

## Annexure A

### DETERMINATION OF DEVELOPMENT APPLICATION BY GRANT OF CONSENT

**Development Application:** 2018/599/1

**Development:** The demolition of an existing dwelling house, shed and timber awning, removal of one jacaranda tree, the construction of a commercial development for three (3) commercial tenancies (excluding fit out) and one (1) cafe (excluding fit out) and associated works.

**Property:** 20 Elizabeth Street, Camden (Lot 6 in DP357010)

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

**Date of determination:** 30 July 2021.

**Date from which consent takes effect:** 30 July 2021.

#### 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 20 Elizabeth Street, Camden (Lot 6 in DP357010).

The conditions of consent are as follows:

#### **CONDITIONS**

##### **1.0 - General Conditions of Consent**

- (1) **Approved Plans and Documents** - The development shall be carried out in accordance with the following plans and documentation, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
A100, Revision 05	Cover Page	BKA Architecture	18 January 2021
A101, Revision 06	Site / Roof Plan	BKA Architecture	23 March 2021

A110, Revision 06	Ground Floor Plan	BKA Architecture	23 March 2021
A111, Revision 06	First Floor Plan	BKA Architecture	23 March 2021
A112, Revision 06	Second Floor Plan	BKA Architecture	23 March 2021
A200, Revision 05	Elevations Sheet 01	BKA Architecture	18 January 2021
A201, Revision 05	Elevations Sheet 02	BKA Architecture	18 January 2021
A400, Revision 06	Heritage Context Plan	BKA Architecture	23 March 2021
A401, Rev 05	Context Elevation & Section	BKA Achitecture	18 January 2021
A800, Rev 05	Context Elevation & Section	BKA Achitecture	18 January 2021
LPDA 21 – 133, Rev A	Landscape Plan	Conzept Landscape Architect	7 December 2020
LPDA 21 – 133, Rev A	Specification & Detail	Conzept Landscape Architect	7 December 2020
SW1, Revision No. B	Stormwater Management Plan	Woolacotts Consulting Engineers	1 November 2018
ES1, Revision No. B	Erosion & Sediment Control Plan	Woolacotts Consulting Engineers	1 November 2018

Document Title	Prepared by	Date
Stormwater Management Report, Rev B	Woolacotts Consulting Engineers	1 November 2018
Flood Impact Assessment	Cardno	23 January 2019
Arboricultural Assessment	Creative Planning Solutions	30 May 2019
Heritage Impact Statement	John Oultram	March 2021
Clause 4.6 Variation Statement	Planning Ingenuity	3 March 2021

(2) **Modified Documents and Plans** - The development shall be modified as follows:

- a) First floor and attic north and south side facing windows for tenancy 1 and 2 are to have fixed obscure glazing to 1500mm above first floor level.
- b) All service infrastructure, including air conditioning and other plant, must be screened from public view and incorporated into the design of the building.
- c) Car parking space 2 is to be line marked in accordance with AS 2890.6.
- d) The bollard for the shared zone beside car parking space 2 must be located in accordance with AS 2890.6.

- e) Update the approved stormwater management plan, erosion and sediment control plan and stormwater management report by Woolacotts Consulting Engineers and the Final Flood Report by Cardno listed in condition 1.0(1) to reflect the amended development configuration detailed on the approved architectural plans. The updated documentation must demonstrate the achievement of the same parameters/outcomes as the approved documentation.

Amended plans or documentation demonstrating compliance shall be provided to the Certifying Authority and Council prior to the issue of a Construction Certificate.

- (3) **Separate Approval for Use** - A separate development application for the fit out and use of the building/each tenancy shall be submitted to and approved by the Consent Authority prior to that use commencing (unless the fit out and use is exempt or complying development pursuant to State Environmental Planning Policy (Exempt and Comply Development Codes) 2008).
- (4) **Separate Approval for Signs** - A separate development application for any proposed signs shall be provided to, and approved by, the Consent Authority prior to the erection or display of those signs (unless the erection or display of those signs is exempt or complying development pursuant to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008).
- (5) **National Construction Code - Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (6) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications.
- (7) **Reflectivity** - The reflectivity of glass index for all glass used externally shall not exceed 20%.
- (8) **Infrastructure in Road and Footpath Areas** - Infrastructure must not be removed and/or reconstructed without prior written approval from Council. Any costs incurred due to the relocation, restoration or reconstruction of pram ramps, footpath, light poles, kerb inlet pits, service provider pits, street trees or other infrastructure in the street footpath area for the proposed development shall be borne by the applicant, and not Council.

**Note.** The issue of this development consent does not imply concurrence or approval of any required public infrastructure work associated with the development.

- (9) **Shoring and Adequacy of Adjoining Property Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, the person having the benefit of the consent shall, at the person's own expense:
  - a) protect and support the adjoining building, structure or work from possible damage from the excavation; and
  - b) where necessary, underpin the building, structure or work to prevent any such damage.

This condition does not apply if the person having the benefit of the consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

A copy of the written consent must be provided to the PCA prior to the excavation commencing.

- (10) **Tree Removal** - Consent is granted for the removal of one Jacaranda mimosifolia as indicated on the approved landscaping plan.

The tree removal must comply with the following requirements:

- a) Approved tree works are to be undertaken in accordance with the relevant provisions of AS 4373 'Pruning of amenity trees' and are to be carried out in accordance with the WorkCover NSW Code of Practice for the Amenity Tree Industry.
- b) Approved tree work must only be carried out by a fully insured and qualified Arborist. Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.
- c) This consent does not grant access to adjoining land. The applicant must negotiate any issues of access with adjoining property owners.
- d) Green waste and or timber generated from the approved tree work is to be recycled into mulch and reused on site or transferred to a designated facility for composting. Stockpiles of green waste or processed timber for reuse including firewood must be stored behind the building line or place out view from the street within 28 days of the tree works authorised by this consent.
- e) All reasonable measures must be taken to protect the remaining vegetation on the site from damage during the approved tree works.
- f) Tree work is inherently noisy and potentially disruptive to normal traffic conditions in your street. The applicant must notify (at least 24 hours prior) surrounding neighbours of the time and date of the approved tree works.

- (11) **Protect Existing Vegetation and Natural Landscape Features** - Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation and/or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this development consent.

The protection of existing trees and other landscape features, other than any existing trees and natural landscape features authorised for removal, pruning, impact upon or disturbance by this Consent, must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

All initial procedures for the protection of existing trees and landscape features, as detailed in AS 4970-2009, must be installed prior to the commencement of any earthworks, demolition, excavation or construction works on the Development site.

The works and procedures involved with the protection of existing trees and other landscape features, are to be carried out by suitable qualified and experienced persons or organisations. This work should only be carried out by a fully insured and qualified Arborist.

Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

- (12) **Arboricultural Assessment** - Protection of the existing tree to be retained shall be in accordance with the Arboricultural Assessment Report prepared by CPS Creative Planning Solutions Job No. C679 dated 30 May 2019 and in particular Section 6 Recommendations (6.1 Building Form, Design and Construction and 6.2 Tree Retention and Protection).

A project arborist shall be engaged prior to the commencement of work on-site and monitor compliance with the protection measures. The Project arborist shall have a minimum qualification equivalent (using the Australian Qualifications Framework) of Level 5 or above in Arboriculture.

- (13) **Noxious Weeds Management** - Weed dispersion must be minimised and weed infestations must be managed during all stages of the development. Any noxious or environmentally invasive weed infestations that occur during or after works must be fully and continuously suppressed and destroyed by appropriate means. New infestations must be reported to Council.

Pursuant to the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*, the applicant must at all times ensure that any machinery, vehicles or other equipment entering or leaving the site are clean and free from any noxious weed material to prevent the spread of all weeds to or from the property.

Earth moved containing noxious weed material must be disposed of at an approved waste management facility and be transported in compliance with the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*.

## 2.0 – Prior to Issue of a Construction Certificate

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (1) **Driveway Gradients and Design** - The design of all driveways shall comply with AS 2890.1-2004 'Off street car parking' and:
- a) the driveway shall comply with Council's Access Driveway Specifications; <https://www.camden.nsw.gov.au/assets/pdfs/Development/Preparing-a-DA/Development-Guidelines-and-policies/Access-Driveways-Specifications-and-Drawings.pdf>,
  - b) the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
  - c) the level for the driveway across the footpath area shall achieve a gradient of 4%; and

- d) a Driveway Crossing Approval (PRA) must be obtained prior to the issue of a Construction Certificate.

Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.

- (2) **Retaining Walls** - The following restrictions apply to any retaining wall erected within the allotment boundaries:

- a) retaining walls shall be designed and certified by a suitably qualified structural engineer;
- b) retaining walls in cut shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;
- c) retaining walls in fill shall be constructed to ensure all associated drainage and backfill remain wholly within the subject property;
- d) adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connect to, a stormwater disposal system within the property boundaries;
- e) retaining walls shall not be erected within drainage easements; and
- f) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.

Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.

- (3) **Reinstate On-Street Car Parking Spaces** - The existing on-street car parking spaces impacted by the approved entry/exit driveway are to be reinstated in front of the existing vehicle driveway layback that is to be reinstated as kerb and gutter. Details demonstrating compliance must be provided to the Certifying Authority with the Construction Certificate application.

**Note.** Installation of or changes to regulatory signage, line marking and devices are subject to the concurrence of Council's Local Traffic Committee on local roads.

- (4) **Stormwater Disposal** - Details demonstrating compliance with requirements listed below must be provided to the Certifying Authority with the Construction Certificate application:

- a) All stormwater runoff from the development shall be collected within the property and discharged in a manner which is compliant with Council's Engineering Design Specification.
- b) Adequate and suitable infrastructure is to be provided to ensure the peak discharge from the site is no greater than the pre-development peak discharge. This infrastructure shall be designed for the 1% annual recurrence interval design storm and Council's Engineering Design Specification.

- c) All stormwater connections to the kerb shall be completed in accordance with Council's standard drawing no. R001.

- (5) **Damages Bond** - The applicant is to lodge a bond with Council to ensure any damage to existing public infrastructure is rectified in accordance with Council's Development Infrastructure Bonds Policy.

**Note.** An administration fee is payable upon the lodgement of a bond with Council.

- (6) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.

- (7) **External Walls and Cladding Flammability** - The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of a Construction Certificate the Certifying Authority must:

- a) be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and

- b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as proposed.

- (8) **Performance Bond** - The applicant is to lodge a bond with Council to provide security for works undertaken within the existing public domain in accordance with Council's Development Infrastructure Bonds Policy.

**Note.** An administration fee is payable upon the lodgement of a bond with Council.

- (9) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

- (10) **Car Park Noise Control** - The at-grade car park must have a coved finish with Slabseal 2000 SR sealant (or similar equivalent product) applied to the concrete floor. The coved finish and sealant must be suitably maintained at all times to a standard that eliminates tyre squeal noise from being audible.

Details demonstrating compliance must be provided to the Certifying Authority with the Construction Certificate application.

- (11) **Driveway and Car Park** - The internal driveway turning areas and the approved 18 off-street car parking spaces are to be designed in accordance with all relevant parts of AS 2890 and constructed with an all-weather surface of reinforced concrete (excluding parking spaces 9 and 10 which are to be constructed of permeable paving). All parking spaces are to be line marked. Details demonstrating compliance must be provided to the Certifying Authority with the Construction Certificate application.

- (12) **Garbage Room** - Plans showing the location and details of the garbage room used for the washing and storage of garbage receptacles shall be provided to the Certifying

Authority for approval. The garbage room is to be constructed of solid material and finished as a smooth even surface. Floors are to be impervious, coved, graded and drained to an appropriate floor waste connection. Walls are to be smooth impervious surfaces to ensure no moisture, oils or similar material can soak in. Ventilation, pest proofing and a hose tap must be provided.

- (13) **Mechanical Ventilation** - Any room or area not provided with natural ventilation in accordance with the relevant requirements of the Building Code of Australia must be provided with a system of mechanical ventilation that complies with the requirements of Australian Standard 1668, Parts 1 & 2. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (14) **Fibre-Ready Facilities/Telecommunications Infrastructure** - Documentary evidence must be provided to the Certifying Authority demonstrating that satisfactory arrangements have been made for:
- a) the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. The carrier must confirm in writing that they are satisfied that the fibre-ready facilities are fit for purpose; and
  - b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

This condition does not apply where an applicable exemption exists under Commonwealth law. Documentary evidence of any exemption relied upon must be provided to the Certifying Authority.

- (15) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any building work that cost \$25,000 or more.
- (16) **Works in Road Reserves** - Where any works are proposed in a public road reservation, a Road Opening Permit shall be obtained from Council in accordance with Section 138 of the *Roads Act 1993* prior to works commencing.
- (17) **Flood Design Requirements** - Details demonstrating compliance with the following must be provided to the Certifying Authority prior to issue of a Construction Certificate:
- a) All external and internal partitions, framework, services and flooring below the flood planning level must be constructed using flood compatible material in accordance with Council's Flood Risk Management Policy.
  - b) The location and design of all doors must allow free access and escape of floodwaters without causing damage to the building.
  - c) Electrical installations and the main power supply must be provided at or above flood planning level. For ground floor level, if the requirement cannot be met, flood tolerant fixtures that comply with Section 7.5 of Council's Flood Risk Management Policy can be used.



- d) Structural certification to demonstrate that all portions of the building can withstand the force of flood water, debris and buoyancy up to and including the probable maximum flood event.
- (18) **Structural Engineer's Certificate** - A certificate must be prepared by a practicing structural engineer certifying that the building design is capable of withstanding the effects of water and water pressure due to flooding. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (19) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

A stormwater plan is to be submitted to the Certifying Authority prior to the augmentation of the existing drainage system to accommodate drainage from the approved development and to protect other property to the satisfaction of the Certifying Authority.

**Note.** Under the *Roads Act 1993*, only the Roads Authority can approve commencement of works within an existing road reserve.

- (20) **Stormwater Detention and Water Quality** - An on-site detention system and water quality system shall be provided for the site and designed in accordance with Council's Engineering Specifications.

Where a Construction Certificate is required by this development consent, a detailed on-site detention and water quality report reflecting the Construction Certificate plans shall be provided to the Certifying Authority with the Construction Certificate application.

Where a Construction Certificate is not required by this development consent, a detailed on-site detention and water quality report reflecting the approved development application plans and Council's Engineering Specifications shall be provided to Council prior to works commencing.

- (21) **Kerb Outlets** - Kerb outlets shall be provided in the kerb and gutter adjacent to the site.

The outlets shall be located within 2m downstream of the prolongation of the site corner with the lowest reduced level and to the requirements of the PCA.

- (22) **Detailed Landscape Plan** - A detailed landscape plan must be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority.

The detailed landscape must include:

- Two street trees must be shown. Street trees must be *Lophostemon confertus* and be sourced in a minimum of 200 litre container stock.

- The *Trachelospermum jasminoides* (Star Jasmine) is to be substituted with *Parthenocissus tricuspidata* (Boston Ivy).
- All trees to be sourced in accordance with tests and measurements contained within AS 2303-2015 - Tree Stock for Landscape Use.
- Tree planting detail and section drawing are to specify root barrier where trees are planting in close proximity to hard surfaces.
- Installation of street trees is to be in accordance with Clause B.2.3, Appendix B of Council's Engineering Design Specifications.

### 3.0 - Prior to Commencement of Works

The following conditions of consent shall be complied with prior to any works commencing on the construction site.

- (1) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the Certifying Authority.
- (2) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
  - a) a description of the work to be carried out;
  - b) the address of the land on which the work is to be carried out;
  - c) the registered number and date of issue of the relevant development consent;
  - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
  - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
  - f) a telephone number on which the PCA may be contacted for business purposes.
- (3) **Notice of Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
  - a) the name and address of the person by whom the notice is being given;
  - b) a description of the work to be carried out;
  - c) the address of the land on which the work is to be carried out;
  - d) the registered number and date of issue of the relevant development consent and construction certificate;

- e) a statement signed by or on behalf of the PCA/developer (only where no PCA is required) to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
  - f) the date on which the work is intended to commence.
- (4) **Construction Certificate Required** - In accordance with the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a Certifying Authority;
  - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent;
  - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
  - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
  - e) the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (5) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
  - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
  - c) the name, address and telephone number of the PCA.
- The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.
- (6) **Site is to be Secured** - The site shall be secured and fenced.
- (7) **Sydney Water Approval** - The approved construction certificate plans must also be approved by Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of the development. Go to [www.sydneywater.com/tapin](http://www.sydneywater.com/tapin) to apply.
- A copy of the approval receipt from Sydney Water must be submitted to the PCA.
- (8) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.
- (9) **Dilapidation Report - Adjoining Property** - A dilapidation report prepared by a suitably qualified person, including a photographic survey of the adjoining properties

shall be prepared. The dilapidation report must include the following properties / buildings:

- 16 Elizabeth Street (building directly adjacent to common boundary);
- 18 Elizabeth Street;
- 15 Mitchell Street (rear outbuilding);
- 11 Mitchell Street (rear building approved as part of Determination 2019/225, dated 16 June 2020, if built at time this consent is acted upon);
- 7 Mitchell Street (rear outbuilding); and
- 23 Edward Street (outbuilding at rear of site)

All costs incurred in preparing the dilapidation report and complying with the conditions it imposes shall be borne by the applicant.

In the event that access for undertaking the dilapidation report is denied by an adjoining owner, the applicant shall demonstrate in writing that all reasonable steps have been taken to obtain access to and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence shall be obtained from the PCA in such circumstances.

- (10) **Dilapidation Report - Council Property** - A dilapidation report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the site shall be prepared. The report must be submitted to the PCA and Council at least 2 days prior to the commencement of works.

Should any public property or the environment sustain damage during the course of and as a result of construction, or if the construction works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage or remove the risk. The costs incurred will be deducted from the applicant's damages bond.

- (11) **Construction Management Plan** - A construction management plan that includes dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the PCA.

- (12) **Hazardous Building Materials Assessment** - A hazardous building material assessment shall be undertaken on all buildings and structures to be demolished that identifies all hazardous components on site. A HBMA report shall be provided to the PCA and Council.

Once hazardous components are identified, all demolition works that involve the demolition and removal of the hazardous materials shall ensure that all site personnel are protected from risk of exposure in accordance with relevant NSW WorkCover Authority and NSW Demolition Guidelines. Premises and occupants on adjoining land shall also be protected from exposure to any hazardous materials.

- (13) **Traffic Management Plan** - A traffic management plan shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. The plan must be submitted to the PCA.

- (14) **Demolition and Construction Waste Management Plan** - A demolition and construction waste management plan must be prepared for all construction work on the site. The plan must incorporate the concept of recycling and reuse where

practicable, include the requirement to dispose of material not suitable for reuse or recycling at a licenced waste facility. The plan must be kept on site for compliance until the completion of all demolition and construction works.

- (15) **Environmental Management Plan** - An environmental management plan (EMP) prepared in accordance with Council's Engineering Design Specification shall be provided to the PCA.

The EMP shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining land uses and the natural environment are not unacceptably impacted upon by the proposal. The EMP shall include but not be necessarily limited to the following measures:

- a) measures to control noise emissions from the site;
- b) measures to suppress odours and dust emissions;
- c) soil and sediment control measures;
- d) measures to control air emissions that includes odour;
- e) measures and procedures for the removal of hazardous materials that includes waste and their disposal;
- f) any other recognised environmental impact;
- g) work, health and safety; and
- h) community consultation.

- (16) **Demolition Work** - Consent is granted for the demolition of structures currently existing on the property, subject to compliance with the following conditions:

- a) The developer shall notify adjoining residents of demolition works seven working days prior to demolition. Such notification is to be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of, and directly opposite, the demolition site.
- b) Prior to demolition, the applicant shall erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address.
- c) Prior to demolition, the applicant shall erect a 1.8m high temporary fence and hoarding between the work site and any public property (footpaths, roads, reserves etc). Access to the site shall be restricted to authorised persons only and the site shall be secured against unauthorised entry when work is not in progress or when the site is otherwise unoccupied.
- d) Prior to demolition, all services (such as sewer, telephone, gas, water and electricity) must be disconnected. The developer must consult with the relevant service authorities regarding their requirements for the disconnection of services.
- e) Suitable erosion and sediment control measures in accordance with an approved erosion and sediment control plan shall be installed prior to the commencement of demolition works and shall be maintained at all times.

- f) A Work Plan prepared by a suitably qualified person in accordance with AS 2601 'Demolition of Structures' shall be provided to the PCA for approval prior to demolition works commencing. The Work Plan shall identify hazardous materials including surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
  - g) If the property was built prior to 1987, an asbestos survey shall be carried out by a suitably qualified person prior to demolition. If asbestos is found, a WorkCover Authority licensed contractor shall remove all asbestos in accordance with the requirements of the WorkCover Authority, including notification of adjoining neighbours of asbestos removal. All asbestos material must be disposed of at a facility licenced to accept asbestos. Tipping receipts for the disposal of the asbestos must be retained.
  - h) The burning of any demolished material on site is not permitted and offenders will be prosecuted.
  - i) Care shall be taken during demolition to ensure that existing services on the site (i.e. sewer, electricity, gas, phone, etc.) are not damaged. Any damage caused to existing services is to be repaired by the relevant authority at the expense of the applicant.
- (17) **Protection of Trees to be Retained** - Protection of trees to be retained shall be in accordance with Council's Engineering Specifications. The area beneath the canopies of the tree(s) to be retained shall be fenced. Tree protection signage is required to be attached to each tree protection zone and displayed in a prominent position.
- (18) **Protection of Existing Street Trees** - No existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation shall be disturbed, relocated, removed or damaged during earthworks, demolition, excavation (including any driveway installation), construction, maintenance and/or establishment works applicable to this consent, without Council agreement and/or consent.
- The protection methods for existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation during all works approved by this development consent shall be installed in accordance with AS 4970-2009 Protection of Trees on Development Sites.
- (19) **Additional Contamination Investigation and Validation** - Contamination testing of soils in the footprints of all demolished structures must be undertaken post the demolition works and prior to the commencement of any other construction works. Where contamination testing results trigger the requirement for remediation, the contaminated area must be barricaded to restrict access with suitable signage provided, and a remediation action plan (RAP) must be completed to address the remediation works. The RAP together with a separate development application must be lodged with and approved by Council prior to the continuation of any other approved works.

A validation report for any required remediation works must be provided to the PCA.

#### 4.0 - During Works

The following conditions of consent shall be complied with during the construction phase.

- (1) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (2) **Site Management** - The following practices are to be implemented during construction:
  - a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
  - b) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
  - c) waste shall not be burnt or buried on site or any other properties, nor shall wind-blown rubbish be allowed to leave the site. All waste shall be disposed of at a licenced waste disposal facility;
  - d) a waste control container shall be located on the site;
  - e) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc);
  - f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
    - i) be a standard flushing toilet connected to a public sewer; or
    - ii) have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
    - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (3) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the PCA prior to the pouring of concrete.
- (4) **Finished Floor Level** - A survey report prepared by a registered land surveyor confirming that the finished floor levels comply with the approved plans or floor levels specified by the development consent, shall be provided to PCA prior to the development proceeding beyond each floor level stage.
- (5) **Building Height** - A survey report prepared by a registered land surveyor confirming that the building height complies with the approved plans or as specified by the development consent, shall be provided to the PCA prior to the development proceeding beyond frame stage.
- (6) **Stormwater - Collection and Discharge Requirements** - The roof of the subject buildings shall be provided with guttering and down pipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks conveyed to the stormwater drainage system as per the approved hydraulic plan.

Connection to the drainage easement or kerb shall only occur at the designated connection point for the allotment. New connections that require the rectification of an easement pipe or kerb shall only occur with the prior approval of Camden Council.

- (7) **Traffic Management Plan Implementation** - All traffic management procedures and systems identified in the approved traffic management plan shall be introduced and maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.

- (8) **Site Signage** - A sign shall be erected at all entrances to the site and be maintained until the development has been completed. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:

*“WARNING UP TO \$8,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) – Solution to Pollution.”*

The wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.

- (9) **Seal Up Existing Redundant Laybacks** - All existing redundant laybacks must be sealed up to match the existing concrete gutter on the road.

- (10) **Vehicles Leaving the Site** - The construction supervisor must ensure that:

- a) all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
- b) the wheels of vehicles leaving the site:
  - i. do not track soil and other waste material onto any public road adjoining the site; and
  - ii. fully traverse the site’s stabilised access point.

- (11) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines 2014 (refer to: [www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm](http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm))

Once assessed, the materials shall be disposed of to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request.

- (12) **Soil, Erosion, Sediment and Water Management - Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.



- (13) **Hazardous Building Materials Assessment** - All works (including demolition and materials handling, storage, transport and disposal) shall be undertaken in accordance with the requirements outlined in the hazardous building material assessment. All material not suitable for recycling or reuse must be disposed of at a licenced waste facility authorised to accept that waste.
- (14) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) be encountered during any stage of works (including earthworks, site preparation or construction works, etc.), such works shall cease immediately until a qualified environmental specialist has been contacted and conducted a thorough assessment.
- In the event that contamination is identified as a result of this assessment and if remediation is required, all works shall cease in the vicinity of the contamination and Council shall be notified immediately.
- Where remediation work is required, the applicant will be required to obtain consent for the remediation works.
- (15) **Noise During Work** - Noise levels emitted during works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW Environment Protection authority's Environmental Noise Control Manual.
- (16) **Location of Stockpiles** - Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (17) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (18) **Fill Material (VENM)** - Prior to the importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the PCA.

The validation report and associated sampling location plan must:

- a) be prepared by a person with experience in the geotechnical aspects of earthworks; and
- b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics; and
- c) be prepared in accordance with;

Virgin Excavated Natural Material (VENM):

- i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity;" and
- ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second

Edition) - Soil Investigation Levels for Urban Development Sites in NSW."

- d) confirm that the fill material;
  - i) provides no unacceptable risk to human health and the environment;
  - ii) is free of contaminants;
  - iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
  - iv) is suitable for its intended purpose and land use; and
  - v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- e) less than 6000m<sup>3</sup> - 3 sampling locations; and
- f) greater than 6000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2000m<sup>3</sup> or part thereof.

For e) and f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for contamination and salinity must be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m <sup>3</sup> )
Virgin Excavated Natural Material	1 (see Note)	1000 or part thereof

**Note.** Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (19) **Fill Compaction** - All fill must be compacted in accordance with Council's current Engineering Design Specifications.
- (20) **Delivery Register** - The applicant must maintain a register of deliveries which includes date, time, truck registration number, quantity of fill, origin of fill and type of fill delivered. This register must be made available to Council officers on request and be provided to the Council at the completion of the development.
- (21) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
- (22) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be maintained for the duration of the works. The controls must be

undertaken in accordance with version 4 of the Soils and Construction – Managing Urban Stormwater manual (Blue Book).

Soil erosion and sediment control measures shall only be removed upon completion of the works when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).

- (23) **Salinity Management** - All approved development including earthworks, imported fill, landscaping, buildings and associated infrastructure must be carried out or constructed in accordance with the salinity control measures contained in Council's Engineering Design Specifications.
- (24) **Archaeology Discovered During Excavation** - If any object surviving from the past is uncovered during the work that could have historical significance (but is not an Aboriginal object):
- a) all work must stop immediately in that area;
  - b) the Office of Environment and Heritage (OEH) must be advised of the discovery in writing in accordance with Section 146 of the Heritage Act 1977, and
  - c) any requirements of OEH must be implemented.

**Note.** Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the *Heritage Act 1977* may be required before further work can continue.

For more information contact the heritage Division of OEH on (02) 9873 8500 or at [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au).

- (25) **Aboriginal Objects Discovered During Excavation** - If any Aboriginal object (including evidence of habitation or remains) is discovered during the work:
- a) all excavation or disturbance of the area must stop immediately in that area;
  - b) the Office of Environment and Heritage (OEH) must be advised of the discovery in writing in accordance with Section 89A of the *National Parks and Wildlife Act 1974*, and
  - c) any requirements of OEH must be implemented.

**Note.** If an Aboriginal object is discovered, an Aboriginal Heritage Impact Permit may be required under the *National Parks and Wildlife Act 1974*.

More information is available at <http://www.environment.nsw.gov.au/ACHregulation.htm> or from the Environment line on 131 555.

- (26) **Protection for Existing Trees** - The protection of existing trees (on-site and street trees) must be carried out as specified by AS 4970 Protection of Trees on Development Sites.

## 5.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Occupation Certificate Required**- An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (2) **Fire Safety Certificate** - A Fire Safety Certificate shall be provided to the PCA in accordance with the requirements of the EP&A Regulation 2000.
- (3) **Survey Certificate** - A registered surveyor shall prepare a Survey Certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate shall be provided to the satisfaction of the PCA.
- (4) **Building Height** - A registered surveyor shall certify that the maximum height of the building is consistent with the height in the approved plans and this consent. The certification/verification shall be provided to the satisfaction of the PCA.
- (5) **Reinstate Verge** - The applicant shall construct and/or reconstruct the unpaved verge area with grass, species and installations approved by Council.
- (6) **Completion of Landscape Works** - All landscape works, including the removal of noxious weed species, are to be undertaken in accordance with the approved landscape plan and conditions of this development consent.
- (7) **Replacement Street Tree Inspection** - The applicant must make arrangements for Council to inspect the street tree plantings. The inspection must occur prior to the issue of an Occupation Certificate.
- (8) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the PCA:
  - a) Energy supplier - A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development;
  - b) Water supplier - A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

The assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to [www.sydneywater.com.au/section73](http://www.sydneywater.com.au/section73) or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

- (9) **Driveway Crossing Construction** - A footpath crossing (where required) and a driveway crossing shall be constructed in accordance with this development consent and the driveway crossing approval prior to use or occupation of the development.
- (10) **External Walls and Cladding Flammability** - The external walls of the building, including attachments, must comply with the relevant requirements of the National

Construction Code (NCC). Prior to the issue of an Occupation Certificate the Principal Certifying Authority must:

- a) be satisfied that suitable evidence is provided to demonstrate that the products and systems used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
- b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as built.

- (11) **Positive Covenant - OSD / On Site Retention / Water Quality Facility** - A positive covenant shall be created under Section 88E of the *Conveyancing Act 1919* burdening the owner(s) with a requirement to maintain the on-site detention, water quality facility and on-site retention/re-use facilities on the property, prior to the issue of an Occupation Certificate.

The terms of the Section 88E instrument with positive covenant shall include the following:

- a) the Proprietor of the property shall be responsible for maintaining and keeping clear all pits, pipeline s, trench barriers and other structures;
- b) the proprietor shall have the facilities inspected annually by a competent person;
- c) the Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order the facilities; and
- d) The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from the failure of any component of the OSD and OSR, or failure to clean, maintain and repair the OSD and OSR.

The proprietor or successor shall bear all costs associated in the preparation of the subject Section 88E instrument. Proof of registration with NSW Land Registry Services shall be provided to and approved by the PCA prior to the issue of an Occupation Certificate.

- (12) **Stormwater - Plan of Management (POM)** - The registered proprietor of the land shall prepare a Plan of Management (POM) for the on-site detention facilities. The POM shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements, and time intervals for such inspection and maintenance. The POM shall be provided to the PCA for approval prior to the issue of an Occupation Certificate.
- (13) **Waste Management Plan** - The PCA shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.
- (14) **Waste Collection Contract** - The building owner(s) shall ensure that there is a contract with a licensed contractor for the removal of all waste. A copy of the contract is to be held on the premises at all times.
- (15) **On-Site Detention** - Works As Executed plans shall be prepared and provided in accordance with Council's Engineering Specifications.

Digital data must be in AutoCAD .dwg or .dxf format, and the data projection coordinate must be in (GDA94.MGAzone 56).

- (16) **Flood Alarm Requirement** - A flood alarm system is to be installed in accordance with the flood warning procedures described in the Final Flood Report by Cardno (ref: 59919039: BK dated 3 April 2019). The system is to include an amber warning light with audible message to advise of a potential flood threat and a red warning light with audible message to immediately evacuate the building.
- (17) **Flood Warning Requirement** - Flood warning signage is to be clearly displayed in prominent locations on the premises both within the car park and on the lower floor of the building. The signage is to include (as a minimum) the depth of flooding for ranges of flood events, the flood alarm system trigger levels and the proposed evacuation route.

## 6.0 - Ongoing Use

- (1) **Manoeuvring of Vehicles** - All vehicles shall enter and exit the site in a forward direction.
- (2) **Air Conditioning Units** - The operation of air conditioning units shall operate as follows:
  - a) be inaudible in a habitable room during the hours of 10pm – 7am on weekdays and 10pm to 8am on weekends and public holidays; and
  - b) emit a sound pressure level when measured at the boundary of any neighbouring residential property, at a time other than those specified in (a) above, which exceeds the background (LA90, 15 minutes) by more than 5dB(A). The source noise level shall be measured as a LAeq 15 minute.
- (3) **Loading to Occur On Site** - All loading and unloading operations are to be carried out wholly within the site.
- (4) **Storage of Goods** - The storage of goods and materials shall be confined within the building. At no time shall goods, materials or advertising signs be displayed or placed within the designated car parking spaces, landscaped areas or road reserve.
- (5) **Amenity** - The approved development shall be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area, the footpath, adjoining occupations or residential/business premises.
- (6) **Offensive Noise** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* and shall comply with the NSW Industrial Noise Policy 2000 (as amended).
- (7) **No Waste to Be Stored Outside of the Site** - No waste is to be placed on any public land (e.g. footpaths, roadways, plazas, reserves, etc.) or any other properties at any time.
- (8) **Maintenance of Landscaping** - Landscaping (including all planter beds) shall be maintained in accordance with the approved landscaping plan.

- (9) **Landscaping Maintenance Establishment Period** - Commencing from the date of practical completion, the applicant will have the responsibility to establish and maintain all hard and soft landscaping elements associated with this consent.

The 12 month maintenance and establishment period includes the applicant's responsibility for the establishment, care and repair of all landscaping elements including all street tree installations, plantings, lawn and hardscape elements including paths, walls, bins and seats.

The date of practical completion is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation, street tree installation and mulching.

At the completion of the 12 month landscaping maintenance and establishment period, all hard and soft landscaping elements (including any nature strip and road verge areas, street trees, street tree protective guards and bollards, etc) shall be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth.

At the completion of the maintenance and establishment period, the landscaping works shall comply with the approved landscape plans and all improvements be in full working order.

- (10) **Street Tree Maintenance and Establishment Period** - For a period of 12 months commencing from the installation date of the street trees and their protective guards, the applicant will be responsible for their successful establishment.

At the completion of the 12 months establishment and maintenance period all street trees plantings must have signs of healthy and vigorous growth and all protective guards must be in an undamaged, safe and functional condition.

- (11) **Hours of Operation** - The hours of operation of the tenancies contained within the building are restricted to between the hours of 7.00am to 7.00pm Monday to Friday with no operation permitted on weekends or public holidays.

- (12) **Waste Management** - Communal waste bins for the development are to be stored in the ground floor garbage room. Prior to collection, the bins are to be moved to the 'temporary bin stand space' at the front of the site to await collection and emptying. Once the bins have been emptied they are to be moved back to the garbage room.

- (13) **Removal of Graffiti** - The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.

- (14) **Driveways to be Maintained** - All access crossings and driveways shall be maintained in good order for the life of the development.

- (15) **Hazardous Materials and Flooding** - Hazardous materials are not to be stored below the flood planning level.

**Note.** It is recommended to store valuable goods above the flood planning level for the first floor commercial tenancies that have floor levels below the flood planning level.

- (16) **Flood Awareness Requirements** - Individual tenancies are to be made aware of the flood affectation of the site and are to develop their own flood management plans in

accordance with standard State Emergency Service 'FloodSafe' guidelines and the Cardno Final Flood Report (ref:59919039: BK dated 3 April 2019).

All staff and visitors must be made aware of the flood risk and safe flood evacuation routes.

- (17) **Flood Evacuation Plan** - The flood evacuation plan as contained in the Cardno Final Flood Report (ref: 59919039: BK dated 3 April 2019) must be kept on the premises by the building management in a prominent location. The evacuation plan must specify that all tenancies are to be closed when the flood level reaches the evacuation trigger point.