



PLANNING VOTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL

11 June 2014 commencing at 9.02am.

13 STAFF REPORTS

ITEM 2 CREMATORIUM AT FREDERICKTON

REPORT SUMMARY

Reporting that Council has received a Development Application for a Crematorium at Frederickton for which objections have been received.

The application includes erection of a chapel, a crematorium building, tea rooms and amenities building, administration building, ash garden and car park.

The proposed cremator is a Mathews Power-Pak II which is designed to complete a cremation in 100 minutes and is fired with LPG.

Owner: Robert B. Walker Funerals
 Subject Land: Lot 241 DP 752437
 25 Everingham Lane, Frederickton
 Zone: Part RU1 – Primary Production; part R5 – Large Lot Residential

MOVED: *Moved: Cl. Morris*
Seconded: Cl. Shields

That this item be listed for a works inspection.

An Amendment was MOVED: *Moved: Cl. Saul*
Seconded: Cl. Patterson

That this item be deferred until last item in the meeting prior to confidential section.

2014.142 The AMENDMENT was PUT to the MEETING and was CARRIED, became the MOTION and was CARRIED.

A Division resulted in the following votes.

F = Voted For
A = Voted Against

Campbell	F	Green	A	Kesby	F	Morris	A	McGinn	F	Patterson	F	Saul	F
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Shields	F	Williams	F
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The following item was deferred from earlier in the meeting.

ITEM 2 CREMATORIUM AT FREDERICKTON

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The proposed cremator is a Mathews Power-Pak II which is designed to complete a cremation in 100 minutes and is fired with LPG.

Owner: Robert B. Walker Funerals
 Subject Land: Lot 241 DP 752437
 25 Everinghams Lane, Frederickton
 Zone: Part RU1 – Primary Production; part R5 – Large Lot Residential

2014.147

RESOLVED:

*Moved: Cl. Shields
 Seconded: Cl. McGinn*

That the meeting be adjourned and a site inspection be conducted.

At this stage 11.05am the meeting adjourned for a site inspection to be conducted at the proposed crematorium Everinghams Lane Frederickton and upon resumption at 12.12pm all present at the adjournment were in attendance.

MOVED:

*Moved: Cl. Saul
 Seconded: Cl. Kesby*

That the consent be granted subject to the following conditions:

- Design Changes: Amended plans required**
 The design of the development is to be modified as set out in the following table. Amended plans and specifications incorporating the following design amendments must be incorporated in the plans and specifications submitted with the application for a Construction Certificate:

Design Amendment	Reason for Amendment
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Design Amendment	Reason for Amendment
(a) Cremator is to be relocated 30 metres to the west.	To reduce potential impacts on future rural residential development to the east.
(b) Amendment of the landscaping plan to incorporate screen planting along the R5 zone boundary within the site.	To screen the development from future rural residential development on the land.
(c) That the privacy screening be extended along the driveway to the top of the ridge	To screen the development from existing and future rural residential development on the land.

2 Development is to be in accordance with approved plans
The development is to be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Plan No./ Supporting Document	Version	Prepared by	Dated
Statement of Environmental Effects		Piper Planning	
Development Application Plans Sheet Nos: 1 Site Plan 2 Part Site Plan 20 Concept Stormwater Management Plan 22 Sediment and Erosion Control Plan			As amended by Condition 1
Development Application Plans Sheets Nos: 3 Proposed Floor Plan – Chapel, 4 North and West Elevations – Chapel, 5 South and East Elevations – Chapel, 6 Section A-A and Roof Plan – Chapel, 7 Proposed Floor Plan – Crematorium, 8 North and West Elevations – Crematorium, 9 South and East Elevations – Crematorium, 10 Section B-B and Roof Plan – Crematorium, 11 Proposed Floor Plan –Tea Room and Amenities, 12 North and West Elevations – Tea Room and Amenities, 13 South and East Elevations – Tea Room and Amenities, 14 Section C-C and Roof Plan – Tea Room and Amenities,		Ben Murray	15 May 2013

Plan No./ Supporting Document	Version	Prepared by	Dated
15 Proposed Floor Plan – Administration Building, 16 North and West Elevations – Administration Building, 17 South and East Elevations – Administration Building, 18 Section D-D and Roof Plan – Administration Building, 21 Sediment and Erosion Control Plan 22 Sediment and Erosion Control Plan			
Landscape Plan		Forum Urban Sanctum	As amended by Condition 1
Air Quality Impact Assessment	Rev 0 (Final)	Advitech Environmental	16 December 2013
Bushfire Threat Assessment	A	Kleinfelder	September 2013
On-Site Domestic Wastewater Management Report	E1805	Rosewood Environmental Services Pty Ltd	4 September 2013
Traffic Impact Assessment	PM431-RD-C	Local Government Engineering Services	Undated
Visual Impact Assessment		Piper Planning	Undated
Waste Management Plan / Schedule		Ben Murray	18 June 2013

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

The approved plans and supporting documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

- 3 Appointment of Principal Certifying Authority and grant of construction certificate**
This consent does not permit commencement of any works. Works are not to commence until such time as a Principal Certifying Authority has been appointed and a Construction Certificate has been obtained.

**COMPLIANCE WITH THE FOLLOWING CONDITIONS PRIOR TO THE
ISSUE OF ANY CONSTRUCTION CERTIFICATE**

- 4 Compliance with Building Code of Australia**
All building work must comply with the provisions of the Building Code of Australia (BCA).
- 5 Consent required for works within the road reserve**
Consent from Council must be obtained for the proposed driveway located within the Everinghams Lane road reserve pursuant to Section 138 of the Roads Act 1993. Three (3)

copies of engineering construction plans must accompany the application for consent for works within the road reserve. Such plans are to be in accordance with Council's Adopted Engineering Standard and in accordance with the Traffic Impact Assessment Report by Local Government Engineers submitted with the application, in particular, the location of the access driveway and its design to consist of a two lane road minimum width 6.0m, and that the point of access be channelised with a median to provide a separation of the entry and exit lanes.

6 Sediment and erosion measures required

The application for a Construction Certificate is to include plans and specifications that indicate the measures to be employed to control erosion and loss of sediment from the site. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises must be undertaken through the installation of erosion control devices such as catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams, and sedimentation basins. The sediment and erosion control plan is to be designed in accordance with the requirements of the Landcom Blue Book, "Soils and Construction -Managing Urban Stormwater".

The sediment and erosion control plan is to be prepared by a qualified practising Civil Engineer. The Civil Engineer is to be a corporate member of the Institution of Engineers Australia or is to be eligible to become a corporate member and have appropriate experience and competence in the related field.

The plans must be in compliance with Council's current Council's Adopted Engineering Standard. Such plans and specifications must be approved as part of the Construction Certificate.

7 Stormwater Management Plan

The application for a Construction Certificate is to include a Stormwater Management Plan designed to address stormwater disposal on site having regard to the existence of shallow soils, heavy clays, pre-treatment of litter and coarse sediment and ongoing management post construction and is to be approved by Council prior to issue of the Construction Certificate.

8 Construction of buildings in bushfire-prone areas

The application for a Construction Certificate is to include details indicating the construction of the building to Level BAL 12.5 construction as defined in AS 3959-2009 - *Construction of buildings in bushfire-prone areas*. In addition, the plans are to detail the water supply recommended in the Bushfire Threat Assessment report by Kleinfelder dated September 2013 submitted with the development application including:

- the minimum dedicated water supply required for fire fighting purposes excluding drenching systems, is 10,000 litres,
- a suitable connection for firefighting purposes is made available and located within the IPA and away from the structure. A 65mm Storz outlet with a Gate or Ball valve is to be provided,
- Gate or Ball valve and pipes are adequate for water flow and are metal rather than plastic,
- underground tanks have an access hole of 200mm to allow tankers to refill direct from the tank. A hardened ground surface for truck access is supplied within 4 metres of the access hole,

- above ground tanks are manufactured of concrete or metal and raised tanks have their stands protected. Plastic tanks are not used. Tanks on the hazard side of a building are provided with adequate shielding for the protection of fire fighters,
- all above ground water pipes external to the building are metal including and up to any taps. Pumps are shielded.

9 Access and facilities for disabled

The application for a Construction Certificate is to include plans and specifications that indicate access and facilities for persons with access disabilities to and within the development in accordance with AS 1428.1 - *Design for Access and Mobility* and Part D3 of the *Building Code of Australia*.

Such plans and specifications must be approved as part of the Construction Certificate.

10 Food Preparation Area

Prior to issue of the Construction Certificate, a plan of the food preparation area is to be submitted at a scale of 1:50 detailing the fitout in accordance with AS4674-2004 Design Construction and Fitout of Food Premises.

11 Car parking plans required

The application for a Construction Certificate is to include plans and specification that indicate access, parking and manoeuvring details in accordance with the plans approved by this consent. The access, parking and manoeuvring for the site is to comply with the requirements of Council's Development Control Plan for Car Parking. Plans are to include, but not be limited to, the following items:

- a) pavement description;
- b) site conditions affecting the access;
- c) existing and design levels;
- d) longitudinal section from the road centreline to the car space(s);
- e) cross sections at appropriate intervals, with a maximum separation of 15 metres;
- f) drainage (pipes, pits, on-site detention, etc.);
- g) disabled space design and access paths to buildings in accordance with AS1428;
- h) turning paths; and
- i) linemarking and signs.

The engineering plans and specifications are to be designed by a qualified practising Civil Engineer. The Civil Engineer is to be a corporate member of the Institution of Engineers Australia or is to be eligible to become a corporate member and have appropriate experience and competence in the related field.

The plans must be in compliance with AS2890.1. Such plans and specifications must be approved as part of the Construction Certificate.

12 Detailed landscaping plan required

The application for a Construction Certificate is to include plans and specifications that indicate the landscaping of the site consistent with the approved development application landscaping plan. The landscaping plan must indicate:

- a) location of trees identified for retention in the development application plans,
- b) proposed location for planted shrubs and trees,
- c) botanical name of shrubs and trees to be planted,
- d) mature height of trees to be planted,

- e) location of grassed and paved areas,
- f) location of common tap(s) and/or irrigation system to ensure all landscape works can be adequately watered, and;

The plan is to be prepared by a suitably qualified landscape architect / architect / ecologist who has appropriate experience and competence in landscaping.

Such plans and specifications must be approved as part of the Construction Certificate.

**COMPLIANCE WITH THE FOLLOWING CONDITIONS PRIOR TO ANY BUILDING OR
CONSTRUCTION WORKS COMMENCING**

- 13 Erosion & sediment measures in accordance with the approved Erosion and Sediment Control Plan.**
Erosion and sedimentation controls are to be in place in accordance with the approved Erosion and Sediment Control Plan.
- 14 Toilet facilities**
Toilet facilities are to be provided, at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be a toilet connected to an accredited sewage management system approved by the Council.
- 15 Site construction sign required**
A sign or signs must be erected before the commencement of the work in a prominent position at the frontage to the site:
 - 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 work site is prohibited.

The 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. No sign is to have an area in excess of one (1) m².
- 16 Construction times**
Construction works must not unreasonably interfere with the amenity of the neighbourhood. In particular construction noise, when audible on adjoining residential premises, can only occur: Monday to Friday, from 7 am to 6 pm and Saturday, from 8 am to 1 pm.
- 17 Builders rubbish to be contained on site**
All builders rubbish is to be contained on the site in a 'Builders Skips' or an enclosure. Building materials are to be delivered directly onto the property. Footpaths, road reserves and public reserves are to be maintained clear of rubbish, building materials and all other items.
- 18 Maintenance of sediment and erosion control measures in accordance with approved plan**
Sediment and erosion control measures in accordance with the approved Erosion and

Sedimentation Control Plan must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.

19 Burning of felled trees prohibited

The burning of trees and associated vegetation felled during clearing operations is not permitted. Where possible, vegetation is to be mulched and reused on the site.

20 Removal of asbestos

All asbestos wastes associated with demolition works are to be disposed of in accordance with the requirements of the WorkCover Authority. The applicant/owner is to produce documentary evidence that this condition has been met. Council requires 48 hours notice prior to disposal at Council's waste depot.

21 Standards for demolition work

All demolition works are to be undertaken in accordance with the provision of Australian Standard AS 2601-2001 *The Demolition of Structures*. Prior to demolition, all services are to be disconnected and capped off.

22 Low Reflective glass to be used

All glass used externally must have a maximum reflectivity index of 20%.

23 Details required for on-site sewage management

Submission of an application pursuant to Section 68 of the Local Government Act to install and operate the proposed on-site sewage management system.

Prior to work commencing on construction of the on-site sewage management system the following is required:

- a) All manufacturers details of tanks sizes and specifications to be submitted.
- b) Details of water conservation measures must be submitted with a permit application form signed by the licensed plumber.
- c) A licensed plumber is to be engaged to carry out the work. The plumber is to obtain a permit from Council prior to commencing any work.

24 Aboriginal Field Officer to be on site for all earthworks

An Aboriginal Field Officer from the Local Aboriginal Land Council is to be present during all earthworks. The identity of the appointed person is to be made known to Council two days prior to commencing earthworks.

**COMPLIANCE WITH THE FOLLOWING CONDITIONS PRIOR TO
OCCUPATION OF THE BUILDING**

25 Works to be completed

All of the works indicated on the plans and granted by this consent, including any other consents that are necessary for the completion of this development, are to be completed and approved by the relevant consent authority prior to the issue of an Occupation Certificate.

26 Site to be landscaped

The site must be landscaped in accordance with the approved landscape plan.

27 Car parking areas to be completed and signs to be provided

The car parking areas are to be constructed in accordance with the approved plans.

28 Roadworks in accordance Roads Act

All works within the road reserve must be constructed in accordance with the Roads Act consent Sealed driveway in accordance with Roads Act

29 Internal driveway in accordance approved plans

A driveway is to be constructed from the property boundary to the proposed car space/s in accordance with the approved plans.

30 On-site effluent management system must be completed

The on-site effluent management system is to be completed in accordance with approved plans and current specifications and standards. The system is not to be used and/or operated until a Council Officer has inspected the system and authorised its use.

COMPLIANCE WITH THE FOLLOWING CONDITIONS AT ALL TIMES

31 Management and maintenance of cremator

The cremator facility is to be installed and operated in accordance with the Environmental Guidelines for Crematoria and Cremators produced by the Australasian Cemeteries and Crematoria Association. The cremator unit is to be managed and maintained by a qualified technician at all times in accordance with the manufacturers guidelines.

32 Monitoring of crematorium emissions

The results of the following monitoring requirements are to be retained at the premises for a period of three years from the date of measurement and are to be made available upon request for inspection by Council's Environmental Health Officer. Monitoring is to commence immediately upon commencement of operation of the crematorium.

- **At the time of commissioning and for a period of 4 weeks (and ongoing if there are any concerns about the emissions), monitoring of:**
 - Chlorine and compounds,
 - Acid gases as HCl,
 - Fluorine and compounds,
 - Heavy metals - mercury, lead and cadmium.
- **Continuous monitoring of the following parameters:**
 - Opacity,
 - Temperature of the primary and secondary chamber,
 - Carbon monoxide,
 - Oxygen,
 - Carbon dioxide.
- **Annual monitoring and reporting of stack emissions for compliance with the following parameters:**
 - Total solid particulates,
 - Carbon monoxide,
 - Nitrogen oxides,
 - Total organic compounds and hexane.

- 33 Air quality and odours**
 Operation of the development shall comply at all times with the environmental standards for air quality detailed in the report by Advitech Environmental dated 16 December 2013 submitted with the development application. No visible smoke or offensive odours are to be generated by the cremator unit at any time.
 - 34 Compliance with regulation**
 The facility is to be operated and maintained in accordance with the requirements of the Public Health (Disposal of Bodies) Regulation 2002.
 - 35 Clinical wastes**
 Contaminated and clinical wastes shall be removed from the site by an approved contaminated waste contractor at an approved facility.
 - 36 LPG storage tank**
 The installation, storage and handling of the proposed LPG storage tank is to be in accordance with the requirements of AS/NZS 1596:2008 – The storage and handling of LP Gas and the relevant provisions of the Dangerous Goods (Gas Installations) Regulation 1998.
 - 37 Prohibition on additional uses**
 This consent does not permit the property to be used as a mortuary or for the dressing or preparation of deceased bodies and such uses are expressly prohibited.
 - 38 Limits on intensity of use**
 This consent permits a maximum of 250 cremations per calendar year with a maximum of 6 in any one week.
 - 39 Restriction on large funerals**
 Management of bookings for funerals and memorial services shall ensure large funerals and memorial services, likely to involve more than 80 mourners, shall not be held or occur between 3.00pm and 4.00pm on Monday to Friday.
 - 40 Security lighting to be shielded**
 Any outdoor security lighting must be located or shielded so that no additional light is cast on adjoining land.
 - 41 Restricted hours of operation**
 The hours of operation of the business are restricted to the times set out in the following table:-

Period	Start Time	Finish Time
Monday to Friday	8.00am	5.00pm
Saturday	8.00am	2.00pm
- Any alteration to the above hours of operation will require the further consent of Council.
- 42 Maintenance of Bushfire requirements**
 The recommendations of the Bushfire Threat Assessment report by Kleinfelder dated September 2013 are to be maintained at all times.

COMMITTEE OF THE WHOLE

2014.148 RESOLVED: *Moved: Cl. Shields*
Seconded: Cl. Kesby

That Council move into Committee of the Whole for discussions related to item 2.

2014.149 RESOLVED: *Moved: Cl. Green*
Seconded: Cl. McGinn

That the Council Meeting be resumed.

2014.150 The MOTION was PUT to the MEETING and was CARRIED.

A Division resulted in the following votes.

F = Voted For

A = Voted Against

Campbell	F	Green	F	Kesby	F	McGinn	F	Morris	A
Patterson	F	Saul	F	Shields	F	Williams	F		

2014.151 RESOLVED: *Moved: Cl. Green*
Seconded: Cl. Shields

That in view of the increased traffic in the area around Collombatti Road that council request the traffic committee to review the speed limit on Collombatti Road and Everinghams Lane from the 100km per hour sign to a reasonable distance around the first bend.

The Mayor noted that the forgoing resolution was passed UNANIMOUSLY.

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