



WORKS INSPECTION

20th September 2005

REPORT OF THE WORKS INSPECTION HELD ON MONDAY 20TH SEPTEMBER 2005 COMMENCING FROM THE CIVIC CENTRE, CORNER ELBOW AND TOZER STREETS, WEST KEMPSEY, COMMENCING 9.20AM.

PRESENT:

Councillors J A C Hayes (Mayor and Chairperson), Councillors J H Bowell, E A Green, T L Hunt, R H McWilliam and B R Sowter.

Also in attendance were Director Sustainable Development Services, R B Pitt (Minute Taker) and Director Shire Services, K J Finnie.

APOLOGIES:

Councillor D F Saul & J C Gribbin.



1	SUBDIVISION OF LOTS B AND C DP399906 OFF CROADS ESPLANADE, SMITHTOWN FILE: T6-05-117 AJC
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RECOMMENDED:

That the application for subdivision of Lots B and C DP399906, Croads Lane, Esplanade, Smithtown, into 3 lots be refused for the following reasons:

- A The proposal is contrary to Clause 12(1)(c) of Kempsey Local Environmental Plan 1987 as none of the 3 proposed lots include any land outside the limit of the 1 in 100 year flood.**

- B The applicant's objection to the standard under State Environmental Planning Policy has not demonstrated that the standard is unreasonable or unnecessary in the circumstances, as the standard prevents cumulative**

impacts of additional houses being a risk during flood events.

- C** The proposal would set a precedent that could lead to significant cumulative impacts, particularly for the additional load on emergency services in a major flood event.

RESOLVED:

There being insufficient councillors to form a quorum, the matter was deferred for consideration at Councils Ordinary Meeting of 11th October 2005.

<p>2 YOUTH CENTRE AND REFERRAL CENTRE AND YOUTH LEARNING CENTRE, MEMORIAL AVE, KEMPSEY FILE: T6-05-96 GGL</p>
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RECOMMENDED:

- A** That the Youth Information and Referral Centre and Youth Learning Centre be approved subject to the following conditions:-
- 1** The development referred to in this application is to be carried out substantially in accordance with the approved development plans and detailed submission accompanying the application, as modified by any conditions of this consent.
 - 2** This consent has been issued on the basis that Council has been appointed as the Principal Certifying Authority and Council has accepted the appointment and will be issuing the construction certificate.
 - 3** This consent does not permit commencement of any works. Works are not to commence until such time as a Construction Certificate has been obtained and the appointment of a Principal Certifying Authority.
 - 4** A Construction Certificate shall not be issued until all relevant conditions of this consent have been complied with.

- 5 The building is not to be occupied until all conditions of Council's consent have been complied with to the satisfaction of Council and an Occupation Certificate has been obtained.**
- 6 All building work must be carried out in accordance with the provisions of the Building Code of Australia.**
- 7 Access to the site for deliveries is to be confined to between 7.00 am and 5.00 pm Monday to Friday. In this regard, a sign clearly indicating same is to be displayed at the entry to the development. Details, including location of signage, are to be provided with the plans for the required Construction Certificate.**
- 8 The hours of construction works are to be confined to 7.00 a.m. to 5.00 p.m., Monday to Friday.**
- 9 All loading and unloading in connection with the use of the subject premises shall be carried out wholly within the subject property.**
- 10 The applicant to provide off-street parking for 10 spaces that includes one (1) disabled car park.**

Compliance with condition 10 shall be deferred for 6 months from the date of consent, after which the applicant is to submit details of how off-street parking is to be provided, for approval. If required, the parking area is to be constructed and operational within 2 months of notice being given.
- 11 The hours of operation of the Youth Information and Referral Centre and Youth Learning Centre are to be restricted between 9.00am and 5.00pm Monday to Friday.**
- 12 Attendance at the Youth Information and Referral Centre is to be primarily by appointment only and this is to be clearly signposted at the entry door to the building.**
- 13 All attendance at the Youth Learning Centre (The Bunker) is to be pre-arranged enrolment in an approved course, with a maximum class size of 10 persons, and only one class is to operate at any one time.**

- 14 The Centre is not to be used for dispensing of any drugs.
- 15 Provision of a bike rack adjacent to the Youth Learning Centre prior to commencement of the use.
- 16 Compliance with the Building Code of Australia.

All building work must be carried out in accordance with the requirements of the (BCA). A construction certificate shall not be issued until the Principal Certifying Authority (PCA) is satisfied that the plans and specifications comply with the BCA.

- 17 Submit plans and specifications of the "bunker" building with the Construction Certificate.
- 18 A schedule of the fire safety measures which are to be installed in the building is to be submitted with the required Construction Certificate for approval together with the minimum Standard of Performance as identified in Clause 80B and C of the Environmental Planning Assessment Regulation 1994.

Detailed plans of each measure prepared by a suitably qualified person are to be submitted for approval with the required Construction Certificate.

- 19 The construction of exits must comply with Section D Clause D2.19, D2.20 and D2.21 of the Building Code of Australia.

- B That the applicant be advised that Council may reconsider the need for off-street parking if it can be demonstrated that the use does not create the level of demand estimated and that there is adequate kerbside parking available for the use, during peak parking demand periods associated with the public swimming pool.
- C That all persons making individual submissions be notified of Council's decision.

RESOLVED

There being insufficient councillors to form a quorum, the matter was deferred for consideration at Councils Ordinary Meeting of 11th October 2005.

There being no further business, the meeting concluded at 12.00pm.