

DATE OF DETERMINATION	26 October 2016
PANEL MEMBERS	Pam Allan (Chair), Renata Brooks, Clare Brown, Peter Bray and Phillip Gibbons
APOLOGIES	None
DECLARATIONS OF INTEREST	<ul style="list-style-type: none"> • Renata Brooks indicated she has been working for the State Insurance Regulatory Authority – a division of the NSW Department of Finance, Services and Innovation. She noted the applicant is another division of the Department of Finance, Services and Innovation however there is no interaction and did not believe she had a conflict of interest. • Clare Brown indicated she had worked with the applicant's representative on an unrelated project and did not see this as a conflict of interest.

Public meeting held at Queanbeyan-Palerang Regional Council, 257 Crawford St, Queanbeyan on Tuesday, 11 October 2016, opened at 1.30pm and closed at 2.40pm.

Electronic meeting held between 20 October 2016 and 26 October 2016.

MATTER DETERMINED

2016STH019 – Queanbeyan-Palerang Regional Council – 298-2016 - 42 Surveyor St, Queanbeyan (as described in schedule 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, 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.

The Joint Regional Planning Panel in considering the Development Application and informing the resolution of the Panel, is satisfied that the building height variation sought under Clause 4.6 of the Queanbeyan Local Environment Plan QLEP2012 is reasonable in the circumstances of the proposed development on the basis that amended Condition 4 has been accepted by the Applicant to provide for screening of level 2 and 3 glazing on the southern side of the building to protect the privacy of the adjacent residents.

The Panel determined to refer the matter to the Minister with the recommendation to approve the development application, as described in Schedule 1, subject to the conditions as recommended in Schedule 2, including:

- amended deferred commencement conditions A and B, and
- amended Condition 28 that the applicant has not agreed to, and
- the imposition of amended conditions 4, and
- additional condition 43 as agreed by the applicant, and
- deletion of proposed deferred commencement condition C and proposed condition 2.

ADDITIONAL ELECTRONIC MEETING

On 12 October 2016, before the determination record had been finalised, the applicant sent correspondence stating that the Panel had not been advised of a mandatory consideration. The Chair requested a supplementary assessment report from Council, and the Panel considered the supplementary assessment report and correspondence electronically. The Panel members considered the supplementary assessment report and the applicant's correspondence and decided unanimously that the correspondence did not change their decision to refer the Development Application to the Minister.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The proposed development is generally consistent with relevant plans and instruments with the exception of its height, and the Panel is satisfied that the variation is reasonable with imposition of amended condition 4 To ensure that satisfactory measures are in place to mitigate the impact on overlooking and privacy of neighbouring residential premises on Early Street.
- The proposed development has positive social impacts and the proposed amended conditions will mitigate potential negative environmental and social impacts and are intended:
 - To provide adequate on-site car parking to service the development
 - To ensure the provision of adequate lighting within the development for safety and personal security and avoiding vandalism.
 - To ensure that satisfactory measures are in place to provide for environmental management of the construction works

CONDITIONS

The development application was referred to the Minister for approval of three conditions not agreed by the applicant. Approval of the application was recommended subject to all those conditions in the Council Assessment Report (Schedule 2) with the following amendments and inclusions.

Deferred Commencement Condition A amended as follows:

A. "Deferred Commencement" consent is granted subject to:

i) Matters pertaining to condition B (below) being addressed to Council's satisfaction. The applicant is to produce evidence to Council sufficient to enable it to be satisfied as to those matters, within twelve (12) months of "Deferred Commencement" consent being granted. If these matters are not addressed within the prescribed period, the "deferred Commencement" consent will lapse.

REASON: To make it clear that the development consent will not commence until the nominated conditions have been satisfied and that the consent will lapse unless they are satisfied within the timeframe specified. This is in accordance with Section 80(3) of the Environmental Planning and Assessment Act 1979. **(54.02)**

Deferred Commencement Condition B amended to read as follows:

B. ON-SITE CAR PARKING

The applicant shall submit amended plans showing:

- i) Provision of car parking capable of accommodating a minimum of 30 vehicles including at least one disabled parking space.
- ii) Disability access to be provided from the disability space to the building.

REASON: To provide adequate on-site car parking to service the development. (54.01)

Deferred Commencement Condition C is amended as follows:

Deleted

Condition No.2 to be amended as follows:

Deleted

Condition No. 4 to be amended to read as follows:

4. SCREENING OF WINDOWS

Glazing to the second and third stories of the southern elevation of the building to be fitted with opaque glass or opaque film to a height of 1.8 meters above floor level to the inside of the glazing, to mitigate overlooking to adjoining neighbours on Early Street. Details to be submitted to and endorsed by Council prior to certification of the Crown Building Work.

REASON: To ensure that satisfactory measures are in place to mitigate the impact on overlooking and privacy of neighbouring residential premises on Early Street.

Condition No. 28 to be amended to read as follows:

SAFER BY DESIGN

28. LIGHTING IN CAR PARKS AND PUBLIC SPACES

Lighting of the proposed on site car parking spaces must comply with AS 2890.1:2004 – Parking Facilities – Off-Street Car Parking and AS 1158 - Lighting for Roads and Public Spaces.

REASON: To ensure the provision of adequate lighting within the development for safety and personal security and avoiding vandalism. (71.02)






New Condition 43 to be added as follows:

43. SUBMIT A CONSTRUCTION MANAGEMENT PLAN

Prior to the commencement of work a Construction Management Plan for the management of soil, water, vegetation, waste, noise, vibration, dust, hazards and risk for the demolition, excavation and construction works must be submitted to, and endorsed by, Council. The plan must:

- (a) describe the proposed construction works and construction program and,
- (b) set standards and performance criteria to be met by the construction works and,
- (c) describe the procedures to be implemented to ensure that the works comply with the standards and performance criteria and,
- (d) identify procedures to receive, register, report and respond to complaints and,
- (e) nominate and provide contact details for the persons responsible for implementing and monitoring compliance with the plan.

REASON: To ensure that satisfactory measures are in place to provide for environmental management of the construction works. (56.16)

PANEL MEMBERS	
 Pam Allan (Chair)	 Renata Brooks
 Clare Brown	 Peter Bray AM
 Phillip Gibbons	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016STH019 – Queanbeyan-Palerang Regional Council – 298-2016
2	PROPOSED DEVELOPMENT	Demolition of two classrooms and construction of three storey distance education centre
3	STREET ADDRESS	42 Surveyor Street, Queanbeyan
4	APPLICANT/OWNER	Department of Public Works / Department of Education
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • State Environmental Planning Policy No. 55 – Contaminated Land Management • State Environmental Planning Policy (Infrastructure) 2007 • Queanbeyan Local Environmental Plan 2012 • Queanbeyan Development Control Plan • 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report dated 26 September 2016 • Written submissions during public exhibition: None • Written submission from the Administrator of Queanbeyan-Palerang Regional Council dated 5 October 2016 • Copy of the Minutes of the Queanbeyan-Palerang Regional Council Local Development Committee meeting of 27 September 2016. • Supplementary submission by NSW Education re objections to certain proposed conditions of consent and provision of an additional 12 onsite parking spaces dated 10 October 2016. • NSW Planning circular re Crown development applications and conditions of consent. • Verbal submissions at the panel meeting: <ul style="list-style-type: none"> ○ Support – Tim Overall, Administrator – Queanbeyan-Palerang Regional Council – Supporting the recommendation. ○ Object – David Tonge; on behalf of the applicant – objecting to the proposed deferred commencement approval and in particular proposed conditions relating to additional parking, screening to mitigate privacy impacts and lighting to carparking. • Correspondence from applicant dated 12 October 2016 • Supplementary Assessment Report from Council dated 20 October 2016
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	Site inspection on 11 October 2016

		<p>Pam Allan (Chair), Renata Brooks, Clare Brown, Peter Bray and Phillip Gibbons took part in a site visit and briefing Tuesday, 11 October 2016 at 11am.</p> <p>Public meeting was held on Tuesday, 11 October at 1.30pm</p> <p>Electronic meeting was held between 20 October 2016 and 26 October 2016.</p>
9	COUNCIL RECOMMENDATION	Issue of a Deferred Commencement approval.
10	DRAFT CONDITIONS	Listed in attached Schedule 2.

SCHEDULE 2

CONDITIONS OF CONSENT

DEFERRED COMMENCEMENT

- A. "Deferred Commencement" consent is granted subject to:

Amended – see JRPP Minutes – are there actually minutes? They are not attached to this document – shouldn't the reference be to where the conditions are spelt out in this document?

- i) ~~Matters pertaining to conditions B and C (below) being addressed to Council's satisfaction. The applicant is to produce evidence to Council sufficient to enable it to be satisfied as to those matters, within twelve (12) months of "Deferred Commencement" consent being granted. If these matters are not addressed within the prescribed period, the "deferred Commencement" consent will lapse.~~

~~REASON: To make it clear that the development consent will not commence until the nominated conditions have been satisfied and that the consent will lapse unless they are satisfied within the timeframe specified. This is in accordance with Section 80(3) of the Environmental Planning and Assessment Act 1979. (54.02)~~

- B. ON-SITE CAR PARKING

Amended – See JRPP Minutes

~~The applicant shall submit amended plans showing:~~

- i) ~~Provision of a basement car park capable of accommodating a minimum of 30 vehicles with up to 10 additional vehicles to be accommodated above ground between the stair wells on the southern elevation of the building.~~

~~REASON: To provide adequate on-site car parking to service the development. (54.01)~~

- C. ON-STREET PARKING

Condition deleted – See JRPP Minutes

~~The applicant shall submit amended plans showing:~~

- i) ~~Indented parking bays, complying with the requirements of AS2890.5-1993 – On-street parking, are to be provided on the west side of Agnes Avenue adjacent to the subject site, south of the existing bus bay near Surveyor Street.~~

~~A design for the parking shall be submitted to the Road Authority (Council) for approval. The design shall retain the existing street trees and service infrastructure.~~

~~REASON: To provide additional on-street parking and to improve traffic safety. (54.01)~~

Conditions of Operative Consent

DEMOLITION CONTROL

1. SUBMIT ASBESTOS INSPECTION REPORT

Prior to demolition works commencing an asbestos inspection report must be undertaken and submitted to Council.

REASON: To satisfy the requirements of the *Work Health and Safety Act 2011* and to protect public health. **(55.05)**

PRIOR TO COMMENCEMENT

2. BUILDING CONTRIBUTIONS TO BE PAID

Condition deleted – See JRPP Minutes

~~Prior to the lodgment of the Notice to Commence Building Work and Appointment of a Principal Certifying Authority the contributions specified in Schedule 1 of this consent must be paid to Council under the provisions of Section 94 of the Environmental Planning and Assessment Act 1979, Section 64 of the Local Government Act 1993 and Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000.~~

~~REASON: To provide for the funding of augmentation and provision of services and community facilities. (57.02)~~

3. CERTIFICATION OF CROWN BUILDING WORK

The building work cannot be commenced unless the building work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws in force as at:

- (a) the date of the invitation for tenders to carry out the Crown building work, or
- (b) in the absence of tenders, the date on which the Crown building work commences

REASON: To satisfy the requirements of Section 109R of the Environmental Planning and Assessment Act 1979 (57.01)

4. SCREENING OF WINDOWS

Amended – See JRPP report

~~Glazing to the second and third storeys of the southern elevation of the building area to be fitted with fixed screening to mitigate overlooking to adjoining neighbours on Early Street. Details to be submitted to and endorsed by Council prior to commencement.~~

~~REASON: To reduce the impact of overlooking to private open space of adjoining dwellings. (59.01)~~

5. WASTE MANAGEMENT AND COLLECTION

Prior to commencement an amended site plan is to be submitted to and endorsed by Council, clearly demonstrating that a suitable waste management area can be located on the site and that a front-lift loading collection vehicle can enter and exit the site in a forwards direction to collect waste from the waste management area.

REASON: To ensure that suitable arrangements can be made for the removal of waste from the site (57.01)

6. ERECT A SIGN FOR ANY DEVELOPMENT WORKS

A sign must be erected and maintained in a prominent position on any site on which building or demolition work is being carried out;

- (a) Showing the name, address and telephone number of the Principal Certifying Authority for the work.
- (b) Showing the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours.
- (c) Stating that unauthorised entry to the work site is prohibited.

REASON: To satisfy the provisions of Clause 136B and 227A of the Environmental Planning and Assessment Regulation 2000. (57.08)

7. SUBMIT A TRAFFIC MANAGEMENT PLAN

Prior to work commencing a Traffic Management Plan for the construction works must be submitted to, and approved by, Council under the provisions of Section 138 of the Roads Act 1993.

REASON: To ensure that adequate arrangements are made for traffic and pedestrian safety during the construction works. (57.13)

8. PROVIDE WORKERS TOILET FACILITIES

Adequate toilet facilities for workers must be provided at or in the vicinity of the work site.

REASON: To provide suitable and hygienic toilet facilities for use by people visiting or working on the site. (57.09)

SITE MANAGEMENT DURING DEMOLITION AND CONSTRUCTION

9. PROVIDE WASTE STORAGE RECEPTACLE

A waste receptacle must be placed on the site for the storage of waste materials.

REASON: To prevent pollution of surrounding areas. (58.02)

10. INSTALL EROSION AND SEDIMENT CONTROLS

Erosion and sediment controls must be installed on the site and maintained during the construction period.

REASON: To prevent soil erosion, water pollution and the discharge of loose sediment on surrounding land. (58.03)

11. HOURS OF OPERATION FOR WORKS

All works associated with the construction of this development must be carried out between the following hours:

Weekdays:	7.00am to 6.00pm
Saturdays:	8.00am to 4.00pm
Sundays and Public Holidays:	NIL

REASON: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality. (58.04)

12. WORK ON ADJOINING LAND IS LIMITED

The verge and other adjoining lands must not be used for storage of materials or disturbed by construction activities except for:

- (a) Installation of a temporary, stabilised construction access across the verge.
- (b) Installation of services.
- (c) Construction of an approved permanent verge crossing.

REASON: To minimise interference with the verge and its accessibility by pedestrians. (58.05)

13. REPAIR DAMAGED PUBLIC PROPERTY

All damage caused to public property during the establishment of the development must be repaired or reinstated prior to the issue of any Occupation Certificate.

REASON: To ensure that all public property in the vicinity of the development is maintained in its pre-development condition. (58.06)

14. WORKS SITES TO BE FENCED

A fence must be erected between the development site and public places before commencement of any other work.

REASON: To ensure that an effective barrier is provided to preserve the safety of people and property in public places. (58.07)

15. TEMPORARY VEHICLE ACCESS

Temporary vehicle access to the site must be stabilised to prevent the tracking of sediment onto the roads and footpath. Soil, earth, mud or similar materials must be removed from the roadway by sweeping, shovelling, or a means other than washing, on a daily basis or as required. Soil washings from wheels must be collected and disposed of in a manner that does not pollute waters.

REASON: To minimise transfer of soil from the site onto the road pavement. (58.08)

GENERAL CONDITIONS

16. IN ACCORDANCE WITH THE APPROVED PLANS

The development must be carried out generally in accordance with all of the documents accompanying the development application and with the plans bearing the Council approval stamp, and any amended plans approved under subsequent modification(s) to the development consent, except where varied by notations made in red ink by Council or conditions of approval.

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

REASON: To ensure the development is completed in accordance with the approved plans and the development consent. (59.02)

BUILDING

17. COMPLY WITH THE BUILDING CODE OF AUSTRALIA

All building work must be carried out in accordance with the requirements of the Building Code of Australia.

REASON: This is a prescribed condition under the provisions of clause 98 of the Environmental Planning and Assessment Regulation 2000. (60.02)

18. ALL WORKS TO BE CONFINED TO THE SITE

All demolition, excavation, backfilling, construction and other activities associated with the development must:-

- (a) Be carried out entirely within the allotment boundaries unless otherwise approved by Council.
- (b) Comply with the requirements of AS 2601-2001 – The demolition of structures.
- (c) If within one metre of the verge, the site must be protected by a hoarding which must be erected prior to the commencement of the demolition works.
- (d) Be kept clear of stormwater, sewer manholes and service easements on the site.

REASON: To ensure that all development activity associated with the development does not pose a hazard to life or property and that the effectiveness of public services is not impaired. (60.05)

19. SUBMIT SURVEY PLAN SHOWING BOUNDARY SETBACKS

The building must be set out by a Registered Surveyor in accordance with the datum shown on the approved plans. A survey plan that identifies the location of the building in relation to the allotment boundaries must be prepared upon completion of the base course brickwork and then be submitted to the Principal Certifying Authority.

REASON: To ensure building has been sited in accordance with the approved plans. (60.08)

FIRE SAFETY MEASURES

20. SUBMIT FINAL FIRE SAFETY CERTIFICATE

At the completion of works, a Final Fire Safety Certificate detailing each essential fire safety measure provided in the building must be issued by the owner and must be submitted to Council. Copies the certificate must also be given to the Fire Commissioner and be prominently displayed in the building.

REASON: To ensure compliance with the Environmental Planning and Assessment Regulation 2000. (61.02)

21. SUBMIT ANNUAL FIRE SAFETY STATEMENT

Each year, the owner of the building must submit to Council an Annual Fire Safety Statement for the building. The Annual Fire Safety Statement must address each Essential Fire Safety Measure in the building.

REASON: To ensure compliance with the Environmental Planning and Assessment Regulation 2000. (61.03)

CARPARKING AND ACCESS

22. DRIVEWAY CONSTRUCTED OVER THE VERGE

The development must include the construction of a commercial type driveway over the verge at the location shown on the approved plans.

This driveway vehicle kerb crossing and the driveway apron must be constructed by Council or by a Council approved contractor at no cost to the Council.

A driveway application form must be submitted to and approved by Council prior to the commencement of driveway works.

REASON: To ensure satisfactory construction of a driveway over the verge. (66.02)

23. ALL SURFACES TO BE CONCRETE OR BITUMEN SEALED

All parking spaces, loading bays, driveways and turning aisles must be concrete or bitumen sealed, with all parking spaces line marked.

REASON: To ensure car parking spaces are functional prior to use of the premises. (66.06)

24. DRIVEWAY APPLICATION FORM

A driveway application form must be submitted to and approved by Council prior to commencement of driveway works and construction of the driveway across Council's footway area must be undertaken by Council or contractors approved by Council, at no cost to the Council.

REASON: To ensure the construction of the driveway on public land meets Council's requirements. (66.10)

CONSTRUCTION OF INFRASTRUCTURE

25. INSPECTIONS – ROAD AUTHORITY

Inspections must be performed by the Road Authority (Council) when works in the public road reach the following stages:

- (a) immediately prior to pouring of kerb and/or gutter;
- (b) immediately prior to connection of new storm water pipes to the existing stormwater network,
- (c) subgrade immediately prior to the placement of sub-base material, and
- (d) sub-base immediately prior to the placement of base material;
- (e) .base immediately prior to the placement of pavement material; and
- (f) final inspection.

Council's Development Engineering section must be given 24 hours notice of the need for these inspections.

Note Any inspections carried out by Council do not imply Council approval or acceptance of the works, and do not relieve the Developer from the requirements to provide an Engineering Construction Certificate Report in accordance with Council's Design and Construction Specifications.

REASON: To ensure that road works are constructed in accordance with Council requirements. (67.03)

26. WORK IN ACCORDANCE WITH ENGINEERING SPECIFICATIONS

All construction and restoration work within the road reserve must be carried out strictly in accordance with the approved drawings and Council's *Queanbeyan Design and Construction Specifications* (Version 3.2, dated January 2013).

REASON: To ensure construction and restoration work is in accordance with Council's requirements. (67.05)

27. PROTECTION OF WORKS ON PUBLIC ROADS

Lighting, fencing, traffic control advanced warning signs must be provided for the protection of works and for the safety and convenience of the public, in accordance with Council's *Queanbeyan Design and Construction Specifications* (Version 3.2, dated January 2013).

Traffic movement in both directions on public roads and vehicular access to private properties must be maintained at all times, during the currency of the works.

REASON: To ensure an adequate level of public safety and convenience during construction. (67.06)

SAFER BY DESIGN

28. LIGHTING IN CAR PARKS AND PUBLIC SPACES

Amended – See JRPP Report

~~Lighting in public spaces must comply with AS 2890.1:2004 – Parking Facilities – Off Street Car Parking and AS 1158 – Lighting for Roads and Public Spaces.~~

~~REASON: To ensure the provision of adequate lighting within the development. (71.02)~~

29. ENTRANCE LIGHTING

A light must be installed to illuminate each entrance to the building.

REASON: To ensure that entries are clearly identified. (71.03)

30. PASSIVE SURVEILLANCE TO EASTERN STAIRS

Elements of visual permeability must be added to the wall adjacent to the stairs on the eastern side of the site in order to allow passive surveillance to and from the stairway and entry to the building as viewed from Agnes Avenue.

REASON: To reduce concealment opportunities and provide passive surveillance to the stairs and entry to the building. (71.01)

LANDSCAPING

31. RETAIN AND PROTECT TREES

Trees nominated to be retained on the approved plan must be protected by cyclone/chain mesh fencing.

The fencing must:

- (a) extend around the drip line of the tree;
- (b) be erected prior to commencement of work; and
- (c) remain in place until all site works have been completed.

REASON: To ensure that trees are protected from damage during construction. (73.08)

32. LANDSCAPING WORKS COMPLETED BY AN ACCREDITED CONTRACTOR

All landscaping must be completed by a Council accredited Category 2 landscape contractor in accordance with approved landscape plan bearing the Council approval stamp.

REASON: To help ensure a high standard of landscape works. (73.02)

ENVIRONMENTAL

33. ASBESTOS REMOVAL AND DISPOSAL

Asbestos material found on the site must be removed and disposed of in accordance with the *Work Health and Safety Act 2011*, and the NSW WorkCover Guidelines.

Asbestos material must be disposed of to a landfill site approved for that purpose by the Environmental Protection Authority of NSW or equivalent authority in the ACT. Written evidence that the material has been disposed of to the approved landfill must be submitted to the Principal Certifying Authority.

REASON: To ensure the proper disposal of asbestos material. (76.07)

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

34. OBTAIN OCCUPATION CERTIFICATE BEFORE OCCUPATION

Occupation or use of whole or part of the building must not commence unless an Occupation Certificate has been issued in relation to the building or part.

REASON: To satisfy the provisions of Section 109M of the Environmental Planning and Assessment Act 1979. (78.02)

34A. CONSOLIDATION / BOUNDARY ADJUSTMENT

Prior to the issue of a final occupation certificate, the lots containing the proposed building and works shall be consolidated to ensure the building is not located across lot boundaries.

ON-GOING MANAGEMENT OF THE DEVELOPMENT

35. MAINTAIN CAR PARKING AREAS AND DRIVEWAY SEALS

All sealed car parking areas, loading bays, manoeuvring areas and driveways must be maintained in a trafficable condition.

REASON: To ensure car park areas are useable. (79.02)

36. CAR PARKING SPACES TO BE KEPT FREE AT ALL TIMES

All car parking spaces, loading and unloading areas, vehicle manoeuvring and driveway areas must not be used for the storage of any goods or materials and must be available for their intended use at all times.

REASON: To ensure such areas are available for occupants and visitors of the site. (79.05)

PLUMBING AND DRAINAGE

37. PLUMBING AND DRAINAGE INSTALLATION REGULATIONS

Plumbing and drainage work must be carried out in accordance with the requirements of the Local Government (General) Regulation 2005, the Plumbing and Drainage Act 2011 and Regulations under that Act and with the Plumbing Code of Australia. Such work must be carried out by a person licensed by the NSW Department of Fair Trading.

REASON: This is a mandatory condition under the provisions of the Local Government (General) Regulation 2005. (80.02)

38. INSPECTION OF PLUMBING AND DRAINAGE

Plumbing and Drainage must be inspected by Council at the relevant stages of construction in accordance with Council's inspection schedule.

REASON: To ensure compliance with the inspection requirements of Plumbing and Drainage Regulation 2012 and Council's inspection schedule. (80.03)

39. FLOOR LEVEL TO BE 150mm ABOVE YARD GULLY

The floor level of areas with fixtures connected to sewer must be at least 150mm above overflow level of the yard gully and surface water must be prevented from entering the yard gully.

REASON: To ensure any sewage surcharges occur outside the building and to prevent surface water from entering the sewerage system. (80.05)

40. HEATED WATER NOT TO EXCEED 50 DEGREES C

All new heated water installations, must deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding 50° Celsius.

All heated water installation for any accessible facility must deliver hot water at a temperature not exceeding 45° Celsius.

REASON: To prevent accidental scalding. (80.07)

41. STORMWATER DISPOSAL REQUIREMENTS

All stormwater from the site must be trapped and piped to the street stormwater system via an on-site detention system to limit the discharge from the site to the pre-development rate for a 1 in 5 year recurrence interval storm event.

REASON: To provide satisfactory stormwater disposal. (80.08)

42. INSULATE HEATED AND COLD WATER SERVICE PIPES

Heated and cold water service pipes installed in the following areas of the building must be insulated in accordance with the requirements of AS 3500: Plumbing and Drainage:

- (a) unheated roof spaces
- (b) locations near windows, ventilators and external doors where cold draughts are likely to occur
- (c) locations in contact with cold surfaces such as metal roof and external metal cladding materials.

REASON: To prevent the water service being damaged by water freezing within the pipes due to local climatic conditions. (80.12)

New Condition 43 to be added – See JRPP Report

43. SUBMIT A CONSTRUCTION MANAGEMENT PLAN

Prior to the commencement of work a Construction Management Plan for the management of soil, water, vegetation, waste, noise, vibration, dust, hazards and risk for the demolition, excavation and construction works must be submitted to, and endorsed by, Council. The plan must:

- (a) describe the proposed construction works and construction program and,
- (b) set standards and performance criteria to be met by the construction works and,
- (c) describe the procedures to be implemented to ensure that the works comply with the standards and performance criteria and,
- (d) identify procedures to receive, register, report and respond to complaints and,
- (e) nominate and provide contact details for the persons responsible for implementing and monitoring compliance with the plan.

REASON: To ensure that satisfactory measures are in place to provide for environmental management of the construction works. (56.16)

NOTE

NSW POLICE COMMENTS

NSW Police provide the following recommendations in relation to Crime Prevention through Environmental Design.

- It is noted that CCTV equipment will be installed within this new development. Cameras should be installed both within the around the premises to maximize surveillance opportunities.
- Cameras should monitor access and egress points. If there is a limited number of cameras in use, ones should be placed on areas where natural surveillance is the poorest and in areas where theft and damage cost could be the highest (i.e. computer room).
- It is recommended that a camera be placed on the access door on the western wall where natural surveillance is minimal.
- TV monitors should enable staff to monitor activities on the camera.
- Recording equipment should be securely installed in an effort to avoid tampering.
- It is noted that a number of native trees will be selected for planting in the area. It is important that these trees are well maintained to ensure that no entrapment or concealment opportunities exist under the trees. This is of particular importance in the area where they are planted around the garage area as natural surveillance to this area is already limited.
- Care should be taken when placing plants in areas where there will be lighting to ensure they do not cast unnecessary shadows. Consideration should be given to where shadows may be casted once the trees become mature. Shadowed areas can create concealment opportunities for the 'would be' criminal to hide.
- It is important that the proposed planter boxes are adequately secured. This will reduce the chances of items being used from the planter boxes to gain access to the building, causing damage or to be used as weapons. It is also important that the planter boxes are adequately positioned away from the building so they cannot be used as a climbing aid to gain access to upper levels of the building.
- As lighting structures in similar locations are often targeted for malicious damage it is important that the structures are designed from material that will minimise damage sustained from such attacks. Bollard lighting is often damaged.
- It is important that lighting provides an even distribution of light, with no glare. This is to ensure that lighting doesn't create dark areas that can be used as entrapment or concealment locations.
- Install security lighting on approach to entry/exit points. NB: Consider installing sensor lighting, which is cost effective as it only, activates when movement is detected within the zone.
- It is important to note that lighting should match any CCTV equipment installed. This is to ensure the CCTV captures clear images that will assist in the identification of all persons, and activities, within the recorded area.
- A lighting maintenance policy needs to be established for the development.
- All gates should be kept closed and locked when not in use and regularly maintained to assist with the protection of the property.
- Effective signage and directions will provide guidance to visitors/customers in locating main areas and keep them away from restricted areas.
- Signs can also assist in controlling activities and movements throughout the premises.
- Signage also needs to be provided at entry/exit points and throughout the development to assist users and warn intruders they will be prosecuted.
- It is important that the garage and plant room are adequately secured when not in use.
- Windows should also be fitted with key operated locksets (Australia and New Zealand Standard — Lock Sets) to restrict unauthorized access to the development.

- Windows can also be re-enforced to restrict unauthorized access by applying shatter resistant film or by using laminated glass. Internal doors to rooms with high value equipment should also be adequately locked when not in use.
- To enhance the security of the premises a monitored intruder alarm system is recommended.
- Consider incorporating a duress facility into the system to enable staff to activate the system manually in the event of an emergency.

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