

NORTHERN JOINT REGIONAL PLANNING PANEL

Meeting held at Clarence Valley Council on Thursday 17 March 2016 at 12:30 pm

Panel Members: Garry West (chair), John Griffin and Bruce Clarke

Apologies: None - Declarations of Interest: Richie Williamson and Craig Howe declared a conflict of interest, as Clarence Valley Council is the owner of the site for this development application. As a result, Cr Williamson and Cr Howe did not participate in any discussion or determination of this application.

Determination and Statement of Reasons

2015NTH014 Clarence Valley DA2015/0368 [on Rushforth Rd, South Grafton] as described in Schedule 1.

Date of determination: 17 March 2016

Decision:

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

The panel considered: the matters listed at item 6 as addressed in the Council Assessment Report, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

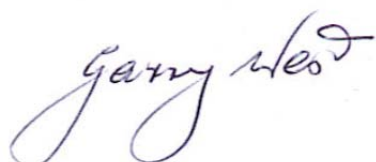
SEPP 55. Historical uses of the site indicate there is contamination and a detailed investigation of the SEPP 55 requirements was required. The assessment recommended that while the Remediation Action Plan is acceptable (with conditions) however due to the complex sit history it was recommended that an EPA accredited site auditor should be engaged to oversee the remediation and validation of the site. Conditions were approved to this effect. The proposed use is permissible with the zoning objectives.

The panel adopted the assessment of those matters in the Council Assessment Report.

The principal reason for the panel decision was that the site was suitable for the proposed use and is in the public interest. Other reasons for the panel decision were: Traffic management was considered acceptable and the acoustic impacts have been adequately conditioned.

Conditions: The development application was approved subject to the conditions in Appendix A of the Council Assessment Report as amended at the meeting. The following changes were made to conditions: C1 was amended to reference the noise attenuation plan; C4 was amended to provide for the hours of operation to be necessary for the proposed use; C16 was amended to include a note the noise levels were not to apply during construction; C24 was reworded to accord more closely with the recommendation of the acoustic report; C25 was deleted and the requirement for acoustic mitigation during construction to be being a requirement of the Construction Management Plan (CMP); C32 was amended to require construction acoustic mitigation be part of the CMP; C39 was modified to clarify the level of construction required by reference to the relevant Australian standard; C41 was deleted as it was agreed the issue had been addressed in an Operational Plan of Management; and C57 was deleted as the information required had been already supplied. Approved conditions are in Schedule B]

Panel members:



Garry West (chair)



John Griffin



Bruce Clarke

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SCHEDULE 1

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| 1 | JRPP Reference – LGA- Council Reference: 2015NTH014 Clarence Valley DA2015/0368 |
| 2 | Proposed development: New Council depot and administration building |
| 3 | Street address: Lot 1, Rushforth Rd, South Grafton (corner of Skinner and Tyson Streets, South Grafton) |
| 4 | Applicant: Schreiber Hamilton Architecture Owner: Clarence Valley Council |
| 5 | Type of Regional development: Development application with a Capital Investment Value of more than \$5 million where Council is the applicant or landowner for all or part of the site |
| 6 | Relevant mandatory considerations <ul style="list-style-type: none"> • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy (State and Regional Development) 2011 • Clarence Valley Local Environmental Plan 2011 • Clarence Valley Council Business Development Control Plan 2011 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. • The suitability of the site for the development. • Any submissions made in accordance with the EPA Act or EPA Regulation. • The public interest, including the principles of ecologically sustainable development. |
| 7 | Material considered by the panel: Council Assessment Report Dated: 3 March 2016 Written submissions during public exhibition: four (4) Amended draft conditions submitted on 16 March 2016 Verbal submissions at the panel meeting: Support- nil; Against- 1; On behalf of the applicant- 1 |
| 8 | Meetings and site inspections by the panel: Site Visit on 17 March 2016 |
| 9 | Council recommendation: Approval |
| 10 | Draft conditions: As attached to Council Assessment Report |

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SCHEDULE 2

Schedule 1

Draft Conditions of Consent and Advice Note for DA2015/0368

DEFINITIONS

NRDC means Northern Rivers Design and Construction Manual

The current engineering standards are:

- a The Northern Rivers Local Government Development and Design Manual (AUS-SPEC)
- b The Northern Rivers Local Government Construction Manual (AUS-SPEC)
- c The Northern Rivers Local Government Handbook of Stormwater Drainage Design
- d Sewerage Code of Australia (WSA 02 - 2002)
- e Water Supply Code of Australia (WSA 03 - 2002)
- f The Pressure Sewerage Code of Australia (WSA 07-2007)

The current version of NRDC can be obtained from the Clarence Valley Council webpage.

Civil Works includes -

- a Earthworks
- b Roadworks
- c Drainage, including WSUD components
- d Structures
- e Water & Sewerage Reticulation
- f Flood Mitigation
- g Parking areas
- h Provision of Services

NATA means National Association of Testing Authorities

RMS means Roads and Maritime Services

WSUD means Water Sensitive Urban Design

Civil Construction Certificate means approval for Subdivision (Civil) Construction Certificate, and/or Section 68 Approval (Local Government Act 1993) and/or Section 138 Approval (Roads Act 1993 – Road Opening Permit).

ADVICE NOTE

1. To obtain a Certificate of Compliance for water and or sewer works, Council will require payment of contributions in accordance with Section 64 of the Local Government Act, 1993, which applies Section 306 of the Water Management Act, 2000. The current contributions are:

Sewer Headworks \$5,207.40 x 11.14 additional ET's = \$ 58,010.44

The contributions have been assessed from first principles assuming 200 employees at the depot.

The contributions have assumed that for vehicle washdown purposes the depot will utilize a recirculating system that reuses stormwater and pre-treated wastewater which does not discharge to the sewer. If this type of system is not utilized additional

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section 64 contributions will be payable for both water and sewer.

The contribution(s), as assessed, will hold for a period of 12 months from the date of this approval. Contributions not received by Council within 12 months of the date of this determination will be adjusted in accordance with the adopted Schedule of Fees and Charges current at the time of payment.

Where any works are required on Councils water or sewer infrastructure, as a condition of this consent, they must be completed in accordance with the conditions of consent prior to the release of the certificate of compliance.

CONDITIONS OF APPROVAL

1. The development being completed in conformity with the Environmental Planning & Assessment Act, 1979, the Regulation thereunder, the Building Code of Australia (BCA) and being generally in accordance with plans drawn by Schreiber Hamilton Architecture and numbered:
 - DA1100 Rev H -Site Plan;
 - DA1102 Rev C – truck parking and circulation plan;
 - DA1200 Rev A – landscape plan;
 - DA2200 Rev A – administration building plan;
 - DA2201 Rev A – stores building plan;
 - DA2202 Rev A – workshop ground floor plan;
 - DA 2203 Rev A – works department – water & open spaces
 - DA2204 Rev A – works department ground floor plan;
 - DA2205 Rev A - outdoor stores & wash bay;
 - DA3000 Rev A – administration building elevations;
 - DA3001 Rev A – stores & works department north & east elevations;
 - DA3002 Rev A - stores & works department west & south elevations;
 - DA3003 Rev A – workshop elevations;
 - DA3004 Rev A – works department – open spaces elevation;
 - DA3005 Rev A – works department elevations;
 - DA3006 – wash bay elevations;
 - Figure 3, section 5.1.1 Noise Control Modification, as shown on page 27 of the Reverb Acoustics Report dated May 2015.as amended in red, or where modified by any conditions of this consent.

Note of clarification: Lot 2 DP521320 has been deleted from the application and is not part of this approval or any approved plan.

2. Prior to issue of any Construction Certificate, an amended site plan is to be submitted to Council for reference against this development consent, showing the development (as approved) wholly contained on lot 1 DP557049; and with lot 2 DP521320 removed.
3. Payment to Council of the contributions pursuant to Section 94 of the Environmental Planning and Assessment Act:
\$60,000 GL S94ACVCOthResAcco

This amount is based on the following calculation

- a Proposed cost of carrying out the development is more than \$200,000 = value of

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development x 0.01

- b The value of development stated in the application was \$6,000,000

The contributions are to be paid to Council prior to release of the Construction Certificate. All contribution plans are available for inspection at Clarence Valley Council Offices, 50 River Street, Maclean and 2 Prince Street, Grafton.

In the event of any subsequent amendment to the approved Development Plans, the calculated contribution amounts may vary, and if so will become the contribution payable. A true estimate of the value of development must be provided when application is made for the Construction Certificate.

4. Hours of operation for the Depot, including vehicular movements to and from the site, shall be as required to provide the appropriate service levels to the community for both routine and emergency works.

Environmental Health Conditions

Contamination/Remediation/Validation

5. A NSW EPA accredited Site Auditor shall be engaged prior to any works commencing to review all stages of the site's contamination assessment, remediation and validation.
6. The Applicant shall submit relevant contamination investigation reports and the Remedial Action Plan (RAP) prepared by Parsons Brinckerhoff dated 7th December 2015 to the Site Auditor for review and approval prior to any remediation works commencing. All remediation and validation work is to be undertaken as per the RAP and in accordance with any amendments/recommendations from the Site Auditor.
7. A Site Audit Statement and Site Audit Report/s shall be completed by the Site Auditor and be provided to Council once completed. The Site Audit Statement shall be submitted to Council for review prior to any works commencing.
8. All requirements, conditions and recommendations of the site audit statement and site audit report/s shall form part of this consent and be implemented to the satisfaction of the Site Auditor and Council.
9. A Validation Report shall be submitted to the Site Auditor and Council for assessment upon completion of demolition and remediation works. The validation report shall be prepared in accordance with the NSW EPA's Guidelines for Consultants Reporting on Contaminated Sites.
10. A "Notice of Completion" shall be prepared in accordance with the requirements of State Environmental Planning Policy No 55 - Remediation of Land and be submitted to Council within 30 days of completion of the work.
11. All work shall be conducted in accordance with current legislative requirements, the contaminated land planning guidelines and guidelines in force under the *Contaminated Land Management Act 1997*.
12. A Health and Safety Plan is to be prepared in accordance with WorkCover Authority requirements prior to works commencing.

13. All soil remediation is to be conducted within the site boundaries.
14. If contaminated waste is to be removed from the site, a Waste Management Plan is to be prepared and submitted to Council and the Site auditor detailing how this material will be safely and legally removed from the site. A report is to be submitted to Council on completion of the remediation works detailing the quantities, type, waste transporter and where the waste material has been taken for disposal.

Acid Sulfate soils

15. An Acid Sulfate Soil Management Plan will be required to be submitted to Council if works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

Testing for acid sulfate soils is required to be undertaken during any excavations as per the RAP prepared by Parsons Brinkerhoff dated 7th December 2015. If acid sulphate soils are present an acid sulphate soil management plan must be prepared and implemented.

Noise attenuation

16. The equivalent continuous A-weighted level of noise from the source, measured over a 15 minute period, shall not exceed the background noise level by more than 5dB at the most affected residential receiver who has not given written permission for an exceedance of this condition.

The noise limit set out in this condition applies under all meteorological conditions, except for the following:

- a. Wind speeds greater than 3 metres/second and 10 metres above ground; or
- b. Temperature inversion conditions up to 3°C/100m and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- c. Temperature inversion conditions greater than 3°C/100m

Note: this restriction, to not exceed background noise level by more than 5dB, applies to the operational phase of the depot and does not apply to the construction phase.

17. Residential receivers must be notified of forthcoming periods of noise level exceedances including expected duration and expected noise level at least 24 hours in advance unless otherwise indicated by the residents in writing.
18. A Noise and Vibration Management Plan is required from a suitably qualified and experienced acoustical practitioner to enable and determine compliance with the limits set herein. The plan is to be provided prior to issue of the first Construction Certificate, and must include, but is not limited to:
 - a. Ongoing assessment of feasible and reasonable noise mitigation measures that will be applied at the premises to consistently achieve the noise limits prescribed;
 - b. A system that allows for periodic assessment of Best Management Practice (BMP) and Best Available Technology Economically Achievable (BATEA) to

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- minimise noise impacts during the construction phase;
 - c Measures to monitor noise performance and respond to complaints;
 - d Measures for community consultation including site contact details;
 - e Noise monitoring and reporting procedures.
19. Traffic noise shall not exceed an $L_{Aeq(1 \text{ hour})}$ of 55 dBA (external) during the day and an $L_{Aeq(1 \text{ hour})}$ of 50 dBA during the night as measured 1 metre from the façade of the residential receiver and 1.5 metres above the floor for residences located along Tyson Street. (NSW RNP, March 2011).
 20. Traffic noise shall not exceed an $L_{Aeq(15 \text{ hour})}$ of 60 dBA (external) during the day and an $L_{Aeq(9 \text{ hour})}$ of 55 dBA during the night as measured 1 metre from the façade of the residential receiver and 1.5 metres above the floor for residences located along Skinner Road. (NSW RNP, March 2011).
 21. Stores Overflow/Outdoor Stores - Erect a 2100mm high acoustic barrier along the north and west edges of the areas. The barrier is to be engineered and constructed with regard to ensuring noise is effectively attenuated to comply with the previous conditions related to noise attenuation levels.
 22. Material Bays/Waste Bins - Erect a 2500mm high acoustic barrier along the north, south and east edges of the areas. The barrier is to be engineered and constructed with regard to ensuring noise is effectively attenuated to comply with the previous conditions related to noise attenuation levels.
 23. Tyson Street Entry - Erect an 1800mm high acoustic barrier between the works Depot building and administration building. The barrier is to be engineered and constructed with regard to ensuring noise is effectively attenuated to comply with the previous conditions related to noise attenuation levels.
 24. Noise control measures are to be implemented in accordance with Figure 3, section 5.1.1 Noise Control Modification, as shown on page 27 of the Reverb Acoustics Report dated May 2015. The barrier is to be engineered and constructed with regard to ensuring noise is effectively attenuated to comply with the previous conditions related to noise attenuation levels..

Engineering Conditions

25. A Certificate of Compliance for Water and or Sewer works must be obtained from the Water Authority prior to issue of the Building Construction Certificate. This may require payment of a fee.
26. The developer must design all civil works, in accordance with NRDC, SEQ WSUD; and construct these works in accordance with the approved, dated and stamped engineering plans; and Civil Construction Certificate issued by Council or accredited private certifier. This work must be done under the supervision of a suitably qualified and experienced engineer or land surveyor approved by the Certifying Authority for civil works. The Authority will hold the Occupation Certificate or a bond in accordance with their fees and charges against the works until such time as they are satisfied to take over the system.

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27. The supervising engineer / surveyor must arrange for the hold point inspection, and accompany Certifying Authority for civil works. The applicant must give the Authority one (1) business day's notice to permit hold point inspections of the following components of the construction process:

- a Roadworks
 - i stripping with erosion controls in place
 - ii subgrade
 - iii subbase
 - iv completion of pavement ready for sealing
 - v final including stormwater
- b Stormwater
 - i Prior to backfilling of trenches
 - ii In accordance with the submitted and Council approved stormwater drainage construction, inspection, testing, establishment and staging management plan for WSUD components
- c Sewer
 - i Prior to commencement of work
 - ii Prior to backfilling of trenches
 - iii Pressure testing
- d Footpath and Kerb and Gutter
 - i stripping with erosion controls in place
 - ii Prior to concrete pour;

plus any other part of the works specific to the development that the Certifying Authority for civil works may request. Note: the water Authority must be the Certifying Authority for water supply and sewer works.

28. Prior to the release of the Occupation Certificate, certification is to be provided by the supervising engineer to Certifying Authority for civil works, stating that civil engineering works for the development have been constructed in accordance with the approved plans and NRDC.
29. A risk assessment is required for infrastructure that will become a Council asset which is within the zone of influence of any service utility. The risk assessment will need to include the construction and continuing maintenance of that asset.

The risk assessment must be undertaken by a suitably qualified person; submitted to, and approved by Council prior to issue of the Construction Certificate for those stages where the service utility is affected.

The owner of the service utility must sign off on the risk assessment.

30. Where occupation of the road reserve is proposed, a Traffic Control Plan must be prepared and submitted to the local roads Authority showing how vehicle and pedestrian traffic will be safely managed within the road reserve. This plan must be prepared by a person authorised by the RMS to prepare Traffic Control Plans and must be approved by the local roads Authority prior to the occupation of the road reserve.

31. A Construction Management Plan must be submitted to and approved by the principal certifying authority prior to the issue of the Civil and Building Construction Certificates. The plan must document the proposed method of work within the construction site boundaries with regard to the health and safety of the public, the affect on the road reserve and noise attenuation measures to be implemented during the construction phase.

If any part of the road reserve or public land is proposed for long term (exceeding 24 hours) inclusion in the construction site boundaries this area must be identified in the Construction Management Plan. The road reserve is classed as the property boundary to opposite property boundary and includes roadway, nature strip and footpath.

32. A Traffic Management Plan must be submitted with the Construction Management Plan for approval by the Principal Certifying Authority. The Plan must show the proposals for reducing any impact of the construction site on the adjacent traffic network. This plan will include traffic management of short term activities such as delivery of materials; accessing, exiting and parking in and near the work site by cranes, concrete agitator trucks; tradesmen work vehicles and the like.

The Traffic Management Plan may include Traffic Control Plans detailing proposed methods to ensure safe vehicle access into and out of the general traffic stream, pedestrian control and safe transfer of materials from road reserve to construction site. The Traffic Management Plan should be and any associated Traffic Control Plans must be, prepared by a person authorised by the RMS to prepare Traffic Control Plans. Any Traffic Control Plan must be approved by the local roads Authority.

An estimate of the number of vehicles that will need to be accommodated at various stages of the construction and what arrangements have been made to accommodate that number of vehicles is to be included in the Traffic Management Plan.

Should it become necessary to occupy the road reservation for any reason not included in the approved Traffic Management Plan, even short term, then a specific Traffic Control Plan for the event or events is to be provided, prepared by a person authorised by the RMS to prepare Traffic Control Plans. The submission must include the reasons that the occupation is required and any revision of the Construction Management Plan and/or Traffic Management Plan to accommodate the change in the construction methodology.

33. Where long term (exceeding 24 hours) occupation of the road reserve or Council land is proposed for areas additional to the areas approved for works under the Construction Certificate, a Construction Activity Application - Encroachment / Use of Council Land - must be approved by local roads Authority and appropriate fees paid prior to any occupation of the road reserve or Council lands.

Water Reticulation

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34. A detailed Hydraulics Plan must be submitted for assessment and approval by the Principal Certifying Authority, prior to the issue of the Building Construction Certificate. This shall include an assessment of the existing water supply to ensure sufficient flows are available for the proposed development including fire fighting flows.

Any upgrade to the existing water service to the property will be subject to the costs outlined in Council's list of fees and charges.

Sewerage Reticulation

35. Sewer mains within the development site shall be relocated to ensure no buildings are constructed over the council sewer mains.

Prior to the issue of a Civil Construction Certificate for the sewer main relocation a detailed Sewerage Reticulation Management plan must be submitted to the Water Authority for assessment and approval by that Authority.

36. The granting of an easement for sewerage purposes, over the Council's sewer mains within the development site.

The width of the easement must be;

- a Where the sewer is less than 1.5 metres depth, the easement width shall be 3.0 metres, except that for sewers which are less than 0.75 metres depth and serving only one residential lot, the easement width may be reduced to 1.5 metres,
- b Where the sewer is between 1.5 metres and 3.0 metres depth, the easement width shall be 5.0 metres,
- c Where the sewer is greater than 3.0 metres depth, the easement width shall be determined by the Water Authority following an assessment of maintenance access requirements;

Unless specific approval or direction is given by the Water Authority to an alternative easement width having regard to the particular circumstances of the development and the sewer infrastructure.

The easement shall be located centrally about a line drawn between manholes to an accuracy of 0.15 metres by a registered surveyor and supported by an engineering survey plan showing the dimensions between the sewer line and the extremity of the easement at each point where the easement dissects the boundary of any lot or any change of direction.

37. Special footing / sewer main protection works, in accordance with Clarence Valley Council's Policy for building in close proximity to sewers, will be required for buildings or any other works over or within the zone of influence of sewer mains. It is recommended that, prior to commencement of design, the matter be discussed with the Water Authority.

Roadworks

38. In accordance with Figure 7.5 Austroads Guide to Road Design Part 4A a BAR type intersection shall be constructed on Skinner Street at the entrance to the development. The length and width of the pavement widening will need to accommodate the longest proposed vehicle turning into the site (25m low loader), with another vehicle passing at 80km/hr. Details shall be submitted and approved with the Civil Construction Certificate.
39. Entry and exit to the development off Skinner Street is required to be undertaken without crossing the centre line and/or traversing the shoulder pavement. Survey of the access points with manoeuvring diagrams superimposed for the most critical vehicles proposed to use the site will be required to be submitted and approved prior to release of the Civil Construction Certificate. This will show if any road or access widening is required. Any changes to the entry or exit design or road widening required to ensure these movement can be undertaken in accordance with Austroads will be required to be included in the Civil Construction Certificate.
40. Truck warning signs in accordance with W5-205 size B shall be installed, on both the northern and southern approaches on Skinner Street, in accordance with AS1742.2 to warn motorists of the entry and exit to the site. Details and locations of the signage shall be included in the Civil Construction Certificate.
41. Benkelman beam testing of the finished base course of all new roadwork's will be required, with the beam testing to be undertaken by a NATA registered authority with accreditation for using the Benkelman beam.
42. All roadworks on Skinner Street shall have full road construction, 40mm minimum depth of compacted asphaltic concrete surface. Details must be provided to Council for approval with the Civil Construction Certificate.

The Asphaltic Concrete mix shall be designed in accordance with the estimated maximum traffic loading or the Equivalent Standard Axles specified in NRDC whichever is the greater.

43. All roadworks on Tyson Street shall have full road construction and bitumen sealing, in accordance with NRDC, comprising emulsion seal plus 2 coat seal 14 / 7 mm applied as soon as practical after emulsion to minimise disruption to traffic. All works are subject to a 12 month maintenance period.
44. The road construction/re-construction plans must include design calculations for and any necessary upgrade of, existing stormwater drainage cross-culverts and affected services/utilities.
45. A concrete or paved footpath, 2.5 m width is to be provided parallel to the frontage of the development site along Tyson Street, in accordance with NRDC, Clarence Valley Council - Bike Plan and Pedestrian Access and Mobility Plan, AS1428 and AS2890. Disabled access requirements are to be included. Details shall be included with the Civil Construction Certificate.
46. Kerb and gutter, including associated drainage, shall be constructed on Tyson Street from the end of the kerb and gutter adjacent to South Grafton High School to Skinner

Street.

Occupation Certificate

47. Prior to the release of the Occupation Certificate a completed asset register works return must be submitted to the Water Authority and local road Authority, detailing all infrastructure that has been dedicated to Council with the Development. The return is to be in the format approved by these Authorities.
48. Prior to the release of any Occupation Certificate, submission of satisfactory Work as Executed Plans for all Civil works relevant to the development/stage of the development, and certification from the supervising professional engineer or land surveyor, that the works have been constructed in accordance with the approved plans and specifications.

The Work as Executed plans shall include detailed records of the materials used, inspection and testing for the construction of WSUD components in accordance with the Council approved staging plans, NRDC and SEQ WSUD.

Lighting

49. Prior to release of the Occupation Certificate, the pedestrian pathway and development shall be lit to the minimum standard of Australian Standard AS 1158 (Public Lighting Code) and the NSW Police 'Safer By Design' guidelines. Details of how this will be achieved, including location, types and energy efficiency of lighting devices, must be approved by Council prior to issue of the Construction Certificate.

Maintenance Bond

50. Prior to release of the Occupation Certificate, a maintenance bond is required for 5% of the contract value for works that will become Council infrastructure or \$1,500 whichever is greater. All work is subject to a maintenance period of twelve (12) months from the date of Practical Completion as certified by the relevant Certifying Authority.

The maintenance period may be extended should the application for an Occupation Certificate be delayed beyond the maintenance period. The maintenance period and bond amounts for WSUD components must be in accordance with the approved stormwater management plan.

Stormwater

51. The Stormwater Management Plan for the site, and any adjacent areas affected by the development shall be submitted for assessment and approval by Council prior to issue of the Civil Construction Certificate.

The Stormwater Management Plan is to consider and provide detail on the development and construction staging in accordance with SEQ WSUD. It must include a material list and specifications, inspection and testing plan, plant schedule, vegetation establishment program and construction staging plan for each WSUD component.

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52. Works associated with the Stormwater Management shall be included in the Civil Construction Certificate, and are required to be approved by Council to obtain the Section 68 approval for Stormwater Discharge.
53. All stormwater falling on the property is to be collected within the property and discharged in accordance with the relevant parts of the applicable Clarence Valley Council Development Control Plans, NRDC, and SEQ WSUD. A Stormwater Management Plan must be prepared to reflect these standards and guidelines. The Stormwater Management Plan must include a preliminary management plan for any proposed detention basin and wetland.
54. The sizing of the underdrain of the Bioretention basin must be supported with calculation in accordance with the WSUD Technical Guidelines & the Water by Design Bioretention Technical Guidelines. A construction specification and inspection and testing plan for all components of the Stormwater Quality Improvement Devices (SQIDs) must be submitted.
55. A risk assessment is required to investigate any potential risk as a result of the Detention/Bioretention Basin spilling into Skinner St and into the downstream catchment area. The risk assessment will need to include the construction and continuing maintenance of that asset.

The risk assessment must be undertaken by a suitably qualified person; submitted to, and approved by Council prior to issue of the Civil Construction Certificate.

Carparks & Driveways

56. Car parks and vehicular accesses for the must be provided in accordance with the requirements of the RMS, AS2890, the relevant parts of the applicable Council Development Control Plans and NRDC.
57. Prior to the issue of the Occupation Certificate, any existing vehicular crossings rendered unnecessary by this development are to be removed, and the kerb restored to upright kerb where the adjacent kerb is upright.

This must be included in the Civil Construction Certificate.

58. Prior to the issue of a Building Construction Certificate, the adequacy of parking, car parks and vehicular accesses for the development is to be demonstrated by the submission of standard scale plans with manoeuvring paths shown in accordance with AS2890. This must clearly demonstrate that the development including the overnight parking areas will function as intended. The parking area plans are to be submitted and approved by the Certifying Authority.
59. Grades and paths of travel for persons with disabilities are to be provided from car parking bays through to the main entrance of the building. Access provisions are to be in accordance with AS1428.1 and the Building Code of Australia.

Earthworks

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60. Detailed plans of earthworks including an Earthworks Management Plan must be submitted to Council or accredited private certifier for assessment and approval prior to the issue of a Building Construction Certificate.

The Earthworks Management Plan is to be prepared in accordance with Council's guidelines. The guidelines are listed in the Advices section of this Notice.

61. Any fill earthworks to be undertaken on the site must be carried out in accordance with the placement and compaction of fill described in AS 3798, Level 1 inspection and testing and NRDC.

Prior to the release of the Building Construction Certificate, an earthworks management plan shall be submitted to the certifying authority for approval. The plan shall consider and detail any required works, to the satisfaction of Council, including but not limited to :

- a Any unsuitable material proposed to be removed from the site must be classified to determine if it meets one of the EPA's General Waste Exemptions (as per clause 51 of the POEO (Waste) Regulation 2005) or if it is not an exemption it must be classed as per the EPA's Waste Classification Guidelines. It can then be determined if this material can be reused or if this material must be disposed of at an approved waste facility.
- b Identification and treatment of acid sulphate soils
- c Approval of the source and type of fill material demonstrating that it meets one of the EPA's Waste exemptions.
- d Placement, compaction and testing of fill material

Prior to release of the Occupation Certificate, a NATA registered geotechnical testing authority shall submit documentary evidence in the form of level 1 certification of the completed works.

62. Prior to release of the Occupation Certificate, certification from the Geotechnical Inspection And Testing Authority who undertook Level 1 inspection and testing, in accordance with AS3798, will be required confirming that the filled area is suitable for the intended purpose. All testing as required in AS3798 and NRDC must be submitted.
63. A Works-As-Executed plan, showing both original levels and finished surface levels after filling material has been placed on the site and compacted, is to be submitted to and approved by the certifying authority prior to the issue of the Occupation Certificate for any area involving earthworks.
64. Any excavation resulting in disturbance of more than one tonne of soil at a depth of greater than 2m below natural ground surface, or work that is likely to lower the watertable beyond 2m below natural surface shall comply with Council's Acid Sulfate Soil management provisions.
65. Where earthworks are proposed for the site, professional details of the Geotechnical Inspection and Testing Authority involved in the project are to be submitted to

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Council or accredited private certifier for approval. Details of the Geotechnical Engineer involved in the design must be submitted prior to the issue of the Building Construction Certificate whilst details of the Geotechnical Inspection And Testing Authority involved in the construction must be submitted prior to the commencement of works but preferably prior to the issue of the Construction Certificate. The details are to include NATA accreditation, qualifications and accreditations of the principal geotechnical professionals who will be certifying the design and construction, insurances held and any other relevant material.

Erosion and Sediment Control

66. A detailed Erosion and Sediment Control Management Plan for each stage of the development must be submitted for assessment and approval by Council or accredited private certifier, prior to issue of the relevant Construction Certificate. This shall be compatible with the Stormwater Management Plan and must include procedures for clean-up and restoration of public / private property and infrastructure, affected by any earthworks operations. All such remedial works are to be completed to the satisfaction of Council. This shall include WSUD components of the proposed drainage system.
67. The applicant must ensure that vehicles or plant associated with the works do not adversely impact on the roadways to such an extent that cause them to become untrafficable for other road users particularly during wet weather. Any such damage is to be rectified by the contractor immediately.
68. The developer must bear any costs relating to alterations and extensions of existing roads, drainage and services for the purposes of the development.

Building Conditions

Demolition

69. The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with Clarence Valley Council's Asbestos Policy and the relevant requirements of WorkCover NSW and the NSW Department of Environment & Heritage (formerly the Environment Protection Authority), including:
 - a Work Health and Safety Act 2011 and associated regulations
 - b WorkCover NSW Code of Practice for the Safe Removal of Asbestos
 - c Australian Standard 2601 (2001) - Demolition of Structures
 - d The Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Waste) Regulation 1996.

A copy of Council's Asbestos Policy is available on Council's web site at www.clarence.nsw.gov.au or a copy can be obtained from Council's Customer Service Centres.

70. A Demolition Work Plan must be prepared for the development in accordance with Australian Standard AS2601-2001, Demolition of Structures. The Work Plan must

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include the following information (as applicable):

- a The name, address, contact details and licence number of the Demolisher/Asbestos Removal Contractor
- b Details of hazardous materials, including asbestos
- c Method/s of demolition and removal of asbestos
- d Measures and processes to be implemented to ensure the health & safety of workers and community
- e Measures to be implemented to minimise any airborne asbestos and dust
- f Methods and location of disposal of any asbestos or other hazardous materials
- g Other relevant details, measures and requirements to be implemented as identified in the Asbestos Survey
- h Date the demolition and removal of asbestos will commence

The Demolition Work Plan must be submitted to Council and the Principal Certifying Authority (PCA) if the Council is not the PCA, not less than two (2) working days before commencing any demolition works involving asbestos products or materials. A copy of the Demolition Work Plan must also be maintained on site and be made available to Council officers upon request.

Note *it is the responsibility of the persons undertaking demolition work to obtain the relevant WorkCover licences and permits.*

- 71. Only a WorkCover licensed demolition or asbestos removal contractor must undertake removal of more than 10 m² of bonded asbestos (or as otherwise specified by WorkCover or relevant legislation). Removal of friable asbestos material must only be undertaken by contractor that holds a current friable asbestos removal licence.
- 72. On demolition sites involving the removal of asbestos, a professionally manufactured sign must be clearly displayed in a prominent visible position at the front of the site, containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" and include details of the licensed contractor. The sign shall measure not less than 400mm x 300mm and the sign is to be installed prior to demolition work commencing and is to remain in place until such time as all asbestos has been safely removed from the site.
- 73. Asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Waste) Regulation 1996. Asbestos waste must be disposed of at an approved waste disposal depot. Copies of all receipts detailing method and location of disposal must be maintained on site and be provided to Council officers upon request, as evidence of correct disposal.
- 74. An Asbestos Clearance Certificate or Statement, prepared by a suitably qualified person (i.e. an occupational hygienist, licensed asbestos removal contractor, building consultant, architect or experienced licensed building contractor), must be provided to Council upon completion of the asbestos related works (prior to an

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Occupation Certificate being issued), which confirms that the relevant requirements contained in the Asbestos Survey and conditions of consent, in relation to the safe removal and disposal of asbestos, have been satisfied

General

75. A person who causes an excavation that extends below the level of the base of the footings of a building on an adjoining allotment of land shall, at their own expense and where necessary:
- a Preserve and protect the building from damage; and
 - b If necessary, underpin and support the building in an approved manner, details of which are to be submitted with the application for the Construction Certificate and certified by a professional engineer or an accredited certifier.

The person who causes this excavation must, at least seven (7) days before commencing this work, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to this owner of the proposed work. (Note: An adjoining allotment of land includes a public road and any other public place. A building includes a fence).

76. A suitable enclosure shall be provided on site, during construction, for depositing waste materials that could become wind blown. Waste materials shall be disposed of to an approved recycling service or waste depot. No burning of waste materials shall occur.
77. A fully dimensioned and notated work as executed sewer drainage and storm water plan is to be submitted to Council and the property owner upon completion of all drainage lines. A Certificate of Compliance for Plumbing and Drainage Work shall be submitted to Council upon completion of work.
78. At least 24 hours notice shall be provided to Council for the purpose of inspecting the following:
- a plumbing work prior to covering/lining walls
 - b sewer drainage work prior to back filling/lining
 - c final inspection of plumbing and drainage work.
79. The waste management plan submitted with this application shall be complied with during demolition/construction work and all measures required for the ongoing use of waste management facilities in the development shall be in place prior to the issue of the Occupation Certificate.
80. Details of where all waste materials will be stored on site during construction must be provided prior to issue of the construction certificate.

Details of where waste and recycling bins will be stored and collected for the Administration building and Stores building must be provided prior to issue of the construction certificate.

81. Working hours on the construction project being limited to the following:

7.00 am to 6.00 pm 6 days per week No work permitted on Sundays and public

holidays

The builder to be responsible to instruct and control sub contractors regarding the hours of work and the requirements of the Protection of the Environment Operations Act 1997 and Regulations.

82. The development is not to be occupied or used until such time as an Occupation Certificate has been issued.
83. The roof covering is to be of a colour which does not produce glare which adversely affects the amenity of adjoining properties. White colorbond, galvanised iron and zincalume are not permitted.
84. Prior to commencement of works, a sign must be erected in a prominent position on any work site on which work is being carried out:
 - a Stating that unauthorised entry to the work site is prohibited;
 - b Showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside of working hours, and
 - c Showing the name, address and telephone number of the principal certifying authority for the work.

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

85. Building equipment and/or materials shall be contained wholly within the site and shall not be stored or operated on the footpath or roadway, unless specific written approval has been obtained from Council beforehand.

All excavations and back filling associated with the erection and demolition of a building must be executed safely and in accordance with appropriate professional standards and must be properly guarded and protected to prevent them from being dangerous to life or property.

86. Where the work is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or building involves enclosure of a public place, the following must be provided:
 - a A hoarding or fence must be erected between the work site and the public place.
 - b If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
 - c The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
 - d Any such hoarding, fence or awning is to be removed when the work has been completed.
87. Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:
 - a A standard flushing toilet, connected to a public sewer, or
 - b An approved temporary chemical closet.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

Trade Waste Conditions

88. Approval to discharge liquid trade waste to Council's sewerage system shall be obtained prior to release of the Construction Certificate.
89. All liquid trade waste from the washbay and mechanical workshop shall pass through collection wells. A non emulsifying pump with suction inlet at least 300mm above the bottom of the collection well shall be used to pump the waste to an approved oil separator with an oil collection container and sludge withdrawal system. The oil separator shall be sized according to the influent flow rate. The pre treatment plant shall be within a bunded area that shall drain back to the collection well.
90. All chemical, oil storage containers and emulsion shall be stored within roofed and bunded areas with either the bund having the capacity to retain 110% of the volume of the largest container or other acceptable means of containment.
91. The workshop and washbay shall be roofed and bunded to prevent the ingress of stormwater into the sewerage system and the discharge of pollutants to the environment
92. The washbay roof shall overhang the perimeter of the bunded area by no less than 10° from the vertical on all open sides to minimise rainwater blow in.

Landscaping

93. All landscaping works are to be completed in accordance with the approved plan prior to the Occupation Certificate being issued.

The onsite landscaping is to be maintained on a regular basis, to comply with the approved plans.