

JRPP No:	2011HCC023
Date:	6 September 2011
Responsible Officer:	Salli Pendergast
Location:	275 Pacific Highway, LAKE MUNMORAH NSW 2259 Lot 2 DP 520220
Owner:	Fabcot Pty Ltd - 3
Applicant:	Fabcot Pty Ltd
Date Of Application:	30 May 2011
Application No:	DA/459/2011
Proposed Development:	Shopping Centre including a Supermarket, Medical Centre and speciality shops
Land Area:	81,670m ²

PROPOSED CONDITIONS

Approved Plans

- The development is to be undertaken in accordance with the approved development plans and specifications listed below and including all supporting documentation, except as modified by any conditions of consent and any amendments in red made to the approved plans:

Title	Drawing No.	Rev	Date	Drawn By
Architecturals	10061 DA1.02	M	04.08.11	D & R Architects
Architecturals	10061 DA1.03	L	26.7.11	D & R Architects
Architecturals	10061 DA1.04	G	26.7.11	D & R Architects
Architecturals	10061 DA1.05	F	26.7.11	D & R Architects
Architecturals	10061 DA1.06	J	26.7.11	D & R Architects
Architecturals	10061 DA 1.08	D	26.7.11	D & R Architects
Architecturals	10061 DA1.009	C	26.7.11	D & R Architects
Landscape Plan	L01	C	3.6.11	Habitation
Landscape Plan	L02	A	1.6.11	Habitation

Certificates/Engineering Details

- A Construction Certificate is to be issued by the Principal Certifying Authority prior to commencement of any construction works. The application for this Certificate is to satisfy all of the requirements of the Environmental Planning and Assessment Regulation 2000.
- Prior to the occupation or use of the building/structure, an application for an Occupation Certificate for the development must be submitted to and approved by the Principal Certifying Authority.

Certificates – Application and Approval

- 4 Where conditions of this consent require approval from Council under the Roads Act 1993, Local Government Act 1993 or Water Management Act 2000, a completed Subdivision Construction Certificate application form must be lodged with Council and be accompanied by detailed design drawings and supporting information. Upon submission to Council, fees and charges will be calculated in accordance with Council's Management Plan. The fees and charges must be paid prior to Council commencing the design assessment.

Prior to Release of Construction Certificate:

The following conditions must be satisfied prior to the release of the Construction Certificate. Conditions may require the submission of additional information with the Construction Certificate Application. Applicants should also familiarise themselves with conditions in subsequent sections and provide plans in accordance with any design requirements contained therein.

- 5 A Construction Certificate application for this project is to include a list of fire safety measures proposed to be installed in the building. Should Council not have any record of the existing fire safety measures in the building or on the land a separate list of these existing fire safety measures is to be submitted. The lists must describe the extent, capability and basis of design for each measure prior to the issue of a Construction Certificate.
- 6 Prior to the issue of a Construction Certificate, satisfactory structural plans prepared by a suitably qualified Registered Structural Engineer are to be submitted for the approval of the Accredited Certifier, for the following building elements
 - All structural aspects of the building.
 - All retaining walls.

Erosion and Sediment Control – Design Requirements

- 7 Prior to the issue of a Construction Certificate, design drawings for the control of soil erosion on the site and the prevention of silt discharge into drainage systems and waterways must be provided for the approval of the Accredited Certifier. Required design drawings must include all major stages of construction and sequences of work together with treatments necessary at each of these stages. The design drawings must be prepared in accordance with the Landcom publication 'Soils and Construction – Managing Urban Stormwater' (Blue Book).

Dust Control Requirements

- 8 Prior to the issue of a Construction Certificate, suitable details must be provided for the approval of the Accredited Certifier of an appropriate system to control dust emissions from the site during construction works. The approved method of controlling dust emissions from the site is to be implemented and be maintained for the duration of construction works on the site.

Liquid Trade Waste Requirements

- 9 Prior to the issue of the Construction Certificate, the developer must submit a trade waste application for approval to Council as the Water and Sewer Authority in order to discharge liquid trade waste into the sewerage system.

Stormwater Drainage - Design Requirements

- 10 Stormwater drainage works external to the site and discharging into a public system or public land requires approval from Council under Section 68 of the Local Government Act 1993. Detailed design drawings prepared in accordance with Council's Development Control Plan 2005, Chapter 67 - *Engineering Requirements for Development* must be approved by Council prior to the issue of a Construction Certificate. All other stormwater management works must be approved by the Accredited Certifier.
- 11 The submission to the Accredited Certifier of a detailed stormwater management plan prior to issue of the Construction Certificate, generally in accordance with the drawings prepared by Mott MacDonald Hughes Trueman (Drawing No's 288542LM01-DA-01, 288542LM01-DA-02 and 288542LM01-DA-03, all Revision E and dated 2/8/2011), with the following design amendments/additions:
 - High-flow bypass for stormwater flows in excess of the 2 year ARI design storm immediately upstream of the basin to divert flows to a suitably sized level spreader catering for the critical duration 100 year ARI design storm. The level spreader shall be located east of the loading/truck manoeuvring area.
 - Upsize the proposed rainwater tank to a minimum of 250kL capacity, for use in all toilets within the development and irrigation of landscaping.
 - Deletion of the proposed block retaining wall on the detention basin. Landscaped earthen batters must be provided on the external northern, eastern and western sides of the basin. Alternative arrangements must be made to provide the required storage volume without encroaching northward.
 - Provision of a safety barrier system around the perimeter of the basin complying with AS1926.
 - Preparation of an operation and maintenance manual for the operation of the stormwater management system. Suitable access for maintenance vehicles to the basin must be provided.

The plans must be prepared in accordance with *AS/NZS3500.3:2004* and Council's Development Control Plan 2005, Chapter 67 - *Engineering Requirements for Development*, and certified by a practicing and qualified civil engineer.

Vehicle Access and Parking - Design Requirements

- 12 The submission to the Accredited Certifier of lighting design drawings for the carpark and public places. The design shall be prepared in accordance with the requirements of AS/NZS 1158 and AS 4282-1997, including the provision of current best practice energy efficient lighting and be approved by the Accredited Certifier prior to issue of a Construction Certificate. All external lighting is to be of a type that minimises overspill into retained vegetated areas within the 7 (a) Conservation Zone.
- 13 The submission to the Accredited Certifier of a detailed car parking design. The design shall include:
 - Pavement marking, appropriate signage and physical controls detailed for the carpark, access driveway, pedestrian crossings and circulation roads.
 - Pavement design able to withstand anticipated vehicle loading.
 - Wheel stops for parking spaces adjacent to the covered walkway
 - Additional signage and pavement marking shall be provided at the entry to the staff parking/loading area advising the general public that access is restricted to staff, service and delivery vehicles only.
 - Prior to issue of a Construction Certificate the plans are to be amended indicating seven (7) accessible parking spaces to be provided for the development in close proximity to the building entry connected by accessible path of travel to the entry.

The design drawings shall be prepared in accordance with the requirements of AS/NZS 2890 – Parts 1, 2 and 6, and be approved by the Accredited Certifier prior to the issue of a Construction Certificate.

Water and Sewer Services - Design Requirements

- 14 The developer must submit an application to Council under Section 305 of the Water Management Act 2000 for any requirements for the obtaining of a Section 307 Certificate of Compliance. The application must be made prior to the issue of the Construction Certificate. **Note:** The Section 305 Notice may contain requirements associated with the development that must be completed prior to the issue of the Construction Certificate.
- 15 Any relevant approvals from the NSW Office of Water are to be obtained for the sewer works where they cross a watercourse on the site.

Roadworks - Design Requirements

- 16 Prior to the commencement of detailed design works within any public road, contact should be made with the National Community Service *“Dial before you Dig”* on 1100 regarding the location of underground services in order to prevent injury and personal liability. Enquiries should provide the property details and the nearest cross street/road.

- 17 The submission to the Council as the Roads Authority of a 'detailed design stage' Road Safety Audit for all road works prepared by a Level 3 Road Safety Auditor recognised on the NSW Register of Road Safety Auditors. Any deficiencies identified within the audit must be resolved in consultation with Council prior to the approval of design drawings.
- 18 The submission to Council as the Roads Authority of street lighting and reticulation design drawings for Tall Timbers Road. The design shall be prepared in accordance with AS/NZS 1158 and AS 4282-1997, including the provision of current best practice energy efficient lighting, documentation confirming a minimum of twenty (20) year design life and be approved by the Council as the Roads Authority prior to issue of a Construction Certificate.
- 19 The submission to Council of Civil Works design drawings and specifications, generally in accordance with the drawings prepared by Mott MacDonald Hughes Trueman (Drawing No 288542LM01-DA-01, Sheet 1, Revision E and dated 2/8/2011), with the following design amendments/additions:
 - Kerb and guttering for the Pacific Highway street frontage of the development,
 - Kerb and guttering for the both sides of the Tall Timbers Road for the full street frontage of the development and extending into, and forming part of, the Pacific Highway/Tall Timbers Road traffic control signal design.
 - Tall Timbers Road shall be widened to a 4 traffic lanes from the Pacific Highway to at least 35 metres (excluding tapers) north past the vehicle access.
 - The Tall Timbers Road vehicle access to the development shall be provided as an intersection, with the entry and exit to be designed as if for a public roadway.
 - The asphalt wearing surface in Tall Timbers Road within the vicinity of the vehicle access to the development shall be designed as a polymer modified asphalt to resist heavy braking and screwing from delivery/service vehicles. Details of the surfacing is to be included in the pavement design report submitted to Council as the roads authority for consideration.
 - Bus stops and associated infrastructure on both sides of Tall Timbers Road, south of the vehicle access and on both sides of the Pacific Highway. All bus stops are required to provide a set down area capable of being serviced by a kneeling bus, signage and bus shelter with seat.
 - Concrete footpath 1.2 metres wide on west side of Tall Timbers Road, from the bus stop to the marked pedestrian crossing at the intersection of Pacific Highway and Tall Timbers Road.
 - Provide street stormwater drainage and associated infrastructure.
 - The Tall Timbers Road stormwater pipeline must be connected to the existing inlet of the downstream pipeline, and interconnection with the existing piped road culverts.
 - Extension of road culverts on the western side of Tall Timbers Road to cater for new carriageway width. Inlet infrastructure must be located outside the road clear zone.
 - The Pacific Highway stormwater pipeline must be interconnected with the existing road culverts, and be extended into the development with provision of suitable scour protection/energy dissipation.
 - The proposed kerb inlet pit within the Pacific Highway bus zone must be relocated outside of the passenger set down area.

- The road verge shall be regraded to 4% fall from the boundary to the top kerb street frontage of the development.
- Concrete Shared Path 2.5 metres wide on the eastern side of Tall Timbers Road, from the Pacific Highway to Chisholm Avenue.
- Flexible pavement designed to cater for a design traffic loading of 6.1 x 106 equivalent standard axles (ESA).
- Any associated works to ensure satisfactory transitions to existing infrastructure

Required design drawings are to be prepared in accordance with Council's Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development and must be approved by Council as the Roads Authority prior to the issue of a Construction Certificate.

Acoustic

- 20 Prior to the issue of the Construction Certificate full compliance details shall be made apparent on the plans and specifications accompanying the Construction Certificate application demonstrating compliance with the recommendations outlined in the acoustic report prepared by Reverb Acoustics, report number 11-1558-R2 dated May 2011.

Potentially Contaminated Land Requirements

- 21 Prior to the issue of a Construction Certificate, an appropriately qualified consultant must be engaged to carry out a detailed site investigation report to determine the level of contamination of the site and to prepare a remedial contamination action plan. Such remedial contamination action plan must be submitted to Council as the Consent Authority for approval.

Ecological/Tree Requirements

- 22 Prior to the issue of any Construction Certificate, trees and native vegetation proposed for retention and those approved for removal must be clearly identified on all the final engineering and landscaping plans. All fenced tree protection areas must be clearly marked as "No Go Area" on all plans. The location of any threatened species, endangered populations or ecological communities must also be marked on all plans.
- 23 All nest boxes are to be erected prior to the issue of a Construction Certificate and at least one month prior to vegetation clearance on the site.

Vegetation Management and Rehabilitation Protocols

- 24 The management protocols and requirements within these conditions relating to tree and vegetation retention, protection and rehabilitation are to be included in all contract documentation, plans and specifications used by each civil contractor and sub-contractors prior to issue of a Construction Certificate.

Liquid Trade Waste

- 25 The submission of a trade waste application and subsequent approval by Council to discharge liquid trade waste in to the sewerage system prior to issue of the Construction Certificate.

Landscape Plan

- 26 The Landscape Plan is to be amended prior to issue of a Construction Certificate to include reference to the following changes:
- i. the landscaping at the front of Pacific Highway extend from car parking bays to the edge of the footpath except for one grass feature as per the landscape plan. All trees, shrubs and ground covers are to be as per the landscape list.
 - ii. All trees being codes Bin, Cma, Can, Eha, LN, Lau are to be a minimum 100 litre.
 - iii. All shrubs are to be minimum 25 litres
 - iv. PN (*Pennisetum alopecuroides*) is to be removed from the list and replaced with other grasses within the landscape plan.
 - v. All areas mooted for mass planting per the proposed plant schedule are to be mulched to a minimum depth of 100mm.
 - vi. The row of *Tristanopsis* 'Luscious' that are proposed on the boundary along the Pacific highway are to be replaced with *Callistemon salignus*.
 - vii. A kerb is to be placed on the eastern edge of the grasscrete to ensure the planting of Sir Walter buffalo doesn't escape into the riparian buffer area. The maintenance of this area is to be included into the maintenance schedule.
 - viii. The riparian area has several *Pinus radiata* that are not endemic to the area. It is recommended that these trees are removed in conjunction with the mass planting as per the VMP to minimise spread into the area zoned 7a conservation.
 - ix. For the area containing the proposed batters and retaining walls along Pacific Highway and Tall Timbers Road frontages (as shown in civil plan DA01), planting of a combination of the following types of species of small trees and grasses:

- Tree species

- *Elaeocarpus eumundi*,
- *Elaeocarpus reticulatus*,
- *Acmenia smithii* and/or *Syzygium australe*.

All trees to be planted in a combination of the ones listed above and the trees are to be planted in the middle of the batter to provide the best opportunity for growth in a small area. All trees to be a minimum (50 litre) and comply with NATSPEC regulations.

- Grasses/Shrubs

- *Lomandra tanika/longifolia*,
- *Doryanthes excelsa*,
- *Scaevola aemula*,
- *Hibertia*,
- *Hibertia scandens*

All grasses where feasible to be provenance stock.

- x. The following species are to be planted at the front of the batter to enable the species to climb and soften the rock wall over time:
- Scaevola aemula,
 - Hibergia,
 - Hibergia scandens

Pylon sign

- 27 The height of the freestanding pylon signs is not to exceed 7 metres in accordance with DCP Chapter 50. The plans are to be amended to include this height reduction.
- 28 The signage panel for the 'Liquor' shop is to be deleted from the plans (this includes any reference on the signage and elevation plans). The plans are to be amended prior to issue of a Construction Certificate.

Mine subsidence

- 29 The final drawings to be submitted prior to issue of a Construction Certificate, contain a certification by a qualified structural engineer, to the effect that any improvement constructed to meet the specifications of such final drawings will be safe, serviceable and repairable taking into account the following mine subsidence parameters:

- a) Maximum ground strains of $\pm 3\text{mm/m}$
- b) Maximum tilt of 4mm/m

The improvement to be fully articulated taking into consideration the subsidence parameters and other site conditions. The location and detailing of articulation joints are to be shown clearly on the final plans.

Public Artwork – Compliance Requirements

- 30 Prior to the issue of a Construction Certificate the applicant is to prepare a public art masterplan incorporating a final design concept for public art work/s in consultation with Council's Cultural Planner that provides public art as part of the development at the applicant's cost. The public art work/s shall be planned for, designed, approved and implemented in accordance with the provisions of Council's DCP Chapter 112 for Public Art.

Food Act Requirements

- 31 Prior to the issue of a Construction Certificate, detailed plans and specifications for the food handling areas are to be submitted to and approved by Council's Environmental Health Officer- Food.

Bicycle Facilities

- 32 The plans are to clearly indicate the provision of showers, change rooms and lockers for staff and the provision of bicycle parking in appropriate and well lit and sheltered locations for staff and visitors in accordance with DCP Chapter 114 prior to the issue of a Construction Certificate.

Prior to Commencement of Works:

The following conditions must be satisfied prior to the commencement of site works, including any works relating to demolition, excavation or vegetation removal.

Demolition Requirements

- 33 Prior to the demolition of existing structures on site, all existing site services are to be disconnected, sealed and made safe. The sewer and water service is to be disconnected by a licensed plumber and drainer with a Start Work Docket submitted to Council's Plumbing and Drainage Inspector certifying that the works have been undertaken to the satisfaction of Council as the Water and Sewer Authority. Thiess Service's Customer Service Centre are also to be contacted on telephone number 1300 126 278 to arrange for the collection of the garbage bins.

Erosion and Sediment Control Requirements

- 34 Prior to works associated with the development commencing, soil erosion and sediment controls measures are to be provided on the development site in accordance with Council's Policy E1 - Erosion and Sediment Control from Building Sites and Development Control Plan 2005, Chapter 67 – *Engineering Requirements for Development* and the approved development plans.
- 35 Prior to works associated with the development commencing, an appropriate sign to promote the awareness and importance of the maintenance of on-site sediment control techniques is to be provided on the most prominent sediment fence or erosion control device within the development site, for the duration of the project.

Site Requirements

- 36 Prior to works associated with the development commencing, suitable toilet facilities must be available or be provided upon the development site, with the required toilet facility(s) maintained until development works are completed at a ratio of one (1) toilet plus one (1) additional toilet for every twenty (20) persons employed at the site. Each toilet must:
- be a standard flushing toilet connected to a public sewer system; or
 - have an on-site effluent disposal system approved under the Local Government Act 1993, or be a temporary chemical closet approved under the Local Government Act 1993, supplied by a suitably licensed contractor.
- 37 Prior to works associated with the development commencing, a suitable hoarding or safety fence between the work site and the public place is to be provided in accordance with Work Cover Authority requirements. The required hoarding/fencing is to remain in place during the construction phase of the development. Should the hoarding/fencing be required to be provided within the road reserve area, approval from Council under the Roads Act as the Roads Authority is required to be obtained prior to its erection.

- 38 Prior to works associated with the development commencing, the Principal Contractor (or Owner/Builder) is to erect a suitable sign in a prominent position on the development site (not attached to any tree) identifying the name, address and telephone number of the Principal Certifying Authority (PCA) for the work, the name, address and telephone number (including a number for outside of business hours) of the Principal Contractor for the work (or Owner/Builder) and stating that unauthorised entry to the site is prohibited. The required sign is to be maintained for the duration of works associated with the development. Appropriate signs can be collected from Council's Customer Service Centre, where Council is the nominated Principal Certifying Authority with respect to the development.

Protection of Adjoining Property Requirements

- 39 Prior to works associated with the development commencing, the applicant must supply the Principal Certifying Authority with a dilapidation report for the adjoining properties, which documents and photographs the condition of buildings and other improvements. The report must be submitted to and approved by the Principal Certifying Authority prior to the commencement of any works. **Note:** The report is to be made available by the Principal Certifying Authority in any private dispute between neighbours regarding damage arising from construction works upon the development site.

Roads - Preconstruction Requirements

- 40 Prior to commencing any works upon public roads the developer and their contractor will be required to:
- Obtain a copy of the Council approved Civil Works plans and pavement design (if applicable).
 - Obtain a copy of Development Control Plan 2005, Chapter 67 – *Engineering Requirements for Development*. This is Council's Specification for Civil Works and is available on Council's web site.
 - Arrange a meeting on-site with Council's Principal Development Construction Engineer on (02) 4350 5555.
- 41 Prior to works associated with the development commencing, a Plan of Management is to be submitted to and approved by Council as the Roads Authority for any works or deliveries that impact on any public roads or public land as a result of the construction of the development. The plan must include a Traffic Control Plan prepared by a person holding Roads and Traffic Authority (RTA) accreditation for selecting and modifying traffic control plans. Fees and charges are applicable to the review and approval of the required management plan in accordance with Council's Plan of Management.

- 42 Prior to works associated with development commencing, a dilapidation report must be prepared and submitted to Council as the Roads Authority. The required dilapidation report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, water supply, sewer works, street trees, street signs or any other Council assets in the vicinity of the development. **Note:** The report will be used by Council to determine the extent of damage arising from site and construction works.

Site Requirements

- 43 Prior to works associated with the development commencing, where any excavation is proposed in proximity to existing gas and/or electricity networks, the developer is advised to notify '*Dial Before You Dig*' of the time and place of work no more than thirty (30) days before the work commences. The developer must satisfy any requirements as set by the network operators in carrying out excavation works.

Tree Protection Measures

- 44 Trees and vegetation within the 7 (a) Conservation Zone are to be protected by the erection of 1.8 metre-high man-proof fencing as per the consulting arborist and ecologist's direction and maintained in good working order for the duration of the works.
- 45 All fenced tree protection areas and are to be clearly marked as "No Go Area" on all final approved engineering plans.
- 46 All fenced tree protection areas and are to be clearly marked as "No Go Area" on the fencing itself. No clearing of vegetation or storage of vehicles, fill or materials or access is to occur within No Go Areas.

Vegetation Management and Rehabilitation Protocols

- 47 The management protocols and requirements within these conditions relating to tree and vegetation retention, protection and rehabilitation are to be included in all contract documentation, plans and specifications used by each civil contractor and sub-contractors.

Tree Removal

- 48 Trees marked in red on the approved plans and any other trees not specifically indicated for removal on the approved plans, are to be retained and not felled, lopped, topped, ring-barked, uprooted, or otherwise wilfully destroyed. Trees within an access way or driveway approved as part of this consent can be removed, unless the approved plan or conditions of consent show otherwise.

Flora and Fauna

- 49 The ameliorative measures and mitigative recommendations contained within Section 7 of the Flora Fauna and Threatened Species Assessment prepared by ecobiological and dated March 2011 are to be carried out as part of the development including the preparation of an Environmental Management Plan for the site, except as otherwise conditioned.

Waste Management

- 50 A detailed Waste Management Plan is to be prepared for the development that addresses the mitigation measures and other matters outlined in the submitted Waste Minimisation and Management Plan dated May 2011. The development is to be carried out with the submitted and future Waste Management Plans and during the construction phase of the development, all building materials must be re-used, recycled or disposed of in accordance with the Waste Management Plan submitted with the subject application.

During Construction Works:

The following conditions must be satisfied during construction works.

Approved Plans

- 51 A copy of the stamped approved plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.

Earthworks and Haulage - Construction Requirements

- 52 All materials other than fill imported to the site for civil works, shall have a resource recovery exemption made under the Protection of the Environment Operations (Waste) Regulation 2005.
- 53 All site fill material shall be classified as Virgin Excavated Natural Material (VENM) or Excavated Natural Earth (ENM) in accordance with the Waste Classification Guidelines – Part 1: Classifying Waste published by the Department of Environment, Climate Change and Water NSW (now Office of Environment and Heritage). Site fill material shall be certified as VENM or ENM by a practising Geotechnical Engineer prior to haulage to site. Certification documentation shall be provided to the Principal Certifying Authority throughout the construction phase of the works.

Erosion and Sediment Control - Construction Requirements

- 54 All sediment and erosion control devices provided with respect to the development are to be periodically cleaned and maintained in an effective state for the duration of works. On the spot fines for non-compliance with this requirement may be issued under the provisions of the *Protection of Environment Operations Act, 2000*.

Services/Utility Requirements

- 55 The developer is solely responsible for any costs relating to alterations and extensions of existing roads, drainage, water and sewer infrastructure and other utilities for the proposed development.

- 56 Other public authorities may have separate requirements and should be consulted prior to commencement of works in the following respects:
- Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments;
 - AGL Sydney Limited for any change or alteration to gas line infrastructure;
 - Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements;
 - Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure.

Site Requirements

- 57 During the construction phase of the development, all building materials, plant and equipment must be placed on the site of the development in order to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure.
- 58 During the construction phase of the development, downpipes and the associated stormwater disposal system is to suitably connected to the site stormwater connection point immediately after the roof materials are positioned in order to prevent erosion of the site from roof water run off. The Principal Certifying Authority for the development will not issue a compliance certificate for framing unless connection of the site stormwater (or temporary system) has occurred.
- 59 Construction or demolition works involved with the development may only be carried out between the hours of 7.00 am and 5.00 pm Monday to Saturday with no construction or demolition works associated with the development permitted to be carried out at any time on a Sunday or a public holiday.

Demolition - Compliance Requirements

- 60 Any demolition work carried out with respect to the development is to be carried out in accordance with the requirements of AS 2601-2001 – *The Demolition of Structures*.
- 61 The disposal of any asbestos materials must be in accordance with the requirements of WorkCover NSW and AS 2601-2001 – *The Demolition of Structures*. The asbestos materials are to be disposed of at an approved waste management facility in accordance with the procedures the facility has for the disposal of asbestos. Upon completion of these works, the Principal Certifying Authority is to be supplied with disposal receipts within seven (7) days to verify that this requirement has been complied with.

Plumbing and Drainage - Construction Requirements

- 62 Council as the Water Supply Authority, under the provisions of the Water Management Act, is to be notified to undertake inspections of the internal drainage lines, (prior to the pouring of the concrete slab), and external drainage lines inclusive of sewer junction connection, prior to the backfilling of the trenches. These inspections can be arranged by telephoning Council's Customer Contact Centre on (02) 4350 5555 a minimum of twenty-four (24) hours prior to the required time for the inspection. Please note that all drainage inspection fees are to be paid to Council prior to plumbing and drainage works associated with the development commencing.

Silencing Devices

- 63 Sound attenuating devices shall be provided and maintained in respect of all power operated plant used during demolition, earthworks, and the erection of the structure. The quietest available plant should be used and be regularly maintained and fitted with appropriate mufflers.

Flora and Fauna Management Protocols

- 64 During all works on the site, the following management protocols and measures are to be adopted as part of the development:
- a. The mulch/tubgrindings generated from the removal and thinning of native trees associated with the development is/are to be re-used in restoring the 7 (a) Conservation Zone as required.
 - b. Any natural hollows removed by the development are to be placed wherever possible as ground hollows within the 7(a) Conservation Zone under the supervision of the consulting ecologist.
 - c. Any plant stock used in revegetation will be supplied from provenance specific seed/material collected from within the Tuggerah Lakes catchment area. Non-provenance specific material is prohibited.
 - d. Nest boxes are to be provided on a one for one basis for any natural hollow removed by the development and are to be constructed of appropriate durable materials (i.e. marine ply). All nest boxes are to be erected prior to the issue of a Construction Certificate and at least one month prior to vegetation clearance on the site. Nest boxes are to be constructed of a range of sizes in order to provide potential habitat for a range of species i.e. Microchiropteran bat species, Squirrel Glider). The monitoring of nest boxes to determine their usage and to carry out repairs or replacement (as required) every six (6) months for a minimum period of three (3) years following erection. Monitoring reports are to be forwarded to Council after each monitoring event.

Tree removal

- 65 No tree (or other vegetation) other than those specifically notated on the approved plan(s) as "tree to be removed" shall be felled, lopped, topped, ring-barked, uprooted, or otherwise wilfully destroyed or removed, without the further written consent of the Consent Authority.

Ecological Protection

- 66 Council's Development Ecologist is to be notified as soon as practicable (and not more than 24 hours after) if a breach of these ecological protection conditions occurs.

Fauna and clearing – Ecologist supervision

- 67 Native fauna must be appropriately managed during clearing and construction phases of the approved works. In this regard, an appropriately licensed fauna ecologist is to be employed to advise and supervise the clearing of trees. Where, in spite of precautions, wildlife is injured, the fauna ecologist is to take the necessary action to treat the animal, which may include veterinary treatment or transfer of the animal to a volunteer wildlife carer group such as W.I.R.E.S or Wildlife Arc.

Prior to Release of Occupation Certificate:

The following conditions must be satisfied prior to the release of an Occupation / Subdivision Certificate.

Building Code of Australia – Compliance Requirements

- 68 Prior to the issue of the Occupation Certificate, the building shall be completed in accordance with the relevant provisions and requirements of the Building Code of Australia.

Dilapidation Rectification Requirements

- 69 Prior to the issue of an Occupation Certificate, any damage not shown in the Dilapidation Report submitted to and approved by the Principal Certifying Authority prior to site works commencing, will be assumed to have been caused as a result of the site works undertaken with respect to the development and must be rectified at the applicant's expense.

Filling and Haulage- Completion Requirements

- 70 All filled areas are to be compacted in accordance with the requirements of AS 3798-1996. The submission of test results and appropriate documentation attesting to this requirement having been achieved is to be provided for the approval of the Accredited Certifier prior to issue of the Occupation/Subdivision Certificate.

Liquid Trade Waste – Requirements

- 71 After the trade waste facility has been constructed, an “*Application for final inspection of a new Liquid Trade Waste Facility*” must be submitted to Council as the Water and Sewer Authority. Council's final approval for the liquid trade waste facility is required prior to the issue of the Occupation Certificate.

Other Authorities – Compliance Requirements

- 72 Compliance with the general terms of approval of RTA's letter as outlined in its correspondence dated 31/8/2011 as follows:

Pacific Highway / Tall Timbers Road intersection

Traffic control signals, associated civil works and roadmarking shall be designed and constructed to upgrade the Pacific Highway / Tall Timbers Road intersection. These works are to be designed to RTA requirements and shall include, but not be limited to, the following:

Pacific Highway (Eastern leg)

- The right turn bay into Tall Timbers Road is to be extended to a minimum length of 130metres (excluding taper)
- Concrete paths are to be constructed from the development site to the pedestrian crossings at the traffic control signals at the intersection of the Pacific Highway and Tall Timbers Road.
- A deceleration lane into the development is to be constructed to a distance of 85 metres (including taper) west of the proposed ingress location.
- An acceleration lane is to be constructed from the proposed egress location a distance of 220 metres (including taper) east on the Pacific Highway.
- Until Stage 2 of the VPA is fully enacted the cycleway is to remain on road. Particular attention is to be given to the conflict points with both the proposed deceleration lane and the proposed acceleration lane on the Pacific Highway.

Whole Intersection

The modifications detailed above will require the reconstruction of the traffic control signals. This reconstruction is to be designed in accordance with RTA requirements and is to include but not limited to the following design principles:

- Kerb and gutter and raised median island kerbs shall be provided where required.
- The intersection shall be designed to accommodate the largest design vehicle nominated in the application.
- Provision shall be made for cyclists on all approaches at the intersection and along the length of the proposed works.
- All traffic lanes shall be 3.5 metres in width or as determined by the RTA.
- Street lighting shall be provided at the intersection in accordance with Australian Standard AS 1158.

- Any road widening / property acquisition / dedication required to accommodate the intersection shall be provided at no cost to the RTA or Council. This would include any plans of subdivision and associated survey / legal costs. The property required is to be designated as public road reserve in favour of Wyong Shire Council.
- All works associated with the proposed development shall be at full cost to the applicant and at no cost to the RTA or Council.
- As part of the access construction the developer shall apply for, and obtain a Road Occupancy Licence (ROL) from the RTA Traffic Operations Unit (TOU) prior to commencing work within the classified road reserve or within 100m of traffic signals. The application will require a Construction Traffic Management Plan (CTMP) to be prepared by a person who is certified to prepare Construction Traffic Management Plans. Should the CTMP require a reduction of the speed limit, a Speed Zone Authorisation will also be required from the TOU. The developer shall submit the ROL application 10 business days prior to commencing work. It should be noted that receiving an approval for the ROL within this 10 business day period is dependant upon the RTA receiving an accurate and compliant TMP. *Note: An approved ROL does not constitute an approval to commence works until an authorisation letter for the works has been issued by the RTA Project Manager.* The Construction Traffic Management Plan (CTMP) shall be prepared and include a Vehicle Movement Plan and Traffic Control Plan. It shall be prepared with the intention of causing minimal impact to the operation of the road network during construction. The CTMP shall be submitted to the RTA and Council for review and approval prior to any construction activities occurring onsite.
- As road works are required on a State road, and traffic control signals, the RTA will require the developer to enter into a Works Authorisation Deed (WAD) with the RTA. In this regard the developer is required to submit concept and detailed design plans and all relevant additional information, as may be required in the RTA's WAD documentation, for each specific change to the classified (State) road network and / or any traffic control signals for the RTA's assessment and final decision concerning the work.

Comment: It is requested that the developer be advised that the conditions of approval do not guarantee the RTA's final consent to the specific road work, traffic control facilities and other structures works, for which it is responsible, on the road network. The RTA must provide a final consent for each specific change to the classified (State) road network and / or any traffic control signals prior to the commencement of any work.

- The WAD shall be executed prior to granting a Construction Certificate for the proposed development.
- All road works under the WAD shall be completed prior to issuing an Occupation Certificate for any lot on which development may occur.

Please note that the WAD process, including acceptance of design documentation and construction, can take a considerable amount of time. The developer should be aware of this and allow sufficient lead time within the project development program to accommodate this process. It is therefore suggested that the developer work through the process as soon as possible with the RTA.

Miscellaneous Issues

- Appropriate site works are to be constructed across the access driveway frontage so as to comply with the minimum sight distance requirements and minimum sight lines for pedestrian safety set out in the RTA publication "Guide to Traffic Generating Developments" (1993) and AS/NZS 2890.1:2004 Part I: "Off-Street Car Parking".

Roads – Compliance Requirements

- 73 All road signage and pavement marking works must be completed in accordance with the plans approved by the Local Traffic Committee and approved by Council as the Roads Authority prior to the issue of any Occupation Certificate.
- 74 The provision of any additional civil works required to ensure satisfactory transitions to existing work as a result of work conditioned for the development works are to be approved by Council as the Roads Authority prior to issue of the Occupation Certificate.
- 75 All works within Tall Timbers Road must be completed in accordance with the approved Civil Works design drawings and Development Control Plan 2005, Chapter 67 - *Engineering Requirements for Development* and be approved by Council as the Roads Authority prior to the issue of any Occupation Certificate.
- 76 All road works and/or traffic control facilities within a state road must be completed in accordance with the approved Civil Works design drawings and RTA Works Authorisation Deed, and be jointly approved by Council as the Roads Authority and the RTA prior to the issue of any Occupation Certificate.
- 77 The submission to the Council as the Roads Authority of certification from an Accredited Service Provider (ASP) that the street lighting installation has been completed in accordance with AS/NZS 1158 and AS 4282-1997, the approved design drawings and will achieve a minimum of twenty (20) year design life. The certification must be received by Council prior to the issue of the Occupation Certificate.
- 78 The submission to the Council as the Roads Authority of a 'pre-opening stage' Road Safety Audit for all road works prepared by a Level 3 Road Safety Auditor recognised on the NSW Register of Road Safety Auditors. Any deficiencies identified within the audit must be resolved in consultation with Council and the RTA prior to the approval of the works.

Stormwater – Compliance Requirements

- 79 The construction of the stormwater management system in accordance with the approved Stormwater Management Plan and AS/NZS 3500.3-2004. Certification of the construction by a suitably qualified consultant shall be provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.
- 80 The construction of stormwater drainage works external to the site and discharging into a public system or public land in accordance with the approved Stormwater Management Plan and Development Control Plan 2005, Chapter 67 - *Engineering Requirements for Development*. All works must be approved by Council under Section 68 of the Local Government Act 1993 prior to issue of the Occupation Certificate. All other stormwater management works must be approved by the Principal Certifying Authority.
- 81 The registration of a drainage easement in favour of, and at no cost to, Council over land containing road stormwater drainage infrastructure.
- 82 Prior to the issue of the final Occupation Certificate, a 'Positive Covenant' shall be created on the title of the land requiring the registered proprietor to ensure the continued maintenance and performance of the stormwater management system in accordance with the operation and maintenance manual. The terms of the positive covenant are to be prepared to Council's standard requirements. Wyong Shire Council shall be nominated as the party to release, vary or modify the covenant.

Vehicle Access and Parking – Compliance Requirements

- 83 The construction of the carpark and accesses in accordance with AS/NZS 2890 - Parts 1, 2 and 6. Certification of the construction of the carpark and associated accesses by a suitably qualified consultant shall be provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.

Water and Sewer Services/Infrastructure – Compliance Requirements

- 84 The obtaining of a Section 307 Certificate of Compliance under the Water Management Act 2000 for water and sewer requirements for the development from Wyong Shire Council as the Water Supply Authority prior to issue of the Subdivision/Occupation Certificate. All works for the development must be approved by Council prior to the issue of a Certificate of Compliance.

Work as Executed Requirements

- 85 Prior to the issue of an Occupation Certificate, Works as Executed information for the development as identified in Council's Development Control Plan 2005, Chapter 67 - *Engineering Requirements for Development* is to be submitted to and approved by Council. The required Works as Executed information is to be submitted in hard copy and in electronic format in accordance with Council's 'CADCHECK' requirements.

Waste Management Requirements

- 86 For safety, amenity and maintenance reasons, the waste storage area must be constructed to the following standards prior to the issue of an Occupation Certificate:
- Floors must be constructed of concrete, graded and drained to an approved drainage outlet connected to the sewer and finished to a smooth even trowelled surface;
 - Walls must be constructed with solid impervious material and shall be cement rendered internally to a smooth even steel trowelled surface;
 - All intersections between the walls and floors shall be coved with coving having a minimum radius of 25mm;
 - All entry points into the room must be banded to prevent the escape of liquid waste. Banding shall be for 110% of the likely liquid storage waste and constructed in such a manner that does not obstruct the removal of waste receptacles from the room or create a safety risk to users;
 - Adequate ventilation shall be provided;
 - Adequate lighting shall be provided;
 - The ceiling must have a minimum height of 2.1 metres from floor level and be finished with a smooth faced non-absorbent material capable of being easily cleaned;
 - Waste storage areas shall prevent the access of vermin;
 - Waste receptacles used shall be compatible with Wyong Council's waste collection service;
 - The door to the storage area shall be weatherproof and shall be openable from the inside at all times; and
 - Hot and cold water hose cocks shall be located inside or within close proximity to the waste storage areas to facilitate cleaning.

Noise Control Requirements

- 87 Prior to the issue of the Occupation Certificate, all noise control measures identified for mechanical plant, loading dock and overall site as outlined in the summary of recommended noise control measures in the acoustic report prepared by Reverb Acoustics (Titled: Noise Impact Assessment Proposed Village Centre Corner Pacific Highway and Tall Timbers Rd Lake Munmorah NSW May 2011, report No: 11-1558-R2", report number 11-1558-R2 dated May 2011) are to be satisfactorily completed and implemented within the building.

Public Artwork – Compliance Requirements

- 88 Prior to the issue of an **Occupation Certificate**, the public artwork is to be constructed and/or installed in accordance with Wyong Development Control Plan 2005 Chapter 112 – *Public Art* and this is to include a certificate of completion being signed by the artist and this certificate being submitted to Council.

Food Act Requirements

- 89 No food handling, (as defined by the NSW Food Act 2003), is permitted in the food premises prior to the issue of the Occupation Certificate.
- 90 All liquid trade waste is required to pass through a basket arrestor with fixed screens, fitted to all floor wastes and sinks, before being discharged into the sewerage system.
- 91 Compliance with the requirements of the New South Wales Food Act 2003, the Food Regulation 2004, and AS4674–2004 – Design, Construction and Fitout of Food Premises, and AS1668, Part 11 – Mechanical Ventilation, for all food preparation and food storage areas, including liquor areas.
- 92 The installation of hand wash facilities with a minimum dimension of 500mm x 400mm providing warm running water through a common mixing spout with hands-free tap operation (consisting of elbow or wrist operated tap levers, foot or hip operated tap levers, or electronic sensor tap operation).

Bicycle Parking

- 93 To encourage the use of alternate transport modes, secure bicycle parking/storage must be provided in close proximity to the building entrances and be highly visible and well illuminated to minimise the likelihood of theft and vandalism. The installation and dimensions of the facility shall be in accordance with AS2890.3-1993 – Parking Facilities – Bicycle Parking Facilities/Guide to Traffic Engineering Practice – Bicycles, Part 14 – Austroads. These works must be completed prior to the issue of an Occupation Certificate.

Landscaping Requirements

- 94 Prior to the issue of an Occupation Certificate, to ensure landscaping works are properly completed, the landscape designer must provide certification to the Principal Certifying Authority certifying that landscaping has been implemented in accordance with the approved landscape plan as amended by any conditions of this consent.

Sewer line and VMP

- 95 The area of the proposed sewer line easement shall be rehabilitated according to the method and objectives as outlined in the Vegetation Management Plan. In accordance with correspondence from EcoBiological dated 1/8/11 that the management options proposed be incorporated into the Vegetation Management Plan.

Disabled Access Requirements

- 96 Prior to the issue of an Occupation Certificate, access to and throughout the buildings shall comply with AS 1428.1-2009 and the objectives of the *Disability Discrimination Act 1992* (Commonwealth). Certification is to be provided by a suitably qualified and experienced consultant.

Ongoing Operation:

The following conditions must be satisfied during use / occupation of the development.

Stormwater – Ongoing Maintenance Requirements

- 97 Sign(s) being displayed and maintained adjacent to all stormwater drains on the premises, clearly indicating '*Clean water only – No wastewater or rubbish*'.
- 98 All stormwater treatment devices (including drainage systems, sumps and traps) must be regularly maintained in order to remain effective.

Vehicle Access and Parking – Ongoing Requirements

- 99 The pavement and pavement marking must be maintained in a serviceable condition.
- 100 Garbage/recycling bins must not be permitted to encroach with the carpark or vehicle manoeuvring areas.

Noise Control Requirements

- 101 Twelve (12) months after the issue date of the occupation certificate an acoustic assessment is to be undertaken to determine whether the recommended acoustic devices are attenuating noise sources in a manner which is compliant with the Protection of the Environment Operations Act 1997.
- 102 To ensure reasonable acoustic amenity for surrounding properties is maintained, all recommendations made in the acoustic report prepared by add Reverb Acoustics dated May 2011 accompanying the application must be complied with.
- 103 Any security alarm installed on the premises must be fitted with a 'cut-off' device limiting any sounding of the alarm to a maximum duration of ten (10) minutes, with no repeat sounding until manually reset; and or 'silently wired' to a security firm.

Waste

- 104 All waste generated on the premise shall be stored in a manner so that it does not pollute the environment.
- 105 All waste generated on the premise shall be transported to a facility which is licensed to receive that material.

Landscaping Requirements

- 106 The general landscape maintenance program as per the landscape plan provided by habitation is to be endorsed with the landscape contractor to attend the site on a weekly basis for a period of no less than 52 weeks.

Ecology/Tree Requirements

- 107 The riparian area has several *Pinus radiata* that are not endemic to the area. It is recommended that these trees are removed in conjunction with the mass planting as per the VMP to minimise spread into the area zoned 7a conservation.

Vegetation Management Plan

- 108 The implementation of the actions proposed in the Vegetation Management Plan (Ecobiological 2011) to: monitor all known and potential threatened species on site; control noxious and exotic weed species; to employ rehabilitation and compensatory plantings; to mitigate any edge effects; to improve the overall ecological value of vegetation and fauna habitat on site; to minimise the environmental impact of the proposal; to provide management of any retained vegetation and to monitor fauna species use of the subject site during all stages of development.

Medical Centre

- 109 The medical centre is limited to a maximum of 6 staff and 5 surgeries unless further development consent is obtained.

Waste Management

- 110 No receptacles for any form of rubbish or refuse (other than public waste bins) may be placed or allowed to remain in view from a public road or thoroughfare and odour must not be emitted from any such receptacle(s) so as to cause offence to any person(s) outside the subject land.

Safer by Design

- 111 To minimise the opportunity for crime and in accordance with CPTED principles, the development shall be carried out in accordance with the submitted CPTED report and incorporating the following:
- i. In order to maintain a safe level of visibility for pedestrians within and around the development, adequate lighting to AS1158 is to be provided to all common areas including parking, and any pedestrian routes to these areas. All lighting shall be installed and directed in such a manner so as to ensure that no nuisance is created for surrounding properties.
 - i. The means to isolate the various areas of the site shall be incorporated into the development, including measures for after hours access.
 - iv. Ensure the development management adopts an ongoing policy of rapid repair of vandalism and graffiti and ensuring that all lighting is in working order.

- v. Adequate signage within the development to identify facilities, entry/exit points and direct movement within the development.

Ecological – Nest Boxes

- 112 Nest boxes are to be constructed of a range of sizes in order to provide potential habitat for a range of species i.e. Microchiropteran bat species, Squirrel Glider). The monitoring of nest boxes to determine their usage and to carry out repairs or replacement (as required) every six (6) months for a minimum period of three (3) years following erection. Monitoring reports are to be forwarded to Council after each monitoring event.

Hours of Operation Requirements

- 113 For the purposes of preserving the amenity of neighbouring occupants and residents, hours of **operation for the shopping centre** are restricted to between:

7:00am and 12 midnight each day

Amenity Noise

- 114 No sound amplification equipment, juke boxes or loudspeakers shall be used for the purpose of announcements, broadcasts, playing of music (whether recorded or otherwise) or similar purposes (so as to be audible on adjoining public or private land) save with the written permission of the Responsible Authority. Noise emissions must comply with EPA and the relevant State/Regional/Local Environment Planning Policy requirements.
- 115 Any security alarm installed on the premises must be fitted with a 'cut-off' device limiting any sounding of the alarm to maximum duration of ten (10) minutes, with no repeat sounding until manually reset; and or 'silently wired' to a security firm.
- 116 The use shall not cause unreasonable noise or interference to adjoining residences. The occupier shall take all necessary steps to ensure that no noise or other disturbance emanates from the premises which would be likely to cause a nuisance to the adjoining occupiers or a detriment to the amenity of the neighbourhood. Special precautions must be taken to avoid nuisance from warning sirens, intruder alarms, public address systems, heavy-duty compressors and the like.

Advertising Signs

- 117 No advertisement shall be erected on or in conjunction with the use and/or development without prior development consent unless the advertisement is an 'approved sign' under Development Control Plan 2005, Chapter 50 - Advertising Signs.

External Colours/Finishes Requirements

- 118 Prior to the issue of an Occupation Certificate, the completed development must comply with the schedule of external colours and materials submitted with the application and as shown on the materials board/model/photomontage.

119 The external finish must be maintained in good order at all times.

Bushfire Protection

120 The development is to be carried out in accordance with the submitted Bushfire Threat Assessment (Ref.179-794) prepared by Ecobiological and dated 13.5.11 particularly the recommendations under Section 3 of the report.

Loading Dock Operations

121 To ensure the amenity of surrounding occupants, deliveries to and from the site including waste collection must only take place between the following times: -

7.00am and 10.00pm each day

A sign shall be placed in a prominent place within each loading area, stating that the loading docks are only open at the above times.

In this regard, the use of the loading dock shall be restricted to the hours above for a minimum of 6 months after the issue of the occupational certificate and until such a time, where an acoustic survey can demonstrate that the operation/use of the loading dock will not unreasonably impact the surrounding community.

122 All loading and unloading of goods is to be conducted wholly within the site within the loading facilities, internal dock or goods handling area. These areas are to be maintained free of obstruction (when not in use) for the sole use of delivery vehicles. Under no circumstances are loading/unloading activities to be conducted from vehicles standing kerbside in the street.

123 No overnight truck parking shall be permitted inside the loading areas.

124 No public address system shall be used in side the loading areas, except for emergency fire evacuation.

125 A sign shall be erected and be prominently displayed within the loading areas stating 'The loading dock is within hearing distance of people's homes. Please make as little noise as possible.'

126 All business operators shall ensure that all drivers under its control or driver's who work as contractors or suppliers, who are instructed to make deliveries, or are likely to make such deliveries shall be provided with a copy of the transport delivery arrangement plan.

127 All business operators shall instruct their employees, contractors and/or agents to observe care in the use and control of equipment (including shopping trolleys) in the loading dock and access areas so as to not cause or allow to be caused any unreasonable noise during the hours of operation of the loading dock and access areas.

- 128 A transport delivery arrangement plan is to be prepared identifying the restrictions and delivery constraints to be imposed upon all carrier agencies delivering to the supermarket tenancy. This shall include maximum truck size, delivery hours, types/frequencies of deliveries, driver conduct, loading dock management protocols, complaint management procedures, responsibilities for transport manager and store manager and incorporate the restrictions imposed under condition Nos. 121 to 127. The provisions of the plan shall be implemented at all times during the operation of the development approved under this Consent.

Security Requirements

- 129 Prior to issue of the Occupation Certificate, the developer must install a system of CCTV of a type and in locations on the site that will provide high-quality images of all public areas within the site.

Advertising Sign Requirements

- 130 The proposed advertising sign/s erected shall be in accordance with the approved plans and shall not be altered or modified without the prior separate consent of Council.
- 131 The approved advertising sign/s must be constructed and maintained in a presentable and satisfactory state of repair for the life of the development.
- 132 No advertising sign/s shall be erected on or in conjunction with the use and/or development without prior development consent unless the advertisement is an 'approved sign' under Development Control Plan 2005, Chapter 50 - *Advertising Signs*.

Screening of rooftop plant/structures

- 133 Any rooftop or exposed structures including plant and equipment, air conditioning, ventilation and exhaust systems, are to be suitably screened and integrated with the building in order to ensure a properly integrated overall appearance.

Trolley management strategy

- 134 The development is to adopt management measures for the shopping trolleys to ensure that trolleys are not removed off the site and left unattended within the surrounding areas.