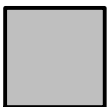


ATTACHMENT B

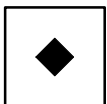


LOCALITY PLAN

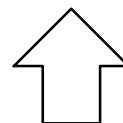
19 Boronia Road GREENACRE NSW 2190



SUBJECT PROPERTY



NOTIFIED PROPERTIES



NORTH

0m 40m 80m 120m 160m 200m 240m 280m 320m

ATTACHMENT C - CONDITIONS OF CONSENT

CONDITIONS OF CONSENT

These conditions are imposed taking into account the matters for consideration in determining a Development Application pursuant to Section 79(C) of the Environmental Planning & Assessment Act, 1979 and other relevant Acts and Regulations.

- 1) The proposal shall comply with the conditions of Development Consent. A Construction Certificate shall not be issued until the plans and specifications meet the required technical standards and the conditions of this Development Consent are satisfied.
- 2) Development shall take place in accordance with Development Application No. DA-1149/2009, submitted by Wales & Associates Pty Ltd, accompanied by Drawing No. DA02 Rev B dated 1-7-10, DA04 Rev D dated 27-5-10, DA05 Rev C dated 1-4-10, DA06 Rev B dated 1-4-10, and DA07 Rev D, dated 1-4-10, prepared by Christiansen O'Brien and affixed with Council's approval stamp, and the Statement of Environmental Effects prepared by Wales & Associates Pty Ltd, Job No.:355-2009 dated November 2009, except where otherwise altered by the specific amendments listed hereunder and/or except where amended by the conditions contained in this approval.

The development plans shall be amended as follows:

- a) Amended plans are to be submitted which provide for the deletion of the "foyer" at the north-eastern corner of the proposed development and the external appearance of the development in the area of the "foyer" access point on the northern and eastern elevations is to match the remainder of the northern and eastern facades.
- 3) The supermarket development is to be constructed and operated in accordance with the Acoustic Report prepared by Vipac Engineers & Scientists Ltd, Report No. 20C-07-0279-TRP-415106-6, dated 17 December 2009. Details/specifications are to be submitted to the certifying authority prior to the issue of a Construction Certificate demonstrating/detailing construction requirements to satisfy the submitted acoustic report.
- 4) No approval is granted or implied for the use of the Retail Shop. Separate Development Consent for the use of this commercial floor space is required prior to occupation.
- 5) A separate application shall be submitted to Council prior to the erection of any additional signage unless the proposed signage is "exempt development" in accordance with Bankstown DCP 2005 – Part D1.
- 6) The food premises must be designed, constructed and operated in accordance with the requirements of:
 - (a) The NSW Food Act 2003 and Food Regulation 2004
 - (b) FSANZ Food Standards Codes 3.2.2 and 3.2.3
 - (c) Australian Standard AS 4674-2004 (Construction and Fitout of Food Premises)

- (d) The Building Code of Australia
- (e) The Protection of the Environment Operations Act 1997
- (f) Australian Standard AS 1668 Part 1 and Part 2 (The use of ventilation and air-conditioning in Buildings)
- (g) Sydney Water Corporation (Trade Waste Section)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

- 7) The Certifying Authority must ensure that any certified plans forming part of the Construction Certificate are not inconsistent with this Development Consent and accompanying plans.
- 8) The entry/exit driveway to the basement car park and the entry/exit driveway to/from the loading dock shall be designed and constructed in accordance with AS 2890.1-2004 and AS 2890.2 - 2002 and RTA/Council requirements.
- 9) A raised central concrete median island shall be provided on Boronia Road across the loading dock access and the exit driveway from the basement car park. This median island will legally prohibit right turn movements to/from the loading dock and also prohibit right turn movements out of the basement car park. This raised median island shall extend from across the exit driveway to the end of the right turn bay and the taper for this right turn bay shall be raised concrete. The minimum width of the raised central concrete median island shall be 0.5 metres.

The raised central concrete median island is required on road safety grounds as part of the subject development application but will also affect some properties on the southern side of Boronia Road directly opposite the subject site. The applicant in consultation with Council shall consult any residents/business owners affected by the provision of the raised central concrete median along the frontage of the development site and this consultation is to be undertaken, prior to the lodgement of the detailed road design plans.

- 10) As shown on the submitted preliminary concept road design plan (Plan No. 08S011C Sheet 06 Revision B) the length of the right hand turn bay shall be a minimum of 50.0 metres in length (excluding taper).
- 11) The proposed road configuration on Boronia Road associated with the provision of the right hand turn bay shall be as follows:
 - a. Through lanes: 3.0 metres
 - b. Parking lanes: 3.0 metres
 - c. Right turn bay: 2.8 metres
 - d. Footpath southern side: 3.0 metres
 - e. Footway northern side: 3.0 metres; and
 - f. Central raised concrete median: 0.5 metres
- 12) Vehicular entry and exit movements to/from the proposed loading dock shall be restricted to left in/left out only.

- 13) Vehicular exit movements from the customer car park shall be restricted to left turn movements only on road safety and traffic efficiency grounds. The exit driveway shall be splayed and channelised to physically discourage right turn movements out of the subject site.
- 14) A pedestrian refuge shall be provided on Boronia Road in close proximity to the subject site. The pedestrian refuge is to be designed and constructed in accordance with the RTA's Technical Direction TDT 2002/10 and kerb ramps are to be constructed in accordance with the RTA's Technical Direction TDT 2002/08.
- 15) The developer will be required to enter into a Works Authorisation Deed with the RTA. In this regard, the developer is required to submit detailed design plans and all relevant additional information, as may be required in the RTA's Works Authorisation Deed documentation, for each specific change to state road network for the RTA's assessment and final decision concerning the work.
- 16) The swept path of the longest vehicle (12.5 metres maximum permitted) entering and exiting the proposed loading dock, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.
- 17) The road configuration works as referenced within condition 10 associated with the provision of the right hand turn bay and central raised concrete median island is the minimum RTA requirements and the applicant is to dedicate land as public road at no cost to the RTA or Council in order to achieve a road configuration that meets the RTA's Road Design Guide.

This land dedication shall be executed as public road, prior to the release of the 'Construction certificate' for any structures on the subject site.

- 18) Off-street parking associated with the proposed development shall be designed and constructed in accordance with AS 2890.1 - 2004 and AS 2890.2 - 2002.
- 19) Detailed plans of the fitout, storage areas and waste storage areas of the supermarket prepared by a qualified architect or draftsman must be submitted for approval with the application for the Construction Certificate. These plans should indicate the following:
 - a) The floors within the kitchen, food preparation, display and customer areas must be constructed of a suitable material which is non-slip, durable, resistant to corrosion, non-toxic, non-absorbent, impervious to moisture and of a light colour.
 - b) The intersection of walls with floors and plinths in the kitchen, food preparation, storage and display areas must be coved to a minimum radius of 25 mm.
 - c) The ceiling must be constructed of a material that is rigid, smooth faced and impervious to moisture. The ceiling over the storage and display areas must be painted with a washable paint of a light colour. The surface finish must be free of open joints, cracks, crevices or openings (DROP PANEL CEILING NOT PERMITTED in food preparation areas). The intersection of walls and ceiling must be tight jointed, sealed and dust-proof.
 - d) All service pipes and electrical and data conduits must be either:
 - (a) Concealed in floors, walls, ceilings or concrete plinths, OR

- (b) Fixed with brackets so as to provide at least 25 mm clearance between the wall and the pipe/conduit; AND 100 mm between the floor and the pipe/conduit. Pipes so installed are not to run underneath fittings.
- e) All openings in the walls, floors and ceilings through which service pipes and electrical conduits pass must be designed and constructed so as to prevent the access of vermin and protect the structural integrity of such floor, wall and ceiling as the case may be.
- f) Cavities, false bottoms and similar hollow spaces capable of providing access and harbourage for vermin are NOT PERMITTED to be formed in the construction of the food premises including but not limited to food display or storage areas, or in the installation of fixtures, fittings and equipment.
- g) The hot water service units must be positioned a minimum of 75 mm clear of the adjacent wall surfaces and mounted a minimum of 150 mm above the floor level on a stand of non-corrosive metal construction (eg. Stainless steel).
- h) Adequate facilities to be provided by way of refrigeration and freezers and/or coolroom for the cold storage of potentially hazardous foods. Details to be indicated on the plans submitted with the Construction Certificate.
- i) Refrigeration and frozen food cabinets/units must be supported on wheels, castors or stainless steel legs. If legs are used there must be a clear space of 150 mm between the floor surface and underside of such appliances/units. Refrigeration and frozen food cabinets/units up to 6 metres in length must be kept a minimum of 200 mm clear of the wall and 400 mm clear where the appliance exceeds 6 metres in length.
- j) The internal and external surfaces, including exposed edges, to all benches, counters and shelving in the storage and display areas must be finished with a rigid, smooth faced and non-absorbent material (eg laminate, stainless steel or other approved material) that is capable of being easily cleaned.
- k) All shelving must be located at least 25mm off the wall or alternatively, the intersection of the shelf and the wall must be completely sealed.
- l) All shelving being provided for the storage of food, equipment and containers is to have the lowest shelf at least 150 mm above the floor level.
- m) The motor(s) of the refrigerators/cabinets must be supported on an open metal frame at least 150mm above the floor level.
- n) A temperature gauge must be provided to each chiller, freezer and refrigeration unit. The temperature gauge must be accurate to one (1) Celsius degree and be readily accessible.
- o) All fluorescent light fittings in the food storage areas must be fitted with a smooth faced diffuser. The light fittings must be either:
 - (a) Recessed so that the diffuser is flush with the ceiling; or
 - (b) Designed to ensure that no horizontal surfaces exist which would allow dust and grease to accumulate.
- p) Additional freestanding hand wash basins must be provided at 15 metre interval spacing within each food preparation area. The hand wash basins must be provided with hot and cold water supplied through a single outlet and fitted with an approved hands free mixing device.
- q) Suitable liquid soap/detergent and single use towel dispenser or other effective hand drying facilities must be fixed to the wall adjacent to the hand wash basins.
- r) Double bowl sinks or tubs must be supplied with water of at least 45 ° C in one bowl for washing purposes; and 80 ° C in the other bowl for rinsing purposes, together with a thermometer accurate to 1 C °.

- s) A cleaner's sink with a supply of hot and cold water must be provided for the purposes of general cleaning.
 - t) Cold food display and/or holding appliances must be designed and capable of holding cold Perishable Foods below 5°C when the appliances are OPERATING UNDER FULL LOAD. Details and specifications of these appliances must be furnished to Council prior to release of the Construction Certificate in support of the above.
- 20) A detailed landscape plan prepared by a qualified landscape architect or designer is to be approved prior to the issue of a Construction Certificate. The landscape plan is to be prepared in accordance with the relevant DCP and is to show all features, built structures including retaining walls, irrigation, mulch and natural features such as significant gardens, landscaping, trees, natural drainage lines and rock outcrops that occur within 3 metres of the site boundary. The landscape plan shall consider any stormwater, hydraulic or overland flow design issues where relevant.
- 21) The landscape plan referred to in condition 20 of this consent shall include the provision for the replacement of all boundary fencing. A new fence is to be erected along all side and rear boundaries of the subject allotment in accordance with the recommendations of the acoustic report prepared by Vipac Engineers & Scientists Ltd, Report No. 20C-07-0279-TRP-415106-6, dated 17 December 2009 at full cost to the developer. Where retaining walls are proposed, the fences must be erected atop retaining walls. Fencing forward of the building line shall be no higher than 1m unless otherwise approved by Council. All fencing provided shall be unscaleable.
- 22) Approval in accordance with Council's Tree Preservation Order (TPO) is granted to lop or remove only those trees so identified on the approved plans. Separate approval shall be obtained to prune or remove trees on adjoining properties or other trees located on the site. Failure to comply with Council's TPO may result in a fine of up to \$100,000.
- 23) A Soil Erosion and Sedimentation Control Plan shall be prepared in accordance with Council's relevant DCP. The plan shall be prepared by a suitably qualified professional and approved by the Principal Certifying Authority, prior to the issue of the Construction Certificate.
- 24) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water web site www.sydneywater.com.au/customer/urban/index or telephone 13 20 92.

Following application a "Notice of Requirements" will be forwarded detailing 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. A Notice of Requirements must be issued prior to the release of the Construction Certificate.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to release of the Subdivision Certificate/occupation of the development.

- 25) A Construction Certificate shall not be issued until written proof that all bonds, fees and/or contributions as required by this consent have been paid to the applicable authority.
- 26) All of the relevant and appropriate water conservation and energy efficient requirements of Bankstown DCP 2005 – Part D7 shall be complied with. Details of the proposed measures to demonstrate compliance with the above DCP shall be submitted with the Construction Certificate.
- 27) Prior to issue of a Construction Certificate, a Long Service Levy payment, which is 0.35% of the value of the work is required to be paid to Council on behalf of the Long Service Levy Corporation prior to issue of the Construction Certificate.
- 28) Pursuant to section 80A(1) of the Environmental Planning and Assessment Act 1979, and the Bankstown City Council Section 94A Development Contributions Plan 2009 (Section 94A Plan) , a contribution of \$163,220.00 shall be paid to Council.

The amount to be paid is to be adjusted at the time of actual payment, in accordance with the provisions of the Section 94A plan. The contribution is to be paid before the issue of the construction certificate.

Note: The Section 94 Contributions Plans may be inspected at Council's Customer Service Centre, located at Upper Ground Floor, Civic Tower, 66-72 Rickard Road, Bankstown, between the hours of 8.30am-5.00pm Monday to Friday.

- 29) Prior to issue of a Construction Certificate, a street tree replacement planting fee shall be paid to Council. Removal and replacement of street trees is to be undertaken in accordance with the attached approval letter dated 16 April 2008. The attached letter represents approval for the removal of one street tree only.
- 30) The subject sites shall be consolidated in accordance with the approved plan. The plan for consolidation is to be registered prior to the release of the Construction Certificate.
- 31) Finished surface levels of all internal works and at the street boundary, including driveways, landscaping and drainage structures, must be as shown on the approved plans. The levels at the street boundary must be consistent with the Street Boundary Alignment Levels issued by Council.
- 32) A Work Permit shall be applied for and obtained from Council for the following engineering works in front of the site, at the applicant's expense. These works shall be constructed generally in accordance with the plans endorsed by the RTA and drawing No. 08S011C-106 Rev B, dated 17 December 2009, prepared by Hughes Trueman:
 - a) Heavy duty VFC's at the property boundary.
 - b) Drainage connection to Council's existing stormwater system.
 - c) Boronia Road footway is to be provided with full-width pavement to Council's CBD Type 1 standard as per Greenacre Town Centre. Pavers are 400 x 400 x min 50mm concrete pavers laid in 25-30mm mortar bed over a 125mm fibre reinforced concrete base. Colours to be 'Urbanstone' or approved equal 'Batavia Brown' infill and 'Batavia Grey' header and banding course, laid in stretcher bond pattern at 90° to the kerb. Paving specifications to BCC Specification 401-M.

Six (6) street trees are to be provided along the Boronia Road frontage at approx. eight (8)m spacings. Trees are to be *Pyrus calleryana* 'Capital' Ornamental Pear planted at min. 75Litre pot size. Planting to be as per BCC Standard Dwg S-021.

- d) Full depth road shoulder.
- e) Concrete kerb and gutter.
- f) Removal of all driveway surfaces, reinstatement of laybacks to kerb and gutter and reshaping of the footway, all associated with redundant VFCs.
- g) Repair of any damage to the public road including the footway occurring during development works.
- h) Reinstatement of the footway reserve and adjustment or relocation of existing public utility services to match the footway design levels as proposed on the approved Work Permit. Adjustment or relocation to any public utility services shall be carried out to the requirements of the public utility authority.

Note: As a site survey and design is required to be prepared by Council in order to determine the necessary information, payment for the Work Permit should be made at least twenty one (21) days prior to the information being required and must be approved prior to the issue of the Construction Certificate.

- 33) Where Council approved cut or fill exceeds 200mm and stable batter of 1 vertical to 3 horizontal maximum grade cannot be achieved, then a masonry or other proprietary material retaining wall, intended and suitable for that purpose, shall be constructed within the development site. Note, filling of the site needs specific approval from Council.

The retaining wall shall be located so that it will not impede or obstruct the natural flow of stormwater. Retaining walls exceeding 600mm in height shall be designed by a qualified professional Civil/Structural Engineer. Plans and details prepared and signed by the Engineer are to be submitted to the Principal Certifying Authority (PCA) prior to the issue of the Construction Certificate.

All works associated with the construction of the wall, including backfilling and drainage, is to be located wholly within the allotment boundaries.

- 34) An all weather pavement shall be designed to withstand the anticipated wheel loads for all areas subjected to vehicular movements. Internal pavements specification prepared and certified by all qualified professional Civil Engineer to comply with the relevant Australian Standards, shall be submitted to the Principal Certifying Authority (PCA) for approval prior to the issue of a construction certificate.
- 35) The Construction Certificate plans shall include details of the garbage receptacle area. The garbage receptacle area shall not be visible from the street.
- 36) Prior to the issue of any Construction Certificate for this development, the applicant must obtain approval from Council for a Site, Pedestrian and Traffic Management Plan. This Plan must address the measures that will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and other requirements as specified below.

A PRIVATE CERTIFIER CANNOT APPROVE YOUR SITE, PEDESTRIAN & TRAFFIC MANAGEMENT PLAN

This plan shall include details of the following:

- a) Proposed ingress and egress points for vehicles to and from the construction site;
- b) Proposed protection of pedestrians, adjacent to the construction site;
- c) Proposed hoardings, scaffolding and/or fencing to secure the construction site;
- d) Proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- e) Proposed measures to be implemented for the protection of all public roads and footway areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like;
- f) Proposed method of loading and unloading excavation machines, building material, construction materials and waste containers during the construction period;
- g) Proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc are required to be displayed and shall be in accordance with Council's and the NSW Roads and Traffic Authority's requirements and AS1742.3.
- h) Proposed method of support of any excavation, adjacent to adjoining buildings or the public road. The proposed method of support is to be certified by a Civil Engineer with National Professional Engineering Registration (NPER) in the construction of civil works.
- i) Proposed measures to be implemented in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the public road.
- j) Proposed measures for protection of the environment including procedures to control environmental impacts of work e.g. sediment control, proper removal, disposal or recycling of waste materials, protection of vegetation and control/prevention of pollution i.e. water, air noise, land pollution.

The approved Site, Pedestrian and Traffic Management Plan is to be implemented prior to the commencement of any works on the construction site. The applicant will be required to pay for inspections by Council Officers in accordance with Council's adopted fees and charges.

In addition a RTA Approval / Road Occupancy Licence will be required for works on Regional or State Roads or within 100m of a traffic facility including roundabouts and traffic signals. Refer to Council's Development Engineering Standards for a list of Regional and State Roads.

- 37) As any works within, or use of, the footway or public road for construction purposes requires separate Council approval under Section 138 of the Roads Act 1993 and/or Section 68 of the Local Government Act 1993, Council requires that prior to any Construction Certificate for this development being issued, a Works Permit and or a Roadway/Footpath Building Occupation Permit shall be obtained where one or more of the following will occur, within, on or over the public footway or public road:

A PRIVATE CERTIFIER CANNOT ISSUE THESE PERMITS

WORKS REQUIRING A 'WORKS PERMIT'

- a) Dig up, disturb, or clear the surface of a public footway or public road,
- b) Remove or interfere with a structure or tree (or any other vegetation) on a public footway or public road,
- c) Connect a road (whether public or private) to a classified road,
- d) Undertake footway, paving, vehicular crossing (driveway), landscaping or stormwater drainage works within a public footway or public road,
- e) Install utilities in, under or over a public road,
- f) Pump water into a public footway or public road from any land adjoining the public road,
- g) Erect a structure or carry out a work in, on or over a public road
- h) Require a work zone on the public road for the unloading and or loading of vehicles
- i) Pump concrete from within a public road,
- j) Stand a mobile crane within a public road
- k) Store waste and recycling containers, skips, bins and/or building materials on any part of the public road.

Assessment of Works Permits (a to e) includes the preparation of footway design levels, vehicular crossing plans, dilapidation reports and issue of a Road Opening Permit.

All proposed works within the public road and footway shall be constructed under the supervision and to the satisfaction of Council. The applicant/developer shall arrange for necessary inspections by Council whilst the work is in progress.

For commercial or multi-unit residential developments within the designated CBD or an urban village area, footway design and construction and street tree supply, installation and tree hole detailing shall be as per the Council master plan for that area. Full width footways are to be supplied and installed at full cost to the developer to specification as supplied by Council. Layout plan of pavement to be submitted to Council for approval prior to the issue of the Works Permit.

All Council fees applicable, minimum restoration charges and inspection fees shall be paid prior to the assessment of the Work Permit in accordance with Council's adopted fees and charges. Note: Additional fees after approval will be charged where the Work Permit requires occupation of the Road or Footpath i.e. Hoardings, Work Zones etc.

In determining a Works Permit, Council can impose conditions and require inspections by Council Officers.

Forms can be obtained from Council's Customer Service counter located on the ground floor of Council's administration building at 66 - 72 Rickard Road, Bankstown or Council's website www.bankstown.nsw.gov.au

Part of any approval will require the person or company carrying out the work to carry public liability insurance to a minimum value of ten million dollars. Proof of the policy is to be provided to Council prior to commencing any work approved by the Work Permit including the Road Opening Permit and must remain valid for the duration of the works.

The commencement of any works on public land, including the footway or public road, may incur an on the spot fine of not less than \$1100 per day that work continues without a Works Permit and/or a Roadway/Footpath Building Occupation Permit.

All conditions attached to the permit shall be strictly complied with prior to occupation of the development. Works non-conforming to Council's specification (includes quality of workmanship to Council's satisfaction) shall be rectified by the Council at the applicant's expense.

- 38) Stormwater runoff from within the property shall be collected and controlled by means of an on site detention system in accordance with Council's Development Engineering Standards. The runoff from the detention storage shall be conveyed to inspection pits located at the southeast and southwest of the site and from there to Council's drainage system in Boronia Road. Stormwater runoff from areas naturally draining to the site shall be collected, conveyed and piped to the inspection pit downstream of the detention storage basin.

A final stormwater drainage and on site detention system plan, shall be prepared by a qualified professional Civil Engineer in accordance with the above requirements and the requirements contained in Council's Development Engineering Standards. The final stormwater drainage plan shall also be generally in accordance with the concept plan 08S011C Sheets 101, 102, 103, 105, 106, 107 and 108 Revision B dated 17 December 2009 prepared by Hughes Trueman. The final plan shall be certified by the design engineer that it complies with Council's Development Engineering Standards and the relevant Australian Standards.

- 39) For internal driveways with a gradient exceeding 10% (1 in 10), longitudinal profiles of all vehicular driveways and ramps shall be submitted for approval by the Principal Certifying Authority (PCA) prior to the issue of the Construction Certificate. The maximum grade of the driveway/ramp shall comply with AS 2890.1. The profile shall be drawn at a reduction ratio of 1 to 20 vertical and horizontal and shall be related to the datum used for the issue of the footway design levels and shall also show the road centre line levels, Council issued footway design levels and gutter levels. Council's Car Clearance Profile in Council's Development Engineering Standards, (Plan No. S 006) shall be used to design the profile.
- 40) A Trade Waste Agreement shall be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system. Wastewater treatment equipment is to be bunded and where systems are placed outside, they are to be roofed to ensure that no rainwater can enter the bund. All wastewater treatment devices shall be regularly maintained in order to remain effective. All solid and liquid wastes collected from the device must be disposed of in accordance with the Protection of the Environment Operations Act 1997.
- 41) The route for transportation to and from the development site of bulk and excavation materials shall generally be by the shortest possible route to the nearest "regional road", with every effort to avoid school zones on public roads. The applicant shall nominate the route for approval by Council prior to commencement of any work on the site. An "Agreement" to Council's satisfaction, signed by the applicant/owner specifying the approved route and acknowledging responsibility to pay Council for damages to public

property adjacent to the site shall be lodged with Council prior to release of any Construction Certificate. All damage must be rectified upon completion of work.

- 42) The pump out drainage system for the access ramp and basement car parking area shall be provided in accordance with Council's Development Engineering Standards. Engineering details and specifications shall be submitted to the Principal Certifying Authority (PCA) for approval prior to the issue of any Construction Certificate.
- 43) Engineering details and manufacturers specifications for the pumps, switching system and sump pit shall be submitted to the Principal Certifying Authority (PCA) for approval prior to issue of any Construction Certificate.
- 44) The basement of the development is located adjacent to a Council Public Road Reserve. Separate approval and Work Permit is to be obtained from Council for any temporary or permanent anchoring works under Council's Public Road.

CONDITIONS TO BE SATISFIED PRIOR TO CONSTRUCTION

- 45) The erection of building works in accordance with this development consent must not be commenced until:
 - a) Detailed plans and specifications have been endorsed with a Construction Certificate (by the consent authority or an accredited certifier), and
 - b) The person having benefit of the Development Consent has appointed a 'principal certifying authority' (PCA), and has notified the consent authority and the Council (if Council is not the consent authority) of the appointment, and
 - c) The person having benefit of the development consent has given at least 2 days notice to the Council of their intention to commence the development works the subject of this consent.
- 46) Existing trees within the vicinity of the construction works or paths of travel for construction vehicles accessing the development that are to be retained shall be protected with temporary fencing of a style non injurious to tree roots, placed 2m from the trunk base of the existing tree to prevent damage during construction, and retained in accordance with Council's Tree Preservation Order. There is to be no stockpiling of materials within the 2m fenced zone.
 - No fill, excavated material, building material or other items are to be placed around retained trees.
 - No excavation is to take place around the root zone or canopy of retained trees.
 - All preservation zones are to be mulched to a depth of no less than 70-100mm using a suitable organic mulch or sand around the trees to be retained, i.e. around the root zone or canopy of trees.
 - Fencing around retained trees is to be in place prior to commencement of site works and is to be kept in place during all construction, until final inspection is undertaken.
 - Fences should be signposted to warn contractors of their purpose.
 - Treatment and pruning of trees may only be undertaken by qualified arborists after approval of Council.
 - Any tree removal carried out on Saturdays is permitted only between the hours of 8am and 1pm inclusive, Sunday removals are **not** permitted.

- Construction to begin only when the above procedures are in place.
 - Failure to comply with the above conditions will result in an on the spot fine.
- 47) Suitable erosion and sediment control measures shall be erected in accordance with the plans accompanying the Construction Certificate prior to the commencement of construction works and shall be maintained at all times.
 - 48) Council warning sign for Soil and Water Management must be displayed on the most prominent point of the site, visible to both the street and site works. The sign must be displayed throughout the construction period.
 - 49) Prior to commencement, the applicant must provide a temporary on-site toilet if access to existing toilets on site is not adequate.
 - 50) Prior to the commencement of any building work a fence shall be erected along the property boundaries of the development site, except where an existing 1.8m high boundary fence is in good condition and is capable of securing the site. Any new fencing shall be temporary (such as cyclone wire) and at least 1.8m high.

All fencing is to be maintained for the duration of the construction to ensure that the site is secured and privacy of the adjoining properties is not compromised.

Where the development site is located within 3m of a public place then a Class A or Class B hoarding shall be constructed appropriate to the works proposed. A Works Permit for such hoardings shall be submitted to Council for approval prior to the issue of any Construction Certificate.

- 51) A sign shall be displayed on the site indicating the name of the person responsible for the site and a telephone number of which that person can be contacted during and outside normal working hours or when the site is unattended.
- 52) For development that involves any building work, subdivision work or demolition work, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition 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 during and outside working hours, and
 - c) stating that unauthorised entry to the work site is prohibited.

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

Note: 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, or in relation to Crown building work that is certified, in accordance with Section 116G of the Act, to comply with the technical provisions of the State's building laws.

- 53) The application must be submitted to the appropriate Sydney Water Officer to determine whether the development will affect Sydney Water infrastructure (i.e. Sewer mains, easements, etc). If the development complies with Sydney Water's requirements, the plans will be stamped indicating that no further requirements are necessary.
- 54) The road work on Boronia Road will require stormwater drainage works due to the additional pavement etc. In this regard, detailed design plans and hydraulic calculations of the changes to the stormwater drainage system are to be submitted to the RTA for approval, prior to the commencement of any works.

Details should be forwarded to:

The Sydney Asset Management
Roads and Traffic Authority
PO Box 973 Parramatta CBD 2124

A plan checking fee will be payable and a performance bond may be required before the RTA's approval is issued. With regard to the Civil Works requirement please contact the RTA's Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

CONDITIONS TO BE SATISFIED DURING CONSTRUCTION

- 55) The hours of site works shall be limited to between 7.00am and 6.00pm on weekdays and 7.00am and 1.00pm on Saturdays. No work shall be carried out on Sundays and public holidays, and weekends (Saturdays and Sundays) adjacent to public holidays.
- 56) The building work must be carried out in accordance with the requirements of the Building Code of Australia, the provisions of the relevant Australian Standards and the approved plans.
- 57) Prior to the basement and ground floor slab being poured, an identification report prepared by a registered surveyor shall be submitted verifying that the proposed slab's finished ground floor level and siting to the property boundary conforms with the approved plans.
- 58) All Civil and Hydraulic engineering works on site must be carried out in accordance with Council's Development Engineering Standards. All Civil and Hydraulic engineering works associated with Council's assets and infrastructure must be carried out in accordance with Council's Work Permit requirements and to Council's satisfaction.
- 59) The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.
- 60) Full time "No stopping" parking restriction shall be provided along the frontage of the site and shall extend 45 metres west of the car park entry.

Prior to the implementing this full time parking restriction, the applicant is to contact the RTA's Traffic Management Services on Phone: (02) 8849 2928 for a "Works Instruction".

- 61) All roadwork/regulatory signposting associated with the proposed development shall be at no cost to the RTA/Council.

All costs associated with the design and construction of any required road reconstruction/widening works including public utility adjustments along the site frontages shall be borne by the applicant.

- 62) The applicant shall fund the installation of all traffic islands, parking signs and road markings in Boronia Road along the site frontage, which are made necessary or are required to be provided, relocated/adjusted due to the construction of the roadworks associated with the development.
- 63) The applicant shall fund any works arising from possible reconstruction of splays or driveways to residential properties to the west of the site, which may arise from the development.
- 64) The lighting on Boronia Road shall be reviewed to comply with Australian Standards to the satisfaction of Council's Traffic Engineer.
- 65) The applicant will need to pave the entire width of any footpath narrower than 3m, and install pedestrian fencing to the satisfaction of Council's Traffic Engineer, and relocate any poles that cause a pinch point on the narrowed footpath.
- 66) All excavations and backfilling must be executed safely and in accordance with the relevant Australian Standards.
- 67) If the soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided, and adequate provisions must be made for drainage. Separate approval may be required for retaining walls should they be required.
- 68) If an excavation extends below the level of the base of the footings of an adjoining building or a building on an adjoining allotment of land, the person causing the excavation to be made:
- a) if necessary, must underpin and support the building in an approved manner, and
 - b) must, at least 7 days before excavating below the level of the base of the footings of a building give notice of intention to do so to the owner of that building and furnish particulars of the excavation to the owner of the building being erected or demolished.
 - c) must take all precautions to protect all of the structures from damage.

The owner of any affected buildings 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 an adjoining allotment of land.

- 69) All boundary fencing behind the building line shall be replaced in accordance with the recommendations of the acoustic report prepared by Vipac Engineers & Scientists Ltd, Report No. 20C-07-0279-TRP-415106-6, dated 17 December 2009 at full cost to the developer. Where retaining walls are proposed, the fences must be erected atop

retaining walls. Fencing forward of the building line shall be no higher than 1m unless otherwise approved by Council. All fencing provided shall be unscaleable. Fencing forward of the building line shall be no higher than 1m unless otherwise approved by Council.

- 70) The stormwater drainage system shall be constructed in accordance with Council's Development Engineering Standards and the engineering plans and details approved by the Principal Certifying Authority (PCA).
- 71) The construction and fixing of the signage is to be carried out in accordance with details prepared by a suitably qualified practising structural engineer, in accordance with the structural provisions of the Building Code of Australia.
- 72) A suitably qualified Professional Civil or Structural Engineer shall be engaged by the developer to carry out inspections relating to construction of internal driveways and parking areas. The work shall be carried out in accordance with the approved plans and specifications and certification from the Civil or Structural Engineer is to be provided upon completion.
- 73) There shall be no stockpiling of building spoil, materials, or storage of equipment on the public road, including the footway. No work shall be carried out on the public road, including the footway, unless a Work Permit authorised by Council has been obtained.

CONDITIONS TO BE SATISFIED PRIOR TO OCCUPATION

- 74) The use of a building in accordance with this Development Consent must not be commenced until Council or the PCA has issued an Occupation Certificate for the building and site works.
- 75) A final Occupation Certificate shall not be issued until all conditions relating to construction and site works of this development consent are satisfied and Council has issued a Work Permit Compliance Certificate.
- 76) Prior to occupation of the liquor outlet, a liquor licence shall be obtained from the Liquor Administration Board (LAB).
- 77) The 'Occupation Certificate' shall not be released until the right turn bay, raised central concrete median island and pedestrian refuge on Boronia Road is fully constructed and operational.
- 78) One hundred and ninety (190) off street car spaces being provided in accordance with the submitted plans. This shall comprise:
 - 190 business / commercial spaces
 - Provision for car parking spaces shall be provided for people with mobility impairment in accordance with AS 2890.1. All car parking spaces shall be allocated and marked according to these requirements.
- 79) An Emergency Response Management Plan shall be prepared and submitted to Council's satisfaction. The Plan shall include the following:

- a) List of chemicals and maximum quantities to be stored at the site;
 - b) Identification of potentially hazardous situations;
 - c) Procedure for incident reporting;
 - d) Details of spill stations and signage;
 - e) Containment and clean-up facilities and procedures; and
 - f) The roles of all staff in the plan and details of staff training.
- 80) Landscaping is to be installed in accordance with the approved landscape plan. All works and methods nominated and materials and plants specified on the approved landscape plan are to be completed prior to the issue of an occupation certificate. The landscaping shall be maintained for the life of the development.
- 81) A suitably qualified Professional Civil Engineer shall certify that the driveways, parking bays, and service areas have been constructed in accordance with the approved plans and specifications. Such Certification shall be submitted prior to the issue of the Occupation Certificate or occupation of the site.
- 82) A registered surveyor shall prepare a Work As Executed Plan, and a suitably qualified Hydraulic Engineer shall provide certification of the constructed on-site stormwater detention system.

The Work As Executed information shall be shown in red on a copy of the approved stormwater plan and shall include all information specified in Council's Development Engineering Standards. The Work As Executed plan shall be submitted to the Hydraulic Engineer prior to certification of the on-site stormwater detention system.

The engineer's certification of the on-site stormwater detention system should be carried out similar to Council's standard form "On-Site Stormwater Detention System - Certificate of Compliance", contained in Council's Development Engineering Standards.

A copy of the Work As Executed Plan and Hydraulic Engineer's Certification shall be submitted to Council for information prior to issue of the final occupation certificate.

- 83) The developer shall register, on the title of the subject property, a Restriction on the Use of Land and Positive Covenant, in accordance with the standard terms for "Registration of OSD on title", as outlined in Council's Development Engineering Standards and in accordance with the appropriate provisions of the Conveyancing Act.

Note: The location of the "On-Site Stormwater Detention System" shall be shown on the plan of subdivision where subdivision is proposed. Where subdivision is not proposed the location of the "On-Site Stormwater Detention System" shall be included on an A4 size site plan attached to the Section 88E Instrument and registered on the title prior to the issue of the final occupation certificate.

The developer shall submit to Council evidence of the final registration of the Restriction and Positive Covenant on the title of the property.

- 84) A copy of the Work Permit compliance certificate shall be submitted to the PCA prior to the issue of the Occupation Certificate.

- 85) A Trade Waste application must be submitted to and approved by the Sydney Water Corporation regarding the installation of any proposed pre treatment equipment, eg basket and grease arrestors. A copy of the plumber's certificate of compliance for the installation of pre-treatment equipment and of the Trade Waste Agreement must be furnished to Council prior to occupation of the premises.

USE OF THE SITE

- 86) Car parking spaces for 190 vehicles shall be provided in marked spaces in the manner generally shown on the approved site plan. 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.
- 87) The category of vehicles (i.e. heavy rigid vehicles and articulated vehicles) that cannot access the subject site in accordance with AUSTROADS due to lack of turning path manoeuvrability on the subject site shall be prohibited from servicing the subject development.
- 88) The hours of operation of the supermarket shall be limited to between 6am - 12 Midnight (Monday - Sunday) and 9am - 6pm Monday - Friday, 9am - 5pm Saturday and 10pm - 5pm Sunday for the retail shop.

Daytime loading dock operations shall be limited from 7am - 10pm and night time operations from 10pm - 7am. Loading dock activities during the night time operation are restricted to one truck entering or leaving the site, while another is loading/unloading.

- 89) The presence of security guards should be employed. This would minimise the risk of offences occurring within the premises. The use of a Loss Prevention Officer should also be used to minimise the risk of stealing offences.
- 90) All loading and unloading of goods shall take place within the site or from the adjoining service lane in a manner that does not interfere with parking areas, driveways or landscaping.
- 91) There shall be no emissions of noise, smoke, smell, vibration, gases, vapours, odours, dust, particulate matter, or other impurities which are injurious or dangerous to health, or the exposure to view of any unsightly matter or otherwise.
- 92) All waste materials associated with the use shall be stored in containers located either within the building or behind screen walls in accordance with the approved plans.
- 93) All filtration devices for odour control shall be regularly maintained to prevent odour problems.
- 94) The use of the premises shall not contravene the Protection of the Environment Operations Act, 1997. The operation of the premises shall be carried out in accordance with the requirements of the Department of Environment and Conservation, if applicable.

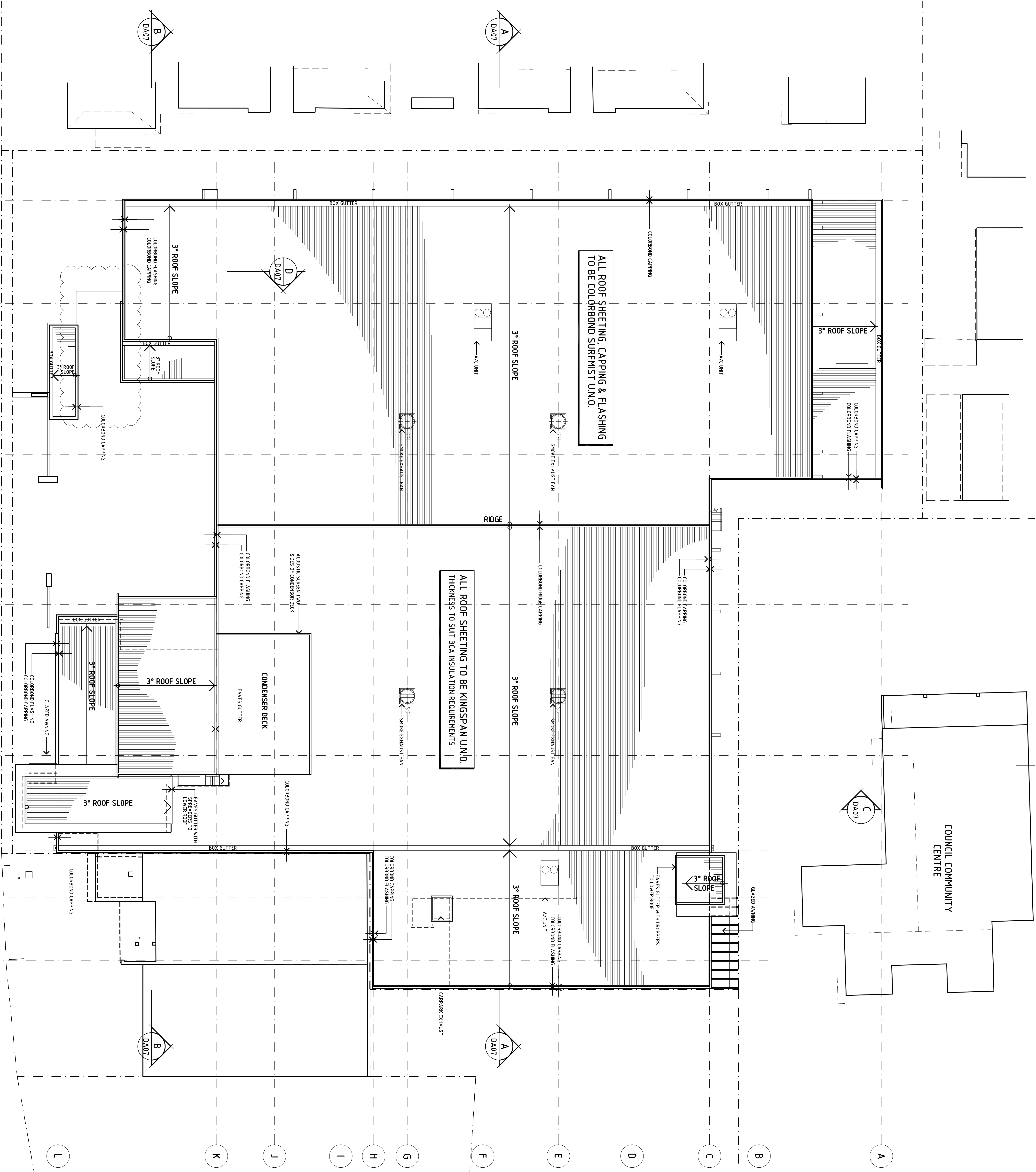
- 95) No signs or goods are to be displayed or trading of any description is to be carried out on the public road, public footway, utility service land, customer and/or employee parking area or the driveways or pedestrian walkways outside or in the immediate vicinity of the premises.
- 96) Instructions concerning procedures to be adopted in the event of an emergency are to be clearly displayed on the premises for both public and staff information at all times.
- 97) All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create offensive odour, offensive noise or pollution of land and/or water as defined within the Protection of the Environment Operations Act 1997. All waste generated shall be disposed of by an authorised contractor.
- 98) Adequate provisions must be made for the storage of all staff personal effects, cleaning chemicals and equipment e.g. cupboards, lockers etc.
- 99) Trading must not commence until a final inspection has been carried out by Councils Environmental Health Officer and ALL conditions of this consent have been complied with.
- 100) The food business must be registered with Council by completing the Application For Registration form prior to trading.
- 101) The NSW Food Authority must be notified of the food business in accordance with the provisions of the NSW Food Act 2003. This may be done online at www.foodnotify.nsw.gov.au
- 102) Duress alarms are to be installed within the supermarket and liquor store. This is particularly important within the liquor store as it is a potential target for armed robbery.
- 103) The development shall incorporate CCTV (Closed Circuit Television). The installed CCTV system shall monitor and record footage from the entry and exit points. The system should also monitor the aisles and register areas capturing footage of customers or potential offenders. Footage from the CCTV system needs to be stored on a secured hard drive and retained for a minimum of 2 weeks.
- 104) Signs shall display advertising relating only to the usage of the site and shall be maintained in good order at all times.
- 105) Signs shall not flash or contain flashing lights or devices that enable the signs to change colour or create movement.
- 106) The signs shall only be illuminated during the trading hours associated with the use of the premises. The intensity of the lights illuminating the sign shall be limited to 120 watts per square metre of glass.




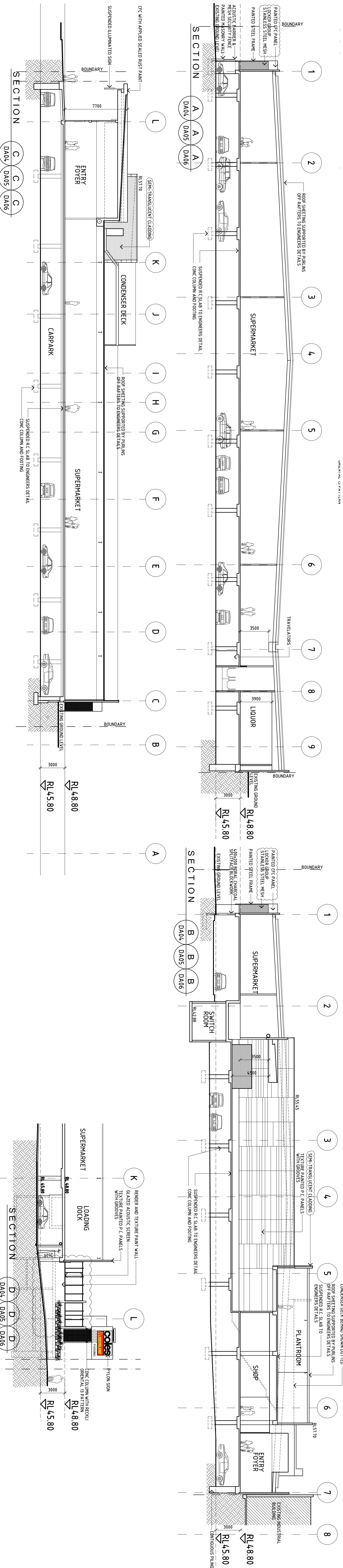
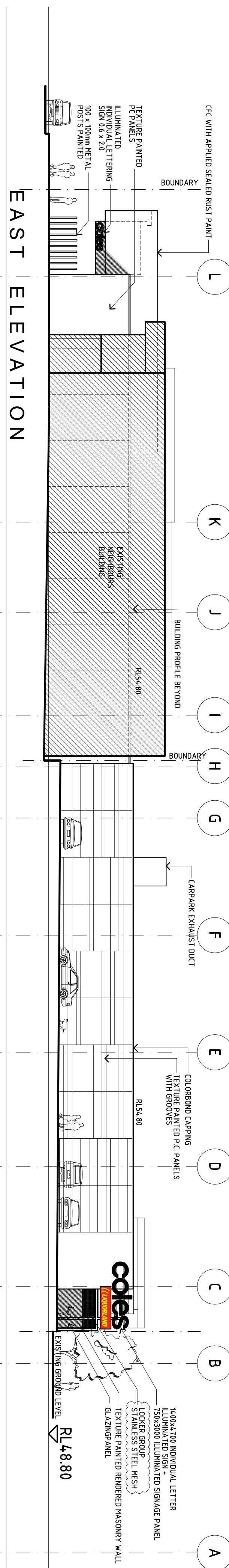
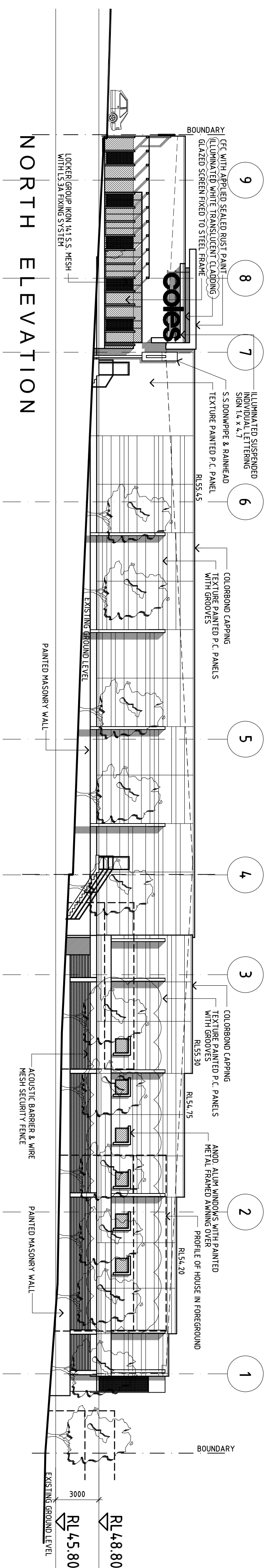
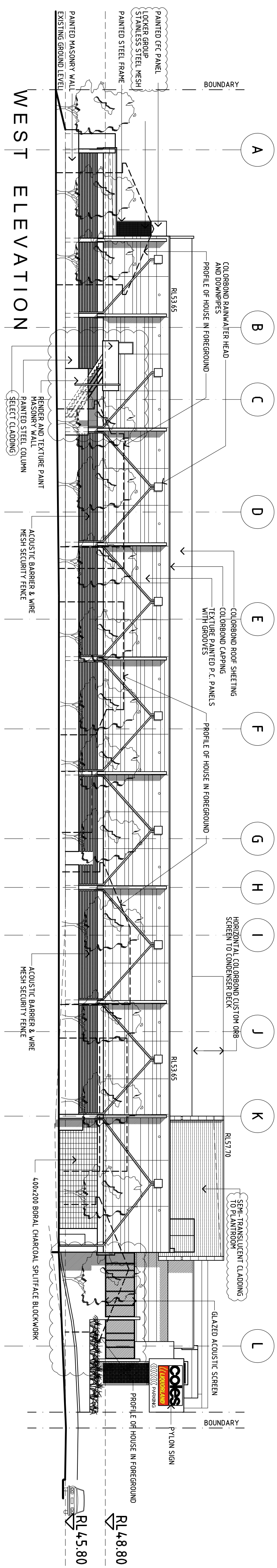
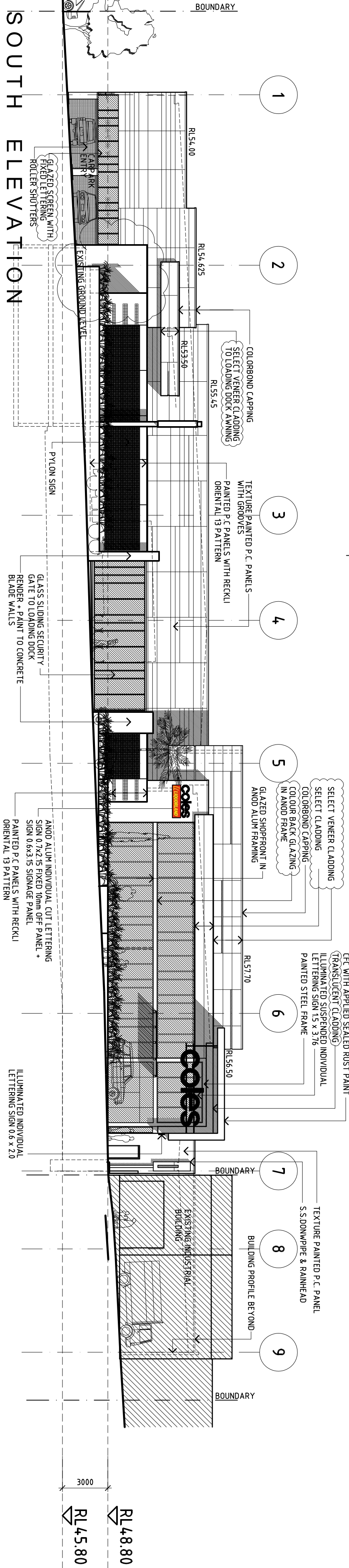
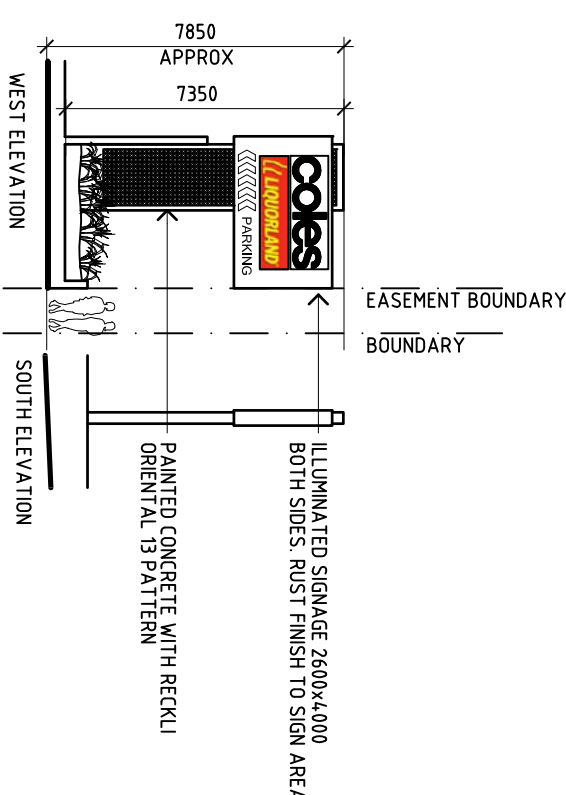
Car Parking Table				
Item	GLA Area sqm	RTA Guidelines	Spaces Required	Spaces Provided
Coles	4026	4.2 spaces / 100sqm	169.09	
Liquor Shop	200	4.5 spaces / 100sqm	9	
Shop/Cafe	263	4.5 spaces / 100sqm	11.835	
Total	4489	Total Spaces Required	189.925	190


LEGEND
+1.183 EXISTING SPOT LEVEL
+1.880 NEW SPOT LEVEL
B DRAINAGE


ISSUE	DATE	AMENDMENT	NOTES	CLIENT	PROJECT	DRAWING TITLE	ARCHITECTS	SCALE	DATE	REV	DATE
A	25-10-20	SCALE TO RETAIL PLANS REV'D	TO CONSTRUCTION	Coles Group Property Ltd	PROPOSED RETAIL DEVELOPMENT	BASEMENT PLAN	CHRISTIANSEN	1:100	2020	C	2020
B	01-11-20	ISSUE FOR DA - REVISION TO COLES STORE LAYOUT	3. IN CONSTRUCTION		BORONIA ROAD		BRIEN	1:100	2020		
C		ISSUE FOR DA - REVISION TO COLES STORE LAYOUT	4. ALL DIMENSIONS, CONDITIONS AND SPOT LEVELS SUBJECT TO SURVEY PLAN		GREENACRE NSW		88 Alexander Street Crows Nest NSW 1585 www.christiansen.com.au	1:100	2020		
			NOTE: DIMENSIONS TO BE CHECKED ON SITE BY BUILDING PROFESSIONAL								
			TO CONSTRUCTION								
			3. IN CONSTRUCTION								
			4. ALL DIMENSIONS, CONDITIONS AND SPOT LEVELS SUBJECT TO SURVEY PLAN								
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			3. IN CONSTRUCTION								



ISSUE	DATE	AMENDMENT	NOTE	CLIENT	PROJECT	DRAWING TITLE	APPROVED BY	SCALE	DATE	PROJECT
P1	21-10-20	PRELIMINARY ISSUE	1. ALL DIMENSIONS TO BE CHECKED ON SITE BY BUILDING PROFESSIONAL	Coles Group Property Ltd	PROPOSED RETAIL DEVELOPMENT BORONIA ROAD GREENACRE NSW	ROOF PLAN		1:500	1930	07019
P2	21-10-20	PRELIMINARY ISSUE	2. USE FINISHED DIMENSIONS ONLY, DO NOT SCALE					DATE	APR 2010	
P3	21-10-20	PRELIMINARY ISSUE	3. IF IN DOUBT ASK					BY	DOB	
P4	03-11-20	PRELIMINARY ISSUE	4. COORDINATES AND SPOT LEVELS SUBMITTED TO SUBMITTER PLAN							
P5	22-11-20	PRELIMINARY ISSUE								
P6	22-11-20	PRELIMINARY ISSUE								
P7	17-12-20	ISSUE PRO D/A								
P8	07-12-20	ISSUE PRO D/A - REDUCED TO 0.015 STORE LAYOUT								
							BY	B		DA06



ISSUE	AMENDMENT	CLIENT	PROJECT	DRAWING TITLE	ARCHITECTS	SCALE	PROJECT
A	17-12-09	Coles Group Property Ltd	PROPOSED RETAIL DEVELOPMENT BORONIA ROAD GREENACRE NSW	ELEVATIONS & SECTIONS	 CHRISTIANSEN & O'BRIEN PTY LTD 86 Alexander Street Crows Nest NSW 2065 P (62) 9439 8622 F (62) 9439 8625	1:100	07/19
B	16-03-10					DATE	APR 2010
C	16-03-10					DATE	2008
D	01-04-10					DATE	
E	16-03-10					DATE	
AMENDMENTS TO BE CHECKED ON SITE BY BUILDER PRIOR TO CONSTRUCTION		NOTE:-					
1. ALL DIMENSIONS TO BE CHECKED ON SITE BY BUILDER PRIOR TO CONSTRUCTION		1. ALL DIMENSIONS TO BE CHECKED ON SITE BY BUILDER PRIOR TO CONSTRUCTION					
2. USE FIGURED DIMENSIONS ONLY, DO NOT SCALE		2. USE FIGURED DIMENSIONS ONLY, DO NOT SCALE					
3. IF IN DOUBT ASK		3. IF IN DOUBT ASK					
4. CONCRETE, CORRUGATED AND SPW (LEAKS) SUBJECT TO SUBMITTAL PLAN		4. CONCRETE, CORRUGATED AND SPW (LEAKS) SUBJECT TO SUBMITTAL PLAN					
						REV	DWG
						D	DA07

ISSUE	DATE	REVISION	NOTES	CLIENT	PROJECT	DRAWING TITLE	ARCHITECTS	SCALE	DATE	PROJECT
A	17-02-20	ISSUE FOR DA	1. ALL DIMENSIONS TO BE CHECKED ON SITE BY BUILDERS PRIOR 2. USE THE FOLLOWING DIMENSIONS ONLY ON 1:100 SCALE 3. IF IN DOUBT, ASK 4. CONSULTORS AND SUPPLIERS TO CHECK & SUBMIT TO SURVEY PLAN	Coles Group Property Ltd	PROPOSED RETAIL DEVELOPMENT BORONIA ROAD GREENACRE NSW	SHADOW DIAGRAM	 CHRISTIANSEN O'BRIEN PTY LTD 88 Alexander Street Crows Nest NSW 2065 P (02) 9439 8622 F (02) 9439 8605	1:100 DATE JAN 2018	07019	
								REV	A	DWG
										DA08

