

## **JOINT REGIONAL PLANNING PANEL (Sydney West Region)**

<b>JRPP No</b>	<b>2012SYW036</b>
<b>DA Number</b>	<b>DA 265/2012</b>
<b>Local Government Area</b>	<b>Camden Council</b>
<b>Proposed Development</b>	<b>Oran Park Town Centre Stage 1</b>
<b>Street Address</b>	<b>Lots 9007, 9010 and Part Lot 9004 DP 1169698 400, 400A and 400B The Northern Road, Oran Park</b>
<b>Applicant/Owner</b>	<b>Greenfield Development Company / Leppington Pastoral Company</b>
<b>Number of Submissions</b>	<b>Nil</b>
<b>Recommendation</b>	<b>Approval with Conditions</b>
<b>Report by</b>	<b>Ron P Dowd, Urban Designer</b>

### **PURPOSE OF REPORT**

The purpose of this report is to seek a determination by the Joint Regional Planning Panel (the Panel) of a development application for a commercial / retail development at the abovementioned premises.

The Panel is the determining authority for this development application as the development pursuant to Part 3 of Schedule 4A of the Environmental Planning and Assessment Act 1979 (the Act), as the capital investment value (CIV) exceeds the CIV threshold of \$20 million (for general development) for Council to determine the application.

### **SUMMARY OF RECOMMENDATION**

The application has been assessed to be in compliance with relevant planning provisions and is recommended that the Panel approve Development Application (DA) 265/2012 with the attached draft conditions provided at the end of this report.

## **BACKGROUND**

The Oran Park precinct, within the South West Growth Centre, was rezoned in December 2007. The 1,119 hectare Oran Park precinct plans for a community including:

- 7,540 dwellings (for approximately 21,500 new residents);
- 18 hectares of employment land, a 50,000 square metre (gross lettable area) town centre and two neighbourhood centres (capacity for 4,120 jobs);
- schools and community facilities; and
- 148 hectares of open space.

The Oran Park Development Control Plan 2007 was amended by the Department of Planning and Infrastructure and came into effect on 15 October 2011. The amendment introduces site specific development controls for the Oran Park Town Centre. These controls help facilitate the development of the town centre and include a public domain manual and ecological sustainable development controls for the town centre and include the following forms of development:

- retail and commercial uses;
- open space;
- library;
- leisure centre; and
- Medium/high density housing sites

DA 265/2012 was lodged with Camden Council on 20 March 2012. The DA has been publicly exhibited with no submissions being received. The proposed development has been assessed and is now recommended to the Panel for approval with conditions.

## **THE SITE**

The land subject to this application is known as Lots 9007, 9010 and Part Lot 9004 DP 1169698 being 400, 400A and 400B The Northern Road, Oran Park.

The site is bound by Peter Brock Drive to the south and Oran Park Drive to the west and gently falls to the north. The site is located adjacent to the Landcom Sales Information Centre and in close proximity to the Oran Park Anglican School, Anglican Church and an exhibition village.

The site of building works under this application, with an area of 37,239 m<sup>2</sup>, is proposed to be contained within proposed Lot 9012 (approved under Development Consent 267/2012), and which the lot will have an area of 6.62 hectares, whereas downstream bulk earthworks and temporary stormwater works will occur on proposed Lot 9013.



**Figure 1 – Development Site**

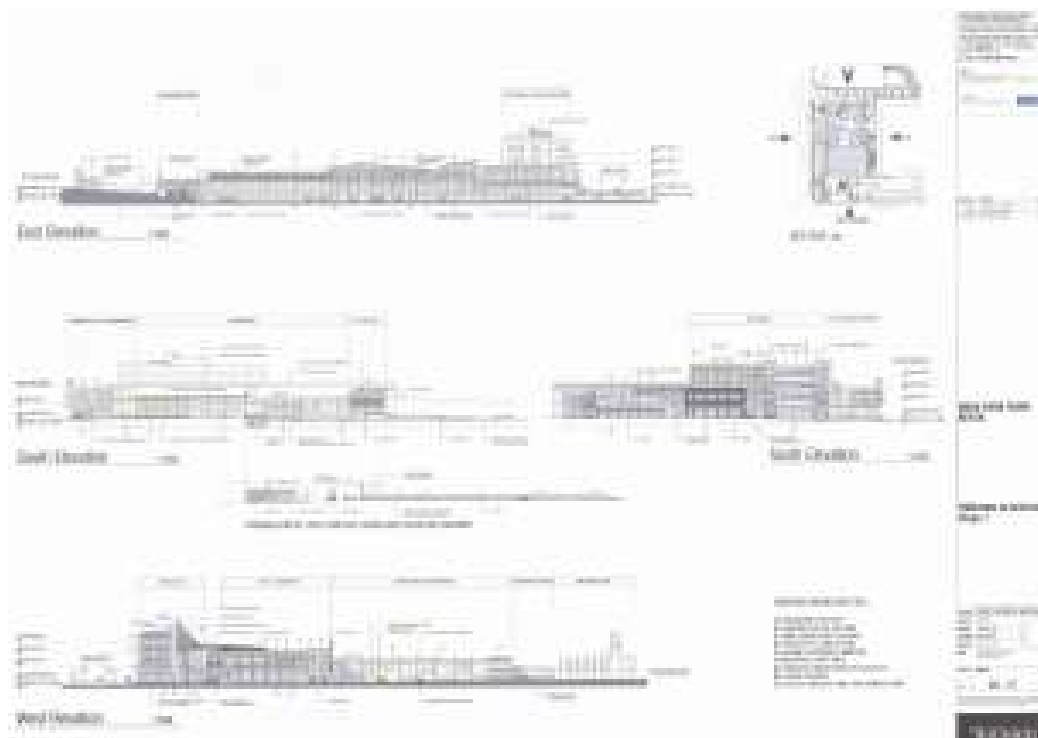
### **THE PROPOSAL**

Development consent is sought for the Oran Park Town Centre Stage 1 with a total land area of 37,239 m<sup>2</sup> and a gross lettable area of 14,180 m<sup>2</sup>, comprising the following:

- supermarket (4,616 m<sup>2</sup>);
- 33 specialty stores (5,184 m<sup>2</sup>);
- business premises (2,780 m<sup>2</sup>);
- offices premises (1,600 m<sup>2</sup>);
- private internal road;
- loading dock facilities;
- directional signage and advertising locations;
- 633 off-street car parking spaces; and
- associated earthworks, stormwater infrastructure and landscaping



**Figure 2 – Ground Floor Development Plan**



**Figure 3 – Elevation Plan**

Given the nature of the application is for the construction of a centre, that future uses are not known at this stage and that food and health premises require detailed fit out submissions, the use and fit out of each tenancy within the development will be subject to separate development consents.

## **NOTIFICATION**

The application was publicly notified to surrounding property owners between 22 March 2012 and 5 April 2012. No written submissions were received by Council.

## **PLANNING CONTROLS**

The following are relevant planning controls that have been considered in the assessment of this application:

1. State Environmental Planning Policy Sydney Region Growth Centres 2006
2. State Environmental Planning Policy Infrastructure 2007
3. State Environmental Planning Policy No. 55 – Remediation of Land
4. Deemed State Environmental Planning Policy No. 20 – Hawkesbury Nepean River
5. Oran Park Development Control Plan 2007
6. Camden Development Control Plan 2011

## **ASSESSMENT**

This application has been assessed in accordance with Section 79C of the Act. The following comments are made with respect to the proposal:

### **(1)(a)(i) The provisions of any Environmental Planning Instrument**

#### **State Environmental Planning Policy Sydney Region Growth Centres 2006 (SEPP)**

The “Growth Centres SEPP” aims to co-ordinate the release of land for residential, employment and other urban development in the North West and South West growth centres of the Sydney Region. The land subject to the town centre development is Zoned B2 Local Centre pursuant to the SEPP. The proposed business premises, office premises and retail premises are permissible with consent in the B2 Zone.

Pursuant to the SEPP’s Clause 2.3 it is considered that the proposed town centre is consistent with the relevant objectives of the B2 Zone as it is likely to provide a range of retail uses and employment opportunities in the locality.

Pursuant to the SEPP’s Clause 4.3, the maximum height of the development is the business / office building facing a private internal road which is 23.4 metres, complying with the development standard of 24 metres. The bulk of the retail premise measure 9.0 metres in height. A basement carpark is proposed as part of the development. While the basement will be below the active street frontages of Peter Brock Drive, Oran Park Drive and the proposed Main Street, the basement will protrude a maximum of 4.5 metres on the northern and eastern elevations. While this situation is not optimal from an urban design point of view, the heights do satisfy the provisions of the SEPP. It is also recognised that these elevations will not interface with public places and will be joined subsequent stages of the town centre development.

Pursuant to the SEPP's Clause 6.1, subject to the imposition of conditions, public utility infrastructure necessary for the proposed development are to be available when required.

Giving regard to the objectives and controls as they relate to the land and proposed development, it is considered that the development application is consistent with the Growth Centres SEPP.

#### State Environmental Planning Policy Infrastructure 2007 (SEPP)

The aim of the Infrastructure SEPP is to provide a consistent planning regime for infrastructure and the provision of services across NSW. Under Schedule 3 of the SEPP the proposed development is required to be forwarded to the Roads and Maritime Services (RMS). The SEPP provides that Council shall not determine the application until it has considered any received representation from the RMS.

The development application was discussed at the Sydney Regional Development Advisory Committee (SRDAC) on 26 April 2012. Correspondence was received from the RMS on 1 May 2012 where no objection to the development was raised subject to the imposition of appropriate conditions regarding the design, construction and that separate traffic modelling for the future rollout of the town centre is undertaken. It is considered that the RMS comments are appropriate and recommended that they form part of the development consent.

The development is proposed near an electricity power line. In accordance with Clause 45 of the SEPP Endeavour Energy were notified of the application. No response was received.

#### State Environmental Planning Policy No. 55 – Remediation of Land (SEPP)

Under the SEPP, a consent authority must not approve to the carrying out of any development on land unless it has considered whether the land is contaminated and if the land is contaminated, it is satisfied that the land is suitable for its intended use in its contaminated state.

The application is supported by a Stage 2 environmental site assessment which considers soil contamination conditions at the site. Council is satisfied with the findings of the assessment which concluded that no contaminants of concern are present and therefore suitable for the proposed development.

#### Deemed State Environmental Planning Policy No. 20 – Hawkesbury/Nepean River (SEPP)

It is considered that the aims and objectives of this policy will not be prejudiced by this development and that there will be no detrimental impacts upon the Hawkesbury/Nepean River system. The site is located approximately 2 kilometres from South Creek, a main tributary of the Hawkesbury/Nepean. A development consent condition is recommended to address stormwater detention and treatment systems form part of this development.

**(1)(a)(ii) The provisions of any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority**

There are no draft environmental planning instruments that are applicable to this site or development.

### **(1)(a)(iii) The provisions of any Development Control Plan**

#### Oran Park Development Control Plan 2007 (DCP)

The following parts of Oran Park Development Control Plan 2007 (DCP) are relevant to this proposal:

#### Part 6.3 – Salinity Management

A salinity assessment and management plan was submitted with submitted with the application. This document makes several recommendations on how the proposed development can be constructed in order to minimise the impact of saline environments on concrete and steel. The document has been reviewed and the recommendations therein will be made a development consent condition.

#### Part 6.4 – Aboriginal and European Heritage

An Aboriginal heritage impact permit has been issued by the NSW Office Environment and Heritage for the Oran Park precinct. No Aboriginal relics have been identified on the subject site.

Given to the undulating natural topography of the site and the location of the proposed development in relation to any heritage items, it is considered that the proposal remains consistent with the DCP controls and public views of Oran Park House will not be impacted.

#### Part 6.9 – Acoustics

The development proposes trading hours of 7.00 am to 12 midnight, 7 days a week. Further, it is proposed that operate the loading docks 24 hours a day, 7 days a week. An acoustic assessment was lodged with the application.

The application has been considered in accordance with Council's Environmental Noise policy, and subject to the construction of acoustic attenuation walls around the Peter Brock Drive loading dock, management controls upon delivery vehicles and building design, operation of the development can demonstrate compliance with relevant noise criteria. It is considered that the application can be supported subject to imposition of development consent conditions.

#### Part 8.4 – Waste Management

A waste management plan was lodged with the application relating to construction waste and ongoing management of operational waste. This plan is considered to be satisfactory and it is a recommended development consent condition that all waste management complies with the submitted waste management plan and that the operator enters into a commercial waste agreement.

#### 8.7 – Safety and Surveillance

The proposed development has been considered against the design principles contained in Camden Council's Safer by Design policy, such as natural surveillance, lighting, signage, building design and maintenance. The development has been

considered by Council and Camden Police and it is recommended that any potential safety issues can be addressed by way of development consent conditions.

#### Part B1 – Oran Park Town Centre

Part B1 of the DCP provides site specific urban design and development controls for the Oran Park Town Centre. It is considered that the proposed development is consistent with the vision, structure plan and land use principles contained here in.

#### Part 3.5 – Interaction with Surrounding Land Use

The structure plan for the town centre has been designed to respond to planned land uses surrounding the town centre by way for active street frontages and strong pedestrian links. It is considered that stage 1 of the development with the proposed street level shops and a high quality pedestrian environment satisfies these requirements.

#### Part 4.0 – Access and Movement

The vehicle network, pedestrian and cycle movement, road design and public transport provisions are considered to be consistent with the DCP. The formal provision of bus stops, carparking restrictions and line marking are subject to separate traffic committee approval.

#### Part 5.0 – Public Domain, WSUD, and Landscaping

Part B1 of Oran Park Development Control Plan 2007 and Oran Park Town Public Domain Manual 2011 make provision for high quality public domain be provided in the town centre. Landscape plans and water sensitive urban strategy (WSUD) were submitted in support of the application. It is considered that the development is generally consistent with the DCP controls.

#### Part 6.0 – Environmentally Sustainable Development Principles

Provisions requiring best practise environmentally sustainable design and operation are provided through the Oran Park Sustainability Development Control Plan. Sustainability assessment reports were lodged in support of the development proposes to reduce carbon intensity during construction and operation. Provisions also require reductions in energy and water use in the development can be complied with.

It is noted that the submission on Sustainability Management and Reporting comments that a review of 'actual' performance once the town centre is built and operational is required given the documents at development application stage are based on forecasts. Further, the Embodied Carbon Assessment states that opportunity does exist to investigate this area in more detail during the design phase of the development in order to improve the overall green rating of the building.

However, concern is raised over the scope of operational governance requirements. In order for the development to proceed in accordance with Clause 6.0, a development consent condition is recommended that prior to the issue of an Occupation Certificate the proponent shall prepare an operational management plan demonstrating how the overall sustainability performance of the centre will be monitored. The plan shall also outline how centre management propose to engage



tenants, staff, customers and the community on the features and sustainable performance of the centre.

#### Part 7.0 – Land Use and Built Form

It is considered that the proposed development is consistent with the built form and architectural character controls contained in the DCP as the design incorporates the façade treatments, articulation building elements controls. It is also considered that floor to ceiling height and weather protection controls have been satisfied. Street activation controls have been satisfied by the design of the development incorporating a legible retail entrance, active frontages, street level glazing and opportunities for future sleeve buildings to be erected.

#### Part 8.0 – Site Access, Parking and Loading

The provision for off-street carparking has been assessed against Part B5 – Access and Parking of Camden Development Control Plan 2011 (DCP) and is expressed as follows:

<b>Use</b>	<b>Rate</b>	<b>Required</b>
Supermarket (4,616 m <sup>2</sup> )	1 per 20 m <sup>2</sup> NFA	231
Shops (5,184 m <sup>2</sup> )	1 per 30 m <sup>2</sup> GLFA	173
Business Premises (2,780 m <sup>2</sup> )	1 per 30 m <sup>2</sup> NFA	93
Office Premises (1,600 m <sup>2</sup> )	1 per 35 m <sup>2</sup> NFA	46
<b>TOTAL</b>		<b>543</b>

The development proposes 485 basement carparking spaces as well as 18 spaces on the proposed internal private road, totalling 503 car spaces. A further 130 space overflow is proposed on the northern side of the development. With these spaces the car parking provision is brought to 633 spaces, complying with the DCP.

It is noted that these overflow spaces may be temporary and the land subject to future development. Any subsequent stage of the development will need to ensure the minimum car parking rates are maintained onsite. It is recommended that conditions of consent be imposed that a minimum of 543 off street car parking spaces must be provided on site at all times for the operation of this development.

Subject to the provisions of the DCP, it is recognised that as the development grows and expands over future stages, the car parking rates contained in the RTA Guide to Traffic Generating Development (Version 2.2, October 2002) would become applicable.

As provided for by the RTA guide, in its ultimate form retail uses would be calculated at a rate of 4.1 car parking spaces per 100 m<sup>2</sup> (for retail developments over 30,000 m<sup>2</sup> of GLA), which with 50,000 m<sup>2</sup> of retail space would equate to 2,050 off street car spaces, plus business and any other land uses.

Provision for bikes in the development is considered to comply with the rate of 1 space per 750m<sup>2</sup>. The provision, design and location of loading docks are considered to be consistent with the controls contained in the DCP.

The parking spaces and access to and from the car park and spaces shall be designed in accordance with AS2890.1. AS2890.6 – “Off Street Parking for People with Disabilities” applies to the development will be conditions to be complied with.

The internal road system will not be dedicated as public roads. The plans show provision for emergency vehicles and garbage trucks can be sustained and based on this the geometry of the internal road system is considered to be satisfactory.

Pedestrian crossings are proposed shown on the proposed plans on the internal road system. It is recommended the applicant have the detailed design of the crossings audited for road safety requirements and sight distances by a qualified traffic engineer. On-site and on-street lighting will be required to satisfy the requirements of Australian Standard AS1158 – Lighting for Roads and Public Spaces.

Given the design and location of the proposed development traffic impacts are not considered to be significant, ingress and egress is considered to be acceptable. Council's Local Traffic Committee will be required to approve any regulatory signage proposed in the vicinity of the access points (eg; "No Stopping"). Given regard to the relevant parking and access provision, it is considered that the proposed development satisfies the aims and controls of the DCP.

On the basis of the above, Council is satisfied that the development complies with the relevant controls contained in the Oran Park DCP.

#### Camden Development Control Plan 2011 (DCP)

The following parts of Camden Development Control Plan 2011 (DCP) are relevant to this proposal:

#### B4 – Advertising and Signage

The application seeks consent for directional signage, façade graphics and locations for future business identification signs.

The DCP does not contain any specific provisions for directional and way finding signs, likewise façade graphic are considered as building treatment and not as signs per se under this part of the DCP.

It is however considered provision of signage locations are consistent with the objective of this part of the DCP as the signage structure will relate to the land use and building design, aims to reduce visual complexity, and is in keeping with the scale of the proposed town centre building.

While this development does not propose any actual business identification signs, it is anticipated that as the development is occupied, applications will be lodged for business identification signs. Separate development applications will be required at this time and assessed on their merits.

On the basis of the above, Council is satisfied that the development complies with the relevant controls contained in the DCP.

#### **(1)(a)(iia) The provisions of any Planning Agreement**

A Voluntary Planning Agreement (VPA) for the land was signed on 22 September 2011. The proposed development is located with Stage G on Greenfield Development Company No. 2 (GDC 2) Land. The VPA specifies that the developer has agreed to provide the following (at various stages of final lots):

- Library (3,000<sup>th</sup> final lot)

- Leisure Centre (3,500<sup>th</sup> final lot)
- Community Park (75% of final lots)

Under the terms of the VPA, the approval of Council in terms of detailed design, is required prior to the lodging a development application, for these facilities. In addition to these commitments, a cash component is also prescribed at a rate of \$2,227 (indexed to CPI) per hectare of net developable area (NDA). Compliance with these matters will be made development consent conditions in accordance with the Oran Park VPA.

#### **(1)(a)(iv) The provisions of the Regulations**

The Regulations prescribe several development consent conditions that are provided as part of the recommended development consent conditions at the end of this report.

#### **(1)(b) The likely impacts of the development**

The development is unlikely to have any significant negative impacts on adjoining and surrounding properties, subject to the imposition of development consent conditions. The delivery of commercial and retail facilities at an early stage in a new community, such as Oran Park is considered to provide both positive social and economic impacts and further contribute to the community as it grows. Any likely impacts of this development have been assessed in other sections of this report.

#### **(1)(c) The suitability of the site for the development**

This site is considered to be suitable for the proposed development, as it is close to the Oran Park Town Centre and located near an approved school, retirement village and playing field. The surrounding transport and road systems are considered to provide sufficient access to and from the site. The applicable SEPPs and DCPs for this site provide for such a development and it is consistent with the relevant development objectives that they seek to achieve. The development will fit in well with the planned characteristics of the Oran Park development and, subject to the conditions discussed in the report, will not result in any significant impacts upon surrounding properties or the environment.

#### **(1)(d) Any submissions**

The application was publicly notified to surrounding property owners, in accordance with Camden DCP 2011, between 22 March and 5 April 2012. No submissions were received in response to this notification.

#### **(1)(e) The public interest**

This development is considered to be within the public interest. It achieves the objectives of the relevant SEPP's and DCP's and is generally consistent with all relevant development controls. The proposed commercial/retail centre will provide trading and community facilities for the Oran Park development and is considered to be within the public interest.

### **CONCLUSION**

Camden Council has received a development application for commercial/retail centre at Oran Park. The application has been notified to adjoining properties with no

submissions being received. The application has also been assessed in accordance with Section 79C of the Act.

It is considered that the proposed development represents a suitably located and designed facility for the Oran Park community and, subject to appropriate development consent conditions, will not have any significant impacts on any adjoining properties or the surrounding environment.

Consequently it is recommended that the Panel approve Development Application 265/2012 subject to the attached draft conditions provided at the end of this report.

### **RECOMMENDATION**

It is recommended that the Panel approve Development Application 265/2012 subject to the attached draft conditions provided at the end of this report.

### **Approved Development:**

This development consent approves the following development subject to and specifically referred to in the Development Consent Conditions set out below:

Oran Park Town Centre Stage 1 with a total land area of 37,239 m<sup>2</sup> and a gross lettable area of 14,180 m<sup>2</sup>, comprising the following:

- supermarket
- 33 specialty stores
- commercial premises
- private internal road;
- loading dock facilities;
- directional signage and advertising locations;
- 633 off-street car parking spaces; and
- associated earthworks, stormwater infrastructure and landscaping

### **Details of Conditions:**

#### **1.0 - General Requirements**

The following conditions of consent are general conditions applying to the development.

- (1) **Development in Accordance with Plans** – The development is to be in accordance with plans and documents listed below, except as otherwise provided by the conditions of this consent:

<b>Plan / Development No.</b>	<b>Description</b>	<b>Prepared by</b>	<b>Dated</b>
DA00C, DA01C, DA02C, DA03C, DA04C, DA05C, DA06C, DA07C, DA08C	Development Plans	The Buchan Group	3 February 2012
L06002.57A Drawings 000, 001, 002, 101, 102, 103,	Civil Plans (as amended)	Brown Consulting	14 March 2012

104, 701, 702			
L01D, L02D, L03D	Landscape Masterplan	JMD Design	12 March 2012
G-1000, G-3000, G-3001	Signage Locations Plan	The Buchan Group	12 March 2012
SW000, SW001, SW003, SW004, SW005, SW006, SW007	Hydraulic plans	INSYNC Services	14 March 2012
Revision C	Statement of Environmental Effects and appendices	Development Planning Strategies	March 2012

Where there is an inconsistency between the approved plans/documentation and the conditions of this consent, the conditions of this consent override the approved plans/documentation to the extent of the inconsistency.

- (2) **Amendments To Approved Plans** - The amendments indicated and described below must be incorporated in the overall development and must be reflected in any plans prepared for the purpose of obtaining a Construction Certificate:
  - (a) Removal of the boom gates as part of this application. Installation of boom gates is subject to a separate Development Application being lodged with the Consent Authority.
  - (b) Drainage covers, grates and any other visible infrastructure shall not be located in vehicle crossings in existing or future public roads.
- (3) **Individual Tenancies** - Approval is given for the construction of a retail/commercial centre. The fit out, use and occupation of all individual tenancies are subject to a separate Development Application being lodged with the Consent Authority.
- (4) **Building Code of Australia** - All works must be carried out in accordance with the requirements of the *Building Code of Australia*.
- (5) **Access For People With Disabilities** - Access for people with disabilities shall be provided in accordance with the requirements of Part D3 of the Building Code of Australia. Prior to the issue of a construction certificate, the plans shall be amended to reflect the above.
- (6) **Advertising Signs Application** - Outdoor advertising signs require prior development consent. A development application must be submitted and approval granted by the Consent Authority (ie Camden Council) prior to the erection of any advertising signs. Location of any signage shall be in generally accordance with Signage Locations plans G-1000, G-3000, G-3001 prepared by The Buchan Group and dated 12 March 2012.
- (7) **Prescribed Conditions** - The Applicant shall comply with the prescribed conditions of development consent under Clause 98 of the Environmental Planning and Assessment Regulations 2000.

## 2.0 - Construction Certificate Requirements

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

- (1) **Oran Park Voluntary Planning Agreement (VPA)** – the development shall be undertaken in accordance with the terms and conditions of the Voluntary Planning Agreement (VPA) made between Camden Council, Greenfields Development Company Pty Ltd, Greenfields Development Company No. 2 Pty Ltd and Landcom, pursuant to Section 93F of the Environmental Planning and Assessment Act 1979, dated 22 September 2011.

The VPA specifies that the developer has agreed to provide the following (at various stages of final lots):

- Library (3,000th final lot)
- Leisure Centre (3,500th final lot)
- Community Park (75% of final lots)

Contributions – The following monetary contributions must be indexed to the Consumer Price Index paid prior to issue of the Construction Certificate.

- \$722 per additional hectare, total 2,689 for Administration.

- (2) **Special Infrastructure Contribution** – Prior to the issue of any Construction Certificate, the applicant must submit to the consent authority written evidence from the Department of Planning that a special infrastructure contribution has been made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Growth Areas) Determination 2011 (as in force when this consent becomes operative).

Information on the Special Infrastructure Contribution can be found on the Department of Planning's website:  
[www.planning.nsw.gov.au/PlanningSystem/DevelopmentContributionsSystem/tabid/75/language/en-US/Default.aspx](http://www.planning.nsw.gov.au/PlanningSystem/DevelopmentContributionsSystem/tabid/75/language/en-US/Default.aspx).

- (3) **Design and Construction Standards** - All proposed civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with: -

- (a) Camden Council's current Engineering Specifications,
- (b) Camden Council's Development Control Plan 2011, and
- (c) Oran Park Development Control Plan 2007

It should be noted that designs for line marking and regulatory signage associated with any proposed road within this development must be submitted to and approved by the Local Traffic Committee of Camden Council.

- (4) **Drainage System** - Prior to the issue of a Construction Certificate, the certifying authority must ensure that the proposed drainage system has been designed in accordance with the requirements of AS3500 National Plumbing and Drainage Code

- (5) **Civil Engineering Plans** - Indicating drainage, roads, accessways, earthworks, pavement design, details of linemarking and traffic management details must be prepared strictly in accordance with Oran Park Development Control Plan 2007, Camden Council's Development Control Plan 2011 and Engineering Specifications, and are to be submitted for approval to the Principal Certifying Authority prior to the Construction Certificate being issued.

**Note:**

- (a) Under the Roads Act 1993, only the Council can issue a Construction Certificate for works within an existing road reserve.

(6) **Traffic Management**

- (a) The development must be designed and operated in accordance with RTA Roads and Maritime Services (RMS), Sydney Regional Development Advisory Committee letter dated 1 May 2012 points numbered 3 through 22 (inclusive).
- (b) Provision of a "temporary" break in the median of Peter Brock Drive to enable delivery vehicles exiting the loading dock area to turn right (south) onto Oran Park Drive until an alternative road network is developed to allow for circulating traffic movements.
- (c) Signage to be provided (subject to Local Traffic Committee approval) along Oran Park Drive preventing the right turn by trucks into Central Avenue and South Circuit.

- (7) **Parking Spaces** - A minimum of 543 off street car parking spaces must be provided on site at all times for the operation of this development. These spaces, and associated access driveways and manoeuvring areas must conform with Camden Development Control Plan (DCP) 2011, and must be designed in accordance with a pavement design prepared by a Geotechnical Engineer and the Consent Authority's (ie Camden Council) standard. Documentary evidence of compliance from an Accredited Certifier/Suitably qualified person must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued.

- (8) **Vehicular Area Design Standards** - The internal driveway and car parking area must be designed in accordance with AS2890.1-1993 off-street carparking.

Design of the private internal "Main Street" shall be prepared by a suitably qualified person in civil design and must be endorsed by a practicing Traffic Engineer prior to the issue of a Construction Certificate.

- (9) **Turning Facilities** – All turning and manoeuvring facilities, including turning heads, cul-de-sac, etc. shall be designed in accordance with the current edition of AS 2890.2 and in accordance with Oran Park Development Control Plan 2007.

- (10) **Roads Act 1993 Consent** - Prior to the issue of a Construction Certificate, for work in road reserves, consent pursuant to s.138 of the Roads Act 1993 must be obtained from the Roads and Maritime Services, Camden Council, for the design and construction of all the proposed work in, on or over the road reserves adjacent to the subject site.

The design must include, but not be limited to, plans/documents associated with:

- (a) the construction of kerb and gutter, road shoulder and drainage;
- (b) footway formation;
- (c) public utility service adjustment or installation; and
- (d) an Environmental Site Management Plan.

Further, all such plans and documents associated with the design must be certified by:

- (a) persons who are suitably accredited by a scheme approved by the NSW Department of Planning, or where no scheme exists,
- (b) persons who are suitably qualified, are specialists and in that regard, currently practising in that specialist area, or
- (c) in the case of a Public Utility Authority, an appropriately delegated officer of that Authority or accredited person by that Authority,

and prepared in accordance with Camden Council's current Engineering Design Specifications.

- (11) **Traffic Management Procedure** - Traffic management procedures and systems must be introduced during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems. Such procedures and systems must be in accordance with AS 1742.3 - 2009 and to the requirements and approval relevant road authority. Plans and proposals must be approved by prior to the Construction Certificate being issued.
- (12) **Loading Dock Acoustic Barrier Height and Location** – An acoustic barrier of 1800mm in height must be constructed (in accordance L-01 and L03 prepared by JMD Design) adjacent to Peter Brock Drive. The barrier can take the form of a landscape mound and must extend along the entire length of the loading dock and truck manoeuvring zone of the site. The construction materials used for the acoustic barrier can include earth, lapped and capped timber, masonry, 6mm fibre cement, 18mm plywood or a combination of the above. All joints must be airtight and the barrier must have no gaps at the bottom.
- (13) **Neoprene Rubber Buffers** – Neoprene rubber buffers are to be fitted to the vertical face of all loading docks to absorb impacts from items being loaded and unloaded.
- (14) **Car Park Noise Control** – The basement car park must have a broom finish applied to the concrete to prevent tyre squeal noise.
- (15) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the Certifying Authority for approval and inclusion in any application for a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 – 2005 and must address, but not be limited to, the following:
  - (a) all matters associated with Council's Erosion and Sediment Control Policy;



- (b) all matters associated with Occupational Health and Safety;
  - (c) all matters associated with Traffic Management/Control; and
  - (d) all other environmental matters associated with the site works such as noise control, dust suppression and the like.
- (16) **Dilapidation Survey** - A photographic dilapidation survey of existing public roads, kerbs, footpaths, drainage structures and any other existing public infrastructure within the immediate area of the development site must be submitted to the Council prior to the issuing of the Construction Certificate.

The survey must include descriptions of each photo and the date when each individual photo was taken.

- (17) **Damage to Public Infrastructure** – All public infrastructure that adjoins the development site on public land shall be protected from damage during construction works.

Public infrastructure includes roadways, kerb and guttering, footpaths, service authority infrastructure (such as light poles, electricity pillar boxes, telecommunication pits, sewer and water infrastructure), street trees and drainage systems.

The applicant shall advise Council, in writing, of any existing damage to Council property before commencement of the development. Where existing damage is present, a dilapidation survey of Council's assets, including photographs (with evidence of date) and written record, must be prepared by a suitably qualified person and submitted to Council prior to the commencement of construction works.

The applicant shall bear the cost of all restoration works to public property damaged during the course of this development. Any damage to public infrastructure will be required to be reinstated to Council's satisfaction prior to the issue of a Final Occupation Certificate.

- (18) **Performance Bond** - Prior to the issue of the Construction Certificate, a performance bond of \$25,000 must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- (19) **Public Risk Insurance Policy** - Prior to the issue of the Construction Certificate, the owner or contractor is to take out a Public Risk Insurance Policy in accordance with Camden Council's current Engineering Design Specifications.
- (20) **Civil Engineering Details** - The developer must submit details of all engineering works on engineering plans to the Certifying Authority for approval prior to a Construction Certificate being issued.
- (21) **Stormwater Detention** - An onsite detention system must be provided to restrict the stormwater discharges for the bank full flows (2-year ARI) in accordance with the overall stormwater detention strategy (Brown 2007, Oran Park Precinct Masterplan Stormwater Quantity Management & Flooding).

- (22) **Water Quality Measures** - The proposed surface water collection and disposal systems must incorporate adequate silt traps and grit and oil arrestors.

Only uncontaminated stormwater must be discharged to the stormwater drainage system. Details of the silt traps and grit arrestors must be shown on the submitted engineering plans prior to the Construction Certificate being issued.

- (23) **Design of “Construction” On-site Detention/Sediment Control Basin** - The design of the “construction” on-site detention/ sediment control basin and water quality facility must be prepared in accordance with the requirements of:

- (a) for sediment control generally, Managing Urban Stormwater – Soils and Construction, Volume 1, 4th Edition, March 2004 as produced by Landcom,
- (b) Camden Council’s current Engineering Design Specification, and Oran Park Development Control Plan 2007
- (c) and must not concentrate final discharge flows from the facility.

The construction of the on-site detention/sediment control basin must contain an impervious layer to provide water harvesting.

The design must be prepared and certified by an Accredited Certifier and must be submitted to the Certifying Authority for inclusion in any application for a Construction Certificate.

- (24) **Safer By Design (CPTED) Requirements** - Prior to the issue of the Construction Certificate, all recommendations contained in the Safer By Design Report must be addressed and be reflected in all relevant plans submitted with the Construction Certificate Application.

The development must be designed in accordance with the NSW Police Service, Camden Local Area Command and Safer By Design Crime Risk Evaluation Report applying to this development, dated 13/04/2012, excluding reference to “Main Street” under the heading Space / Activity Management.

- (25) **Rainwater Harvesting and Reuse** – A suitable rainwater treatment process to be incorporated into a management plan must be provided to the certifying authority prior to the issue of a Construction Certificate. The treatment process and management plan must demonstrate how harvested rainwater will be kept to a high quality when in storage and be fit for the intended use.

- (26) **Detailed Landscaping Plans** - Prior to the issue of the Construction Certificate, detailed Landscaping Plans for all Public and Private Open Space areas must be submitted with the Construction Certificate application and must comply with Camden Council’s current Engineering Design Specifications and Part B1 of Oran Park Development Control Plan 2007 and Oran Park Town, Public Domain Manual, May 2011

The detailed Landscaping Plans should be prepared by a qualified Landscape Architect.

The following items listed must be included with other landscaping elements:

- (a) Nature Strip Street Trees are to be installed:
    - (i) Ensure that the Street Tree installation procedures and the street tree establishment schedules are clearly shown in the detailed Landscaping Plans.
    - (ii) Eucalyptus, Angophora, Araucaria and other very large trees are not to be installed in any Public Open Space Road Median, Road Verge or Nature Strip area without approval from the Consent Authority (i.e. Camden Council).
    - (iii) That all the Street Trees are advanced size at installation, are not multi-stemmed and can stand alone without the need for staking.
  - (b) The detailed Landscaping Plans must clearly show that any proposed Entry Feature, Statement Feature Wall, or Entry Statement Signage are not positioned on any Public Open Space areas, such as the Nature Strip or other Public Open Space area. Any Entry Statement Feature is to be positioned wholly within the boundaries of Private Open Space areas.
  - (c) The detailed Landscaping Plans lodged for the issue of the Construction Certificate must include a planting schedule. The schedule must clearly detail the planting positioning, species by botanical and common names, quantities and planting sizes.
- (28) **Landscaping Maintenance and Establishment Period** - Commencing from the Date of Practical Completion (DPC), the Applicant will have a 24 month establishment and maintenance responsibility for all hard and soft landscaping elements within the Public and Private Open Space Landscaped areas associated with this Consent.

During the maintenance and establishment period, the Applicant is responsible for the establishment, care and repair of all street tree installations, softscape elements such as plantings and lawn, hardscape elements including paths, paving, walls, bins, seats, BBQ's, shelters, bubblers, street art, playground equipment, softfall treatments etc.

The Applicant is also responsible for any Water, Lighting or other Electrical or other Service usage costs, that is incurred during the 24 month maintenance and establishment period for the landscaped areas.

The Date of Practical Completion (DPC) is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation, street tree installation and mulching.

It is the Applicant's responsibility to arrange a site inspection with the Principal Certifying Authority (PCA), upon initial completion of the landscaping works, to determine and agree upon an appropriate DPC.

Prior to Council accepting maintenance responsibility for the Public Open Space Landscaped areas, all hard and soft landscaping elements (including any nature strip, road median, road verge areas, street trees, root barriers,

street tree protective guards and bollards) must be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth

At the completion of the maintenance and establishment period, the landscaping works must comply with the approved Detailed Landscaping Plans.

- (29) **Street Trees, their tree root barrier guards, protective guards and bollards** - During any earthworks, development works and Landscaping maintenance and establishment period relating to this Consent, the Applicant is advised:

- (a) That any nature strip street trees, their tree guards, protective bollards, garden bed surrounds or root barrier installation which are disturbed, relocated, removed, or damaged must be successfully restored at the time the damage or disturbance occurred.
- (b) Any repairs, relocations, reinstallations or replacements needed to the street trees, bollards, garden bed surrounds, tree guards or existing root guard barriers, are to be completed with the same type, species, plant maturity, materials and initial installation standards and the works and successful establishment of the trees carried out prior to the completion of the 24 month maintenance and establishment period.

- (30) **Cooling Towers**

- (a) Cooling Tower Design / Construction / Installation – all water cooling system proposed for the site shall be designed, constructed and installed in accordance with AS 3666.1:2002, the Public Health Act 1991 and Public Health (Microbial Control) Regulation 2000 before being commissioned.
- (b) Cooling Tower Operation – all water cooling system shall be operated and maintained in accordance with AS 3666.2:2002, (or AS 3666.3:2000 subject to prior notification to Council) the Public Health Act 1991, and Public Health (Microbial Control) Regulation 2000.
- (c) Public Health (Microbial Control) Regulation - prior to the issue of the Occupation Certificate, the owner must make application to the Consent Authority (ie Camden Council) for registration of the cooling tower/s.
- (d) Cooling Tower Certification – an annual certificate as stipulated in Clause 9(2) of the Public Health (Microbial) Regulation 2000 that certifies the effectiveness of the process of disinfection used for the water cooling system, be submitted to Council prior to the period ending 30 June each year.

### **3.0 - Prior To Works Commencing**

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

- (1) **Sydney Water Approval** – Prior to works commencing, the approved development plans must also be approved by Sydney Water.
- (2) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work. The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from the site. Ingress and egress of the site must be limited to this single access point
- (3) **Soil Erosion And Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site.

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

Where a soil erosion and sediment control plan (or details on a specific plan) has been approved with the development consent, these measures must be implemented in accordance with the approved plans. In situations where no plans or details have been approved with the development consent, site soil erosion and sediment controls must still be implemented where there is a risk of pollution occurring.

Provide a stabilised entry/exit point. The access should be a minimum of 2.5m wide and extend from the kerb to the building line. The access should consist of aggregate at 30-40mm in size.

Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.

#### 4.0 - During Construction

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

- (1) **Hours of Work** – The hours for all construction and demolition work are restricted to between:
  - (a) 7.00am and 6.00pm, Monday to Friday (inclusive);
  - (b) 7.00am to 4.00pm on Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8.00am to 4.00pm;
  - (c) work on Sunday and Public Holidays is prohibited.
- (2) **Site Management** – To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:
  - (a) the delivery of material shall only be carried out between the hours of 7.00am and 6.00pm, Monday to Friday, and between 8.00am and 4.00pm on Saturdays;

- (b) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off the site;
  - (c) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
  - (d) waste must not be burnt or buried on site, nor should wind-blown rubbish be allowed to leave the site. All waste must be disposed of at an approved Waste Disposal Depot;
  - (e) a waste control container shall be located on the development site.
  - (f) water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (3) **Civil Engineering Inspections** - Where Council has been nominated as the Principal Certifying Authority, inspections by Council's Engineer are required to be carried out at the following stages of construction:
- (a) prior to installation of sediment and erosion control measures;
  - (b) prior to backfilling pipelines and subsoil drains;
  - (c) prior to casting of pits and other concrete structures, including kerb and gutter, roads, accessways, aprons, pathways and footways, vehicle crossings, dish crossings and pathway steps;
  - (d) proof roller test of subgrade and sub-base;
  - (e) roller test of completed pavement prior to placement of wearing course;
  - (f) prior to backfilling public utility crossings in road reserves;
  - (g) prior to placement of asphaltic concrete;
  - (h) final inspection after all works are completed and "Work As Executed" plans, including work on public land, have been submitted to Council.

Where Council is not nominated as the Principal Certifying Authority, documentary evidence in the form of Compliance Certificates stating that all work has been carried out in accordance with Camden Council's Development Control Plan 2011 and Engineering Specifications must be submitted to Council prior to the issue of the Subdivision/Occupation Certificate.

- (4) **Fill Material** – Prior to the importation and/or placement of any fill material (VENM permitted only) on the subject site a validation report and sampling location plan for such material must be submitted to the Principal Certifying Authority for approval and concurrence.

The validation report and sampling location plan must be prepared:

- i) by a practicing engineer with National Professional Engineering Registration and with a Specific Area of Practice in Subdivisional

Geotechnics,

and

ii) in accordance with: -

a) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and

b) The Department of Environment and Conservation – Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) – Soil Investigation Levels for Urban Development Sites in NSW".

iii) and confirm that the fill material:

a) provides no unacceptable risk to human health and the environment;

b) is free of contaminants;

c) has had salinity characteristics identified in the report;

d) is suitable for its intended purpose and land use, and

e) has been lawfully obtained.

The sampling for salinity of fill volumes less than 6000m<sup>3</sup> must provide for 3 sampling locations; fill volumes exceeding 6000m<sup>3</sup>, require one sampling location for each additional 2000m<sup>3</sup>. A minimum of 1 sample from each sampling location must be provided for assessment.

The sampling for Contamination should be undertaken in accordance with the following table:-

Classification of Fill Material	No. of samples per volume	Volume of fill (m <sup>3</sup> )
Virgin Excavated Natural Material	1 (see note 1)	1000

*Note 1: Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.*

(5) **Waste Management Plan Construction and Demolition** – Construction and demolition waste shall be managed in accordance with the "Waste Management Plan: Construction and Demolition; Oran Park Town Centre, Prepared by Waste Audit and Consultancy Services, Dated January 2012," with the exception of: the crushing of plasterboard materials and reuse in landscaping is prohibited and Greywater is not permitted to be used for site irrigation or dust suppression.

(6) **Salinity Management Plan** - All proposed works that includes earthworks, imported fill and landscaping, buildings and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with "Section 13.0 - Salinity Management Plan" contained within

report "Salinity Assessment Report: Town Centre Tranche 20 Oran Park Precinct, Prepared by Ground Technologies, Ref No GT 1636b, Dated April 2012." except as expressed in the following:

(i) With reference to AS2159-2009: Piling design and installation, Table 6.4.3, Concrete Strength And Reinforcement Cover In Piles, a concrete strength of 32 MPa with a minimum reinforcement cover of 60mm will be required for the site.

(ii) With reference to AS2159-2009: Piling design and installation, Table 6.5.3, a corrosion allowance of 0.01-0.02 (mm/year) for mildly aggressiveness to steel piles must be used.

- (7) **Construction Noise Levels** – Noise levels emitted during remediation works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends;

Construction period of 4 weeks and under:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).

Construction period greater than 4 weeks:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

Note: The assessment of noise for compliance purposes should be measured from the boundary of the most affected residence. Can this be changed to Paul Mitchell's favourite condition?

- (8) **Vibration** – All potential vibration impacts during the construction and operation phases for the development must comply with the requirements of the NSW DECC's Environmental Noise Management: Assessing Vibration : A Technical Guideline (2006).

## **5.0 - Prior To Issue Of Occupation Certificate**

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

- (1) **Fire Safety Certificates** - Pursuant to clause 168 of the Environmental Planning and Assessment Act Regulation 2000, the following is a schedule of existing and/or proposed Fire Safety Measures required to be installed in the building, and the minimum standard to which these measure shall be designed and maintained.

On completion of the building works and prior to occupation of the building the owner of the building shall furnish to Council a Fire Safety Certificate for each fire safety measure in the building.

The owner of the building shall then furnish Council with a Fire Safety Statement annually for each Fire Safety Measure in the building.



- (2) **Redundant Crossings** - All redundant gutter crossings and footpath crossing must be reinstated to the existing standards on the road.
- (3) **Damaged Assets** – Any work and public utility relocation within a public place shall incur no cost to Council.
- (4) **Survey Report (Completion)** - A survey report prepared by a registered land surveyor shall be provided upon completion of the building. The survey report shall be submitted to the Principal Certifying Authority (PCA) upon completion of the building and prior to the issue of an Occupation Certificate.
- (5) **Works As Executed Plan** - Prior to the Occupation Certificate being issued, a works-as-executed plan must be submitted to the Principal Certifying Authority in accordance with Camden Council's current Engineering Construction Specifications.
- (6) **Structural Certification (Completed Building)** – Prior to the issue of an Occupation Certificate, a certificate prepared by a practicing structural engineer, certifying the structural adequacy of the building, shall be submitted to the Principal Certifying Authority (PCA).
- (7) **Services** - All services (water, sewer, electricity, telephone and gas) to all allotments are to be installed and fully operational prior to an occupation certificate being issued.
- (8) **Environmental Management and Performance of Centre** - Prior to the issue of an occupation certificate the proponent shall prepare an operational management plan demonstrating how the overall sustainability performance of the centre will be monitored. The plan shall also outline how centre management propose to engage tenants, staff, customers and the community on the features and sustainable performance of the centre, as required by Part B1 of Oran Park Development Control Plan 2007

A report shall be submitted to Council within one year of the Occupation Certificate demonstrating how the development complies with the mandatory controls as set out in Part B1 of Oran Park Development Control Plan 2007 and Oran Park Sustainability Development Control Plan.

## **6.0 - Subdivision Certificate**

The following conditions of consent shall be complied with prior to the Council or an Accredited Certifier issuing a Subdivision Certificate.

- (1) **Section 88b Instrument** - The developer must prepare a Section 88B Instrument for approval by the Principal Certifying Authority which incorporates the following easements and restrictions to user:
  - (a) Easement for services.
  - (b) Easement to drain water.
  - (c) Drainage easement over overland flow paths.
  - (d) Easement for on-site-Detention.

- (e) Easement for water quality.
- (f) Right of carriageway and easement for services and drainage be provided over the proposed private internal road, in favour of the public and utility. The owners of the subject properties burdened by the Right-Of-Way and easements shall be responsible for on-going maintenance and the Public Liability.

## 7.0 - Operational Conditions

The following conditions of consent are operational conditions applying to the development.

- (1) **Hours of Operation (Trading)** - The trading hours of operation for the approved land-uses and areas open to the public are:

Monday to Sunday (inclusive): 7.00am to 12.00 Midnight

Any alteration to these hours will require the prior approval of the Consent Authority.

- (2) **Off Street Car Parking** – a minimum of 543 car spaces to be maintained at all times
- (3) **Loading Dock Delivery Hours and Restrictions** – Delivery vehicles are permitted with restrictions to use the loading dock between the hours of 7.00am and 10.00pm on any day of the week.

The use of the loading dock may be used by supermarket delivery vehicles 24 hour / 7 days per week but subject to the following restrictions:

- (a) 5.00 am – 6.00 pm: Maximum two truck visits per 15 minutes (4 movements – 2 in and 2 out) and a maximum of two van visits per 15 minutes.
  - (b) 6.00 pm – 10.00pm: Maximum one truck visit per 15 minutes (2 movements – 1 in and 1 out) and a maximum of one van visits per 15 minutes.
  - (c) 10.00 pm – 5.00 am: Maximum one truck visit per 15 minutes.
  - (d) All delivery vehicles must have their engines turned off whilst unloading.
  - (e) Subject to Workcover and OH&S requirements, in order to reduce noise impacts delivery vehicles must not operate at night-time with reversing alarms. These vehicles must operate with the aid of reversing cameras and visual monitors or similar quiet equipment.
- (4) **Delivery Route** - Delivery vehicles exiting the loading dock areas shall use Peter Brock Drive and Oran Park Drive.
  - (5) **Bailers / Garbage Compactors Restrictions** – Bailers and/or garbage compactors are only to be used in the loading dock area between 7.00am and

10.00 pm Monday to Saturday and 8.00am to 10.00pm on Sundays and Public Holidays.

- (6) **Offensive Noise** - The use of the area shall not give rise to any nuisance to adjoining properties or an offensive noise as defined in the POEO Act.
- (7) **Graffiti Management Plan** - A graffiti management plan needs to be incorporated into the maintenance plan for the development. All graffiti shall be removed within 48 hours of the offence.