposal is for Crown development and has a capital investment value of more than \$5 million, and accordingly is for determination by the JRPP.

- ***State Environmental Planning Policy (Infrastructure) 2007***

The development is defined as a "public administration building" under the Standard Instrument. This Policy provides that development for the purpose of a public administration building may be carried out by or on behalf of a public authority with consent on land in a B6 zone.

The site is zoned B6 and IN1 under the Coffs Harbour City Centre LEP 2011. This LEP provides that public administration buildings are permitted with consent in the B6 and also in the IN1 zones. The proposal satisfies the permissibility considerations of both planning instruments.

SEPP (Infrastructure) 2007 also requires that the consideration of the development ensures that it does not compromise the effective and ongoing operation and function of the Highway, to consider site access, the safety, efficiency and operation of the Highway, and to address the noise sensitivity of the proposal in relation to Highway activity. The proposal addresses the potential noise impacts on the development by Highway traffic in the building's design. The application has been conditionally supported by the Roads and Maritime Services, although this Agency has raised the issue of carparking in that "reliance on on-street parking to satisfy the demand for the facility will impact on the amenity of adjacent residential streets". This issue has been negotiated with the applicant with the agreement to provide a temporary hardstand area with compliant carparking on site - west of the police station.

• ***State Environmental Planning Policy No. 71 – Coastal Protection***

The proposed development is considered to be consistent with the aims of the policy and satisfies the relevant matters for consideration. Clauses of particular relevance are discussed further below:

Clause 7 – Application of Clause 8 Matters

Clause 7 of the SEPP requires Council to take matters as listed in Clause 8 into consideration when determining development applications. Clause 8 matters have been taken into consideration in the assessment of the proposed development.

- The proposal is considered to meet the aims of the Policy.
- The proposal will not impede or diminish public access to and along the coastal foreshore.
- The site is not subject to Aboriginal cultural heritage significance.
- The site does not contain any known items of heritage, archaeological or historic significance.
- The proposed development will not impact upon the scenic quality of the surrounding locality.
- The site is not subject to any coastal hazards.
- The proposed development, in terms of type location and design, is considered to be suitable.
- The proposal will not result in any significant impacts to flora and fauna. Site landscaping is proposed as a part of the development, to include landscaping of the area adjacent to the waterway with riparian species. The site adjoins land mapped as Primary Koala Habitat under Council's KPOM. This area of vegetation will not be affected by the development.

Clause 16 – Stormwater

Clause 16 specifies that Council must not grant consent to development where stormwater will, or is likely to, be discharged untreated into the sea, a beach, an estuary, a coastal lake, a coastal creek or other similar body of water.

A concept stormwater management plan, including water quality modelling was provided with the application. In summary it is proposed that stormwater be managed in the following ways:

- A pipe network system to collect minor storm runoff from areas, and overland flow paths to carry major storms through the site.

- Controls to remove sediment, oils, hydrocarbons and gross pollutants.
- Storm filters to remove nutrients.
- Rainwater harvesting and detention systems.

The concept details provided are considered satisfactory. Details of the system will be required to be approved prior to construction.

- ***Coffs Harbour City Centre Local Environmental Plan (LEP) 2011***

Zoning

The site is zoned B6 Enterprise Corridor and IN1 General Industrial. The proposed development is defined as demolition and public administration building which is identified as permissible with consent in both zones and kiosk which is also permissible with consent in the B6 zone. Note, the public administration development spans both zones and the kiosk is confined to the B6 zone.

Schedule 1 of this LEP also provides for the public administration building development as an “additional permitted use” for the subject site, and specifies a height control of 15.5m for the western lot (lot 107 DP 7528170) and a height control of 19m and a 1:1 floor space ratio for the remainder of the site.

Relevant objectives of the B6 zone “to promote businesses along main roads and to encourage a mix of compatible uses”, “to provide a range of employment uses (including business, office, retail and light industrial uses)”, “to maintain the economic strength of centres by limiting retailing activity” and “to ensure that new commercial buildings make a positive contribution to the streetscape and contribute to the public domain” are satisfied as the development will not compromise business premises in the City, provides for employment, will not retail and will contribute positively to the public domain by its design and locational attributes. Its highway position, large site area and building footprint provides for a development that is compatible in the locality.

Relevant objective of the IN1 zone “to encourage employment opportunities” is satisfied as the use will provide employment.

Height

The height controls for this site are specified in Schedule 1 of the LEP and vary from 19 metres for the eastern part of the site to 15.5 metres for the western part of the site. The police station building's height is 12.2 metres. The court house building's height is 19.6 metres. The Court house building exceeds the height standard by 0.6 metres, however Clause 4.6 of the LEP allows a consent authority to vary a development standard subject to written justification to the effect that the standard is unreasonable or unnecessary and there are sufficient grounds to support the variation. In this regard the variation is in the order of 3%. Further, the building design, footprint and its relationship to preserved vegetation on the site supports the height variation to 19.6 metres.

Floor Space Ratio

The western part of the site, lot 107, has a FSR control of 0.8:1 and the remainder of the site has a FSR of 1:1. The total development has a FSR of 0.27:1. The development satisfies this control.

Development within the Coastal Zone

The site is in the Coastal zone. The LEP considerations reflect that of the Coastal Protection SEPP, considered earlier in this evaluation.

Heritage

The application is accompanied by a Heritage assessment. The assessment concluded that there are no historical archaeological constraints to the proposal. In terms of aboriginal heritage no archaeological sites, objects, or places of archaeological potential or aboriginal sensitivity were identified for the site, and that given the extent of site disturbance no aboriginal sites are likely to remain. The recommended conditions of consent respond to exposure of aboriginal objects during construction.

Environmental Hazards

The subject land is mapped as being Class 4 and 5 potential acid sulfate soils. The environmental site assessment discloses no requirement for an ASS Management Plan for the development.

The site is subject to minor flood risk. The recommended conditions of consent require minimum flood planning floor level requirements.

Koala Habitat

The site comprises land that is mapped as primary koala habitat. The application is accompanied by a biodiversity report that advises that the mapped area is erroneous...it is not core koala habitat and is unlikely to be used as koala habitat. Council's Biodiversity section supports this advice. The vegetation within the site does not constitute significant habitat resources for any threatened fauna species which may periodically use the site. Vegetation clearing and fauna protection controls are recommended as conditions of consent.

Central Business District

The objective of this LEP Clause is to maintain the primacy of the CBD as the principal business, office and retail hub of the city centre and to ensure that development does not conflict with the hierarchy of commercial centres. Whilst this Clause is a relevant consideration for the development Schedule 1 "additional permitted uses" of the LEP carries weight in the consideration of this objective. The site of the proposed public administration building has been identified under the 2011 LEP as a "key site" and specific controls have been put in place for this particular key site to facilitate its development with a public administration building. It is noted that the proposed use, other than the kiosk, is not a business, office or retail use. It is agreed that the public administration building use is complimentary to a number of traditional CBD uses such as legal practices, etc. The site is proximal to the CBD, it is 140 metres distant from the northern edge of the CBD and 500m from Harbour Drive (the CBD's centre).

Design Excellence

The LEP provides that any development having a capital investment value of more than \$5 million, on a key site, is subject to the holding of an architectural design competition. This requirement may be waived if the Director-General certifies that a competition is not required. This is the case for this particular application as the design has had input from a Design Review Panel. The DG has certified accordingly.

Services

The development will be serviced by Council's normal reticulated sewer and water systems. Other essential services are available to the site.

ii. The provisions of any draft environmental planning instrument

The Draft Coffs Harbour Instrument Local Environmental Plan 2012 is applicable to this application.

Under this draft Plan the zonings and the permissibility provisions for a public administration building, demolition and kiosk remain the same.

Under this draft Plan the "additional permitted uses" Schedule has changed from the City Centre LEP 2011 in that the specific controls in this schedule for the western lot (lot 107 DP 752817) that allows a 15.5 metre height limit for the public administration building development on this lot has been removed. The use is still a permissible use on this lot however a height limit of 8.5 metres is provided for this lot under the draft Plan. The police station is up to 12.5 metres in height. Despite this change to the height controls under this draft Plan the development is supported as proposed, the scale of the police station is suitable given its design and site footprint and relationship to the court house building and neighbouring developments.

The draft Plan is consistent in content with the City Centre LEP 2011 for other relevant statutory considerations for this development application.

iii. any Development Control Plan (DCP)

Coffs Harbour City Centre DCP 2011

This Plan came into effect on 24th November 2011. Appendix 2 of the Statement of Environmental Effects provides a comprehensive report on conformity of the development to this DCP.

Character Area:

The site is within the "Gateway" character precinct. This precinct is identified as having inherent future development opportunities which can improve the City's image, amenity and transport network. Although the character statement proposes that the gateway precinct remain a low key commercial use with low scale buildings the subject site has been identified as a "key site", and is identified specifically in the CH City Centre LEP 2011 for public administration buildings.

Building Form:

This section of the DCP encourages high quality design for new buildings, balancing the city centre with innovation and creativity, contributing to an attractive public domain. As advised the development has been identified as a key site and has been subject to a Design Review Panel process. The development has been designed to fulfil the civic responsibilities of the site as a gateway to Coffs Harbour and to symbolize the role of justice institutions in a contemporary community. The building has appropriate scale, form, height and setbacks for the site and its location in the city centre. Minimum side and rear setbacks exceed 12 metres. Its forecourt and footprint provide a strong definition of the public domain. The finishes and building articulation, response to retained vegetation, depth and bulk contribute to a high quality of design excellence. The development will include effective landscaping and public accessibility. The development incorporates a range of

sustainability measures, including passive solar design, natural ventilation to parts of the building, water management.

Pedestrian Amenity:

The development site comprises acceptable pedestrian amenity for users of the facility. The proposed Beryl Street traffic signals will provide suitable pedestrian access across the Highway and across Beryl Street. The forecourt pathways provide suitable access from the adjacent footpaths, accessible parking spaces and the bus stop to the buildings' entries. Footpaths at the intersection of Coffs street and the Highway require upgrading

The development application is accompanied by a Safer by Design Crime Prevention Through Environmental Design report that has been endorsed by NSW Police.

Vehicle access to the development, via traffic signals on the Highway/Beryl Street intersection, a roundabout on Marjorie/Beryl Streets, 90degree parking off Beryl Street for emergency response Police vehicles and 3 accessible spaces, and the June Street driveway for Court and Police operational vehicles is endorsed by Council staff and the RMS. Vehicle access arrangements for visitors, clients and staff will be provided to the western part of the site.

Low key building identification signage and way finding signage is proposed for the development and is endorsed by Council staff.

Access Parking and Servicing:

An accessibility report accompanies the application. The facility will include required and complying accessibility provisions. The forecourt pathway arrangement should be designed and constructed to relevant accessibility standards.

Vehicular driveways and manoeuvring areas will be conditioned to conform to Council's relevant standards and specifications.

The development is suitable in terms of utility services availability, waste management and stormwater management arrangements, and has been conditioned accordingly.

Parking:

The DCP controls:

The DCP requires parking to be contained within development sites to an amount and rate adequate for the economic and sustainable growth of the city centre, to provide for safe and secure access, to minimize impacts on city amenity, the public domain and streetscape, and to ensure that access is provided for the disabled. The DCP calls for an appropriate level of on-site parking provision to cater for a mix of development types. Carparking, bicycle and motor cycle rates are to be provided in accordance with Table 5.1.

The prescriptive rate for "general office development" under this DCP is 1 car space per 40m² GFA for up to 3 storey development. If development exceeds 3 storeys it is to be accompanied by a Parking and Traffic Study.

As the development comprises more than 3 storeys carparking for the development has been supported by parking and traffic studies.

The Parking Proposal:

The submitted development application proposes 55 on-site parking spaces: 11 for the justice precinct in the court house basement (including 1 accessible space for use by staff or visitors - by arrangement), 37 for police vehicles in the police compound, 4 spaces for police first response vehicles off Beryl Street and 3 accessible spaces off Beryl Street.

Other than the 4 accessible spaces all spaces are for the judiciary and police operational vehicle parking. That is, apart from the accessible spaces no staff or client or visitor parking is proposed on the site under the submitted application.

Two parking studies form part of the application. The second study has referenced parking demand from the existing Coffs Harbour police station and court house. This study has indicated a demand for 51 police/court operational spaces, 47 police/court staff parking spaces and 50 visitor/court user parking spaces. It has also identified a demand for a further 50 jury duty parking spaces for the times potential jurors are at court for selection (estimated at 1 day a month). That is, there is an overall demand for 198 spaces of which 55 will be provided on site. This means a shortfall of 143, or 93 if the one day a month potential jurors parking demand is removed from the calculation. It is proposed to offset the on-site shortfall by on-street parking in proximity to the site.

The parking study indicates the availability of 233 spaces in Everingham Place, Beryl Street, Marjorie Street and Anne street and 296 spaces in more distant streets at Plantation Avenue, Prince James Avenue, Coral Avenue, Marcia Street and June Street. All streets mentioned are within a 400 metre radius of the site. The study also references the availability of up to 1039 spaces located within the CBD public car parks that may be used by all day visitors to the facility.

The carparking justification is further supported by the proponent in that:

- The proposed approach is consistent with the NSW Government Integrated Land Use & Transport Policy Package 2002. Principle 8 of the guidelines associated with the package is "Manage parking supply". The aim of this principle is: "to use the location, supply and availability of parking to discourage car use. Prominent, plentiful, cheap and unrestricted parking encourages people to drive; public transport becomes a less attractive alternative. Large parking areas are often unsightly and reduce amenity."
- Due to security considerations the level of car parking at Court Houses is restricted.
- The site has good accessibility to public transport.
- The development is well placed to implement a Workplace Travel Plan.

The Parking Evaluation:

The parking justification is based on a number of assumptions: it is reliant on a workplace travel plan to be prepared for the Court House that Jury Duty Notice jurors be recommended to use public transport (when this may not be used); it is reliant on on-street parking (when the streets relied upon have no footpaths, some with no kerb and guttering, raising pedestrian safety concerns); it is reliant on on-street parking availability within a 400 metre radius of the site (when physical walking distances to the Beryl Street entry to the facility from these streets are up to 800 metres); it is reliant on some of the all day users of the facility using CBD public parking areas (when these areas are unlikely to be used due to their distance from the site); it promotes public transport usage to lower travel demand to the site (when the local public system is insufficiently developed); it justifies no public on-site parking in proximity to the Court House due to security concerns (when there is opportunity to provide parking, west of the Police Station, well removed from the Court House).

The development, whilst on the fringe of the CBD is not situated within the CBD. Consequently it should not rely upon off-site infrastructure, such as local streets and public parking areas, for its operation and function. Users of this facility expect reasonable access to parking situated in reasonable proximity to the building entries. Reliance on on-street parking to satisfy parking demand will impact on the amenity of the adjacent residential streets as well as conflict with the parking and traffic demands of nearby existing industrial and commercial operations.

The Parking Resolution:

This parking issue has been negotiated with the applicant. It is accepted that there is fair and reasonable planning argument not to require the development to accommodate parking for what are considered to be atypical parking scenarios such as the approximately once each month jurors' selection days and for larger trials or high profile case days. The applicant has agreed to the provision of a temporary hardstand area to accommodate 93 vehicles in the western portion of the site. The recommended consent condition requires this change to the development proposal. The reason that the area is proposed as a "temporary" hardstand area is that the western portion of the site will ultimately be developed, and as such accommodating vehicles on that part of the site is an interim measure until that time. Future development in the western portion would need to accommodate the Police Station and Court House parking - be that at-grade, basement or deck parking.

iv. the regulations (to the extent that may prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,

Clause 92 of the Environmental Planning and Assessment Regulations 2000 requires that the NSW Coastal Policy 1997 and Australian Standard 2601 "Demolition of Structures", be considered in the determination of development applications. The development is consistent with the goals, objectives and strategic actions outlined in the Coastal Policy and the recommended consent conditions require compliance with AS 2601.

b. the likely impacts of that development, including environmental impacts, on both the natural and built environments, and social and economic impacts in the locality,

1. The natural and built environment

The development application is accompanied by a flora and fauna impact assessment to accord with the provisions of Section 5A of the EP&A Act 1979. The assessment concludes that the proposal will have no significant or deleterious environmental effects on threatened species or habitats on the site or the immediate vicinity. The report concludes that the area of the site mapped as Primary habitat under the Council's Koala Plan of Management is erroneous. This conclusion is supported by Council's Biodiversity section.

The application is also accompanied by a heritage study which concludes that there is a very low likelihood of heritage values impacting on the project.

The development is accompanied by a stormwater management plan to address potential adverse impacts on water quality, during both the construction and operational phases.

The recommended conditions of consent will incorporate controls in relation to vegetation removal and retention, demolition works including asbestos removal, sediment and erosion controls, landform modification works.

The site is subject to minor flood impact and the recommended consent conditions address minimum floor levels in the construction. The proposal is supported in terms of flood risk.

The site has been subject to contamination assessment. A Remedial Action Plan has been prepared as part of the application. The recommended consent conditions address the site's remediation and requirements in relation to a part of the site that is subject to a voluntary remediation agreement between the adjoining BP service station and the EPA.

The proposal will require the preparation of a construction management plan to mitigate off site impacts, eg piling, dust and noise.

A significant improvement in site landscaping will result from the proposal.

The building scale, footprint, height, design and bulk is considered to be compatible with its Pacific Highway, industrial and residential setting. The building by its location and design will not result in any adverse privacy, acoustic or overshadowing impacts on residential neighbours.

2. Social and Economic Impacts

The proposed development is not expected to result in any significant adverse social or economic impacts in the locality. The development will revitalize a large and "tired" industrial property that has been recently identified (2011) as a key site in the city centre and as a part of this 2011 process identified for a public administration building use. The proposal will see the replacement of the city's existing substandard and high operational risk justice buildings in Moonee Street. The development will reinforce Coffs Harbour's role as a regional centre. The development's location, situated at the CBD's northern entry will be a positive gateway to the City's retail, office and business hub. Importantly the development does not comprise an office building component that would likely affect the CBD's primacy as a business, office and retail hub.

The development will provide additional employment opportunity during the construction and operational phase. The project cost, excluding the RMS Highway/Beryl Street works is in the order of \$54 million, excluding GST.

c. the suitability of the site for the development,

It is considered that the attributes of this key site are conducive to the proposed development. The proposal is considered suitable in terms of the design response, services, technological and natural hazards, heritage significance, biodiversity values, access and use. The specialist use - a public administration building for a police station and court house, is considered to be compatible with the locality and its Pacific Highway frontage.

Whilst there is debate as to whether a new justice precinct should be relocated to outside of the CBD, the development site, served with proper infrastructure is considered suitable for this use. The site suitability criteria for this particular development is reinforced by the "additional permitted uses" Schedule 1 of the City Centre LEP 2011 that specifically details controls for a public administration building on this site.

d. any submissions made in accordance with this Act or the regulations,

The application has been reviewed by Council's City Services (flooding, traffic, services, landscaping), Land Use Management, Health (waste management, food, site contamination, acid sulfate soils considerations), Biodiversity and Finance (developer contributions) sections. The application was also reviewed by NSW Police (crime risk assessment), NSW Roads and Maritime Services and the NSW Office of Environment and Heritage.

The application was considered by the Access Advisory Committee (Sub-Committee) and the following matters were raised:

- The need for an accessible pedestrian route from the CBD to the Courthouse / Police Station precinct, including accessible road crossings with compliant kerb ramps.
- Consideration for an equitable Pacific Highway Pedestrian Crossing in the vicinity of the Courthouse / Police Station precinct.
- The Sub-Committee has also provided comment on the Wayfinding and Accessibility Report.

The signalized Beryl Street/Highway intersection will afford accessible road crossings in proximity to the facility. Access works may be required to pedestrian routes leading to the facility from the CBD.

The Agencies and Council's technical sections have conditionally supported the development application, including that the development make provision for on-site parking.

The application was advertised and notified to adjoining landowners. 3 submissions were received following the first notification and 11 submissions were received following the second notification.

Matters raised in the submissions cover parking, the need for the facility, the site selection, the residue part of the site, traffic considerations, pedestrian considerations and use of the facility. A summary of matters raised is listed below, followed by comments on those matters.

Parking:

- "Reliance on on-street parking to satisfy the demand for the facility will impact on the amenity of adjacent residential streets. Council should satisfy itself that this impact will be acceptable to residents in the vicinity. Ideally parking demand should be satisfied on site" (Roads and Maritime Services).
- The parking proposal is irresponsible, dangerous and the result will be chaotic.
- Proposed restricted parking times in residential areas is unreasonable and will impact on values and amenity.
- Why can't the western portion of the site be used for parking – is the reason to not provide the parking on site to set aside a part of the site for even more traffic and parking generating development?
- Extra demand placed on parking by the development will detrimentally affect the operations of all businesses in the area.
- The parking study is flawed and wrong:
 - It does not cover projected growth in users and staff of the facility
 - The development unreasonably depends on policy and site constraints (eg court security and industrial relations) to not provide parking on site.
 - On-street parking availability assessment is incorrect and less than stated.
 - It does not consider the condition of existing streets to support pedestrians – lack of footpaths, kerb and guttering, road widths.

- The 400 metre radius for on-street parking is not reflective of actual walking distances which will well exceed this distance.
- RMS guidelines that promote reduced private vehicle travel has little relevance to Coffs Harbour.
- No other developments are given parking concessions – the State Government should set the example

Comment:

The recommended conditions of development consent (Condition 6) requires on-site parking provision to be addressed by a temporary hardstand area located on the site and west of the police station, able to accommodate 93 vehicles. This parking provision, together with the already proposed 55 car spaces located in the court house basement police, station parking compound and 90 degree spaces located off Beryl Street are considered suitable for the proposal.

Need for the Facility:

- The need for the new Police Station and Court House is acknowledged

Comment:

The 79C evaluation endorses the site for the public administration building development.

Site Selection:

- The development is dislocated from the CBD – by the physical and visual barrier of Coffs Creek and by isolation from convenient pedestrian access and public transport in the CBD.
- The development will weaken the CBD diversity and vitality.

Comment:

The 79C evaluation considers the impact of the justice precinct proposal on the CBD, the site's attributes, including its proximity to the CBD, the access, parking and other relevant planning considerations including the social, economic and environmental impacts of the development and the "additional permitted uses" schedule of the Coffs Harbour City Centre Local Environmental Plan 2011. The site is supported for the proposed development.

The Residue Part of the Site:

- What are the cumulative impacts from future development of the western part of the site?

Comment:

The application references that in future the western part of the site may be developed to accommodate additional government facilities, thereby strengthening the site and providing it with a clear identity as a future Government services precinct. A consequence of such a proposal is its impact on the locality. A further consideration is the impact of any future development on the low scale residential housing located to the west of the site. Impacts of future development in this part of the site, inclusive of carparking impacts, will be addressed with any future development application.

Traffic:

- New traffic signals will further frustrate smooth traffic flow through the City with traffic increases in Beryl Street.
- The development will encourage additional traffic movement, particularly from legal practitioners.
- A roundabout at Beryl/Anne Streets is preferable to Beryl/Marjorie Streets on safety grounds.

- Traffic changes will result in an increases loss of life.

Comment:

The Beryl Street/Highway signalised intersection and the Beryl/Marjorie Streets roundabout have been endorsed by the RMS and Council's technical sections. Traffic signals will improve pedestrian access to the site...across the Highway and across Beryl Street. The signalised intersection will afford improved traffic circulation in this locality. The Beryl Street roundabout will afford optimal access to the Police compound and will be a traffic calmer for vehicles using this street. It is agreed that another controlled highway intersection will frustrate through traffic, however these signals will be configured to operate in concert with other signalized intersections in the City to facilitate optimum transport movements.

Pedestrian:

- An overhead walkway should serve pedestrian access on the Highway.

Comment:

The Beryl Street/Highway intersection will provide pedestrian access across the Highway and across Beryl Street.

Use:

- Will police sirens affect local residents?

Comment:

This is an operational matter however it is expected that the Police will respect neighbourhood amenity considerations.

e. the public interest:

The application has been evaluated in the normal manner following proper process. Relevant planning considerations have been taken into account in the assessment of the application.

The proposed development does not present any issues that are contrary to the public interest.

Zoning Map of the Site (Coffs Harbour City Centre LEP 2011)



Draft Conditions of Consent

Development Application No. 821/12

Schedule of Conditions

ADMINISTRATIVE CONDITIONS

Development Description:

1. Development consent is granted only to carrying out the development described in detail below:
 - ***Public Administration Building – Police Station (2 storeys); Court House (4 storeys); and Kiosk. Development to include demolition, site preparatory works, remediation of land, clearing of vegetation, earthworks, substation, landscaping and carparking.***

Prescribed Conditions:

2. 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:

3. 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. 821/12).

Plan No.(s)	Prepared by	Dated
A DA PR 000 C	PTW Architects	15 June 2012
A DA PR 001 C	PTW Architects	15 June 2012
A DA PR 002 D	PTW Architects	15 June 2012
A DA PR 003 C	PTW Architects	15 June 2012
A DA PR 004 C	PTW Architects	15 June 2012
A DA PR 005 C	PTW Architects	15 June 2012
A DA PR 006 C	PTW Architects	15 June 2012
A DA PR 007 C	PTW Architects	15 June 2012
A DA PR 008 C	PTW Architects	15 June 2012
A DA PR 0010 C	PTW Architects	15 June 2012
A DA PR 020 C	PTW Architects	15 June 2012
PR 030 C	PTW Architects	15 June 2012
PR 031 C	PTW Architects	15 June 2012
A DA PR 051 C	PTW Architects	15 June 2012

Development Application No. 821/12

Schedule of Conditions

A DA CH 106C	PTW Architects	15 June 2012
A DA CH 107C	PTW Architects	15 June 2012
A DA CH 108C	PTW Architects	15 June 2012
A DA PS 303 C	PTW Architects	15 June 2012
A DA PS 304 C	PTW Architects	15 June 2012
A DA LO1 C	PTW Architects	4 June 2012
A DA LO2 C	PTW Architects	4 June 2012
A DA LO3 C	PTW Architects	4 June 2012
Proposed Traffic Signal Fig 5	Christopher Hallam & Associates Pty Ltd	12 October 2012
Proposed Roundabout Fig 6	Christopher Hallam & Associates Pty Ltd	12 October 2012

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.

Development in Accordance with Documents:

4. The development shall be undertaken in accordance with the following documents:

Planning Documentation:

- (1) Statement of Environmental Effects, prepared by Worley Parsons and dated 15 June 2012.
- (2) Planning Report prepared by JBA Urban Planning Consultants Pty Ltd and dated 12 October 2012.
- (3) Supplementary Traffic & Parking Study prepared by Christopher Hallam & Associates Pty Ltd and dated 12 October 2012.

Inconsistency between Documents:

5. In the event of any inconsistency between:

- (1) The conditions of this approval and the drawings/documents referred to in conditions 3 and 4, the conditions of this approval prevail; and
- (2) Any drawing/document listed in conditions 3 and 4 and any other drawing/document listed in conditions 3 and 4, the most recent document shall prevail to the extent of inconsistency.

Development Application No. 821/12

Schedule of Conditions

DESIGN MODIFICATIONS TO DEVELOPMENT

Design Modifications:

6. The design of the development shall be amended as follows:

Western Portion of Site

- The applicant shall submit plans to Council detailing a temporary hardstand area able to accommodate 93 vehicles in the western portion of the site, accessed from an agreed location off Beryl Street. The plans are to detail the landscaping, appropriate lighting and stormwater drainage and treatment of this temporary hardstand area. Any proposed finishes/treatments of this area shall be consistent with Council's relevant standards and specifications for such temporary hardstand areas.

Groundwater Remediation System:

- The applicant shall submit plans to Council that illustrate the location of the proposed works in the context of the BP Site Remediation Works that occur on the site. The Plans are to detail any revisions that may be required to be made to the development's stormwater management system, services, landscaping treatment, landform modification works and the internal grass path due to this infrastructure.

Accessible Paths:

- The pathway from the bus stop on the Pacific Highway to the Courthouse forecourt shall be provided as an accessible path of travel. In the event that the pathway cannot be designed as an accessible path of travel, the pathway shall be deleted from the proposed scope of works.

A copy of these Plans is to be submitted to Council for its information prior to the commencement of building works and prior to certification of the building works by or on behalf of the Crown as required by Section 109 of the Environmental Planning & Assessment Act 1979.

DEMOLITION WORKS, SITE PREPARATORY WORKS, SITE REMEDIATION WORKS & VEGETATION CLEARING WORKS

PRIOR TO COMMENCEMENT OF SITE WORKS

Hoardings and site security:

7. Appropriate hoardings shall be installed around the perimeter of the site prior to the commencement of demolition, site remediation and vegetation clearing works.

Notice to be given prior to commencement of demolition works:

8. Neighbouring property occupiers shall be given at least 48 hours written notice prior to the commencement of demolition works, site preparatory works, site remediation works and vegetation clearing works. The notice shall include the name of the site / project manager, responsible managing company (if applicable), its address and a 24 hours contact number to respond to any enquiries, including dust, noise and traffic issues.

Development Application No. 821/12

Schedule of Conditions

Erosion and Sediment Control Plan:

9. An erosion and sediment control plan, detailing soil erosion and sediment control measures, shall be prepared by a qualified environmental or engineering consultant in accordance with the document Management Urban Stormwater – Soils & Construction Volume 1 (2004) by Landcom, prior to commencement of demolition works, site preparatory works, site remediation or vegetation clearing works.

Erosion and Sediment Control:

10. Prior to commencement of works on the site erosion and sedimentation control measures are to be installed and operational including the provision of a “shake down” area where required.

Demolition Bond:

11. A damage deposit and administration fee as determined by Council's Fees and Charges Schedule shall be lodged with Council as a bond to cover possible damage to Council's property that may result during the removal of demolition material from the site. The deposit is to be lodged with Council and arrangements made for a dilapidation survey to be undertaken to assess the condition of Council property adjoining the land prior to the commencement of demolition work.

Vegetation Removal Controls:

12. Trees identified for retention are to be marked on site before any works commence. The retained trees protection zones (TPZ) shall be temporarily fenced in accordance with the recommendations of the Rodney Page Consulting Arborist report of 9 April 2012. The protection fences are to be of sturdy free standing chain wire and are to remain for the duration of the works.

DURING DEMOLITION WORKS, SITE PREPARATORY WORKS, SITE REMEDIATION WORKS AND VEGETATION CLEARING WORKS

Hours of Work:

13. Demolition, remediation, and associated activities 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.

Dust Control Measures:

14. Adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:

Development Application No. 821/12

Schedule of Conditions

- (1) All materials shall be stored or stockpiled within the site;
- (2) Stockpiles are to be managed so as to prevent dust nuisance occurring at the boundary of the site;
- (3) All vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other materials;
- (4) Cleaning of footpaths and roadways shall be carried if required or directed by Council.

Welfare of Wildlife:

15. An experienced ecologist or wildlife carer is to be present during tree clearing activities to ensure the welfare of any wildlife.

Site Access:

16. All direct site access during demolition works shall be gained via Beryl Street or June Street. No access shall be gained via the Pacific Highway.

Impact of Sub-surface Works – Aboriginal Objects:

17. In the event that future works during any stage of the development disturb Aboriginal Cultural materials, works at or adjacent to the material must stop immediately. Temporary fencing must be erected around the area and the material must be identified by an independent and appropriately qualified archaeological consultant. The Office of Environment and Heritage (OEH), Northern Aboriginal Heritage Unit and the Aboriginal Stakeholder groups must be informed. These groups are to advise on the most appropriate course of action to follow. Works must not resume at the location without the prior written consent of OEH and Northern Aboriginal Heritage Unit and the Aboriginal Stakeholder groups.

Contractors parking and loading/unloading arrangements:

18. All persons associated with the works are to park on site. All loading and unloading activities are to occur within the site.

Demolition:

19. All works, including the handling and disposal of materials containing asbestos, are to be undertaken in accordance with the relevant requirements of WorkCover NSW, the Work Health and Safety Act 2011 and Australian Standard AS 2601-2001 *"The Demolition of Structures"*.

All demolition material and wastes shall be assessed in accordance with NSW Environment Protection Authority Waste Classification Guidelines (2009) prior to being removed from the site. Materials classified as waste shall only be disposed of to an appropriate NSW Environment Protection Authority licensed facility. All waste building materials shall be recycled or disposed of to an approved waste disposal facility.

No waste materials shall be crushed or processed on the site.

No demolition materials shall be sold from the site.

Development Application No. 821/12

Schedule of Conditions

- "UPSS Technical Note: Site validation reporting", (NSW Environment Protection Authority -January 2010).
- Australian Standard: AS 4976 – 2008: The removal and disposal of underground petroleum storage tanks.
- NSW State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55).

All work, including reporting shall be undertaken by suitably qualified and experienced professionals.

ON COMPLETION OF DEMOLITION WORKS, SITE PREPARATORY WORKS, SITE REMEDIATION WORKS AND VEGETATION CLEARING WORKS

Sediment and Erosion controls:

23. The site shall be stabilised to Council's satisfaction, which, as a minimum, shall be at least 50% grass cover or application of mulch or hydroseeding to all disturbed areas. Note; this requirement does not apply to the development footprint for the proposed Justice Precinct however this area shall be treated to control any potential dust nuisance and sediment runoff.

PRIOR TO COMMENCEMENT OF BUILDING WORKS

Building Works Certification:

24. No building work is to commence on site unless the work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws, as required by Section 109R of the Environmental Planning & Assessment Act 1979.

Access and Facilities for persons with a disability:

25. The development is to be provided with access and facilities for people with disabilities.

Details indicating compliance must be submitted to and approved by the certifying authority.

Stormwater and Drainage Works Design:

26. The stormwater and drainage works are to be approved by Council prior to the commencement of building works.

The stormwater and drainage works are to be designed to:

- a) drain to Council's existing infrastructure;
- b) achieve estimated peak flow rates arising from the average recurrence interval that do not exceed existing flows; and
- c) comply with Council's Water Sensitive Urban Design targets, as applicable.

Development Application No. 821/12

Schedule of Conditions

Road Design and Services (Civil Works and Services):

27. Prior to commencement of works within a public road, the applicant shall submit plans, and any payable prescribed fees, to Council or the relevant roads authority detailing the following works:

- a) maximum 2m wide footpath along the length of the site's direct frontage;
- b) roundabout construction at the intersection of Beryl Street and Marjorie Street generally in accordance with the conceptual design illustrated at Figure 6 of the Supplementary Traffic and Parking Assessment prepared by Chris Hallam dated 12 October 2012;
- c) roundabout landscaping and installation of lighting as agreed to with Council;
- d) vehicular access from June Street in the location shown on the plans listed in Condition 3;
- e) installation of traffic controls and associated signage at the intersection of Everingham Place and Beryl Street, generally in accordance with the conceptual design illustrated at Figure 5 of the Supplementary Traffic and Parking Assessment prepared by Chris Hallam dated 12 October 2012;
- f) bus shelter at the existing bus stop located east of the site on the Pacific Highway; and
- g) any works required to protect the rising sewer main (in the kiosk location).

The above works shall be designed to:

- satisfy Council's Development Design and Construction Specifications and policies as applicable; and
- comply with the applicable Austroads and Australian Standards, as relevant.

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

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

Trade Waste:

28. *An Application for Approval to Discharge Liquid Trade Waste* under Section 68 of the Local Government Act, being submitted and approved by *Coffs Harbour Water* prior to commencement of building works.

All trade waste discharges are to conform with effluent acceptance criteria as stipulated in Coffs Harbour Water's Trade Waste Policy (Schedule A) and or any standards applied by the NSW Department of Environment, Climate Change and Water for the discharge.

Please Note: Depending upon your individual circumstances, some trade waste pre-treatment equipment may need to be incorporated into the building work.

Coffs Harbour Water (Trade Waste Section) should be contacted for the issue of a Liquid Trade Waste Application Form. Please note once all the relevant information has been supplied, up to 30 days is required for approval.

Development Application No. 821/12

Schedule of Conditions

Note; trade waste streams affected include the vehicle wash bay, kiosk, crime unit laboratory.

Erosion and Sedimentation Control:

29. An erosion and sediment control plan, together with a management strategy, detailing soil erosion and sediment control measures, shall be prepared by a qualified environmental or engineering consultant in accordance with the document Management Urban Stormwater – Soils & Construction Volume 1 (2004) by Landcom. Details being submitted and approved by the Certifying Authority **prior to commencement of building works.**

Construction Management Plan:

30. **Prior to commencement of building works** a Construction Management Plan shall be prepared and submitted to Council for its information. The Plan shall address the following matters:
- Contact details of site manager;
 - Traffic and pedestrian management;
 - Construction waste and recycling management;
 - Construction Noise Management;
 - Dust control measures;
 - Loading and unloading, including construction zones where relevant;
 - Measures to ensure sediment and other materials are not tracked onto the public roadway by vehicles leaving the site;
 - Hoardings and scaffolding;
 - Traffic movements and routes, particularly for vehicles transporting spoil from excavation of site and vehicles supplying the site with major concrete pours.
 - Construction workers parking and construction shed(s) locations.

Water Management Act 2000:

31. **The kiosk construction not being commenced** 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.

The current contribution rate is:

	Amount /m² \$	Total \$
Works to satisfy increased demand within the area for 19 square metres of commercial development (kiosk)		
Water	28.19	535.61
Sewer	26.96	512.24
TOTAL AMOUNT PAYABLE		1,047.85

Development Application No. 821/12

Schedule of Conditions

Site Notice:

32. Prior to commencement of works a site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of the development details including but not limited to:
- (1) Details of the Principal Contractor and Certifying Authority for all stages of the development;
 - (2) The approved hours of work;
 - (3) The name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction noise complaints are to be displayed on the site notice; and
 - (4) To state that unauthorised entry to the site is not permitted.

Contact Telephone Number:

33. Prior to the commencement of the works for each stage of the development, the proponent shall forward to Council a 24 hour telephone number to be operated for the duration of the construction works of that stage.

Erosion and Sediment Control:

34. Prior to commencement of work on the site for each stage of the development, 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 Certifying Authority.

Works in proximity to Groundwater Remediation System:

35. An appropriately qualified environmental consultant is to provide a report on appropriate Occupational Health and Safety measures that need to be implemented during construction activity in the Groundwater Remediation System part of the site. Such report shall have regard to hazard identification and control, air monitoring during excavation, personal protective equipment, work zones, decontamination procedures, contingency plans and incident reporting. This report shall be prepared prior to commencing any works in this area.

INTERSECTION WORKS BERYL STREET AND THE PACIFIC HIGHWAY

Traffic signals and intersection works at Beryl Street and Pacific Highway:

36. Prior to the commencement of building works the applicant shall enter into a Works Authorisation Deed (WAD) with the Roads and Maritime Services (RMS) for the traffic signals and intersection infrastructure.

All works shall be undertaken at full cost to the applicant to the satisfaction of the RMS.

The applicant must obtain authorisation from the RMS in writing prior to the commencement of any intersection road works, including traffic management, temporary or permanent roadworks associated with the proposed development.

Development Application No. 821/12

Schedule of Conditions

DURING CONSTRUCTION

Protective Fencing:

37. Trees identified for retention are to be temporarily fenced (see Tree Protection Zone requirements in the Rodney Page Consulting Arborist Report dated 9 April 2012) with sturdy free standing chain wire for the duration of the construction activities.

Excavated Material:

38. Where excavated material is to leave the site it is to be disposed of at an approved landfill facility.

Alternatively, where it is proposed to dispose of the excavated material at another location no material is to leave the site until:

- Council has been advised in writing of the destination site(s); and
- Council has been advised of the quantity and makeup of the material; and
- Council has issued written approval for disposal to the alternate location(s).

Note: The exportation of 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 DECCW "Waste Classification Guidelines" and shall comply with the terms of any approval issued by Council.

Construction Management:

39. All mitigation and management measures identified in the construction management plan shall be employed throughout the construction works, as relevant.

Construction Site Access:

40. Construction site access is to be from Beryl Street and/or June Street.

Erosion and Sediment Control:

41. All erosion and sediment control measures, as designed in accordance with the approved plans are to be effectively implemented and maintained at or above design capacity for the duration of the construction works for each stage of the project, and until such time as all ground disturbance by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

Disposal of Stormwater:

42. Any seepage or rainwater collected during construction shall not be pumped to the stormwater system unless separate prior approval is provided by Council.

Hours of Work:

43. The hours of construction for all stages of the development, including delivery of materials to the site, shall be restricted as follows:

Development Application No. 821/12

Schedule of Conditions

- (1) Between 7:00am and 6:00pm , Mondays to Fridays inclusive;
- (2) Between 7:00am and 1:00pm, Saturdays if inaudible from adjoining residential properties, otherwise between 8.00 a.m. and 1.00 p.m;
- (3) No construction work on Sundays and Public Holidays.

Works may be undertaken outside these hours where:

- (1) The delivery of materials is required by the Police or other authorities; and/or
- (2) It is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; and/or
- (3) The work is approved through the Construction Noise and Vibration Management Plan; and
- (4) Residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of works.

Impact of Sub-surface Works – Aboriginal Objects:

44. In the event that future works during any stage of the development disturb Aboriginal Cultural materials, works at or adjacent to the material must stop immediately. Temporary fencing must be erected around the area and the material must be identified by an independent and appropriately qualified archaeological consultant. The Office of Environment and Heritage (OEH), Northern Aboriginal Heritage Unit and the Aboriginal Stakeholder groups must be informed. These groups are to advise on the most appropriate course of action to follow. Works must not resume at the location without the prior written consent of OEH and Northern Aboriginal Heritage Unit and the Aboriginal Stakeholder groups.

Finished Floor Level:

45. The following finished minimum floor levels are approved:
 - a) kiosk - RL6.5;
 - b) Courthouse basement - RL4.2;
 - c) Courthouse basement weir protection - RL4.6;
 - d) Courthouse ground floor - RL7.5; and
 - e) Police Station - RL 8.4.

A registered surveyor's certificate certifying such level is to be submitted to the certifying authority prior to works proceeding beyond these stages of construction of the project.

PRIOR TO OCCUPATION OF THE DEVELOPMENT

Food Premises:

46. Fitout details for the kiosk shall be submitted and approved by Council **prior to commencement of the kiosk operating** to ensure compliance with the Food Act 2003 and National Food Safety Standard 3.2.2 (Food Premises and Equipment) and Australian Standard AS 4674-2004 (Design, Construction and Fitout of Food Premises).

Development Application No. 821/12

Schedule of Conditions

47. The kiosk shall be registered with Council and the NSW Food Authority **prior to occupation.**

Site Contamination and Remediation:

48. A Validation Report shall be prepared detailing the remedial actions, the UPSS Regulation, validation sampling results and discussion on the suitability of the land for the intended development. The Validation Report shall be submitted to Council within 60 days of completion of remediation and be approved **prior to occupation of the development.**

Access Works:

49. Sealed driveways being constructed over the footpath at right angles to the road in accordance with Council's standard drawings. Any existing driveways which are not required for the development are to be removed and the footpath and nature strip reinstated. All such work is subject to a separate driveway application, fees and approval by Council.

These works are to be completed **prior to occupation of the development.**

Stormwater Management Certification:

50. **Prior to occupation of the development** the consultant design engineer shall issue a certificate to the certifying authority to the effect that the stormwater treatment system has been installed and complies with the approved design.

Road Design & Services (Civil Works and Services):

51. The road design and services works identified in condition 27 are to be completed **prior to occupation of the development.**

Landscaping Works:

52. **Prior to occupation of the development** a works as executed plan is to be submitted to the certifying authority certifying that all landscape works have been carried out in accordance with the approved plan.

Car Parking Spaces:

53. All car parking spaces as shown on the approved plans or required by this consent, shall be provided on the development site **prior to occupation of the development.** All car parking and manoeuvring areas being constructed in accordance with the provisions of Australian Standard 2890.1 and Australian Standard AS 2890.6.

Liquid Trade Waste Approval:

54. Certification from the Trade Waste Section that a Liquid Trade Waste Approval has been granted and the pre-treatment equipment has been installed in accordance with the conditions of the approval is to be provided to Council and the Certifying Authority **prior to occupation of the police station.**

Development Application No. 821/12

Schedule of Conditions

In the event that the future operation of the kiosk requires a Trade Waste Approval, the Liquid Trade Waste Approval granted by Council will be required to be amended accordingly, or a further Liquid Trade Waste Approval obtained.

Survey Report:

55. Submission of a survey report describing the completed development, prepared by a registered surveyor, to the Certifying Authority **prior to occupation of the development**.

Rainwater Tanks:

56. A separate application being submitted to Coffs Harbour Water for approval of the rain water tank(s) prior to installation and any associated plumbing works. Evidence confirming such approval being submitted to the Certifying Authority **prior to occupation of the development**.

Note: an application form may be downloaded from Council's web site www.coffsharbour.nsw.gov.au

Noise Attenuation:

57. Noise attenuation methods specified in the acoustic consultants report ICE Design Ref ICE-027:02R dated 30 March 2012 shall be implemented in the development and the completed works subsequently certified by the acoustic consultant **prior to occupation of the development**. A copy of the certification shall be referred to the certifying authority and to Council **prior to occupation of the development**.

Bicycle Parking:

58. Twenty (20) bicycle spaces are to be provided in the Courthouse basement. Eleven (11) bicycle spaces are to be provided in the secure police compound and a minimum of three (3) bicycle spaces are to be provided within the forecourt for use by members of the public.

Traffic signals and intersection works at Beryl Street and Pacific Highway:

59. All works under the Works Authorisation Deed for the traffic signals and intersection works at Beryl Street and the Pacific Highway shall be constructed to practical completion, as determined by Roads and Maritime Services **prior to occupation of the development**.

Ground Water Remediation System:

60. A Site Audit Statement being issued to the certifying authority and to Council confirming the suitability of the portion of the area regulated by the NSW Environment Protection Authority for its proposed use as part of the public administration building – police station and court house – development **prior to occupation of the development**.

Development Application No. 821/12

Schedule of Conditions

OPERATIONAL MATTERS

Outdoor Lighting:

61. All outdoor lighting shall comply with, where relevant, AS/NZ 1158.3:1999 "*Pedestrian Area (Category P) Lighting*" and Australian Standard AS 4282:1997 "*Control of the Obtrusive Effects of Outdoor Lighting*".

Loading and Unloading:

62. All loading and unloading activities associated with the use of the premises shall be carried out wholly within the site at all times.

Waste Management – Operational:

63. Provision shall be made within the Court House waste storage room for all three waste streams – garbage, recycling and organic waste bins. The storage room is to accommodate a minimum of five (5) 240 litre bins. The room is to be graded and drained to the sewer via a dry basket arrestor. A hose cock is to be provided in the enclosure.

Provision shall be made within the Police Centre waste storage room for all three waste streams – garbage, recycling and organic waste bins. The storage room is to accommodate a minimum of five (5) bulk waste bins and a minimum of two (2) 240 litre bins for organic waste. The room is to be graded and drained to the sewer via a dry basket arrestor. A hose cock is to be provided in the enclosure.

Provision shall be made in the design of the proposed kiosk for the storage of garbage, recycling and organic waste bins. The storage area is to be suitably screened from the street and common areas, with details being submitted and approved by the Certifying Authority prior to commencement of construction of the kiosk. The storage area is to accommodate a minimum of four (4) 240 litre bins. Council's Waste Management Development Control Plan being referred to in the design of the enclosure. A hose cock is to be provided in the enclosure.

All waste from the proposed kiosk is to be collected directly from a bin storage enclosure at the rear of the kiosk (and not at the kerbside of either fronting roadways).

ADVISORY NOTES

Sanitary Plumbing and Draining:

64. 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.

Plumbing and Drainage Works:

65. 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*.

Development Application No. 821/12

Schedule of Conditions

Water Meters:

66. A water reticulation plan is to be submitted to Coffs Harbour Water for approval prior to water fitting work commencing.

Public Road Reserves:

67. No work is to be undertaken within a public road reserve without prior written approval from Council. Applications for such approval are to be accompanied by the necessary security deposit and must satisfy Council that adequate Public Liability Insurance has been obtained, with Council being nominated as co-insured.

Protection of the Environment (Operations) Act 1997:

68. Noise emanating from the development shall at all times comply with the provisions of the *Protection of the Environment Operations Act 1997*.

Public Art:

69. The proponent is requested to consult with Council in relation to the design and location of the "Site Marker Public Art" installation.
