

20 July 2015

The General Manager
Tamworth Council
Ray Walsh House
437 Peel Street
Tamworth NSW 2340

Dear Mr Bennett,

Alterations, Additions and Upgrade Works to existing Factory (Allied Mills) – DA0320/2015

We'd like to thank Tamworth Council for their efforts in processing the above application. We have reviewed the officer report on the above development application and the accompanying draft conditions of consent.

For transparency, we'd like to make Council aware of some items of clarification and minor condition amendments prior to the Joint Regional Planning Panel (JRPP) determination. We would appreciate upon review of this letter that if satisfied with the requests, Council discuss with the JRPP prior to the scheduled determination meeting to allow sufficient time to consider the items.

1 Matters of Clarification

Reviewing our specialist reports in preparation of the next phase of required certification, we found a minor error to clarify in the report by Acoustic Logic (page 12, dot point 4) that accompanied the development application.

Existing wall along the north east boundary of the site adjacent to the new cooling towers to extend a minimum of 200mm above the top of the cooling towers. Wall must be of solid construction (masonry, Hebel ~~of~~ or 9mm FC), free from any gaps or penetrations.

For abundant caution and clarity for future certification, the correction has been highlighted.

2 Requested Amendments to Draft Conditions

2.1 CONDITION 1(A) & 1(C)

References to "consent authority" in Condition 1(a) and (c) ideally should be deleted.

Reason:

The JRPP is the consent authority but they will not have any ongoing involvement in the development after they grant consent, so it would be inappropriate to be notifying them of the appointment of a Principal Certifying Authority (PCA). The PCA will issue the relevant Construction Certificates as the JRPP cannot issue Construction Certificates.

While we don't see that these parts of Condition 1 will likely to have a material impact, we raise it for Council's consideration.

2.2 CONDITION 7(B)

With respect to Condition 7 (b), we request that it be amended as follows:

Current Condition:

~~7(b) Architectural Drawings prepared by CM+A Project No. 3022-DA and dated 22 August 2014.~~

Proposed Condition:

7(b) Architectural Drawings prepared by CM+A in the table below

Name	Plan reference	Issue Number	Date
Site Plan	A001	9	27 April 2015
Ground Floor	A100	8	29 September 2014
First Floor	A101	7	22 August 2014
Second Floor	A102	7	22 August 2014
Third Floor	A103	7	22 August 2014
Elevation – Marius + White Streets	A300	4	27 April 2015
Elevation –White + Fitzroy Streets	A301	1	28 April 2015
Ground Floor Fire compartments	A500	2	15 August 2014

Reason:

The purpose of the request is to more accurately record all the relevant plans supporting the application to remove any ambiguity at certification stage.

2.3 CONDITION 9

We request Condition 9 be deleted.

Reason:

Our reading of this condition is that it would prevent the issue of an interim occupation certificate and occupation of the building before all work is entirely completed.

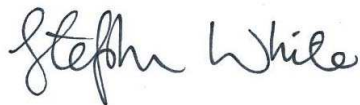
This is unnecessary because it may well be possible to complete some of the works in stages and to occupy the building in the meantime. This is obviously the purpose of an interim occupation certificate as it certifies that a specific part of the building is suitable for occupation and use, even though all of the work approved by the development consent may not yet be completed.

We believe Condition 20 appropriately deals with the issue to give some guarantee to Council with respect to use of part or the whole of the upgraded building.

3 Summary

I trust that the letter provides sufficient information to assist in your consideration. We would be happy to discuss any of these items with you should you require clarification prior to the upcoming the JRPP determination meeting.

Yours sincerely,



Stephen White
Director