

JOINT REGIONAL PLANNING PANEL REPORT

DEVELOPMENT ASSESSMENT REPORT DEVELOPMENT APPLICATION NO. 332/14

Hardware & Building Supplies Premises, Alterations to Existing Vehicle Sales Premises (Stormwater Drainage Works & Boundary Adjustment)

211 Pacific Highway (Lot 2, DP 607441), 1 – 7 Hurley Drive (Lot 31, DP 716388), 8 Tolhurst Place (Lot 1, DP 616809), Council Reserve (Lot 3, DP 607441), Coffs Harbour

PURPOSE:

This report provides an assessment of Development Application 332/14 for a hardware and building supplies premises and alterations to an existing vehicle sales premises (including stormwater drainage infrastructure and a boundary adjustment).

Approval of the application subject to conditions is recommended.

THE PROPOSAL

The proposed development is a hardware and building supplies premises and alterations to an existing vehicle sales (and hire) premises (including stormwater drainage infrastructure and a boundary adjustment).

The hardware and building supplies premises is a roughly rectangular building with approximate dimensions of 160 metres by 70 metres. It is proposed as a Masters Home Improvement Store. The internal covered floor area is 10 749 m² which is comprised of the following components:

- Plant nursery area 1246 m²
- Main floor area 6355 m²
- Administration area 360 m²
- Trade area 2125 m²
- Receiving area 662 m²

There is also a covered loading/unloading area of 285 m².

The highest point of the building is eleven metres. A total of 290 car parking spaces are proposed. Landscaping is proposed for the site, mostly located along the Pacific Highway frontage. A pylon sign of eleven metres by four metres is proposed at the frontage of the site. Other signs are proposed on the building itself in various locations.

Proposed operating hours are 6am to 9pm seven days a week. The development will receive stock deliveries during business hours. There is a manoeuvring area on site so that delivery vehicles can enter the site, unload and then leave in a forward direction.

The proposal also includes significant changes to existing stormwater drainage infrastructure. These changes necessitate a property boundary alteration and alterations to the existing vehicle sales and hire premises known as Geoff King Motors. The site contains an open drain which allows stormwater to flow from the Pacific Highway (and other land further west of the site) to existing stormwater drainage infrastructure to the east of the site in an adjoining public reserve. There is an easement over the existing drain which 'protects' Council's interest in this infrastructure.

It is proposed to move the easement, approximately fifteen metres to the north and reconstruct this stormwater drainage infrastructure as a new culvert consisting of two cells five metres wide by 1.5 metres high. The area over the culvert will be used as carparking and manoeuvring area but will remain as an overland flow path. This will allow construction of part of the Masters Home Improvement Store over the area of the existing easement which will become redundant.

To accommodate the new building and the altered stormwater drainage infrastructure arrangement it is proposed to alter the common boundary between the Geoff King Motors site and the site of the proposed Masters Home Improvement Store so that all of the new building (Masters or Geoff King), are contained to one lot. The proposed easement and stormwater drainage infrastructure will be located over both lots. Other proposed property title alterations include:

- dedication of land for road and intersection works
- consolidation of allotments so that the Masters Home Improvement Store is located on one lot
- easement over the Geoff King Motors property (in favour of Masters) for egress of fire trucks
- easement over a very small section of the Masters Home Improvement Store property (in favour of Geoff King Motors) for car parking

A plan of all proposed property title alterations is provided in Attachment A.

The alterations to the existing vehicle sales premises known as Geoff King Motors involves removing an existing vehicle service area (398 m²) and showroom area (96 m²) and 39 existing car parking spaces. This will be replaced by an additional vehicle service area (165 m² to the east of the existing area) and an additional showroom area (77 m² to the west of the existing area). Carparking will be relocated so that all carparking numbers will be retained.

Landform modification works are proposed that will level the site generally and raise the lowest part of the site by approximately one metre. There will be some retaining works on the eastern property boundary.

THE SITE:

The development site consists of four land parcels known as:

- 211 Pacific Highway (Lot 2, DP 607441)
- 1 – 7 Hurley Drive (Lot 31, DP 716388)
- 8 Tolhurst Place (Lot 1, DP 616809)
- Council Reserve Pacific Highway (Lot 3, DP 607441)


The site is located approximately 1.6 kilometres from the Coffs Harbour City Centre. The Pacific Highway adjoins the west of the site and a public reserve is located to the east of the site. Lot 31, DP 716388 (1 – 7 Hurley Drive) also has frontage to Hurley Drive and Farrow Close.

The majority of the proposed hardware and building supplies premises will be built over 211 Pacific Highway (Lot 2, DP 607441) and 1 – 7 Hurley Drive (Lot 31, DP 716388). Eight Tolhurst Place (Lot 1, DP 616809) is the site of the existing vehicle sales and hire premises (known as Geoff King Motors) and Lot 3, DP 607441 is a Council owned property that runs along the frontage of the Pacific Highway.

No. 211 Pacific Highway (Lot 2, DP 607441) and No. 1 – 7 Hurley Drive (Lot 31, DP 716388) is zoned IN1 General Industrial under Coffs Harbour Local Environmental Plan 2013. No. 8 Tolhurst Place (Lot 1, DP 616809) and Council Reserve (Lot 3, DP 607441) is zoned B6 Enterprise Corridor under Coffs Harbour Local Environmental Plan 2013.







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LAND OF INTEREST
COFFS HARBOUR
 This map produced by GIS Section
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 User: amdandana
 Last Modified: 11/03/2014

SCALE @ B51 (92x257mm) 1:2000

 Metres
 Coordinate System: GDA 1994 MGA Zone 56
 Projection: Transverse Mercator
 Datum: GDA 1994

GRID NTH

 Aerial Photography
 December 2009

CONSULTATION:

Statutory Advertising and Notification

The application was advertised and notified in accordance with the provisions of Council's Development Control Plan on 13 November 2013 with a submission period from 14 November 2013 to 27 November 2013.

Two submission were received.

State Government Referrals

The application was referred to NSW Roads and Maritime Services, NSW Police Service and NSW Office of Water for comment. Only NSW Roads and Maritime Services raised issues of concern with the proposed development. An amended traffic impact assessment report was provided by the applicant in response to the concerns raised. The development is now considered satisfactory with respect to the issues raised subject to imposition of some conditions of development consent. The issue of traffic is considered further in the issues section of this report.

Council Departments

Council internal departments have provided comment on the development proposal and their recommended conditions/actions have been incorporated into the evaluation process. No comments were provided that prevent approval of the application.

Further Consultation

Council received a submission from the owners and operators of the business known as Ryans Bus Service. The 'Ryans Bus Depot' is located to the south of the development site adjoining Farrow Close. Council also received a submission from the Dealer Principal for Brown and Hurley Coffs Harbour. 'Brown and Hurley' is also located to the south of the site on the other side of Hurley Drive. Both submissions raised issues of traffic, traffic movement and car-parking in the area.

Council staff met separately with representatives from both these companies to discuss their concerns and provide them with further amendments to the development application. They were both provided with an additional opportunity to make a further submission on the application. Council received a further submission from Ryans Bus Service. No further submission was received from Brown and Hurley.

STATUTORY MATTERS:

The following Environmental Planning Instruments are relevant to assessment of this application.

- State Environmental Planning Policy No 55 - Remediation of Land
- State Environmental Planning Policy No 64 - Advertising and Signage
- State Environmental Planning Policy No 71 - Coastal Development
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (State & Regional Development) 2011
- Coffs Harbour Local Environmental Plan 2013

Coffs Harbour Development Control Plan 2013 is relevant to assessment of this application.

The application is identified as “regional development” under State Environmental Planning Policy (State and Regional Development) 2011 and as a consequence the application is to be determined by the Joint Regional Planning Panel (Northern Region).

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. All of the planning instruments and development control plans specified above are considered in detail in the Section 79C Evaluation provided Appended to this report.

ISSUES:

Traffic

Entry to the development is proposed from a slip-lane directly off the Pacific Highway and from Farrow Close. All egress from the site will be via Farrow Close. The development will result in additional traffic on Farrow Close, Hurley Drive and the Pacific Highway/Hurley Drive intersection.

The proposal, involving 290 car parking spaces, is identified as ‘traffic generating development’ under State Environmental Planning Policy (Infrastructure) 2007 and was consequently referred to the NSW Roads and Maritime Services for review and comment. The Service raised several concerns in response.

Following public exhibition, Council received two submissions on the application. Both raised concerns about traffic movement and carparking in the area.

Following the initial notification period and receipt of the response from NSW Roads and Maritime Services, the applicant provided an amended traffic impact assessment and proposed alterations to the development to address potential traffic impacts. The alterations focus on the entry/egress to the site from Farrow Close and the existing traffic regulation arrangement in Farrow Close and Hurley Drive. In summary the alterations include:

- Egress from the site moved (slightly) to the north on Farrow Close
- Addition of traffic islands within Farrow Close (at the entry/egress point)
- Kerb protection on the east and west corners of the Hurley Drive/Farrow Close intersection
- Median island to the Hurley Drive/Farrow Close intersection
- ‘No Parking’ regulations on the southern side of Hurley Drive (from the intersection with the Pacific Highway to the intersection with Farrow Close).
- ‘Keep Clear’ marking on the eastern side of Farrow Close (across the driveway of ‘Ryan’s Bus Service Depot’)
- Reconstruction of the driveway to ‘Ryans Bus Service Depot’.

The NSW Roads and Maritime Services provided further response that their concerns with the proposal ‘have now been addressed’ subject to the recommendations of the traffic impact assessment being carried out. The recommendations included the following works:

- Extension of the right turn bay from the Pacific Highway into Hurley Drive to 100 metres storage length; and
- Provision of two lanes 60 metres in length on the Hurley Drive approach to the traffic signals.

These works are required as a condition of development consent.

The amended entry/egress arrangement and proposed alterations to traffic regulation in Farrow Close and Hurley Drive has the advantages of:

- Clear delineation of traffic movement
- Increased vehicle queue area for vehicles exiting the development
- Vehicles keeping clear of the driveway crossover for Ryan's Bus Depot.
- Improved sight distances at the intersection of Hurley Drive and Farrow Close
- Less restricted traffic movement on Hurley Drive.

The proposed development is now considered satisfactory with respect to traffic matters subject to imposition of conditions of development consent.

Flooding

The major drainage / flooding work involved in this development application is the upgrade and relocation of drainage channel through the development site. The existing channel is a mixture of concrete lined and open channels. The open channel section has variable cross section and less capacity than the lined portion and also requires regular ongoing maintenance.

The proposed channel will be concrete boxed culverts with an increased capacity compared to the existing channel arrangement. The box culverts will be constructed within a drainage easement that will prohibit structures in the easement maintaining the overland flow path through the development site.

The proposed drainage / flood works satisfy the 'Flood planning' provisions of Coffs Harbour Local Environmental Plan 2013 and council's 'Floodplain Development and Management Policy'. A detailed assessment of the proposed works have been undertaken and there is no adverse flood impact predicted from the works. Flood levels and flood behaviour in the area is maintained in similar regime to existing conditions with no significant increase in flood risk to life or the environment.

Potential Amenity Impacts

A public reserve adjoins the development site to the east but further to the east of this reserve (approximately 30 metres from the development site) is a residential area. The development has potential to impact on the amenity of residents in this area.

An acoustic assessment was provided with the application. This report has been considered by Council's Environmental Health section and subject to some further clarification of matters within the report by the acoustic consultant, the development is considered acceptable with respect to noise.

A number of proposed conditions address potential amenity impact. These include conditions relating to;

- Hours of Operation
- Hours for Deliveries
- Control of External Lighting
- Noise Attenuation
- Noise Control

It is considered that the development is unlikely to result in any unacceptable amenity impacts with imposition of these conditions.

SUMMARY:

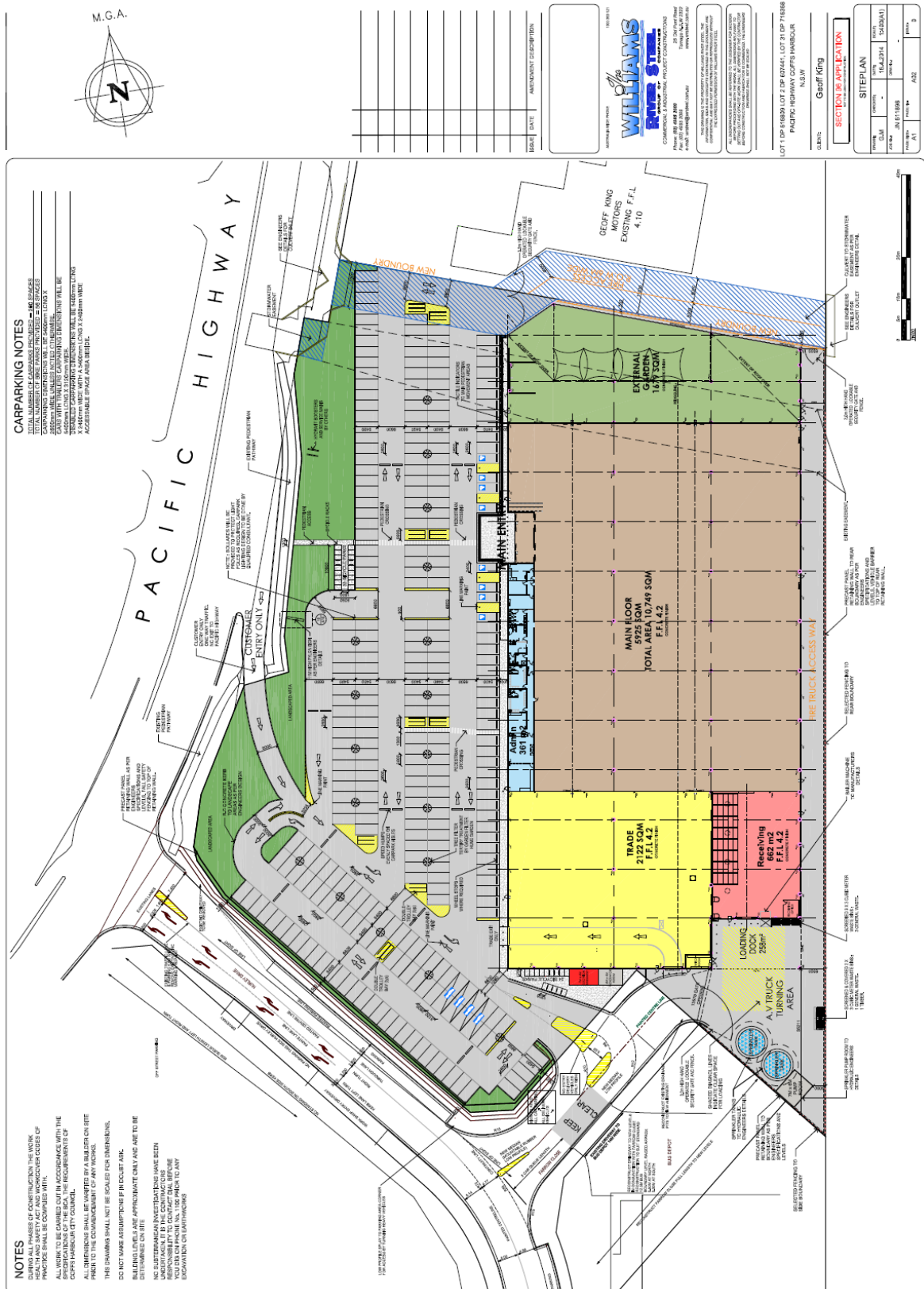
The proposal represents a significant commercial development in Coffs Harbour.

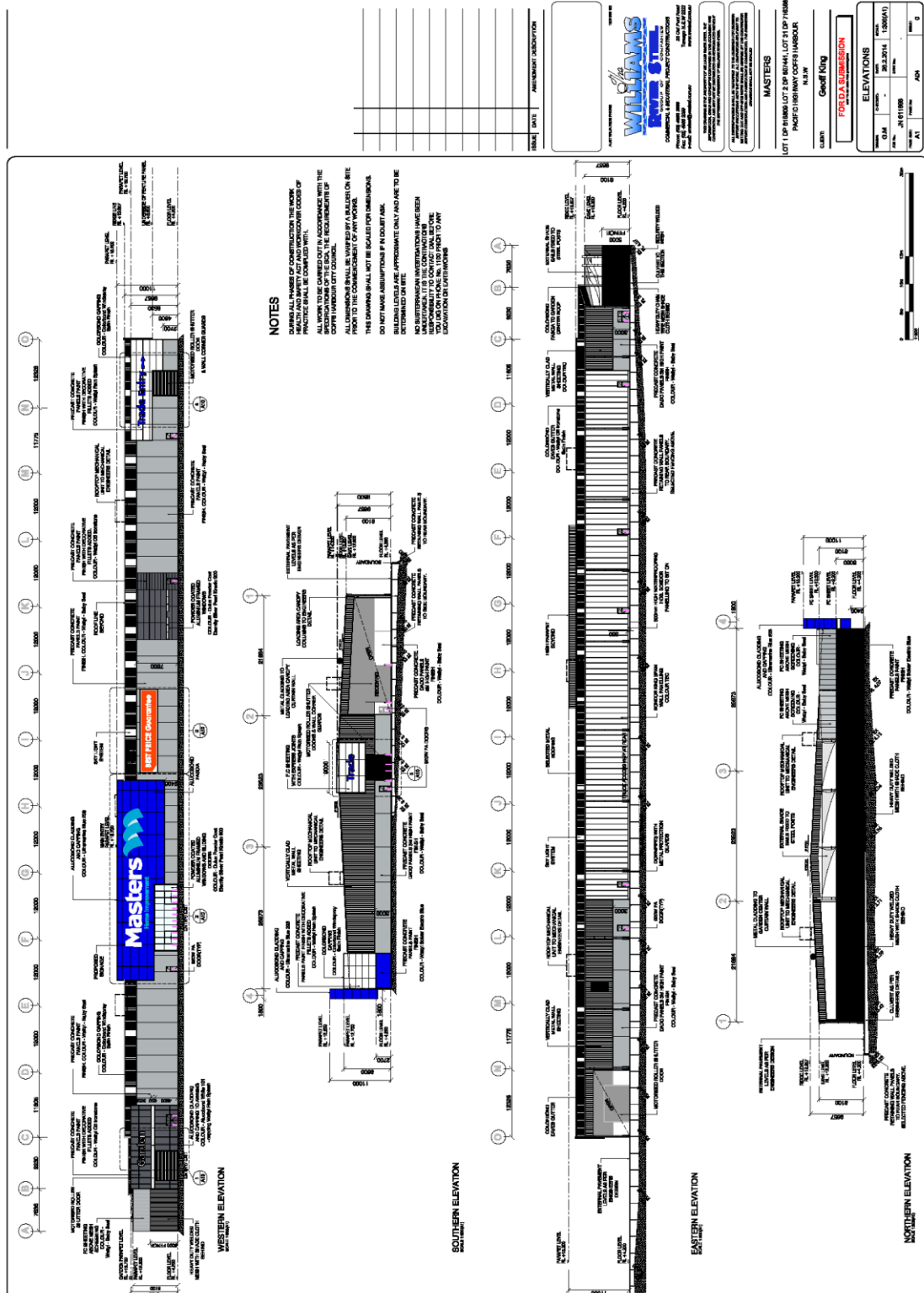
The proposed development is consistent with current planning controls that apply to the site. The main issues for the development are traffic, flooding and potential amenity impacts. The application is considered suitable for approval subject to conditions

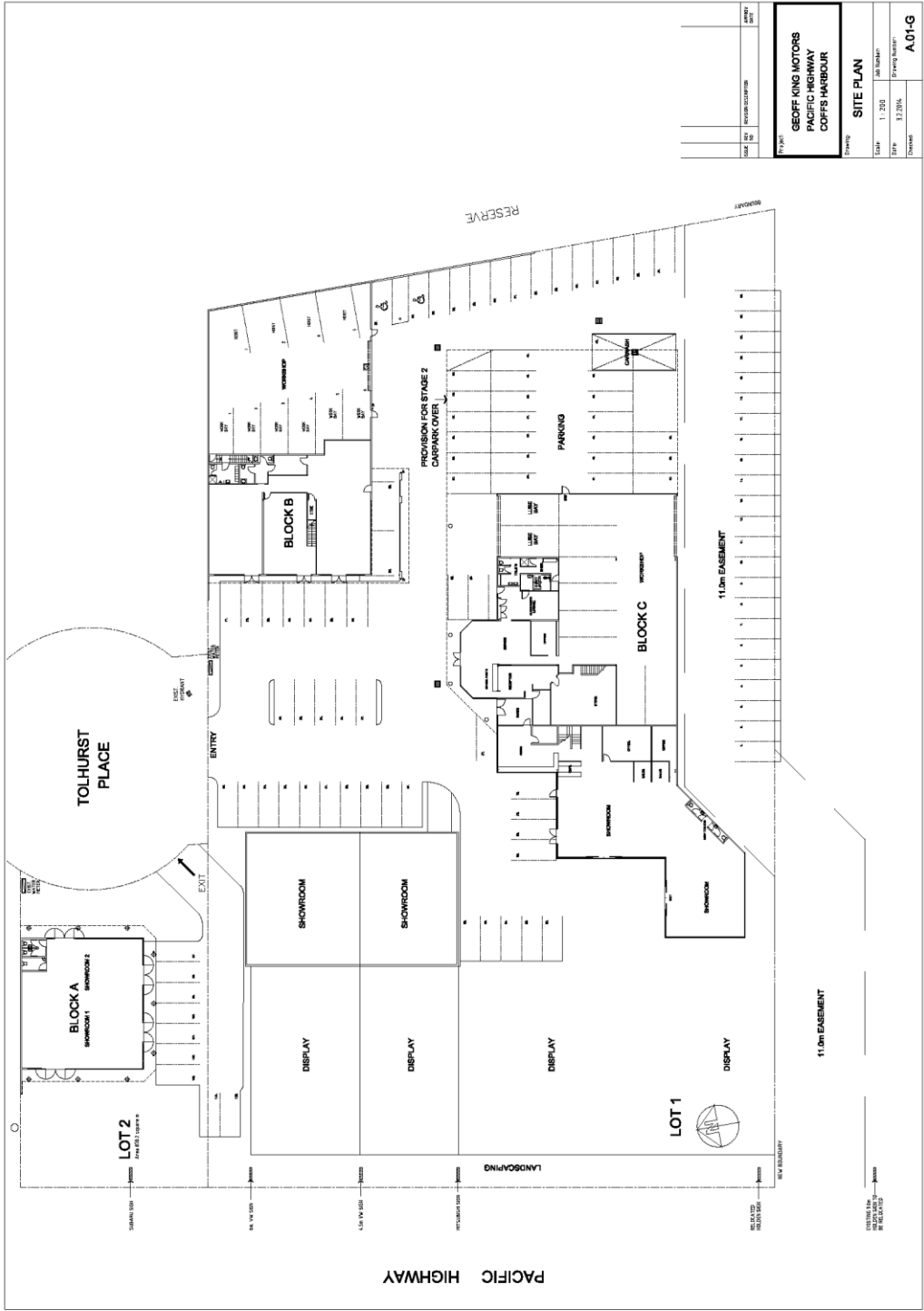
RECOMMENDATION:

- 1. That Development Application No. 332/14 for hardware & building supplies premises, alterations to existing vehicle sales premises (including stormwater drainage works & boundary adjustment) at 211 Pacific Highway (Lot 2, DP 607441), 1 – 7 Hurley Drive (Lot 31, DP 716388), 8 Tolhurst Place (Lot 1, DP 616809), Public Reserve (Lot 3, DP 607441) Coffs Harbour, be approved subject to conditions as appended to this report.**
- 2. That persons who have made submissions on the application be informed of the determination.**

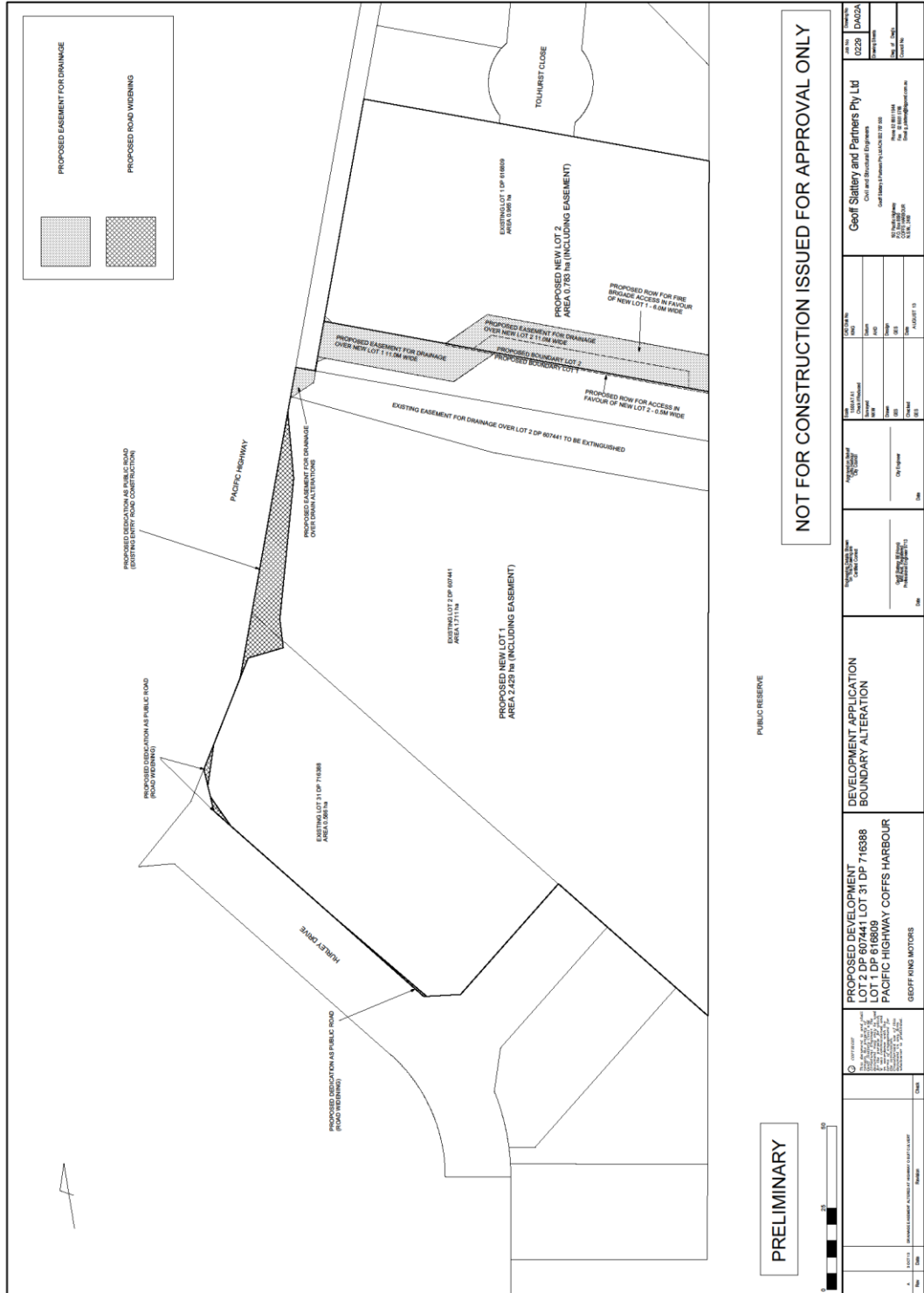
Plans of Proposed Development

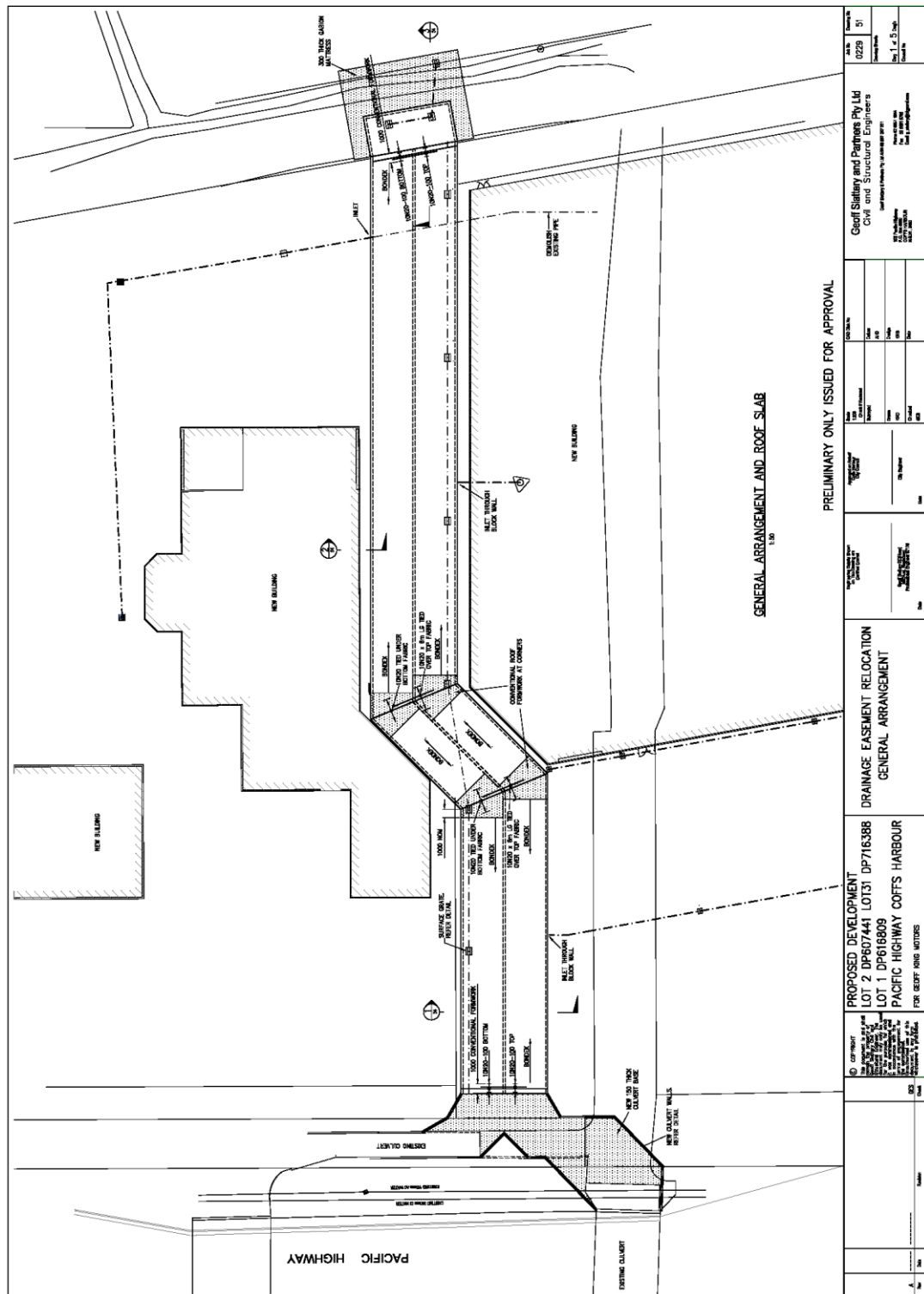






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**Section 79C Evaluation
Development Application 332/14**

a. the provisions of,

i. any environmental planning instrument, and

- ***State Environmental Planning Policy No 55—Remediation of Land***

This state policy requires that the consent authority must not consent to the carrying out of any development unless it has considered whether the land is contaminated.

The land is not considered to be contaminated.

- ***State Environmental Planning Policy No 64—Advertising and Signage***

8 Granting of consent to signage

This state policy stipulates that the consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- a. that the signage is consistent with the objectives of the Policy (as set out in clause 3(1)(a))
- b. that the signage satisfies the assessment criteria specified in Schedule 1 of the policy

In accordance with the objectives of the policy, the proposed signage is considered compatible with the desired amenity and visual character of the area, that it provides effective communication in suitable locations, and is of high quality design and finish.

The proposed signage is considered acceptable with respect to all of the assessment criteria specified in Schedule 1.

- ***State Environmental Planning Policy (SEPP) No 71 - Coastal Development***

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

Clause 7 – Application of Clause 8 Matters

Clause 7 requires that the consent authority 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 development is considered suitable given its type, location and design and its relationship with the surrounding area.
- There are no matters pertaining to aboriginal cultural heritage of relevance for assessment of the application.

- There are no matters pertaining to items of heritage, archaeological or historic significance of relevance for assessment of the application.
- The proposed development will not adversely impact upon the scenic quality of the surrounding locality.
- The development is unaffected by issues of coastal hazards.
- The proposal will not result in significant impacts to flora and fauna present.

Clause 16 – Stormwater

Clause 16 specifies that the consent authority 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.

Stormwater will be directed to Council's reticulated stormwater system and the development must accord with the requirements of Council's WSUD (Water Sensitive Urban Design) Policy. This is required by a condition of development consent. The proposed development is considered satisfactory with imposition of this condition.

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

Relevant provisions of this state policy are Clause 101 *Development With Frontage To Classified Road* and Clause 104 *Traffic-Generating Development*.

Clause 101 stipulates that the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied as to a number of specified matters. Clause 104 stipulates that the consent authority must give written notice of the application to the RTA (now Roads and Maritime Services (RMS)) and must take into consideration any submission that the RTA provides in response.

The application was referred to the NSW Roads and Maritime Services (RMS) who expressed concern about the development in an initial response. This resulted in an amended traffic impact assessment report that the RMS has provided further comment on.

The RMS has commented in general on all those matters specified in Clause 101 and Clause 104. The comments have been considered in the assessment of the application and incorporated as conditions of development consent as required.

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

Clause 20 and 21 of this policy state that Council consent functions are to be exercised by regional panels for developments of a class or description included in Schedule 4A of the *Environmental Planning and Assessment Act*.

The relevant provision of Schedule 4A is clause 4 *Council related development over \$5 million*; "Development that has a capital investment value of more than \$5 million if... council is the owner of any land on which the development is to be carried out".

The application proposes works over Lot 3, DP 607441 which is a Council owned reserve; Council has consented to lodgement of the development application as owner of the land. This property is a strip of land that runs parallel to the Pacific Highway. Only stormwater drainage infrastructure works are proposed over this land parcel.

As a result the application will be determined by the Joint Regional Planning Panel (Northern Region) and not Council.

- ***Coffs Harbour Local Environmental Plan 2013***

2.2 Zoning of land to which Plan applies

No. 211 Pacific Highway (Lot 2, DP 607441) and No. 1 – 7 Hurley Drive (Lot 31, DP 716388) is zoned IN1 General Industrial under Coffs Harbour Local Environmental Plan 2013. No. 8 Tolhurst Place (Lot 1, DP 616809) and Public Reserve Pacific Highway (Lot 3, DP 607441) is zoned B6 Enterprise Corridor under Coffs Harbour Local Environmental Plan 2013.

2.3 Zone objectives and Land Use Table

The proposed development (the Masters Home Improvement Store) meets the definition of a Hardware and Building Supplies Premises. The Geoff King Motors development meets the definition of a vehicle sales and hire premises. Both uses are permissible in both the B6 Enterprise Corridor zone and the IN1 General Industrial zone.

4.1 Minimum subdivision lot size

There is no minimum lot size specified in the minimum lot size map. There are no matters to consider under this provision.

4.3 Height of buildings

This clause specifies that the height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

The height of Buildings Map for the development site specifies

- 8.5 metres for 8 Tolhurst Place (Lot 1, DP 616809) and Public Reserve Pacific Highway (Lot 3, DP 607441) and
- 11 Metres for 211 Pacific Highway (Lot 2, DP 607441) and 1 – 7 Hurley Drive (Lot 31, DP 716388)

The proposed development meets these maximum heights.

4.4 Floor space ratio

This clause specifies that the maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

The Floor Space Ratio Map for the development site specifies a 0.8 to 1 floor space ratio. The proposed development meets this requirement.

5.5 Development within the coastal zone

The matters under this clause have been addressed under State Environmental Planning Policy 71 – Coastal Development

7.1 Acid sulfate soils

The proposed development is not expected to result in works that will require preparation of an acid sulphate soils management plan in accordance with the provisions of this clause.

7.2 Earthworks

This clause specifies a number of matters that must be considered for development proposals that involve earthworks. The development is considered satisfactory on consideration of those matters.

7.3 Flood planning

The site is considered to have land at or below a flood planning level. The proposed development is considered satisfactory with respect to the number of matters specified in this clause.

The major drainage / flooding works involved in this development application is the upgrade and relocation of drainage channel through the development site. The existing channel is mixture of concrete lined and open channel. The open channel section has variable cross section and less capacity than the lined portion and also requires regular ongoing maintenance.

The proposed channel will be concrete boxed culverts with an increased capacity compared to the existing channel arrangement. The box culverts will be constructed within a drainage easement that will prohibit structures in the easement maintaining the overland flow path through the development site.

The proposed drainage / flood works satisfy the provisions of this clause and council's 'Floodplain Development and Management Policy'. A detailed assessment of the proposed works have been undertaken and there is no adverse flood impact predicted from the works. Flood levels and flood behaviour in the area is maintained in similar regime to existing conditions with no significant increase in flood risk to life or the environment.

7.11 Essential services

All services that are essential for the development are available and adequate as required by this provision.

7.12 Design excellence

This clause only applies to development in certain zones, including the B6 Enterprise Corridor zone. For the proposed development this is the alterations/additions to the Geoff King Motors operation.

The proposed development addresses the design excellence provisions of this Plan. The development is contemporary in design and style, incorporating a mix of external finishes. Existing view corridors are not adversely affected by the proposed development. The proposed development is compatible with the context and land use mix of the locality and the intention for the desired future character of the area as guided by the Coffs Harbour Local Environmental Plan and Development Control Plan 2013. The development is consistent with Council's controls that relate to building bulk, mass, modulation of buildings and solar access. The development addresses the public domain and pedestrian movement.

7.13 Central business district

This clause requires the primacy of the Coffs Harbour CBD to be considered. It is considered that the proposed development will maintain the primacy of the CBD as the principal business, office and retail hub of the Coffs Harbour City.

ii. The provisions of any draft environmental planning instrument

There are no draft environmental planning instruments that require consideration.

iii. any Development Control Plan (DCP)

- **Coffs Harbour Development Control Plan 2013**

A2 - Notification and Public Participation

The proposed development has been advertised and notified in accordance with the requirements of this component. Two submissions were received.

B1 - Subdivision Requirements

There are no specific requirements of this component that relate to the subdivision of land in a B6 Zone or an IN1 zone.

B3 – Business Development Requirements

This Component relates to business development in the Coffs Harbour Local Government Area that is located outside of the Coffs Harbour City Centre.

There are no specific building setbacks specified but these must be assessed on merit having regard to streetscape, amenity of surrounding properties, and setbacks of neighbouring development. The proposed development is considered acceptable with respect to these matters. There are no further requirements of this DCP component.

B4 - Industrial Development Requirements

This Component provides design considerations for industrial development.

It specifies that buildings are to be setback a minimum of six metres from the front boundary and three metres from side and rear boundaries. The proposed development meets these requirements.

Hours of operation of industrial activities should be between 6.00am and 6.00pm Monday to Saturday, with no work to be undertaken on a Sunday.

The proposed Masters Home Improvement Store is proposed to operate during the hours 6am to 9pm seven days. As this operation is not typical industrial noise, these operating hours are considered acceptable.

There are no further matters to consider under this DCP component.

C1 - Design Requirements

C1.2.2 Controls - There are some controls in this section of the DCP that relate to Commercial and Industrial Development. The proposed development is considered acceptable with respect to these matters.

C1.3 Pedestrian Access and Mobility – Equitable access will be provided to the proposed development.

C1.4 Safer By Design Evaluation – The proposed development is considered satisfactory with respect to the safer by design matters specified in this section.

C2 - Access, Parking and Servicing Requirements

C2.3 On-Site Parking – The proposed development complies with the on-site parking requirements specified of one space per 50 m² of gross floor area.

The development complies with all other requirements of the DCP component.

C3 - Landscaping Requirements

The proposed development complies with landscaping requirements.

C4 - Signage Requirements

The development complies with signage requirements of the DCP. For further consideration of signage refer to the section of this report that relates to State Environmental Planning Policy No. 64 – Advertising and Signage.

C7 - Waste Management Requirements

The proposed development can meet waste management requirements of the DCP.

Component D3 – Flooding and Coastal Hazards

The proposed development can meet with the flooding requirements of this DCP component.

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,

It is appropriate to consider whether Regulation 94 (Consent authority may require buildings to be upgraded) applies. This regulation only applies where:

- (a) the proposed building work, together with any other building work completed or authorised within the previous 3 years, represents more than half the total volume of the building, as it was before any such work was commenced, measured over its roof and external walls, or
- (b) the measures contained in the building are inadequate:
 - (i) to protect persons using the building, and to facilitate their egress from the building, in the event of fire, or
 - (ii) to restrict the spread of fire from the building to other buildings nearby.

The proposed building construction work that is proposed for the Geoff King Motors site does not represent more than half the total volume of the building as determined under provision (a), and the measures within the building to facilitate egress from the building (in the event of fire) and to restrict the spread of fire from the building to other buildings nearby are considered adequate. As a result the clause does not apply to the proposed development.

v. any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,

Council adopted the Coffs Harbour Coastal Zone Management Plan at its meeting of 14 February 2013. The plan provides the basis for future management and strategic land use planning of the Coffs Harbour coastal zone. The development sites are within the study area of the plan but are not within any area covered by specific management strategies contained within the plan.

The Coffs Harbour Coastal Processes and Hazard Definition Study 2010 was prepared prior to, and informed the Coastal Zone Management Plan and identified likelihood of hazards occurring, such as beach erosion, coastal inundation and the impacts of sea level rise on these hazards by 2100. The Hazard Study does not identify any coastal processes that would impact on the development sites.

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 has potential to impact on the environment during construction. A number of conditions of development consent are proposed to address potential 'during construction' impacts

There are proposed conditions that address

- Sediment and Erosion
- Stormwater Drainage
- Construction Impacts
- Appropriate disposal of Excavated Material
- Appropriate procedures in the event Aboriginal Objects are found during construction

It is considered that with imposition of these conditions the proposed development will not result in unacceptable impacts on the natural or built environment.

2. Social Impacts

There are a number of proposed conditions that will address issues relating to potential social impacts including impacts relating to

- Dust Control
- Loading and Unloading:
- Hours of Operation
- Hours for Deliveries

- External Lighting impacts
- Noise Attenuation
- Noise Control

An acoustic assessment accompanied the application. This addressed noise impacts during construction and also potential noise impacts during operation. The report makes some recommendations. The proposed development is considered acceptable with respect to noise impact subject to compliance with these recommendations. This is required by a condition of development consent.

It is considered that, with imposition of this and other conditions that the proposed development will not result in unacceptable social impacts.

c. the suitability of the site for the development,

The site is considered well suited to the proposed development given its location relative to the city centre and the Pacific Highway.

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

The application was advertised and notified in accordance with the provisions of Council's Development Control Plan on 13 November 2013 with a submission period from 14 November 2013 to 27 November 2013. Two submission were received.

Council received a submission from the owners and operators of the business known as Ryans Bus Service. The 'Ryans Bus Depot' is located to the south of the development site adjoining Farrow Close. Council also received a submission from the Dealer Principal for Brown and Hurley Coffs Harbour. 'Brown and Hurley' is also located to the south of the site on the other side of Hurley Drive. Both submissions raised issues of traffic, traffic movement and car-parking in the area.

Council staff met separately with representatives from both these companies to discuss their concerns and provide them with further amendments to the development application. They were both provided with an additional opportunity to make a further submission on the application. Council received a further submission from Ryans Bus Service. No further submission was received from Brown and Hurley.

The further submission expressed general support for the 'altered' traffic arrangements (for the intersection of Farrow Close and Hurley Drive) but raised a question about 'enforcement' of the 'keep clear' marking on Farrow Close and about opportunity for a 'Left Turn Permitted on Red Signal' at the Pacific Highway/Hurley Drive intersection. A left turn permitted on red signal is a matter that will need to be considered by Council's Traffic Advisory Committee at a future date. Keep clear markings have the same status as other traffic regulations and are enforceable in the same manner, neither matters affect assessment of this application. A separate response has been provided on these two issues.

e. the public interest:

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

Proposed Conditions Development Application 0332/14

ADMINISTRATIVE CONDITIONS**Development Description:**

1. Development consent is granted only to carrying out the development described in detail below:
 - hardware and building supplies premises
 - alterations to existing vehicle sales premises
 - subdivision (boundary adjustment)
 - demolition
 - stormwater drainage infrastructure

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. 0332/14).

Plan Title	Reference	Prepared by	Dated
Site Plan	A02	Williams River Steel	16 April 2014
Floor Plan	A03	Williams River Steel	11 October 2013
Elevations	A04	Williams River Steel	11 October 2013
Section	A05	Williams River Steel	11 October 2013
Construction Traffic Plan	A06	Williams River Steel	11 October 2013
Signage Details	A10	Williams River Steel	11 October 2013
Development Application Boundary Alteration	DA02A	Geoff Slattery and Partners Pty Ltd	3 October 2013
Development Application Stormwater Surcharge	DA08A	Geoff Slattery and Partners Pty Ltd	3 October 2013
Development Application Stormwater Culvert	DA09	Geoff Slattery and Partners Pty Ltd	3 October 2013

- 2 -

Development Application No. 0332/14**Schedule of Conditions**

Geoff King Motors Pacific Highway Coffs Harbour: Demolition Plan	A.02	Geoff Slattery and Partners Pty Ltd	3 February 2014
Geoff King Motors Pacific Highway Coffs Harbour: Site Plan	A.01-G	Geoff Slattery and Partners Pty Ltd	3 February 2014
Development Application Hurley Drive and Farrow Close Works	DA07C	Geoff Slattery and Partners Pty Ltd	31 March 2014

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

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

Development in Accordance with Documents:

4. The development shall be undertaken in accordance with the following documents:
 - (1) Statement of Environmental Effects of Geoff Smyth Consulting and dated October 2013
 - (2) Flood Assessment of Bewsher Consulting Pty Ltd October 2013
 - (3) Traffic Impact Assessment of Roadnet Pty Ltd dated October 2013
 - (4) Water Management Plan of Geoff Slattery and Partners Pty Ltd dated October 2013
 - (5) Acoustic Assessment of RCS Acoustics dated October 2013
 - (6) Fire Safety Advice of RAWfire
 - (7) Site Waste Management & Minimisation Plan of Williams River Steel dated 17 January 2014
 - (8) Waste Management Plan of Hydrox Nominees Pty Ltd dated January 2014
 - (9) Amendment to Traffic Impact Assessment of Roadnet Pty Ltd dated 17 February 2014

- 3 -

Development Application No. 0332/14**Schedule of Conditions**

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.

PRIOR TO THE ISSUE OF CONSTRUCTION CERTIFICATE**Construction Certificate:**

6. No building work is to commence on site until a Construction Certificate has been issued for the work and Council has been notified that a Principal Certifying Authority has been appointed.

Note: Separate Construction Certificates are to be obtained for the **building works** and any **civil works**.

Landscape Plan:

7. A detailed landscaping plan for all unbuilt-on areas of the development site being submitted to Council and approved **prior to issue of the Construction Certificate for building works**.

The plan is to include details of street tree planting along the Hurley Drive and Farrow Close frontages where appropriate. The Plan is to include details of the proposed tree pits within the car park.

The Plan must be prepared and certified by a qualified architect, landscape architect or professional landscape consultant. The Plan is to comply with Council's Landscaping Guidelines, and is to incorporate measures to ensure the maintenance and survival of the landscaping.

Equitable Access:

8. The building is to be provided with access and facilities for people with disabilities.

The applicants' attention is directed to the *Disability (Access to Premises - Buildings) Standards 2010* and the Building Code of Australia.

Details indicating compliance must be submitted and approved by the certifying authority **prior to the issue of a Construction Certificate for building works**.

Development Application No. 0332/14**Schedule of Conditions**

Stormwater Management Plan:

9. A Stormwater Management Plan complying with the relevant controls of Council's Water Sensitive Urban Design Policy being submitted to and approved by Council **prior to issue of the Construction Certificate**.

Please refer to the WSUD Information Sheet, Policy and Guideline available on Council's web site www.coffsharbour.nsw.gov.au.

The design is to incorporate a detention system that achieves compliance with the Coffs Harbour City Council WSUD Policy targets. Design details are to include calculations showing the effect of the proposed development on design stormwater run-off flow rates and the efficiency of proposed measures to limit the flows.

The design shall be accompanied by an Operation and Maintenance Plan for the system.

Road Design and Services (Building):

10. The following works:

- (a) Road works including;
 - i) Upgrade of the Farrow Close / Hurley Drive intersection in accordance with the plan titled 'Development Application Hurley Drive and Farrow Close Works', dated 31 March 2014 and prepared by Geoff Slattery and Partners; and
 - ii) Reconstruction of Farrow Close in accordance with the plan titled 'Development Application Hurley Drive and Farrow Close Works', dated 31 March 2014 and prepared by Geoff Slattery and Partners.
- (b) Footpaths;
- (c) Water supply;
- (d) Sewerage;
- (e) Flood mitigation works;
- (f) Rebuilding of Council's stormwater system (channel);
- (g) Pacific Highway intersection upgrade works to enable:
 - i) Extension of the right turn bay from the Pacific Highway into Hurley Drive to 100m storage length; and
 - ii) Provision of 2 lanes 60m in length on the Hurley Drive approach to the traffic signals.

shall be provided to serve the development with the works conforming with the standards and requirements set out in Council's Development Design and Construction specifications and relevant policies (Water Sensitive Urban Design).

Plans and specifications are to be submitted to Council and a separate Civil Works Construction Certificate issued **prior to the issue of a Construction Certificate for the building works or at some other time acceptable to Council**. Plan submissions are to be accompanied by payment of prescribed fee.

Development Application No. 0332/14**Schedule of Conditions**

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 developer's cost.

Property Title Alterations:

11. All property title alterations (including lot consolidation) as shown on the plan of Geoff Slattery and Partners Pty Ltd titled 'Development Application Boundary Alteration' and dated 3 October 2013, are to be registered with the Land Titles Office. Evidence of lodgement of a plan of title being submitted to Council and the certifying authority **prior to issue of the Construction Certificate**.

Trade Waste:

12. *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 issue of the Construction Certificate**.

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 Environment Protection Authority 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.

Erosion and Sedimentation Control Plan:

13. 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 *Managing Urban Stormwater – Soils & Construction Volume 1* (2004) by Landcom. Details being submitted and approved by the Certifying Authority **prior to issue of a Construction Certificate**.

Fill:

14. Contour plans indicating the location of proposed fill areas in the development being submitted and approved by Council **prior to issue of the Construction Certificate**.

Contour plans are to include a clear description of impact of changes proposed on water movement both to and from the site on all adjacent land and to show stormwater discharge points.

Development Application No. 0332/14**Schedule of Conditions**

Water Management Act 2000:

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

Outdoor Lighting:

16. 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*". Details demonstrating compliance with these requirements being submitted to the satisfaction of Council or the accredited certifier prior to issue of the **Construction Certificate**.

PRIOR TO COMMENCEMENT OF WORKS**Site Notice:**

17. 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 Principal 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.

Notice to be Given Prior to Commencement / Earthworks:

18. The Principal Certifying Authority and Council shall be given written notice, at least 48 hours prior to the commencement of earthworks on the site.
19. The Principal Certifying Authority is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifying Authority via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.

Contact Telephone Number:

20. 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.

- 7 -

Development Application No. 0332/14**Schedule of Conditions**

Erosion and Sediment Control:

21. 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 Principal Certifying Authority.

Hoardings and Site Security (Demolition):

22. Appropriate hoardings shall be installed around the perimeter of the buildings to be demolished **prior to commencement of demolition works.**

DURING CONSTRUCTION**Approved Plans to be On-Site:**

23. A copy of the approved and certified plans, specifications and documents incorporating the conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of Council or the Principal Certifying Authority.

Excavated Material:

24. 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 Office of Environment and Heritage *"Waste Classification Guidelines"* and shall comply with the terms of any approval issued by Council.

Fill:

25. All fill is to be placed in accordance with the requirements of Council's Development Design and Construction Specifications and the approved Sediment and Erosion Control Plan.

Development Application No. 0332/14**Schedule of Conditions**

Importation of Fill:

26. The only fill material that may be received at the development is:

- a) Virgin excavated natural material (within the meaning of the Protection of the Environment Operations (POEO) Act);
- b) Any other waste-derived material the subject of a resource recovery exemption under Clause 51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material, excluding waste tyre.

Any waste-derived material the subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifying Authority on request.

Erosion and Sediment Control:

27. 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.

Dust Control Measures:

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

- (1) Physical barriers being erected at right angles to the prevailing wind direction or being placed around or over dust sources to prevent wind or activity from generating dust emissions;
- (2) Earthworks and scheduling activities shall be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed;
- (3) All materials shall be stored or stockpiled at the best locations;
- (4) The work area being dampened slightly to prevent dust from becoming airborne but not to the extent that runoff occurs;
- (5) 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;
- (6) All equipment wheels shall be washed before exiting the site using manual or automated sprayers and drive through washing bays (if applicable);
- (7) Gates shall be closed between vehicle movements and shall be fitted with shade cloth; and
- (8) Cleaning of footpaths and roadways shall be carried out regularly by manual dry sweep or by use of a cleaning vehicle.

Development Application No. 0332/14**Schedule of Conditions**

Hours of Work:

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

- (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.

Cultural Heritage:

30. 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 the OEH and Northern Aboriginal Heritage Unit and the Aboriginal Stakeholder groups.

Finished Floor Level:

31. The finished floor level of the ground floor of the building is to be a minimum of 4.2 metres Australian Height Datum and a registered surveyor's certificate certifying such level is to be submitted to the Principal Certifying Authority prior to works proceeding beyond ground floor level.

Contractors parking and loading/unloading arrangements:

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

Development Application No. 0332/14**Schedule of Conditions**

Demolition:

33. 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.

No burning of materials is permitted on site.

Waste stockpiles shall be positioned a minimum of 20 metres from site boundaries and incorporate appropriate sediment and erosion controls or to alternate locations to Council's satisfaction.

The sewer drainage system shall be appropriately sealed to prevent ingress of water and debris into the Council's main.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE**Occupation Certificate:**

34. A person must not commence occupation or use of the new building **prior to obtaining an Occupation Certificate** from the Principal Certifying Authority.

Access Works:

35. 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 reinstated. All such work is subject to a separate driveway application, fees and approval by Council.

These works are to be completed **prior to the issue of an Occupation Certificate** for the development.

Stormwater Management Certification:

36. **Prior to the issue of an Occupation Certificate** the consultant design engineer / landscape architect shall issue a certificate to the Principal Certifying Authority to the effect that the stormwater treatment system has been installed and complies with the approved design.

Development Application No. 0332/14**Schedule of Conditions**

Road Design and Services:

37. The following works:

- (a) Road works including;
 - i) Upgrade of the Farrow Close / Hurley Drive intersection in accordance with the plan titled 'Development Application Hurley Drive and Farrow Close Works', dated 31 March 2014 and prepared by Geoff Slattery and Partners; and
 - ii) Reconstruction of Farrow Close in accordance with the plan titled 'Development Application Hurley Drive and Farrow Close Works', dated 31 March 2014 and prepared by Geoff Slattery and Partners.
- (b) Footpaths;
- (c) Water supply;
- (d) Sewerage;
- (e) Flood mitigation works;
- (f) Rebuilding of Council's stormwater system (channel);
- (g) Pacific Highway intersection upgrade works to enable:
 - i) Extension of the right turn bay from the Pacific Highway into Hurley Drive to 100m storage length; and
 - ii) Provision of 2 lanes 60m in length on the Hurley Drive approach to the traffic signals.

Note:

- (1) Consultation with relevant affected property owners is to be carried out prior to work commencing.

being provided to serve the development with the works conforming with the standards and requirements set out in Council's Development Design and Construction specifications and relevant policies (WSUD).

These works are to be completed **prior to the issue of an Occupation Certificate**.

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

Landscaping Works:

- 38. All landscaping works, in accordance with the approved plan, are to be completed, with certification of completion (by a works as executed plan) being provided to Council and the Principal Certifying Authority, **prior to issue of an Occupation Certificate**.

Development Application No. 0332/14**Schedule of Conditions**

Noise Attenuation:

39. Noise attenuation methods specified in the acoustic report of RCA Acoustics titled 'Proposed Masters Home Improvement Store; Lot 2, DP 607441, Lot 31, DP 716368 & Lot 1, DP 616809, Pacific Highway, Coffs Harbour, NSW' and dated October 2013 being implemented in the development and the completed works subsequently certified by an acoustic consultant **prior to issue of an Occupation Certificate**. A copy of the certification being provided to Council and the Principal Certifying Authority **prior to issue of an Occupation Certificate**.

Car Parking Spaces:

40. All 290 car parking spaces as shown on the plan approved in accordance with condition number three of this consent being provided on the development site **prior to the issue of an Occupation Certificate**.

All car parking and manoeuvring areas being constructed in accordance with the provisions of Australian Standard AS 2890.1 "Parking Facilities: Off-Street Car Parking" and the provisions of AS/NZS 2890.6:2009 "Parking Facilities: Part 6: Off-Street parking for people with disabilities".

Liquid Trade Waste Approval:

41. 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 the Principal Certifying Authority **prior to issue of the Occupation Certificate**.

Rainwater Tanks:

42. A separate application being submitted to Coffs Harbour Water for assessment and registration of the proposed rain water tank(s) and associated plumbing works, prior to their installation. Evidence of registration is to be confirmed by the Principal Certifying Authority **prior to the issue of Occupation Certificate**.

Note: A testable backflow prevention device is required with underground water storage tanks.

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

Anti-Graffiti Treatment - Eastern Boundary:

43. The eastern boundary fence on the development (precast panels) adjoining the drainage swale is to be finished in a recessive anti-graffiti treatment. This is to be completed **prior to issue of an Occupation Certificate** unless other arrangements acceptable to Council have been made.

- 13 -

Development Application No. 0332/14

Schedule of Conditions

Easement to Drain Water:

44. An easement to drain water in favour of Council, being created over the stormwater drainage works and registered with the Land Titles Office prior to **prior to issue of an Occupation Certificate**.

Fencing to Boundary:

45. Solid fencing to a height of 1.8m is to be provided to the eastern boundary of the new development **prior to issue of an Occupation Certificate**.

OPERATIONAL MATTERS

Loading and Unloading:

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

Car Parking Areas:

47. All car parking spaces and manoeuvring areas, approved in accordance with condition number three, are to be maintained in a serviceable condition at all times.

Noise:

48. Noise emanating from the premises shall at all times be in accordance with the provisions of the *Protection of the Environment (Operations) Act 1997*.

External Lighting:

49. External lighting shall comply with *Australian Standard AS 4282: 1997 Control of Obtrusive Effects of Outdoor Lighting*. Upon installation of lighting, but before it is finally commissioned, the Applicant shall submit to Council evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.

Landscape Works:

50. Landscaping is to be maintained in accordance with the approved landscape plans at all times.

Waste Management:

51. Provision being made on the site (*or within the premises*) for the separation of recycling and organic waste, including food waste and other putrescible wastes from the general waste stream in accordance with Council's requirements. The waste management practices of the premises should provide for the continued separation of recycling and organic waste from the general waste stream.

Development Application No. 0332/14**Schedule of Conditions**

Days and Hours of Operation:

52. The development is only to operate during the hours:

- 6:00 AM to 9:00 PM Monday to Sunday

Days and Hours for Deliveries:

53. Deliveries are only to occur during the hours:

- 7:00 AM to 6:00 PM Monday to Saturday.
- 8:00 AM to 6:00 PM Sundays and Public Holidays

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE**Part 4A Certificate:**

54. Prior to the registration of final subdivision plan in the Office of the Registrar-General, a Part 4A Certificate shall be obtained under section 109D(1)(d) of the *Environmental Planning and Assessment Act 1979* for each stage of the subdivision.

ADVISORY NOTES**Other Approval Permits:**

55. The Applicant shall apply to the Council for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the Local Government Act, 1993.
56. The applicant shall (as required) enter into a works authorisation deed (WAD) with Roads and Maritime Services for the extension of the right turn lane on the Pacific Highway, prior to the works commencing.

- 14 -

Development Application No. 0332/14**Schedule of Conditions**

Days and Hours of Operation:

52. The development is only to operate during the hours:

- 6:00 AM to 9:00 PM Monday to Sunday

Days and Hours for Deliveries:

53. Deliveries are only to occur during the hours:

- 7:00 AM to 6:00 PM Monday to Saturday.
- 8:00 AM to 6:00 PM Sundays and Public Holidays

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE**Part 4A Certificate:**

54. Prior to the registration of final subdivision plan in the Office of the Registrar-General, a Part 4A Certificate shall be obtained under section 109D(1)(d) of the *Environmental Planning and Assessment Act 1979* for each stage of the subdivision.

ADVISORY NOTES**Other Approval Permits:**

55. The Applicant shall apply to the Council for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the Local Government Act, 1993.
56. The applicant shall (as required) enter into a works authorisation deed (WAD) with Roads and Maritime Services for the extension of the right turn lane on the Pacific Highway, prior to the works commencing.
