

ADDENDUM ASSESSMENT MEMORANDUM (PPSNTH-49)

The following is Council's response to queries (in Blue) from a Panel member, through the Chair (emailed 7 Dec 2020).

RFS advice: I assume the words "to come" in parentheses in relation to the response from the RFS on the penultimate page of the assessment Appendix should have been deleted? The report and conditions indicates the required RFS submission has informed the recommendations, but I couldn't find the RFS letter in the Planning Portal documents?

Response:

Yes, 'to come' was meant to be omitted from the title in the report.

NSW RFS response dated 19 November 2020 informed the conditions. It is uploaded onto the NSW Planning Portal under reference No. CNR9697 (RFS Determination Letter A11086).

Condition 7 Required easement or land transfer – noting that there is the required owner's consent from TfNSW in relation to the DA lodgement including Lot 25 this condition appears reasonable, but why is the pre CC requirement only for evidence of 'lodgement' of the required documentation with LTO and not 'registration'? If it is a case of enabling the project to commence in advance of a lengthy legal process, perhaps this could remain but evidence of registration should then be required prior to occupation?

Response:

Registration can take many months. By requiring lodgement prior to CC Council has certainty that it is in the process of registration without it holding up the whole development if required at the end. The condition is replicated at Condition 46 requiring evidence of registration at OC. (subsequent conditions after this are renumbered).

Condition 10 Still has some key details to be inserted (Solitary Islands Way / BAR (basic right turn)??) – also the first part envisages a Subdivision Certificate being issued? Is that correct?

Response:

Condition 10 is corrected to read:

Access to the development from Solitary Island Way being provided by the construction of an Austroads Type BAR intersection prior to issue of an Occupation Certificate.

Plans and specifications of the works are to be submitted to and approved by Council prior to issue of a Civil Works Certificate.

Condition 37 Private Water Supply. Do the Act and Guidelines quoted specify the required quantity / capacity of supply including drought security, as well as its potable quality? This is especially important given the type of facility including a high number of occupants.

Response:

The Public Health Act 2010, and in particular Division 1 *Safety Measures for Drinking Water*, establishes offences in relation to unsafe drinking water.

The Australian Drinking Water Guideline 2011 provides the framework for good management of drinking water in an effort to assure public safety at the point of use. The guideline defines what safe water is and how it can be achieved.

Neither the Act nor the guideline defines what amount of water would be required from a drought security point of view. Should the private water supply be compromised in any way, the operator can source town water via local approved water carters until such time the private supply is reinstated.

Condition 44 Floodsafe Management Plan. I note the development meets the required standards for floor level and for access, although 'shelter in place' is mentioned as a possibility for extreme events. Does Council have a policy for shelter in place arrangements and is that what this condition seeks to clarify, or is it there because of the accommodation of more vulnerable, unrelated members of the community on site and the need to manage their safety more generally in a flood event (a bit like the intent of condition 55 (bushfire))? I just couldn't find a reference to the FMP requirement in the text of the assessment.

Response:

Council does not have a policy directly relating to Shelter-in-place arrangements. The *CHCC Floodplain Development and Management Policy* (POL-074) aims to manage flood risk in accordance with the 'NSW Floodplain Development Manual (2005) [incorporating the NSW Flood Prone Land Policy], which gives advice on flood Emergency Response.

The property has met the required standard for floor levels, and has adequate flood-refuge. For this development, the proponent was not required to provide a 'site-specific' flood management plan, that we would recommend for more 'at-risk' development(s) (e.g. low-lying Caravan Parks), which require particular emergency measures/responses in place.

The purpose of this FloodSafe Plan condition is to promote awareness and education for development that is located on flood-labile land, as it's important that the occupants are aware of the potential flood risks and how to be prepared. It provides generic details on how to stay informed, how they will be advised of an incoming flood, etc. More information can be found on the SES Website, and more particularly, the Coffs Harbour Flood Emergency Sub Plan (2017).

It is similar to Condition 55 (bushfire), as a way to manage member safety more generally in a flood event, without conditioning any site specifics. In addition, it is a recommended requirement of CH DCP E4.7 (2) "Approval may be conditional upon a Flood Safe Plan being prepared in accordance with State Emergency Services (SES) guidelines and implemented during the operational phase of the development"

Advising 65 Fire fighting reservoir. Would this not be preferable as a condition or perhaps cross referenced by an advisory note next to Condition 54?

Response:

This condition has been slightly reworded to require the other tanks to have fire-fighting fittings. It is renumbered condition 56, relabelled as Fire Fighting Water Supply and grouped with the other NSW RFS conditions.

Advising 66 There appear to be quite a few more recommendations in the Police advice than are included here? Is there a reason for the exclusion of other matters?

Response:

The advice from the NSW Police was very detailed and was summarised. It has now been replicated (as advice No.67 in the conditions) as provided by the Police as below:

The following matters raised by the NSW Police Service should be considered for implementation into the development:

- a) *The development applicant submit a security plan - Management in Use Plan.*
- b) *The development applicant provide a Closed Circuit Television (CCTV) Plan.*
- c) *Surveillance equipment should be installed to enhance the physical security of the premises and assist in the identification of people involved in anti-social or criminal behaviour.*
- d) *Cameras should be installed both within and around the premises to maximise surveillance opportunities.*
- e) *Once installed, a suitable person should be trained in the operating procedures of the equipment.*
- f) *Any surveillance system should be manufactured and installed by a qualified and reputable company and regularly function tested.*
- g) *Ensure that the requirements of the Surveillance and Privacy Act are adhered to.*
- h) *Cameras should also cover the carpark area and any entry / exit points. Ensure that the requirements of the Surveillance and Privacy Act are adhered to.*
- i) *Lighting should be designed to the Australian and New Zealand Lighting Standards or higher.*
- j) *Australia and New Zealand Lighting Standard 1158.1 – Pedestrian, requires lighting engineers and designers to consider crime risk and fear when selecting lamps and lighting levels.*
- k) *A lighting maintenance policy should be established for the development.*
- l) *Effective signage and/or directional signs must be installed to provide guidance to visitors in locating prohibited areas.*
- m) *Warning signs can assist in controlling activities and movements throughout the premises and grounds.*
- n) *Post warning signs around the perimeter of the buildings to warn intruders of what security treatments have been implemented to reduce opportunities for crime, such as, "Warning. This property is under electronic surveillance".*
- o) *The street/building number must be prominently displayed at the front of the unit complexes to comply with the Local Government Act, 1973.*

- p) Remove obstacles and rubbish from property boundaries, footpaths, driveways, car parks and buildings to restrict concealment of offenders.
- q) Any new landscaping should be designed so that it does not provide concealment or entrapment areas and should be maintained regularly.
- r) As the surrounding area to the general north is large lot residential housing, it is recommended that noise resistant materials including the use of vegetation be utilised on the perimeter fence to the north. This will reduce the likelihood for noise complaints from the surrounding residents.
- s) Furniture should pose no threat to being used as a weapon or used to cause malicious damage. This includes chairs and tables, planter boxes and potential inclusion of garden rocks, garden statues, etc.
- t) Consideration is to be given in relation to installing chairs, tables and other items in communal/common areas of the development. The developer must decide, and clearly indicate, what activity is to be undertaken in these areas and avoid crime 'blackspots' and unsafe practices.
- u) The premises should be fitted with single cylinder locksets (Australia and New Zealand Standards – Locksets), which comply with the Building Code of Australia.
- v) Windows can also be re-enforced to restrict unauthorised access by applying a shatter resistant film.
- w) Emergency evacuation plans should be implemented and maintained to assist staff and emergency services in the event of an emergency. This plan should be prominently displayed.
- x) It is recommended that the premise be fitted with an Intruder alarm system as this will enhance the security of the development. Ensure that the system has been designed and installed to the Australian Standard (Domestic and Commercial Alarm Systems).
- y) Access to the building, including communal areas designed for residents and staff, should be restricted to staff only and therefore, entry doors should have either electronic/pin code or key access. This will enhance the overall security of the facility as it is known that premises of this nature can become targets for theft and break-ins.
- z) Unfortunately, offenders target this type of development in its construction phase. Police would recommend the use of security sensor lights and a security company to monitor the site while construction is in progress.
- aa) Mailbox facilities being installed at the location need to have Australian Standard locks fitted. These mailboxes should have good surveillance, and lighting needs to be included to illuminate them in darkness.
- bb) The entry point to the facility should have restricted access via swipe pass or code through a suitable gate and front fence. It is often with facilities of this type, even with restricted access to the main carpark, steal from motor vehicle and steal from dwelling offences regularly occur due to the lack of individually secured car and/or storage spaces.
- cc) To ensure Police can adequately access the building complexes, access codes should be used and provided to Police for access to the entire building (excluding private residential units).
- dd) NSW Fire and Rescue need to be consulted in relation to access to the facility including access to the surrounding bushland.