



TWEED
SHIRE COUNCIL

Mayor: Cr B Longland

Councillors: M Armstrong (Deputy Mayor)
G Bagnall
C Byrne
K Milne
W Polglase
P Youngblutt

Minutes

Planning Committee Meeting Thursday 3 April 2014

held at Murwillumbah Cultural and Civic Centre
commencing at 5.00pm

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 - SECT 79C
79C Evaluation

(1) Matters for consideration-general In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

- (i) any environmental planning instrument, and
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
- (iii) any development control plan, and
- (iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and
- (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),

that apply to the land to which the development application relates,

- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- (c) the suitability of the site for the development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.

Note: See section 75P (2) (a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.

The consent authority is not required to take into consideration the likely impact of the development on biodiversity values if:

- (a) the development is to be carried out on biodiversity certified land (within the meaning of Part 7AA of the Threatened Species Conservation Act 1995), or
- (b) a biobanking statement has been issued in respect of the development under Part 7A of the Threatened Species Conservation Act 1995 .

(2) Compliance with non-discretionary development standards-development other than complying development If an environmental planning instrument or a regulation contains non-discretionary development standards and development, not being complying development, the subject of a development application complies with those standards, the consent authority:

- (a) is not entitled to take those standards into further consideration in determining the development application, and
- (b) must not refuse the application on the ground that the development does not comply with those standards, and
- (c) must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards,

and the discretion of the consent authority under this section and section 80 is limited accordingly.

- (3) If an environmental planning instrument or a regulation contains non-discretionary development standards and development the subject of a development application does not comply with those standards:
 - (a) subsection (2) does not apply and the discretion of the consent authority under this section and section 80 is not limited as referred to in that subsection, and
 - (b) a provision of an environmental planning instrument that allows flexibility in the application of a development standard may be applied to the non-discretionary development standard.

Note: The application of non-discretionary development standards to complying development is dealt with in section 85A (3) and (4).

- (4) Consent where an accreditation is in force A consent authority must not refuse to grant consent to development on the ground that any building product or system relating to the development does not comply with a requirement of the Building Code of Australia if the building product or system is accredited in respect of that requirement in accordance with the regulations.
- (5) A consent authority and an employee of a consent authority do not incur any liability as a consequence of acting in accordance with subsection (4).
- (6) Definitions In this section:
 - (a) reference to development extends to include a reference to the building, work, use or land proposed to be erected, carried out, undertaken or subdivided, respectively, pursuant to the grant of consent to a development application, and
 - (b) "non-discretionary development standards" means development standards that are identified in an environmental planning instrument or a regulation as non-discretionary development standards.

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The Meeting commenced at 5.00pm.

IN ATTENDANCE

Cr B Longland (Mayor), Cr M Armstrong (Deputy Mayor), Cr G Bagnall, Cr C Byrne, Cr K Milne, Cr W Polglase and Cr P Youngblutt.

Also present were Mr Troy Green (General Manager), Mr Michael Chorlton (Acting Director Corporate Services), Mr David Oxenham (Director Engineering), Mr Vince Connell (Director Planning and Regulation), Mr Stewart Brawley (Acting Director Community and Natural Resources), Mr Peter Brack (Corporate Compliance Officer/Acting Public Officer) and Ms Ann Mesic (Minutes Secretary).

ABORIGINAL STATEMENT

The Mayor acknowledged the Bundjalung Aboriginal Nation with the following statement:

"We wish to recognise the generations of the local Aboriginal people of the Bundjalung Nation who have lived in and derived their physical and spiritual needs from the forests, rivers, lakes and streams of this beautiful valley over many thousands of years as the traditional owners and custodians of these lands."

PRAYER

The meeting opened with a Prayer read by the Mayor.

CONFIRMATION OF MINUTES

- 1 **[CONMIN-PC] Confirmation of Minutes of the Ordinary Planning Committee Meeting held on Thursday 6 March 2014**

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Cr M Armstrong
Cr P Youngblutt

RECOMMENDED that the Minutes of the Ordinary Planning Committee Meeting held Thursday 6 March 2014 be adopted as a true and accurate record of proceedings of that meeting.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous

APOLOGIES

Nil

DISCLOSURE OF INTEREST

Cr Bagnall declared a Non-Pecuniary, Non-Significant Interest in Item 5. The nature of the interest is that the partner of the owner was once a casual employee in Cr G Bagnall's business. Cr G Bagnall will manage the Interest by staying in the Chamber and voting on the matter.

Cr Milne declared a Non-Pecuniary, Non-Significant conflict of interest in Items 6 and a9. The nature of this interest is that a defamation claim by Mr Eil of LEDA Holdings, the owner of the Kings Forest and Cobaki developments, has been awarded against me for \$15,000.

Cr Milne advised she will remain in the Chambers during discussion and voting on the merits of each application.

ITEMS TO BE MOVED FROM ORDINARY TO CONFIDENTIAL - CONFIDENTIAL TO ORDINARY

Nil.

SCHEDULE OF OUTSTANDING RESOLUTIONS

2 [SOR-PC] Schedule of Outstanding Resolutions

That the Schedule of Outstanding Resolutions was received and noted.

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

SUSPENSION OF STANDING ORDERS

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**Cr B Longland
Cr P Youngblutt**

RESOLVED that Standing Orders be suspended to deal with Item 9 of the Agenda.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous

9 [PR-PC] Development Application DA13/0618 for the Use of Existing Building and Internal Alterations of a Restaurant and Shop at Lot 618 DP 508200 No. 2-8 Willow Avenue, Bogangar

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**Cr W Polglase
Cr P Youngblutt**

PROPOSED that:

- A. Development Application DA13/0618 for the use of existing building and internal alterations of a restaurant and shop at Lot 68 DP 508200 No. 2-8 Willow Avenue, Bogangar be approved subject to the following conditions:

GENERAL

1. The development shall be completed in accordance with the Statement of Environmental Effects and the Proposed Site Plan - Dwg No DA-02 (as amended in red) prepared by FineLine Architects as submitted 31 October 2013, except where varied by the conditions of this consent. [GEN0005]
2. The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia. [GEN0115]
3. The owner is to ensure that the proposed building is constructed in the position and at the levels as nominated on the approved plans or as stipulated by a condition of this consent, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines. [GEN0300]

4. The development shall not:
- encroach upon the Crown land,
 - remove any vegetation from the Crown land,
 - stockpile materials, equipment or machinery on Crown land,
 - use the Crown land for access purposes,
 - direct any new stormwater discharges to the Crown land, or
 - use the Crown land as Asset Protection Zone.

[GENNS01]

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

5. In accordance with Section 109F(i) of the Environmental Planning and Assessment Act 1979 (as amended), a construction certificate for SUBDIVISION WORKS OR BUILDING WORKS shall NOT be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided.

[PCC0285]

6. A construction certificate application for works that involve any of the following:
- connection of a private stormwater drain to a public stormwater drain
 - installation of stormwater quality control devices
 - erosion and sediment control works

will not be approved until prior separate approval to do so has been granted by Council under Section 68 of the Local Government Act.

- a) Applications for these works must be submitted on Council's standard Section 68 stormwater drainage application form accompanied by the required attachments and the prescribed fee.
- b) Where Council is requested to issue a construction certificate for subdivision works, the abovementioned works can be incorporated as part of the construction certificate application, to enable one single approval to be issued. Separate approval under Section 68 of the Local Government Act will then NOT be required.

[PCC1145]

7. A detailed plan of landscaping containing no noxious or environmental weed species and with a minimum 80% of total plant numbers comprised of local native species is to be submitted and approved by Council's General Manager or his delegate prior to the issue of a construction certificate. The plan shall include detail of proposed landscaping of the car parking area.

[PCCNS01]

8. Suitable screening of the restaurant adjacent to the lounge bar (previously approved as Grocery) is to be installed to mitigate any privacy issues with residents to the east. Details of the proposed screening are to be submitted to and approved by the General Manager or his delegate prior to the issue of a construction certificate.

[PCCNS02]

PRIOR TO COMMENCEMENT OF WORK

9. The erection of a building in accordance with a development consent must not be commenced until:
- (a) a construction certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or an accredited certifier, and
 - (b) the person having the benefit of the development consent has:
 - (i) appointed a principal certifying authority for the building work, and
 - (ii) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
 - (c) the principal certifying authority has, no later than 2 days before the building work commences:
 - (i) notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
 - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
 - (d) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
 - (ii) notified the principal certifying authority of any such appointment, and
 - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspection and other inspections that are to be carried out in respect of the building work.
- [PCW0215]
10. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least 2 days prior to work commencing.
- [PCW0225]
11. Where prescribed by the provisions of the Environmental Planning and Assessment Regulation 2000, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the principal certifying authority for the work, and

- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

[PCW0255]

12. Prior to the commencement of any works to fit-out the grocery store or servery area attached to the "Blue Room" copies of 3 plans drawn to a scale of 1:50 detailing the following with regards to all food related areas shall be submitted to Council's Environmental Health Officers for assessment and approval, on the approved form and accompanied by the adopted fee:
- a. Floor plan
 - b. Layout of kitchens and bar showing all equipment
 - c. All internal finish details including floors, wall, ceiling and lighting
 - d. Hydraulic design in particular method of disposal of trade waste
 - e. Mechanical exhaust ventilation as per the requirements of AS1668 Pts 1 & 2 where required
 - f. Servery areas including counters etc

[PCWNS01]

DURING CONSTRUCTION

13. All proposed works are to be carried out in accordance with the conditions of development consent, approved management plans, approved construction certificate, drawings and specifications.
- [DUR0005]
14. The provision of 24 off street customer car parking spaces including parking for the disabled where applicable (AS2890.6), 2 staff parking spaces, 1 delivery space and 12 bicycle spaces. The layout and construction standards to be in accordance with Tweed Shire Council Development Control Plan, Part A2 - Site Access and Parking Code.
- [DUR0085]
15. Construction and/or demolition site work including the entering and leaving of vehicles is limited to the following hours, unless otherwise permitted by Council:
- * Monday to Saturday from 7.00am to 6.00pm
 - * No work to be carried out on Sundays or Public Holidays

The proponent is responsible to instruct and control subcontractors regarding hours of work.

[DUR0205]

16. All building work and the works identified in the Report Summery items 4-17 of the BCA report by Coastline Building Certification dated 23 September 2013, must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate was made). Item 10 of the aforementioned report may be varied at the discretion of the Certifying Authority to allow the principle accessible entry to be at the area marked 14 on the Site Plan Proposed DA-02.

[DUR0375]

17. The Principal Certifying Authority is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifying Authority via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.

[DUR0405]

18. All demolition work is to be carried out in accordance with the provisions of Australian Standard AS 2601 "The Demolition of Structures" and to the relevant requirements of the WorkCover NSW, Work Health and Safety Regulation 2011.

The proponent shall also observe the guidelines set down under the Department of Environment and Climate Change publication, "A Renovators Guide to the Dangers of Lead" and the Workcover Guidelines on working with asbestos.

[DUR0645]

19. All materials used in the building must comply with the smoke developed and spread of flame indices specified in Specification C1.10 of the Building Code of Australia.

Note: Many materials including some timbers such as western red cedar do not comply and it is the applicant's responsibility to ensure that all materials to be used are within the criteria specified.

[DUR1275]

20. Exits are to be provided so that no point on the floor of the building shall be more than 20 metres from:

- (a) an exit; or
- (b) a point from which travel in different directions to two exits is available in which case the maximum distance to one of those exits shall not exceed 40 metres.

[DUR1285]

21. Exit signs which comply with Part E4.5 of the Building Code of Australia and are designed in accordance with Part E4.8 of the Building Code of Australia and are to be installed. Mounting heights shall be in accordance with AS2293.1.

[DUR1295]

22. Emergency lighting to comply with Part E4.2 of the Building Code of Australia shall be provided. Details of the system to be used and a certificate from the electrical engineer to certify that the system will comply with all relevant requirements of Part E4.4 of the Building Code of Australia and AS 2293.1 are to be submitted to the PCA prior to installation.

[DUR1305]

23. Doors forming exits, paths of travel to exits and parts of exits shall comply with the relevant provisions of D2.19 and D2.20 and D2.21 (door latch to operate by single handed, downward action on egress) of the Building Code of Australia.
[DUR1315]
24. Provision to be made for a flood free storage area for stock and equipment susceptible to water damage.
[DUR1395]
25. During the course of the construction and fitout of the kitchen/food premises periodic inspections must be arranged with Councils Environmental Health officer to ensure compliance with all health related conditions of approval and respective legislation.
[DUR1575]
26. Pursuant to the provisions of the Disability Discrimination Act, 1992 (Commonwealth) the design of the proposed development shall facilitate access for people with a disability in accordance with the relevant provisions of AS1428-Design for Access and Mobility.
[DUR1725]
27. A garbage storage area shall be provided in accordance with Council's "Code for Storage and Disposal of Garbage and Other Solid Waste".
[DUR2195]
28. Swimming pool pumps, air conditioning units, heat pump water systems and the like shall be located, installed and operated so as not to be heard in a habitable room of a residence during restricted hours or where it would create offensive noise as defined within the NSW Protection of the Environment Operations (Noise Control) Regulation 2008.
[DUR2835]
29. The stair access to the roof deck must be closed off by a fixed wall at the base of the existing stairs.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

30. A person must not commence occupation or use of the whole or any part of a new building or structure (within the meaning of Section 109H(4)) unless an occupation certificate has been issued in relation to the building or part (maximum 25 penalty units).
[POC0205]
31. The building is not to be occupied or a final occupation certificate issued until a fire safety certificate has been issued for the building to the effect that each required essential fire safety measure has been designed and installed in accordance with the relevant standards.
[POC0225]

32. Section 94 Contributions

Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 Plan.

Prior to the occupation of the building or issue of any Interim or Final Occupation Certificate (whichever comes first), all Section 94 Contributions must have been paid in full and the Certifying Authority must have sighted Council's "Contribution Sheet" signed by an authorised officer of Council.

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT

These charges will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.

A copy of the Section 94 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.

- | | |
|--|----------|
| (a) Tweed Road Contribution Plan:
21.24 Trips @ \$1186 per Trips
(\$1,145 base rate + \$41 indexation)
S94 Plan No. 4
Sector7_4 | \$25,191 |
| (b) Extensions to Council Administration Offices
& Technical Support Facilities
0.205 ET @ \$1860.31 per ET
(\$1,759.90 base rate + \$100.41 indexation)
S94 Plan No. 18 | \$381.36 |

[POC0395]

33. Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with Australian Standard AS 2444 "Portable Fire Extinguishers - Selection and Location" and Part E1.6 of the Building Code of Australia.

[POC0515]

34. All existing essential fire safety measures are to be certified by a qualified person to the effect that each of the fire safety measures has been assessed and were found to be performing to a standard not less than that to which it was originally designed.

[POC0525]

35. Prior to commencement of operations and on completion of fit out for each nominated food activity area an inspection is to be arranged with Council's Environmental Health Officer for final approval.

[POC0615]

36. The proprietor of the food premises shall provide appropriate notification to the NSW Food Authority prior to commencement of operations by completing the "Notify a Food Business" form under the NAFSIS Heading on the following website www.foodnotify.nsw.gov.au or alternatively by contacting the NSW Food Authority on 1300650124.

[POC0625]

37. The premises is to be treated on completion of fit-out and prior to commencement of trading and thereafter on a regular basis by a Licensed Pest Control Operator. A certificate of treatment is to be made available for Council inspection on request.

[POC0635]

38. A certificate of compliance (CC) under Sections 305, 306 and 307 of the Water Management Act 2000 is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.

Prior to the occupation of the building or issue of any Interim or Final Occupation Certificate (whichever comes first), all Section 64 Contributions must have been paid in full and the Certifying Authority must have sighted Council's "Contribution Sheet" and a "Certificate of Compliance" signed by an authorised officer of Council.

Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

Water DSP6:	0.472 ET @ \$12575 per ET	\$5,935.40
Sewer Hastings Point:	0.767 ET @ \$6042 per ET	\$4,634.20

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT

These charges will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

[POC0675]

39. Prior to the issue of a final occupation certificate, all conditions of consent are to be met.

[POC1055]

USE

40. The use to be conducted so as not to cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust and odours or the like.

[USE0125]

41. The $L_{Aeq, 15 \text{ min}}$ noise level emitted from the premises shall not exceed the background noise level (LA90) in any Octave Band centre frequency (31.5 Hz - 8KHz inclusive) by more than 5dB(A) between 7am and 12 midnight, at the boundary of any affected residence. Notwithstanding the above, noise from the premises shall not be audible within any habitable room in any residential premises between the hours of 12 midnight and 7am weekdays and 12 midnight and 8am weekends. [USE0165]
42. All externally mounted air conditioning units and other mechanical plant or equipment are to be located so that any noise impact due to their operation which may be or is likely to be experienced by any neighbouring premises is minimised. Notwithstanding this requirement all air conditioning units and other mechanical plant and or equipment is to be acoustically treated or shielded where considered necessary to the satisfaction of the General Manager or his delegate such that the operation of any air conditioning unit, mechanical plant and or equipment does not result in the emission of offensive or intrusive noise. [USE0175]
43. Hours of operation of the business are restricted to the following hours:
* 7.00am to 10.00pm - seven days a week [USE0185]
44. All externally mounted artificial lighting, including security lighting, is to be shielded to the satisfaction of the General Manager or his delegate where necessary or required so as to prevent the spill of light or glare creating a nuisance to neighbouring or adjacent premises. [USE0225]
45. Upon receipt of a noise complaint that Council deems to be reasonable, the operator/owner is to submit to Council a Noise Impact Study (NIS) carried out by a suitably qualified and practicing acoustic consultant. The NIS is to be submitted to the satisfaction of the General Manager or his delegate. It is to include recommendations for noise attenuation. The operator/owner is to implement the recommendations of the NIS within a timeframe specified by Council's authorised officer. [USE0245]
46. All buses and other vehicles engaged in the letting down and picking up of patrons/occupants are required to switch off their engines if they are standing for a greater period of time than two (2) minutes. [USE0265]
47. All plant and equipment installed or used in or on the premises:
(a) Must be maintained in a proper and efficient condition, and
(b) Must be operated in a proper and efficient manner.

In this condition, "plant and equipment" includes drainage systems, infrastructure, pollution control equipment and fuel burning equipment. [USE0315]

48. The use (restaurant and shop) is restricted to the floor area designated on the approved plan. Use of the premises as a function centre is not permitted. [USE0415]
49. All loading/unloading to take place within the boundary of the subject property. [USE0525]
50. Any premises used for the storage, preparation or sale of food are to comply with the *Food Act* 2003, FSANZ Food Safety Standards and AS 4674-2004 Design, construction and Fit-out of Food Premises and other requirements of Councils Environmental health Officer included in this approval. [USE0835]
51. All mechanical ventilation shall comply with AS1668.2 Ventilation Requirements. [USE0845]
52. The use of the Lawn Area, Children's Playground and Lounge Area (external to the existing restaurant) is not permitted at any time.
53. The use of External Toilets is permitted in accordance with the noise management recommendations at Section 5.5 of the Noise Level Impact Assessment Report prepared by Craig Hill Acoustics dated 12 March 2014.
54. The use of Plant Area 1 is not permitted after 10pm unless noise mitigation measures are in place in accordance with Section 5.5 of the Noise Level Impact Assessment Report prepared by Craig Hill Acoustics dated 12 March 2014.
55. The use of Plant Area 2 is not permitted following the commencement of any development of the adjoining western or southern allotments without the prior written approval of the General Manager or delegate in accordance with Section 5.5 of the Noise Level Impact Assessment Report prepared by Craig Hill Acoustics dated 12 March 2014. The replacement of any plant within Plant Area 2 is not permitted without the prior written approval of the General Manager or delegate.
56. Deliveries and service vehicles are not permitted prior to 8am or after 8pm on any Saturday, Sunday or public holiday and before 7am or after 8pm on any other day.
57. Staff access to the solid waste collection/storage areas is not permitted prior to 8am or after 8pm on any Saturday, Sunday or public holiday and before 7am or after 8pm on any other day where it can be heard in a habitable room of another residential premises.
58. Prior to use of the kitchen exhaust system, certification that the system has been installed and operating in accordance with AS1668, shall be submitted to the satisfaction of the General Manager or delegate. Certification, appropriate for NSW, shall provide detail of the scope of the certification, signed by an appropriately qualified person including qualification. [USENS01]
59. The development is limited to a maximum of 240 people at any one time. [USENS01]

60. Prior to use of the kitchen exhaust system, certification that the system has been installed and operating in accordance with AS1668, shall be submitted to the satisfaction of the General Manager or delegate. Certification, appropriate for NSW, shall provide detail of the scope of the certification, signed by an appropriately qualified person including qualification.

61. The use of the upper roof area is not permitted.

[USENS02]

B. Council issues a Penalty Infringement Notice to the owner for the unauthorised building works which have occurred at Lot 618 DP 508200 No. 2-8 Willow Avenue, Bogangar.

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AMENDMENT

Cr K Milne
Cr G Bagnall

RECOMMENDED that:

A. Development Application DA13/0618 for the use of existing building and internal alterations of a restaurant and shop at Lot 68 DP 508200 No. 2-8 Willow Avenue, Bogangar be approved subject to the following conditions:

GENERAL

1. The development shall be completed in accordance with the Statement of Environmental Effects and the Proposed Site Plan - Dwg No DA-02 (as amended in red) prepared by FineLine Architects as submitted 31 October 2013, except where varied by the conditions of this consent.

[GEN0005]

1A. The development is limited to a trial period of 12 months from the date that this consent becomes operational. Any Section 96 application to vary this condition must be lodged at least two months prior to the expiry of the 12 month period.

2. The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia.

[GEN0115]

3. The owner is to ensure that the proposed building is constructed in the position and at the levels as nominated on the approved plans or as stipulated by a condition of this consent, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.

[GEN0300]

4. The development shall not:

- encroach upon the Crown land,
- remove any vegetation from the Crown land,

- stockpile materials, equipment or machinery on Crown land,
- use the Crown land for access purposes,
- direct any new stormwater discharges to the Crown land, or
- use the Crown land as Asset Protection Zone.

[GENNS01]

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

5. In accordance with Section 109F(i) of the Environmental Planning and Assessment Act 1979 (as amended), a construction certificate for SUBDIVISION WORKS OR BUILDING WORKS shall NOT be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided.

[PCC0285]

6. A construction certificate application for works that involve any of the following:
- connection of a private stormwater drain to a public stormwater drain
 - installation of stormwater quality control devices
 - erosion and sediment control works

will not be approved until prior separate approval to do so has been granted by Council under Section 68 of the Local Government Act.

- a) Applications for these works must be submitted on Council's standard Section 68 stormwater drainage application form accompanied by the required attachments and the prescribed fee.
- b) Where Council is requested to issue a construction certificate for subdivision works, the abovementioned works can be incorporated as part of the construction certificate application, to enable one single approval to be issued. Separate approval under Section 68 of the Local Government Act will then NOT be required.

[PCC1145]

7. A detailed plan of landscaping containing no noxious or environmental weed species and with a minimum 80% of total plant numbers comprised of local native species is to be submitted and approved by Council's General Manager or his delegate prior to the issue of a construction certificate. The plan shall include detail of proposed landscaping of the car parking area.

[PCCNS01]

8. Suitable screening of the restaurant adjacent to the lounge bar (previously approved as Grocery) is to be installed to mitigate any privacy issues with residents to the east. Details of the proposed screening are to be submitted to and approved by the General Manager or his delegate prior to the issue of a construction certificate.

[PCCNS02]

PRIOR TO COMMENCEMENT OF WORK

9. The erection of a building in accordance with a development consent must not be commenced until:
- (a) a construction certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or an accredited certifier, and
 - (b) the person having the benefit of the development consent has:
 - (i) appointed a principal certifying authority for the building work, and
 - (ii) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
 - (c) the principal certifying authority has, no later than 2 days before the building work commences:
 - (i) notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
 - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
 - (d) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
 - (ii) notified the principal certifying authority of any such appointment, and
 - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspection and other inspections that are to be carried out in respect of the building work.
- [PCW0215]
10. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least 2 days prior to work commencing.
- [PCW0225]
11. Where prescribed by the provisions of the Environmental Planning and Assessment Regulation 2000, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the principal certifying authority for the work, and

- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

[PCW0255]

12. Prior to the commencement of any works to fit-out the grocery store or servery area attached to the "Blue Room" copies of 3 plans drawn to a scale of 1:50 detailing the following with regards to all food related areas shall be submitted to Council's Environmental Health Officers for assessment and approval, on the approved form and accompanied by the adopted fee:
- a. Floor plan
 - b. Layout of kitchens and bar showing all equipment
 - c. All internal finish details including floors, wall, ceiling and lighting
 - d. Hydraulic design in particular method of disposal of trade waste
 - e. Mechanical exhaust ventilation as per the requirements of AS1668 Pts 1 & 2 where required
 - f. Servery areas including counters etc

[PCWNS01]

DURING CONSTRUCTION

13. All proposed works are to be carried out in accordance with the conditions of development consent, approved management plans, approved construction certificate, drawings and specifications.
- [DUR0005]
14. The provision of 24 off street customer car parking spaces including parking for the disabled where applicable (AS2890.6), 2 staff parking spaces, 1 delivery space and 12 bicycle spaces. The layout and construction standards to be in accordance with Tweed Shire Council Development Control Plan, Part A2 - Site Access and Parking Code.
- [DUR0085]
15. Construction and/or demolition site work including the entering and leaving of vehicles is limited to the following hours, unless otherwise permitted by Council:
- * Monday to Saturday from 7.00am to 6.00pm
 - * No work to be carried out on Sundays or Public Holidays

The proponent is responsible to instruct and control subcontractors regarding hours of work.

[DUR0205]

16. All building work and the works identified in the Report Summery items 4-17 of the BCA report by Coastline Building Certification dated 23 September 2013, must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate was made). Item 10 of the aforementioned report may be varied at the discretion of the Certifying Authority to allow the principle accessible entry to be at the area marked 14 on the Site Plan Proposed DA-02.

[DUR0375]

17. The Principal Certifying Authority is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifying Authority via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.

[DUR0405]

18. All demolition work is to be carried out in accordance with the provisions of Australian Standard AS 2601 "The Demolition of Structures" and to the relevant requirements of the WorkCover NSW, Work Health and Safety Regulation 2011.

The proponent shall also observe the guidelines set down under the Department of Environment and Climate Change publication, "A Renovators Guide to the Dangers of Lead" and the Workcover Guidelines on working with asbestos.

[DUR0645]

19. All materials used in the building must comply with the smoke developed and spread of flame indices specified in Specification C1.10 of the Building Code of Australia.

Note: Many materials including some timbers such as western red cedar do not comply and it is the applicant's responsibility to ensure that all materials to be used are within the criteria specified.

[DUR1275]

20. Exits are to be provided so that no point on the floor of the building shall be more than 20 metres from:

- (a) an exit; or
- (b) a point from which travel in different directions to two exits is available in which case the maximum distance to one of those exits shall not exceed 40 metres.

[DUR1285]

21. Exit signs which comply with Part E4.5 of the Building Code of Australia and are designed in accordance with Part E4.8 of the Building Code of Australia and are to be installed. Mounting heights shall be in accordance with AS2293.1.

[DUR1295]

22. Emergency lighting to comply with Part E4.2 of the Building Code of Australia shall be provided. Details of the system to be used and a certificate from the electrical engineer to certify that the system will comply with all relevant requirements of Part E4.4 of the Building Code of Australia and AS 2293.1 are to be submitted to the PCA prior to installation.

[DUR1305]

23. Doors forming exits, paths of travel to exits and parts of exits shall comply with the relevant provisions of D2.19 and D2.20 and D2.21 (door latch to operate by single handed, downward action on egress) of the Building Code of Australia.
[DUR1315]
24. Provision to be made for a flood free storage area for stock and equipment susceptible to water damage.
[DUR1395]
25. During the course of the construction and fitout of the kitchen/food premises periodic inspections must be arranged with Councils Environmental Health officer to ensure compliance with all health related conditions of approval and respective legislation.
[DUR1575]
26. Pursuant to the provisions of the Disability Discrimination Act, 1992 (Commonwealth) the design of the proposed development shall facilitate access for people with a disability in accordance with the relevant provisions of AS1428-Design for Access and Mobility.
[DUR1725]
27. A garbage storage area shall be provided in accordance with Council's "Code for Storage and Disposal of Garbage and Other Solid Waste".
[DUR2195]
28. Swimming pool pumps, air conditioning units, heat pump water systems and the like shall be located, installed and operated so as not to be heard in a habitable room of a residence during restricted hours or where it would create offensive noise as defined within the NSW Protection of the Environment Operations (Noise Control) Regulation 2008.
[DUR2835]
29. The stair access to the roof deck must be closed off by a fixed wall at the base of the existing stairs.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

30. A person must not commence occupation or use of the whole or any part of a new building or structure (within the meaning of Section 109H(4)) unless an occupation certificate has been issued in relation to the building or part (maximum 25 penalty units).
[POC0205]
31. The building is not to be occupied or a final occupation certificate issued until a fire safety certificate has been issued for the building to the effect that each required essential fire safety measure has been designed and installed in accordance with the relevant standards.
[POC0225]

32. Section 94 Contributions

Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 Plan.

Prior to the occupation of the building or issue of any Interim or Final Occupation Certificate (whichever comes first), all Section 94 Contributions must have been paid in full and the Certifying Authority must have sighted Council's "Contribution Sheet" signed by an authorised officer of Council.

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT

These charges will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.

A copy of the Section 94 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.

- | | |
|--|----------|
| (a) Tweed Road Contribution Plan:
21.24 Trips @ \$1186 per Trips
(\$1,145 base rate + \$41 indexation)
S94 Plan No. 4
Sector7_4 | \$25,191 |
| (b) Extensions to Council Administration Offices
& Technical Support Facilities
0.205 ET @ \$1860.31 per ET
(\$1,759.90 base rate + \$100.41 indexation)
S94 Plan No. 18 | \$381.36 |

[POC0395]

33. Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with Australian Standard AS 2444 "Portable Fire Extinguishers - Selection and Location" and Part E1.6 of the Building Code of Australia.

[POC0515]

34. All existing essential fire safety measures are to be certified by a qualified person to the effect that each of the fire safety measures has been assessed and were found to be performing to a standard not less than that to which it was originally designed.

[POC0525]

35. Prior to commencement of operations and on completion of fit out for each nominated food activity area an inspection is to be arranged with Council's Environmental Health Officer for final approval.

[POC0615]

36. The proprietor of the food premises shall provide appropriate notification to the NSW Food Authority prior to commencement of operations by completing the "Notify a Food Business" form under the NAFSIS Heading on the following website www.foodnotify.nsw.gov.au or alternatively by contacting the NSW Food Authority on 1300650124.

[POC0625]

37. The premises is to be treated on completion of fit-out and prior to commencement of trading and thereafter on a regular basis by a Licensed Pest Control Operator. A certificate of treatment is to be made available for Council inspection on request.

[POC0635]

38. A certificate of compliance (CC) under Sections 305, 306 and 307 of the Water Management Act 2000 is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.

Prior to the occupation of the building or issue of any Interim or Final Occupation Certificate (whichever comes first), all Section 64 Contributions must have been paid in full and the Certifying Authority must have sighted Council's "Contribution Sheet" and a "Certificate of Compliance" signed by an authorised officer of Council.

Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

Water DSP6:	0.472 ET @ \$12575 per ET	\$5,935.40
Sewer Hastings Point:	0.767 ET @ \$6042 per ET	\$4,634.20

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT

These charges will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

[POC0675]

39. Prior to the issue of a final occupation certificate, all conditions of consent are to be met.

[POC1055]

USE

40. The use to be conducted so as not to cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust and odours or the like.

[USE0125]

41. The $L_{Aeq, 15 \text{ min}}$ noise level emitted from the premises shall not exceed the background noise level (LA90) in any Octave Band centre frequency (31.5 Hz - 8KHz inclusive) by more than 5dB(A) between 7am and 12 midnight, at the boundary of any affected residence. Notwithstanding the above, noise from the premises shall not be audible within any habitable room in any residential premises between the hours of 12 midnight and 7am weekdays and 12 midnight and 8am weekends. [USE0165]
42. All externally mounted air conditioning units and other mechanical plant or equipment are to be located so that any noise impact due to their operation which may be or is likely to be experienced by any neighbouring premises is minimised. Notwithstanding this requirement all air conditioning units and other mechanical plant and or equipment is to be acoustically treated or shielded where considered necessary to the satisfaction of the General Manager or his delegate such that the operation of any air conditioning unit, mechanical plant and or equipment does not result in the emission of offensive or intrusive noise. [USE0175]
43. Hours of operation of the business are restricted to the following hours:
* 7.00am to 10.00pm - seven days a week [USE0185]
44. All externally mounted artificial lighting, including security lighting, is to be shielded to the satisfaction of the General Manager or his delegate where necessary or required so as to prevent the spill of light or glare creating a nuisance to neighbouring or adjacent premises. [USE0225]
45. Upon receipt of a noise complaint that Council deems to be reasonable, the operator/owner is to submit to Council a Noise Impact Study (NIS) carried out by a suitably qualified and practicing acoustic consultant. The NIS is to be submitted to the satisfaction of the General Manager or his delegate. It is to include recommendations for noise attenuation. The operator/owner is to implement the recommendations of the NIS within a timeframe specified by Council's authorised officer. [USE0245]
46. All buses and other vehicles engaged in the letting down and picking up of patrons/occupants are required to switch off their engines if they are standing for a greater period of time than two (2) minutes. [USE0265]
47. All plant and equipment installed or used in or on the premises:
(a) Must be maintained in a proper and efficient condition, and
(b) Must be operated in a proper and efficient manner.

In this condition, "plant and equipment" includes drainage systems, infrastructure, pollution control equipment and fuel burning equipment. [USE0315]

48. The use (restaurant and shop) is restricted to the floor area designated on the approved plan. Use of the premises as a function centre is not permitted. [USE0415]
49. All loading/unloading to take place within the boundary of the subject property. [USE0525]
50. Any premises used for the storage, preparation or sale of food are to comply with the *Food Act* 2003, FSANZ Food Safety Standards and AS 4674-2004 Design, construction and Fit-out of Food Premises and other requirements of Councils Environmental health Officer included in this approval. [USE0835]
51. All mechanical ventilation shall comply with AS1668.2 Ventilation Requirements. [USE0845]
52. The use of the Lawn Area, Children's Playground and Lounge Area (external to the existing restaurant) is not permitted at any time.
53. The use of External Toilets is permitted in accordance with the noise management recommendations at Section 5.5 of the Noise Level Impact Assessment Report prepared by Craig Hill Acoustics dated 12 March 2014.
54. The use of Plant Area 1 is not permitted after 10pm unless noise mitigation measures are in place in accordance with Section 5.5 of the Noise Level Impact Assessment Report prepared by Craig Hill Acoustics dated 12 March 2014.
55. The use of Plant Area 2 is not permitted following the commencement of any development of the adjoining western or southern allotments without the prior written approval of the General Manager or delegate in accordance with Section 5.5 of the Noise Level Impact Assessment Report prepared by Craig Hill Acoustics dated 12 March 2014. The replacement of any plant within Plant Area 2 is not permitted without the prior written approval of the General Manager or delegate.
56. Deliveries and service vehicles are not permitted prior to 8am or after 8pm on any Saturday, Sunday or public holiday and before 7am or after 8pm on any other day.
57. Staff access to the solid waste collection/storage areas is not permitted prior to 8am or after 8pm on any Saturday, Sunday or public holiday and before 7am or after 8pm on any other day where it can be heard in a habitable room of another residential premises.
58. Prior to use of the kitchen exhaust system, certification that the system has been installed and operating in accordance with AS1668, shall be submitted to the satisfaction of the General Manager or delegate. Certification, appropriate for NSW, shall provide detail of the scope of the certification, signed by an appropriately qualified person including qualification. [USENS01]
59. The development is limited to a maximum of 240 people at any one time. [USENS01]

60. Prior to use of the kitchen exhaust system, certification that the system has been installed and operating in accordance with AS1668, shall be submitted to the satisfaction of the General Manager or delegate. Certification, appropriate for NSW, shall provide detail of the scope of the certification, signed by an appropriately qualified person including qualification.

61. The use of the upper roof area is not permitted.

[USENS02]

B. Council issues a Penalty Infringement Notice to the owner for the unauthorised building works which have occurred at Lot 618 DP 508200 No. 2-8 Willow Avenue, Bogangar.

The Amendment was **Carried**

**FOR VOTE - Cr C Byrne, Cr M Armstrong, Cr K Milne, Cr G Bagnall, Cr B Longland
AGAINST VOTE - Cr P Youngblutt, Cr W Polglase**

The Amendment on becoming the Motion was **Carried** - (Minute No P24 refers)

FOR VOTE - Voting - Unanimous

RESUMPTION OF STANDING ORDERS

P 24

Cr B Longland
Cr P Youngblutt

RESOLVED that Standing Orders be resumed.

3 [PR-PC] Variations to Development Standards under State Environmental Planning Policy No. 1 - Development Standards

P 25

Cr M Armstrong
Cr P Youngblutt

RECOMMENDED that Council notes the March 2014 Variations to Development Standards under State Environmental Planning Policy No. 1 - Development Standards.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous

4 [PR-PC] Results of NSW Planning and Infrastructure's Local Development Performance Monitoring Report 2012/13

P 26

Cr M Armstrong

Cr P Youngblutt

RECOMMENDED that the results of NSW Planning and Infrastructure's Local Development Performance Monitoring Report 2012/13 be received and noted.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous

5 [PR-PC] Further Compliance Issues - 140 Turners Road, Wardrop Valley

DECLARATION OF INTEREST

Cr Bagnall declared a Non-Pecuniary, Non-Significant Interest in this item. The nature of the interest is that the partner of the owner was once a casual employee in Cr G Bagnall's business. Cr G Bagnall will manage the Interest by staying in the Chamber and voting on the matter.

P 27

Cr P Youngblutt

Cr W Polglase

RECOMMENDED that in terms of the continuing unauthorised light industry use on the site (construction of manufactured homes) on the premises No.140 turners Road, Wardrop Valley, Council endorses the following:

1. The owner of the subject premises be advised to remove the unauthorised manufactured homes from the site within seven days of receiving notification of Council's decision; and
2. If the structures are not removed in accordance with Recommendation 1, Council engages solicitors to commence appropriate legal action to have the manufactured homes removed.

The Motion was **Carried**

FOR VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne, Cr M Armstrong, Cr K Milne, Cr B Longland

AGAINST VOTE - Cr G Bagnall

6 [PR-PC] Submission to Planning and Infrastructure for the Kings Forest Concept plan and Project approval Modification applications

DECLARATION OF INTEREST

Cr Milne declared a Non-Pecuniary, less than significant conflict of interest in this item. The nature of this interest is that a defamation claim by Mr Ell of LEDA Holdings, the owner of the Kings Forest and Cobaki developments, has been awarded against me for \$15,000.

Cr Milne advised she will remain in the Chambers during discussion and voting on the merits of each application.

P 28

Cr G Bagnall
Cr M Armstrong

RECOMMENDED that Council endorses that this report be referred to NSW Planning and Infrastructure as Council's submission to the proposed modification requests for the Kings Forest Concept Plan (MP06_0318 MOD 4) and Stage 1 Project Approval (MP08_0194 MOD 2).

The Motion was **Carried**

FOR VOTE - Cr P Youngblutt, Cr M Armstrong, Cr K Milne, Cr G Bagnall, Cr B Longland

AGAINST VOTE - Cr W Polglase, Cr C Byrne

7 [PR-PC] Development Application DA13/0594 for a Detached Dual Occupancy at Lot 24 Section 5 DP 4043 No. 40 Enid Street, Tweed Heads

P 29

Cr M Armstrong
Cr K Milne

RECOMMENDED that Development Application DA13/0594 for a detached dual occupancy at Lot 24 Section 5 DP 4043 No. 40 Enid Street, Tweed Heads be deferred for a workshop and be reported back to a future meeting.

The Motion was **Carried**

FOR VOTE - Cr M Armstrong, Cr K Milne, Cr G Bagnall, Cr B Longland

AGAINST VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne

P 30

AMENDMENT

Cr C Byrne
Cr P Youngblutt

PROPOSED that Development Application DA13/0594 for a detached dual occupancy at Lot 24 Section 5 DP 4043 No. 40 Enid Street, Tweed Heads be approved in principle with Council officers to bring back conditions of consent.

The Amendment was **Lost**

FOR VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne
AGAINST VOTE - Cr M Armstrong, Cr K Milne, Cr G Bagnall, Cr B Longland

8 [PR-PC] Development Application DA13/0591 - Erection of Four Townhouses at Lots 25 and 26 Section 5 DP 4043 Nos. 36 and 38 Enid Street, Tweed Heads

P 31

Cr M Armstrong
Cr K Milne

RECOMMENDED that Development Application DA13/0591 for the erection of four townhouses at Lots 25 and 26 Section 5 DP 4043 No. 36 and 38 Enid Street, Tweed Heads be deferred for a workshop and be reported back to a future meeting.

The Motion was **Carried**

FOR VOTE - Cr P Youngblutt, Cr M Armstrong, Cr K Milne, Cr G Bagnall, Cr B Longland
AGAINST VOTE - Cr W Polglase, Cr C Byrne

9 [PR-PC] Development Application DA13/0618 for the Use of Existing Building and Internal Alterations of a Restaurant and Shop at Lot 618 DP 508200 No. 2-8 Willow Avenue, Bogangar

This item was dealt with earlier at the meeting Minute No. P23 refers.

a9 [PR-PC] Development Application DA10/0801.02 for an Amendment to Development Consent DA10/0801 for the Cobaki Estate Subdivision of Precinct 6 Comprised of 442 Residential Lots (Including 1 Residual Lot) and Lots for Drainage, Open Space and Urban Infrastructure (JRPP) at Lot 1 DP 570076, Lots 54, Part Lot 199 & Lot 200 DP 755740 Piggabeen Road, Cobaki Lakes; Lot 1 DP 562222, Lot 1 DP 570077, Lot 1 DP 823679, Lot 2 DP 566529, Lots 46, 55, Part 199, 201, 202, 205, 206, 209, 228, 305 DP 755740 Sandy Lane, Cobaki Lakes

DECLARATION OF INTEREST

Cr Milne declared a Non-Pecuniary, Non-Significant conflict of interest in this item. The nature of this interest is that a defamation claim by Mr Ell of LEDA Holdings, the owner of the Kings Forest and Cobaki developments, has been awarded against me for \$15,000.

Cr Milne advised she will remain in the Chambers during discussion and voting on the merits of each application.

P 32

Cr P Youngblutt
Cr B Longland

RECOMMENDED that:

1. Council reconsiders the application and makes a determination following preparation of a report reflecting the proposed meeting of Leda and Council ecologists.
2. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous

COMMITTEE DECISION:

P 33

**Cr B Longland
Cr P Youngblutt**

RECOMMENDED that the Planning Committee resumes in open Council under the Chairmanship of the Mayor.

The Motion was **Carried**

FOR VOTE - Voting - Unanimous

187

**Cr B Longland
Cr P Youngblutt**

RESOLVED that the recommendations of the Planning Committee held Thursday 3 April 2014 be adopted:

- 9 [PR-PC] Development Application DA13/0618 for the Use of Existing Building and Internal Alterations of a Restaurant and Shop at Lot 618 DP 508200 No. 2-8 Willow Avenue, Bogangar**

RECOMMENDED that:

- A. Development Application DA13/0618 for the use of existing building and internal alterations of a restaurant and shop at Lot 68 DP 508200 No. 2-8 Willow Avenue, Bogangar be approved subject to the following conditions:

GENERAL

1. The development shall be completed in accordance with the Statement of Environmental Effects and the Proposed Site Plan - Dwg No DA-02 (as amended in red) prepared by FineLine Architects as submitted 31 October 2013, except where varied by the conditions of this consent. [GEN0005]
- 1A. The development is limited to a trial period of 12 months from the date that this consent becomes operational. Any Section 96 application to vary this condition must be lodged at least two months prior to the expiry of the 12 month period.
2. The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia. [GEN0115]

3. The owner is to ensure that the proposed building is constructed in the position and at the levels as nominated on the approved plans or as stipulated by a condition of this consent, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.

[GEN0300]

4. The development shall not:

- encroach upon the Crown land,
- remove any vegetation from the Crown land,
- stockpile materials, equipment or machinery on Crown land,
- use the Crown land for access purposes,
- direct any new stormwater discharges to the Crown land, or
- use the Crown land as Asset Protection Zone.

[GENNS01]

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

5. In accordance with Section 109F(i) of the Environmental Planning and Assessment Act 1979 (as amended), a construction certificate for SUBDIVISION WORKS OR BUILDING WORKS shall NOT be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided.

[PCC0285]

6. A construction certificate application for works that involve any of the following:

- connection of a private stormwater drain to a public stormwater drain
- installation of stormwater quality control devices
- erosion and sediment control works

will not be approved until prior separate approval to do so has been granted by Council under Section 68 of the Local Government Act.

- a) Applications for these works must be submitted on Council's standard Section 68 stormwater drainage application form accompanied by the required attachments and the prescribed fee.
- b) Where Council is requested to issue a construction certificate for subdivision works, the abovementioned works can be incorporated as part of the construction certificate application, to enable one single approval to be issued. Separate approval under Section 68 of the Local Government Act will then NOT be required.

[PCC1145]

7. A detailed plan of landscaping containing no noxious or environmental weed species and with a minimum 80% of total plant numbers comprised of local native species is to be submitted and approved by Council's General Manager or his delegate prior to the issue of a construction certificate. The plan shall include detail of proposed landscaping of the car parking area.

[PCCNS01]

8. Suitable screening of the restaurant adjacent to the lounge bar (previously approved as Grocery) is to be installed to mitigate any privacy issues with residents to the east. Details of the proposed screening are to be submitted to and approved by the General Manager or his delegate prior to the issue of a construction certificate.

[PCCNS02]

PRIOR TO COMMENCEMENT OF WORK

9. The erection of a building in accordance with a development consent must not be commenced until:
- (a) a construction certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or an accredited certifier, and
 - (b) the person having the benefit of the development consent has:
 - (i) appointed a principal certifying authority for the building work, and
 - (ii) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
 - (c) the principal certifying authority has, no later than 2 days before the building work commences:
 - (i) notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
 - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
 - (d) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
 - (ii) notified the principal certifying authority of any such appointment, and

- (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspection and other inspections that are to be carried out in respect of the building work.

[PCW0215]

- 10. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least 2 days prior to work commencing.

[PCW0225]

- 11. Where prescribed by the provisions of the Environmental Planning and Assessment Regulation 2000, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

[PCW0255]

- 12. Prior to the commencement of any works to fit-out the grocery store or servery area attached to the "Blue Room" copies of 3 plans drawn to a scale of 1:50 detailing the following with regards to all food related areas shall be submitted to Council's Environmental Health Officers for assessment and approval, on the approved form and accompanied by the adopted fee:

- a. Floor plan
- b. Layout of kitchens and bar showing all equipment
- c. All internal finish details including floors, wall, ceiling and lighting
- d. Hydraulic design in particular method of disposal of trade waste
- e. Mechanical exhaust ventilation as per the requirements of AS1668 Pts 1 & 2 where required
- f. Servery areas including counters etc

[PCWNS01]

DURING CONSTRUCTION

- 13. All proposed works are to be carried out in accordance with the conditions of development consent, approved management plans, approved construction certificate, drawings and specifications.

[DUR0005]

14. The provision of 24 off street customer car parking spaces including parking for the disabled where applicable (AS2890.6), 2 staff parking spaces, 1 delivery space and 12 bicycle spaces. The layout and construction standards to be in accordance with Tweed Shire Council Development Control Plan, Part A2 - Site Access and Parking Code.

[DUR0085]

15. Construction and/or demolition site work including the entering and leaving of vehicles is limited to the following hours, unless otherwise permitted by Council:

- * Monday to Saturday from 7.00am to 6.00pm
- * No work to be carried out on Sundays or Public Holidays

The proponent is responsible to instruct and control subcontractors regarding hours of work.

[DUR0205]

16. All building work and the works identified in the Report Summery items 4-17 of the BCA report by Coastline Building Certification dated 23 September 2013, must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate was made). Item 10 of the aforementioned report may be varied at the discretion of the Certifying Authority to allow the principle accessible entry to be at the area marked 14 on the Site Plan Proposed DA-02.

[DUR0375]

17. The Principal Certifying Authority is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifying Authority via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.

[DUR0405]

18. All demolition work is to be carried out in accordance with the provisions of Australian Standard AS 2601 "The Demolition of Structures" and to the relevant requirements of the WorkCover NSW, Work Health and Safety Regulation 2011.

The proponent shall also observe the guidelines set down under the Department of Environment and Climate Change publication, "A Renovators Guide to the Dangers of Lead" and the Workcover Guidelines on working with asbestos.

[DUR0645]

19. All materials used in the building must comply with the smoke developed and spread of flame indices specified in Specification C1.10 of the Building Code of Australia.

Note: Many materials including some timbers such as western red cedar do not comply and it is the applicant's responsibility to ensure that all materials to be used are within the criteria specified.

[DUR1275]

20. Exits are to be provided so that no point on the floor of the building shall be more than 20 metres from:
- (a) an exit; or
 - (b) a point from which travel in different directions to two exits is available in which case the maximum distance to one of those exits shall not exceed 40 metres.
- [DUR1285]
21. Exit signs which comply with Part E4.5 of the Building Code of Australia and are designed in accordance with Part E4.8 of the Building Code of Australia and are to be installed. Mounting heights shall be in accordance with AS2293.1.
- [DUR1295]
22. Emergency lighting to comply with Part E4.2 of the Building Code of Australia shall be provided. Details of the system to be used and a certificate from the electrical engineer to certify that the system will comply with all relevant requirements of Part E4.4 of the Building Code of Australia and AS 2293.1 are to be submitted to the PCA prior to installation.
- [DUR1305]
23. Doors forming exits, paths of travel to exits and parts of exits shall comply with the relevant provisions of D2.19 and D2.20 and D2.21 (door latch to operate by single handed, downward action on egress) of the Building Code of Australia.
- [DUR1315]
24. Provision to be made for a flood free storage area for stock and equipment susceptible to water damage.
- [DUR1395]
25. During the course of the construction and fitout of the kitchen/food premises periodic inspections must be arranged with Councils Environmental Health officer to ensure compliance with all health related conditions of approval and respective legislation.
- [DUR1575]
26. Pursuant to the provisions of the Disability Discrimination Act, 1992 (Commonwealth) the design of the proposed development shall facilitate access for people with a disability in accordance with the relevant provisions of AS1428- Design for Access and Mobility.
- [DUR1725]
27. A garbage storage area shall be provided in accordance with Council's "Code for Storage and Disposal of Garbage and Other Solid Waste".
- [DUR2195]
28. Swimming pool pumps, air conditioning units, heat pump water systems and the like shall be located, installed and operated so as not to be heard in a habitable room of a residence during restricted hours or where it would create offensive noise as defined within the NSW Protection of the Environment Operations (Noise Control) Regulation 2008.
- [DUR2835]

29. The stair access to the roof deck must be closed off by a fixed wall at the base of the existing stairs.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

30. A person must not commence occupation or use of the whole or any part of a new building or structure (within the meaning of Section 109H(4)) unless an occupation certificate has been issued in relation to the building or part (maximum 25 penalty units).

[POC0205]

31. The building is not to be occupied or a final occupation certificate issued until a fire safety certificate has been issued for the building to the effect that each required essential fire safety measure has been designed and installed in accordance with the relevant standards.

[POC0225]

32. Section 94 Contributions

Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 Plan.

Prior to the occupation of the building or issue of any Interim or Final Occupation Certificate (whichever comes first), all Section 94 Contributions must have been paid in full and the Certifying Authority must have sighted Council's "Contribution Sheet" signed by an authorised officer of Council.

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT

These charges will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.

A copy of the Section 94 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.

- | | |
|--|----------|
| (a) Tweed Road Contribution Plan: | |
| 21.24 Trips @ \$1186 per Trips | \$25,191 |
| (\$1,145 base rate + \$41 indexation) | |
| S94 Plan No. 4 | |
| Sector7_4 | |
| (b) Extensions to Council Administration Offices
& Technical Support Facilities | |
| 0.205 ET @ \$1860.31 per ET | \$381.36 |
| (\$1,759.90 base rate + \$100.41 indexation) | |
| S94 Plan No. 18 | |

[POC0395]

33. Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with Australian Standard AS 2444 "Portable Fire Extinguishers - Selection and Location" and Part E1.6 of the Building Code of Australia.

[POC0515]

34. All existing essential fire safety measures are to be certified by a qualified person to the effect that each of the fire safety measures has been assessed and were found to be performing to a standard not less than that to which it was originally designed.

[POC0525]

35. Prior to commencement of operations and on completion of fit out for each nominated food activity area an inspection is to be arranged with Council's Environmental Health Officer for final approval.

[POC0615]

36. The proprietor of the food premises shall provide appropriate notification to the NSW Food Authority prior to commencement of operations by completing the "Notify a Food Business" form under the NAFSIS Heading on the following website www.foodnotify.nsw.gov.au or alternatively by contacting the NSW Food Authority on 1300650124.

[POC0625]

37. The premises is to be treated on completion of fit-out and prior to commencement of trading and thereafter on a regular basis by a Licensed Pest Control Operator. A certificate of treatment is to be made available for Council inspection on request.

[POC0635]

38. A certificate of compliance (CC) under Sections 305, 306 and 307 of the Water Management Act 2000 is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.

Prior to the occupation of the building or issue of any Interim or Final Occupation Certificate (whichever comes first), all Section 64 Contributions must have been paid in full and the Certifying Authority must have sighted Council's "Contribution Sheet" and a "Certificate of Compliance" signed by an authorised officer of Council.

Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

Water DSP6: 0.472 ET @ \$12575 per ET\$5,935.40
Sewer Hastings Point: 0.767 ET @ \$6042 per ET \$4,634.20

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT

These charges will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

[POC0675]

39. Prior to the issue of a final occupation certificate, all conditions of consent are to be met.

[POC1055]

USE

40. The use to be conducted so as not to cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust and odours or the like.

[USE0125]

41. The $L_{Aeq, 15 \text{ min}}$ noise level emitted from the premises shall not exceed the background noise level (LA90) in any Octave Band centre frequency (31.5 Hz - 8KHz inclusive) by more than 5dB(A) between 7am and 12 midnight, at the boundary of any affected residence. Notwithstanding the above, noise from the premises shall not be audible within any habitable room in any residential premises between the hours of 12 midnight and 7am weekdays and 12 midnight and 8am weekends.

[USE0165]

42. All externally mounted air conditioning units and other mechanical plant or equipment are to be located so that any noise impact due to their operation which may be or is likely to be experienced by any neighbouring premises is minimised. Notwithstanding this requirement all air conditioning units and other mechanical plant and or equipment is to be acoustically treated or shielded where considered necessary to the satisfaction of the General Manager or his delegate such that the operation of any air conditioning unit, mechanical plant and or equipment does not result in the emission of offensive or intrusive noise.

[USE0175]

43. Hours of operation of the business are restricted to the following hours:

* 7.00am to 10.00pm - seven days a week

[USE0185]

44. All externally mounted artificial lighting, including security lighting, is to be shielded to the satisfaction of the General Manager or his delegate where necessary or required so as to prevent the spill of light or glare creating a nuisance to neighbouring or adjacent premises.

[USE0225]

45. Upon receipt of a noise complaint that Council deems to be reasonable, the operator/owner is to submit to Council a Noise Impact Study (NIS) carried out by a suitably qualified and practicing acoustic consultant. The NIS is to be submitted to the satisfaction of the General Manager or his delegate. It is to include recommendations for noise attenuation. The operator/owner is to implement the recommendations of the NIS within a timeframe specified by Council's authorised officer.

[USE0245]

46. All buses and other vehicles engaged in the letting down and picking up of patrons/occupants are required to switch off their engines if they are standing for a greater period of time than two (2) minutes.

[USE0265]

47. All plant and equipment installed or used in or on the premises:

- (a) Must be maintained in a proper and efficient condition, and
- (b) Must be operated in a proper and efficient manner.

In this condition, "plant and equipment" includes drainage systems, infrastructure, pollution control equipment and fuel burning equipment.

[USE0315]

48. The use (restaurant and shop) is restricted to the floor area designated on the approved plan. Use of the premises as a function centre is not permitted.

[USE0415]

49. All loading/unloading to take place within the boundary of the subject property.

[USE0525]

50. Any premises used for the storage, preparation or sale of food are to comply with the *Food Act* 2003, FSANZ Food Safety Standards and AS 4674-2004 Design, construction and Fit-out of Food Premises and other requirements of Councils Environmental health Officer included in this approval.

[USE0835]

51. All mechanical ventilation shall comply with AS1668.2 Ventilation Requirements.

[USE0845]

52. The use of the Lawn Area, Children's Playground and Lounge Area (external to the existing restaurant) is not permitted at any time.

53. The use of External Toilets is permitted in accordance with the noise management recommendations at Section 5.5 of the Noise Level Impact Assessment Report prepared by Craig Hill Acoustics dated 12 March 2014.

54. The use of Plant Area 1 is not permitted after 10pm unless noise mitigation measures are in place in accordance with Section 5.5 of the Noise Level Impact Assessment Report prepared by Craig Hill Acoustics dated 12 March 2014.
 55. The use of Plant Area 2 is not permitted following the commencement of any development of the adjoining western or southern allotments without the prior written approval of the General Manager or delegate in accordance with Section 5.5 of the Noise Level Impact Assessment Report prepared by Craig Hill Acoustics dated 12 March 2014. The replacement of any plant within Plant Area 2 is not permitted without the prior written approval of the General Manager or delegate.
 56. Deliveries and service vehicles are not permitted prior to 8am or after 8pm on any Saturday, Sunday or public holiday and before 7am or after 8pm on any other day.
 57. Staff access to the solid waste collection/storage areas is not permitted prior to 8am or after 8pm on any Saturday, Sunday or public holiday and before 7am or after 8pm on any other day where it can be heard in a habitable room of another residential premises.
 58. Prior to use of the kitchen exhaust system, certification that the system has been installed and operating in accordance with AS1668, shall be submitted to the satisfaction of the General Manager or delegate. Certification, appropriate for NSW, shall provide detail of the scope of the certification, signed by an appropriately qualified person including qualification.

[USENS01]
 59. The development is limited to a maximum of 240 people at any one time.

[USENS01]
 60. Prior to use of the kitchen exhaust system, certification that the system has been installed and operating in accordance with AS1668, shall be submitted to the satisfaction of the General Manager or delegate. Certification, appropriate for NSW, shall provide detail of the scope of the certification, signed by an appropriately qualified person including qualification.
 61. The use of the upper roof area is not permitted.

[USENS02]
- B. Council issues a Penalty Infringement Notice to the owner for the unauthorised building works which have occurred at Lot 618 DP 508200 No. 2-8 Willow Avenue, Bogangar.

3 [PR-PC] Variations to Development Standards under State Environmental Planning Policy No. 1 - Development Standards

RECOMMENDED that Council notes the March 2014 Variations to Development Standards under State Environmental Planning Policy No. 1 - Development Standards.

4 [PR-PC] Results of NSW Planning and Infrastructure's Local Development Performance Monitoring Report 2012/13

RECOMMENDED that the results of NSW Planning and Infrastructure's Local Development Performance Monitoring Report 2012/13 be received and noted.

5 [PR-PC] Further Compliance Issues - 140 Turners Road, Wardrop Valley

RECOMMENDED that in terms of the continuing unauthorised light industry use on the site (construction of manufactured homes) on the premises No.140 Turners Road, Wardrop Valley, Council endorses the following:

1. The owner of the subject premises be advised to remove the unauthorised manufactured homes from the site within seven days of receiving notification of Council's decision; and
2. If the structures are not removed in accordance with Recommendation 1, Council engages solicitors to commence appropriate legal action to have the manufactured homes removed.

6 [PR-PC] Submission to Planning and Infrastructure for the Kings Forest Concept plan and Project approval Modification applications

RECOMMENDED that Council endorses that this report be referred to NSW Planning and Infrastructure as Council's submission to the proposed modification requests for the Kings Forest Concept Plan (MP06_0318 MOD 4) and Stage 1 Project Approval (MP08_0194 MOD 2).

7 [PR-PC] Development Application DA13/0594 for a Detached Dual Occupancy at Lot 24 Section 5 DP 4043 No. 40 Enid Street, Tweed Heads

RECOMMENDED that Development Application DA13/0594 for a detached dual occupancy at Lot 24 Section 5 DP 4043 No. 40 Enid Street, Tweed Heads be deferred for a workshop and be reported back to a future meeting.

8 [PR-PC] Development Application DA13/0591 - Erection of Four Townhouses at Lots 25 and 26 Section 5 DP 4043 Nos. 36 and 38 Enid Street, Tweed Heads

RECOMMENDED that Development Application DA13/0591 for the erection of four townhouses at Lots 25 and 26 Section 5 DP 4043 No. 36 and 38 Enid Street, Tweed Heads be deferred for a workshop and be reported back to a future meeting.

- a9 [PR-PC] Development Application DA10/0801.02 for an Amendment to Development Consent DA10/0801 for the Cobaki Estate Subdivision of Precinct 6 Comprised of 442 Residential Lots (Including 1 Residual Lot) and Lots for Drainage, Open Space and Urban Infrastructure (JRPP) at Lot 1 DP 570076, Lots 54, Part Lot 199 & Lot 200 DP 755740 Piggabeen Road, Cobaki Lakes; Lot 1 DP 562222, Lot 1 DP 570077, Lot 1 DP 823679, Lot 2 DP 566529, Lots 46, 55, Part 199, 201, 202, 205, 206, 209, 228, 305 DP 755740 Sandy Lane, Cobaki Lakes

RECOMMENDED that:

1. Council reconsiders the application and makes a determination following preparation of a report reflecting the proposed meeting of Leda and Council ecologists.
2. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

There being no further business the Meeting terminated at 5.40pm

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**Minutes of the Planning Committee Meeting Confirmed at the
Planning Committee Meeting held on**

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Chairman

