

ADDENDUM TO NORTHERN REGION PLANNING PANEL DRAFT CONDITIONS

Panel Reference: PPSNTH-73
DA Number: 0583/21DA
Proposed Development: Mixed Use Development Comprising Demolition of Existing Buildings, Construction of Retail Premises (7 Shops) and Shop Top Housing (95 Residential Apartments)
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Report date: 18/06/2021

This addendum provides supplementary detail in relation to the draft conditions of consent.

In summary the following conditions have been amended:

- Deletion of existing Conditions No. 21 and Condition No 63.
- Insertion of Condition No. 04 (13), 15, 32, 40, 49, 63, and 64.

ADMINISTRATIVE CONDITIONS

Development in Accordance with Documents:

4. The development shall be undertaken in accordance with the following documents:
- (13) Geotechnical Report, 2-6 Vernon Street Coffs Harbour (C.ex Club), prepared by Regional Geotechnical Solutions, Report No. RGS31484.1–AB, and dated 7 May 2018

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Safer by Design:

15. To maximise the opportunity for crime and in accordance with Crime Prevention Through Environmental Design principles, the development shall incorporate the following to the satisfaction of the Principal Certifying Authority **prior to the issue of the relevant Construction Certificate:**

- a) Closed Circuit Television (CCTV)
- b) Lighting of common areas
- c) Sensor lighting
- d) Restricted access

Note:

- (1) The developer/owner must install and maintain surveillance cameras and records to the monitor and record all entrance and exit point to the buildings. The cameras should include the foyer area to the building including the areas of the 'public' pathway exiting onto Harbour Drive and Vernon Street. The cameras should also monitor the vicinity outside the building including, but not limited to, the footpath area in front of the premises on Harbour Drive and Vernon Street. CCTV cameras should also cover any communal areas, lifts, public spaces, car park areas. Recordings should be made twenty four (24) hours a day seven days a week.

- (2) Lighting of common 'public' pathway between Harbour Drive and Vernon Street. Details of lighting for internal pathway, common areas and the street frontage shall be submitted for approval prior to issue of the Construction Certificate.
- (3) Sensor Lighting – Sensor lighting is to be provided to lobby entry to the residential component of the development within the 'public' pathway between Harbour Drive and Vernon Street. Details are to be submitted to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate.
- (4) Install and maintain measures to restrict access of the residential areas of the development to the retail/public areas.

PRIOR TO COMMENCEMENT OF WORKS

The existing Condition No. 21 has been deleted and the insertion of Condition No. 32 to address Acid Sulfate Soils.

Acid Sulfate Soils:

- ~~21. An Acid Sulfate Soils assessment must be carried out prior to construction of the development and excavation works to determine if Acid Sulfate Soils are present.~~

~~Where Acid Sulfate Soils are identified an Acid Sulfate Soils Management Plan must be prepared in accordance with ASSMAC Manual and submitted to Council and approved prior to the commencement of works.~~

DURING CONSTRUCTION

Acid Sulfate Soils Management Plan:

32. The Acid Sulfate Soils Management Plan (ASSM) prepared by Regional Geotechnical Solutions, Reference No. RGS31484.1-AC and dated 7 May 2018, being implemented during works.

The ASSM recommends specific procedures and mitigation measures and must address all of the following aspects as outlined in the ASSM:

- (a) Responsibilities;
- (b) Neutralising Materials;
- (c) Management and Processing of Acid Sulfate Soils, specifically the mitigation measures for the treatment area, treatment, validation, validation testing and post treatment that are recommended within the ASSM.

Finished Floor Levels (Flooding):

40. To address flooding the finished floor levels of the ground floor retail outlets are to be consistent with those shown in Ground Level Plan, DWG No. DA-110-001. An accredited surveyor's certificate certifying such levels is to be submitted to the Principal Certifying Authority prior to works proceeding above finished floor level.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE OR COMMENCEMENT OF USE

BASIX:

49. All of the commitments listed in the BASIX Certificate No. **1157442M** for the development being fulfilled prior to the satisfaction of the Principal Certifying Authority **prior to the issue of the relevant Construction Certificate.**

Safer by Design:

63. The following works:

- a) Closed Circuit Television (CCTV)
- b) Lighting of common areas
- c) Sensor lighting
- d) Restricted access

Being provided to serve the development with the works conforming with the standards and requirements to the satisfaction of the Principal Certifying Authority **prior to the issue of the relevant Construction Certificate.**

Positive Covenant/Restriction:

64. Prior to issue of the Occupation Certificate, the applicant must create a Positive Covenant and Restriction on the Use of Land prepared in accordance with Section 88E of the Conveyancing Act 1919, burdening the owner of the allotment and benefiting Council with the requirement to provide and maintain the *common 'public' pathway between Harbour Drive and Vernon Street.*

- a. The *common 'public' pathway between Harbour Drive and Vernon Street*, shall remain open to the public at all times.
- b. The common 'public' pathway between Harbour Drive and Vernon Street shall be maintained in a manner as to not to cause nuisance to the public by way of graffiti, rubbish, litter or the like.

The terms of the instruments are to be to Council's satisfaction and are to be generally in accordance with Council's 'draft terms of Section 88E instrument for the protection of the pathway between Harbour Drive and Vernon Street.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior to the issue of the Occupation Certificate.

OPERATIONAL MATTERS

The existing Condition No. 63 has been deleted.

~~Pedestrian Walkway Between Vernon Street and Harbour Drive (Slip Resistant Finish)~~

- ~~63. The Pedestrian Walkway Between Vernon Street and Harbour Drive must be provided with a Slip Resistant Finish in accordance with AS 4586-2013 at all times.~~