

Annexure A

DETERMINATION OF DEVELOPMENT APPLICATION BY GRANT OF CONSENT

Development Application No: 19/2020

Development: construction of a service station with convenience store, overhead fuel canopy, underground fuel tanks and infrastructure, loading bay, garbage yard, plant area, landscaping and signage

Site: 18 Kelly Street, Scone

The above development application has been determined by the granting of consent subject to the conditions specified in this consent.

Date of determination: 14 May 2021

Date from which consent takes effect: [*Please elect relevant date - Date the consent is registered on the NSW Planning Portal or Date of determination*].

TERMINOLOGY

In this consent:

- (a) Any reference to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to such a certificate as defined in the *Environmental Planning and Assessment Act 1979*.
- (b) Any reference to the “applicant” means a reference to the applicant for development consent or any person who may be carrying out development from time to time pursuant to this consent.
- (c) Any reference to the “site”, means the land known as 18 Kelly Street, Scone.

The conditions of consent are as follows:

DA 19/2020 – Without Prejudice Conditions of Consent**Identification of approved plans:**

1. The development being carried out in accordance with the development application and the drawings referenced below and Statement of Environmental Effects dated January 2020 (by KDC) except where amended by the following conditions.

JOB REFERENCE NO	SHEET No	REVISION No	DRAWN BY	DATE
Site Survey D19-1193		D	MM Hyndes Bailey and Co	16.01.2020
Site Plan D19-1193	100	I	Modus	September 2019
Signage Plan D19-1193	102	I	Modus	September 2019
Floor Plan D19-1193	200	I	Modus	September 2019
Canopy and Convenience Store Roof Plan D19-1193	201	I	Modus	September 2019
Reflected Ceiling Plan D19-1193	220	I	Modus	September 2019
Elevation Plan D19-1193	300	I	Modus	September 2019
Section Plan D19-1193	400	I	Modus	September 2019
Landscaping Plan Ref: 2003	02-06	B	MARA Consulting Pty Ltd	29.01.2020
Stormwater Plan	CIV01- 02	B	DRB Consulting Engineers	16.01.2020
Erosion and Sediment Control Plan	CIV03	B	DRB Consulting Engineers	28.01.2020
Swept Path Assessment 20m AV	SK01	-	SLR	8.4.2021
Swept Path Assessment 8.8 MRV	SK02	-	SLR	6.4.2021
Swept Path Assessment Front-lift RCU	SK03	-	SLR	8.4.2021
Proposed Driveway Crossover Details	SK04	-	SLR	8.4.21

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

2. A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

General Operational Conditions:

Hours of Operation

3. The operation of the service station and retail premises shall be limited to the following hours:-

Operating hours:	6.00am to 11.00pm daily
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Upon expiry of the permitted hours, all service shall immediately cease, no person shall be permitted entry and all customers on the premises shall be required to leave within the following half hour and illuminated signs are turned off.

(Reason: Information to ensure that amenity of the surrounding locality is maintained and hours of operation are consistent with those in surrounding locality.)

Fuel Deliveries

4. All fuel deliveries must occur between the following times - 9.00am to 4.00pm; 7.00pm to 10.00pm.

(Reason: To facilitate the safe ingress/egress of the fuel delivery vehicle and minimise traffic and pedestrian conflict.)

Site Management Plan

5. The development shall be carried out in accordance with the approved Site Management Plan (refer to further condition).

The following shall apply:

- a) If from time to time, and in accordance with these conditions, the Applicant (whether of its own volition or in accordance with recommendations made pursuant to these conditions) proposes any amendments to the management plan referred to in this condition then those proposed amendments shall be submitted by the Applicant to the Council for approval.
- b) An amendment to a plan under condition does not take effect until:
 - i. the Council has approved the amendments; and
 - ii. the Applicant has made any further amendments required by the Council (acting reasonably) as a condition of approving the amendments.

- c) If there is any inconsistency between these conditions of consent and any of the following:
- i. the Statement of Environmental Effects;
 - ii. the supporting documents; or
 - iii. the management plans

then the conditions of consent shall prevail.

Noise Assessment Criteria

6. The noise generated at the premises must not exceed the noise limitations presented in Table 1 at the boundary of any residential premises:

Table 1: Noise Criteria

LAeq(15min)	Period
43 dBA	Morning Shoulder
48 dBA	Day
43 dBA	Evening
38 dBA	Night

Note:

Morning Shoulder is: 5am to 7am Monday to Saturday or 5am to 8am on Sundays

Day is: 7am to 6pm Monday to Saturday; 8am to 6pm Sundays and Public Holidays

Evening is: 6pm to 10pm daily.

Night is: 10pm to 5am Monday to Saturday; 10pm to 5am Sundays and Public Holidays.

Independent Review

7. If an owner of adjoining privately-owned land considers the development to be exceeding the relevant noise assessment criteria then he/she may ask the Consent Authority in writing for an independent review of the impacts of the development on his/her land.

If the Consent Authority is satisfied that an independent review is warranted, then within 2 months of the Consent Authority decision, the Applicant must:

- (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Consent Authority, to:
 - a. consult with the landowner to determine his/her concerns;
 - b. conduct monitoring to determine whether the development is complying with the relevant criteria in Table 1 and;
 - c. if the development is not complying with these criteria, then identify measures that could be implemented to ensure compliance with the relevant criteria; and
- (b) give the Consent Authority and landowner a copy of the independent review; and
- (c) comply with any written requests made by the Consent Authority to implement any findings of the review.

(Reason: To ensure the development is complying with relevant standards, performance measures and statutory requirements.)

Operational conditions imposed under the *Environmental Planning And Assessment Act* and regulations and other relevant legislation:

8. All building work must be carried out in accordance with the provisions of the National Construction Code Series.

(Reason: Prescribed by legislation)

Conditions to be complied with prior to the issue of the construction certificate:

Construction Environmental Management Plan

9. Prior to the issue of any Construction Certificate, a Construction Environmental Management Plan (CEMP) for the development must be provided to the Certifying Authority for approval for each stage (or combined). The CEMP must:

- a) Include management strategies for the potential risks to on-site workers and visitors, off-site receptors, and the environment from the contamination identified in the updated Site Investigation (if applicable).
- b) Include the environmental site management measures must remain in place and be maintained throughout the period of the development.
- c) Address all environmental aspects of the development's construction phases, and include where relevant, but not be limited to, the following:
 - i. Project Contact Information
 - ii. Site Security Details
 - iii. Timing and Sequencing Information
 - iv. Site Soil and Water Management Plan
 - v. Noise and Vibration Control Plan
 - vi. Air quality monitoring and management
 - vii. Health and Safety Plan
 - viii. Incident Management Contingency
 - ix. Unexpected Finds Protocol
- d) Be kept on site from the commencement and for the duration of the proposed works, and must be available to Council officers upon request.
- e) The CEMP provided to Council must exempt Council from any claim for copyright that may restrict Council's ability to provide information to the public in accordance with the *Government Information (Public Access) Act 2009*.

(Reason: To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the construction process in a manner that respects adjoining owner's property rights and residential amenity in the locality, without unreasonable inconvenience to the community)

Underground Petroleum Storage System - Design

10. Prior to issue of the Construction Certificate:
- a. the detailed design specification of the Underground Petroleum Storage System (UPSS) and leak detection system must be submitted to the Certifying Authority

showing compliance with the UPSS Regulation and consistency with industry best practice as set out in Australian Standard AS 4897-2008: The design, installation and operation of underground petroleum storage systems. This includes, but is not limited to, provision of ground water monitoring wells, loss monitoring and mandatory pollution protection equipment comprising of non-corrodible secondary containment tanks and associated pipework and over fill protection devices.

- b. The applicant must ensure that the design of the UPSS and leak detection system is undertaken by a Duly Qualified Person, which is defined in the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 (UPSS Regulation 2019) [AS, IN RELATION TO ANY ACTIVITY, A PERSON WHO HAS SUCH COMPETENCE AND EXPERIENCE IN RELATION TO THAT ACTIVITY AS IS RECOGNISED IN THE RELEVANT INDUSTRY AS APPROPRIATE TO CARRY OUT THAT ACTIVITY]. The design is to be certified by the Duly Qualified Person as satisfying this requirement prior to the issue of any Construction Certificate.

Stormwater

11. The stormwater system shall be constructed to an appropriate standard in compliance with the Council's *Engineering Guidelines for Subdivisions and Developments*.

Detailed engineering drawings of the proposed stormwater drainage system for each stage of the development including the detention basin/tanks shall be submitted to and approved by the Certifying Authority prior to the release of any Construction Certificate.

(Reason: To ensure adequate provision is made for stormwater drainage from the site in a proper manner that protects adjoining properties and public infrastructure)

Section 94A Contributions

12. Prior to the issue of any Construction Certificate pursuant to Upper Hunter Shire Council Section 94A Development Contribution Plan 2008, a contribution of **\$19,757.06** is required to be paid to Council. The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of the Section 94A Development Contributions Plan.

(Reason: To ensure that the proposed development makes an appropriate contribution to facilities in the Upper Hunter Local Government Area)

Cleanliness and maintenance of food preparation areas

13. To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation areas, all building work in connection with the occupation or use of the premises for the preparation and storage of food shall be designed and carried out in accordance with the requirements of:
 - (a) The Food Act (as amended)
 - (b) The Food Regulation (as in force);
 - (c) AS4674 (Design, Construction and Fit-Out of Food Premises);
 - (d) The Clean Air (Plant and Equipment) Regulation;
 - (e) AS 1668 Part 2;
 - (f) The Protection of the Environment Operations Act; and
 - (g) The National Construction Code Series;

The relevant matters to be taken into account under this approval relate to:

- i. construction, materials and finishes;
- ii. installation of fixtures, fittings and equipment;
- iii. washing facilities, other facilities and special requirements;

- iv. mechanical ventilation and exhaust discharges; and
- v. temperature control

Detailed plans and specification of work demonstrating that these design requirements have been met shall be submitted to and approved by the Principal Certifier prior to the release of the Construction Certificate.

(Reason: To ensure compliance with acceptable standards for the construction of food premises established under environmental health and safety legislation)

Lighting Plan

14. Prior to the issue of any Construction Certificate a lighting plan must be submitted to the Certifying Authority for approval. The plans must show and include specifications that:

- a) lighting is provided to pedestrian paths, side and rear laneways and building entries, that ensures a clear line of site along pedestrian routes and that does not adversely affect the residential amenity of neighbours.
- b) Lighting fixtures are of low energy design, integrated in the building walls, and readily maintained by the owner. Sensor spotlights are not to be used for the lighting of pedestrian areas.
- c) Demonstrated compliance with *Australian Standard 4282-1997 - Control of the obtrusive effects of outdoor lighting* and *AS/NZS1158 Lighting for roads and public spaces*
- d) illuminated signs are fitted with devices that allows the level of illumination to be adjusted.

(Reason: To ensure there is adequate lighting for the safety of users which does not adversely impact on the amenity of adjoin residents.)

Water and Sewer Contributions

15. A contribution pursuant to the provisions Section 64 of the *Local Government Act, 1993* as specified hereunder for the services detailed shall be made to Council.

Contribution type	Total
Water	\$26,548.74
Sewerage	\$13,074.00
Total contribution	\$39,622.74

Note: Contributions have been calculated in accordance with the Upper Hunter Shire Council Development Servicing Plan for Water Supply and Sewerage 2016 and the Section 64 Determinations of Equivalent Tenements Guidelines (NSW Water Directorate 2017).

Documentary evidence shall be submitted to the Certifying Authority confirming that the contribution has been paid prior to determination of the application for the Construction Certificate, where applicable.

The level of contributions shall be in accordance with Council's Fees and Charges at the time of payment.

(Reason: To retain a level of service for the existing population and to provide the same

level of service to the population resulting from new development)

Conditions that must be addressed prior to commencement:

Erosion and Sediment Control

16. All erosion and sedimentation techniques are to be properly installed prior to the commencement of any site works and maintained in a functional and effective condition throughout the construction activities in accordance with *Soils and Construction: Managing Urban Stormwater* ('the Blue Book') until the site is stabilised and landscaped.

The installation is to be approved by the Principal Certifying Authority prior to further commencement of site works.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

Site Facilities

17. Site facilities

- (a) If the development involves building work or demolition work it is recommended that the work site be fully enclosed by a temporary security fence (or hoarding) before work commences. Any such hoarding or fence is to be removed when the work has been completed.
- (b) A minimum width of 1.2m must be provided between the work site and the edge of the roadway so as to facilitate the safe movement of pedestrians. If trees are present in the footpath the minimum width must be provided to one side of the trees.
- (c) A garbage receptacle fitted with a tight fitting lid for the reception of all food scraps and papers from the work site must be provided prior to building work commencing and must be maintained and serviced for the duration of the work.
- (d) Adequate toilet facilities must be provided on the work site. Each toilet provided must be a standard flushing toilet, connected to a public sewer, or if connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or an approved temporary chemical closet.

The provision of toilet facilities must be completed before any other work is commenced.

The installation of the site facilities shall be approved by the Principal Certifying Authority prior to further commencement of site works and prior to the first inspection.

(Reason: To ensure the health and safety of the community and workers on the site)

Site Works/Construction Signage

18. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- (a) stating that unauthorised entry to the work site is prohibited;
 - (b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
 - (c) showing the name, address and telephone number of the Principal Certifying Authority

for the work.

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

The installation is to be approved by the Principal Certifying Authority prior to further commencement of site works.

(Reason: Statutory requirement)

Conditions that must be complied with during demolition and building work:

Construction Hours

19. Any person acting on this consent shall ensure that:-

- (a) building construction activities are only carried out during the following hours:
 - i. between Monday to Friday (inclusive)—7.00am to 5.00pm,
 - ii. on a Saturday—8.00am to 5.00pm.
- (b) building construction activities must not be carried out on a Sunday or a public holiday unless prior approval has been obtained
- (c) demolition and excavation works must only be carried out between Monday to Friday (inclusive) between 8.00am and 5.00pm.

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

Dust Management

20. The site preparation work and construction shall be carried out in a manner that minimises dust generation from the site, including wind-blown and traffic-generated dust as far as practicable. All project related activities on the site shall be undertaken with the objective of minimising visible emissions of dust from the site. All vehicles leaving the site must have the loads covered such as to prevent dust emissions.

Should visible dust emissions attributable to the demolition and construction occur, the development person acting on the consent shall identify and implement all practical dust mitigation measures, including the cessation of demolition and construction activities, as appropriate, such that emissions of dust are minimised.

(Reason: To ensure the development operations does not cause excessive dust.)

Aboriginal Artefacts

21. In the event that any artefacts of cultural heritage significance are unearthed outside or within the immediate areas during construction, site works must cease and the NSW Office of Environment and Heritage (OEH) EnviroLine (phone 131 555), must be informed immediately. The site is to be recorded and management strategies put in place for protection before any further work can commence in the area.

(Reason: To ensure that measures are in the event that items of Aboriginal cultural significance are unearthed.)

Conditions which must be complied with prior to the issue of any occupation certificate:

Pedestrian Link to Kelly Street

22. Prior to the issue of any Occupation Certificate a pedestrian crossing (zebra crossing) from the pedestrian access connecting to the footpath in Kelly Street to the convenience store shall be fully constructed in accordance with the approved plan.

(Reason: To provide safe pedestrian movement from the footpath in Kelly Street to the convenience store.)

Car Parking

24. Prior to the issue of any Occupation Certificate all off-street car-parking spaces shall be constructed, line marked and signposted in accordance with the approved development plans, appropriate Australian Standards and industry best practice. The pavement of the access ways and parking areas is to be designed to tolerate loads of the heaviest vehicle to access and use the site.

(Reason: To ensure ongoing compliance with this development consent and Australian Standards relating to manoeuvring and access of vehicles)

Parking Signs

25. All vehicles that use the site must turn off engines immediately upon parking. Prior to the issue of any Occupation Certificate signage advising "Idle free zone – Please Turn Engine off" must be installed in both the truck parking area and light vehicle parking area in locations and at sufficient frequency such that they are visible to vehicle operators at the time of parking.

(Reason: to minimise the generation of noise and exhaust fumes from the site.)

Bicycle Parking Facilities

26. Prior to the issue of any Occupation Certificate bicycle parking facilities must be provided to the parking space fronting elevation of each retail building in accordance with AS 2890.3: 1993 *Bicycle Parking Facilities*.

(Reason: To ensure provision is made for on-site bicycle parking.)

Operation of Mechanical Plant

27. All sound producing plant, equipment, machinery, fittings, ducting, refrigeration systems associated with the development, shall be sound insulated and/or isolated so that the noise emitted does not exceed 5dB(A) above the background level in any octave band from 63.0 HZ centre frequencies inclusive, and not more than 5 dB(A) above the background level (LA90) during the day when measured at the nearest affected residence.

For assessment purposes, the above LAeq sound levels are to be adjusted in accordance with EPA guidelines for tonality, frequency weighting, and impulsive characteristics where necessary, at any time the plant is in operation, at the boundary of the site.

Note: The method of measurement of sound shall be carried out in accordance with Australian Standard 1055.1 - 1989.

A report and certification prepared by an appropriately qualified or accredited person shall be submitted to the Certifying Authority demonstrating compliance with this condition prior to the

issuing of any Occupation Certificate for Stage 1, Stage 2 and Stage 3.

(Reason: To ensure that noise generated from the development does not result in offensive noise to any other party)

Stormwater

28. Prior to the issue of any Occupation Certificate the stormwater system must be constructed and operational in accordance with the approved plans. An appropriately qualified and practising Civil Engineer shall provide signed Works-as-Executed drawings and certification to the Certifying Authority that the stormwater drainage system has been constructed in accordance with this consent and the provisions of AS3500.

(Reason: To ensure there is adequate stormwater drainage in place for the development.)

Commissioning of Underground Petroleum Storage System

29. Prior to the issue of any Occupation Certificate, certification must be submitted to the Principal Certifying Authority, and must certify that the UPSS was installed, tested (including Equipment Integrity Testing (EIT)) and commissioned by duly qualified persons in accordance with the UPSS regulation 2019.

Groundwater Monitoring System

30. Prior to the issue of any Occupation Certificate, a report must be submitted to the Principal Certifying Authority and Council relating to the design, installation and testing of the groundwater monitoring wells. The report must be prepared, or reviewed and approved by an appropriately qualified and certified environmental consultant, certified by one of the schemes identified in Section 8.3 of Upper Hunter Contaminated Land Policy 2017.

Fuel System Operational Management Plan

31. Prior to the issue of any Occupation Certificate, a Fuel System Operation Plan (FSOP) in accordance with Regulation 18 of the UPSS Regulation 2019 must be submitted to and approved by the Certifying Authority.

The FSOP must, as a minimum, address the following matters:

- a. Specific information about the storage system, including identifying the 'person responsible' for the system;
- b. Loss monitoring and detection procedures;
- c. Incident management procedures;
- d. Details about system maintenance;
- e. Current 'as built' drawings for the system;
- f. A plan of the storage site. The plan must also include information on the storage system, all buildings and associated infrastructure, all fences and gates, all groundwater monitoring wells, any unsealed ground surfaces and all drainage and services;
- g. A copy of industry standards that have been followed in constructing and maintaining the UPSS; and
- h. A copy of the specifications of the design and installation of the system and any modification; and
- i. An inventory of employee site induction and incident management training that has been undertaken on site.

At all times the FSOP must be held either electronically or in hardcopy form, either as a dedicated document or as part of other site management procedures, and must be available to the Council or other Appropriate Regulatory Authorities when requested.

Mechanical exhaust ventilation

32. The mechanical exhaust system shall be installed in accordance with AS1668, and be operated in such a way so as to minimise/prevent the creation of odours, fumes and excessive noise which may adversely affect the amenity, or interfere unreasonably with the comfort or repose of occupants of the building and adjoining premises.

Certification, from an appropriately qualified and practising Mechanical Engineer, is to be submitted to the Principal Certifier, detailing that the exhaust ventilation system has been installed in accordance with AS1668, prior to completion and the issuing of any Occupation Certificate.

(Reason: To ensure compliance with acceptable standards for the construction and operation of mechanical plant)

Disposal information

33. Upon completion of works and prior to the issue of any Occupation Certificate the person entitled to act on this consent shall provide to Council the following information;

- (a) the total tonnage of all waste and excavated material disposed of from the site;
- (b) the disposal points and methods used; and
- (c) a copy of all disposal receipts is to be provided

(Reason: To ensure responsible disposal of waste material.)

Site Management Plan

34. Prior to the issue of any Occupation Certificate the person acting on this consent must submit a Site Management Plan to the Certifying Authority. The Site Management Plan must include a copy of the Notice of Determination and consent conditions and address the following provisions for:

- a) cleaning and picking up litter from the fast food outlet outside the perimeter of the development site, on nearby footpaths and roads.
- b) removal of graffiti within 24-48 hours
- c) repair and maintenance of signage
- d) repair and maintenance of buildings and other structures
- e) maintenance of landscaping to ensure passive surveillance
- f) cleaning and maintaining gross pollutant devices
- g) fuel delivery procedures

(Reason: To ensure provision is made to ensure space management.)

Conditions that must be complied with at all times:

Vehicle Speeds

35. At all times vehicle speed within the site shall be limited to 10km/hr. Standard "10km/hr" signage shall be installed and maintained at all entrances and within each of the internal movement areas.

(Reason: To minimise the noise generated by vehicle movement and ensure pedestrian safety.)

Lighting

36. At all times the illumination of the external signs shall comply with AS4282-1997 *Control of the obtrusive effects of outdoor lighting* and must be fitted with a device that can control the level of illumination.

(Reason: To ensure the illumination does not cause unacceptable glare that impacts on the amenity of nearby residents.)

Loading within site

37. At all times all loading and unloading operations shall be carried out wholly within the confines of the site and within loading bays designated on the approved plans.

(Reason: To ensure that deliveries can occur safely within the site and does not adversely affect traffic or pedestrian amenity.)

Landscaping

38. At all times the landscaped area of the development is to be maintained at all times in accordance with the approved landscape plan.

(Reason: To ensure the visual amenity of the streetscape is maintained.)

Special conditions relating to crime prevention:

Surveillance

39. Surveillance equipment (CCTV) shall be provided to enhance the physical security of the business's and assist with the identification of people involved in anti-social or criminal behaviour. Cameras must be of high-grade digital quality so as to facilitate identification and adjudication of patrons, offenders and incidents occurring within the premises. The following must be applied:

- a) Cameras installed in and around the business to maximise surveillance opportunities.
- b) Cameras monitoring the cashier's area, high cost merchandise areas with poor natural supervision and entry/exit doors.
- c) Video monitors enabling staff to monitor activities on the camera.
- d) Recording equipment is installed away from the counter area such as to avoid tampering.
- e) CCTV footage kept for a minimum of 21 days.
- f) Appropriate warning signs displayed advising patrons of CCTV in use.
- g) Store windows not obstructed with merchandise that may hinder passive surveillance into or out of the buildings.

Documentary evidence demonstrating compliance with the above requirements shall be submitted to the Certifying Authority prior to the issue of any Occupation Certificate.

(Reason: To ensure appropriate surveillance measures are in place to deter crime and anti-social behaviour.)

Lighting

40. At all times all lighting to the internal roads, car park and pedestrian movement areas shall comply with AS/NZS1158 *Lighting for roads and public spaces*.

(Reason: To ensure an effective level of lighting to facilitate passive surveillance of the outdoor publicly accessible spaces.)

41. At all times security sensor lighting must be installed and operational to areas within the site that are not in use between evening and day times hours.

(Reason: To ensure there is adequate and effective surveillance of all areas.)

Landscaping

42. At all times mature vegetation should allow clear sightlines to allow people to see and be seen.

(Reason: To ensure landscaping allows effective passive surveillance within the site.)

Access Control

43. The following must be applied:

- a) The main entry/exit points for this development be fitted with single cylinder locksets (AS/NZS – lock sets), which comply with the Building Code of Australia.
- b) Doors to restricted areas like the BACK OF HOUSE area, office, airlock and other zones where the general public access is restricted fitted with a security access pad or key lock to restrict unauthorised access.
- c) Counters designed to reduce the opportunity for assault of staff and unauthorised access to the behind counter area by having the 'Point of Sale' area as its own secured and lockable area with anti-jump barriers to restrict any person from jumping the counter or having unauthorised access to the counter.
- d) A monitored intruder alarm system be installed and a duress facility be incorporated into the system to enable staff to active the alarm system manually in the event of an emergency or robbery.
- e) For service station/convenience store staff: be able to control the main customer entry/exit point from behind the service counter so that they can control customer entry within the later hours of trading.
- f) For businesses handling cash, a safe designed and installed to the Australian Standards could be used to provide additional security to money and other valuables. A drop safe for use in the service station/convenience store to ensure a minimum amount of money is kept in the cash register.
- g) The bin storage area gates locked when area is not in use.

Documentary evidence demonstrating compliance with the above requirements shall be submitted to the Certifying Authority prior to the issue of any Occupation Certificate.

Space/Activity Management

44. Prior to the issue of any Occupation Certificate a barrier/fencing to restrict access to the rear of the convenience store building must be installed.

NSW Roads and Maritime Services:

45. Prior to the issue of any Occupation Certificate, the following works shall be completed within the Kelly Street road reserve:
- The central raised median and kerbside island adjacent to the site exit shall be modified, and any existing signage relocated, to provide a clear turn path for 20m articulated vehicles exiting the site.

NOTE: Approval under Section 138 of the Roads Act 1993 is required prior to commencement of any works within the road corridor.

46. The existing tubular fencing adjacent to the box culvert is inadequate to prevent persons accessing the culvert. Prior to the issue of any Occupation Certificate adequate safety fencing shall be installed to prevent access to the box culvert at the front of the proposed development at 18 Kelly Street.

NOTE: Approval under Section 138 of the Roads Act 1993 is required prior to commencement of any works within the road corridor.

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