

Attachment 'G' – Council's Comments on the Applicants Review of Conditions

Introduction

The Draft Conditions of Consent were sent to the applicant on 26 February 2014. Comments from the applicant and revised drawings were provided to Council on 14 March 2014. The revised drawings scaled back the area of the covered storage areas to ensure the building envelope did not exceed the area for a large isolated building in the Building Code of Australia (18,000 sq. m.).

General

- Given the building must comply with the Performance Requirements of the Building Code of Australia (BCA) and this can be done by compliance with the Deemed to Satisfy Provisions or through an Alternate Solution to the satisfaction of the Principle Certifying Authority, the 'relevant' Australian Standards are those that are called up in the BCA.
- As such Council has amended some conditions to incorporate 'to the satisfaction of the Principle Certifying Authority prior to the issue of the Construction Certificate' and therefore any performance solutions proposed to the PCA will not require further clarification from Council as per the development consent conditions.

Part B - Administrative or General Conditions

- The revised drawings provided on 12 March 2014 have been added as approved plans.
- The Stormwater concept plans author has been amended.

Part F – Building Matters

- Where appropriate the reference to a specific standard has been amended to "relevant standards" to allow for alternative solutions to be approved by the PCA.
- Conditions 5 - Given, generally the PCA will issue the FSS attached to the Construction Certificate it can be amended.
- Condition 7 – can be amended to read "to the satisfaction of the Principle Certifying Authority prior to the issue of the Construction Certificate".
- Condition 8 - has been put at the end of the consent as an Advisory Note.
- Condition 9 – can be amended to read 'to the satisfaction of the Principle Certifying Authority prior to the issue of the Construction Certificate'.
- Condition 10 - can be amended to read 'to the satisfaction of the Principle Certifying Authority prior to the issue of the Construction Certificate'.

Part I – Prior to Construction Certificate

- Condition 4 - can be amended to read 'to the satisfaction of the Principle Certifying Authority prior to the issue of the Construction Certificate.'
- Condition 5 – Deleted in light of new drawings. Buildings less than 18,000 sq. m.
- Condition 6 - a sentence will be added to this condition stating: Details of any proposed alternative solutions shall be submitted to and approved -'to the satisfaction of the Principle Certifying Authority prior to the issue of the Construction Certificate'.

- Condition 7 - can be amended to read 'to the satisfaction of the Principle Certifying Authority prior to the issue of the Construction Certificate'.
- Condition 8 - can be amended to read 'to the satisfaction of the Principle Certifying Authority prior to the issue of the Construction Certificate'.
- Condition 9 – 10 inspections are required due to the nature of the road works within the Kidman Way and Snaidero Road
- Condition 12 – 14: Please refer to Council's Engineering Assessment for a rationale for the imposition of these conditions.
- Condition 16 – This condition is required. Council needs to know exactly what demand the proposed development will have including maximum daily demand and instantaneous demand to ensure Council's infrastructure in the locality is sufficient and other users in the area will not be impacted (reduced flow etc.).
- Condition 17 – Can be deleted based on the revised plans provided to Council on 12 March 2014 showing a reduced floor area less than 18,000 sq. m.
- Condition 18 – Can be deleted based on the revised plans provided to Council on 12 March 2014 showing a reduced floor area less than 18,000 sq. m.

Part J – Prior to Commencement of Works

- Condition 6 – RMS Requirement – refer to RMS referral

Part L – Prior to Occupation Certificate Stage 1

- Condition 1-3 – These conditions are required by Council's Section 64 and Section 94A plans. Any discussions or requests to waive or decrease these fees will be required to be determined at an ordinary meeting of Council. Council has received such a request from the applicant and will consider have the matter reported to Council.
- Condition 6 – The EP&A Act requires a final fire safety certificate to be issued for the development.
- Condition 12 – RMS and Council Development Engineer requirement – refer to RMS and Council's Development Engineer referral.
- Condition 13 - RMS and Council Development Engineer requirement – refer to RMS and Council's Development Engineer referral.
- Condition 21 – Amended as per request.

Part L (2) – Prior to Occupation Certificate Stage 1

- Condition 2 - This condition is required by Council's Section 64 and Section 94A plans. Any discussions or requests to waive or decrease these fees will be required to be determined at an ordinary meeting of Council.

Part O – Ongoing Requirements

- Condition 1 – Condition amended as requested.
- Condition 5 – Condition amended as requested.
- Condition 10 – Snaidero Road is not a Gazetted B-Double route. However, Council will leave the condition open ended to permit larger vehicles should the road be gazetted at a future date.

Part S – Fire Safety

- Condition 2 - can be removed in light of the amended site plans provided by the applicant on 14 March 2014 in which the area of the building is less than 18000 sq. m.