

# MINUTES OF THE SYDNEY WEST REGIONAL PANEL MEETING HELD AT HOLROYD CITY COUNCIL ON THURSDAY 26 AUGUST 2010 AT 3:00 PM

## PANEL PRESENT:

Janet Thomson	Chairperson
Bruce MacDonald	Panel Member
Lindsay Fletcher	Panel Member
Allan Ezzy	Panel Member

## COUNCIL STAFF IN ATTENDANCE:

Andrew Robinson	Planning Consultant
Greg Raft	Director Environmental and Planning Services
Aleks Milinkovic	Manager Development Services
Jason Wong	Development Assessment Coordinator
Jodi Callaghan	Senior Development Planner
Stuart Nunn	Senior Environmental Health Officer
Charles Manche	Tree Management Officer
Troy Morris	Senior Development Engineer
Mark Evens	Senior Stormwater Engineer
Ali Shahi	Senior Traffic Engineer

## APOLOGIES:

Eddy Sarkis	Panel Member
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The meeting commenced at 3:05 pm.

### 1. Declarations of Interest : Nil

### 2. Business Items

**ITEM 1 - JRPP 2009SYW008 – Holroyd Council DA 2009/381/1 - Wentworthville Leagues Club redevelopment, 50 Smith St, Wentworthville**

### 3. Public Submissions

Garry Ratcliff – addressed the panel **against**  
Dave Brace - addressed the panel **in favour of** the Item  
David Hoy - addressed the panel **in favour of** the Item  
Glenn Wheatley - addressed the panel **in favour of** the Item

#### 4. Business Item Recommendations

##### ***JRPP 2009SYW008 – Holroyd Council DA 2009/381/1 - Wentworthville Leagues Club redevelopment, 50 Smith St, Wentworthville***

###### **Recommendation:**

That the Western Sydney Joint Regional Planning Panel approve DA 2009/381, as a 'deferred commencement consent' subject to the conditions contained in the Draft Notice of Determination (i.e., "Draft Conditions of Consent") attached to this report.

**Moved** Bruce McDonald, **seconded** Lindsay Fletcher, that the recommendation be adopted subject to conditions dated 10 August 2010, as amended by the conditions dated 24 August 2010, and as further amended by Council's submission dated 26 August 2010. In this regard, the following alterations are to be applied to the consent dated 10 August 2010:

- Schedule A Condition Nos. 2 to 7 inclusive (relating to acoustic measures) to be moved to Schedule B - Prior to Issue of Construction Certificate and be renumbered as Condition Nos. 45 to 50 inclusive.
- Schedule A Condition Nos. 8, 9, 10.4 and 10.9 (relating to Stormwater Design) to be moved to Schedule B - Prior to Issue of Construction Certificate and be renumbered as Condition Nos. 68, 69, 70 and 71 respectively.
- Schedule A Condition Nos. 10.1, 10.2, 10.3, 10.5, 10.6, 10.7, 10.8 and 10.10 (relating to stormwater design) to be deleted.
- Schedule A Condition No. 11 (relating to On Site Detention design) to be moved to Schedule B - Prior to Issue of Construction Certificate and be renumbered as Condition No. 80.
- Schedule A Condition Nos. 12, 13 and 14 (relating to OSD Design) to be deleted.
- Schedule A Condition Nos. 15 and 16.1 to 16.8 inclusive (relating to Traffic & Parking Design) to be moved to Schedule B - Prior to Issue of Construction Certificate and be renumbered as Condition Nos. 99 and 99.1 to 99.8 inclusive.
- Words added to Schedule A Condition 16.8 (relating to Traffic & Parking Design) and renumbered as Condition No. 2.1:
  - 2.1 Amended plans are to be submitted to reflect the design changes required in the Sydney Water letter dated 16 June 2010. Please note that the overall maximum height of the car park structure shall not increase by no more than 500mm (AHD).
- Add the following Condition No. 3 to Schedule A (requiring the submission of a detailed staging plan):
  - 3. A Staging Plan is to be submitted for Council's approval and that Staging Plan shall provide that adequate car parking provision is made to service the needs of each stage and further that the access from the Great Western Highway is to be included in the first stage.
- Add the following Condition No. 4 to Schedule A (requiring the submission of details for electronic signs indicating availability of car parking):
  - 4. Documentation (including plans where necessary) is to be submitted for Council's approval detailing the provision of a system for electronic monitoring of available carparking (such as an electronic "scoreboard") within the multi-deck car park and covered spaces.
- Add the following document in Schedule B Condition 2 (being the endorsed documentation for the development):

*Email from George Krzywda (Acor), dated 19 August 2010*

- Words added to Schedule B Condition 43 (relating to project commitments and requirement for a Construction Management Plan):
  - 43. Documentation (including plans where necessary) shall be included with the Construction Certificate application for each stage detailing how the project commitments outlined at Chapter 7 of the Statement of Environmental Effects will be achieved, including a Construction Management Plan (CMP) to be provided for each stage to be submitted and approved by Council.
- Add the following Condition No. 72 in Schedule B - Prior to Issue of Construction Certificate (relating to Stormwater Drainage):
  - 72. Full detailed designs and calculations for the proposed Mack Street drainage works and adjustments to the existing road drainage system shall be submitted to Council for approval which shall include all pipe sizes and grades, pit sizes and locations including the surface and invert levels, long section of the proposed drainage system which shall be designed to convey the 1 in 100 year ARI storm event. Confirmation of footpath levels and street crossfall in Mack Street shall be provided to ensure that the ponding of 200mm can be achieved. Alternatively, details of works required shall be submitted to Council for approval. All proposed street KIP's shall be in accordance with Council detail SD8010. Also removal of redundant vehicular laybacks along the site fronting Mack Street and replacement with standard kerb and gutter is required.
- Schedule B Condition No. 235 to be renumbered as Condition No. 248 and reworded as follows:
  - 248. The operation of all plant and equipment shall not give rise to an equivalent continuous LAeq sound pressure level at any point on any residential boundary greater than 5dB(A) above the existing background LA90 level (in absence of the noise under consideration) between 7.00am and 12.00 midnight on weekdays and 8.00am and 12.00 midnight on weekends and public holidays.
- Schedule B Condition No. 237 to be renumbered as Condition No. 250 and reworded as follows:
  - 250. Noise and vibration from the use of the mechanical plant and equipment shall not exceed the background level by more than 5dB(A) and shall not be audible in any premises of a different occupancy between 12.00 midnight and 7.00am on weekdays and 12.00 midnight and 8.00am on weekends and public holidays.

## **Motion Carried**

The approved conditions of consent are attached.

## **5. Matter Arising:**

The Panel requested Council to investigate the merit of a resident parking scheme in Dawes Street, Mack Street and the section of Smith Street between Dawes Street and the Cumberland Highway.

The meeting concluded at 4:05pm.

Endorsed by



Janet Thomson  
Chair, Sydney West Region Planning Panel  
6 September 2010

Our Reference: 2009/381-6  
Contact: J Callaghan  
Phone: 9840 9819

**ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979  
NOTICE OF DETERMINATION OF APPLICATION**

**DEFERRED COMMENCEMENT**

1 September 2010

Tompkin Whittle Pty Ltd  
PO Box W219 Warringah Mall  
BROOKVALE NSW 2100

Dear Sir/Madam,

Pursuant to Section 81 of the Act, Council has granted "deferred commencement" to your Development Application described as follows:

<b>PROPERTY:</b>	<b>Lot A, DP 29408; Lot 1 &amp; 2, DP 529686; Lot C, D &amp; E, DP 29408; Lot A, B &amp; C, DP 360339; Lot 5, DP 1150633; Lot F &amp; G, DP 365200; Lot B, DP 407978; Lot 111 &amp; 112, DP 619226; and Lot 8, 9, 10, 11, 12, 13 &amp; 14, DP 26822</b>
<b>STREET ADDRESS:</b>	<b>48-50 Smith Street, 18-20 Dawes Street, 12-18 Mack Street and 410, 412, 414, 428 &amp; 430 Great Western Highway, Wentworthville</b>
<b>DEVELOPMENT CONSENT NO.</b>	<b>2009/381/1</b>
<b>DECISION:</b>	<b>Joint Regional Planning Panel</b>
<b>DATE FROM WHICH CONSENT OPERATES:</b>	<b>TO BE ADVISED UPON SATISFACTORY COMPLETION OF SCHEDULE 'A'</b>
<b>DATE OF EXPIRY OF CONSENT:</b>	<b>1 September 2015</b>
<b>PROPOSED DEVELOPMENT:</b>	<b>Development for the purposes of a club including the demolition of 8 dwellings, alterations and additions to the existing club building, car parking and, with respect to land in excess of 25m distance from the 6(c) zone boundary, landscaping works</b>

This Development Application is APPROVED in accordance with the Environmental Planning & Assessment Act 1979 and is subject to compliance with the requirements of Holroyd City Council, the Building Code of Australia, the Local Government Act 1993, and the following conditions as set out hereunder and/or endorsed upon the attached plans.

**PURSUANT TO SECTION 80(3) OF THE ACT, THIS CONSENT IS NOT TO OPERATE UNTIL COUNCIL IS SATISFIED THAT ALL SCHEDULE 'A' CONDITIONS HAVE BEEN SATISFIED.**

## **SCHEDULE “A”**

**Consent to the development for the purposes of a club including the demolition of 8 dwellings, alterations and additions to the existing club building, car parking and, with respect to land in excess of 25m distance from the 6(c) zone boundary, landscaping works shall not operate until all of the following Schedule “A” conditions have been complied with to Council’s satisfaction.**

**Please note that this consent shall lapse if the approved development is not physically commenced by the “date of expiry of consent” shown on the front page of this document. It is therefore in your interest to attend to the following matters as soon as possible. When Council is satisfied that Schedule “A” has been complied with, a letter will be issued advising of the “date from which Consent operates”.**

Four (4) copies of documentation shall be submitted to Council addressing the following Schedule “A” conditions:

### **Contamination**

1. A Stage 2 Contamination Assessment is required to be completed by a suitably qualified contamination consultant. The Stage 2 Contamination Assessment is required to be completed in accordance with the Department of Environment, Climate Change & Water (DECCW) (formally EPA) “Guidelines for Consultants Reporting on Contaminated Site”. The Stage 2 Contamination Assessment is required to consider and assess all areas as identified in the Phase 1 Contamination Assessment prepared by Douglas Partners (Project No: 45938.01) dated March 2009.

The Stage 2 Contamination Assessment is required to be undertaken prior to this consent becoming operative. Depending on the results of the Phase 2 Contamination Assessment a Remedial Action Plan (RAP) may be required to be undertaken and submitted to Council for assessment and comment. Council may request for a validation report to be prepared in conjunction with any RAP prepared.

### **Traffic & Parking - Design**

2. Plans shall be submitted to Council for approval to address the following:
  - 2.1 Amended plans are to be submitted to reflect the design changes required in the Sydney Water letter dated 16 June 2010. Please note that the overall maximum height of the car park structure shall not increase by no more than 500mm (AHD).
  - 2.2 Amended plans are to be submitted to reflect the design changes required in the following letters from the Roads and Traffic Authority (RTA):
    - Reference: RDC 08M186 vol2, dated 29 September 2009,
    - Reference: RDC 08M186 vol2a, dated 8 January 2009, and
    - Reference: RDC 08M186-3-SYD09/0632 (Sydney Regional Development Advisory Committee).

### **Staging Plan**

3. A Staging Plan is to be submitted for Council's approval and that Staging Plan shall provide that adequate car parking provision is made to service the needs of each stage and further that the access from the Great Western Highway is to be included in the first stage.

### **Electronic Signs**

4. Documentation (including plans where necessary) is to be submitted for Council's approval detailing the provision of a system for electronic monitoring of available carparking (such as an electronic "scoreboard") within the multi-deck car park and covered spaces.

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## SCHEDULE “B”

**This consent cannot operate until such time as Council is satisfied with the evidence produced in response to Schedule “A” and has notified the applicant in writing of the date from which the consent operates.**

### PRELIMINARY

1. This consent shall lapse if the above development is not physically commenced by the date of expiry shown on the front page of this Consent.
2. Development shall take place in accordance with the attached endorsed documents and plans:

<b>Drawing</b>	<b>Title</b>	<b>Revision</b>	<b>Dated</b>	<b>Prepared By</b>
A001	Cover Sheet	A	03/08/09	Altis
A002	Photomontages	A	14/08/09	Altis
A100	Site Analysis	A	14/08/09	Altis
A101	Site Plan	B	19/02/10	Altis
A102	Demolition Plan	A	14/08/09	Altis
A103	Carpark Precinct Plan	A	14/08/09	Altis
A104	Detail Lower Ground Floor Plan	A	14/08/09	Altis
A105	Detail Ground Floor Plan	A	03/08/09	Altis
A106	Detail Upper Deck Floor Plan	A	14/08/09	Altis
A107	Lower Ground Floor Plan	A	14/08/09	Altis
A108	Interim Lower Ground Floor Design Arrangements	A	14/08/09	Altis
A109	Ground Floor Plan	A	14/08/09	Altis
A110	Interim Ground Floor Design Arrangements	A	14/08/09	Altis
A111	Administration/Function Centre Plan	A	14/08/09	Altis
A112	Roof Plan	A	14/08/09	Altis
A114	Traffic Circulation & Signage Plan	A	02/02/10	Altis
A117	Site Plan - Interim	B	19/02/10	Altis
A201	Building Elevations	A	14/08/09	Altis
A202	Eastern Precinct Car Park Elevations	A	14/08/09	Altis
A210	Finishes Board	A	14/08/09	Altis
A211	Finishes Board	A	14/08/09	Altis
A301	Car Park / Site Sections	A	14/08/09	Altis
A302	Building Sections	A	14/08/09	Altis
-	Façade Colour Scheme	-	-	Altis
000	Title Sheet	F	19/02/2010	Site Image
101	Masterplan	F	19/02/2010	Site Image
102	Landscape Plan	E	18/02/2010	Site Image
103	Landscape Plan	G	19/02/2010	Site Image
104	Landscape Plan	E	18/02/2010	Site Image
105	Landscape Plan	D	13/01/2010	Site Image
501	Landscape Details	F	19/02/2010	Site Image
502	Landscape Details	D	13/01/2010	Site Image
901	Carpark landscape Works	C	19/02/10	Site Image
LA-C101	Colour Landscape Plan	F	19/02/2010	Site Image



C0.00	Cover Sheet, Notes and Legend	D	21/01/2010	ACOR
C1.00	Stormwater Site Plan	D	21/01/2010	ACOR
C1.01	LG Floor (1)	E	21/02/2010	ACOR
C1.02	LG Floor (2)	D	21/01/2010	ACOR
C1.03	Upper Deck Floor	D	21/01/2010	ACOR
C3.01	Sections of Tanks	D	21/01/2010	ACOR
C4.01	Details Sheet	D	21/01/2010	ACOR
C5.01	Sediment Control Plan	D	21/01/2010	ACOR
C6.01	Stormwater Catchment Plan	D	21/10/2010	ACOR
H-01	LG Floor	4	25/06/2009	Warren Smith & Partners
H-02	Roof Drainage Plan	4	25/06/2009	Warren Smith & Partners
H-03	Administration and function centre	4	25/06/2009	Warren Smith & Partners
H-04	Roof Drainage	4	25/06/2009	Warren Smith & Partners

- Letter from the NSW Office of Water dated 22 March 2010 and letter dated 19 October 2009 including General Terms of Approval, Reference: 10 ERM2009/0946;
- Letter from the Sydney Regional Development Advisory Committee dated 13 April 2010, Reference: RDC 08M186-3 – SYD09/00632;
- Letters from The Roads and Traffic Authority:
  - Reference: RDC 08M186 vol2, dated 29 September 2009,
  - Reference: RDC 08M186 vol2a, dated 8 January 2009,
  - Reference: RDC 08M186-3-SYD09/0632 (Sydney Regional Development Advisory Committee);
- Letter from Sydney Water dated 16 June 2010;
- Letter from Holroyd Local Area Command (Police) dated 27 April 2010;
- Email from George Krzywda (Acor), dated 19 August 2010;
- Acoustical Assessment report prepared by Renzo Tonin & Associates (NSW) Pty Ltd (Ref: TE191-01F05 (Rev 1) Acoustic Assessment Report.Doc) dated July 2009, and additional information and documentation submitted to satisfy Schedule “A” conditions;
- Waste Management Plan (WMP) prepared by Cundall Pty Ltd, dated 18 June 2009;
- Sustainability Management Plan prepared by Cundall, dated 18 June 2009;
- Consultation Report prepared by Urbis, dated June 2009;
- Obtrusive Lighting Report prepared by Haron Robson, dated August 2009;

- Tree Report prepared by Treescan Urban Forest Management, dated June 2009;
  - Cumberland Plan Woodland Assessment prepared by Conacher Environmental Group, dated May 2009;
  - Crime Prevention Through Environmental Design report prepared by Urbis dated June 2009;
  - Social Impact Assessment prepared by Urbis dated June 2009;
  - Mobility and Access review prepared by Morris-Goding Accessibility Consulting, dated 22 June 2009;
  - a) As amended in red by Council and conditions of this consent. All amendments are to be incorporated in the Construction Certificate plans.
3. All building work shall be carried out in accordance with the requirements of the Building Code of Australia. Fully detailed plans including fire safety details shall be submitted with the Construction Certificate application. No work is to commence until such time as a Construction Certificate is obtained for the work/building permitted by this Consent.

**Appointment of Council or a Private Certifier as the Principal Certifying Authority (PCA)**

4. Either Council or a Private Certifier is to be appointed as the Principal Certifying Authority (PCA) for the development in accordance with Section 109E of the Act.

Accordingly, wherever reference is made to the Principal Certifying Authority in this Consent, it refers to Council or the Private Certifier as chosen by you.

**Note:** Once you have chosen either Council or a Private Certifier as the PCA, you cannot change from one to the other, or from one Private Certifier or another, without the approval of DOP.

5. The applicant shall consult with, as required:
- (a) Sydney Water Corporation Limited
  - (b) Integral Energy
  - (c) Natural Gas Company
  - (d) A local telecommunications carrier
- regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public road(s).
6. The proposed structure/s are to be located clear of existing Council easements. Special footings will be required where the proposed/existing structures are adjacent to a drainage easement. The footings shall be taken down to the invert level of the existing drainage structure or to solid rock, whichever is the lesser. The footing depth may decrease by 500mm for every 1000mm increment in distance the footing is from the easement boundary.  
The footing system is to be designed by a practising professional structural engineer.
7. Building materials, builders sheds, waste bins, site fencing, gates or any material of any description shall not be left or placed on any footway, road or nature strip. Footways and nature strips shall be maintained, including the cutting of vegetation, so as not to become unsightly or a hazard for pedestrians. Offenders will be prosecuted.

## Demolition

8. In the event that demolition is to occur prior to the issue/release of a Construction Certificate, all relevant fees and bonds such as the demolition inspection fee, kerb & gutter and tree protection bonds shall be paid in full to Council prior to demolition commencing (as per the relevant conditions elsewhere in this Development Consent). Furthermore, the applicant/developer is to ensure that all relevant conditions in this Development Consent relating to the protection of the site, adjoining lands and trees are adhered to in full prior to commencement of any demolition works.
9. Permission is granted for the demolition of 8 dwellings at 18-20 Dawes Street and 12-18 Mack Street, subject to strict compliance with the following:
  - a) Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601 1991 - The Demolition of Structures. **Note:** Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications. a) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site five (5) working days prior to demolition. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to 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. The demolition must not commence prior to the date stated in the notification.
  - b) Five (5) working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to Holroyd City Council for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.
  - c) On the first day of demolition, work is not to commence until Holroyd City Council has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with WorkCover's document "Your Guide to Working with Asbestos", a copy of which accompanies this Development Consent and demolition works must at all times comply with its requirements.
  - d) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. Advice on the availability of these signs can be obtained by telephoning Council's Customer Service Centre during business hours on 9840 9840. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001.

- e) Demolition shall not commence until all trees required to be retained/transplanted are protected in accordance with those conditions stipulated under “Prior to Works Commencing” in this Consent.
- f) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- g) Demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover “Demolition Licence” **and** a current WorkCover “Class 2 (Restricted) Asbestos Licence”.
- h) Demolition is to be completed within five (5) days of commencement.
- i) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 6.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
- j) Protective fencing is to be installed to prevent public access to the site.
- k) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Department of Environment and Conservation (DEC).
- l) Before demolition operations begin, the property shall be connected to the sewer of Sydney Water to which a pedestal pan shall be temporarily connected for the use as the employees’ toilet service during demolition operations.
- m) After completion, the applicant shall notify Holroyd City Council within seven (7) days to assess the site and ensure compliance with AS2601 1991 – The Demolition of Structures.

**Note:** The person responsible for disposing of the above asbestos waste is to telephone the DEC on (02) 9995 5000 or Council’s Waste Officer on (02) 9840 9715 to determine the location of a tip licensed to receive asbestos. Within fourteen (14) days of the completion of demolition works, the applicant must lodge with Council, all original weighbridge receipts issued by the receiving tip as evidence of proper disposal.

- n) Within fourteen (14) days of completion of demolition, the applicant shall submit to Council:
  - i) An asbestos clearance certificate prepared by a NATA accredited occupational hygienist; and
  - ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent under DCP 2007 Part A, Section 9.0. **In reviewing such documentation Council will require the provision of original weighbridge receipts for the recycling/disposal of all materials.**

**Note:** To find a list of NATA accredited facilities visit the NATA website at [www.nata.asn.au](http://www.nata.asn.au) and under 'Find a Facility or Lab' type in 'asbestos identification' in 'keywords' then click on 'chemical testing' in NSW then click on the search button. A list of laboratories will be produced which you can contact for the purpose of having a clearance certificate issued.

10. Payment of **\$240.00** fee for inspection by Council of the demolition site prior to commencement of any demolition works.

#### **Smoke Free Environment**

11. The subject development consent issued by Council does not imply or otherwise verify compliance with the Smoke-Free Environment Act 2000 and/or the Smoke-Free Environment Amendment (Enclosed Spaces) Regulation 2006. The applicant and/or owner of the premises should seek their own legal advice as to compliance with Act and/or Regulation if proprietors of the premises intend allowing smoking in any area of the premises, including that area subject of this consent."

#### **General Terms of Approval from Department of Water and Energy**

12. Compliance with all General Terms of Approval issued by the NSW Office of Water on 19 October 2009 (Reference: 10 ERM2009/0946), prior to, during, and at the completion of works.

#### **Temporary Carpark**

13. The 69 space temporary car park (Western Spine Precinct Car Park) shown on drawing A117 Revision B, dated 19/02/10 and prepared by Altis is to be used for a maximum of five (5) years from the date that the consent becomes operative. On the cessation of this five (5) year period, or at the time of construction of the Porte Cochere, the car parking is to be removed and the area is to be developed in accordance with drawing A114 Revision A, dated 02/02/10 and prepared by Altis.

#### **Signage**

14. This consent (2009/381/1) does not grant consent to the erection of any new Business Identification Signage associated with Club. Separate development application/s seeking consent to any proposed Business Identification Signage is to be submitted to Council prior to the erection of any Business Identification Signage. It should be noted that any Business Identification Signage is not to contain any 3rd Party Advertising.

**NOTE: FEES, BONDS & CONTRIBUTIONS INDICATED IN CONDITIONS OF THIS CONSENT MAY VARY IN ACCORDANCE WITH THOSE ADOPTED BY COUNCIL AT SUBSEQUENT ANNUAL REVIEWS OF ITS "FEES AND CHARGES" AND SUBSEQUENT CHANGES TO THE BUILDING PRICE INDEX. FEES CHARGED WILL BE THOSE CURRENT AT THE TIME OF PAYMENT.**

## **PRIOR TO ISSUE/RELEASE OF CONSTRUCTION CERTIFICATE/PRELIMINARY CONDITIONS FOR DEMOLITION**

**The following conditions must be complied with prior to the issue of a Construction Certificate, or where relevant prior to demolition occurring. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate:-**

### **Controlled Activity Approval**

15. The Construction Certificate will not be issued over any part of the site requiring a Controlled Activity Approval until a copy of the Approval issued by the NSW Office of Water has been submitted to Council.

### **Hazardous Material Survey**

16. A Hazardous Material Survey is required to be undertaken prior to the demolition of any structures (dwellings) on site. The Hazardous Materials Survey should reference the considerations as outlined in the Phase 1 Contamination Assessment has been prepared by Douglas Partners (Project No: 45938.01) dated March 2009. A copy of the Hazardous Materials Survey is required to be submitted to Council for assessment and comment prior to the demolition of structures.

### **Payment of Bonds, Fees and Long Service Levy**

17. The Principal Certifying Authority is to ensure and obtain written proof that all bonds, fees and contributions as required by this consent have been paid to the applicable authority. This includes all Long Service Levy payments to be made to the Long Service Payments Corporation.

### **Damage Deposit**

18. A cash bond/bank guarantee of **\$4,787.95** must be paid/lodged with Council to cover making good any damage caused to the property of Council, during the course of construction associated with the development. This will be held for 'six (6) months after the completion of works' or six (6) months after the issue of 'Final Occupation Certificate' (whichever occurs last) to remedy any defects that may arise within this time.

**Note:** The applicant/owner shall be held responsible for and may be required to pay the full reinstatement costs for damage caused to Council's property (such as road pavement, kerb and guttering, footway, stormwater drainage etc), unless the applicant/owner notifies Council in writing and provides photographic proof of any existing damage to Council's property. Such notification shall occur prior to works/demolition commencing. However, if in the opinion of Council, during the course of construction existing damage has worsened, Council may require full reinstatement. If damage does occur during the course of construction, prior to reinstating any damage to Council's property, the applicant/owner shall obtain design specifications of all proposed restoration works. Restoration/construction works within the road reserve shall be carried out by a licensed construction contractor at the applicant/owners expense and shall be inspected by Council prior to placement of concrete and/or asphalt.

### **Consistency with Endorsed Development Consent Plans**

19. The Principal Certifying Authority must ensure that any certified plans forming part of the Construction Certificate, are in accordance with the Development Consent plans.

### **Tree Planting/Landscaping**

20. A bond of **\$10,000** is to be lodged with Council against the planting, establishment and maintenance of the required landscaping/tree planting. This bond will be retained for a minimum period of twelve (12) months from the issue of a Final Occupation Certificate after which a further inspection will be undertaken by Council or the Principal Certifying Authority (PCA), to ensure the satisfactory establishment and maintenance of the landscaping/tree planting.

If Council is not the PCA, certification from a suitably qualified person or the designer of the landscape works (as appropriate) that the required landscaping/tree planting is establishing and being maintained satisfactorily, is to be submitted to Council at the expiry of the bond period prior to the bond being refunded.

If the landscaping is not established or maintained to Council's or the PCA's satisfaction, the bond monies will be applied to fully implement the landscape plan.

**Note:** Retention of bonds for twelve (12) months provides for the landscaping/tree planting to establish over a full cycle of seasons.

### **Landscape Inspection Fee**

21. Payment of a **\$490.20** fee for the inspection by Council of landscape works and/or trees to be retained at the key stages, where Council is the Principal Certifying Authority.
22. Prior to removal of any trees/vegetation, the applicant shall engage the services of an Ecologist to carry out an aerial inspection of all tree hollows/ cavities and a ground search to safely remove all fauna and take care of eggs and/ or live young until mature enough for release into the wild. Council's Landscape Co-ordinator shall be contacted on 9840 9829 at least 48hrs prior to the planned site attendance by the Ecologist.
23. The Landscape Plan shall be amended to indicate the location points for the Palm trees which are proposed to be retained/ relocated, and documentation shall be submitted from Qualified Arborist detailing the methods/ guidelines to be followed for their transplantation.
24. The Landscape Plan shall be amended to indicate the location points and numbers for new street trees (in 25 litre containers) which shall to be planted at 8 metre intervals within Council's nature strip reserves of Mack and Dawes Streets along the proposed development. These trees are to be staked and mulched with woodchip.
25. The Landscape Plan shall be amended to indicate deletion of planting at the front of No's. 15, 16, 17 and 18 Mack Street.
26. The proposed 1200mm high entry feature wall shown on the landscape plan shall be deleted and correspond with the submitted stormwater plans.

### **Engineering Fees and Bonds**

27. Payment of a **\$960** fee for the inspection by Council of the stormwater drainage, Onsite Stormwater Detention System, Overland Flowpath and Pollution Control Device/s at the key stages, where Council is the Principal Certifying Authority.
28. The applicant shall lodge with Council a **\$18,000** cash bond or bank guarantee for the satisfactory completion of the construction and/or reconstruction of the concrete footpath paving adjacent to the site. This bond will be held for 'Six (6) months after the completion of works' or issue of a 'Final Occupation Certificate' (whichever occurs last) to remedy and defects that may arise within this time.
29. The applicant shall lodge with Council a **\$90,000** cash bond or bank guarantee for the satisfactory completion of the construction of the drainage system through a public area or adjoining private property. This bond will be held for 'Six (6) months after the completion of works' or issue of a 'Final Occupation Certificate' (whichever occurs last) to remedy and defects that may arise within this time.
30. The applicant shall lodge with Council a **\$5,200** cash bond to cover the registration of a Positive Covenant and Restriction as to User over the Onsite Stormwater Detention System, Overland Flowpath and Pollution Control Device/s. This bond is refundable upon the submission of proof of registration of the Restriction on Use and Positive Covenant with the Land and Property Information NSW.
31. The applicant shall lodge with Council a **\$12,500** cash bond or bank guarantee to cover the satisfactory construction and/or reconstruction of Council's gully pit/s and associated works along all areas of the site fronting public roads. This bond will be held for 'Six (6) months after the completion of works' or issue of a 'Final Occupation Certificate' (whichever occurs last) to remedy and defects that may arise within this time.
32. Payment of a **\$2500** fee for the checking of designs prior to issue of construction certificate and inspections by Council of the works associated with the slip lane and Mack Street drainage.
33. If it is the applicant's intention to engage Holroyd City Council to undertake the checking of the engineering design plans and issue the Engineering Construction Certificate, it will be necessary to lodge all detailed engineering drawings and specifications in order that a quote for service may be provided.
34. If it is the applicant's intention to engage Holroyd City Council to undertake Construction inspections and the issue of the Engineering Compliance Certificate, it will be necessary to contact Council's Development Engineer in order that a quote for service may be provided.

### **Structures near Easements**

35. Special footings will be required where the proposed/existing structure is adjacent to a drainage easement to protect Council's stormwater drainage infrastructure. The footings shall be taken down to the invert level of the existing drainage structure or to solid rock, whichever is the lesser. The footing depth may decrease by 500mm for every 1000mm increment in distance the footing is from the easement boundary. A Structural Engineer's certificate for the special footings referred to above is to be submitted to the Principal Certifying Authority.



### **Parking Study**

36. A parking study shall be submitted with each stage of development prior to the issue of each Construction Certificate to demonstrate sufficient parking in place to service on-going use of the club.

### **Road Works**

37. A Traffic Management Plan shall be lodged with Council for any road and drainage works to be carried out within public road reserves, or where construction activity impacts on traffic flow or pedestrian access, in strict compliance with the requirements of Australian Standard 1742.3 (Traffic Control Devices for Works on Roads). In this regard, the applicant shall pay Council a **\$320** fee for the assessment of the Traffic Management Plan by Council, prior to commencing works within the road reserves. A copy of the approved Traffic Management Plan shall be kept on site during the course of construction for reference and compliance.

### **Required Submissions to Certifying Authority**

38. A Section 73 Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation and submitted to the PCA.

(Application must be made through an authorised Water Servicing Coordinator. Please refer to the “Your Business” section of the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) then follow the “e-Developer” icon or telephone 13 20 92 for assistance.

Following application, a “Notice of Requirements” will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design).

Submission a copy of Sydney Water’s *Notice of requirements* to the Principal Certifying Authority.

39. Retaining walls greater than 1.0m above finished ground level or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated stormwater drainage measures, shall be designed by an appropriately qualified person. Details are to be included with any Construction Certificate application.
40. Structural engineer’s details (in duplicate) prepared and certified by a practising qualified structural engineer of all reinforced concrete and structural members shall be submitted to the Principal Certifying Authority.
41. A sight distance check in the form of a plan and sectional elevation drawing for motor vehicles exiting the site via the left turn out into the Great Western Highway shall be provided in accordance with the Road and Traffic Authority’s Road Design Guide. The sight distance shall allow for the obstructions caused by motor vehicles in the slip lane.
42. Documentation shall be included with the Construction Certificate application detailing how the recommendations made in the Social Impact Statement prepared by Urbis and dated June 2009 and contained at Appendix M of the Statement of Environmental Effects have been addressed.

43. Documentation (including plans where necessary) shall be included with the Construction Certificate application for each stage detailing how the project commitments outlined at Chapter 7 of the Statement of Environmental Effects will be achieved, including a Construction Management Plan (CMP) to be provided for each stage to be submitted and approved by Council.
44. Documentation (including plans where necessary) shall included with the Construction Certificate application detailing how the Crime Prevention Through Environmental Design (CPTED) principles outlined in the letter from the Holroyd Local Area Command (Police) dated 27 April 2010 will be achieved.

### **Acoustic Measures**

45. The Acoustical Assessment report prepared by Renzo Tonin & Associates (NSW) Pty Ltd (Ref: TE191-01F05 (Rev 1) Acoustic Assessment Report.Doc) dated July 2009 has commented that the specific details of any new or relocated mechanical plant has not been determined. The report has commented that a significant area of the north east roof has been allocated as a new plant room and that a full acoustical assessment of the mechanical plant noise emission will need to be undertaken. In this regard, an acoustic report is to be submitted to Council that details the acoustical performance of the mechanical plant and the plant room that is to enclose such plant to demonstrate the plant will satisfactorily achieve the identified noise criteria as outlined in the Acoustical Assessment report prepared by Renzo Tonin & Associates (NSW) Pty Ltd (Ref: TE191-01F05 (Rev 1) Acoustic Assessment Report.Doc) dated July 2009.
46. The design goals for the function room as outlined in section 4.5.4 of the Acoustical Assessment report prepared by Renzo Tonin & Associates (NSW) Pty Ltd (Ref: TE191-01F05 (Rev 1) Acoustic Assessment Report.Doc) dated July 2009 are required to be implemented into the proposal. In this regard, details of the acoustical assessment and plans demonstrating the design goals can be achieved for the function room shall be submitted to Council.
47. The Acoustical Assessment report prepared by Renzo Tonin & Associates (NSW) Pty Ltd (Ref: TE191-01F05 (Rev 1) Acoustic Assessment Report.Doc) dated July 2009 has not provided comments regarding the “new acoustical wall of 1.8m in height”, which is located on the plans submitted, which shields the MTA Chiller. Details of the effectiveness and modelling of the acoustical wall shall be submitted to Council including evidence of compliance with noise criteria in the acoustic report for Development Consent 2007/314.
48. The Acoustical Assessment report prepared by Renzo Tonin & Associates (NSW) Pty Ltd (Ref: TE191-01F05 (Rev 1) Acoustic Assessment Report.Doc) dated July 2009 has not provided any details regarding any acoustical emissions from the proposed fitness centre. Fitness centres commonly use music as part of their activities. The report shall identify and address acoustical concerns, if any, associated with the fitness centre and submit details demonstrating that any required acoustic measures will satisfactorily achieve the identified noise criteria.
49. Notwithstanding the interim use of the western atrium / terrace, due to its location in proximity to nearby residential premises, a report / letter is to be prepared by an acoustic consultant recommending appropriate noise attenuation measures for the western atrium / terrace.

50. The 1800mm acoustic wall adjoining Mack Street shown on drawing 103, Issue G, dated 19/02/2010 is to be relocated to an appropriate position no more than 25m from the 6(c) zoning boundary. The acoustic wall may be replaced by a tubular style fence no greater than 1800mm in height. A lockable gate is to be provided within the acoustic wall in order to allow for maintenance access. However, no public access to the Club site is to be gained from Mack Street. Full details of the relocated acoustic wall and replacement fencing, including colours and materials and an elevation drawing, are to be provided on amended plan/s.
51. To control patron noise, plans and/or specifications shall be submitted with the Construction Certificate application indicating how compliance with the following recommendations from the Acoustical Assessment report prepared by Renzo Tonin & Associates (NSW) Pty Ltd (Ref: TE191-01F05 (Rev 1) Acoustic Assessment Report.Doc) dated July 2009, will be achieved and details are to be submitted to the Principal Certifying Authority addressing the following minimum matters:
  - Acoustically absorptive ceiling over Bowlers Terrace & Sports Bar Terrace to be installed having an acoustical performance in the order of NRC 0.8 for approximately 80% of the ceiling area. Similar performance is recommended for any roof areas in the Lounge Terrace;
  - Minimum of 25% of the wall area in Stage 1 Lounge Terrace (evenly distributed) to be treated with acoustic absorption having an NRC above 0.7; and
  - Acoustically absorptive ceiling for roods over the Piazza, Cabana & Function Room external areas, having an average performance of NRC 0.5 for the entire ceiling.
52. A comprehensive Plan of Management for Wentworthville Leagues Club is to be submitted to Council for approval. The Plan of Management shall consider as a minimum matters related to the noise mitigation from activities occurring at Wentworthville Leagues Club.
53. A noise management plan shall be developed that details how the Club intends to manage noise emanating from any activities that are occurring at the Club. A draft noise management plan is to be submitted to Council for assessment and comment.

#### **Food Premises Fitout**

54. Detailed plans of each food area that sell, prepare or store food (including beverages) shall be submitted to Council. The plans should be designed in accordance with the requirements of Standard 3.2.3 of the Food Standards Code and Australian Standard AS4674-2004 (Design, Construction & Fitout of Food Premises). The plans should include in detail methods of construction and the location of fixtures, fittings and equipment.

#### **Staff Accommodation**

55. An air lock to be provided to any water closet or urinal compartment with adequate provision being made for light and ventilation. The doors of the water closet or urinal compartment being close fitting and self closing. Details to be submitted to the Principal Certifying Authority.

#### **Air Conditioning**

56. Details and specifications for the mechanical ventilation system complying with the Australian Standard are to be submitted to the Principal Certifying Authority for approval.

## **Waste Management**

57. A Waste Management Plan (WMP) has been prepared by Cundall Pty Ltd dated 18 June 2009 and included as Appendix AA of the Statement of Environmental Effects. The WMP is generally satisfactory, however, does not include an estimate of the weight or volume of asbestos to be removed during the demolition phase of the development.

In this regard, an estimate of the amount of asbestos to be generated during the demolition phase of the development and the details of the licensed facility to be used for its disposal is to be provided to Council prior to the issuing of a construction certificate.

58. The enclosed waste and recycling storage facilities are to be ventilated in accordance with Council's DCP 2007, able to be easily cleaned and provided with a water supply for cleaning purposes. The floor of these facilities is to be suitably graded and drained to the sewer with the consent of Sydney Water. Furthermore, all waste and recycling storage areas are to be vermin proofed to Council's satisfaction. Plans and documentation demonstrating compliance with these requirements shall be submitted with the Construction Certificate application.

## **Fire Safety Upgrading & Essential Services**

59. The applicant/owner is to give written notice to the Certifying Authority of the measures that are currently implemented in the building or premises to ensure the safety of persons in the building in the event of fire. The schedule of measures must be provided with the Construction Certificate application.
60. The Construction Certificate is to include a schedule specifying all of the essential fire or other safety measures (both current and proposed) that are required for the building or premises to ensure the safety of persons in the building in the event of fire.
61. The Construction Certificate is to include a report prepared by a suitably qualified BCA consultant including a complete set of plans showing both the existing building and proposed works will fully comply with all the requirements of the current Building Code of Australia Volume 2.

## **Engineering**

62. All works to be provided, as listed in this consent, shall be shown on the submitted drawings prior to the issue of the Construction Certificate and works commencing.

## **Design and Construction Specifications**

63. All engineering works shall be designed and undertaken in accordance with the relevant aspects of the following documents, except as otherwise authorised by this consent:
  - Holroyd City Council's Specification for Subdivisions and Developments. (Current Version).
  - Holroyd City Council's Development Control Plan.
  - For any works proposed or required within the existing public roads, the approval of the designs via the Construction Certificate, and the supervision of the construction, shall be the responsibility of the road authority (Council or RTA). In this regard the authority which is accountable for the particular area of the road reserve shall be as per the Roads Act. The design and construction of the above works shall be to the total satisfaction of the relevant road authority.

### **Stormwater Drainage – General**

64. All design and construction shall be done in accordance with the latest edition of Australian Rainfall and Runoff, and the NSW Floodplain Management Manual (Jan 2001), except if specified otherwise in the following conditions and/or Councils' Specification for Subdivisions and Developments, including the Standard Plans therein. The design of the conduit bedding and class shall also be based on the construction loading received during construction of the development.
65. As per Clause 1.6.4, Note 3, of Councils' Specification for Subdivisions and Developments, all stormwater conduits shall have the size, class, manufacturers name, and date of manufacture, indelibly marked on the obvert of each conduit length.
66. As per Table 2 Schedule of Material Tests, of Councils' Specification for Subdivisions and Developments, the CCTV verification and 'No cracking', shall be complied with.
67. All of the design drainage modelling and the design plans shall be provided to Council in electronic format.
68. Full details of the hydraulic evaluation of the entire stormwater drainage system in accordance with submitted concept plan shall be prepared by a practising Civil Engineer. Plans shall include details for the design and construction of a stormwater drainage system for the collection and disposal of all roof and surface water drainage from the site. Design and construction of the drainage system shall be in accordance with Council's standards and specifications for stormwater drainage.
69. Stormwater is to be disposed of into Sydney Water and the Roads and Traffic Authority drainage system, subject to Sydney Water's approval. Sydney Water's written approval shall be submitted to the Principal Certifying Authority in conjunction with the stormwater drainage plans.
70. The drainage easement location shall not disturb any structures or root zone of existing trees within the property/properties.
71. Drainage easements over existing/proposed public drainage lines through the site are required and shall be shown on the plans. Easements shall be a minimum width of the pipe diameter plus 2m, rounded up to the nearest 0.5m or match the width of the 1% AEP overland flow path, which ever is the greater.

### **Stormwater Drainage – Major**

72. Full detailed designs and calculations for the proposed Mack Street drainage works and adjustments to the existing road drainage system shall be submitted to Council for approval which shall include all pipe sizes and grades, pit sizes and locations including the surface and invert levels, long section of the proposed drainage system which shall be designed to convey the 1 in 100 year ARI storm event. Confirmation of footpath levels and street crossfall in Mack Street shall be provided to ensure that the ponding of 200mmm can be achieved. Alternatively, details of works required shall be submitted to Council for approval. All proposed street KIP's shall be in accordance with Council detail SD8010. Also removal of redundant vehicular laybacks along the site fronting Mack Street and replacement with standard kerb and gutter is required.

73. Full detailed designs and calculations for the proposed road (slip lane) and adjustments to the existing road drainage system shall be submitted to Council/RTA for approval which shall include all pipe sizes and grades, pit sizes and locations including their surface and invert levels, long section of the proposed drainage system and the location of overland flow paths which shall be designed to convey the 1 in 100 year ARI storm event.
74. The proposed storm water pipelines draining the public property (proposed and existing) shall be designed at a minimum grade of 1%.
75. All batters within the public open space, shall be at a maximum grade of 1 (vertical) to 4 (horizontal).
76. Stormwater treatment measures including gross pollutant traps's shall be designed in accordance with the Upper Parramatta River Stormwater Management Plan.
77. All grills/grating/fencing proposed within the overland flow path shall be as open as possible(eg pool type fencing) to reduce the chance of blockage of overland flow path, from debris, discharging into the channel during major storm events. Details of the proposed grill/grating/fence treatment shall be provided confirming compliance with the 50% blockage factor outlined within the flood study by Hughes Trueman. Reference shall also be made to Sydney Water comments regarding provision for large debris.
78. Flood warning signs to address flood hazards at the proposed driveway entry/exit onto the Great Western Highway shall be shown on the stormwater plans in accordance with Council standard detail SD8024 and Urbis response dated 23 February 2010.

#### **On-Site Detention**

79. The development has been identified as requiring an on-site storm water detention (OSD) system which has formed part of the development consent. Therefore, in order to satisfy the drainage requirements for the building, any construction certificate for the building shall include the construction of the OSD system. In this regard, design and construction details of the OSD system demonstrating compliance with the development consent, OSD plan number and council's on-site detention policy shall be submitted to the certifying authority prior to the issue of a construction certificate.
80. Fully detailed design drawings and calculations shall be prepared by a practising Civil Engineer. Design and construction of the on-site stormwater detention system shall be in accordance with Council's standards and specifications and the Upper Parramatta Catchment Trust's O.S.D. Handbook.

#### **Traffic and Parking – Design**

81. Additional measures to improve traffic safety shall be provided at the intersection of the new access road with the Eastern and Western car park circulation roadway. This shall include installation of white painted central medians on the east-west circulation roadway.
82. Pram ramps shall be provided next to the disabled car space no. 105 as per AS1428 and shall be shown at marked crossings and where applicable on footpaths.

83. Marked pedestrian routes shown on the drawings adjoining parking spaces shall be separated from motor vehicles with bollards or similar protection devices as per AS2890.1. Minimum spacing of bollards shall be at 1 metre centres and at least 1.3 metres high where pedestrian routes are located behind car spaces.
84. Marked pedestrian footpath routes to/from disabled car spaces shall be minimum 1.8 metres wide as per AS 1428.1. Pedestrian footpath routes not for disabled access shall be minimum 1.2 metres wide. There shall be a buffer area of 0.5 metres between the edge of footpath and the kerb alignment in order to separate pedestrians from vehicle traffic.
85. The pedestrian route marked on the pavement behind car spaces 35-38 and 18-21 inside the undercover car park shall be removed as they give pedestrians a false sense of security with regard to vehicles manoeuvring into car spaces.
86. The end spaces of all parking bays, i.e., car space 10 and 11 and in the car spaces of the 1st floor eastern precinct car park shall have kerb islands at least 1 metre wide or alternatively car spaces shall be 3.5 metres wide or use protective devices such as bollards in order to separate moving traffic in the circulation roadway from drivers leaving their vehicles.
87. Give Way signs shall have holding lines. The applicant shall submit to Council the revised plans with holding lines at the give way on Great Western Highway, inside the eastern precinct/undercover car park and at the exits on Smith Street.
88. Wheel stops shall be shown on the plans in disabled car spaces 35 to 38, car spaces 41 to 46 and car spaces 53 to 58, which are next to pedestrian routes. Also, wheel stops shall be shown on the plans in the cars spaces of the 1st floor of the eastern precinct car park and in the western spine precinct car park, which are next to the perimeter walls or balustrades.
89. Traffic sign posting and line markings shall be provided within all proposed roadways. In this regard, the sign posting and line marking shall be in accordance with RTA Guidelines and accepted by Council's Traffic Engineer. Plans shall be submitted to Council for assessment.

#### **Public Utilities**

90. Alterations, installation and commissioning of public utility services eg Water, Telephone, Gas, Electricity etc. and conduits for same shall be provided in accordance with the requirements of each utility authority. Reticulation of services shall be within the footpath area.

#### **Road Design**

91. Engineering plans shall be lodged with the RTA and Council (in quadruplicate) for approval of the proposed roadway (slip lane) and associated, kerb, gutter, footpaths and vehicular crossing. All proposed roads and road reserves including boundary adjustments, shall be designed such that the roads, footpaths shall be in accordance with the submitted development application drawings and Council's specifications for subdivisions and developments. The applicant shall submit satisfactory engineering drawings and details for the road and associated construction, including section details, long sections of the roads and a typical section detail of all roads.
92. A 1.5 metre wide concrete footpath shall be provided along the site frontage of the Great Western Highway and linking to the Cumberland Highway intersection.

93. The boundary adjustments to accommodate the slip lane shall be provided ensuring that the existing footpath and nature strip width is maintained.
94. Concrete kerb and gutter shall be provided to all roadways in accordance with RTA/Council's specifications. In this regard, kerb and gutter shall have a minimum of 0.5% grade to a grated stormwater gully pit.
95. All cut and fill batters shall be located outside the proposed road reserves and provided at a maximum grade of 1 vertical and 4 horizontal. A 0.5m berm within the proposed site, located at the boundary alignment, shall be provided to all batters adjoining the road reserve.
96. Road pavements to RTA/Council standards shall be designed by a Professional Civil Engineer with NPER3 accreditation based upon soil tests performed by a registered N.A.T.A Soils Laboratory. The pavement and designs plus traffic loadings and associated Geotechnical report for the proposed roadways detailing the strength of the existing sub-grade, design of the proposed road pavement and pavement construction requirements, shall be lodged with RTA/Council, for approval.
97. Kerb ramps shall be provided in accordance with RTA/Council's Specifications where the footpaths terminate at kerb returns and at road intersections. All construction details shall be in accordance with Council's standard Drawings SD8101 and SD8103 and set out as per RTA technical directive TDT2002/08.
98. The footpath proposed adjacent to the Great Western Highway and at the car park entrance shall be setback from the roadside kerb by a minimum 1.5m nature strip to increase pedestrian safety. Adjacent street trees shall be moved back towards the car park fence line to accommodate the footpath and nature strip.
99. Plans shall be submitted to Council for approval to address the following:
  - 99.1 The minimum headroom of the eastern precinct car park shall be 2.3 metres as per Holroyd Council's Development Control Plan 2007 to the underside of the band beams and/or service ducts. Also, the minimum headroom over a disabled car space shall be 2.5 metres.
  - 99.2 Safe and convenient access routes for pedestrians shall be provided with the new car park. Pedestrian footpaths shall be in accordance with AS2890.1.
  - 99.3 The width of the curved ramps of eastern precinct car park shall comply with AS2890.1. The minimum width of two-way curved ramps with no separator shall be 6.7 metres. The width of the curve ramps shall be dimensioned on the plans. Alternatively, the applicant shall show turning paths of two B99 vehicles passing each other on the curve.
  - 99.4 Provision of parking shall be in accordance with Holroyd Council's Development Control Plan 2007 and column locations and spacing within car park shall comply with AS2890.1.
  - 99.5 Vehicle turning templates for a small rigid vehicle (SRV) as per AS2890.1 shall be superimposed at the intersection of the new access road at the Eastern and Western car park circulation roadway to check vehicle turning capabilities. The SRV shall not interfere with the kerb alignment, centre islands or line markings.



- 99.6 The aisle width inside the eastern precinct car park and adjoining the marked pedestrian routes shall comply with AS2890.1. Revised drawings shall be submitted with the aisle widths clearly dimensioned on the drawings.
- 99.7 All pedestrian crossings shall be at right angles to the kerb. The pedestrian crossings in the eastern precinct car park and in the western precinct car park next to the disabled car spaces and in the undercover car park next to the steps shall comply with AS2890.1.
- 99.8 If marked pedestrian crossings do not meet RTA requirements, alternative treatments shall incorporate vehicular crossings in accordance with Council's vehicular crossing policy.

### **Lighting**

- 100. High standard lighting shall be provided to the Great Western Highway road widening and designed by a suitably qualified person. Design plans for lighting shall be forwarded to Council and RTA for approval, after approval has been obtained from the responsible utility authority for lighting and shall be in accordance with AS 1158. Alterations/additions to street lighting shall be carried out by the responsible utility authority for lighting, or to the satisfaction of that authority, and all capital contributions associated with the installation of the lighting shall be borne by the applicant. The proposal shall include details of all lighting fixtures being proposed and underground power reticulation shall be allowed for in the design. Light poles and lanterns shall be plain hot dipped galvanised steel.

### **Landscaping within Public Roads**

- 101. Street plantings shall comply with the following:
  - (a) Tree locations shall be coordinated with proposed services, lighting poles and vehicular crossings.
- 102. All areas affected and which are not identified for other proposed treatments (mulched planting areas, paving) for the proposed slip lane works shall be turfed in accordance with the following:
  - (a) Turf shall be ST85 Buffalo turf or approved equal, obtained from an approved commercial grower of cultivated turf. Turf shall be of uniform quality and with a weed free mat of 25-50mm thickness.
  - (b) Turf shall be laid on a prepared sub-grade including a turf underlay mix of minimum 100mm thickness.
  - (c) Sufficient topdressing in the appropriate season shall be carried out to achieve a smooth surface with no mounds or hollows to allow free positive drainage. A minimum thickness of 10mm shall be allowed. Topdressing shall consist of 80:20 ratio of sand to soil.

## PRIOR TO WORKS COMMENCING

The following conditions are to be complied with prior to any works commencing on the site:

### **Appointment of Principal Certifying Authority and Notification of Commencement of Work**

103. The person having the benefit of the development consent, not the principal contractor (builder), must: -
- a) appoint a Principal Certifying Authority in accordance with Section 81A(2)(b) of the Act.
  - b) Have the Principal Certifying Authority complete the 'Accredited Certifier Details' on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.
  - c) Notify Council of the appointment of the Principal Certifying Authority and of the intention to commence building work, such notification is to be given to Council at least two (2) working days prior to the proposed commencement date, and be on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.

*If nominated, Council can provide this service for you and act as the Principal Certifying Authority.*

**N.B.** The Principal Certifying Authority must also notify the person having the benefit of the Development Consent of any mandatory critical stage inspections and other inspections that are to be carried out in respect of the building work such notification must comply with Clause 103A of the Regulations.

### **Notification of Principal Contractor (Builder)/Owner-Builder**

104. The person having the benefit of the Development Consent must:
- (a) notify the Principal Certifying Authority that the person will carry out the work as an owner-builder, if that is the case;
- OR
- (b) Appoint a Principal Contractor for the building work (who must be the holder of a contractor licence if any residential building work is involved), and notify the Principal Contractor of any mandatory critical stage inspections and other inspections that are to be carried out in respect of the building work.
  - (c) notify the Principal Certifying Authority of any such appointment.

Where Council is the Principal Certifying Authority, such notification is to be on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.

### **Required Submissions to Council or the Principal Certifying Authority**

105. To facilitate a complete assessment and enable the Certifying Authority to check compliance on site, truss validation and design, details certified by a qualified practising structural engineer shall be submitted to Council or the Principal Certifying Authority for examination and approval. Details shall include:
- a) job address and builder's name
  - b) design wind velocity
  - c) terrain category
  - d) truss spacing
  - e) roof pitch
  - f) material of roof
  - g) roof batten/purlin spacing
  - h) material of ceiling
  - i) job number

### **Fencing of Sites**

106. Fencing of sites is required to prevent public access when the site is unoccupied and building works are not in progress. In this regard the MINIMUM acceptable standard of fencing to the site is properly constructed chain wire fencing 1.8m high, clad internally with Hessian or Geotextile fabric. All openings are to be provided with gates, such gates are not at any time to swing out from the site or obstruct the footpath or roadway.

### **Signs to be Erected on Sites**

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

The sign must be rigid and durable and be read easily by anyone in any public road or other public place adjacent to the site.

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

This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

**Note:** Principal Certifying Authorities and Principal Contractors must also ensure that signs required by this clause are erected and maintained (clause 227A of the Regulations currently imposes a maximum penalty of \$1,100).

### **Prohibited Signage**

108. Advertising, Real Estate Agents, Architects, Designers, site suppliers and any other signage not mentioned in the conditions, is not to be placed or displayed on the site, such that the signage is visible from any public place. Offenders may be prosecuted.

### **Protection of Public Places**

109. A hoarding or fence must be erected between the work site and any public place, if the work involved in the erection or demolition of the building; is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

### **Site Control Measures**

110. Suitable erosion and sediment control measures shall be provided at all vehicular entry/exit points and all other measures required with and/or shown on plans accompanying the Construction Certificate, to control soil erosion and sedimentation, are to be in place prior to the commencement of construction works. Such controls are to be provided in accordance with Holroyd City Council's "Erosion & Sediment Control Policy."

**Note:** On-the-spot fines may be issued by council where measures are absent or inadequate.

### **Tree Protection Conditions**

111. An Arborist qualified to at least Australian Qualifications Framework (AQF) Certificate Level 4 shall be retained throughout all demolition/construction work to ensure the proper protection and management of the tree/s required to be retained/transplanted and that any necessary pruning work within 1m of the building/s approved, is carried out in accordance with Australian Standard 4373-1996 "Pruning of Amenity Trees". This includes on site supervision of the erection of tree protection measures and, where necessary, any works that are required within tree protection zones.
112. The tree/s identified on the endorsed plans as being retained/transplanted shall be protected prior to and throughout the demolition/construction process in accordance with the report from Treescan dated June 2009, the attached Guidelines for the Protection of Trees On and Adjacent To Demolition/Building sites, and relevant conditions of this Consent. All trees not authorised to be removed by this Consent must be retained. Prior to any work commencing, certification of the installation and inspection of the required tree protection works is to be provided to the Principal Certifying Authority by a suitably qualified person or the Arborist (as appropriate) engaged to ensure the proper protection and management of the tree/s required to be retained/transplanted. A copy of the Certificate is to be issued to Council within seven (7) days of the inspection and prior to any works commencing. Additionally, trees identified for removal are to be retained until immediately prior to works commencing, to assist with soil management and erosion control.

113. Protective fencing is to be installed around the tree/s to be retained/transplanted in line with the outer edge of the canopy which overhangs the site and no further than 0.5m from any buildings . This fencing is to be constructed of chainwire mesh 1.8m high, which is supported by steel stakes or piping and braced to resist impacts. Where appropriate the trunk/s of the tree/s on the site and any street tree/s (which are not to be fenced other than as mentioned above), shall also be protected by vertical timber boards, installed by or under the supervision of a suitably qualified person or the arborist (as appropriate) engaged to ensure the proper protection and management of the trees required to be retained/transplanted to accepted horticultural and TAFE standards.

**Note:** Removal of the protective fencing or timber boards during construction work, will affect the Bonds and may result in legal proceedings being instigated by Council against the applicant and builder.

114. The fenced zone/s surrounding the trees to be retained shall be mulched with 100mm of composted leaf mulch.

#### **Footpaving, Kerbing and Guttering**

115. Protection must be provided for Council footpaving, kerbing and guttering. Wooden mats must also be provided at all entrances where the site fronts paved footpaths.
116. Finished street levels shall not be assumed. The owner or builder must make application to Council's Engineering Services Department for street levels.

#### **Support for Neighbouring Buildings**

117. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land (including a public road and any other public place), the person causing the excavation to be made:-
  - a) must preserve and protect the building from damage, and
  - b) if necessary, must underpin and support the building in an approved manner, and
  - c) must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. (In this clause, *allotment of land* includes a public road and any other public place).

118. A dilapidation report of adjoining properties/allotments and details of the proposed excavation works in excess of 2m or within the zone of influence of neighbouring building foundations and required underpinning and supportive measures shall be submitted to the Principal Certifying Authority. Any required underpinning and supportive measures shall be designed by a practising structural engineer and details shall be submitted to the Principal Certifying Authority for approval prior to construction works commencing.

### **Toilet Facilities**

119. Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
- Each toilet provided:
- a) Must be a standard flushing toilet, and
  - b) Must be connected:
    - i) To a public sewer,
    - ii) If connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
    - iii) If connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.
    - iv) The position of the toilet on the site shall be determined by Council's Building Surveyor and/or Sydney Water.

### **Roadworks**

120. The applicant is to submit to Council an application for a road opening permit when the drainage connection into Council's system is within the road reserve. In this regard the applicant shall pay Council a **\$135** fee prior to the commencement of works. Additional road opening permits and fees may be necessary where there are connections to public utility services (eg. telephone, electricity, sewer, water or gas) required within the road reserve.
121. The applicant to arrange with the relevant public utility authority the alteration or removal of any affected services in connection with the development. Any such work being carried out at the applicant's cost.
122. A Road Occupancy License shall be obtained from the Roads and Traffic Authority (RTA), prior to commencing any works within the Great Western Highway. A copy of the Road Occupancy license shall be forwarded to Council.

### **Works Within Council's Reserve**

123. All works within the Council reserve shall be completed within three (3) weeks of the date of commencement, or within a timeframe agreed to by Council's Development Engineer. Council's Development Engineer shall be advised prior to the commencement of works.
124. Submission to Council of a Certificate of Currency of the contractor's Workers' Compensation Policy prior to the commencement of works.
125. All construction works shall be in accordance with the WorkCover safety requirements. Submission of insurance documentation demonstrating a minimum Public Liability cover of \$10,000,000 is to be submitted prior to commencement of works. Holroyd City Council shall be named on the Certificate of Currency as an interested party.
126. The applicant shall ensure that all contractors undertaking work within existing public areas must have Workers Compensation Insurance in accordance with the Workers Compensation Act of NSW or an accident policy to cover all workers engaged on the project.

127. The Contractor undertaking works within existing public areas shall comply with all regulations and the requirements of all relevant authorities and shall give all notices and pay all fees required to complete the works.

**Sydney Water**

128. The approved plans must be submitted to Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. (For Quick Check agent details please refer to the web site [www.sydneywater.com.au](http://www.sydneywater.com.au), see Your Business then Building & Development then Building & Renovating or telephone 13 2092.)

## DURING DEMOLITION/CONSTRUCTION

**The following conditions are applicable during demolition/construction:-**

### **Endorsed Plans & Specifications**

129. A copy of the endorsed stamped plans and specifications, together with a copy of the Development Consent, Construction Certificate and approved Traffic Management Plan are to be retained on site at all times.

### **Hours of Work & Display of Council Supplied Sign**

130. For the purpose of preserving the amenity of neighbouring occupations building work including the delivery of materials to and from the site is to be restricted to the hours of 7.00am to 6.00pm Mondays to Fridays and 8.00am to 4.00pm Saturdays. Work on the site on Sundays and Public Holidays is prohibited. **Note: Demolition work is not permitted on weekends or Public Holidays - refer to specific demolition condition for approved hours.**

The yellow “Hours of Building Work” sign (supplied by Council with the approval), is to be displayed in a prominent position at the front of the site for the duration of the work.

### **Site Control**

131. Access to the club from Mack Street is not permitted at any time during construction.
132. All soil erosion measures required in accordance with the approved sediment and erosion control plan and any other relevant conditions of this Consent are to be put in place prior to commencement of construction works and are to be maintained during the entire construction period until disturbed areas are restored by turfing, paving or revegetation. This includes the provision of turf laid on the nature strip adjacent to the kerb.
133. Builder’s refuse disposal and storage facilities are to be provided on the development site for the duration of construction works and all rubbish shall be removed from the site upon completion of the project.
134. Stockpiles of sand, soil and other material shall be stored clear of any drainage line or easement, tree protection zone, water bodies, footpath, kerb or road surface and shall have erosion and sediment control measures in place to prevent the movement of such materials onto the aforementioned areas and adjoining land.



### Asbestos Cement Sheeting

135. i) All asbestos cement sheeting must be removed by contractors with an appropriate licence issued by WorkCover and who are familiar with asbestos removal prior to the commencement of:-
- (a) Recladding or brick veneering of any building where the existing walls to be covered are currently clad with asbestos cement;

OR

- (b) Construction work where new work abuts existing asbestos cement sheeting and/or where parts of the existing building clad with asbestos cement sheeting are to be altered or demolished.

Removal must be carried out strictly in accordance with WorkCover's "Your Guide to Working with Asbestos" (copy attached).

- ii) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Department of Environment and Conservation (DEC).

**Note:** The person responsible for disposing of the above asbestos waste is to telephone the DEC on (02) 9995 5000 or Council's Waste Officer on (02) 9840 9715 to determine the location of a tip licensed to receive asbestos. **Upon completion of tipping operations the applicant shall lodge with the Council, all receipts issued by the receiving tip as evidence of proper disposal.**

- iii) Within fourteen (14) days of completion of renovation or recladding or brick veneering works where asbestos cement sheeting was removed, the applicant shall submit to Council an asbestos clearance certificate prepared by a NATA accredited occupational hygienist.

**Note:** To find a list of NATA accredited facilities visit the NATA website at [www.nata.asn.au](http://www.nata.asn.au) and under 'Find a Facility or Lab' type in 'asbestos identification' in 'keywords' then click on 'chemical testing' in NSW then click on the search button. A list of laboratories will be produced which you can contact for the purpose of having a clearance certificate issued.

### Waste Management Plan

136. The approved Waste Management Plan must be implemented and complied with during all stages of works on site.
137. Within seven (7) days of completion of construction/building works, the applicant shall submit a signed statement to Council or the Principal Certifying Authority verifying that demolition work and recycling of materials was undertaken in compliance with the Waste Management Plan. The Principal Certifying Authority shall submit a copy of the statement to Council.
- In reviewing such documentation Council will require the provision of actual weighbridge receipts for the recycling/disposal of all materials.***

### **Compliance with Critical Stage Inspections and other Inspections nominated by the Principal Certifying Authority**

138. Section 109E(3)(d) of the Act requires certain specific inspections (prescribed by clause 162A of the Regulations) and known as ‘Critical Stage Inspections’ to be carried out for building work. Prior to permitting commencement of the work your Principal Certifying Authority is required to give notice of these inspections pursuant to clause 103A of the Regulations.

**N.B.** An Occupation Certificate cannot be issued and the building may not be able to be used or occupied where any mandatory critical stage inspections or other inspections required by the Principal Certifying Authority are not carried out.

Where Council is nominated as Principal Certifying Authority, notification of all inspections required is provided with the Construction Certificate approval.

### **Construction**

139. The building and external walls are not to proceed past ground floor formwork/reinforcing steel level until such time as the Principal Certifying Authority has been supplied with a check survey report prepared by a registered surveyor certifying that the floor levels and external wall locations to be constructed, comply with the approved plans, finished floor levels (FFL)s and setbacks to boundary/ies. **The slab shall not be poured, nor works continue, until the Principal Certifying Authority has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory.**

In the event that Council is not the Principal Certifying Authority, a copy of the survey shall be provided to Council within three (3) working days.

On placement of the concrete, works again shall not continue until the Principal Certifying Authority has issued a Certificate stating that the Condition of approval has been complied with and that the slab has been poured at the approved levels.

### **Landscaping/Site Works**

140. All turfed areas shall be finished level with adjoining surfaces and also fall evenly to approved points of drainage discharge.

### **Tree Protection**

141. The tree/s identified on the endorsed plans as being retained/transplanted shall be protected against damage throughout the demolition/construction process in accordance with the report from Treescan dated June 2009, the attached Guidelines for the Protection of Trees On and Adjacent to Demolition/Building Sites and relevant conditions of this Consent.
142. A report is to be prepared and submitted to Council by the Arborist engaged to ensure the proper protection and management of the tree/s required to be retained/transplanted that:
- i) Sets out maintenance work carried out on tree/s; and
  - ii) Assesses the health and condition of the tree/s required to be retained/transplanted and protected.

The report should also provide documentary evidence that the tree protection conditions are being complied with in the form of site notes and photographs and be provided at three monthly intervals during construction works that are within 5m of any tree.

143. The applicant shall accept all responsibility for the accuracy of the information provided to Council for assessment. If any tree/s are not shown on the endorsed plan or are required to be retained/transplanted and protected but are threatened by demolition/construction work through unforeseen construction requirements or plan inaccuracy, all site and building works so affected are to cease until the matter is resolved to the satisfaction of Council. Council's Environmental and Planning Services Department is to be notified immediately upon such a problem being encountered.
144. Branches of trees to be retained/transplanted within 1m of the approved building, may be pruned by an Arborist qualified to at least Australian Qualification Framework (AQF) Certificate Level 3 in accordance with Australian Standard AS4373-1996 'Pruning of Amenity Trees' to enable demolition/construction works to occur.

**Note:** Any other pruning works not authorised by this Consent are subject to the approval of an application for General Tree Works activities.

145. No works are to occur within the fenced tree protection zone. All authorised works/activities within the fenced tree protection zone/s are to be undertaken by hand held equipment under the supervision of the consulting Arborist. No roots over 50mm in diameter are to be cut within the tree protection zone without prior consultation with Council officers or the consulting Arborist. All roots over 50mm in diameter which are encountered outside the fenced tree protection zone/s are to be cleanly cut and not ripped.

#### **Inspection of Works – Stormwater Drainage Construction Works within Council Easement**

146. The associated Mack Street stormwater drainage works shall be inspected during construction, by Council. Documentary evidence of compliance with Council's specifications shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:
  - (a) Initial inspection to discuss concept and site conditions/constraints prior to commencement of the construction of the stormwater drainage within the easement.
  - (b) Prior to backfilling of the trenches following the laying of the stormwater drainage pipes within the easement.
  - (c) Final Inspection.

Council's Standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.

**Note:** A private certifier or the Principal Certifying Authority cannot be engaged to do this inspection.

#### **Works within Council's Reserve**

147. All works within the Council reserve shall be suitably fenced to prevent public access to the work site during construction of the stormwater drainage.

### **Inspection of On Site Detention Works**

148. The stormwater drainage works are to be inspected during construction, by the Council or by a suitably qualified Civil Engineer. Documentary evidence of compliance with Council's specifications shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:
- (a) Initial inspection to discuss concept and site conditions/constraints prior to commencement of construction of the detention basin/tank.
  - (b) Prior to landscaping of detention basin or pouring of the roof of the detention tank.
  - (c) After completion of storage but prior to installation of fittings (e.g. orifice plates, screens, flap valves etc.)
  - (d) Final Inspection

Council's standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.

### **Inspection of Overland Flowpath**

149. The stormwater drainage and/or overland flowpath works shall be inspected during construction, by the Council or by a suitably qualified Civil Engineer. Documentary evidence of compliance with Council's specifications shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:
- (a) Initial inspection to discuss concept and site conditions/constraints prior to commencement of the construction of the Overland Flowpath.
  - (b) Prior to landscaping and/or pouring concrete within the overland flowpath area.
  - (c) Final Inspection.

Council's standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.

### **Inspection of Pollution Control Device/s**

150. The stormwater drainage and/or pollution control devices shall be inspected during construction, by the Council or by a suitably qualified Civil Engineer. Documentary evidence of compliance with Council's specifications shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:
- (a) Initial inspection to discuss concept and site conditions/constraints prior to commencement of the construction of the pollution control device/s.
  - (b) After completion of storage but prior to installation of fittings (eg. screens, etc.)
  - (c) Final Inspection.

Council's standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.

### **Inspection of Stormwater Drainage Construction in Road Reserve**

151. The stormwater drainage works within the Road Reserve shall be inspected during construction by Council. Documentary evidence of compliance with Council's specifications shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:
- (a) Initial inspection to discuss site conditions/constraints prior to commencement of the construction of the Stormwater Drainage extension.
  - (b) Prior to backfilling of trenches following the laying of the 375mm diameter concrete pipes. No less than two inspections are required.
  - (c) Prior to pouring of concrete for the proposed Council grated gully pit. No less than two inspections are required.
  - (d) Upon compaction and watering of the sand backfill material to 400mm below the finished road pavement level.
  - (e) Upon compaction of the lower layer of 150mm thick road base.
  - (f) Upon compaction of the upper layer of 150mm thick road base.
  - (g) Upon final compaction of the 100mm thick AC10 Hotmix and bitumen joint seal with the existing road pavement.

Council's standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.

**Note:** A private certifier or the Principal Certifying Authority cannot be engaged to do this inspection.

### **Structures Near Easements**

152. The proposed structure/s to be located clear of the existing Council easement. A certificate from a Registered Surveyor is to be submitted to Council verifying the location of the structure/s after footings have been poured and before the construction of any walls.

### **Road Works and Footpaving**

153. Pedestrian access, including disabled and pram access, is to be maintained as per Australian Standard AS1742.3 “Part 3 – Traffic Control Devices for Works on Roads”.
154. All advisory and regulatory sign posting (for example parking restriction signage, pedestrian crossing signs, warning signs) are to remain in place during construction.

### **Food Premises**

155. The premises are to be constructed and fitted out strictly in accordance with the Australian/New Zealand Food Safety Standards Code 3.2.3 ‘Food Premises and Equipment’ and Australian Standard 4674.2004 Design, Construction & Fit Out of Food Premises.

### **Underground Cabling**

156. All communications cabling shall be installed underground as per relevant authority requirements (including broadband and Category 5).

### **Underground Power Connection**

157. Where electricity reticulation cannot be obtained directly from the street, power connection is to be underground. No intermediate power pole is permitted.

### **Vehicle Cleansing**

158. Concrete trucks and trucks used for the transportation of building materials shall not traffic soil, cement or similar materials onto the road. Hosing down of vehicle tyres shall be conducted in a suitable off-street area where wash water is prevented from entering the stormwater system or adjoining property.

### **Importation of Fill**

159. All imported fill shall be validated in accordance with Council’s Contaminated Land Policy to ensure that it is suitable for the proposed land use from a contamination perspective.

### **Additional Information during Remediation/Demolition/Construction**

160. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination, shall be notified to Council immediately.

### **Line Marking**

161. Directional arrows for internal circulation shall be prominently displayed on the pavement on approaches to, and within, the carpark area.

## **FOOD PREMISES**

### **Ceiling**

162. A rigid smooth faced impervious ceiling shall be provided over the food preparation, cooking and serving areas. The surface finish shall be free of open joints, cracks, crevices or openings with the intersection of the walls and ceiling being tight jointed, sealed and dustproof.
163. The ceiling shall be painted with a light coloured washable paint.

### **Lighting**

164. All fluorescent light fittings shall be fitted with a smooth faced diffuser. The light fitting shall be either:
- recessed so that the diffuser is flush with the ceiling, or
  - designed to ensure that no horizontal surface exists which would allow dust and grease to accumulate

### **Floor**

165. The floor is to be constructed of concrete or other material impervious to moisture, finished to a smooth steel trowelled finish, coved at the intersections with the walls and graded and drained to approved sewerage connections.
166. Coving is to be provided between all walls and the floor and between the floor and all fittings. This can be achieved by coving tiles, cement render, or by turning vinyl flooring up the walls. In this case a fillet or backing piece is required to support the cove.
167. The floor shall be constructed of a material which is impervious to water, non slip and graded and drained to the floor waste.

### **Walls**

168. The walls in the food premises to be constructed of cement rendered bricks, blocks or concrete finished to a smooth, steel trowelled surface, coved to the floor, and where not tiled, painted with a light coloured gloss paint. Unrendered brick or block work is not permitted.
169. The walls of the food premises to be tiled with close-jointed, glazed tiles of a light colour to a height of 2 metres.
170. The walls of the food premises to be tiled with close-jointed, glazed tiles of a light colour to a height of 450mm above all sinks, tubs, draining boards, wash hand basins and preparation benches.
171. The walls of the food premises to be tiled with close-jointed, glazed tiles of a light colour from the floor to the underside of the exhaust hood.
172. All walls where not tiled shall be cement rendered to a smooth even surface and painted with a light coloured washable paint.

### **Fitting Out and Installation of Refrigeration/Counters/Cupboards**

173. Refrigeration, frozen food cabinets, cooking appliances, equipment, fittings, cupboards, and cabinets are to be supported on one of the following systems:-
  - Wheels or casters which allow the fully loaded fitting to be easily moved
  - Legs which provide a minimum 150mm clearance from the floor to the underside of the fitting.
174. All shelving being installed on approved metal brackets and kept at least 25mm clear of wall.
175. Food preparation benches shall be constructed of stainless steel.
176. The top and exposed edges of all benches, counters and shelving shall be finished in a smooth and non absorbent material free of joints.
177. All service pipes and electrical conduits shall be concealed within the floors, plinths, walls or ceilings.
178. All service pipes and electrical conduits which are not capable of being concealed within the walls shall be mounted on brackets so as to provide at least 25mm clearance between the pipe and adjacent (wall) vertical surface and 100mm between the pipe and adjacent (floor) horizontal surface.

### **Plumbing and Drainage Fittings**

179. A freestanding wash hand basin is to be provided in an approved position in the kitchen/food preparation area connected to both hot and cold water at a minimum temperature of 40°C through a single outlet, as required by Clause 14 (1) and (2) of the Australian New Zealand Food Standards Code Food Safety Standard 3.2.3. Provide and maintain dispensable soap and single use towels or other suitable hand drying facilities near the wash hand basin.

### **Windows/Doors**

180. All openings in the walls, floors and ceiling and all external doors and windows must be vermin proof.
181. All windows and doors to the external air are to be provided with fly screens.
182. All external doors to the food premises to be provided with approved door closers and kept closed when not in use for ingress or egress.
183. A self closing and close fitting flyproof door to be provided to the food premises.
184. All doors be rendered vermin proof by installing a metal strip 150mm wide at the bottom of the door on both sides of the door.



**Coolroom**

- 185. The coolroom shall be constructed with a concrete floor finished to a smooth even surface and graded to drain to the door. A sanitary floor waste shall be located outside the coolroom.
- 186. All internal intersections and external intersections of the floor with walls of the coolroom shall be coved.
- 187. The coolroom shall be fitted with an alarm device located outside the coolroom but controllable only from within the chamber.
- 188. The coolroom must be fitted with a door that is capable of being opened by hand from inside without a key.
- 189. The coolroom must be fitted with internal lighting controlled by a switch, which is located adjacent to the entrance doorway inside the coolroom.
- 190. The coolroom must be fitted with an indicator lamp positioned outside the coolroom which is illuminated when the interior light is switched on.
- 191. All metal work in the coolroom shall be pre-treated to resist corrosion.
- 192. Storage racks of the coolroom shall be constructed of galvanised steel or other approved material all of which shall be treated to prevent corrosion. Racks may be fixed or free standing, the lowest shelf shall be at least 150mm clear of the floor.
- 193. The top of the coolroom shall be covered with an approved vermin proof material.

**Mechanical Ventilation**

- 194. A system of filtered mechanical exhaust ventilation being provided to the kitchen with hoods over all cooking and heating appliances having an effective capture velocity at any position over the face area of the hoods of not less (0.3 / 0.4 / 0.6 m/s) and designed to discharge the effluent air above roof level in the position approved by the Principal Certifying Authority where no nuisance will be created.
- 195. A kitchen exhaust hood is to be provided above all appliances of heating capacity greater than 8KW in accordance with AS 1668 Part 2. A test certificate shall be submitted to the Principal Certifying Authority with application for an Occupation Certificate.
- 196. The external ductwork system to have a finish similar to that of the building.
- 197. A system of filtered mechanical exhaust ventilation being provided to the kitchen with hoods over all cooking and heating appliances.
- 198. The mechanical exhaust ventilation serving the kitchen is to extend to the dishwashing machine.
- 199. The hood being designed to extend not less than 150mm beyond the perimeter of all fittings to be ventilated.
- 200. Approved grease tight cleanout panels being provided in the horizontal exhaust ductwork every 3m and at each change of direction.

## **PRIOR TO ISSUE OF OCCUPATION CERTIFICATE**

**The following conditions are to be complied with prior to the issue of an occupation certificate:-**

### **Certificates/Documentary Evidence**

201. A final clearance is to be obtained from Integral Energy if such clearance has not previously been issued.
202. A Section 73 Certificate (Sydney Water) must be submitted to the Principal Certifying Authority prior to occupation of the development.
203. A Structural Engineer's certificate from the supervising structural engineer responsible for the design shall be submitted to the Principal Certifying Authority and shall state that all foundation works/reinforced concrete/structural members have been carried out/erected in accordance with the Engineer's requirements and the relevant SAA Codes.

**Note:** Any such certificate is to set forth the extent to which the engineer has relied on relevant specifications, rules, codes of practice or publications in respect of the construction.

### **Landscaping/Tree Protection**

204. Certification is to be provided to the Principal Certifying Authority (PCA), from a suitably qualified person or the designer of the landscape proposal (as appropriate), that all tree planting/landscape works have been carried out in accordance with the endorsed plan. If Council **is** the PCA, the certification is to be submitted to Council prior to or at the final landscape inspection. If Council **is not** the PCA, a copy of the certification is to be provided to Council with the Occupation Certificate.
205. Certification is to be provided to the Principal Certifying Authority (PCA) from a suitably qualified and licensed contractor that the specified planter boxes have been waterproofed and drained in accordance with the requirements of the current relevant Australian Standards, any relevant authority regulations and current best work practices. If Council is not the PCA a copy of the certification is to be provided to Council with the Occupation Certificate.
206. The Arborist engaged to ensure the proper protection and management of the trees required to be retained/transplanted is to provide a report to Council concerning the health and condition of the tree/s and if necessary any remedial works required. The report should also provide documentary evidence that the tree protection conditions were complied with throughout the demolition/construction phases, in the form of site notes and photographs. Should the trees require remedial works which are not exempt under Council's Tree Management Order, an application for General Tree Works will be required to be submitted and approved before the works are carried out and certified by the Arborist. Remedial works which are exempt under Council's Tree Management Order will also be required to be completed and certified.

### **Tree Planting**

207. As shown on the endorsed plan 9 x Tristaniopsis Laurina are to be planted in the footpath area/s of Mack Street and 3 x Tristaniopsis Laurina are to be planted in the footpath area/s of Dawes Street. The trees are to come from a minimum 25L container and be planted, so as not to affect existing services, in accordance with the attached guidelines.

### **Parking/Driveway**

- 208. The driveway shall be signposted indicating availability of visitor off-street parking. Spaces reserved for this purpose shall be marked as such.
- 209. The vehicle crossing between the street and front boundary shall be constructed of plain concrete with no colour or stencilling.

### **Road Works**

- 210. Any works requiring levels within the road reserve will require the submission of Council's Vehicle Crossing application form.
- 211. Removal of all redundant vehicular crossings and laybacks along the full road frontage and replacement with kerb and gutter. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's standard drawing number SD-8100.
- 212. A certificate of compliance for the construction of vehicular crossings, footpath paving, kerb and guttering and roadworks shall be obtained from Council and be submitted to the Principal Certifying Authority.

### **Filling and Compaction**

- 213. The applicant shall at his own expense engage a N.A.T.A. registered soil testing authority to ensure that the standard of compaction achieved within the proposed road pavement is in accordance with the approved specifications. A report shall be submitted to Council prepared by a qualified Geotechnical Engineer advising if the level of compaction achieved is in accordance with Council's specification or any remedial action required to achieve such.
- 214. Filling and levelling of the site shall be carried out to the satisfaction of Council's Engineer. Special attention is drawn to the following requirements of Council's Works Specification – Civil.
  - (a) Submission of compaction certificates for fill within road reserves (existing or future).
  - (b) Submission of compaction certificates for road sub grade.
  - (c) Submission of compaction certificates for road pavement materials.
  - (e) Certificates from road material suppliers.

### **Drainage**

- 215. A copy of the approved drainage plan showing Work as Executed details together with an electronic copy shall be prepared by a registered surveyor and submitted to Council. The Work as Executed plan shall be in accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention.
- 216. All Work as Executed plans shall be submitted to Council in AUTO-CAD compatible format (to ISG 56/1 projection) as per Clause 1.2.2.5 of Councils' Specification for Subdivisions and Developments.

217. A compliance certificate for the stormwater drainage within the roadway shall be issued to the Principal Certifying Authority by a suitably qualified Civil Engineer with NPER3 accreditation.
218. The applicant shall arrange for a CCTV recording to be undertaken of the pipe and pit works being carried out within The Great Western Highway and the Mack Street drainage system, as per clause 5.16 of Council's Works Specifications for Subdivision and Developments. This recording shall be submitted to Council/RTA prior to release of the occupation certificate. Upon viewing of the CCTV, any cracks found in the pipe shall necessitate their removal and replacement of the pipe by a licensed construction contractor, at the applicant's expense and subject to RTA/Council approval. Additional CCTV and report will be required.

#### **On-site detention**

219. An On-site storm water detention plate shall be installed within the detention basin or tank. The plate shall be located in or near the Discharge Control Unit to alert future owners of their obligations to maintain the facility and its restrictions. The wording and plate shall be in accordance with Council's standard requirements.

#### **Roadworks**

220. Four (4) copies of Works as Executed plans together with an electronic copy shall be submitted for the constructed roads and drainage lines including long-sections of all constructed pipelines.
221. The Roads final seal must not be placed until the works on the development site have been substantially completed.
222. A letter shall be submitted to Principal Certifying Authority from the Roads and Traffic Authority (RTA) stating that they are satisfied with the construction of the road works i.e. slip lane along the site frontage within the Great Western Highway.

#### **Covenants /Easements**

223. Public Utility services shall be provided and if necessary, easements for such created to the satisfaction of the relevant servicing authorities. Documentary evidence of such shall be submitted to Council prior to the release of the linen plan. All costs for the above works shall be borne by the applicant.
224. Drainage easements shall be created over existing/proposed public drainage lines through the site benefiting Holroyd City Council. Easements shall be a minimum width of the pipe diameter plus 2m, rounded up to the nearest 0.5m or match the width of the 1% AEP overland flow path, which ever is the greater. Documents relevant to the creation of the easement shall be lodged with Land Titles with registration effected prior to issue of the Occupation Certificate. All costs associated with piping, relocation and creation of the easements are to be borne by the applicant.

#### **Site Works**

225. All works listed under Prior To Issue of Construction Certificate in this consent and the approved plans shall be completed by the applicant.

### Road Works/Dedication

226. The Great Western Highway road and footway widening as shown on the approved plans shall be dedicated as public road to Council and/or the RTA. Documents relative to the creation of the road dedication shall be lodged with the Land Titles with registration being effected prior to issue of the Occupation certificate. All costs associated with the dedication and construction of the required works shall be borne by the applicant.

### Asset Valuation/Data – Roadworks

227. Data on the following public asset group shall be submitted to Council in electronic EXCEL format with the issue of WAE drawings. EXCEL spreadsheets shall contain the following table for each road of the development:

	Type	Length (m)	Area (m <sup>2</sup> )	Volume (m <sup>3</sup> )	Number	Construction completion date (month & year)	Total Value(\$) (*nearest \$1000)
Road (incl. boxing, traffic devices)	n/a			n/a	(street name)		*
Kerb and Gutter (by type)			n/a	n/a	n/a		*
Pathpaving (by type)				n/a	n/a		*
Street Trees		n/a	n/a	n/a			

### Stormwater Drainage

228. Data on the following public asset group, pit and pipe data, shall be submitted to Council in electronic EXCEL format with the issue of WAE drawings. EXCEL spreadsheets shall contain the following tables on each pit and each conduit between pits (all cells shall be completed): -

(a) Pits

Pit Code, as per WAE	Pit Type (& lintel size)	Total Value (\$) (nearest \$1000)	Construction completion date	Built by (contractors)	Grate Level (mAHD)	Invert Level (mAHD)	Street name or No.

## (b) Pipes or conduits

Line/Pit code as per Work as Executed.	Conduit description (eg. FRC, RRJ etc	Size (mm)	Length (mm)	Total Value (\$) (nearest \$1000)	Construction completion date	Built by (contractors)	Street name or No., where applicable.

**Maintenance Period**

229. All roadworks and drainage to be dedicated or to benefit Council shall be maintained in the approved condition by the applicant for a period of twelve (12) months following the issue of the occupation certificate or completion of the works (whichever occurs the last).

**On-site Stormwater Detention, Certification and Covenant**

230. A copy of the approved stormwater drainage, On Site Detention, Overland Flowpath and Pollution Control Device plan showing work as executed details shall be submitted to Council. The work as executed plan shall be in accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention.
231. A certificate of compliance in accordance with Council's standards and specifications for stormwater drainage and On Site Detention, Overland Flowpath and Pollution Control Device shall be issued to the Principal Certifying Authority by a suitably qualified Civil Engineer.
232. Documents giving effect to the creation of a Positive Covenant and Restriction on Use over the as constructed On Site Detention, Overland Flowpath and Pollution Control Device shall be submitted to the authority benefited for approval prior to lodging with the Land and Property Information NSW. The wording of the terms of the Positive Covenant and Restriction On Use shall be in accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention. The documents shall be approved by the benefiting authority for registration with Land and Property Information NSW.

**Note:** Prior to release of the documents creating the Restriction on Use and Positive Covenant, the benefiting authority shall be satisfied that the as-constructed On Site Detention, Overland Flowpath and Pollution Control Device is in accordance with the approved drawings and Council requirements.

The Positive Covenant and Restriction on Use documents shall be registered with the Land and Property Information NSW within six (6) months from the date of release by the benefiting authority.

233. A maintenance schedule for the stormwater and On-Site Detention system including a sketch plan of the components forming the sites stormwater and On-Site Detention system shall be submitted. The maintenance schedule shall be prepared by a qualified hydraulic engineer and shall be in accordance with the Upper Parramatta River Catchment Trust requirements.

### **Fire Safety**

234. A copy of the Fire Safety Certificate, together with a copy of the current Fire Safety Schedule, is to be given to the Commissioner of New South Wales Fire Brigades, and a further copy of the Certificate and Schedule is to be prominently displayed in the building.
235. At least once in each period of twelve (12) months after a Fire Safety Certificate is required to have been furnished to the Council, the owner of the building shall, pursuant to Clause 177 of the Regulation, submit to the Council and the Commissioner of the New South Wales Fire Brigades, an Annual Fire Safety Statement, in respect of each essential fire or other safety measure listed on the current Fire Safety Schedule. A copy of the Certificate and Schedule is to be prominently displayed in the building.
236. An interim or final safety certificate shall be submitted to the Principal Certifying Authority prior to the issue of an interim Occupation Certificate to use or change the use of a building.

### **Lot Consolidation**

237. Lot A, DP 29408; Lot 1 & 2, DP 529686; Lot C, D & E, DP 29408; Lot A, B & C, DP 360339; Lot 5, DP 1150633; Lot F & G, DP 365200; Lot B, DP 407978; Lot 111 & 112, DP 619226; and Lot 8, 9, 10, 11, 12, 13 & 14, DP 26822 shall be consolidated into one lot on title and all works shall be completed in accordance with Development Consent 2009/381/1.

### **Noise Compliance Report**

238. A noise compliance report shall be submitted to Council prior to the issuing of the Occupation Certificate. The report shall state that the recommendations detailed in the Acoustical Assessment report prepared by Renzo Tonin & Associates (NSW) Pty Ltd (Ref: TE191-01F05 (Rev 1) Acoustic Assessment Report.Doc) dated July 2009 have been implemented, and confirm that the noise emissions from the premises complies with Council's noise criteria specified in this consent.

### **Waste Management**

239. The frequency of collection services and the time of day they are to occur are to be provided to Council, including the details of waste and recycling removal contractors proposed to be used.

### **Thermometers**

240. All equipment (including pie warmers, hot food display units, bain maries etc.) used for the display or storage of hot food shall be capable of maintaining the food temperature in the food storage area at a temperature of not less than 60°C.
241. All equipment (sandwich bars, delicatessen display cabinets, cold food display units etc.) used for the display or storage of cold food shall be capable of maintaining the food temperature in the food storage area at a temperature of not more than 5°C.

### **Food Shop**

242. A certificate shall be submitted to Council for the air conditioning system, together with a copy of the test report done at completion of installation and balancing in accordance with the minimum requirements of AS.1668, Part 1 and 2.
243. Food Business Notification shall be obtained from the NSW Health Department, **PRIOR** to using the approved works and a copy of the notification submitted to Council. Notification can be done for free on the NSW Health Department's web site [www.foodnotify.nsw.gov.au](http://www.foodnotify.nsw.gov.au)

### **Air Conditioning**

244. At the completion of the installation of the mechanical ventilation system, the Principal Certifying Authority is to be provided with a certificate from the installer that includes:
- (a) inspection, testing and commissioning details,
  - (b) date of inspection testing and commissioning,
  - (c) the name and address of the individual who carried out the test,
  - (d) statement that the service has been designed, installed and is capable of operating to the above standard.

### **Mechanical Ventilation**

245. Any discharge to the atmosphere from the subject development shall not result in any odour or other air impurity being detected outside the boundaries of the property.

### **General**

246. Documentary evidence and/or certificate of compliance must be submitted to Council to show that all works have been completed in accordance with this Development Consent and its accompanying Construction Certificate.



## CONDITIONS RELATING TO USE

**The following conditions are applicable to the use of the development:-**

### **Acoustic Matters**

247. A Noise Compliance Report must be completed by a suitably qualified acoustical consultant within **3 months** from the commencement of operation of each relevant stage. The Noise Compliance Report must certify that all noise goals as outlined in the report prepared by Renzo Tonin & Associates (NSW) Pty Ltd (Ref: TE191-01F05 (Rev 1) Acoustic Assessment Report.Doc) dated July 2009 and subsequent noise reports concerning the mechanical plant and plant room have achieved the required goals. The Noise Compliance Report is required to be submitted to Council for assessment and comment.
248. The operation of all plant and equipment shall not give rise to an equivalent continuous LAeq sound pressure level at any point on any residential boundary greater than 5dB(A) above the existing background LA90 level (in absence of the noise under consideration) between 7.00am and 12.00 midnight on weekdays and 8.00am and 12.00 midnight on weekends and public holidays.
249. In the event of Council receiving complaints regarding excessive noise, the person(s) in control of the premises shall upon written request from the Council and at their own cost arrange for an acoustic investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of noise emanating from the premises.
250. Noise and vibration from the use of the mechanical plant and equipment shall not exceed the background level by more than 5dB(A) and shall not be audible in any premises of a different occupancy between 12.00 midnight and 7.00am on weekdays and 12.00 midnight and 8.00am on weekends and public holidays.
251. Noise emissions from the licensed premises shall comply with the following:
  - (a) The LA10 noise level emitted from the licensed premises shall not exceed 5dB above the background (LA90) noise level in any Octave Band Centre Frequency (31.5Hz to 8KHz inclusive) between the hours of 7.00am to 12.00 midnight when assessed at the nearest affected residential boundary. The background noise level shall be measured in the absence of noise emitted from the licensed premises.
  - (b) The LA10 noise level emitted from the licensed premises shall not exceed the background (LA90) noise level in any Octave Band Centre Frequency (31.5Hz to 8KHz inclusive) between the hours of 12.00 midnight to 7.00am when assessed at the nearest affected residential boundary. The background noise level shall be measured in the absence of noise emitted from the licensed premises.
252. Notwithstanding compliance with the above clauses, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours 12.00 midnight to 7.00am.

**Note:** Where this condition is inconsistent with the requirements imposed by the Office of Liquor Gaming and Racing (OLGR), the more stringent condition shall prevail.

## **Access**

253. Access to and within the Club premises is to comply with the requirements of AS1428.1, AS 1428.2, AS1428.4 (Tactile Ground Surface Indicators), AS1735.12 (Lift Provision for People with Disability), the Building Code of Australia and the relevant sections of Holroyd DCP 2007 Parts A and C. In particular, the following matters are to be addressed:
- An accessible path of travel in accordance with AS1428.1 is to be maintained between the north eastern (Smith Street) entrance to the Club premises and Ringrose Park / Wally Webster Hall. In this regard, the lower ground floor plan shows the removal of the access ramp.
  - The platform chair stair lift between the north eastern entrance area and the Lawson Bistro is to be retained.
  - The health and fitness exercise room located to the west of the Health and Fitness Centre is not accessible. Therefore, any activity in that room must not be unique to it.
  - Tactile Ground Surface Indicator's (TGSI's) must be installed at the top and bottom of the escalators.

## **Safety & Amenity**

254. No signs or goods are to be displayed or trading of any description is to be carried out on the public road, public footpath, utility service land, customer and/or employee parking area, the driveways or pedestrian walkways outside or in the immediate vicinity of the premises.
255. For the purposes of preserving the amenity of neighbouring occupations and residents, hours of operation are to be restricted to between:
- 10am to 4am Sunday to Thursday (inclusive); and
  - 9am to 6am on Friday, Saturday and Public Holidays.
256. Further to Condition 236, in order to control patron noise in certain areas of the Club, the use / operation of the following areas of the Club are restricted to the following hours:
- Sports Bar Terrace to be closed between 12midnight and 9am;
  - Bowlers Terrace, Sub Club Terrace & Function Terrace to be closed between 12midnight and 9am;
  - No background music is to be provided in the Piazza area between 12 midnight and 9am & the eastern louvers and windows are to be closed during these hours;
257. The use of the loading docks is restricted to between 7am and 10pm Monday to Saturday. The Loading docks are not to be used on Sundays and Public Holidays.
258. Access to the club from Mack Street shall not be provided or permitted at any time.
259. Business is to be conducted and patrons are to be controlled at all times so that no interference occurs to the amenity of the adjoining occupations.

- 260. The operation of the premises shall be conducted in such a manner as not to interfere with or materially affect the amenity of the neighbourhood by reason of noise, vibration, odour, fumes, vapour, steam, soot, ash, dust, particulate matter, waste water, waste products or other impurities which are a nuisance or injurious to health.
- 261. Where an intruder alarm is installed on the premises it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 262. A Trade Waste Dischargers' Licence is to be obtained from Sydney Water.

#### **Mechanical Ventilation System – Food Shop**

- 263. Noise and vibration from the use of the air handling system (mechanical exhaust ventilation) system shall not exceed the background level by more than 5dB(A) and shall not be audible in any premises of a different occupancy.

#### **Identification Number**

- 264. An identification number is to be clearly displayed at the front of the premises.

#### **Parking**

- 265. The car parking spaces, driveways and manoeuvring areas are to be used for employees and visitors vehicles only and not for the storage of new or used materials, finished goods or commercial vehicles.
- 266. Upon the final Occupation Certificate being issued, at least 773 car parking spaces numbered and linemarked in accordance with the endorsed plan, are to be made available at all times for employees and visitors' vehicles only in conjunction with the occupation of the building/premises.

#### **Emergency Procedures**

- 267. The owner of a building to which an essential fire safety measure is applicable must not fail to maintain each essential fire safety measure in the building premises to a standard not less than that specified in the Fire Safety Schedule.

#### **Air Emissions**

- 268. The use of the premises shall not give rise to air impurities in contravention of the *Protection of the Environment Operations Act 1997* and shall be controlled in accordance with the requirements of such Act.
- 269. In the event of Council receiving complaints regarding air pollution or odour from the premises, the person(s) in control of the premises shall at their own cost arrange for an environmental investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of odour exiting the premises.
- 270. Any discharge to the atmosphere must not result in any odour or other air impurity detectable outside the boundaries of the property.

271. In the event of Council receiving complaints regarding excessive odour from the garbage bay area, the person(s) in control of the premises shall at their own cost arrange for an environmental investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of odour emanating from the garbage bay area.

#### **Mechanical Ventilation**

272. Any discharge to the atmosphere from the subject development shall not result in any odour or other air impurity being detected outside the boundaries of the property.

#### **Clean Water Discharge**

273. The operation of the premises shall be conducted in a manner, which does not pollute waters as defined by the *Protection of the Environment Operations Act 1997*.

#### **Signage on Stormwater Drains**

274. Signs shall be displayed adjacent to all stormwater drains on the premises indicating that only clean water is allowed to enter these drains. Examples of possible signage include: 'Clean Rainwater Only', 'Clean water only - NO waste' or 'H<sub>2</sub>O only'.

#### **Lighting**

275. Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads, and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with *AS4282-1997 Control of the obtrusive effects of outdoor lighting*.

#### **Storage**

276. Provision shall be made for the storage of cleaning chemicals, equipment and staff personal belongings.

#### **Waste Management**

277. Council is to be advised of any change of use upon the premises that may involve the generation of special waste which would require particular waste removal requirements.
278. All waste and recycling material collection is to take place within the confines of the development.
279. All putrescible waste must be stored in approved, lidded, flyproof containers. Proper arrangements such as waste paper bales and stands are to be provided for any waste paper or cardboard.
280. A sufficient number of approved garbage receptacles must be provided on the premises for the storage of garbage and trade waste. Such receptacles are to be fitted with close fitting and flyproof lids.
281. Waste storage bins must be covered at all times to prevent entry of stormwater or dispersal by wind and must be sealed to prevent leakage.

### **Thermometers**

282. An appliance used for the storage of hot or cold food, which is being stored for sale, shall be provided with numerically scaled indicating thermometer or recording thermometer, accurate to the nearest degree Celsius, the sensing element of which is located:
- in the case of an appliance used for the storage of hot food - so as to measure the air temperature in the coolest part of the appliance; or
  - in the case of an appliance used for the storage of cold food - so as to measure the temperature in the warmest part of the appliance, and so as to be able to read easily from outside the appliance.
283. The thermometer shall be able to be easily read from outside the appliance.

### **Coolroom**

284. Fresh meat shall be stored in a separate area of the coolroom/refrigerator from other foods.

### **Food Premises**

285. No alterations to the food premises or any fittings therein (including the installation of new items of equipment) are to be made without the prior approval of the Principal Certifying Authority.

## ADVISORY NOTES

### Other Necessary Approvals

- A. The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary activity not approved by this consent, including:
- (a) Works, including the pruning or removal of any tree(s) not authorised in the preceding conditions or on the approved plans. Council's Tree Preservation Order protects trees by definition taller than 3.5m or having a trunk circumference exceeding 500mm measured one metre above ground level. If in doubt contact Council's Tree Management Officer.
  - (b) Any fencing located forward of the proposed building and exceeding the limitations specified in Schedule 1 of Development Control Plan 2007, Part I "*Exempt and Complying Development*".
  - (c) The erection of any advertising sign, not being exempt from the need to obtain approval.
  - (d) The installation of any furnace, kilns, steam boiler, chemical plant, sand blast, spray painting booth or the like.

**NOTE:** \* If you carry out building work as an owner builder and sell your home within seven (7) years from the date of completion (date of final occupation certificate), then a Certificate of Insurance must be attached to your Contract of Sale.

- B. Section 97 of the Act provides that an applicant who is dissatisfied with the Council's determination of the Development Application may appeal to the Land and Environment Court within twelve (12) months of the date of determination, or as otherwise prescribed.
- C. Section 82A of the Act provides that an applicant may request, within twelve (12) months of the date of determination of the Development Application, that the Council review its determination (this does not apply to integrated or designated development). A fee is required for this review.

It should also be noted that an application under Section 82A of the Act cannot be reviewed/determined after 12 months of the date of determination. Therefore, the submission of a Section 82A Application must allow sufficient time for Council to complete its review within the prescribed time frame, including the statutory requirement for public notification.\

- D. The applicant and Owner are advised that the Commonwealth Disability Discrimination Act 1992 may apply to this particular proposal. Approval of this application does not imply or confer compliance with this Act. Applicants and owners should satisfy themselves as to compliance and make their own enquiries to the Human Rights and Equal Opportunity Commission. Attention is also drawn to the provisions of Parts 2, 3 and 4 of Australian Standard 1428 - Design for Access and Mobility.
- E. Information regarding the location of underground services may be obtained from Sydney One Call Service (NSW Dial Before You Dig), telephone 1100, Fax 1300 652 077. Inquirers should provide SOCS with the street/road name and number, side of street/road and the nearest cross street/road.
- F. A Construction Certificate shall be obtained in accordance with Section 81A (2)(a) of the Act, prior to the commencement of any work on site. Council can provide this service for you.
- G. An Occupation Certificate is to be issued by the Principal Certifying Authority prior to the occupation of the building.

## H. DEMOLITION

- (a) Demolition is to be carried out in such a way and with such control measures as are necessary to prevent the occurrence of any dust, noise, runoff or other nuisance.
- (b) All sediment/soil is to be prevented from entering Council's stormwater drainage system.
- (c) The public footpath and roadway is to be protected against damage as a result of demolition activities and is to be kept clean and free of all soil and other materials.
- (d) On completion of demolition the site is to be left in a clean and tidy condition.
- (e) Holroyd City Council has a Tree Management Order which applies to the entire City of Holroyd. No ring-barking, cutting down, topping, lopping, removing, injuring or wilful destruction of any tree or trees exceeding 3.5m in height and 3m in branch spread shall take place without the prior written consent of Holroyd City Council.
- (f) There shall be no burning of any waste, as this is prohibited within the City of Holroyd.
- (g) Demolition material can be recycled saving the environment and also tipping costs. For more information, contact the Environment Protection Authority's Recycling hotline on 9325 5555.
- (h) Public roads shall be kept clean and free of any materials which may fall from vehicles or plant to ensure safety and amenity of the area.

## I. TREES

The trees indicated on the endorsed plans to be retained and protected are to be considered with any future development of the subject allotments. In this regard no works are to occur within the driplines of trees to be retained.

## J. BANK GUARANTEES

Bank guarantees will be accepted from list of banks which have at least an "A" rating from Standard and Poors and at least an "A2" or "Prime-1" standard from Moodys Investor Services.

To enable the bank guarantee to be enforceable during an entire project with consideration for delays, **the guarantee must not contain a facility expiry date.**

To get to Standard and Poors [www.standardpoors.com](http://www.standardpoors.com) then from Ratings Action choose Ratings Lists. Then click on Financial Institutions followed by clicking on Financial Institutions Counterparty Ratings List. Go to "**Banks**" and download to Australian Banks.

To get to Moodys [www.moodys.com](http://www.moodys.com) then look up Ratings and then Banking and then Bank Ratings list. It will take you to Bank Credit Research page. Look at the table of contents and choose Global Bank Ratings by Country. Look up Australian Banks.

K. WET AREAS

Wet areas in the dwelling are to be waterproofed in accordance with AS3740 *Waterproofing of wet areas within residential buildings*.

Where Council is the Principal Certifying Authority for the works, the submission of evidence of suitability for the waterproofing product used will be required at the wet area inspection stage. The evidence of suitability is to be in the form of:-

1. A current Certificate of Accreditation for the product.

AND

2. A certificate from the person responsible for the installation of the product advising that the product was applied in accordance with the relevant manufacturers specifications.

**Note:** Any copy of documentary evidence submitted, must be a complete copy of the original report or document.

L. CONSTRUCTION/OCCUPATION CERTIFICATE FEES

An administration fee of \$30.00 per certificate is payable to Council on lodgement of Construction and Occupation Certificates from Principal Certifying Authorities.

M. GLAZING CERTIFICATION

A certificate shall be submitted to the Principal Certifying Authority stating that safety glazing has been used in the building in accordance with AS1288 - "Glass in Buildings - Selection and Installation".

N. FIRE SAFETY

Paths of travel a minimum of 1000mm wide in accordance with D1.6 of the Building Code of Australia are to be clearly defined and line marked on the floor prior to occupation.

O. In accordance with the requirements of D1.10 of the Building Code of Australia:

- (a) bollards or some other method not less effective shall be provided to protect the discharge point of exit(s) and to prevent vehicles blocking the exit or access to the exit.
- (b) the path of travel to an exit, road or open space shall be protected by bollards, vehicular kerbs or other physical barrier to ensure the safe passage of persons.
- (c) a ramp having a gradient not steeper than 1:14 is to be provided to link the exit point to the public road.

Yours faithfully

Merv Ismay  
GENERAL MANAGER

Per:  
MANAGER DEVELOPMENT