



ANNEXURE B Development Assessment Panel Minutes, Dated 12 December 2008

Darryl Anderson Consulting Pty Ltd

A.C.N. 093 157 165
Town Planning & Development Consultants

Major Project Application No. 09_0016
Project No. TCH 06/102 – April 2009

Tweed Coast Road & Cypress Crescent
Cabarita

MINUTES OF THE DEVELOPMENT ASSESSMENT PANEL HELD

FRIDAY 12 DECEMBER 2008

1. APPOINTMENT:

Addressed By: Darryl Anderson
Postal Address: Suite 7 Corporate House
8 Corporation Circuit
TWEED HEADS SOUTH NSW 2486
Present: Messrs Rowena Michel, Co-Ordinator Development Assessment;
Ian Dinham, Planning & Infrastructure Engineer; Barry Stegeman,
Acting Manager Building & Environmental Health and Kristin-Lee
McIntyre (recorder)
Property Description: Lots 1, 2 and 3 Section 1 DP 29748 and Lot 4 Section 1 DP 31209
Corner Coast Road and Cypress Crescent, Cabarita

Land No: 18752, 18753, 18754, 18755; PF1180/510

Proposal: proposed multi dwelling housing development/tourist Accommodation

Comments:

1. Planning Comments

Issues:

Permissibility

- The land is zoned 2(e) Residential Tourist under Tweed LEP 2000 and the proposed development is permissible with consent. The Tweed LEP 2000 is available on Council's website at www.tweed.nsw.gov.au/planningservice/TweedLEP2000.pdf.

Advertising/Notification

- The proponents were advised that the application would be advertised and notified for a period of fourteen (14) days in accordance with the Tweed Shire Development Control Plan – Section A11 – Public Notification of Development Proposals. Any submissions received will be assessed based on the merits of the submission.

SEPP71 - Coastal Protection

- The site is located within the Coastal zone and State Environmental Planning Policy No. 71 applies. The land is located in a sensitive coastal location and

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the application will need to be forwarded by Council to the Department of Planning in accordance with this SEPP. If the application is not called up by the Minister then Council will be the consent authority and in addition to the normal considerations Clause 8 of this Policy will also have to be addressed.

Other SEPPs and Referrals (Integrated and Concurrence)

- Other SEPPs
- SEPP 65
- The proposed development would be identified as "integrated" development requiring approvals from the Department of Water and Energy, If dewatering is proposed.
- Bushfire - the site is in a bushfire hazard area and the application will need to address this issue. The application will need to be referred to the Rural Fire Service for comment as Integrated development.

Relevant Clauses of the LEP (include but are not limited to):

- Clause 15 - Availability of Essential Services. Reticulated water supply and sewerage would be required to be extended to all lots.
- The land is identified as having Class 4 Acid sulfate soils. Clause 35 of Tweed LEP 2000 will need to be addressed in relation to this.
- Clause 22-24 Designated Road
- Clause 39A – Bushfire
- Clause 29 – Land adjacent to National Park
- Others

Consolidated DCP

- Carparking would need to comply with Tweed Shire Development Control Plan – Section A2 - Site Access & Car Parking Code.
- Any proposed signage would need to be shown on the application plans, and would need to comply with DCP Section A4 and State Environmental Planning Policy No. 64.
- Section A1 - Residential and Tourist Development Code.
- Compliance with Section A3 – Flooding

Proposed Plan

- A copy of the concept plan is attached and the following specific comments were made in relation to that plan:
 - a. Any security lighting provided should contain the light spill within the site.

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- b. Deep soils zones can not be covered by decks etc
- c. Building shall ensure the main roof is not trafficable in accordance with the objectives of A1.
- d. Design to provide address to the street and incorporate elements appropriate for main entry to Cabarita.

Statement of Environmental Effects should address (but is not limited to the following)

- Historical land uses and contamination risks;
- Details on vegetation proposed to be cleared and impacts on flora and fauna having particular regard to SEPP No 44 and the Seven Point Test of Significance in Section 5A and 5C of the EPA Act 1979.
- Bush fire hazard considerations.
- Proposed works including cut and fill and location/depth of retaining walls.
- Number of staff
- Details on management and collection of waste.
- The application will need to address management of basement stormwater during construction.
- Demonstrate sufficient usable landscaped open space is provided.
- Address the green roof and inclusion in impervious calculations (Ian to provide further advice).
- Demonstrate that the area on top of the roof will not impact on the amenity of the adjoining residence.

Additional Plans and Details Required

- Detailed site plan, floor plans and elevations (including colours and materials). Elevations should depict adjoining buildings and open space areas to assist with assessment of privacy and other impacts.
- Shadow diagrams should be provided. These should also depict adjoining buildings and open space areas to assist with assessment.
- A statement of landscaping intent should be provided.
- The application should include a site analysis identifying surrounding land use, site constraints and opportunities (etc).
- Visual analysis

General

- Normal Section 94 and Section 64 Contributions would apply.
- Far North Coast Regional Strategy

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- The provisions of the North Coast Regional Environmental Plan would need to be addressed and particular attention is drawn to Clause 32(b)(4) in relation to overshadowing of coastal foreshore open space. It is open to the applicant to submit an objection to this development standard. Any submission would need to look at the net increase or decrease resulting from the proposed development in relation to existing development. Detailed shadow diagrams should be provided for both summer and winter with various time periods during the day shown within the range specified in the North Coast Regional Environmental Plan. Shadow diagrams should also be provided, not just for the winter and summer periods, but also for the equinox.
- The development is to provide a reasonable element of tourist accommodation to meet the objectives of the zone.
- The applicant is to demonstrate how 6 tourist accommodation units meets the primary objectives of the zone.

2. Engineering Comments

Issues:

- Access to the development would need to comply with Council's "Driveway Access to Property Design Specification". An application under Section 138 of the Roads Act will be required to be submitted, prior to issue of the construction certificate, when all required documentation is available, identifying driveway access and proposed levels and grades.
- The provisions of AS2980.1 will also apply requiring maximum gradient of 5% for the first 6 metres past the property line.
- Paved footpath for the full frontage of the site would be required and should be integrated into a legible pedestrian movement route through the site.
- Any public infrastructure works to the site will require submission of plans and approval by Council in accordance with Part V of the Environmental Planning & Assessment Act prior to the issue of a Construction Certificate for the building.
- Section 94 Plan No. 4 (TRDC) Contributions would be applicable. Any variation to the standard rate would require the submission of a traffic analysis.
- On site treatment of stormwater runoff would be required prior to discharge into the public system in accordance with Council's "Tweed Urban Stormwater Quality Management Plan" and Development Design Specification D7 – Stormwater Quality (www.tweed.nsw.gov.au/PlanningBuilding/Subdivisions/D7.pdf). An application under Section 68 of the Local Government Act should accompany the development application to identify all site drainage, stormwater quality devices and proposed stormwater outlets and also any required erosion and sedimentation control measures.

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- The proposal to extend the basement car park to or near the site boundaries is feasible but raises requirements for shoring and support of adjoining properties. Any permanent ground anchors to be located off the site will require the approval of the appropriate landowner. Any occupation of adjacent land or road reserves for location of construction buildings or storage will similarly require the approval of the appropriate landowner or Council. The environmental assessment of these matters must be included in the SEE at the time of lodgement, and council's approval obtained for any proposed construction period occupancies. Occupancy fees apply in accordance with Council's resolved policy.
- The proposal will be assessed for potential intersection upgrade.

3. Building and Environment Comments

Issues:

- The demolition of existing structures on-site will need development consent. This can be part of the application for this proposal, or a separate development application.
- The development would need to provide a BASIX certificate.
- The Development would need to comply with the Building Code of Australia.
- Compliance with the Disability Discrimination Act would be required.
- Access for disabled would need to comply with AS1428 in regard to the tourist accommodation units.
- Provision would need to be made on site for storage and collection of waste. Details for collection would need to be determined in conjunction with Solo Waste.
- A Construction Certificate Application would be required for any building works after approval of any Development Application. Approval of any Development Application does not automatically assume compliance with the BCA for the Construction Certificate.
- Mechanical ventilation to the basement area will be required. The proponent was advised to consult with a qualified mechanical engineer on this matter.

4. Conclusion:

It is open to the applicant to lodge a development application and any such application would be considered on its merits having particular regard to the above issues. The comments provided above are to assist the proponent in preparing a development application. No detailed assessment has been carried out and all issues may not have been identified. Therefore, the above advice does not provide certainty of approval being obtained.

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ANNEXURE C Site Opportunities and Constraints Plan – Pat Twohill Designs, 21 April 2009

Darryl Anderson Consulting Pty Ltd

A.C.N. 093 157 165
Town Planning & Development Consultants

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Cabarita



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Client Name
Hansen Development P/L
Project Name
MULTI-RES DEV
LOTS 1-3 DP 29748
LOT 4 DP 31209 CRN COAST ROAD
& CYPRESS CRESCENT
CABARITA BEACH, NSW

Drawing Title:
CONSTRAINTS PLAN

Scale: NOT TO SCALE		Date:
Drawn By: M.Y.	Checked By: P.A.T	
Status:		
Project No:	Drawing No.:	Rev:
6005	PRE DA.1.19	
Plot Date: 21/04/09		