

MEMO

To: Hunter and Central Coast RPP
From: Senior Development Planner - Andrew Leese Ext: 1201
File: DA/458/2019 **Reference:** 2019HCC016 **Date:** 16 September 2019
Subject: Additional Information and Amendments to Draft Conditions - 45 Pendlebury Road, Cardiff

1. Clarification of bedroom floor area

In Table 1 of the Assessment Report it states that the three bedroom dwellings do not comply with the minimum 95m² in floor area. All the three bedroom dwellings in the amended plans (dated 23.08.2019) are 95.6m² and now comply.

2. The following conditions (found in Attachment A) are recommended to be amended as follows:

Conditions No's 8 and 22 – merging as follows:

Concrete Footpath

~~A design plan for concrete footpaths 1.2 metres wide along the full length of the street frontage shall be submitted. Concrete foot paving shall be constructed in accordance with Lake Macquarie City Council standard drawing EGSD-301 which is available from Councils website. No works shall commence prior to the issue of a Public Works Certificate in accordance with s138 of the Roads Act 1993. Any works on a public road shall be approved by Council.~~

Concrete Footpath

Plans shall be submitted demonstrating concrete footpaths 1.2 metres wide and associated disabled access ramps (sahara in colour) at the kerb shall be constructed/reconstructed along the full length of the street frontage of the development (Pendlebury Road) and to the bus stop on the northern side of Munibung Road. Footpath paving shall consist of plain concrete, 80mm thick, with a broom or wood float finish. No works shall commence prior to the issue of a ~~Construction Certificate~~ Public Works Certificate in accordance with s138 of the Roads Act 1993. Any works on a public road shall be approved by Council.

Condition No 13 – slight amendment:

Disability Access Design Audit

A disability access design audit which has been certified by an accredited access consultant shall be submitted, certifying the ~~development's~~ *adaptable units'* compliance with the *Building Code of Australia* and the *Disability Discrimination Act 1992* in relation to the provision of equity in access for disabled persons.

This certification shall be submitted to the Certifying Authority with the application for a Construction Certificate.

Note:

- a) Compliance with the Building Code of Australia only, can still leave a building professional or building owner in contravention of the *Disability Discrimination Act 1992*.
- b) The Association of Consultants in Access Aust Inc at www.access.asn.au may be able to provide further information.

Condition No's 14 and 21 – merging as follows:

Bus Shelters

A bus shelter shall be provided at the closest bus stops on the north and south sides of Munibung Road, at the cost of the person having the benefit of this consent.

~~The bus shelter shall be Shale Grey, or as specified in the relevant *Town Centre Streetscape Masterplan* and *Technical Guideline*.~~

~~A Public Works Certificate approval under Section 138 of the *Roads Act 1993* shall be obtained from Council for the construction bus stop concrete slabs and footings, and the installation of a bus shelter.~~

Disability Access

Plans demonstrating upgrade to the bus stops located on Munibung Road shall be submitted. The works shall comply with the Disability Discrimination Act (DDA) and include:

- Construction of a concrete pad;
- Installation of Tactile Ground Surface Indicators (TGSIs) in accordance with AS 1428.4.1:2009 (Section 3.6);
- Installation of one (1) Atessa Park Seat. Contact Council's Asset Management Department for further information.

A Public Works Certificate approval under Section 138 of the *Roads Act 1993* shall be obtained from Council for the construction bus stop concrete slabs and footings, and the installation of a bus shelter.

3. The following conditions are recommended for inclusion in the final consent:

X. Stormwater Disposal - Stormwater Detention and Harvesting (Prior to CC)

A Stormwater Detention and Harvesting Plan shall be submitted. The plan shall be generally in accordance with the plans approved by the Development Consent prepared by Michael Fitzgerald Ref: 18=5416 dated Jul 2019. The stormwater plans approved by this development consent are not approved for construction. The stormwater plans shall comply with the following:

- a) Stormwater shall be disposed of through a piped system designed in accordance with *Australian Standard AS 3500* by a suitably qualified professional. The design shall be undertaken by a practising Civil Engineer deemed to be suitably experienced by Council and qualified so as to be accepted as a Member of the Institution of Engineers Australia or a Registered Surveyor deemed to be suitably experienced by Council shall be accepted as qualified to prepare plans for drainage works (excluding flood control structures and bridges). Qualifications demonstrating the above may be requested by Council. Stormwater detention measures shall be designed to ensure the development does not increase upstream or downstream flood levels for all recurrence intervals up to and including the 1% Annual Exceedance Probability.
- b) Detention storage shall be calculated and designed in accordance with *Australian Rainfall and Runoff 2019* and the Lake Macquarie City Council guideline – *Handbook for Drainage Design Criteria* and shall conform to the specifications and standards contained in *Development Control Plan 2014 Engineering Guidelines*.
- c) Stormwater harvesting measures shall be designed in accordance with the *Development Control Plan 2014 Water Cycle Management Guideline*. Stormwater drainage plans shall include details of the harvesting system, including rainwater tank details, pump details and reticulation diagrams.
- d) The site drains into a Hunter Water owned concrete channel. Consent is required from Hunter water to drain over and connect into their infrastructure. Hunter Water's approval is to be obtained prior to the issue of the Construction Certificate.
- e) A suitbale grade is to be provided (suggested 1%) between the outlet invert into Hunter Water's drain and the invert of the orifice within the detention tank.
- f) The location of a permanent metal sign (minimum dimensions 150mm x 220mm) shall be detailed on the plans in a visible location near the detention orifice plate or onsite detention entry with the following wording:

THIS IS AN ONSITE STORMWATER DETENTION
SYSTEM REQUIRED BY LAKE MACQUARIE CITY
COUNCIL.

It is an offence to reduce the volume of the tank or basin or
to interfere with the orifice place that controls the outflow.

The base of the outlet control pit and the debris screen shall
be cleaned of debris and sediment on a regular basis.

This plate shall not be removed

X. Stormwater Disposal - Stormwater Detention and Harvesting (Prior to OC)

All drainage works shall be carried out in accordance with the approved Construction Certificate plans.

Prior to the issue of an Interim or Final Occupation Certificate, whichever comes first, a Works As Executed Plan shall be prepared by a surveyor and submitted to the Certifying Authority that demonstrates compliance with the approved Construction Certificate. If there are any changes from the Construction Certificate these shall be highlighted in a different colour on the plan and certification shall be provided from the design engineer the changes do not affect the stormwater design outcomes.

4. The following conditions are recommended for deletion from any final consent:

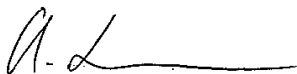
Condition No 29 – delete – erosion issues conditioned via No's 7, 25 and 31.

Condition No 44 – delete – erosion issues conditioned via No's 7, 25 and 31.

Condition No 62 – delete – as SEPP HSPD is not applicable to this development.

Condition No 71 – delete – crime prevention matters conditioned via No's 23 and 81.

The applicant has been provided with a a copy of this memo.



Andrew Leese
Senior Development Planner
Development Assessment & Compliance Department