**ADDENDUM TO** **NORTHERN REGION PLANNING PANEL**

DRAFT CONDTIONS

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: 22/06/2021

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

In summary the draft conditions previously circulated to the panel have been amended as follows to reflect the panel discussions in its briefing meeting on 17 June 2021:

Under the heading **ADMINISTRATIVE CONDITIONS:**

In relation to Condition 4 **[Development in Accordance with Documents]** add the following item:

(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.

Under the heading **PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE:**

1. Add the following new condition and then renumber through to condition 21 – now Water Meters:

**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 measures

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 to the Principal Certifying Authority for approval **prior to issue of the relevant 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 the relevant Construction Certificate**.

(4) The developer/owner must install and maintain measures to prevent unauthorised access to the residential areas of the development from the retail/public areas.

and

1. Delete previous Condition 21 (Acid Sulfate Soils).

Under the heading **DURING CONSTRUCTION:**

1. Add the following new condition:

**Acid Sulfate Soils Management Plan:**

32. The Acid Sulfate Soils Management Plan (ASSMP) 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 ASSMP:

(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 ASSMP.

then renumber through to new condition 40 (Finished Floor Levels (Flooding):

1. Add the following new conditions:

**Finished Floor Levels (Flooding):**

40. To address potential 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.

**Common ‘public’ pathway between Harbour Drive and Vernon Street (Slip Resistant Finish):**

41 The common ‘public’ pathway between Harbour Drive and Vernon Street shall be provided with a Slip Resistant Finish in accordance with AS 4586-2013.

then renumber through to new condition 50 (BASIX).

Under the heading **PRIOR TO ISSUE OF OCCUPATION CERTIFICATE OR COMMENCEMENT OF USE:**

1. Delete former Condition 48 and insert the following new condition:

**BASIX:**

50. All of the commitments listed in the BASIX Certificate No. 1157442M for the development being fulfilled. Details are to be provided to the Principal Certifying Authority **prior to the issue of the relevant Occupation Certificate.**

then renumber through to new condition 64 (Safer by Design).

1. Add the following new conditions:

**Safer by Design**:

64. The following works:

a) Closed Circuit Television (CCTV)

b) Lighting of common areas

c) Sensor lighting

d) Restricted access measures

Being provided to serve the development with the works conforming with the requirements of this consent to the satisfaction of the Principal Certifying Authority **prior to the issue of the relevant Occupation Certificate**.

**Positive Covenant/Restriction:**

65. 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 as follows:

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 so 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.

and then renumber the remaining conditions through to new Condition 81.

Under the heading **OPERATIONAL MATTERS:**

Add the following new condition:

**Common ‘public’ pathway between Harbour Drive and Vernon Street (Slip Resistant Finish)**

81. The common ‘public’ pathway between Harbour Drive and Vernon Street shall be maintained at all times with a slip resistant finish in accordance with the requirements of this consent.